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**APPLICATION DETAILS**

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<b>Application No:</b>	<b>17/0347/FUL</b>
<b>Location:</b>	<b>Land to the south of College Road Middlesbrough TS3 9EN</b>
<b>Proposal:</b>	<b>Erection of 106 dwellings with associated works</b>
<b>Applicant:</b>	<b>Mr Chris Dodds</b>
<b>Company Name:</b>	<b>Gleeson Regeneration Ltd</b>
<b>Agent:</b>	
<b>Company Name:</b>	
<b>Ward:</b>	<b>Brambles/Thorntree</b>
<b>Recommendation:</b>	<b>Approve with Conditions</b>

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**SUMMARY**

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The application seeks consent for the erection of 106 residential dwellings and associated works. The application site is in a residential area, on a brownfield site allocated for housing development within the Housing Local Plan. The site is in close proximity to a number of services and provisions making it a sustainable location for new residential development.

Following a consultation exercise 5 objections were received from residents and one resident made representations neither objecting to nor supporting the application.

It is considered that the proposed development would provide a good mix of dwellings which are considered to be of good quality design in an attractive setting with an appropriate layout and ancillary works. The development will not result in any significant detrimental impact to the amenities of existing local residents or the highway network subject to suitable mitigation. The development meets the requirements of the relevant national planning policies detailed in the NPPF and local plan policies, specifically H1, H11, H31, CS4, CS5 and D1. It is recommended that the application is minded for approval with conditions subject to a Section 106 Agreement relating to highway mitigation measures.

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**SITE AND SURROUNDINGS AND PROPOSED WORKS**

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The application site is the former Erimus Training Centre site and comprises 2.88 ha of brownfield land. The site is located to the east of Cargo Fleet Lane, to the south of College Road and is accessed from College Road approximately 240m east of the junction with Cargo Fleet Lane.

The site is located in an area which is predominantly residential consisting of two-storey semi-detached and terrace dwellings. Residential dwellings are located to the north and east of the site. To the south is Thorntree Cemetery and to the west is Cargo Fleet Lane with residential dwellings and a social club. Other uses within the area include a local centre and a school.

This application seeks consent for the erection of 106 dwellings and associated works. The dwellings consist of:

- a) 6 four bed detached;
- b) 26 three bed detached;
- c) 40 three bed semi-detached;
- d) 27 two bed semi-detached; and,
- e) 7 two bed terrace.

The following documents were submitted in support of the application:

- a) Design and Access Statement;
- b) Planning Statement;
- c) Flood Risk Assessment;
- d) Affordable Housing Statement;
- e) Air Quality Screening;
- f) Construction Management Plan;
- g) Drainage Assessment;
- h) Preliminary Ecological Appraisal;
- i) Tree Survey;
- j) Geo-environmental Appraisal;
- k) Noise Assessment;
- l) Maximising Security through Design;
- m) Site Waste Management Plan;
- n) Sustainability Statement;
- o) Transport Assessment;

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## **PLANNING HISTORY**

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No relevant planning history.

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## **PLANNING POLICY**

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In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities must determine applications for planning permission in accordance with the Development Plan for the area, unless material considerations indicate otherwise. Section 143 of the Localism Act requires the Local Planning Authority to take local finance considerations into account. Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires Local Planning Authorities, in dealing with an application for planning permission, to have regard to:

- The provisions of the Development Plan, so far as material to the application
- Any local finance considerations, so far as material to the application, and
- Any other material considerations.

The following documents comprise the *Middlesbrough Local Plan*, which is the Development Plan for Middlesbrough:

- Housing Local Plan (2014)
- Core Strategy DPD (2008, policies which have not been superseded/deleted only)
- Regeneration DPD (2009, policies which have not been superseded/deleted only)
- Tees Valley Joint Minerals and Waste Core Strategy DPD (2011)
- Tees Valley Joint Minerals and Waste Policies & Sites DPD (2011)
- Middlesbrough Local Plan (1999, Saved Policies only) and
- Marton West Neighbourhood Plan (2016, applicable in Marton West Ward only).

#### National Planning Policy Framework

National planning guidance, which is a material planning consideration, is largely detailed within the *National Planning Policy Framework* (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The NPPF defines the role of planning in achieving economically, socially and environmentally sustainable development although recognises that they are not criteria against which every application can or should be judged and highlights the need for local circumstances to be taken into account to reflect the character, needs and opportunities of each area.

For decision making, the NPPF advises that local planning authorities should approach decisions on proposed development in a positive and creative way, working pro-actively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and that at every level should seek to approve applications for sustainable development (paragraph 38). The NPPF gives further overarching guidance in relation to:

- The delivery of housing,
- Supporting economic growth,
- Ensuring the vitality of town centres,
- Promoting healthy and safe communities,
- Promoting sustainable transport,
- Supporting the expansion of electronic communications networks,
- Making effective use of land,
- Achieving well designed buildings and places,
- Protecting the essential characteristics of Green Belt land
- Dealing with climate change and flooding, and supporting the transition to a low carbon future,
- Conserving and enhancing the natural and historic environment, and
- Facilitating the sustainable use of minerals.

The planning policies and key areas of guidance that are relevant to the consideration of the application are:

DC1 - General Development  
CS4 - Sustainable Development  
CS5 - Design  
H1 - Spatial Strategy  
H11 - Housing Strategy  
H31 - Housing Allocations  
UDSPD - Urban Design SPD  
HGHDC - Highway Design Guide

The detailed policy context and guidance for each policy is viewable within the relevant Local Plan documents, which can be accessed at the following web address.  
<https://www.middlesbrough.gov.uk/planning-and-housing/planning/planning-policy>

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## CONSULTATION AND PUBLICITY RESPONSES

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The application has been advertised in the local press, site notices posted and consultations sent to statutory consultees, local residents, Ward Councillors and the Community Council.

