
APPLICATION DETAILS

Application No:	20/0153/FUL
Location:	Land at Beechwood
Proposal:	Residential development comprising 36 no. bungalows with associated vehicular access, roads and landscaping works
Applicant:	Mandale Homes
Agent:	ELG Planning
Ward:	Longlands/Beechwood
Recommendation:	Approve Conditionally

SUMMARY

The application before Members is for the erection of 36 dwellinghouses on a site at the northern part of Beechwood Allotments. Being a full planning application, Members must consider the principle of residential development as well as the detailed matters including the appearance, layout, scale, access and landscaping.

The application site is located within an established residential area and is specifically allocated for housing in the adopted local plan. Consequently, the development of the site for residential purposes is considered to be acceptable.

A range of issues have been brought forward during the consultation process, the main points raised were in relation to the potential increase in traffic, parking problems, site drainage, loss of green space, and impacts on wildlife.

Responses from the Council's Technical Services has shown that there would not be any adverse impacts on the safety or capacity of the highway network, the drainage implications can be addressed through conditions and that the impacts on wildlife can be mitigated.

Officers are also satisfied that the layout of the housing development, including separation distances between existing and proposed properties, is acceptable to ensure appropriate levels of privacy and amenities of residents.

The report concludes that the proposed housing scheme is acceptable development and it is the officer's recommendation to approve subject to conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is situated to the north of an area known as Beechwood Allotments and to the south of an established residential area. To the east of the site is St Thomas More Catholic Church and Swerve Table Tennis Centre; to the west of the site is a footpath/cycle corridor. The site is currently used as open space.

Houses in this area are principally characterised by their appearance, being mainly moderately-sized, two-storey, semi-detached dwellinghouses, set out at a medium density. Being constructed as part of a post-war housing boom, properties feature traditional materials – red brickwork and concrete tiles – and a hipped roof design.

The front elevations of properties are set back approximately 5 metres from the adopted footpath. Front gardens of properties are often well landscaped and set behind dwarf walls or decorative small hedges. The rear gardens of local properties are generally moderately sized, with some enjoying generous rear garden space.

The application site itself takes a linear form and measures approximately 1.25 hectares in size. In recent years, the site has been used as open space along with the wider green space directly to the south.

The application seeks full planning permission for the erection of 36 single storey dwellings and associated works, including fencing, vehicular roads and access and landscaping works.

The proposals include 6 different house types, including 32 semi-detached dwellings and 4 detached dwellings, all being constructed in a typical design, but incorporating stonework detail and tiled pitched roofs constructed from slate and terracotta.

The development would be accessed off the existing road of Kirkham Row, a vehicular access at the north-eastern end of the application site. Most of the properties would front onto the new roads within the development. Eleven properties situated along the southern boundary would face onto the public open space, with a further two 'corner turners' having principal side elevations also providing frontages to the south. Half of the properties (18) would have two in-curtilage vehicle parking spaces; the other half having one in-curtilage vehicle parking space.

A range of boundary treatments has been proposed in the demarcation of individual plots. All rear boundary fences would be close-boarded and 1.8 metres in height. The front of the properties would be open, having no proposed boundary treatments, as the developer intends for the estate to be open plan in appearance. To demark individual plots, there would be charcoal strips within the block paved frontages.

Although most trees on the site would be removed to enable the development, an indicative landscaping scheme has been provided showing trees and hedging within the scheme.

PLANNING HISTORY

Although the application site is allocated on the Local Plan Proposals Map for residential development, there have been no planning applications for development on the site.

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:

Housing Local Plan (2014)

H1: Spatial Strategy
H11: Housing Strategy
H12: Affordable Housing
H31: Housing Allocations
H35: Beechwood
CS17: Transport Strategy
CS20: Green Infrastructure

Tees Valley Joint Minerals & Waste DPDs (2011)

MWC1: Minerals Strategy
MWC4: Safeguarding of Minerals Resources from Sterilisation
MWP1: Waste Audits

Regeneration DPD (2009)

REG37: Bus Network 'Super Core' and 'Core' Routes

Core Strategy DPD (2008)

CS4: Sustainable Development
CS5: Design
CS18: Demand Management
CS19: Road Safety
DC1: General Development

Local Plan (1999 saved policies)

E3: Development Adjoining Green Wedges

Supplementary Planning Documents

Middlesbrough's Urban Design SPD

Other Relevant Policy Documents

Tees Valley Design Guide and Specification

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

CONSULTATION AND PUBLICITY RESPONSES

The application has been the subject of the standard notification of neighbouring properties by letter drop, which includes 82 different addresses. The application was also advertised in the local newspaper and site notices were displayed at locations around the application site.

