
APPLICATION DETAILS

Application No:	18/0616/OUT
Location:	Land Off Alan Peacock Way Prissick Base Near Ladgate Lane/Marton Avenue Middlesbrough
Proposal:	Outline planning application (with all matters reserved) for the erection of up to 350 dwellings
Applicant:	
Company Name:	Regeneration
Agent:	Mr Billy Fisher
Company Name:	Design Services
Ward:	Marton East
Recommendation:	Approve with Conditions

SUMMARY

The application seeks outline consent for the erection of up to 350 residential dwellings with all matters reserved. As a result this report only relates to the principle of the development on this site and will not assess the details relating to access, appearance, scale and layout.

The application site is a part brownfield site located in a mixed use area with residential to the west, James Cook Hospital to the north with associated parking to the east, and Middlesbrough Sports Village to the east and south. Part of the site is allocated for housing development within the Housing Local Plan. This application is a departure from the local plan in that it proposes more dwellings on a larger site.

Following a consultation exercise 8 objections were received from 7 properties, the objections relate primarily to traffic and highway infrastructure.

The proposed outline application for the development of the site for up to 350 dwellings with all matters reserved, has been considered in relation to relevant local and national planning policies. The development of the site is a departure from the local plan in relation to policy H20 as it is a larger site than the allocated site. However, it is considered that the development is in accordance with all other aspects of policy H20. The development is considered to be in accordance with policies DC1, CS4, CS5, CS19 and will aid in the requirements of policies H1, H11 and H31.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site comprises 11.82 ha of which part is brownfield land. The site is located to the east of Scholars Rise housing development consisting of primarily two-storey dwellings with some three-storey dwellings and an area of three-storey apartment blocks. To the south and west of James Cook Hospital car parking, and to the north and west of the Middlesbrough Sports Village. Vehicle access to the site is from Alan Peacock Way.

This application seeks outline consent with all matters reserved, for the erection of up to 350 residential dwellings with associated works. A number of documents were submitted in support of the application, these include:

- a) Design and Access Statement;
- b) Planning Statement;
- c) Flood Risk Assessment and Drainage Strategy;
- e) Air Quality Assessment;
- f) Ecological Assessments;
- j) Geo-environmental Appraisal;
- k) Noise Assessment; and,
- o) Transport Assessment.

RELEVANT PLANNING HISTORY

M/GRG/0899/13/P

Hybrid application including outline permission for 130 no. dwellings and associated works, and full plans application for hospital car park, access road, landscaping/boundary treatment and associated works.

Approved with Conditions 12.02.2014

PLANNING POLICY

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.

Middlesbrough Local Plan

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
CS19 - Road Safety
H1 - Spatial Strategy
H11 - Housing Strategy
H31 - Housing Allocations
H4 - Prissick
H20 - Prissick
E2 - Green Wedges
E7 - Primary Open Space (Existing)
E10 - Secondary Open Space
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>

CONSULTATION AND PUBLICITY RESPONSES

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 8 objections were received from 7 properties. The objections are summarised below:

- a. Increase in traffic and congestion;
- b. Inadequate highway infrastructure;
- c. Inadequate access;
- d. Inadequate parking provision;
- e. Inadequate public transport provisions
- f. Highway safety;
- g. Increase danger of flooding;
- h. Conflicts with local plan;
- i. The proposed allocated site has been extended through the new Local Plan, which is not currently adopted and therefore carries limited weight in determining this application;
- j. Access was originally planned to be accessed from Scholars Rise, evident from existing highway construction and layout;
- k. Alan Peacock Way is designed as a local access road (Cat 4b) with a width of 5.5m and does not have any footways or cycle ways. It is inadequate and requires upgrading to at least a Cat 4a road with a minimum width of 6.7m and 2m footways;
- l. Design Guide and specification residential calculation does not consider the 1200 space car park and other non-residential traffic movements;
- m. Transport Assessment Addendum does not consider the impact of traffic movements for existing or proposed nearby properties, it concentrates on the marton crawl;
- n. A traffic impact assessment should be undertaken at the junction of Alan Peacock Way and Ladgate Lane;
- o. Increase in pollution;
- p. Health and safety particularly children as a result of increased traffic and emissions;
- q. Decrease value of home;
- r. This is surely about releasing money to Middlesbrough College or the owners of the land rather than supporting the local community;
- s. Improved pedestrian and cycle links with James Cook railway station and bus routes on Marton Road and Overdale Road must be included, provision for cars should be reduced and car use discouraged;
- t. Inadequate infrastructure (doctors, schools); and,
- u. Development too high.

