
APPLICATION DETAILS

Application No:	18/0786/FUL
Location:	Nunthorpe Grange Nunthorpe Middlesbrough
Proposal:	Erection of 97 residential dwellings with associated access, landscaping and infrastructure.
Applicant: Company Name:	Mr Ben Stephenson Persimmon Homes Teesside
Agent: Company Name:	
Ward:	Nunthorpe
Recommendation:	Refuse

SUMMARY

Permission is sought for the erection of 97 dwellings with associated access, landscaping and infrastructure on land at Nunthorpe Grange to the north west of the A11043 (Nunthorpe Bypass). The site is part of the wider Nunthorpe Grange site.

Following a consultation exercise objections were received from 42 properties, the Community Council, Nunthorpe Parish Council and Ward Councillors.

The principle of residential dwellings on this site is acceptable however the proposed development, whilst providing a good mix of dwelling types in an attractive landscaped setting, has a density which is too high for the site and not in keeping with the surrounding properties in conflict with the adopted Design Code.

It is the planning view that the proposed development does not provide a high quality development as a result of the high density and due to the issues surrounding parking provision, excessive hard standing at the front of properties, lack of natural surveillance to parking courts and resultant poor layout. It is considered that the issues with the layout will result in a development that will not function well, will detract from the visual amenity of the area, does not meet the principles of secured by design, is not sympathetic to the local character of the surrounding area, and will not achieve the Council's aspirations for the development of Nunthorpe Grange. This development is considered to be in conflict with policies DC1, CS5 and H29 of the Local Plan, the Design Code and paragraph 127 of the NPPF.

It is recommended that the application is refused.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The site is located on the northwest side of the A1043 (Nunthorpe Bypass) approximately half way between the Poole Roundabout and Swans Corner. It comprises 5.84ha of green field.

To the northwest are existing dwellings primarily comprising large detached two storey dwellings. To the south, north and east are green fields separated by tree belts/hedgerows, a railway line and the Nunthorpe Bypass. To the northeast there is an area of business/commercial use with a small number of residential units set within the open space further to the east. There is an existing dwelling located in the southern corner of the site.

Permission is sought for the erection 97 no. dwellings (reduced from 128 originally proposed) with associated works including the creation of a temporary vehicle access onto the A1043, internal highway network, drainage works and landscaping.

The 97 dwellings proposed are made up of 17 housetypes comprising 16 two-bed dwellings, 34 three-bed, 37 four-bed and 10 five-bed. The dwellings are a mix of two and three storey, detached, semi-detached, and terraced properties.

Documents submitted in support of the application include:

- o Planning Statement
- o Design and Access Statement
- o Flood Risk Assessment
- o Transport Assessment
- o Travel Plan
- o Archaeological Assessments
- o Noise Impact Assessment
- o Arboricultural Survey
- o Ecological Appraisals
- o Site Investigation
- o Statement of Community Involvement

PLANNING HISTORY

No relevant planning history

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:

H1 - Spatial Strategy
H11 - Housing Strategy
H12 - Affordable Housing
H29 - Land at Nunthorpe
H31 - Housing Allocations
CS1 - Spatial Strategy
CS4 - Sustainable Development
CS5 - Design
DC1 - General Development
NGDC - Nunthorpe Grange Design Code
UDSPD - Urban Design SPD
HGHDC - Highway Design Guide
NDS - Nunthorpe Design SPD

H10 - Nunthorpe
CS6 - Developer Contributions
CS18 - Demand Management
CS19 - Road Safety
CS20 - Green Infrastructure
MWC1 - Minerals Strategy
MWC4 - Safeguarding Minerals
MWP1 - Waste Audits

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

Consultation letters were sent to local residents, a press notice issued and site notices posted around the site. A further consultation process was carried out after the submission of revised details that reduced the number of dwellings proposed and made changes to the layout. Following the consultation exercises objections were received from 42 properties, the comments are summarised below:

1. Inadequate public transport provision
2. Increase in traffic and congestion
3. Aimsun model does not appear to take account of the possibility of new developments from outside the Middlesbrough area
4. Aimsun model does not take into account delays to traffic due to incidents and hold ups i.e. access to petrol station or rail crossing closure
5. Aimsun model uses lower base figures than the previous report
6. Inadequate parking provision
7. Excessive use of parking courts
8. Inadequate and unsafe access, should not have traffic lights on a bypass
9. Bus stops on the bypass will be a safety hazard
10. Highway and pedestrian safety
11. Increase of pollution
12. Bypass will no longer be a bypass, will harm the flow of traffic on the bypass
13. Should not be developed until longlands to ladgate link road or the park and ride are fully operational
14. Poor links to walking/cycling network, will result in car use being the dominant method of transport. Lack of sustainability
15. Lack of footpaths in the development
16. Cycles and pedestrians leave site via Nunthorpe Gardens increasing foot flow and bikes on Nunthorpe Gardens and Guisborough Road with only one footpath.
17. Does not provide a safe route to schools
18. Information missing from plans
19. Inadequate services/facilities i.e. schools, doctors, sewage system, community facilities
20. Mobile and broadband network in area not adequate
21. The proposed roundabout (subject of a separate application) would not be needed if it wasn't for proposed housing.
22. No need for houses on green belt, already enough in area which aren't selling, population decline
23. Increase risk of flooding in the area, including Box Drive which is a private drive
24. No details on how flood risk will be mitigated or preliminary impact assessment has been submitted, developer needs to work with residents of Box Drive
25. Flood risk assessment is out of date