Following the consultation period, 5 letters of objection have been received from the following addresses.

- 15 Westerham Grove

- 14 Pevensey Close
- 3 Kirkham Row
- 4 Kirkham Row
- 20 Newington Road

The representations/objections from these properties can be summarised as follows.

- Traffic problems/additional vehicles associated with 36 new dwellings
- Concerns with access through Kirkham Row
- Loss of playing areas and green space
- Issues with drainage on the site
- Noise and dust pollution from construction works
- Impacts on wildlife
- Loss of trees and hedgerows

Responses from Internal Technical Consultees

MBC Planning Policy – No objections in principle. The land upon which the scheme is proposed is an allocated housing site.

MBC Environmental Health – No objections to the proposals subject to two conditions: noise assessment and a site investigation.

MBC Waste Policy – Although there are no objections, it is noted that properties with shared drives will be required to bring their waste and recycling to the nearest highway for collection (bin collection points within the scheme are noted).

MBC Transport Planning – No objections to the scheme, which is not expected to have a material impact on the free flow traffic nor the operation of adjacent junctions. Conditions are recommended for cycle parking implementation, details of off-site highways works, and a method of works statement.

MBC Lead Local Flood Authority – No objections to the scheme, which includes large areas permeable hardstanding to enable sustainable drainage. Recently implemented drainage works at Beechwood (construction of sustainable drainage system and bund) will assist in alleviating the existing flooding issues on site.

MBC Rights of Way Officer – No objections to the scheme. There are a number of adopted highways and unadopted routes (potential public rights of way) that cross the site, which would require a legal order to stop up any public rights. There is a path that runs from off-site to the back of Plot 25 which will end up being a dead end if not stopped up.

Responses from Statutory/External Bodies

Northumbrian Water – no objections subject to condition of approved Flood Risk Assessment.

Northern Gas Networks – No objections to the scheme, although advises early contact by the developer as its assets may be affected by the works.

Northern Powergrid – No comments received.

Public Responses

Number of original neighbour consultations 82

Total numbers of comments received	5
Total number of objections	5
Total number of support	0
Total number of representations	5

PLANNING CONSIDERATION AND ASSESSMENT

1. The application before Members is a full planning application for the erection of 36 dwellinghouses and associated infrastructure and landscaping works. The matters of detail such as design, scale, layout and access must be considered as well as the principle of residential development.
2. The relevant policies in the Development Plan regarding this application are Policy DC1 (General Development), CS4 (Sustainable Development), CS5 (Design), CS18 (Demand Management) and CS19 (Road Safety) of the Core Strategy (adopted 2008), H1 (Spatial Strategy), H11 (Housing Strategy), H12 (Affordable Housing), H31 (Housing Allocations), H35 (Beechwood), CS17 (Transport Strategy) and CS20 (Green Infrastructure) of the Housing Local Plan DPD (adopted 2014), REG37 (Bus Network Routes) of the Regeneration DPD (adopted 2009) and the saved policy E3 (Development adjoining Green Wedges) of the 1999 Local Plan. In general terms, these policies seek to achieve high quality development, which is in the right locations and minimises the impact on neighbouring occupiers.
3. The main issues to be considered in respect of this application include whether the location of the site is acceptable, the proposed access arrangements, the impacts of the development on the local transport infrastructure, and whether the design and scale of the development in terms of landscaping and buildings are acceptable. Such issues will be considered against National and Local Planning Policy, technical considerations and all other material planning considerations.

Site History and Use of Land in Principle

4. With regard to the adopted Proposals Map, the application site is allocated for residential development within the Housing Local Plan (2014), where Policy H35 applies. It is the planning view, therefore, that the proposed residential development is the right use for the site. As well as being in line with the principle of the Proposals Map, the surrounding area is predominantly residential in character. The residential use of the site would complement the local area. The site is also in a sustainable location in close proximity to amenities and services, in line with local and national requirements for locating new development.
5. Although acceptable in principle, further consideration of the proposals against the policy shall be given later in the report.