Following the consultation exercise 5 objections were received from residents and one resident made representations neither objecting to nor supporting the application.

The objections are summarised below:

- a) Impact on air quality;
- b) Issues with affordable housing statement;
- c) Land is contaminated and the cemetery could cause elevated concentrations of ground gases;
- d) Loss of trees;
- e) Impact on ecology;
- f) Why 106 dwellings, why not other sites;
- g) Why has the local authority allowed social decline;
- h) Pollution of watercourse;
- i) Increase in traffic congestion;
- j) Local roads at capacity;
- k) Highway safety;
- l) Inadequate assessment of traffic levels and movement;
- m) Traffic surveys should be carried out over a year not a couple of days so they are not predicted;
- n) Roads in poor state of repair;
- o) Land was to be used for burials, why the change and where will burials be now;
- p) Let the site return to nature;
- q) Own my property out right, they intend to build directly onto the back of my property;
- r) Loss of privacy;
- s) Close to adjoining properties;
- t) Inadequate access for construction phase and once completed;
- u) Increase danger of flooding;
- v) Loss of light;
- w) More open space needed;
- x) Noise nuisance;
- y) Over development;
- z) Vulnerability of properties whilst works are ongoing; and,
- aa) There should be a boundary between the development and existing housing on College Road as privacy will be largely affected, a gated road may be an option between the new and existing housing.

The objections were received from the following properties:

- 1. 2 College Road;
- 2. 10 College Road;
- 3. 56 College Road;
- 4. 39 Barrington Crescent; and,
- 5. 14 Creekwood.

18 College Road made comments neither in support or objection to the application relating to increased flooding and the need for a flood risk assessment.

#### Northumbrian Water

No objection subject to the development being carried out in accordance with the Drainage Assessment.

#### Northern Gas

No objections to these proposals.

#### Environment Agency

The Environment Agency has no objection to the proposed development.

#### Natural England

We consider that there will be no significant adverse impacts on designated sites.

#### Northern Powergrid

No response received

#### Cleveland Policy - Secured by Design

Advice has been given in relation to SBD standards, boundary treatments, lighting, permeability and natural surveillance. The applicant is encouraged to contact the Architectural Liaison Officer for any advice and guidance with regards to designing out opportunities for crime and disorder to occur in the future.

#### MBC - Policy

No objection. The site is an allocated housing site in the Local Plan. In assessing the local policies the proposal does not raise any significant issues.

#### MBC - Highways

Access is proposed to be taken from College Road via a new priority T junction. The junction and internal layout has been designed to an adoptable standard and meets all relevant design guidance. The site is in a sustainable location with a number of local services and schools within nationally recognised walking distances. Adjacent bus stops are served by a number of high frequency services.

The application has been supported by a Transport Assessment which considered the operation of the local highway network. The trip generation and distribution onto the network has been agreed with the applicants and their consultants. The initial estimated scale of impact and mitigation proposals put forward were not considered reflective of the likely situation. The mitigation works initially proposed by the applicants highway consultants consisted of altering signal timings to maintain flows on Cargo Fleet Road to the detriment of side road flows and pedestrian crossing facilities. Officers raised concerns with the proposed mitigation and did not feel able to support the approach.

There has been a period of detailed discussions with the applicants and their highway consultants to resolve the matter. The applicants TA undertook junction capacity analysis using industry standard software. The concern with this approach in this instance is that such analysis assesses junctions in isolation. Given the number of adjacent junctions and interaction between them the authority have had a strategic (Aimsun) microsimulation model constructed for the Cargo Fleet Lane corridor. The extent of the model covers Cargo Fleet Lane from its junction with the A66 at the North down to B1380 Ormesby High Street roundabout at the South. This model more accurately assesses the interaction between junctions, cumulative effects of background traffic growth, proposed/committed developments and other schemes/works which may affect the route including the A66/A171 Cargo Fleet 'Throughabout' scheme, which is programmed for implementation in 2019/20.

This model has been validated in line with national guidance and is therefore considered to be representative of both the current and anticipated future operation of the network.

The model demonstrates that Cargo Fleet Lane is currently a congested corridor. Congestion occurs due to the lack of capacity at key junctions leading to queuing (blocking back) though to other adjacent junctions leading to a 'ripple' effect. Because the network is already congested at peak times, the introduction of additional traffic will have a significant detrimental impact on the operation of the network in terms of journey time along the corridor and the length of queueing at junctions.

Whilst the proposals will have a detrimental impact the scale of the impact must be considered against the background that the corridor is already congested in order to understand what the magnitude of impact is. National Planning guidance contained within the NPPF refers to the refusal of planning consent where the impact can be demonstrated to be 'severe'.

Another side effect of increased congestion which needs to be taken into account is the impact that it will have on Public Transport services. Increased delays to bus services reduces service reliability and punctuality and, consequently, has a detrimental impact on the attractiveness of Public Transport as a mode of travel. This increases dependence on the private car, which further increases congestion.

The comments above are purely those of the Highway Authority and it is accepted that compromises are required in order to enable growth. New housing is required and a result of this is potentially further congestion.

