
APPLICATION DETAILS

Application No:	18/0110/FUL
Location:	Land At Ladgate Lane Middlesbrough TS5 7YZ
Proposal:	Erection of 6 dwellings and associated works
Applicant:	Mr Hamid Shan
Agent:	Mr Ian Mcgregor
Company Name:	Elder Lester Mcgregor
Ward:	Ladgate
Recommendation:	Approve with Conditions

SUMMARY

The application seeks permission for the erection of 6 dwellings on land off Ladgate Lane. The site is an enclosed paddock / grassland located to the north side of Ladgate Lane and to the east of the access road into the Middlesbrough Golf Club. The proposal provides six detached dwellings with integral garages positioned within a cul-de-sac arrangement with the highway access taken from the existing private access road into Middlesbrough Golf Club. The land is designated as Green Wedge within the adopted local plan.

Following consultation, there have been three letters of objection received from the nearby residents. The objections are based on matters including, increase in traffic, impact on local infrastructure, service vehicle access, design of the properties being out of character with the area, noise and disturbance from the siting of the site compound and the potential crime impacts.

The application is seeking planning permission for 6 dwellings and has been considered in relation to relevant local and national planning policies. The development is considered to be a departure from Local Plan Policies E2 (Green Wedge) and E22 (New Housing in the Countryside beyond the Limits of Development) as the proposal is for housing. However, it is considered that the design and overall scale of the development proposal and the location of the site positioned in between the existing housing at Netherby Farm and the Golf Course, will not have a significant impact on the overall purpose of the Green Wedge area. The development is considered to be in accordance with Policies DC1, CS4 and CS5 and will assist in the requirements for Policy H11 in relation to the provision of homes.

The development provides three different two-storey house types each providing five bedrooms with a mixture of single and double integral garages. The properties are a modern design with pitched roofs and bay window detailing with pillar detailing to the front

entrances. Each property will have a small front garden area with larger rear/side gardens. Given the existing modern dwellings located opposite the application site at Ladgate Woods and the mixture of traditional and courtyard designed dwellings within the adjacent Netherby Farm development, the overall design and layout of the development is considered to fit in with the surrounding street scene.

The layout of the development accords with the privacy separation distances set out in the Council's Supplementary Planning Document and subject to any noise mitigation measures required as part of the noise assessments, the proposal is not considered to have a significant impact on the amenity of the users of the nearby properties or the commercial Golf Club premises.

The proposal will see the retention of the majority of the trees along the northern boundary of the site but will involve the removal of the hedgerow located along the eastern boundary, two trees within the site and two smaller group areas of trees. The hard and soft landscaping within the site will be conditioned.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The site comprises an area of 0.45 hectares and is defined as green wedge. The site is located to the west of an established residential development of traditional designed properties and farmhouse style buildings at Netherby Farm and to the north of the new housing development at Ladgate Woods. Immediately to the north of the site is the car park for the Middlesbrough Golf Club and across the car park is the Club House and two detached residential flats. To the west of the site is the private access road to the clubhouse and the golf course.

The proposal is for 6 detached five bedroomed dwellings with a mixture of single and double integral garages. Since the original submission the road layout and the house types have been amended to reduce the overall scale of the dwellings. The dwellings are a modern design with stepped pitched roofs, front elevation bay window detailing and additional pillar detailing at the front entrances. The proposed materials, boundary treatment and landscaping detailing will be conditioned.

Each dwelling will provide either a single or double integral garage with driveways located to the front. Separate bin store provision will be located towards the entrance of the development.

The following documents were submitted in support of the application:

- a) Design and Access Statement
- b) Drainage Strategy
- c) Archaeological Recording Report
- d) Arboricultural Impact Assessment Method Statement/ Tree Protection Plan
- e) Noise Impact Assessment
- f) Preliminary Ecological Appraisal

PLANNING HISTORY

Previous planning permission for the site include:-

M/OUT/0085/96/P - Residential development, refused June 1996

M/OUT/1050/11/P - Outline application for the erection of 6 no dwellings with associated access, approved December 2011

M/FP/1309/14/P - Variation of condition 1 of M/OUT/1050/11/P to extend timescale, approved February 2015

PLANNING POLICY

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities must determine applications for planning permission in accordance with the Development Plan for the area, unless material considerations indicate otherwise. Section 143 of the Localism Act requires the Local Planning Authority to take local finance considerations into account. Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires Local Planning Authorities, in dealing with an application for planning permission, to have regard to:

- The provisions of the Development Plan, so far as material to the application
- Any local finance considerations, so far as material to the application, and
- Any other material considerations.