Considerations against National and Local Planning Policy

6. The basic doctrine of the NPPF is the plan-led approach and the main principles are the need to achieve good design and sustainable development. Relative to this application, one of the core principles of the NPPF states that local authorities should *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*. Section 5 of the NPPF provides the guiding principles specific to residential developments.
7. Through the Spatial Vision of the Core Strategy (2008), the Housing Local Plan (2014) and its Policy H1, there is a need to increase the supply of housing to meet

the aspirations of the economically active population, which consolidates and builds upon the success of popular neighbourhoods within the town.

8. Local Policy H11 (Housing Strategy) identifies Inner Middlesbrough as a location for new housing to meet aspirational needs and create a sustainable and balanced mix of housing. The Policy also emphasises the need to ensure the quality of life is maintained through protecting the existing environmental quality of the area, and that any new development will be of a high quality and appropriate to the location. The proposed development proposes 36 bungalows, all of which are proposed for open market sale. This is considered to help diversify the existing housing mix whilst increasing home ownership in Inner Middlesbrough. As a result, the development is considered to be in accordance with Housing Local Plan Policy H11 and the fundamental principles of the NPPF.
9. National and local planning guidance requires many new housing developments to make a contribution towards the provision of affordable units. Housing Local Plan Policy H12 identifies sites within various wards of Middlesbrough where a 15% affordable housing contribution will be required on residential development. The application site is in a location where there is no requirement to provide affordable housing and, as such, none is provided as part of the application.
10. Whilst Housing Local Plan Policy H35 identifies the Beechwood site for approximately 28 dwellings, Policy H1 makes it clear that this figure should be seen as a minimum requirement. Key will be how the proposal complies with the design requirements of Policy H35. This policy specifies that proposals should provide a mix of three and four bedroom detached and semi-detached dwellings and bungalows. Evidently, the application is for a greater number of properties and for bungalows only. A scheme of bungalows is considered to be acceptable in principle, as it increases the stock of single storey properties in this area. It is also accepted that a scheme comprising of bungalows and the associated reduced separation distances allows for more units to be proposed on the site.
11. Policy H35 also sets out how the development would be expected to be arranged. The policy states that access to the site would be from Kirkham Row and to maximise the potential benefits provided by the surrounding open space. As Members will see from the proposed site plan, the vehicular access would be achieved from Kirkham Row and a number of units are proposed to take advantage of the surrounding open space. When viewed from the south, the aspect would be of a row of properties, with 13 featuring a principal outlook over the green space. In principle, therefore, the development is considered to adhere to the policy.
12. As the development adjoins an area of land identified as Green Wedge, Policy E3 of the 1999 Local Plan will also apply. Under Policy E3 new development that adjoins an area of Green Wedge should complement the character and environment of the Green Wedge in terms of scale, materials and visibility of buildings, and enclosure, including the design and provision of any landscaping. Detailed consideration can be given to this later in the report.
13. In the Minerals and Waste DPD, Policy MWC1 requires that new-build developments contribute to the efficient use of resources and to increase the proportion of construction and demolition waste recycled. Policy MWC4 requires that a waste audit is submitted; such a requirement can be conditioned where necessary.
14. 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. Policy REG37 advises that proposals along core bus routes will be required to contribute to improvements to infrastructure and passenger facilities. A core route runs along Marton Road, and is within easy walking distance from the site. The highways implications will be looked at later in the report.

15. Policy CS4 requires all development to contribute to achieving sustainable development by creating inclusive communities, ensuring everyone has access to facilities that they need in their daily lives, promotion of a healthier and safer community, being located so that services and facilities are accessible on foot or by sustainable transport, making the most efficient use of land with priority given to development on previously developed land, protecting biodiversity assets, and by delivering development of a high quality design that improves the townscape. Mindful of the allocation of the site in the Local Plan for residential development, it is considered that the proposals would be an efficient use of this land. Issues of biodiversity will be covered later in the report, but in principle, surveys can be undertaken to establish whether there is protected flora and fauna on the site. Likewise, issues of the design quality will be considered later.
16. Policy CS5 in its own right requires all development proposals to secure a high standard of design that is well integrated with the immediate and wider context, create a safer and attractive environment, and to ensure a quality of new development that enhances the built and natural environment. Core Strategy Policy DC1 attaches great importance to the visual appearance and layout of development and its relationship with the surrounding area in terms of scale, design, amenities of occupiers of nearby properties and the use of materials.
17. As well as the above referenced local policies, the Council's adopted Urban Design SPD outlines guidance in respect of residential development, including appropriate separation distances and design standards.