Alternative approaches have been considered;

- a) Increasing the vehicular capacity along the Cargo Fleet Lane corridor.  
Such works will be very expensive and given the scale of works required a part contribution from the proposed development, proportionate to the scale of development, is all that can be secured in line with planning legislation. This means that there will be a period of increased congestion (harm) without any mitigation works as further funding streams are sought. The period of increased congestion will not occur for potentially 3-5 years based upon residential build out rates.

A side effect of increasing capacity on CFL is the impact on the streetscene and environment for local residents. Widening carriageways will increase the volumes of traffic travelling through the area and will create a severance affect between communities on the West and Eastern sides of CFL. Levels of noise, vibration and air quality are also likely to be adversely affected.

- b) Reducing vehicular demand.  
Given the issues above the recommended approach is to seek to restrain the level of traffic generated by the development proposals. This would be achieved by securing developer contributions and incentives to promote sustainable travel. Such measures could include providing residents with bus passes, cycles/cycle equipment and Personalised Travel Planning. Whilst it is accepted that the proposals would still add traffic to a congested network the Travel Planning incentives would reduce this impact to a level below that which could be considered severe in line with the NPPF.

- c) Smaller scale localised capacity improvement schemes have been identified which would assist public transport services and improve vehicular capacity. These schemes are at an early feasibility stage and financial contributions would enable further progression of these prior to further consultation.

MBC - Lead Local Flood Authority

No objection subject to conditions relating to surface water drainage and necessary diversions.

MBC - Environmental Health

No objection subject to conditions to ensure the development is built in accordance with the noise assessment, and requiring a remediation strategy and validation to deal with site contamination.

MBC - Waste Collection

No objection, resident in properties with shared drives will need to place their recycling and refuse at the nearest public highway.

MBC - Education

No response received

Ward Councillors Geraldine Purvis & Peter Purvis

We welcome the proposal, the nearby tenants are looking forward to the development as the site has been a problem of fly tipping and anti-social behaviour over the years.

Ward Councillor Terry Lawton

Raised concerns relating to the impact on the highway network and flooding. Suitable mitigation to resolve the highways issues are required and a sustainable drainage scheme.

**Public Responses**

Number of original neighbour consultations	78
Total numbers of comments received	8
Total number of objections	5
Total number of support	1
Total number of representations	2

Site notice posted –  
17th August 2017

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**PLANNING CONSIDERATION AND ASSESSMENT**

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1. This application is a full planning application for the development of 106 dwellings and associated works including roads, drainage and landscaping. The principle issues to be considered in respect of this application centre upon the appropriateness and sustainability of the site, the drainage infrastructure, the impact on the highway network, the design, scale and layout of the dwellings, the parking provision, internal highway layout and landscaping.
2. Consideration can only be given to matters that are material to this application. Those matters which are not material include the availability of other sites, where burials will be, and the vulnerability of properties whilst works are ongoing.

Policy/Principle of Development

3. The application site is allocated in the Housing Local Plan for residential development where Policy H31 (Housing Allocations) applies. The site is identified as the Former Erimus Training Centre and is allocated for 100 residential units. It is a brownfield site and is located within an existing residential area. The principle of residential development on the application site has been established by Policy H31
4. Through the Spatial Vision of the Core Strategy (2008), the Housing Local Plan (2014) and its Policy H1 there is a need to increase the supply of housing to meet the aspirations of the economically active population, which consolidates and builds upon the success of popular neighbourhoods within the town. Policy H11 also emphasises the need to ensure the quality of life is maintained through protecting the existing high environmental quality of the area and create a sustainable and balanced mix of high quality housing.
5. Within the northern areas of Middlesbrough it is not normally viable for open market housebuilders to provide an affordable housing contribution. Policy H12 (Affordable Housing) reflects this situation and only requires developments in the south of the town to provide affordable housing contributions to fund off-site provision within the regeneration areas. Some sites in the north are also delivered by registered social landlords for predominantly affordable housing. As a result there is no policy requirement for affordable housing at this application site.
6. It is considered that the proposed development meets the requirements of Policies H1, H11, and H31. There are no objections to the principle of development as proposed.
7. The application will be assessed in relation to the policies regarding design, sustainability and general development principles throughout the remainder of this report.

### Amenity

8. The proposed residential dwellings are located adjacent to existing dwellings to the north, east and west, the application must be assessed in relation to the amenity of the existing residents and the future residents of the proposed dwellings.
9. Where adjacent to existing properties, the proposed layout positions the majority of dwellings with their rear elevations facing the rear elevations of the existing dwellings. The separation distances to existing dwellings are a minimum of 21m rear to rear and 13.5m side to rear. The separation distances will ensure that there is no significant impact on privacy and light to the existing dwellings in accordance with Policy DC1 and the Urban Design SPD. In addition, existing dwellings will back onto houses / gardens and this is considered to be beneficial in terms of designing out opportunity for crime and anti-social behaviour.
10. A footpath link is proposed to Cargo Fleet Lane, this will allow residents of the site to directly access the nearby facilities on foot and thereby reduce the likelihood of car usage for short journeys such as the local shops and the nearby school. Dwellings are orientated to overlook the footpath providing natural surveillance in accordance with secured by design guidance, thereby assisting in it being a desirable and well used link.
11. Internally within the proposed development the layout is such that the majority of the dwellings are orientated front to front and rear to rear facing. The layout ensures that separation distances between dwellings are to an acceptable standard, where they do fall short of the guidance the properties are offset from one another and the

shortfall is considered to not be significant, therefore they would not unduly impinge on each other's privacy. The separation distances and orientation of the dwellings also ensure that the properties will not have a detrimental impact on those around them in relation to light to primary windows.