The objections were from:

1. 90 Carisbrooke Avenue;
2. 28 Ellerbeck Way (Friends of the Earth);
3. 27 Oval View;;
4. 41 Turnbull Way;
5. 28 Scholars Rise;
6. 2 Nuneaton Drive; and,
7. 36 Stewart Park Avenue

Planning Policy - MBC

No objection, part of the site is allocated for housing in the Local Plan with an increase in the size of the allocated site proposed in the review of the Development Plan which is currently at the publication stage. The development is considered to be in accordance with local and national planning policy.

Waste Policy - MBC

No comments

Highways - MBC

No objection subject to relevant conditions and financial contributions.

Environmental Health - MBC

Conditions are required relating to the noise assessment and site contamination.

Education - MBC

No comment

Northern Gas

No response

Northumbrian Water

No response

Northern Powergrid

No response

Secured by Design - Police

Recommend the development at this site actively seeks to achieve accredited Secured by Design Gold accreditation, or Silver accreditation should be the minimum. Discussions with the Police Architectural Liaison Officer should begin at the earliest stage to discuss the above or any other issues surrounding designing out opportunities for crime and disorder to occur in the future.

Ramblers Association

No response

Natural England

No objection, based on the plans submitted Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected sites or landscapes.

Public Responses

Number of original neighbour consultations	299
Total numbers of comments received	8
Total number of objections	8
Total number of support	0
Total number of representations	0

Site notice posted –
8th October 2018

PLANNING CONSIDERATION AND ASSESSMENT

1. This application is an outline planning application for the development of up to 350 dwellings with all matters relating to access, appearance, layout and scale reserved. The principle issues to be considered in respect of this application centre upon the appropriateness and sustainability of the site and the impact on the highway network.

2. Consideration can only be given to matters that are material to this application. Those matters which are not material include the decrease in property value and details relating to the reserved matters including parking provision.

Policy/Principle of Development

3. 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.
4. A significant part of the application site is allocated for residential development on the adopted Housing Local Plan Proposals Map. The eastern part of the site is designated as Green Wedge and Primary Open Space and the south western part is designated as Secondary Open Space.
5. Policy H31 allocates the Brackenhoe East site for approximately 180 dwellings. Policy H20 seeks high quality mixed medium to high density dwellings and landscaping measures to create a sense of place and separation from non-residential uses at Prissick.
6. Saved Policy E2 seeks to retain Green Wedges as open space and allows residential development for agriculture or forestry workers only. Saved Policy E7 advises that Primary Open Space will be safeguarded from development. Saved Policy E10 requires that any development needs to retain the predominantly green character of the open space. As such, housing development on the part of the site designated as Green Wedge, Primary Open Space and/or Secondary Open Space is contrary to Policies E2, E7 and E10 respectively and is a departure from the adopted Development Plan. However, Policies E2, E7 and E10 were adopted in August 1999 and are now somewhat out of date. The NPPF requires Local Plans to be reviewed every five years. It is, therefore, considered that only limited weight could be given to these Policies in determining the planning application.
7. In order to ensure that Middlesbrough's development needs can be met in a sustainable manner a full review of the Development Plan is being undertaken. The review has reached the Publication stage, which is being consulted on between 9 November 2018 and 21 December 2018. The NPPF advises that relevant policies in emerging plans may be given weight in determining planning applications. The Publication Local Plan was approved by full Council on 17 October 2018. Whilst the policies within the Plan cannot be given the same weight as an up to date adopted Plan, it is considered that the Publication Plan and its Policies may be given some weight.
8. In the Publication Local Plan more of the site is allocated for residential development. Draft Policy H3 (Housing Allocations) identifies the site, Brackenhoe East, for 300 dwellings, but makes clear that this is an indicative figure and is not intended as a cap on development.
9. Draft Policy H3.4 (Brackenhoe East) sets out the requirements for development of the site. As the application is in outline with all matters reserved, the majority of the requirements are relevant to future reserved matters applications.

10. There is a policy requirement of 15% affordable housing contribution, provided as 5% of dwellings on site and a 10% off-site financial contribution.
11. Sport England were consulted as part of the pre-application process, they confirmed that they are not a statutory consultee in relation to this application due to the length of time since the playing fields have been used.
12. It is considered that the proposed development meets the requirements of Policies H1, H11, and H31. Other than the size of site, the proposal is in accordance with the requirements of Policy H20. There are no objections to the principle of development as proposed.

Environmental Health

13. The authorities Environmental Protection Team have been consulted to consider the application in relation to noise, air quality and site contamination and have not raised any objections. 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.
14. The proposed development accords with the principles of Policies CS4 and DC1.