Middlesbrough Local Plan

The following documents comprise the *Middlesbrough Local Plan*, which is the Development Plan for Middlesbrough:

- Housing Local Plan (2014)
- Core Strategy DPD (2008, policies which have not been superseded/deleted only)
- Regeneration DPD (2009, policies which have not been superseded/deleted only)
- Tees Valley Joint Minerals and Waste Core Strategy DPD (2011)
- Tees Valley Joint Minerals and Waste Policies & Sites DPD (2011)
- Middlesbrough Local Plan (1999, Saved Policies only) and
- Marton West Neighbourhood Plan (2016, applicable in Marton West Ward only).

National Planning Policy Framework

National planning guidance, which is a material planning consideration, is largely detailed within the *National Planning Policy Framework* (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The NPPF defines the role of planning in achieving economically, socially and environmentally sustainable development although recognises that they are not criteria against which every application can or should be judged and highlights the need for local circumstances to be taken into account to reflect the character, needs and opportunities of each area.

For decision making, the NPPF advises that local planning authorities should approach decisions on proposed development in a positive and creative way, working pro-actively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and that at every level should seek to approve applications for sustainable development (paragraph 38). The NPPF gives further overarching guidance in relation to:

- The delivery of housing,
- Supporting economic growth,
- Ensuring the vitality of town centres,
- Promoting healthy and safe communities,
- Promoting sustainable transport,
- Supporting the expansion of electronic communications networks,
- Making effective use of land,

- Achieving well designed buildings and places,
- Protecting the essential characteristics of Green Belt land
- Dealing with climate change and flooding, and supporting the transition to a low carbon future,
- Conserving and enhancing the natural and historic environment, and
- Facilitating the sustainable use of minerals.

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

DC1 - General Development
 CS4 - Sustainable Development
 CS5 - Design
 H11 - Housing Strategy
 E2 - Green Wedges
 E22 - New Housing in Countryside

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

CONSULTATION AND PUBLICITY RESPONSES

The application has been advertised in the local press, site notice posted and consultations sent to the statutory consultees, local residents and Ward Councillors.

Following the consultation exercise 3 objections were received. The objections are summarised below:-

- a. Increase in traffic will increase highway safety issues on Ladgate Lane
- b. Impact on local infrastructure e.g Electricity supply
- c. Siting of builders compound close to existing housing resulting in noise and disturbance
- d. Bin services and service vehicles cannot fit on the access road
- e. Crime impact/anti-social behaviour
- f. Out of character with the existing properties in terms of scale and design

Objections comments were received from;

1. The Old Forge, Ladgate Lane
2. Netherby Farm, Ladgate Lane
3. Netherby View, Ladgate Lane

MBC - Policy (In Summary)

Under the Council's 1999 Local Plan, the proposal site is designated Green Wedge (Policy E2 *Green Wedge*) which seeks the retention of green wedge and open space within the borough by preventing development which effects the character and appearance of the Green Wedge. Policy E22 - *New Housing in the Countryside Beyond the Limits of Development* comments that new housing will be permitted in exceptional circumstances that include the siting, design, materials and external appearance of the proposal and its relationship with the surrounding area.

Core Strategy Policies CS4 and CS5 promote sustainable and inclusive development which is of a high standard that contributes to the character and appearance of the area and which contributes to making the most efficient use of land.

The Housing Policy H11 promotes the need to increase housing supply and emphasises the need to ensure quality of life is maintained through protecting the existing high environmental quality of the area and new development should be of a high quality and appropriate to the location.

In assessing the application consideration will need to be given to the piecemeal residential development at Netherby Farm which is also within the Green Wedge and subject to the design and layout being considered acceptable the proposal can be considered for approval.

MBC Waste Officer

If properties are to be served by a shared access road (un-adopted road) the residents will be required to make their waste and recycling receptacles available for collection at the nearest highway.

MBC - Environmental Protection (In summary)

No objections subject to conditions relating to road traffic noise and noise from the adjacent golf club car park area and any mitigation required being implemented.

MBC Highways (In Summary)

We recommenced approval subject to conditions on the outward opening of the bin store provision, method of works statement and the footway works.

The access road to the site is private and the applicant has confirmed this is to remain private and they will need to ensure they have right of access to the site. Should this section of road be considered for adoption a section 38 agreement will need to be provided with all landowners signatories along with a swept path analysis will be required.

The pedestrian footpath linking the development to Ladgate Lane will require a kink in the kerb of the footpath to enable further linkages if the access is adopted in the future.