26. Detailed drainage design needs to be undertaken prior to determination
27. No recognition that the downstream system could prevent exceedance flow from freely discharging from the development increasing the risk upstream.
28. Development too high
29. General dislike of proposal
30. Increase in pollution
31. Loss of wildlife/ecology
32. Barn owls, bats and great crested newt mitigation required
33. More open space needed on development
34. Loss of open space
35. Poor landscaping scheme
36. Poor appearance
37. Poor layout
38. Residential amenity
39. Loss of privacy
40. Loss of views
41. Close to adjoining properties
42. Safety of children around SUDs
43. Increase in burglary/antisocial behaviour
44. Noise nuisance/inaccurate noise assessment
45. Out of keeping with character of area
46. Same houses being built everywhere
47. Small cramped houses on small plots
48. Over development, too high density, misleading details on developable area and number of housing across whole site
49. Conflict with local plan
50. Conflict with Nunthorpe Grange Design Code
 - a. providing second access from bypass
 - b. density too high in this area
 - c. single row of houses in design code is doubled in application
 - d. do not reflect housing in surrounding area
51. Low quality housing, developer is known for poor quality
52. Against covenants for development in Nunthorpe
53. No consultation on park and ride (not part of this application)
54. Executive houses not required
55. Affordable homes required
56. Brownfield sites should be developed
57. Reduce property value
58. Will the Council tax rates for existing residents be re-evaluated?
59. Only being developed for Council tax benefits to the Council
60. Applaud the development of the floodzone, pond area and landscaping
61. Revised scheme has not changed much.
62. Impact from coronavirus will result in drop in demand
63. Housing out of the town will further decline the high street
64. Nature reserve has been reduced with concrete tanks and water pumps replacing it.
65. Loss of light to existing dwelling on Nunthorpe Gardens
66. Forward position of plot 61 and the impact on the visual amenity of the area
67. Impact on residents on Nunthorpe Gardens due to the increased pedestrian and cycle access
68. Dog attacks increasing on farm land due to the loss of green space
69. Impact and disruption on neighbouring properties during construction work
70. Council currently consulting on Nunthorpe Vision, this application should not be considered until the consultation has been completed.

Comments received From:

1. 9 Bedford Road
2. 29 Bonny Grove

3. 2 Box Drive
4. 3 Box Drive
5. 17 Byland Road
6. 11 Chesterfield Drive
7. 5 Clevegate
8. 19 Collingham Drive
9. 23A Cortland Road
10. 110 Eagle Park
11. 76 Gypsy Lane
12. 80 Hilderthorpe
13. 6 Lamonby Close
14. 4 Leckfell Close
15. 72 Mallowdale
16. 25 Marton Moor Road
17. 7 Matfen Avenue
18. 39 Mayfield Road
19. 7 Muirfield
20. 9 Nunthorpe Gardens
21. 11 Nunthorpe Gardens
22. 15 Nunthorpe Gardens
23. 16 Nunthorpe Gardens
24. 17 Nunthorpe Gardens
25. 18 Nunthorpe Gardens
26. 19 Nunthorpe Gardens
27. 25 Nunthorpe Gardens
28. 28 Nunthorpe Gardens
29. 41 Nunthorpe Gardens
30. 2 Rookwood Road
31. 49 Rosedale Road
32. Searchlight Farm, Stokesley Road
33. 5 Stokesley Road
34. 17 Stokesley Road
35. 23 Stokesley Road
36. 11 The Avenue
37. 18 The Avenue
38. 1 The Woodlands
39. 4 The Woodlands
40. 5 The Woodlands
41. 20 Thurlestone
42. 16 Whitby Road
43. Woodland, West Moor

Comments were also received from a resident group - Our Greenways

OurGreenways object to these plans, for its building on yet more green space. Although the number of houses is reduced, it's too dense and there is a challenging ghost roundabout at a dangerous point on the bypass.

Access to Nunthorpe itself is limited to a path and cycleways, transport and environmental issues are inadequately addressed. The total number of houses for Nunthorpe Grange is 250 as per the extant Local Plan. This allocation would see almost half the houses of that allocation built here too densely and with access predominantly by car, with bus routes being some distance away by walking. In addition bus services according to the document, do not run very often either.

Planning Policy - MBC

The principle of residential development on this site accords with the Development Plan Policies. Whilst it is acknowledged that the applicant has made some layout improvements

to the scheme, (e.g. reducing the number of residential units) further consideration should be given, as to whether the proposal fully meets the design principles set-out in the Nunthorpe Grange Design Code development guidance document.

Highways - MBC

Concerns raised about the ability to require the removal of the temporary access once it is in place and the ability to provide the footpath/cycle to Nunthorpe Gardens. No objections raised in relation to highway safety or capacity.

Waste Policy - MBC

Any properties accessed by a shared drive will need to bring their waste and recycling receptacles to the nearest public highway. It is noted that throughout the Design and Access Statement there is no reference to how the development manages the waste and recycling needs of the properties.

Middlesbrough Council will not travel over shared drives for collection purposes

Environmental Health - MBC

The approved use shall be developed in accordance with Noise Assessment Reference LAE1045.1 - submitted to the local planning authority. Any deviations from the recommendations made in the report shall be submitted to the local planning authority for approval. A condition is required in relation to contaminated land.

Public Rights of Way Officer - MBC

I would like to see the several informal Footpaths running through the green space area to be constructed in stone and in some areas a raised walk way. The routes should also be dedicated as Public Footpaths and maintained as part of the management company.

LLFA Officer - MBC

While I can only support the use of the existing Wetland area as a feature which will enhance the development especially with the creation of footpaths. I wonder if there is opportunity to use it as a storage area for some of the surface water. I recognise that due to levels on site that it may be required for the water to be stored and then pumped to the discharge point proposed, but I wonder if the water could be stored above ground rather than in a tank of such sizes.

The pumping station is below ground and therefore will not impact on the appearance of the area.

Redcar and Cleveland Borough Council

The application site is in close proximity to the boundary with Redcar and Cleveland at the edge of Nunthorpe. The site is also in close proximity to the allocated site within the Redcar and Cleveland Local Plan for residential dwellings off Morton Carr Lane. The land is allocated under policy H3.4 of the Redcar and Cleveland Local Plan, however to date the Council have not received a planning application for the site.

The development proposed through the current application has also been considered by the Redcar and Cleveland engineers. Based on the information with the application the following comments have been made by the engineers:

We would offer no objections in principle to the development however would wish to make the following comments.

The layout of the new junction and new boundaries should make allowance for the creation of new footways and cycle paths along the Nunthorpe bypass so that we can start considering provision for non-motorised transport users.

A footway/cycle route along the A1043 especially eastwards to the access to Morton Carr Lane, which is where the proposed Nunthorpe to Guisborough Cycle Route will cross the bypass, with the developer to pay the costs.

Also Arriva service 28a from Stokesley travels along the bypass hourly so the developers should provide bus stops and a safe crossing treatment.

The proposed pedestrian/cycling connectivity northwards into the existing development is a good opportunity to connect to existing facilities in Nunthorpe and the wider area to the eastern side of the A1043.