Appraisal of Proposed Development

18. The proposed development is located within 1 kilometre of the nearest allocated local centre (Belle Vue) which will be able to provide essential facilities that meet the daily needs of the future residents. In addition, local bus services can be accessed from Cavendish Road (to the north) or Marton Road (to the east) with regular journeys to the town centre. Overall, the development is considered to be in a sustainable location for new residential development, in accordance with the sustainable development criteria of Policy CS4.
19. As highlighted early in the report, the proposed development would be located to the south of established housing estates and, therefore, the character of the wider area will remain largely unchanged.
20. The scale and mass of the units and their plot sizes are considered appropriate for this location. The proposed development is at a high density and reflects similar densities of other housing in the area. Although the majority of properties in the nearby area are constructed with hipped roofs, the proposed gabled design is deemed acceptable and provides an appropriate contrast to reflect the contemporary feel.
21. Although there are some separation distances within the development site that are less than the requirements set out in the Council's adopted Design Guide, it is considered that these are acceptable in this instance and would not result in lower standards of residential amenity. Concerns were raised by officers that the separation distances between certain plots on the initial submitted plans were

unsatisfactory and the developer has resolved these concerns. It is also noted that all separation distances between the units of the proposed development and the existing houses to the north (Westerham Grove, Stanmore Avenue, Pevensey Close and Kirkham Row) are acceptable and meet the standards within the Council's Design Guide. The potential for overlooking the existing houses to the north is greatly reduced by the nature of the proposed units being single storey only.

22. In terms of plot demarcation, the proposed rear boundary materials within the development site are 1.8m-high close-boarded timber fencing; to the front of properties, the proposals are for an open plan appearance and no boundary treatments. These proposals are considered to be in keeping with the character and appearance of a modern housing estate as well as complementing the existing and established built environment.
23. The proposed dwellings would be constructed with a stone appearance and having grey slate roof tiles, which are considered to be of a high quality. Although the dwellinghouses in the local area are constructed predominantly in red brick with concrete tiled roofs, the proposed materials would be considered to offer a pleasing contemporary contrast to the established housing stock and, therefore, are deemed appropriate for this location.
24. Taking the above into account, it is considered that the proposed residential development would complement the existing character and appearance of the wider Beechwood area and would not be visually obtrusive when seen from the open space to the south. On balance, the proposed development is considered to be in accordance with Policies DC1 and CS5.

Impact on Traffic and Travel Patterns

25. In terms of traffic generation, based on the nationally recognised TRICS database, during the morning and afternoon peak highway periods, the development is estimated to generate 29 two-way vehicle movements. In perspective, this equates to a little under one vehicle every two minutes. Such a level of traffic is not expected to have a material impact on the free flow of traffic nor the operation of adjacent junctions.
26. It has been stated that proposed vehicular access to the site is via a continuation to Kirkham Row, which is in the region of 4.5 metres wide. As well as being in accordance with the requirements of policy H35, a carriageway of this width is deemed to be suitable to enable two-way traffic flow in accordance with national guidance. The internal highway layout will maintain access to the Swerve table tennis club.
27. It is acknowledged that on-street parking occurs on Kirkham Row and that this has the potential to hinder traffic accessing the proposed development. In seeking to address this, as part of the development proposals, it is proposed to formalise on-street visitor/casual-caller car parking, which will enable two-way flow to be maintained on Kirkham Row. This arrangement would be achieved by creating on-street parking bays within the hard surfaced area to the eastern side of Kirkham Row. These works shall be secured through a suitably-worded condition and delivered by the developer as part of their scheme through agreement under the Highways Act 1980. Overall, the access is considered suitable to serve the level of development proposed and will not give rise to any highway safety issues.
28. In addition to the above-mentioned physical works, contributions have been secured for highways uses, which will be taken from the capital receipt for the site. Such funding consists of £11,750 to be used towards strategic highway improvements together with a further £2500 which will be used towards the creation and

amendment of Traffic Regulation Orders (TROs). It is noted that the TROs are separate to the granting of planning consent and will be subject to the necessary advertisement and consultation. Due to the proximity of the site to the hospital, it is recommended that the proposed development be included within a residents parking scheme to prevent unmanaged on-street parking occurring, which is consistent with the approach taken on surrounding streets.

