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**APPLICATION DETAILS**

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<b>Application No:</b>	<b>18/0757/FUL</b>
<b>Location:</b>	<b>Nunthorpe Bypass (A1043) (Between The Poole Hospital Roundabout And Field House) Middlesbrough</b>
<b>Proposal:</b>	<b>Construction of new roundabout</b>
<b>Applicant:</b>	<b>Capital Projects, Middlesbrough Borough Council</b>
<b>Ward:</b>	<b>Nunthorpe</b>
<b>Recommendation:</b>	<b>Approve with Conditions</b>

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**SUMMARY**

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This application seeks consent for the construction of a roundabout on the A1043. The application site is located between the Poole roundabout to the west and Field House to the east. To the north of the site is an allocated housing site, to the south is agricultural land & buildings, with a small group of residential dwellings beyond.

Following a consultation exercise six objections were received from local residents, objections were also received from Nunthorpe Community Council and a Nunthorpe Ward Councillor. The objections primarily relate to highways matters. A number of the comments relate to the housing development to the north and are therefore not material to this planning application which is for the consideration of a roundabout only.

It is considered that the proposed development will provide suitable access to the development site to the north and will facility the delivery of a Nunthorpe park and ride facility by creating the necessary vehicle access onto the A1043. The development will not result in any significant impact to the amenities of existing residents and will not impact on the safety and operation of the highway network. The development meets the requirements of relevant national planning policies detailed within the NPPF and Local Plan policies, specifically H29, DC1, CS4 and CS5. The recommendation is for approval of the application subject to conditions.

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**SITE AND SURROUNDINGS AND PROPOSED WORKS**

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1. The application site encompasses 1.65 Hectares of adopted highway with small areas of open space to the north and south of the road. The site is located on the A1043 between the Poole roundabout to the west and Field House to the east. To the north of the site is an allocated housing site, to the south is agricultural land and buildings, with some residential dwellings further south.

2. Permission is sought for the construction of a roundabout on the A1043 to provide access to the land to the north and south.

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## PLANNING HISTORY

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None relevant

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## PLANNING POLICY

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3. 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

4. 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).
5. In addition the Council has produced its Middlesbrough Local Plan Publication Draft 2018. Whilst not yet adopted is a material consideration in the assessment of planning applications.

### National Planning Policy Framework

6. 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.
7. 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.
8. The planning policies and key areas of guidance that are relevant to the consideration of the application are:

H29 - Land at Nunthorpe,  
 E20 - Limit to Urban Development  
 CS4 - Sustainable Development  
 CS5 - Design  
 CS17 - Transport Strategy  
 DC1 - General Development

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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9. The application was advertised in the local press, site notices were posted and letters sent to local residents. Following the consultation exercise six letters of objection were received from residents. The comments received are summarised below.

### Residents Comments

1. Increase in traffic
2. Inadequate infrastructure
3. Traffic or highways
4. Impact on junction
5. Inadequate access
6. Inadequate parking provision
7. Design of existing road will mean it is difficult to find sufficient visibility
8. Already accidents in area
9. Highways safety
10. A new slip road onto the a174 should be required
11. Park and ride will not work, the type of people who would buy the proposed executive housing would not have time or inclination to use such a system.
12. Road will not function as a bypass anymore, traffic will move to other roads instead
13. Access should be from the existing Poole roundabout
14. Poor public transport links.
15. Affect local ecology
16. Loss of wildlife

17. More open space needed
18. Noise nuisance
19. Conflict with Local Plan
20. Increase danger of flooding
21. Increase of pollution
22. Over development
23. Potentially contaminated land
24. Residential Amenity
25. Area can't cope with more houses, people or cars
26. Strain on existing community facilities
27. Lack of affordable housing
28. Will not relieve pressure if new houses are built
29. Regenerate other areas of the town for affordable houses
30. General dislike of proposal
31. Should be delayed until the housing has been considered
32. Information missing from plans/not enough information given

The objections were received from:

1. 11 Church Lane
2. 119 Guisborough Road
3. 98 Gunnergate Lane
4. 6 Lamonby Close
5. 25 Marton Moor Road
6. Treetops, Railway Cottages

#### Environmental Health - MBC

No objection

#### Highways - MBC

This application simply seeks approval for the construction of a roundabout and as such traffic volumes on the A1043 will not be affected as the junction will not generate traffic in its own right.