Lastly, the priority junction is close to the location of the proposed vehicle access to the Nunthorpe Parkway Park and Ride site on the southern side. Whilst the junction layout/location has yet to be finalised, planning for this junction (or construction/contribution towards) will be beneficial. The park and ride will be accessed via a shared footway/cycle route as well as vehicle access (see attached illustrative location plan).

Based on the comments above Redcar and Cleveland have no objection to the development, however should any significant amendments be made to the scheme we would request the opportunity to comment on these further.

Archaeology Consultant

We first advised on the application for the original proposal in January 2019, that, given the conclusions of the ASDU assessment, and the presence in Lidar and air photo information of some features that are of uncertain origin, a pre-determination magnetometer survey (i.e. geophysical survey) of the site should be required, so that the results of the survey could inform the application.

The applicant has commissioned and submitted a magnetometer survey, carried out by Archaeological Services at Durham University (Report 5092, June 2019). This survey, together with the submitted desk-based archaeological assessment ('DBA'), indicates that the site is of negligible archaeological significance.

The DBA raised the possibility that the site could contain prehistoric remains, but the survey concludes that no anomalies detected are likely to be indicative of human activity in the prehistoric or any other archaeological period. Based on the plots within the survey, we think this conclusion a reasonable one, and now advise that no further archaeological evaluation or mitigation is necessary in relation to the development of the site.

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.

Environment Agency

We have reviewed the amended information and have no objections subject to a similar condition placed in our previous letter in relation to the development being carried out in accordance with the Flood Risk Assessment. The condition is amended to reflect the most up to date plans and Flood Risk Assessment.

Northumbrian Water

We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled "Drainage Statement". In this document it states the foul flows only shall discharge to the public sewerage network via a connection to manhole 0805 on the existing foul sewer. The surface water shall discharge to the watercourse.

We would therefore request that a condition be attached to any planning approval, so that the development is implemented in accordance with the above documents.

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developers approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy.

Northern Gas

Despite Northern Gas previously raising no objections to the original proposal they have objected to the revised scheme on the grounds that the protection given to our plant may be diminished by the works. Currently no clarification has been received as to why their comments have changed given that the developable area of the scheme has not been altered.

Nunthorpe and Marton Playing Fields Association

As the application site is in close proximity to our playing fields, we believe that developer contributions should be requested from this proposed development in order to enhance and maintain the facilities available to local residents, including new residents of this development. We strongly believe that this proposed development will inevitably increase the demand for our facilities. As such, we would ask that a s106 planning obligation be included within any planning permission, in order to improve and upgrade the existing playing fields and associated facilities owned by NMPFA.

We believe that the principle regarding s106 planning obligations towards playing fields/pitches in the Nunthorpe Area was established by the Grey Towers Village development. As the Persimmon application site is in very close proximity to our facilities, the trustees strongly believe that a contribution of at least £75,000 should be secured from this development towards upgrading the facilities owned by NMPFA.

The trustees of NMPFA have exciting plans for the redevelopment of our existing facilities, aimed at making them part of a community hub for the area. We have been speaking with community groups and funding agencies regarding these proposals, including how a community centre facility could be incorporated. Nunthorpe currently lacks such a facility and has been identified as a community infrastructure priority by local groups.

The trustees believe that the Persimmon application site should also make developer contributions towards such a community facility. Although it is difficult to cost and proportion this accurately, we believe a contribution from this development of at least £100,000 would be reasonable in size and scale.

Nunthorpe Community Council

The 2014 Middlesbrough Housing Local Plan states:

Policy H29 land at Nunthorpe, South of Guisborough Road

- 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.
- Land is allocated at Nunthorpe, South of Guisborough Road for a maximum of 250 predominantly three and four bedroom detached and semi-detached dwellings, and associated access arrangements.
- Set-a-side approximately 3 hectares of land for public open space/recreational purposes;

It is the position of NCC that no planning applications for Nunthorpe Grange should be approved until the transport infrastructure has been committed in accordance with the above policy.

Middlesbrough Council is currently consulting residents on the future development of Nunthorpe Grange. It would be premature to approve this application which would only leave 153 dwellings for the remainder of the site. Approval at this stage would undermine the credibility of the whole consultation exercise.

Middlesbrough Council must not approve this application until details of land allocated for recreational purposes have been confirmed together with a timetable for implementation.

The Nunthorpe Institute (rooms) have been transferred to The Avenue Primary School, part of the James Cook Learning Trust. Middlesbrough Council must provide sufficient land for a proper Community Centre together with necessary funding before any development takes place at Nunthorpe Grange.

The views of Nunthorpe Community Council are closely aligned with those of Nunthorpe Parish Council and the Nunthorpe Vision Statement regarding this application.

Nunthorpe Parish Council

As the Parish Council are currently engaged in the related consultative exercise with the residents of Nunthorpe and with Middlesbrough Council, and as our conditions for support of any development in Nunthorpe Grange have therefore clearly not yet been met, Nunthorpe Parish Council must logically register its opposition to Persimmon's premature proposal.

Nunthorpe Parish Council's opinion is that Nunthorpe has already suffered enough from housing developments without the infrastructure to help compensate residents for the environmental implications.

Therefore, although the Parish Council thinks that it is probably unrealistic to expect zero housebuilding in Nunthorpe Grange by those who have bought land already zoned for housebuilding, the Parish Council has presented Middlesbrough Council with the following four minimum requirements in response to the Nunthorpe Vision consultation. These relate to: House Building Limitation; Transport Infrastructure; Green Environment; and, Communal Facilities.

The following comments were submitted by the Parish Council in relation to this application.

Share of numbers

The entire area of Nunthorpe Grange has been zoned for the construction of up to 250 houses. It is unreasonable for Persimmon to pre-empt agreement on the allocation of housing across the area by assuming that it can take for itself 97 of the 250 houses just because it has made the first submission. There is no known basis for the presumption that there is authority to build 97 houses on the site available to Persimmon. Therefore, Nunthorpe Parish Council contends that the application by Persimmon is premature in the absence of agreement on the distribution of potential housebuilding authorisation among the landowners of Nunthorpe Grange.