29. The site is considered to be in a highly sustainable location in highways terms with both bus stops and pedestrian/cycle infrastructure within nationally recognised walking distances of the site. Non-car accessibility is therefore a viable alternative for residents. Covered and secure cycle parking is provided for each dwelling to further reduce dependence on the private car, and a condition is recommended to secure the implementation of such provision within each plot.
30. As part of the internal layout, it is proposed to extinguish the existing footpath which runs east/west along the southern boundary of the site. The extinguishment will take place through Section 247 of the Town and Country Planning Act 1990 and is separate to the granting of planning consent.
31. The footway facilities proposed to be extinguished are to be re-provided as part of the site infrastructure. The internal layout provides pedestrian routes running east/west through the site, which include connections to Marton Road to the east and Westerham Grove and beyond to the west. The narrow and undesirable footpath connection to Stanmore Avenue will be removed as part of the development.
32. The internal layout has been designed to provide areas of managed on-street parking and to naturally restrain vehicle speeds to 20mph or less. The development will be designed, constructed and offered for adoption through agreement under the Highways Act 1980.
33. Although the proposed vehicular parking within each plot is below that required by the highways design guide, it is understood that the application site is in an area that is nationally and locally recognised as being deprived and private car ownership is below the average. A reduced standard of parking – 18 properties with 2 spaces and 18 properties with 1 space – has therefore been considered acceptable as there is not expected to be detrimental displacement of car parking onto the adopted highways. On balance, the layout of the site is considered acceptable in highways terms.
34. In conclusion, the proposals are considered to be in accordance with the highways related criteria of Policy DC1 and there are no objections on highways grounds.

Drainage

35. The application site is located in Flood Zone 1, which denotes a very low risk of flooding. As the development site is greater in size than 1 hectare, national planning legislation requires a site specific flood risk assessment (FRA) be carried out to ensure that the development is safe from flooding and will not increase the risk of flooding elsewhere. In order to consider the flooding implications, the application has been supported by a FRA, which has been considered by the Local Flood Officer.
36. Despite being recognised as being an area at very low risk of flooding on the Environment Agency's Flood Map, it is understood that the application site and the housing estates immediately to the northwest have historically experienced flooding. This flooding has been the result of overland flows cascading across the fields immediately to the south.

37. Following periods of intense rainfall, a number of properties were flooded on several occasions including 2001 and 2002. Most recently, the area flooded in 2012, although it is understood that no properties were affected.
38. In 2019, a sustainable drainage system that incorporated a bund and associated pipework was granted planning permission and has since been implemented within the green space immediately south of the application site. This recently formed system is expected to significantly improve the drainage in the area.
39. It has been noted that the submitted FRA has not detailed the historic flooding nor referenced the recently implemented flood alleviation scheme. Furthermore, the FRA does not provide any information on a discharge point or flow rates, nor has a drainage strategy been provided. Mindful of these omissions, it is recommended to include conditions for a detailed drainage system and strategy.

Soft Landscaping

40. The existing site is predominantly covered with grass and features many linear hedgerows and individual trees. Many of these would be removed as part of the proposed works. Although it might be beneficial to preserve some of the existing trees or allow them to form part of the proposed development, it is considered that none of the trees within the application site are worthy of further protection under a tree preservation order. Government guidance states that *TPOs should be used to protect selected trees and woodlands if their removal would have a significant impact on the local environment and its enjoyment by the public*. Given the location and moderate stature of the trees, it is considered that none of the trees would merit future protection.
41. Notwithstanding the above, to supplement the proposed residential development, and to compensate for lost vegetation, an indicative tree planting scheme has been shown for the development. A suitably-worded condition requiring the precise details of the number of trees, their proposed positions, species and sizes is recommended to secure appropriate planting within the site.
42. Concerns have been raised over the loss of potentially important hedgerows across the site. The Hedgerow Regulations set out criteria for the Councils to use in assessing whether a hedgerow is 'important'. In simple terms, the criteria relate to the value of the hedgerows from an archaeological, historical, landscape or wildlife perspective. If a hedgerow is at least 30 years old and qualifies under any one of the criteria it is deemed to be important. Having reviewed the criteria, however, it is considered that the hedgerows at the site are not protected.