The roundabout will serve the future developments on the adjacent sites, as each individual development is brought forward, that application will need to be supported by a Transport Assessment. Each individual application will therefore have to assess and demonstrate the impact that those proposals may or may not have on the roundabout and the adjacent highway network together with any mitigation as may be required.

The roundabout has been designed to national standards, as referenced within the Design Manual for Road and Bridges, which include requirements for visibility splays and stopping sight distances. As such the roundabout is of a similar format to other roundabouts across the UK. The distance between the outer edges of the proposed roundabout and the existing Poole Roundabout is circa 360m. The minimum distance between junctions is based upon the forward sight stopping distance which, even assuming a 60mph limit, is 215m. Consequently the spacing between the existing and proposed roundabouts is more than adequate.

Highways have no objection to this application subject to relevant conditions.

#### Local Flood Authority - MBC

No objections, the proposed development will include suitable highway drainage, it is small in scale and will not increase the flood risk in the area.

#### Archaeology

There is no need to require any archaeological mitigation or further information in this case. There is no evidence currently available for archaeological features of any significance lying

between the farmstead and the development. The only known feature with possible archaeological significance, and that could be directly impacted by the development, is the existing trackway. However, the impact will be of only a short section of the track (and of a section where the track has already been cut by the existing A1043). If the area of new development were larger it would be reasonable to require geophysical survey of the land before determination of the application, so that the potential for prehistoric archaeological remains could be more accurately determined. Given the small area of previously undeveloped land affected by the current application however such survey would be unlikely to reveal much of significance (and to the east might be affected by existing power cables).

Neither do I consider that a watching brief of the works (either within the existing carriageway, or within the area of the entry spurs) is required in this case.

#### Redcar and Cleveland Council

The proposed roundabout would need to be modelled and designed for traffic conditions at an appropriate time into the future to ensure that it would have an appropriate design life.

The roundabout would need to be designed to meet the required safety standards for visibility and lane deflections. Advanced warning signs would be required in each direction on the Nunthorpe Bypass. Road Safety Audits of the design would be required at the appropriate stages.

It would be appropriate for space to be left to accommodate footways and cycleways around the roundabout to allow provision for sustainable modes along the road.

Further to the consultation responses received on this application Redcar and Cleveland Council has also commented upon the application for 128 dwellings to the north of the A1043. In this representation they identify the need to access the Park and Ride to the south of the A1043 and that planning for the junction will be beneficial, highlighting that it will be accessed by vehicle, cycle and pedestrian means.

#### Nunthorpe Community Council

##### Site Considerations

a) The application site relates to the current Council-owned adopted highway land and an area of currently vacant land to the north and south of the A1043.

NB It should be noted the quality of the planning application existing and proposed location site plans are of poor quality and definition.

b) An access off the A1043 bypass road via the proposed roundabout is referred to in Policy H29 of Middlesbrough Council's adopted Housing Local Plan (2014) and further detailed in the recently adopted Nunthorpe Grange Design Code. This application advises it would provide access to the proposed Nunthorpe Grange housing development and, according to the application, a future Park and Ride station to the south of the A1043.

c) The northern arm would feed into the proposed Nunthorpe Grange housing development. The Design and Access statement in the planning application indicates the southern arm would feed into the Nunthorpe Grange farmland, most likely to serve an, as yet, unannounced new housing development located within this MBC owned land. The Design and Access statement also states this southern arm would eventually provide a Park and Ride facility adjacent to the railway line. However, a recent announcement indicates the Park and Ride facility is now being considered within the Redcar and Cleveland Council land north of the railway line.

N.B. Because of the proposed location of the roundabout it would create a difficulty in providing a Park and Ride site on MBC-owned land next to the railway line as the application implies this would involve crossing privately owned farmland (regarded as ransom land).