Share of responsibility

To compound this problem, Middlesbrough Council is currently engaged in a comprehensive consultation with the Nunthorpe community about Nunthorpe Grange. This consultation incorporates consideration of the totality of issues relating to the development of Nunthorpe Grange in the wider context of Nunthorpe, and the surrounding areas of Redcar and Cleveland, Hambleton and Middlesbrough. These issues entail evaluation of measures to counteract, if possible, the impact of additional house-building in Nunthorpe - the impact on traffic congestion, on schools, health, sport and other community facilities, and on all aspects of the environment. The Persimmon proposal does not exist in a vacuum. The impression given in the Persimmon documentation is that, because the Persimmon site is only a part of a larger area, any unfortunate contributions to these wider issues should be effectively

overlooked in the case of Persimmon. This is illogical, and unacceptable to the Nunthorpe community.

The Persimmon application is premature, not only pending agreement on its share of the housing numbers available, but also pending agreement on its share of the wider contribution to amelioration of the environmental and infrastructure issues created by any development in Nunthorpe Grange. To endorse this application would be the antithesis of coherent planning, and an abrogation of the responsibility of the Planning Committee to take account of all relevant factors.

Traffic and Transport

A further fundamental issue is the specific prohibition on house-building in Nunthorpe Grange until the Ladgate Link and/or Park and Ride have been "secured" with a "timetable for implementation agreed". Nunthorpe Parish Council is not aware that the Nunthorpe Park and Ride station has progressed beyond the stage of vague aspiration; and the Parish Council understands that the Ladgate Link has been effectively abandoned.

It is of course possible that agreement might be reached among all parties on a more effective way forward to deal with the "Marton Crawl" and other local issues, but, as no such proposal has even been presented to the Parish Council, let alone endorsed, the Parish Council draws attention to this as yet another reason why the Persimmon plan should be rejected as contrary to planning authorisation.

In addition to this further fundamental flaw in the Persimmon application, the Parish Council endorses the groundswell of opposition to the proposed access to the development - a junction which would inevitably increase congestion on a bypass established to facilitate traffic flow! Although described as "temporary", this junction "has informed the block structure" of the development, and could well exist for some considerable time as a unique contribution of Persimmon to the endemic infrastructure problems of Nunthorpe.

Nunthorpe Parish Council Conclusion

The Parish Council shares the concerns expressed by others about the density of housing proposed, about the lack of bungalows (the one type of dwelling which could be beneficial to Nunthorpe), about car-parking space, about maintenance of communal areas, and about the impact on the residents of Nunthorpe Gardens. However, the Parish Council feels that it is unnecessary to respond in detail on such subsidiary points when the submission is so fundamentally flawed.

Councillor Meika Smiles

I object to this proposal for 97 more houses in Nunthorpe.

The local plan states that there should be a 250 house limit built in the Nunthorpe Grange area. These plans are too concentrated, high density and would be out of keeping with any future development of the area. It also doesn't fit with the adopted Nunthorpe Design Statement.

We are currently undertaking a consultation exercise for the whole area and this proposal is therefore premature to hearing residents' input.

As a community we are overstretched - and currently lacking the relevant infrastructure to support our community. We do not have a community centre, fit for purpose GP surgery, sufficient places to gather and we have a deficit of classrooms in our schools. Residents have been assured these issues will be tackled before further development takes place.

Traffic and travel is also a key consideration. Marton Crawl will be added to exponentially and we are yet to see a park and ride facility that could help ease the serious traffic issues between Nunthorpe and central Middlesbrough. There is only one vehicular access point to

the development and in that sense it's cut off from the rest of the community - particularly those unable to walk or who find it difficult to do so.

Councillor Jon Rathmell

This development will increase traffic on to the A1403 at a point of relatively low visibility from vehicles approaching via the railway bridge section of the road, posing a risk to road users.

This development is not in keeping with the Mayors vision to enhance local spaces and communities, this development has no consideration for recent developments in Nunthorpe such as David Wilson Homes, and the need for lots of mitigating planting of trees/shrubs and inclusion of green spaces. The proposed properties would see the loss of green barriers and wildlife corridors essential to the character of Nunthorpe and the thriving local wildlife.

The property designs are targeted at a market who don't have a reliance upon public transportation because of their location and the already lack of availability of public transportation in Nunthorpe, therefore attracting multiple vehicle occupancy homes with no mitigation against this in real terms by the developer. These vehicles will feed directly in to the already congested Swans Corner and Dixon's Bank which has recently undergone some remodelling but with little to no benefits.

The design and character of the plans don't offer suitable options to meet housing demand such as affordable, 50/50 shared ownership and/or social housing options on site neither does the development offer retirement/disabled occupancy properties such as bungalows therefore excluding individuals from consideration.

Nunthorpe has a diverse and wide community but also an ageing population due to the lack of diverse housing stocks. We have young families and individuals with disabilities who aren't able to settle in Nunthorpe due to the lack of available affordable housing and the lack of design options such as bungalows.

I respectfully submit that the committee reject this application for the reasons stated.

Public Responses

Number of original neighbour consultations	130
Total numbers of comments received	54
Total number of objections	54
Total number of support	0
Total number of representations	0

Site notice posted –
24th December 2018

PLANNING CONSIDERATION AND ASSESSMENT

1. A number of the comments raised are not material planning considerations and therefore cannot be considered as part of the analysis of this application. They include but are not limited to, `comments relating to covenants, loss of view, should be building on brownfield sites and the lack of doctors facilities.
2. There are also a number of the comments raised relate to a Nunthorpe Vision consultation which is ongoing. This is not being carried out by the Local Planning Authority and is wholly separate to the consideration of this planning application. It is

not adopted or emerging planning policy or guidance and as a result it bears no weight in the decision making process for this application.

3. During the application process revised details were submitted reducing the number of dwellings proposed from 128 to 97 and making changes to the housetypes and layout. The revised details are the subject of this report.