Highways

15. The Housing Local Plan was formally adopted in 2014 following public consultation and examination by the Planning Inspectorate. As part of this exercise the cumulative highway impact of housing development across the Authority's area was considered using a strategic traffic model. The strategic model assessed the cumulative impact of the housing allocations proposed at that time and took into account background traffic growth and future year scenarios.
16. The modelling work identified the need for a package of improvements to the existing highway infrastructure, the implementation of which is being progressed. These infrastructure works will be supported by sustainable travel initiatives to reduce dependence on the private car and promote sustainable travel. As the site is Council owned a s106 is not required and all contributions will be taken from the capital receipt.
17. The proposed site at Brackenhoe was one of the allocated housing sites and the strategic modelling assessed all uses proposed for this land including (amongst others) the development of the Sports Village, James Cook University Hospital staff car park, and the development now known as Scholars Rise.
18. The Brackenhoe site has been (and will continue to be) managed/developed so as to not prejudice the future delivery of the Longlands to Ladgate Lane Link, one of two new highway infrastructure schemes identified through the strategic modelling exercise.
19. The original Transport Assessment supporting the planning application for the redevelopment of the Prissick site in 2013 utilised an AIMSUN microsimulation model in order to understand the potential cumulative highway impact arising from the development of;
 - a. 341 residential units
 - b. Sports Village
 - c. 1100 space hospital staff car park
 - d. Prissick Link Road with associated signal controlled junction to Ladgate Lane

20. The Sports Village and hospital car park have now been constructed and are in use. The Prissick Link Road, now known as Alan Peacock Way has been delivered and is operational.
21. The AIMSUN model was further updated in 2017 to understand the potential impact of the housing numbers on Prissick being increased to 461 units. This exercise demonstrated that the adjacent local highway could accommodate the level of traffic generated by the proposed increased scale of development without further highway capacity improvement works being required.
22. Should the proposed scheme be granted consent the number of units either consented, under construction or completed on the whole site would increase to 452. The number of units is therefore less than that assessed and anticipated through the Masterplan TA and as such the highways impact has been considered and is within the scale expected.
23. Any potential future development on the Prissick site would be taken on its own merits but would clearly take the scale of development over that expected and modelled. As such any potential future applications will need to revisit the AIMSUN microsimulation modelling exercise carried out in 2013.
24. This application seeks consent for the erection of up to 350 dwellings. The application is in outline format and as such all that is being considered is the principle of development of this site for 350 dwellings.
25. Matters of detail such as levels of car parking, the provision of footways/cycleways etc will be dealt with through the reserved matters process. Any scheme coming forward must ensure that there are clear footways/cycleways links to existing infrastructure to the north and west. If possible links will also be sought to the south. The links will provide good access to bus and rail services promoting the use of sustainable transport over cars. Given the nature and scale of development the internal layouts will be designed and constructed to adoptable standards. Vehicular access to the proposed site is only to be taken from Alan Peacock Way in line with Policy H20 and this principle will be conditioned accordingly.
26. As discussed above, based upon the aforementioned strategic modelling and housing allocations, Alan Peacock Way was designed and constructed to accommodate the anticipated vehicular movements being served from it. The operation of the junction of Alan Peacock Way/Ladgate Lane in the future year scenarios together with associated adjacent junctions was assessed within the AIMSUN microsimulation model and found to have no material impact on the operation of the adjacent highway network. In terms of geometric layout and highway capacity Alan Peacock Way is therefore suitable to serve the level of proposed development.
27. The Local Highway Authority requested a condition requiring secure cycle storage for each property, which must be retained and only used for cycle storage. It is the planning view that this is not necessary for residential dwellings at outline stage. Residential gardens and property layouts which will be considered at reserved matters stage may provide sufficient space for cycle storage and this does not therefore not need to be provided by individual bespoke storage at each property at outline stage. As a result the requested condition has been omitted as it is not considered to meet the tests for conditions as it is not required to make the development acceptable, it is not reasonable to require the developer to install a cycle store or to require a householder to retain it and only use it as a cycle store.

28. Subject to relevant conditions the development is considered to be in accordance with the requirements of the NPPF and local Policies CS19 and DC1.

Flood Risk and Drainage

29. The site is located in flood zone 1, it is at low risk of tidal and fluvial flooding. Notwithstanding this a Flood Risk Assessment and drainage strategy has been submitted. The drainage scheme will help to reduce the flood risk throughout the site.
30. The 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

31. 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. The site is part brownfield site with an area of hardstanding to the north, the remaining site is primarily grassland.
32. The site is considered to be of local ecological value. The species and habitats present are likely to be locally common. 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.
33. Development of the site for residential purposes with areas of open space and sustainable drainage systems incorporated into the landscape is an opportunity to enhance the area and offer higher quality habitats.
34. Natural England have been consulted on the application and have confirmed that they have no objections.
35. It is considered that the development will not have an unacceptable impact on ecology. The development accords with the requirements of Policy CS4.