#### Planning Application Evaluation

a) The planning application is seriously lacking supporting peak hour traffic statistics, both for the present bypass usage and the proposed impact on usage following introduction of the roundabout after completion of the Nunthorpe Grange housing development.

b) The Nunthorpe Grange Masterplan indicates three access points to the site - a roundabout placed on the A1043 bypass, a second access off Stokesley Road (entry point to be agreed by MBC) and a third access point off Guisborough Road for those houses facing Guisborough Road, this includes a bus-only access into the whole estate.

c) Regarding the proposed access off the bypass, a general understanding of a bypass is - a bypass is a road or highway that avoids or "bypasses" a built-up area, town, or village, to let through traffic flow without interference from local traffic, to reduce congestion in the built-up area, and to improve road safety. In the case of such applications being submitted for the purposes of development, either industrial or housing, requesting new access points along the length of a bypass route have often been refused by Local Authorities as these access points would interfere with the traffic flow thus defeating the purpose of the bypass.

d) Would the Council consider using a more favourable point of main access into the Nunthorpe Grange site such as an additional exit off the Poole roundabout into the south west area of the housing development, with a spine road within the site serving all the housing development on the site? As the A1043 bypass has already been subject to a number of serious accidents and two recent fatalities perhaps access via a new feeder road off Poole roundabout would be a safer alternative. This would also remove the necessity for an additional access off Stokesley Road and Guisborough Road.

e) It should be noted that the commencement of the Nunthorpe Grange housing development is constrained by the condition mentioned in the adopted 2014 Local Plan, policy H29 - This site will not be brought forward until an agreement on the provision of a park and ride facility has been secured or the Longlands Road to Ladgate Lane road have been secured and a timetable for implementation agreed. Although this condition has not been included in the draft 2018 Local Plan Publication document it is very unlikely the Inspector would agree to its removal at examination for obvious reasons i.e. the fragile transport infrastructure of south Middlesbrough has not had any significant improvement since 2014 and also there has been no significant progress towards securing a Park and Ride or the Longlands Road to Ladgate Lane road.

f) As such, Nunthorpe Community Council believe there is still sufficient time for Middlesbrough Council to seriously consider alternatives to this unsuitable access arrangement and we suggest this planning application be withdrawn until the above mentioned H29 constraint is no longer applicable, likely to be many years ahead.

Nunthorpe Community Council reasons for their objection to the development:

Nunthorpe Community Council consider that this application is not acceptable as an access into the proposed housing development site. We recommend a safer, more practical and less expensive access could be achieved by providing a new arm off the Poole roundabout into the south west corner of the site which would allow the bypass to continue in its role as an expeditious route circumventing the Nunthorpe built-up area.

Nunthorpe Parish Council

No comments received

Ward Councillor Jon Rathmell

Repeated the objection from Nunthorpe Community Council detailed above.

## **Public Responses**

Number of original neighbour consultations	22
Total numbers of comments received	6
Total number of objections	6
Total number of support	0
Total number of representations	0

Site notice posted –  
7th December 2018

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## **PLANNING CONSIDERATION AND ASSESSMENT**

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10. The application seeks full planning permission for the construction of a roundabout on the A1043. The key issues to be considered in respect of this application centre upon the principle of development and the impact/operation of the highway network.
11. Consideration can only be given to matters that are material to this application. Those matters which are not material include comments in relation to the development of housing to the north including parking provision, level of open space and lack of affordable housing.

### Policy / Principle of Development

12. A proposed access off the A1043 is referred to in Policy H29 of Middlesbrough Council's adopted Housing Local Plan (2014) and further detail is provided in the adopted Nunthorpe Grange Design code. This proposal (northern arm) will provide access to the Nunthorpe Grange housing site to the north, which is allocated in the current and emerging Local Plan.
13. The roundabout's arm to the south has been designed to facilitate access to a park and ride hub to the south east of the roundabouts position (in Redcar and Cleveland's administrative area). Redcar and Cleveland have been consulted on the application and have raised no objections. Through a consultation response dated 10<sup>th</sup> Jan 2019, to a housing proposal to the north of the site, Redcar & Cleveland Council have also confirmed that planning for the junction to the proposed Nunthorpe Parkway Park & Ride on the southern side of the A1043 will be beneficial. In view of the limited ability for access from this stretch of highway, it is considered to be appropriate to consider the future provision of a park and ride hub which would represent a strategic piece of transport infrastructure.
14. Comments have been received in relation to the land to the south being a future housing site. The land to the south is not allocated for housing in the current Local Plan or the emerging Local Plan and it is outside the current limits of development. This is therefore not a material planning consideration and were housing ever to be proposed on the land to the south, it would need to be assessed in line with local plan policies relevant at the time.
15. Comments from objectors have been raised regarding the allocated housing site to the north of the proposed roundabout, highlighting that Policy H29 indicates that housing should not come forward prior to the agreement of either the provision of a park and ride or the Ladgate to Longlands link road. As this proposal is not for