Principle of Development

4. Under the adopted 2014 Housing Local Plan the applicant's site forms part of the wider allocated housing policy H29 - Land at Nunthorpe, South of Guisborough Road. The entire site (including the applicant's land) comprises 26.5 hectares (gross), is currently in three separate ownerships. Adopted Housing Local Plan policy H29 states that the site is allocated for a maximum of 250 high quality, high value, low density, predominantly three and four bedroom detached and semi-detached dwellings, with open space and wildlife habitat areas, and associated access arrangements.
5. The houses proposed are a mix of two, three, four and five bed properties the majority of which are detached with some semi-detached and some terrace properties. The proposed dwellings incorporate large properties in large plots and some smaller properties in much smaller plots. Policy H29 states that the dwellings should be predominantly three and four bed semi-detached and detached dwellings. This does allow for some smaller or larger properties and does allow for some terrace properties but they should not dominate the development. The proposed scheme includes 16 two-bed dwellings, 34 three-bed, 37 four-bed and 10 five-bed. The three and four bed properties represent 74% of the development therefore the inclusion of two and five bed properties is in accordance with the requirements of policy H29. Whilst the inclusion of smaller dwellings is considered acceptable the development should still seek to meet the requirements of the adopted Design Guide for the site and be of high quality.
6. The entire site, (i.e. the three sites combined) is recognised as one of the premier housing locations within the borough, and offers a real opportunity to achieve a high quality residential scheme. In achieving such a high quality development across the entire site, the Council's Housing Local Plan strategic aspirations for growth in the town and provision of high end housing products, in order to attract and retain aspirational families, would be significantly advanced.
7. Policy H29 states that this development will not be brought forward until an agreement on the provision of a park and ride facility has been secured or the Longland/Ladgate link road has been secured. Whilst there has been no movement on the link road the park and ride facility is likely to be located within the boundaries of Redcar and Cleveland and will be accessed via a roundabout on the bypass within Middlesbrough which has already received approval. Whilst full agreement on the provision of the park and ride facility has not been secured this application represents only one element of the wider Nunthorpe Grange site. The development has been assessed by the Local Highway Authority in terms of highway safety and capacity and no objections have been raised on this basis. Whilst this element of policy H29 has not been met we are duty bound to consider the application submitted and consider that the lack of a full agreement in relation to the park and ride is not justification on its own to refuse the application. However if there are a number of issues with the scheme this would further compound those issues and could be an additional reason to refuse the application.
8. In addition to Policy H29, the adopted Nunthorpe Grange Design Code provides more detailed guidelines on the key layout principles, types of housing, landscaping

and the quality of development that the Council is seeking in the development of Nunthorpe Grange. The design code refers to a maximum number of 350 dwellings across the entire site.

9. The Design Code in this instance identifies that the type housing located on the northern edge of the site with the railway to the rear and facing onto the proposed Wildlife Habitat Area should be of the lowest density of the entire development, below 18 homes per hectare, with large homes on generous plots. This low density type of housing also ties in with the adjoining low density Nunthorpe Gardens development, and would assist in minimising traffic movement around the Wildlife Habitat Area.
10. Policy H12 requires 15% of dwellings to be affordable provided as 5% on site and a 10% off-site contribution. Policy H12 allows variations in the proportion of on/off-site provision where it can be demonstrated that this would better contribute to the creation of mixed and balanced communities through the diversification of housing tenure.
11. Policy CS4 requires that all development contributes to sustainable development. This includes the incorporation of SUDS in new developments. Policy MWC1 requires that new-build developments contribute to the efficient use of resources, to increase the proportion of construction and demolition waste recycled. Policy CS5 requires all development proposals to demonstrate high quality design. Section 2 of the Urban Design SPD provides further guidance on residential development.
12. Policy CS17 requires development to be located where it will not have a detrimental impact on the operation of the strategic transport network. Policy CS18 requires that the amount of private car parking is restricted in accordance with the Tees Valley Design Guide and Specification. Policy CS19 advises that new development should include a package of measures to discourage car use and encourage sustainable transport choices.
13. The principle of residential development on this site accords with the Development Plan Policies. Whilst it is acknowledged that the applicant has made some layout improvements to the scheme, (e.g. reducing the number of residential units) further consideration will be given as to whether the proposal fully meets the design principles set-out in the Nunthorpe Grange Design Code development guidance document within the body of this report.

Highways

14. Development proposals have been run through the authority's strategic (Aimsun) highway model, which includes committed development and committed highway schemes. The model assessed the impact of the proposed access arrangements and the traffic generated by 107 dwellings. Since the model work was commissioned the number of units proposed on the site has been reduced to 97 and as such the models approach is robust.
15. Trip rates used in assessing the impact of the proposed scheme are consistent with other recently approved schemes and based on survey data of similar sites. Using these trip rates the proposed development is anticipated to generate in the region of 83 two-way movements during the peak periods. Taking into account the reduction in units to 97 and using the same trip rate the figure reduces to circa 75 two-way movements, which is a little over 1 vehicle per minute.
16. Clearly as traffic distributes over the wider modelled network the potential impact diminishes as development traffic becomes a smaller proportion of traffic flows.

17. Over the model area development traffic is demonstrated to not lead to a material impact. In the interests of robustness and to assess localised impact at junctions further detailed work was undertaken to understand the potential impact of development traffic in terms of junction capacity, queue lengths and vehicle speeds. A threshold was set based upon the percentage impact that development traffic could have, which identified the junctions that needed looking at in greater detail.
18. Much of the impact was, as would be expected, along the Dixons Bank corridor. In summary due to increases in mainline traffic, vehicles turning into/out of side junctions will experience some increase delay. This arises due to their being fewer gaps in the mainline flow. It should be noted that the increase in delay that these vehicles will experience is only on certain movements and is not at a threshold which could be considered severe. The affected junctions will continue to operate without significant levels of queuing.
19. The other area where an impact could be seen is at the junction of Stainton Way/Dixons Bank. During the peak periods an increase in queuing can be seen. This increase in queuing occurs on the Stainton Way (West) arm of the junction. Interpretation of the model suggests that this impact is associated with an increase in the number of vehicles turning right from Stainton Way onto A172 Dixons Bank. As such, vehicles intending to turn right queue in the outside lane of Stainton Way, and, as such increase delay of vehicles travelling ahead or turning left.
20. It should be noted that in the 2025 scenario some queuing is already predicted to occur, without the impact of development traffic and therefore we must consider the impact of additional vehicles to the rear of an existing queue. When looking at other evidence from the model, including vehicle speeds, flow and delay the potential additional impact is not significant and is within the realms of day to day fluctuations in traffic and queuing that is experienced by motorists.
21. Overall the model output report demonstrates that the proposed development will not have a material impact on the operation of the surrounding highway network nor can be classed as severe, which is the benchmark set out in the NPPF against which proposals are assessed.
22. The Design Code for the Nunthorpe Grange site is an adopted document approved by the authority. The Design Code set out clear statements with regards to access and whilst it is only guidance does constitute a material planning consideration.
23. Within the Design Code several sections clearly state that access to the A1043 should be via a roundabout that would serve the Nunthorpe Grange site plus potentially a future Park & Ride on the Southern side of the A1043. This approach sought to minimise the number of vehicle access points onto the A1043 in order to maintain traffic flows and minimise any associated highway safety risks.
24. The authority submitted planning application 18/0757/FUL for the roundabout which was considered and approved. As such the roundabout is a material planning consideration and has a consent which can be implemented at any time.
25. The scheme proposals seek to access the site via a priority T junction with right turn ghost island approximately 220m East of the approved roundabout. The applicants have advised that this access serving their site is to be temporary and that as soon as the roundabout is implemented will be removed.
26. Highways officers have serious reservations over such an approach. Whilst it is technically possible to ensure that the temporary access is removed, at the appropriate point, by legal mechanism such as a S106 Agreement, in practice this

will be very difficult to achieve. Should the application be approved then the authority will have granted approval for the new access onto the A1043, the access is therefore lawful.