12. In view of these matters it is considered that the proposed development accords with the requirements of Policy DC1.

### Design

13. The proposed house types provide a varied mix of two, three and four bed dwellings including detached, semi-detached and terraced. The dwellings are traditional in their design incorporating design features including corner turners, porch detailing, garret style dormer windows, brick detailing and feature gable elevations. A mix of finishing materials are used to break up the elevations enhancing the visual appearance of the dwellings.
14. The NPPF requires local authorities to deliver a wide choice of high quality homes to significantly boost the supply of housing. The proposed dwellings offer a mix of high quality two, three and four bed properties with varying garden sizes. The dwellings are considered to be in accordance with the requirements of the NPPF.
15. The design of the dwellings reflects the character and appearance of the existing dwellings but does not copy them. The mix of dwellings and key design features will create an identifiable character area within the wider residential estate. It is considered that the proposed development will complement the existing dwellings and the wider area.
16. The dwellings are appropriate in terms of scale and mass and the plot sizes are appropriate for the site. The density of the development is in line with policy requirements.
17. The dwellings will be built to meet or surpass the requirements of Part L of the Building Regulations 2010 ensuring that energy efficiency is achieved through the fabric first approach i.e. preventing the loss of energy through building methods and standards rather than the creation of energy through methods such as solar panels. A condition is recommended to achieve this.
18. Policy CS5 requires all development throughout Middlesbrough to demonstrate a high quality of design in relations to form, layout, character and appearance rather than a specific house selling price. It is the planning view that the proposed development accords with the requirements of Policies CS4, CS5 and the Urban Design SPD.

### Streetscene

19. The site is currently in an unkempt condition following the demolition of the Erimus Training Centre. It is not overly visible from Cargo Fleet Lane due to an existing hedgerow. The site is visible from a number of existing dwellings which border the site and the adjacent cemetery.
20. When considering an application of this scale it is necessary to consider the impact of the development on the character of the area which should be maintained and enhanced. It is recognised that the surrounding areas provide a mix of dwelling types, design and quality.

21. The development will result in the loss of the majority of trees and foliage at the site, however the hedgerow along the boundary with Cargo Fleet Lane will be retained, significantly reducing the visual appearance of the site from the public highway.
22. The proposed house types, design details, corner turners and mix of finishing materials will result in an attractive appearance and an identifiable character area raising the visual amenity of the streetscene. Within the site the layout provides an open aspect along the streetscene with boundary treatments set back from the highway allowing for small landscaped areas to soften the visual appearance of the area. Tree planting will further enhance the visual appearance of the site.
23. Whilst overall the character of the area would clearly change with housing erected on this site, it is considered that the dwellings and landscaping will contribute to the mitigation of the visual impact of the development on its surroundings and will help assimilate the scheme into the area.
24. It is the planning view that, for the reasons detailed above, the proposed development will create an attractive environment for residents in line with the requirements of Policy CS5.

### Environmental Health

25. The Authorities Environmental Protection Team have considered the application in relation to noise, air quality and site contamination. Having considered the application in terms of the air quality screening document, and the transport assessment, it is considered that an air quality assessment is not required to support this planning application. Conditions are required to ensure that the development is carried out in accordance with the submitted noise assessment and necessary remediation and validation reports are submitted.
26. The proposed development accords with the principles of Policies CS4 and DC1.

### Highways

27. The development has been considered by the Local Highway Authority in relation to the impact on the local highway network in terms of capacity and safety, the internal road layout and the parking provision.
28. The site has good links to the existing sustainable transport network, with Cargo Fleet Road being a bus route. The site is also in very close proximity to Local Centres at Thorntree and Brambles Farm, the Berwick Hills District Centre as well as primary schools (Corpus Christi Primary, Brambles Primary Academy, Pallister Park Primary School and Unity City Academy. Further provisions for day to day living which are in relative close proximity include Pallister Park. The close proximity of the site to all of these facilities / provisions provide for leisure, education and retail functions and would assist in minimising the need to travel by car from the site and therefore allow a more sustainable form of living, thereby reducing the impact of vehicular traffic on the highway network.
29. Notwithstanding the above, the applicants Transport Assessment has been considered and the anticipated traffic from the development was initially considered as having an impact on the free flow of traffic on the surrounding highway network, specifically, Cargo Fleet Lane. The Council's Highways team have considered the impacts and consider that mitigation of these impacts is required given there being a lack of additional capacity on the main highway (Cargo Fleet Lane) in the immediate vicinity of the site. There are a number of options available to improve the flow of traffic through the Brambles Farm Junction and thereby prevent this scheme having

an additional impact to that currently experienced by queuing traffic along Cargo Fleet Lane. Furthermore, given the highly sustainable nature of the site, it is also accepted by the Councils Highways Officers that the promotion of sustainable travel could be a solution to mitigate the impact. These would all be achieved by a S106 Agreement.

30. Objections have been received stating the access road into the site is small and inadequate. The site is a brownfield site, the access road previously operated for vehicle traffic. The access has been considered by the Local Highway Authority who have confirmed that the access is adequate for a residential development and will enable larger vehicles, including waste collection vehicles to access the site. The access to the site from College Road and the internal road layout are considered to be acceptable in highway terms.
31. The internal layout is designed and constructed to adoptable standards and parking provided is in accordance with the authorities' maximum standards for the majority of the dwellings, although some properties fall short others exceed it which off-sets the shortfall.
32. Subject to the provision of a S106 Agreement as detailed above, it is considered that the impacts of the proposed development on traffic related matters would not be significantly detrimental to the area and is therefore in accordance with the requirements of the NPPF / Local Policies.