housing, only a roundabout and access into the allocated housing site, the proposal is not in conflict with Policy H29. Matters of strategic transport solutions required by policy would need to be considered at the time of any application for housing coming forward at the site. Notwithstanding this, the emerging local plan (publication draft stage) seeks to remove the requirement for the housing site to be linked to the strategic transport solutions currently required by Policy H29, although as this is an emerging document limited weight can be given to it at this stage. The debate linking the delivery of the housing development to the provision of strategic transport solutions such as the park and ride will be a matter for consideration at the Local Plan examination, and is not relevant to the determination of this application. Its relevance will come when considering any applications for housing on the Nunthorpe Grange allocation.

16. Adequate access to the Nunthorpe Grange site is required by Policy H29 to allow for the housing development. This application is for the creation of an access point to ensure it is located in a suitable position to serve the development to the north and to enable access to a park and ride to the south east of the roundabout. In this regard the application is in accordance with Policy H29.

### Highways

17. The level of traffic which could be anticipated to be generated from adjacent allocated Local Plan sites has been used as the basis to determine the size and design of the proposed roundabout. As part of the design process it is also intended to reduce the speed limit on the A1043 from 60mph to 40mph between the A172/A1043 Poole Roundabout to a point North East of the proposed roundabout together with a supporting scheme of street lighting.
18. Based on comments received from objectors in relation to accidents and fatalities along the A1043, the council has reviewed the accident record for the last 5 years for the section of the A1043 between the Poole roundabout and Swans Corner roundabout. These records have not identified any accident patterns which would be exacerbated by the proposed roundabout.
19. The Highway Authority have permitted development rights which would allow them to construct a roundabout without the need for planning permission in the instance that it is located entirely within the adopted highway (highway and associated verges). However, in this instance, the positioning of the proposed roundabout exceeds the area of land which is adopted highway and therefore permission is required.
20. Notwithstanding the design parameters for the roundabout, this application simply seeks approval for the construction of a roundabout and as such traffic volumes on the A1043 will not be affected by this proposal as the junction will not generate traffic in its own right, however, it has been designed to receive traffic levels from the allocated housing site and the principle of an access onto the bypass has also been established as a result of the housing site allocation.
21. As each individual development proposed to be served from the roundabout is brought forward, each application will need to be supported by a Transport Assessment and demonstrate the impact that those proposals may or may not have on the roundabout and the adjacent highway network together with any mitigation as may be required.
22. A combined Stage 1/2 Road Safety Audit has been undertaken by independent highway consultants. The Road Safety Audit process considers the proposed design and identifies whether there are any road safety issues which could be created or exacerbated by the proposals. The audit has not identified any significant matters



and any minor matters will be dealt with through the detailed design process for construction should the proposals be approved.

23. The roundabout has been designed to national standards, as referenced within the Design Manual for Road and Bridges, which include requirements for visibility splays and stopping sight distances. As such the roundabout is of a similar format to other roundabouts across the UK. The distance between the outer edges of the proposed roundabout and the existing Poole Roundabout is circa 360m. The minimum distance between junctions is based upon the forward sight stopping distance which, even assuming a 60mph limit, is 215m. Consequently the spacing between the existing and proposed roundabouts is more than adequate. Objections have been raised against the proposed scheme on matters of highway safety, however, as referred to above, there are no traffic accident patterns in this location. The speed limit will be reduced and a scheme of street lighting would be introduced and therefore these considerations would suggest that the introduction of a roundabout would not be detrimental to highway safety.
24. Comments have been received suggesting it would be better to access the housing development to the north via an additional arm from the Poole roundabout. This would increase the number of access points from the roundabout to seven which in its own right may not be desirable. However, the proposal is for a new roundabout part way along the A1043 which would give access to an allocated housing site and to a potential park and ride provision and in itself is in accordance with the requirements of Policy H29(c) of the Housing Local Plan.
25. The application is considered to be in accordance with the requirements of Policies H29, CS17 and DC1.