27. Supporting documents including the Road Safety Audit and Transport Assessment have demonstrated that the roundabout and proposed development access can operate together without affecting the free flow of traffic nor road safety.
28. As such it is considered that should the developer seek to retain the access, by varying the S106, then the authority would have no highway grounds to resist it. Any resistance would be on the grounds of planning policy, design and place making.
29. Due to concerns raised by officers with regards to the potential interaction between the approved roundabout and proposed site access an independent Road Safety Audit was undertaken. The audit assessed how the section of A1043 would operate and identified any risks to the safety of highway users arising from the proposals. Whilst some issues were raised these are minor in detail and could be addressed at the detailed design stage.
30. A footway link parallel to the A1043 is proposed within the site development, but only to the site boundary. Whilst this facility would be consistent with the Design Code, the delivery of this facility in isolation would not connect to any adjacent infrastructure. Therefore the position will be that residents of the proposed development will be unable to use these connections when they occupy the development.
31. As a further connection the developer proposes to create a further pedestrian link to the North of the site into Nunthorpe Gardens. This route would provide access to local facilities and public transport within nationally recommended walking distances. However the land over which this link would cross is outside of the red line planning boundary, is not publicly maintainable highway and is outside of the ownership/control of the applicant. The applicant has confirmed that a ransom strip exists.
32. A further consideration is that the applicant is seeking to agree a right of access but not ownership. Without ownership (or agreement of the landowner) the route could not be adopted as publicly maintainable highway. By adopting the route the ability of the public to use the route in perpetuity can be guaranteed.
33. Without the footpath link to Nunthorpe Gardens the distance to local facilities and services is in the region of 1.5km. This distance is outside of national guidance covering acceptable and desirable walking/cycling distances to such facilities. In addition to the issue of the distance, no infrastructure exists to provide an alternate route. The alternate route would involve walking/cycling on the grass verge alongside the A1043, which is unlit and subject to a 60mph speed limit. This route is not attractive to pedestrians/cyclists for a number of reasons including the lack of surfaced route, lack of lighting, speed/volume of traffic and presents itself as a hostile environment.
34. In terms of public transport accessibility, residents will not be able to walk to bus stops for the reasons set out above. The Design Code and strategic approach to access within the site also made provision for bus penetration through the site. Given the lack of strategic planning and delivery of the site in isolation public transport cannot be delivered within the site which again further restricts access for residents to car use only.

35. Without the link to Nunthorpe Gardens it is considered that the site does not provide suitable means of access for pedestrians and cyclists. Future residents would therefore be forced into a reliance on the private car to access local facilities and day to day services. This is contrary to local and national transportation and planning policies including the NPPF and Local Policies CS4(g) and CS17.
36. If the development was approved it would therefore be necessary for the connection to be constructed to ensure the sustainability of the site and the connection to the existing services and infrastructure. The position of the applicant is that they are in negotiations to enable the footpath link to be provided and that it could be covered by a suitably worded Grampian condition.
37. In exceptional circumstances a negatively worded condition requiring a planning obligation or other agreement to be entered into before certain development can commence may be appropriate, where there is clear evidence that the delivery of the development would otherwise be at serious risk.
38. Where consideration is given to using a negatively worded condition of this sort, it is important that the local planning authority discusses with the applicant before planning permission is granted the need for a planning obligation or other agreement and the appropriateness of using a condition. In this instance the applicant has confirmed that they understand the need for the connection and are open to providing written confirmation of their agreement to the use and appropriateness of a negatively worded condition in this instance requiring the connection issues to be resolved prior to the commencement of development on site.

Flood Risk

39. The application has been considered by the Environment Agency, Northumbrian Water and the Local Flood Authority. All have confirmed that they have no objections to the proposed development subject to it being carried out in accordance with the revised Flood Risk Assessment. The proposed houses are located outside flood zones 2 and 3. The proposed pond, underwater tanks and pumping station detailed within the drainage scheme will be designed to hold and manage surface water drainage on the site to mitigate flooding issues with the proposed dwellings and the surrounding existing dwellings. Should this application be approved full details of the drainage scheme including its management and maintenance, will be required by condition.
40. The development is considered to be in accordance with the requirements of Policies DC1 and CS4.

Ecology/Landscaping

41. The application site comprises primarily agricultural field, residential garden and buildings, ponds, boundary ditch and hedges/trees. The agricultural grassland is not of any notable ecological value. The surrounding hedges and trees are of ecological importance as do the ponds on the site.
42. The site has been assessed in relation to a number of different species including bats, birds, badger and great crested newts with specific assessments taking place in relation to newts and bats. The presence of great crested newts were found within one of the ponds on the site. During the months of May and June the pond was dry which restricts the ability for the newts to develop or provide habitat for larval growth. The landscape scheme proposed includes the retention of the ponds on the site and the creation of a large pond. It provides opportunities for the ponds to be correctly managed and maintained to benefit the newts and provide them with an enhanced

environment including terrestrial habitats suitable for foraging, sheltering and hibernation activities. The further bat survey confirmed found no evidence of bats roosting within the buildings on the site.