Ecology

43. As the site is landscaped with a number of hedgerows, trees and areas of long grass, it was advised at the pre-application stage that the application be supported by an ecological report. The omission of such a report with the submitted application was not considered a reason to invalidate, but without such a document, a detailed consideration of the site cannot be undertaken to analyse whether protected flora and fauna would be adversely affected by the proposed development. To ensure the appropriate and necessary consideration of possible flora and fauna at the application site, it is considered reasonable to condition any approval with the need to undertake a preliminary ecological appraisal prior to any construction works being undertaken. Any appraisal shall also need to detail any relevant mitigation measures to ensure appropriate management of any protected species.

Residual Matters

44. During the consultation phase, the Council's Environmental Health has recommended a condition for an assessment of road traffic noise in order to safeguard the amenities of future occupiers at the site. A condition has also been recommended by the Council's Environmental Health service for a site investigation in order to establish whether there are any contaminants on site and to ensure that the site is safe for future residential occupiers.

Conclusions

45. On the whole, it is considered that the proposals are for a high quality sustainable residential development, which will contribute to economic growth in the town and help to provide a broader mix of housing in this part of Middlesbrough.
46. This report has assessed that the principle of a residential development on this land is acceptable owing to its allocation within the Local Plan, as well as the proposals being in keeping with the surrounding residential area. It has also been appraised that the design of the proposed houses and the site layout is of a high quality and in accordance with relevant local policies, with particular regard to Policies CS5, DC1 and H35.
47. Although it has been reported that the issues of road noise, site contamination and ecology require additional consideration to ensure the site is suitable for residential development to take place on this site, the report has discussed the transportation and traffic impacts of the development as well as the issues of drainage and landscaping, and has considered the impacts to be acceptable.
48. Overall, it is the planning view that the proposals will neither have an adverse impact on the character of the area nor any nearby residents, whilst helping to provide the houses that Middlesbrough needs. The above analysis has addressed the objections raised during the consultation exercise and none of the comments are considered to warrant refusal of the application. Moreover, the proposals do not conflict with any local or national planning policies and they support the delivery of the spatial vision set out in the Local Plan, particularly the provision of required housing types and economic benefits. The analysis has shown that there are no technical reasons why the proposed development should be refused and it is the recommendation to approve conditionally.

RECOMMENDATIONS AND CONDITIONS

1. Approved Plans

The development hereby approved shall be carried out in complete accordance with the plans and specifications listed below.

- a) Location Plan (1879-19-100 Rev A)**
- b) Proposed Site Plan (1879-19-101 Rev G)**
- c) Proposed External Works Plan Sheet 1 (1879-19-102 Rev B)**
- d) Proposed External Works Plan Sheet 2 (1879-19-103 Rev B)**
- e) House Type A (1879-19-104 Rev C)**
- f) House Type B (1879-19-105 Rev D)**
- g) House Type C (1879-19-107 Rev D)**
- h) House Type D (1879-19-108 Rev B)**
- i) House Type F (1879-19-113 Rev A)**
- j) House Type G (1879-19-114)**

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

2. **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.

3. **Approved Materials**

All external surfaces of the dwellinghouses hereby approved shall be in accordance with the following materials schedule and detailed within the approved 'Proposed Site Plan' drawing.

External Elevations: Anstone Standard Olde Weathered Black

Roof tile: Wienerberger Rivius Antique Slate – Grey

Roof tile: Wienerberger Calderdale Edge Terracotta Red

Reason: In the interests of an appropriate development and to ensure the use of satisfactory materials.

4. **Site Investigation and Validation Report**

A full and competent site investigation, including risk assessment shall be undertaken and submitted to the Local Planning Authority, for written approval. This shall identify any contamination present and specify adequate remediation necessary. The risk assessment and remediation scheme shall be approved in writing by the Local Planning Authority and thereafter implemented, prior to the development within that phase taking place. Validation of the remediated site shall be provided in the form of a detailed completion statement confirming that works set out and agreed were completed and that the site is suitable for its intended use.

Reason: To ensure the appropriate decontamination of the site in the interests of safety, local amenity and the amenities of the potential occupiers of the site.

5. **Off-site Highways Works, details required**

No part of the development hereby approved shall be occupied until the following highway works have been carried out in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority:

- a. Provision of managed parking areas to Kirkham Row with street trees and/or landscaping to demarcate the parking areas
- b. Resurfacing of the footways and carriageway around the new parking areas along Kirkham Row.

Reason: In the interests of the safe and free passage of highway users.