#### Archaeology

26. Nunthorpe Grange Farm is defined in the Historic Environment Record (no. 7971) as a nineteenth century farmstead, probably with earlier origins. It is of local archaeological significance, but the site is not directly affected by the development proposal, and there is no evidence currently available for archaeological features of any significance lying between the farmstead and the development.
27. The Council's archaeological consultant has advised that the only known feature with possible archaeological significance, and that could be directly impacted by the development, is the existing trackway. However, the impact will be of only a short section of the track (and of a section where the track has already been cut by the existing A1043).
28. The consultant further advises that whilst there is a possibility that the area of development could contain evidence for both prehistoric and medieval settlement although based on current knowledge, any such evidence is unlikely to be of occupation, but is more likely to be simply of agricultural activity. Such evidence for the medieval period is unlikely to be archaeologically significant, whereas for the prehistoric period it could be.
29. Were the area of proposed development to be larger, and more noticeably beyond the land which has already been disturbed / developed in association with the construction of the A1043 and its associated verges, drainage etc then it would be reasonable to require a geophysical survey of the land before determination of the application, so that the potential for prehistoric archaeological remains could be more accurately determined. Given the small area of previously un-developed land affected by the current application however such survey would be unlikely to reveal much of significance.

30. In areas where archaeological significance is likely it is common practice to undertake a watching brief of the works taking place, however, it is considered in this instance, for the above reasons, that such a requirement is unnecessary.
31. The development is considered to be in accordance with the requirements of policy CS4.

#### Ecology and Flood Risk

32. Comments have been received in relation to ecology, wildlife and flooding. The majority of the site is adopted highway, including the verge at the side. Only a small section to the north and south are outside the existing highway land. These areas are primarily low amenity grassland, with some existing hedgerow. The impact on wildlife and ecology will therefore be minimal. The development must be carried out in accordance with relevant legislation relating to nesting birds etc. which is outside planning legislation.
33. The Local Flood Authority have confirmed that there will be no impact on flood risk, and the roundabout will be constructed with appropriate highway drainage.
34. The development is considered to be in accordance with the requirements of Policy CS4.

#### Amenity

35. The roundabout is located on the A1043, there are no residential properties immediately affected by the construction or operation. It will not result in any impact on resident's privacy and light and will not have a significant impact on the visual amenity of the area. The development is considered to be in accordance with the requirements of Policy DC1.

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### **CONCLUSION**

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36. The proposed roundabout is considered to be in accordance with Policy H29 of the Housing Local Plan in that it would provide an access for an allocated housing site and will facilitate the provision of a Park and Ride facility located within the administrative area of Redcar and Cleveland which supports sustainable travel within the local area, thereby being in accordance with relevant guidance within the National Planning Policy Framework. The proposal does not generate additional traffic and would not have an undue negative impact on highway safety. In view of these matters, the proposed development is recommended for approval subject to conditions.

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### **RECOMMENDATIONS AND CONDITIONS**

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#### **Approve with 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. Location Plan, drawing no. 17010-102-LE-ZZ-01-DR-D-0001, rev. P02; and,
- b. Proposed Layout, drawing no. 17010-102-LE-ZZ-01-DR-D-0005, rev. P01.

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

3. Safety Audit

A full 4 stage road safety audit for the roundabout hereby approved shall be carried out in accordance with guidance set out in the DMRB HD19/03. This 4 stage road safety audit shall, at each stage and in accordance with the stage timings in DMRB HD 19/03, be submitted to and approved in writing by the Local Planning Authority. Any remedial works required within the audit shall be implemented within 6 months following the remedial works being identified and agreed unless an alternative timescale is first agreed in writing with the Local Planning Authority.

Reason: To minimise the road safety risks associated with the changes imposed by the development.

### **REASON FOR APPROVAL**

The proposed development 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, regional and local planning policies, statements and guidance.

In particular, the proposal meets the national planning policy statements and guidance, and the Local Plan policies regarding the efficient use of land, the appropriate design and layout of development, sustainable development, and accessibility and would result in a development that would not have a detrimental impact on the character of the surrounding area, and would not be detrimental to the local amenities of the surrounding area.

Issues of the principle of the proposed development, the impact of the proposed scale and design, the highways implications of the proposal, and of local amenity have been considered fully and are not considered 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. On this basis the recommendation to approve conditionally is as set out for these reasons.

Case Officer: Shelly Pearman

Committee Date: 01.03.2019