#### Flood Risk and Drainage

33. The majority of the site is located in flood zone 1, it is at low risk of tidal and fluvial flooding. Notwithstanding this, a sustainable drainage scheme has been submitted together with a Flood Risk Assessment. The drainage scheme will help to reduce the flood risk throughout the site.
34. The culvert that crosses the site must be diverted so it is located below the proposed highway. The details of the diversion will be controlled by condition. One comment received relates to the pollution of the watercourse due to the highway gullies discharging into them. However, this is common in the area and meets the requirements of the statutory flood authorities.
35. A very small section of land to the north west of the application site, which incorporates two of the proposed housing plots is located within Flood Zone 2. The layout of the plots in this section takes into account the flood zone positioning dwellings in such a way that the flood zone mainly covers rear gardens. However, it may be necessary to mitigate against the impact of more extreme future flood events. If approved a condition will require details of measures taken to mitigate against the impact of flooding on the two properties within flood zone 2.
36. The Environment Agency, Lead Local Flood Authority and Northumbrian Water have been consulted and have raised no objections subject to the imposition of conditions. The proposed development accords with the principles of policies CS4 and DC1.

#### Ecology and Landscaping

37. Given the scale of the proposed development there will inevitably be an impact on ecology, the key consideration is whether or not the development as a whole would have an unacceptable adverse impact.
38. The site is a brownfield site with the former Erimus training centre demolished, the area consists of overgrown former garden areas covering large areas of

hardstanding. The site consists of dense and scattered scrub, scattered trees, semi-improved grassland and tall ruderal vegetation.

39. The site is considered to be of local ecological value. The species and habitats present are likely to be locally common, the main species likely to utilise the habitat on site being bats and nesting birds. The report details necessary mitigation measures to reduce the impact on ecology. If approved a condition will be required to ensure the development is carried out in accordance with the mitigation measures within the report.
40. The site is not within a Conservation Area and none of the trees are protected by preservation orders. For any new development it is important to retain trees and landscaping where they are making a significant contribution to the positive character of the area, allow lesser value landscaping to be lost and then to supplement this with additional new planting. The development seeks to remove the majority of the foliage and trees from the site, those that are to be retained must be protected during the construction phase. The application also seeks to retain the majority of the hedgerow along Cargo Fleet Lane and proposes a number of new trees throughout the site.
41. The trees on the site are considered to be in poor or fair condition with no trees in a good condition. The foliage is mainly scattered scrub and ruderal vegetation as a result of the brownfield nature of the site. Given the low quality of the existing trees and foliage their removal to is considered to be acceptable, subject to the retention of the hedgerow along the boundary with Cargo Fleet Lane and the approval of an acceptable landscaping scheme with replacement tree planting.
42. Natural England have been consulted on the application and have confirmed that they have no objections.
43. It is considered that the development will not have an unacceptable impact on ecology. The hedgerow along Cargo Fleet Lane will continue to provide foraging opportunities for bats with additional foraging opportunities from the proposed residential gardens, and nesting opportunities for birds. The development accords with the requirements of Policy CS4.

## Conclusion

44. The analysis of the development determines that the proposals are for a sustainable development which will assist in economic growth in the town and the reduction of population decline. The proposed layout and dwellings are of a high quality design and would provide a pleasant and sustainable environment. There are no technical objections to the proposal in terms of the sustainability of the site or the ability to meet necessary drainage and highways requirements, and ecology and noise mitigation.
45. The application site is an allocated site within the approved Housing Local Plan and the proposals meet the policy requirements as set out in this report.
46. It is the planning view that the development will not result in a detrimental impact on the amenities of residents or the visual appearance of the area. It will enhance the character of the area to the benefit of the nearby residents and the community as a whole. The proposals do not conflict with local or national policies including those relating to sustainability, design, transport, open space, or flood risk. The development will support the delivery of the spatial vision set out in the LDF, particularly the provision of required housing types and economic benefits.

47. The officer recommendation is for Members to be minded to approve the development subject to the conditions listed below and the applicant entering into a S106 Agreement for the items detailed in paragraph 29 above for both physical highway works off site and for the provision of a 12 month bus pass to each of the households in the development.

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## RECOMMENDATIONS AND CONDITIONS

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### Minded to approve subject to a S106 Agreement and the following conditions

1. Time Limit

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. Approved Plans

The development hereby approved shall be carried out in complete accordance with the plans and specifications detailed below and shall relate to no other plans:

- a) Site Location Plan, drawing no. SLP-01;
- b) Planning Layout, drawing no. 498/2-H;
- c) 201 Dwelling Type, drawing no. 201/1F;
- d) 202 Dwelling Type, drawing no. 202/1F;
- e) 301 Dwelling Type, drawing no. 301/1G;
- f) 302 Dwelling Type, drawing no. 302/1G;
- g) 304 Dwelling Type, drawing no. 304/1E;
- h) 307 Dwelling Type, drawing no. 307/1B;
- i) 309 Dwelling Type, drawing no. 309/1E;
- j) 310 Dwelling Type, drawing no. 310/1D;
- k) 311 Dwelling Type, drawing no. 311/1A;
- l) 313 Dwelling Type, drawing no. 313/1-;
- m) 314 Dwelling Type, drawing no. 314/1-;
- n) 403 Dwelling Type, drawing no. 403/1H;
- o) 404 Dwelling Type, drawing no. 404/1F;
- p) 405 Dwelling Type, drawing no. 405/1E;
- q) Detached Garage Details Single, drawing no. SD700 rev. A;
- r) Detached Garage Details Double, drawing no. SD701 rev. B;
- s) Terraced Garage Details Standard Double, drawing no. SD703 rev. B;
- t) Garage Threshold/Crushed Aggregate Drive Details, drawing no. SD712 rev. G;
- u) Boundary Treatments 1800mm High Timber Fence; drawing no. SD-100 rev. D;
- v) Boundary Details Post and Wire Fence, drawing no. SD103 rev. B;
- w) Design and Access Statement, dated May 2017;
- x) Planning Statement, dated May 2017;
- y) Flood Risk Assessment, dated 12th June 2017;
- z) Affordable Housing Statement, dated June 2017;
- aa) Air Quality Screening, reference no. 41098 dated 9th May 2017;
- bb) Drainage Assessment, dated May 2017;
- cc) Construction Management Plan, dated May 2017;
- dd) Turning Head to Barrington Crescent, drawing no. STE/17/15/12;
- ee) Section 38 Layout, drawing no. STE/17/15/14/B;
- ff) Road Construction Details, drawing no. STE/17/15/05 A;
- gg) Engineering Layout, drawing no. STE/17/15/01 B;

- hh) Northumbrian Water Typical Drainage Details, drawing no. STE/17/15/06;
- ii) Manhole Schedules, drawing no. STE/17/15/07;
- jj) S6 Control Manhole, drawing no. STE/17/15/10 A;
- kk) S18 Control Manhole, drawing no. STE/17/15/09 A;
- ll) Longitudinal Sections Sheet 1, drawing no. STE/17/15/08/01;
- mm) Longitudinal Sections Sheet 2, drawing no. STE/17/15/08/02;
- nn) Impermeable Areas Plan, drawing no. STE/17/15/02 B;
- oo) Preliminary Ecological Appraisal, report no. EES17-058 rev. v1;
- pp) Tree Survey, report no. EES17-058 rev v1;
- qq) Ground Gas Monitoring Addendum, reference no. C6930/6477/APC/APC;
- rr) Geoenvironmental Appraisal, report no. C6930B;
- ss) Strategy for Remedial Works, report no. C6930/RS;
- tt) Noise Assessment, report no. GH/GR/001;
- uu) Maximising Security Through Design, received 2nd August 2017;
- vv) Site Waste Management Plan, dated May 2017;
- ww) Sustainability Statement, dated May 2017;
- xx) Transport Assessment reference no. TSC414-01 dated 16th July 2017;  
and,
- yy) Report to Inform Appropriate Assessment, report no. EES17-058 dated  
13th November 2017.
- zz) Build Plan received 22<sup>nd</sup> August 2018

Reason: To ensure a satisfactory form of development and for the avoidance of doubt.

3. Materials

The development must be carried out using the materials detailed on the approved Planning Layout, drawing no. 498/2-H, in the construction of the external surfaces within the development, or in accordance with details and samples submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the use of satisfactory materials in the interests of the visual amenity.

4. Removal of PD Rights for Fences over 1m at Front of Dwellings

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification), no fences, gates, walls or other means of enclosure (other than those expressly authorised by this permission), over 1 metre in height, shall be erected within the curtilage of any dwelling forward of any wall of that dwelling which forms the principle elevation.

Reason: In order that the local planning authority may protect the visual amenities of the area.

5. Removal of PD Rights for Side Extensions

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A(j) (or any order revoking or re-enacting that Order), no alterations, enlargement or extension shall be made to the side external elevations of the residential dwellings hereby permitted, without the specific written consent of the Local Planning Authority.

Reason: To retain adequate in curtilage parking provision in the interests of amenity and highway safety.

6. Temporary Parking

A plan showing the location of temporary car parking to accommodate operatives and construction vehicles during the development of the site and measures to protect any existing footpaths and verges shall be submitted to and approved in writing by the Local Planning Authority and implemented upon commencement of construction and thereafter such parking is to be removed on completion of the works.

Reason: In the interests of amenity and highway safety

7. Surface Water Drainage

Before development commences the additional details for the surface water drainage scheme must be submitted and approved in writing by the Local Planning Authority.

The submitted details shall include:

- a) Conveyance and exceedence routes;
- b) A build program and timetable for the provision of the critical surface water drainage infrastructure;
- c) A management plan detailing how surface water runoff from the site will be managed during construction Phase;
- d) Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker; and,
- e) Any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area.

8. Drainage Assessment

Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Drainage Assessment" dated May 2017. The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 4904 and ensure that surface water discharges to the culverted watercourse.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

9. Mitigation Measures - Flood Zone 2

Prior to the construction of the plots located within flood zone 2, in the north west section of the development hereby approved, details of measures to mitigate the impact of more extreme future flood events on the plots must be submitted to and approved in writing by the Local Planning Authority. Measures could include raising ground/finished floor levels and/or incorporating flood proofing measures.

Reason: To prevent the increased risk of flooding in accordance with the NPPF

10. Landscape Management Plan

A Landscape Management Plan including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the local planning authority prior to the first occupation of the approved dwellings. The Landscape Management Plan shall be carried out as approved.

Reason: In the interests of the general amenities of the area.

11. Replacement Tree Planting

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or

becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason: In the interests of the general amenities of the area in accordance with the requirements of policy CS5.