Conclusion

36. 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.
37. The proposed outline application for the development of the site for up to 350 dwellings with all matters reserved, has been considered in relation to relevant local and national planning policies. The development of the site is a departure from the local plan in relation to policy H20 as it is a larger site than the allocated site. However, it is considered that the development is in accordance with all other aspects of policy H20. The development is considered to be in accordance with policies DC1, CS4, CS5, CS19 and will aid in the requirements of policies H1, H11 and H31.

RECOMMENDATIONS AND CONDITIONS

Approve with Conditions

1. Reserved Matters, All Matters Reserved
Details of the means of access, appearance, layout, scale, and landscaping (hereinafter called "the reserved matters") for each phase of development, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development for that phase, and shall be carried out as approved.

Reason: To reserve the rights of the Local Planning Authority with regard to these matters.

2. Time Period for Commencement Outline
The development hereby permitted shall be begun not later than:
 - a) The expiration of 5 years from the date of this permission; or
 - b) The expiration of 2 years from the date of approval of the final reserved matter(s) to be approved, whichever is the later.

Reason: The consent is in outline form only and to protect the rights of the Local Planning Authority.

3. Application for Reserved Matters
An application for approval of the reserved matters, for the first phase of the development shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Act 2004.

4. Phasing
The phasing of the development must be in accordance with a phasing plan to be submitted to and approved in writing by the Local Planning prior to the commencement of development.

Reason: To define the scope of the consent and ensure a satisfactory form of development.

5. Approved Plans Major Outline
The reserved matters submitted in accordance with condition 1 and details submitted in accordance with any other conditions of this planning permission shall be in broad accordance with the following approved plans and documents:
 - a. Site Location Plan, drawing no. A01;
 - b. Air Quality Assessment, reference no. 041891 rev. 00;
 - c. Archaeological Desk-based Assessment, dated June 2013;
 - d. Design and Access Statement, report no. 02, dated July 2018;
 - e. Flood Risk Assessment and Drainage Strategy (Final), dated 20th June 2018;
 - f. Noise Impact Assessment, report no. 6829.1A rev. A;
 - g. Phase 1 Desk Study Site Investigation Report, reference no. G18200a;
 - h. Planning Statement, dated July 2018;
 - i. Statement of Community Involvement, received 12th September 2018;
 - j. Transport Assessment Addendum, report no. 224125/49 dated 19th May 2017;
 - k. Ecological Appraisal, dated September 2018;
 - l. Great Crested Newt Survey, dated September 2018; and,
 - m. Report to Inform habitat Regulations Assessment, dated October 2018.

Reason: To define the scope of the consent and ensure a satisfactory form of development.

6. Waste Audit

Prior to the commencement of development a Waste Audit must be submitted to and approved in writing by the Local Planning authority and thereafter implemented on site. The Waste Audit must identify the amount and type of waste which is expected to be produced by the development during the construction works. The Audit must set out how this waste will be minimised and where it will be managed.

Reason: To ensure a satisfactory form of development in line with principles of waste management detailed in the approved Minerals and Waste Development Plan Document.

7. Details of roads, footpaths and open spaces required

Fully detailed drawings illustrating the design and materials of roads, footpaths and other adoptable open spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the start of construction on site.

Reason; In the interests of highway safety.

8. Full details of vehicular access required

Vehicular access shall be from Alan Peacock Way and details of the design of this access, together with associated sightlines, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason; In the interests of highway safety.

9. Full Details of Pedestrian and Cycle Access Required

Non-vehicular access points shall be provided into the site from Scholars Rise and the pedestrian/cycle route running along the sites Northern boundary. Details of the design of these accesses, together with a strategic route linking them, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason; In the interests of highway safety.

10. Construction of Roads and Footways Prior to Occupation of Dwellings

No dwelling to which this planning permission relates shall be occupied unless or until the carriageway basecourse and kerb foundation to the new estate road and footpath to which it fronts, is adjacent to or gains access from, has been constructed. Road and footway wearing courses and street lighting shall be provided within 3 months of the date of commencement on the construction of the penultimate dwelling of the development.

Reason; To ensure appropriate access and egress to the properties, in the interests of highway safety and the convenience of prospective residents.

