
APPLICATION DETAILS

Application No:	18/0477/OUT
Location:	Prissick Base Ladgate Lane/Marton Avenue Middlesbrough
Proposal:	Outline planning application for upto 72 residential dwellings
Applicant:	MBC Regeneration
Agent:	MBC Design Services
Ward:	Marton East
Recommendation:	Approve with Conditions

RECOMMENDATIONS AND CONDITIONS

Following the completion of the committee report it was found that a number of conditions had been missed from the list of conditions. The conditions relate to the replacement sports provision and network rail. These have been added and the list below is now a full list of the necessary conditions.

Approve with Conditions

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

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

2. **Time Period for Commencement Outline**
The development of each phase hereby permitted shall be begun not later than:
 - a) The expiration of 7 years from the date of this permission; or
 - b) The expiration of 2 years from the date of approval of the final reserved matter(s) to be approved, whichever is the later.

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

3. **Application for Reserved Matters**

An application for approval of the reserved matters, for the all phases of the development shall be made to the local planning authority before the expiration of five years from the date of this permission.

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

4. Phasing

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

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

5. Approved Plans Major Outline

The reserved matters submitted in accordance with condition 1 and details submitted in accordance with any other conditions of this planning permission shall be in broad accordance with the following approved plans and documents:

- a) Site Location Plan, drawing no. A01;
- b) Planning Statement, dated June 2018;
- c) Design and Access Statement, report no. 02, dated June 2018;
- d) Air Quality Assessment, reference no. 0041552, rev. 00 dated 28th June 2018;
- e) Light Monitoring Location Plan, drawing no. SK-01;
- f) Lighting Assessment, dated October 2017;
- g) Archaeological Desk-based Assessment and Geophysical Survey, reference no. NAA 17/142 dated December 2017;
- h) Ecological Assessment, reference no. BE001055.011 dated October 2017;
- i) Flood Risk Assessment and Drainage Strategy rev. A dated 7th December 2017;
- j) Noise Impact Assessment, reference no. 6899.1A rev. A dated 2nd July 2018;
- k) Phase 1 Desk Study Report, reference no. QD1308 dated 19th June 2017;
- l) Transport Assessment Addendum, reference no. 224125/49, dated 19th May 2017; and,
- m) Southlands Centre, drawing no. VAL 4273 M dated 23rd April 2019.

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

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

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

7. Waste Audit

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

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

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

Reason: In the interests of highway safety.

9. Full details of vehicular access required
Vehicular access shall be from Alan Peacock Way and Marton Avenue with no vehicular link between these access points. Details of the design of the accesses, together with associated sightlines, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: In the interests of highway safety

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

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

11. Off site works, details required
Prior to the commencement of development details of the following improvement works shall be submitted to and approved in writing by the Local Planning Authority;
- a) Provision of a turning head to the end of Marton Avenue
 - b) Provision of a 3.5m wide pedestrian/cycle route along Alan Peacock Way with a scheme of lighting, linking the internal site infrastructure to the existing facilities at the adjacent roundabout on Alan Peacock Way
 - c) Provision of a crossing point on Alan Peacock Way
 - d) Provision of a 3.5m wide pedestrian/cycle route which links the new crossing point on Alan Peacock Way to the existing footway which runs in a Northerly direction to James Cook Rail Station

No residential unit of the development hereby approved shall be occupied until a mechanism and timetable of works for the aforementioned scheme of works has been submitted to and agreed in writing by the Local Planning Authority, or arrangements entered into which ensure the same. The approved details will thereafter be implemented on site.

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

12. Method of Works Statement
Prior to the commencement of any works on the site, a detailed method of works statement identifying the programming and management of site clearance/preparatory

and construction works shall be submitted to and approved in writing by the LPA. Such a statement shall include at least the following information;

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

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

13. Surface Water Drainage

A detailed surface water scheme (design and strategy) must be submitted to, and approved in writing by the Local Planning Authority before work commences on site. This should be accomplished by the use of SuDs techniques. This scheme (design and strategy) should be designed, following the principles as outlined in the submitted Flood Risk Assessment and Drainage Strategy rev. A dated 7th December 2017 or an alternative strategy to be agreed in writing with the Local Planning Authority and Lead Local Flood Authority, to the greenfield runoff rate (Q_{bar}) and should be achieved by means of a sustainable drainage system. Details shall include but not be limited to:

- An assessment of existing geology, ground conditions and permeability
- The proposed 'management train'
- The surface water discharge from the development must be limited to a Greenfield run off rate(Q_{bar})
- Location and type of source control
- Site controls with storage locations
- Conveyance and exceedance routes.
- The measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- A build program and timetable for the provision of the critical surface water drainage infrastructure.
- A management plan detailing how surface water runoff from the site will be managed during the construction Phase to prevent the potential flood risk during construction
- Provide a management and maintenance plan for the lifetime of the development

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

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

14. NWL Foul Water Drainage

Development shall be implemented in line with the drainage scheme contained within the submitted document entitled Flood Risk Assessment and Drainage Strategy rev. A dated 7th December 2017. The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 6201 and ensure that surface water discharges to the existing watercourse. Any deviation from the Flood Risk Assessment and Drainage Strategy must be submitted to and approved in writing by the local planning authority

in consultation with NWL prior to the commencement of development. Thereafter the approved scheme must be implemented on site.

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

15. Noise Assessment

The development shall be carried out in accordance with the Noise Impact Assessment, reference no. 6899.1A rev. A dated 2nd July 2018. Any mitigation measures must be retained on site in perpetuity. Any deviations from the recommendations made in the report shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the dwellings hereby approved.

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

16. Validation report

Before the occupation of a dwelling in each phase of the development, validation testing of the sound attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such validation testing shall:

- i. Be carried out in accordance with the approved noise assessment.
- ii. Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the occupation of a dwelling in each phase is commenced and thereafter retained in perpetuity.

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

17. Contaminated Land

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

This investigation must identify any contamination present on site, and specify adequate remediation scheme. The risk assessment and remediation scheme must be approved in writing by the Local Planning Authority and thereafter implemented, prior to the development-taking place. Validation of the remediated site shall be provided to the local planning authority in the form of a detailed completion statement confirming that works set out and agreed were completed and that the site is suitable for its intended use.

Reason - In the interest of public safety

18. Lighting Glare

Further on-site studies or computational modelling must be carried out to demonstrate that the glare criterion is achieved on site in accordance with the conclusions section of the approved Lighting Assessment, dated October 2017. Should it be demonstrated that the glare criterion is not achieved details of mitigation measures must be submitted

to and approved in writing by the local planning authority prior to the commencement of development. Thereafter the mitigation must be implemented on site prior to the occupation of any dwelling on the site and retained in perpetuity.

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

19. Replacement Sports Provision

The development hereby approved shall not be commenced until a replacement playing field to a standard which is equal to or better than the playing field at Marton Avenue, has been constructed and is available for use. An area for a replacement field has been identified at the former Southlands centre site as shown on plan Southlands Centre, drawing no. VAL 4273 M dated 23rd April 2019. If this site is no longer available details of an alternative location must be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England.

Reason: to ensure the continuity of sports provision.

20. Network Rail Drainage

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail land. The drainage strategy must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction on site, in consultation with Network Rail. Thereafter the drainage strategy must be implemented on site prior to the occupation of any dwelling.

Reason: To protect the safety, operational needs and integrity of the railway.

21. External Lighting

Prior to the erection of any external lighting, full details and specifications of the lighting, including colour, levels of luminance and spill of light affecting the façade of neighbouring premises and network rail land, must be submitted to and approved in writing by the Local Planning Authority, in consultation with Network Rail.

Reason: To protect the safety, operational needs and integrity of the railway and in the interests of the general amenities of the area.

22. Network Rail

Prior to the commencement of development the developer must contact Network Rail in writing to inform them of commencement of works and to provide the necessary Method Statements and OPE, as detailed within the informatives below.

Reason: To protect the safety, operational needs and integrity of the railway

REASON FOR APPROVAL

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

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

In particular, the proposal meets the national planning policy framework and guidance regarding housing, sustainable development and efficient use of land. Further detailed information in the form of a reserved matters application is necessary to fully consider the appropriateness of the scale of development, design, access and layout to ensure the proposed housing development would not be out of scale and character within the surrounding area and would not be detrimental to the local and residential amenities of the area. The principle of a development for up to 72 dwellings on this site is acceptable.

Case Officer: Shelly Pearman

Committee Date: 26th July 2019