12. Trees and Hedgerows

In this condition retained tree or hedgerow means an existing tree or hedgerow which is to be retained within a Phase of the development in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of five years from the date of the occupation of the first dwelling of a Phase of the development for its permitted use or the completion of infrastructure works.

- a) no retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:1989 (with subsequent amendments)(British Standard recommendations for Tree Work).
- b) if any retained tree or hedgerow on a Phase of the development is removed, uprooted or destroyed or dies during the period of construction of that Phase of the development another tree or hedgerow shall be planted at the same place and that tree and hedgerow shall be of such size and species, and shall be planted at such time as may be specified in writing by the local planning authority. Similarly, if a retained tree or hedgerow dies or needs to be removed within five years of completion of the Phase of development in which the tree or hedgerow is located, and this is found to have been the result of damage sustained during development of that Phase, this replanting condition will remain in force
- c) the erection of fencing for the protection of any retained tree or hedgerow in a Phase of development shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on the site for the purposes of the development of that Phase of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the Phase of development upon its completion. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority. Retained trees and hedgerows shall be protected fully in accordance with British Standard 5837:1991 (Guide for Trees in Relation to Construction). In particular, fencing must not be dismantled at anytime without the prior consent of the local planning authority.

Reason: In the interests of the amenities of the area.

13. Ecology - Mitigation

The development must be carried out in accordance with the mitigation measures detailed in the approved Preliminary Ecological Appraisal, report no. EES17-058 rev. v1 and subject to the provision of 12 bat boxes as detailed within the Bat Report as received on the 22<sup>nd</sup> August 2018. Bat boxes will be installed at 12 dwellings following written confirmation of which plots will receive the boxes being provided to the Local Planning Authority prior to any above ground construction being undertaken.

Reason: To ensure a satisfactory form of development in accordance with the requirements of the NPPF

14. Noise Assessment

The development shall be carried out in accordance with the Noise Assessment Reference GH/CR/001, dated 15 June 2017. Any deviations from the recommendations made in the report shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the dwellings hereby approved.

Reason: To ensure a satisfactory form of development and in the interest of the amenity of the residents in accordance with policy DC1.

15. Remediation and Validation

The development must be implemented in accordance with the approved Geoenvironmental Appraisal, report no. C6930B and Strategy for Remedial Works, report no. C6930/RS. Validation of the remediated site shall be provided in the form of a detailed completion statement confirming that works set out and agreed were completed and that the site is suitable for its intended use prior to occupation of the dwellings hereby approved.

Reason: To ensure a satisfactory form of development.

16. Renewables or Fabric First

No development hereby approved shall be commenced on site other than initial groundworks until a 'Scheme of renewables or a fabric first approach' has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the predicted energy requirements of the development post completion and under normal operating use and will also detail how 10% of the predicted energy requirements will either be generated on site by renewable technologies or how the fabric of the building shall be constructed to reduce the predicted energy demand in exceedance of the current Building Regulation Standards by 10%.

The development shall be undertaken in accordance with the approved scheme which shall then be maintained in an operational state for the lifetime of the building.

## **REASON FOR APPROVAL**

The proposed development of housing at College Road is considered to be appropriate for both the application site itself and within the surrounding area, in that the proposal is in accordance with national and local planning policy guidance.

The relevant policies and guidance is contained within the following documents: - National Planning Policy Framework 2012 - Middlesbrough Local Development Framework (LDF) - Core Strategy (2008); Regeneration DPD and Proposal Map (2009) - Middlesbrough Housing Local Plan, Housing Core Strategy and Housing Development Plan Document (2014) - Grove Hill Supplementary Planning Document (2010).

In particular, the proposal meets the national planning policy framework and guidance, in that the proposal is for a housing development that would not be out of scale and character within the surrounding area, and would not be detrimental to the local and residential amenities of the area. Issues of principle regarding development on an allocated site, the layout and design of the housing scheme and the generation of traffic, have been

considered fully and are not considered, on balance, to give rise to any inappropriate or undue affects. Accordingly, the Local Planning Authority considers that there are no material planning considerations that would override the general assumption that development be approved unless other material factors determine otherwise.

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## **INFORMATIVES**

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### Fee for discharging conditions

Under the Town & Country Planning (Fees for Applications and Deemed Applications)(Amendment)(England) Regulations 2010, the Council must charge a fee for the discharge of conditions. Information relating to current fees is available on the Planning Portal website

(<http://www.planningportal.gov.uk/england/public/planning/applications/feecalc>. Please be aware that where there is more than one condition a multiple fee may apply.

### Building materials on highway

The applicant is reminded that building materials shall not be deposited on the highway without the specific consent of the Highway Authority.

### Deliveries to site

It should be ensured that, during construction, deliveries to the site do not obstruct the highway. If deliveries are to be made which may cause an obstruction then early discussion should be had with the Highway Authority on the timing of these deliveries and measures that may be required so as to mitigate the effect of the obstruction to the general public

### Cleaning of highway

The applicant is reminded that it is the responsibility of anybody carrying out building work to ensure that mud, debris or other deleterious material is not deposited from the site onto the highway and, if it is, it shall be cleared by that person.

In the case of mud being deposited on the highway wheel washing facilities should be installed at the exit of the development.

### Contact Northern Gas

The applicant must contact Northern Gas Networks directly to discuss requirements in detail.

### Design Guide and Specification

The development will be designed and constructed in accordance with the current edition of the Councils Design Guide and Specification.