11. Off site works, details required

Prior to the commencement of development details of a scheme of works to improve the pedestrian/cycle route running along the site's Northern boundary shall be submitted to and approved in writing by the Local Planning Authority. Such improvement works should consist of at least the following;

- a. Increase of width of the route to 4m to footway construction specification
- b. A scheme of lighting and wayfinding signage strategy
- c. 3 CCTV cameras
- d. Measures to prevent unauthorised vehicular access

No residential unit of the development hereby approved shall be occupied until the aforementioned scheme of works has been implemented in accordance with the details previously submitted to and approved in writing by Local Planning Authority, or arrangements entered into which ensure the same.

Reason; To ensure appropriate access and egress between the proposed development and surrounding local facilities is provided for the convenience of prospective residents and to promote non-car accessibility thereby reducing congestion on the adjacent roads.

12. Method of Works Statement

Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of site clearance/preparatory and construction works shall be submitted to and approved in writing by the LPA. Such a statement shall include at least the following information;

- a. a programme of works
- b. the routing that will be promoted by the contractors to use main arterial routes and avoid the peak network hours
- c. where contractors will park
- d. where materials will be stored within the site
- e. measures employed to ensure no mud/detritus is dragged out over the adjacent highway
- f. a jointly undertaken dilapidation survey of the adjacent highway.

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users.

13. Removal of PD Rights for Boundary Treatments 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.

14. Contaminated Land

Prior to the implementation of the development hereby approved a full and competent site investigation, including risk assessment shall be undertaken and submitted to and approved in writing by the Local Planning Authority.

This investigation must identify any contamination present on site, and specify adequate remediation scheme. The risk assessment and remediation scheme must be approved in writing by the Local Planning Authority and thereafter implemented, prior to the development-taking place. Validation of the remediated site shall be provided to the local planning authority 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.

Reason - In the interest of public safety

15. Surface Water Drainage

A detailed surface water scheme (design and strategy) must be submitted to, and approved in writing by the Local Planning Authority before work commences on site).

This should be accomplished by the use of SuDs techniques. This scheme (design and strategy) should be designed, following the principles as outlined in the Flood Risk Assessment and Drainage Strategy (Final), dated 20th June 2018, to the greenfield runoff rate and should be achieved by means of a sustainable drainage system. Details shall include but not be limited to:

- An assessment of existing geology, ground conditions and permeability
- The proposed 'management train'
- The surface water discharge from the development must be limited to a Greenfield run off rate(Qbar)
- Location and type of source control
- Site controls with storage locations
- Conveyance and exceedence routes.
- A build program and timetable for the provision of the critical surface water drainage infrastructure.
- A management plan detailing how surface water runoff from the site will be managed during the construction Phase to prevent the potential flood risk during construction but also reduce the risk of silt from the development entering the receiving public sewer.
- 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 any other arrangements to secure the operation of the scheme throughout its lifetime.

If it is not possible to include a sustainable drainage system details as to the reason why must be submitted.

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 in accordance with the National Planning Policy Framework.

16. Ecology Mitigation

The development must be carried out in accordance with the mitigation measures detailed in the approved Ecological Appraisal, dated September 2018. 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 in accordance with the requirements of the NPPF

17. Noise Assessment

The development shall be carried out in accordance with the Noise Impact Assessment, report no. 6829.1A rev. A. 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.

18. 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: To ensure a satisfactory form of development.

REASON FOR APPROVAL

The proposed development of land at Alan Peacock Way for housing is considered to be appropriate for both the application site itself and within the surrounding area, although the development is a departure from policy H20 it is considered to be in accordance with other relevant 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).

In particular, the proposal meets the national planning policy framework and guidance regarding housing, sustainable development and efficient use of land. Further detailed information in the form of a reserved matters application is necessary to fully consider the appropriateness of the scale of development, design, access and layout to ensure the proposed housing development 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. The principle of a development for up to 350 house on this site is acceptable.

INFORMATIVES

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/feecalculator>). 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.

S38

The applicant is advised that prior to the commencement of works on site they should contact the Highway Authority (01642 728156), with a view to preparing the necessary drawings and legal work required for the formal adoption of the new highway layout. The S38 Agreement should be in place prior to the commencement of works on site.

Delap

Applicants/Developers are reminded that great care should be taken to ensure that no damage to the surface or structure of the public highway is caused. Under the terms of the 1980 Highways Act Middlesbrough Council will seek to recover any expenses incurred in repairing or making good such damage. The applicants are therefore strongly advised to carry out a joint dilapidation survey with the authority prior to and upon completion of, works on site. (01642 728156)

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

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

Case Officer: Shelly Pearman

Committee Date: 30th November 2018