43. The ecology assessments detail a number of recommendations to mitigate against harm to ecology and to provide enhanced opportunities for ecology on the site. These include retaining trees and hedgerows where possible, retaining the ponds within the site, and suggested planting as part of the landscape scheme.
44. The area of land within flood zones 2 and 3 will include enhancements to the existing ponds, the creation of a large pond and a landscaping scheme that will enhance the opportunities for ecology on the site and provide an attractive area for residents to use for both relaxation and exercise. It includes a number of footpath links through the landscape setting connecting to the wider Nunthorpe Grange site and the northwest and southeast of the site.
45. If approved a condition is required to ensure the necessary mitigation is carried out as part of the development including any further assessments required.
46. It is considered that the development will enhance the ecological potential of the site and have a positive impact in accordance with the requirements of Local Plan Policy CS4.

Amenity

47. The only existing dwellings which are immediately adjacent to the application site are those on Nunthorpe Gardens. The proposed layout ensures that the development does not impact on the existing residential dwellings in terms of privacy and due to separation distances there is not a significant impact on light to principle elevations of the existing properties.
48. A number of objections have been received from residents in the area particularly those on Nunthorpe Gardens who do not want increased pedestrian/cycle traffic going through their estate which is currently a quiet cul-de-sac, which they believe could result in loss of privacy and increased anti-social behaviour. Whilst their concerns are noted and any connection to the existing estate will result in increased footfall, the connections will be made to existing public highways and therefore there will be no impact on privacy in terms of reducing existing distances between dwellings and the public highway. Nor can a planning application be determined on the assumption that anti-social behaviour will occur.
49. Within the development itself, whilst not all the properties meet the recommended separation distances set out in the Local Plan guidance documents (Urban Design SPD), none of the separation distances are so short of the guidance that they would have a significant detrimental impact on the privacy of the future residents.
50. Environmental Health have considered the application in relation to noise from the highway, air quality and site contamination. An air quality assessment has been submitted, It concludes that mitigation with respect to air quality, is not required as the impact associated with development traffic is assessed as being negligible and 'not significant'.
51. A noise attenuation barrier is required between the bypass and the proposed dwellings to mitigate against the noise from the adjacent road traffic. The noise assessment concludes that this could be in the form of a fence or a mound. Given the height required, in the region of 4m, it is considered that a landscaped mound would be more appropriate in terms of its visual appearance. Currently the submitted

plans state a 4m fence will be erected. If approved a condition would be required to control the type of noise mitigation used.

52. Environmental Health have confirmed that they have no objections to the development subject to a condition to ensure the development is carried out in accordance with the noise assessment and in relation to site contamination.
53. When considering the amenity of future residents and the quality of the housing proposed the dwellings are assessed against national space standards. Middlesbrough Council do not currently have a specific policy requiring dwellings to meet the space standards for new dwellings they are used as a method to assess the overall quality of the development.
54. The Haldon housetype falls short of the space standards overall gross internal floor area. The shortfall is not significant and the layout of the dwelling provides good sized open plan living on the ground floor and adequate bedrooms on the first floor.
55. When looking in detail at other dwellings it is clear that in some cases the number of bedrooms listed does not reflect the number of rooms shown on the layouts. In some instances there is a study shown on the layout but in the bedroom numbers it is counted as a bedroom and vice versa.
56. The Danbury 2 bed housetype includes a 'lifestyle room' on the first floor which is too small to be a bedroom (in relation to space standards) and if it were counted as a bedroom would drop the overall space standards significantly below the gross floor area requirements. This room could be used as shown, as a home office, it is also very possible that it would be used as a third bedroom. The final use of the room would be the choice of the home owner. This only effects the Danbury 2 bed housetype. The larger 4 bed properties that also include a study also meet the overall space standards for 5 bed housetypes. Overall the proposed development meets or exceeds the national space standards.
57. It is considered that the proposed development is in accordance with the requirements of policy DC1 in relation to the amenities of existing and future residents.

Design/Layout/Streetscene

58. The development includes persimmon housetypes and Charles Church housetypes which have been designed with a contemporary finish using a mix of materials to enhance their appearance and the streetscene. The dwellings include a variety of two and three storey properties with contemporary bay windows, dormer windows, varying roof heights, hipped and gable features. The Charles Church housetypes also include floor to ceiling windows which are in line with the design code. The larger properties are in keeping with the existing dwellings in the area, however the smaller properties on smaller plots are not.
59. The layout has been designed so that the properties front on to open spaces within the site including the large landscaped area located in the flood zone and the green pedestrian link to south which will connect into the wider site. Where properties do not front the open space in the southern area they are located adjacent to developable space on the wider site. In this area the dwellings are orientated, and the road located, so that they can connect to the wider site at a later date.
60. The design guide sets out a figure of 20 dwellings per hectare for development areas across the site but specifically states that the part of the wider site, which this application falls within, should have a lower density (18 dwellings per hectare) than

the rest of the site, in part due to the flood zones within the site and the opportunity this presents in terms of providing a high quality landscaped area, and due to its position adjacent to Nunthorpe Gardens which has a lower density of approximately 11 dwellings per hectare. The proposed development has a density over the developable area of approximately 25 dwellings per hectare with two areas of the site where the smaller properties are focused and the density is even higher.

61. The developer argues that even with the higher density on this site the remaining areas can still be delivered without going over 350 dwellings (as set out in the design code) and therefore the increased number on this site does not jeopardise the wider aims and objectives of the design code. It is the view of the planning authority that simply looking at numbers does not take into account the overall design quality and aspirations of the allocation and design code and deliverability of the scheme as a result of the restrictions that would be placed on the future developments. If approved in its current form this development would be the highest density over the wider site rather than the lowest density as set out in the design code.
62. As a result of the high density, particularly in two parts of the site, the quality of the development is compromised in relation to the layout and streetscene. The higher density areas result in the need for a large amount of parking. A number of revisions to the scheme have been made in an attempt to reduce the level of parking at the front of properties and the dominance of hardstanding which would have a negative impact on the visual amenity of the area and the ability for the layout to accommodate any visitors to the site as a result of excessive dropped kerbs. Whilst it is acknowledged that some of the changes have been positive the current proposals still result in a number of issues, and the scheme fails to meet the design aspirations set by the Council in both Local Plan policy and the adopted Design Code.
63. A number of parking courts are proposed. These are accessed between dwellings with a roof over sailing the access road. This increases the appearance of a private area which should help to prevent unwanted access, pedestrian or otherwise, into the parking courts. The parking courts are located to the rears of properties and in a number of instances are not directly overlooked resulting in little or no natural surveillance of the areas. In the higher density area where the narrow three-storey town houses are proposed, located in the northeast corner adjacent to the railway line and the bypass, the parking courts are set away from the dwellings which results in the need for long narrow ginnels to provide access to the individual properties. The long narrow ginnels are undesirable and go against the principles of secured by design. If the parking courts are located a significant distance from the properties with an undesirable access route to the dwellings it is highly likely that residents will choose to park on the street instead.
64. To the south of the site there is a parking court which is located so that its access road is opposite the main road in the development. This means that when leaving the site the view down the road will be of the access to a parking court, this is a wasted opportunity for a feature dwelling or landscaped area to provide a focal point in the streetscene.
65. To the south of the site there is an area where parking is located to the rear of the properties accessed from a secondary road. Whilst the front of the properties are located in a landscaped setting the layout is such that it results in excessive areas of hardstanding and an access which looks onto rear boundary treatments. This area does not have any direct overlooking and does not result in a high quality visual appearance. Whilst it is noted that some landscaping would soften the appearance of the boundary treatments this does not remove the excessive hardstanding and lack of surveillance. In this area to the south there are a lot of properties which also