### Adoption of Highways

The highways which are to be constructed as part of this development will be offered for adoption under Section 38 of the HA 1980. To protect this position, notice will be served under Section 220 of the same act once Building Regulation approval (or initial notice acceptance) has been given. The applicant is therefore urged to consult  
This agreement should be completed before work commences.

### Discharge of Surface Water

The applicant is advised that any discharge of surface water into a watercourse or culverted watercourse requires consent from the Lead Local Food Authority

#### Name and Numbering

Should the development require Street Names, Numbers and/or Post Codes the developer must contact the Councils Naming and Numbering representative on (01642) 728155

#### Riparian Owners of Culvert

Where the existing culvert remains within the boundaries of the properties these will become riparian owners of the culvert, this should be made known to prospective buyers.

#### Maintenance of Open Space

The Council will not take on the maintenance of any areas of open space, where boundary fences do not abut the highway they must be within the residential curtilage of a property or managed and maintained by a management company. If within the curtilage of a property residents must be informed that they are responsible for the maintenance of the land.

#### Contact statutory undertakers

The applicant is reminded that they are responsible for contacting the Statutory Undertakers in respect of both the new service to their development and the requirements of the undertakers in respect of their existing apparatus and any protection/diversion work that may be required.

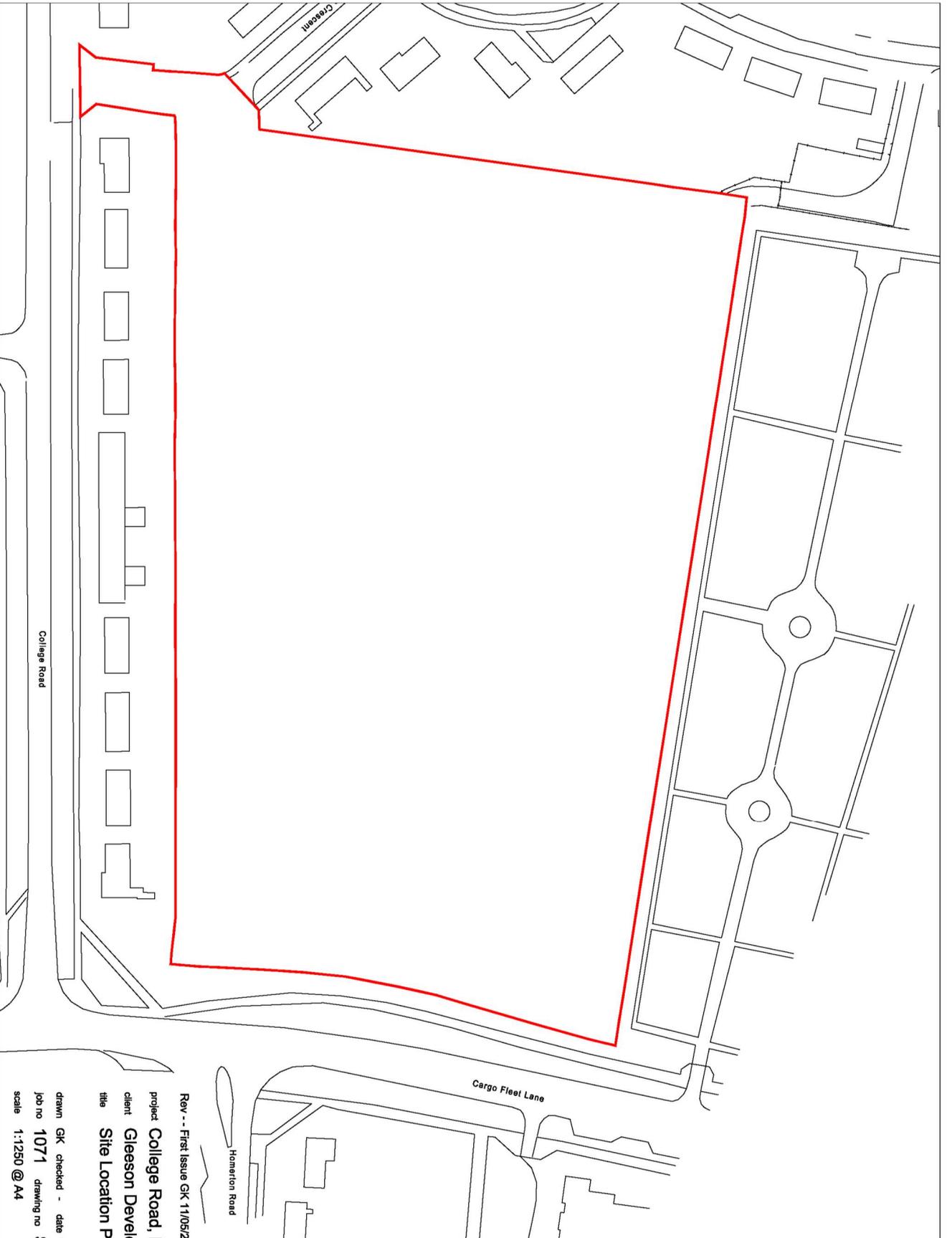
#### Secured by Design

The applicant is recommended to actively seek to develop to accredited Secured by Design standards or to contact the Secured by Design Officer for advice relating to designing out opportunities for crime and disorder to occur in the future.

Secured by Design contact: [stephen.cranston2@cleveland.pnn.police.uk](mailto:stephen.cranston2@cleveland.pnn.police.uk)

Case Officer: Shelly Pearman

Committee Date: 07.09.2018



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client Gleeson Devel  
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