6. **Implementation of Cycle Parking**

None of the bungalows hereby approved shall be occupied until the areas shown on the approved plans for parking of cycles have been constructed and laid out, and thereafter such areas shall be retained solely for such purposes.

Reason: To promote use of cycles thereby reducing congestion on the adjacent roads and in the interests of the amenity of neighbours.

7. Car and Cycle Parking Implementation

The building shall not be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: In the interests of appropriate car and cycle parking being provided.

8. Method of Works Statement

Prior to the commencement of any works on site, a detailed method of works statement identifying the programming and management of site clearance/preparatory and construction works shall be submitted to and approved in writing by the Local Planning Authority. Such a statement shall include, but not limited to, the following information:

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

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

9. Soft Landscaping

Prior to the occupation of any bungalow hereby approved, a detailed scheme for tree planting and associated soft landscaping works (based on the indicative landscaping proposals on the approved Proposed External Works Plans) shall be submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall include details of the proposed trees to be planted, including their species, size and location. The tree planting and associated landscaping works shall take place during the first available planting season (October-March) following the completion of building works on the site. The Local Planning Authority shall be notified within two weeks of the landscape planting works.

Reason: To ensure the satisfactory implementation of an approved landscaping scheme in the interests of the visual amenities and landscape features of the area.

10. Landscape Management Plan

A landscape management plan, including management responsibilities and maintenance schedules for a minimum of five years, and including arrangements for its implementation, for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any part of the development for its permitted use. Thereafter, the approved landscape management plan shall be carried out as approved.

Reason: To ensure the satisfactory implementation of an approved landscaping scheme in the interests of the visual amenities and landscape features of the area.

11. Replacement Planting

If within a period of five years from the date of the planting of any tree, that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason: In the interests of the general amenities of the area and a satisfactory landscaping scheme.

12. **Fabric First/Renewables**

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

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

Reason: In the interests of a sustainable development and in accordance with the guiding principles of the NPPF.

13. **Removal of Permitted Development Rights (Alterations)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), none of the bungalows hereby approved shall be extended or materially altered in external appearance nor shall any ancillary buildings be erected within the curtilage of the bungalow without planning permission being obtained from the Local Planning Authority.

Reason: To protect the amenities of the occupiers of the neighbouring properties.

14. **Removal of Permitted Development Rights (Boundary Enclosures)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls or other means of enclosure other than those expressly authorised by this permission shall be erected within the curtilage of any bungalow forward of any elevation of that bungalow that fronts onto a road.

Reason: In order that the Local Planning Authority may protect the amenities of the area and to safeguard the open plan appearance of the development.

15. **Assessment of Road Traffic Noise**

Development hereby approved shall not commence on site until an assessment of road noise, and if necessary, a scheme for protecting the proposed dwellings and associated residential outdoor space from traffic noise, has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include a 15 year projection of traffic levels.

All residential units shall be designed so as not to exceed the noise criteria based on current figures from BS8233 (2014) 'Guidance on sound insulation and noise reduction for buildings' and the WHO 'Guidelines for Community Noise' 1999. Any scheme of protection shall demonstrate that noise from nearby road traffic as measured within bedrooms does not exceed 30dB(A) Leq and 45dB(A) Lmax (23:00-07:00) and 35dB(A) (07:00-23:00), and that noise from nearby road traffic as measured within the gardens or other residential outdoor space does not exceed 50dB(A) Leq.

Any works and/or noise mitigation measures identified within the scheme shall thereafter be carried out and brought into operation in accordance with the approved details. All works which form part of the approved scheme shall be completed prior to any of the dwellings hereby approved being occupied and shall be maintained in perpetuity. The internal noise levels must be obtainable while appropriate ventilation to habitable rooms is provided in a manner which meets the requirements of The Building Regulations which may include mechanical ventilation.

Reason: To ensure that appropriate noise protection measures are carried out in the interests of the amenities of the potential occupiers of the development, and of achieving an appropriate form of sustainable development in accordance with the NPPF.

16. Disposal of Foul and Surface Water

Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

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

17. Surface Water Drainage Scheme

Prior to the commencement of the development on site a detailed surface water drainage scheme (design and strategy) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed using the principles of sustainable drainage and the development shall be completed in accordance with the approved scheme.