have parking at the front of the dwellings with 100% of the front garden being hardstanding. Due to the small scale of these dwellings and the plots they sit in, there is very little or no intervening landscaping between dwellings and no landscaping buffers between parking spaces and the dwellings as detailed in the design code. The layout as proposed will not only detract from the visual appearance of the area but also provides little opportunities for visitor parking due to the amount of dropped kerbs. Two visitor parking spaces have been incorporated into the layout in this area but this is not considered to be enough to offset the issues caused as a result of the excessive front parking.

66. Whilst the design code for the site accepts the use of parking courts and some parking at the front of properties it must be well designed that does not compromise on the quality of the development, and is integral to achieving a high quality design. It is considered that in the areas highlighted above the high density results in parking that does not meet the high quality aspirations of the site and harms the visual appearance of the development. It is considered that reducing the density of the development would allow for a better layout which removes the issues raised. Small dwellings are considered to be acceptable within the scheme but these can be provided in larger plots with parking located to the sides.
67. There is an opportunity for the higher density area to the north of the site which includes town houses to provide a high quality mews type development if the issues relating to the parking courts and access to/from them were resolved.
68. Plot 61 is located at the point where the development meets existing dwellings, it is set forward of the properties on Nunthorpe Gardens. Whilst its position with the garage at the end of the road will remove any appearance of a through access for vehicles, it will also block views of the site from Nunthorpe Gardens and vice versa. Whilst the loss of views in itself is not a material consideration the visual appearance of the area and the streetscene is a consideration. The view from Nunthorpe Gardens will be of the rear elevation of the large dwelling which is a relatively blank, unanimated elevation. The streetscene on the development site will end with the view of a garage at the end of the main access road. The position of this plot is considered to detract from the visual amenity of the streetscene for the development and Nunthorpe Gardens. There is an opportunity for a landscaped setting to the side of the footpath/cycle link to the neighbouring estate.
69. The area of the development which runs along the north of the site adjacent to the railway line is much lower density with larger houses in larger plots. These dwellings benefit from views over the open space, have parking located to the side with landscaped front gardens. This area better reflects the guidance in the design code.

It is the planning view that the proposed development does not provide a high quality development as a result of the high density and due to the issues surrounding parking provision, excessive hard standing at the front of properties, lack of natural surveillance to parking courts and resultant poor layout. It is considered that the issues with the layout will result in a development that will not function well, will detract from the visual amenity of the area, does not meet the principles of secured by design and is not sympathetic to the local character of the surrounding area. This is considered to be in conflict with policies DC1, CS5 and H29 of the Local Plan, the Design Code and paragraph 127 of the NPPF.

Community Facilities/Education

70. Policy H29 states that off-site improvements to school provision to accommodate educational needs of future residents is required. Education have been consulted during the application process to consider the implications of the development on the

local schools. No request has been made for a financial contribution towards new facilities or improvements to the local schools.

71. Should this application be approved a contribution towards the management and upkeep of areas of open space will be required. Developments in the area are also contributing towards the provision of a community facility. If approved this development will also need to do the same.

Conclusion

72. The principle of residential development is acceptable on this site. It is also acceptable for an element of the proposed dwellings to be two bedroom and five bedroom properties.
73. There are no technical objections to the development, the development is considered to be acceptable in terms of flood risk, highway safety and capacity. Issues relating to the temporary nature of the access from the A1043 and the pedestrian/cycle connection to Nunthorpe Gardens can be controlled by condition and s106 agreement.
74. The density across the site, and particularly in a number of places, is too high in conflict with the Design Code and does not provide a high quality development. It is considered that the issues with the layout will result in a development that will not function well, will detract from the visual amenity of the area, does not meet the principles of secured by design and is not sympathetic to the local character of the surrounding area and fails to meet the design aspirations for the site.
75. The Government's National Design Guide: Planning practice guidance for beautiful, enduring and successful places document identifies ten key characteristics for developments to create well designed places. These include: Context – enhances the surroundings; Identity – attractive and distinctive; Built form – a coherent pattern of development; and, Movement – accessible and easy to move around.
76. As a result of the issues described in relation to the density and layout it is considered that the development fails to achieve the aspirations of the adopted design code and the above key characteristics identified in the national design guide.
77. Paragraph 130 of the NPPF states that 'permission should be refused for development of poor design that that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.' The design code for this site clearly sets out the aspirations for development to create a strong sense of place with clear character areas and good functionality. The proposed layout does not meet these aspirations and therefore permission should be refused in accordance with the NPPF.
78. The development is considered to be in conflict with policies DC1, CS5 and H29 of the Local Plan, the Design Code and paragraph 127 of the NPPF.

RECOMMENDATIONS AND CONDITIONS

REFUSE

1. In the opinion of the Local Planning Authority, the proposed development does not represent a high quality scheme as it is too high in density and has a poor layout. In

particular, the high density and issues surrounding parking provision, excessive hard standing at the front of properties, lack of natural surveillance to parking courts will result in a development that will not function well, will detract from the visual amenity of the area, does not meet the principles of secured by design and is not sympathetic to the local character of the surrounding area. The development is contrary to guidance in the adopted design code and policies DC1(b), CS5(c,e and f) and H29 (a) of the Local Plan, and paragraph 127 of the NPPF.

INFORMATIVES

Case Officer: Shelly Pearman

Committee Date: 4th September 2020

Appendix 1: Site Location