The design of the drainage scheme shall include but is not limited to;

- (i) The surface water discharge from the development must be limited to a Greenfield run off rate (Qbar value) with sufficient storage within the system to accommodate a 1 in 30 year storm.
- (ii) The method used for calculation of the existing greenfield run-off rate shall be the ICP SUDS method.
- (iii) The design shall ensure that storm water resulting from a 1 in 100 year event, plus climate change surcharging the system, can be stored on site with minimal risk to persons or property and without overflowing into drains, local highways or watercourses.
- (iv) Provide an outline assessment of existing geology, ground conditions and permeability.
- (v) The design shall take into account potential urban creep.

- (vi) The flow path of flood waters for the site as a result on a 1 in 100 year event plus climate change (Conveyance and exceedence routes)

This should be accomplished by the use of SuDs techniques. If it is not possible to include a sustainable drainage system, details as to the reason why must be submitted.

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area having regard for policy CS4 of the Local Plan and section 14 of the NPPF.

18. Surface Water Drainage Management Plan

Prior to the commencement of the development on site, details of a Surface Water Drainage Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include:

- (i) A build program and timetable for the provision of the critical surface water drainage infrastructure.
- (ii) Details of any control structure(s) and surface water storage structures
- (iii) Details of how surface water runoff from the site will be managed during the construction Phase
- (iv) Measures to control silt levels entering the system and out falling into any watercourse or public sewer during construction.

The development shall, in all respects, be carried out in accordance with the approved Management Plan.

Reason: To ensure the development is supported by an appropriately designed surface water disposal infrastructure scheme and to minimise the risk of increased flooding and contamination of the system during the construction process having regard for policies DC1 and CS4 of the Local Plan and section 14 of the NPPF.

19. No Fuel Burning Plant

There shall be no heating or power or other fuel burning plant, which is a source of air pollution, operating within the site outlined in the plan unless it is in accordance with an air quality report which has first been submitted to and approved in writing by the Local Planning Authority. Any air quality report submitted shall identify the impact of the sources of pollution and include, but not be restricted to, details of any stack height calculations for flues and chimneys and implications and mitigation for surrounding receptors. The development shall then be undertaken in accordance with the approved scheme.

Reason: In order to reasonably address matters of Air Quality in accordance with the requirements of the National Planning Policy Framework.

20. Ecology Required

Prior to the commencement of development an Ecological Assessment must be submitted to and approved in writing by the local planning authority. The assessment shall provide details of the provision of any required mitigation in accordance with the recommendations of the Planning Practice Guidance for Protected Sites and Species. The development shall be carried out in accordance with the recommendations and mitigation measures detailed in the assessment. Thereafter the mitigation works shall be retained on site in perpetuity.

Reason: To protect and enhance the ecology and biodiversity of the site and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development having regard to policy CS4 of the Local Plan and section 15 of the NPPF.

REASON FOR APPROVAL

The proposed development of 36 bungalows on land at Beechwood is considered to be appropriate as it is in full accordance with national and local planning policies, statements and guidance.

In particular, the proposal meets the National Planning Policy Framework, and the policies regarding housing, sustainable development, the efficient use of land, appropriate scales of development, the protection of open spaces of different characters and uses, good quality design, and transport and accessibility, whilst proposing a housing development that would not be out of scale and character within the surrounding area, and would not be detrimental to the local and residential amenities of the area.

Issues of principle regarding the layout and design of the housing scheme and the generation of traffic have been considered fully and are not considered, on balance, to give rise to any inappropriate or undue affects. Accordingly, the Local Planning Authority considers that there are no material planning considerations that would override the general assumption that development be approved unless other material factors determine otherwise.

INFORMATIVES

Informative: Waste/recycling matters

Please note that where properties are accessed by a shared drive, these properties will need to deliver their refuse and recycling to the nearest highway for collection.

Informatives: Highways related matters

(S38/278)

The applicant is advised that prior to the commencement of works on site they should contact the Highway Authority (01642 728156), with a view to preparing the necessary drawings and legal work required for the formal adoption and modification of the highway. The S38/278 Agreement must be in place prior to the commencement of works on site.

(Delap)

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

(Stats)

The applicant is advised that the proposed scheme is likely to affect statutory undertakers equipment in the vicinity of the site and that such equipment may require alterations. The applicant should therefore contact all the utilities to ascertain the location of the equipment and any requirements they may have prior to works commencing

Case Officer: Peter Wilson

Committee Date: 4th September 2020