In terms of visibility splays, the proposals within the Arboriculture Survey highlight plans to remove the hedging and trees along the unnamed road, this is essential in order to guarantee visibility splays on the traffic approach side of the developments access. The hedging / trees to the north of the new proposed site access, is not included within the red line boundary, as a result this needs to be protected to ensure appropriate works can be carried in order to guarantee visibility splays associated with the development.

Level of traffic generated will be negligible.

The parking provision is considered to be sufficient providing the garages are 6 m x 23 m internally and the driveways 6 metres.

Secure By Design - Police (in summary)

No objections, recommend actively seek to develop to accredited Secured By Design Gold Standards it not silver at a minimum. Recommend the boundary treatment along the rear of plots 1-3 & 4-6 be raised to 2.4 metres in line with the north-east boundary, 2 metres close boarded with 400mm box trellis. Proposed 1.8 metre treatments allowing side access to plots be raised to 2 metres.

Northern Gas Networks

No objections to the proposal however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we would require the promoter to contact us directly to discuss our requirements and should any diversionary works be required these will be fully chargeable.

MBC – Flood Risk Officer (In summary)

No objections subject to the development taking place in accordance with the drainage strategy and a pre-commencement condition on the connection and suitability of the highway drain to facilitate the levels of surface water. The additional information required from the applicant is a CCTV survey of the highway drain, modelling of the drainage system and confirmation that a management company is in place to maintain the private drainage systems from the houses to the adopted highway.

Northumbrian Water (In Summary)

No issues to raise with the above application subject to the works being completed in accordance with the Drainage Strategy and ensure the foul flows discharge to the foul sewer slightly upstream of manhole 1702 and ensure that surface water discharges to the existing watercourse via existing highway drainage, which should be secured by condition.

The Lead Local Authority will need to be satisfied with the quality of the Flood Risk Assessment provided. For information there are two strategic water mains which cross the site that may affect the proposal and the applicant should contact Northumbrian Water to discuss the precise location of the water mains.

Public Responses

Number of original neighbour consultations	26
Total numbers of comments received	3
Total number of objections	3
Total number of support	0
Total number of representations	0

PLANNING CONSIDERATION AND ASSESSMENT

1. This application is seeking full planning consent for the erection of 6 dwellings and associated access. The principle issues to be considered in respect of this proposal centre on the principle of the development, the impact on the character of the Green Wedge, on the character and appearance of the street scene, amenity, highway safety, flood risk, ecology and landscaping.
2. Consideration can only be given to matters that are material to this application. Matters raised by the objectors which are not material include potential crime and anti-social behaviour and the impacts on the current service infrastructure e.g electricity supply.

Policy Context

3. The Local Development Plan is the starting point for considering this proposal along with other material planning considerations. The proposal should therefore be assessed against Green Wedge Policies E2 and E22 that seek to ensure the retention of green wedge and open spaces by preventing development, which will affect the character and appearance of the Green Wedge or which will harm visual amenity. Policy E22 does however permit new housing in exceptional circumstances which include where the siting, design, materials and external appearance of the proposal and it's relationship within the surrounding area.
4. Core Strategy Policies DC1, CS4 and CS5 seek to ensure high quality sustainable development; ensure the amenity of the nearby residents, the character and appearance of the area and highway safety is not adversely affected by the

development. Policy CS5 requires high quality design in terms of layout form and contribution to the character and appearance of the area.

5. The Housing Local Plan Policy H11 promotes the need to increase the supply of housing to meet the aspirations of the economically active population whilst emphasising the need to ensure the quality of life is maintained through protecting high environmental quality of the area, and that new development will be of a high quality and appropriate for the location.
6. In addition to Local Plan Policies, the National Planning Framework (NPPF) sets out a general presumption in favour of sustainable development and through its core planning principles encourages the planning system to promote economic development including the provision of new housing, seeking high quality design and reusing land that has not been previously developed.

Principle of Development

7. The application site is designated as Green Wedge. Saved Local Plan Policy E2 seeks to retain green wedges and open space areas and associated greenspace network. Policy E2 states that residential development will not be considered suitable in such locations unless it relates to accommodation for agricultural or forestry workers or would not affect the predominantly open, green character or quiet enjoyment of the green wedge or create undue nuisance or disturbance to occupiers of nearby properties. In addition, Policy E2 comments that new development should not harm visual amenity, impair public access to green wedges, compromise green links or reduce the physical separation between existing developments.
8. The proposed development will not be utilised for agricultural or forestry needs but the site location is immediately adjacent to the residential development at Netherby Farm with the commercial Golf Club and car park immediately to the north and a modern housing estate & Ladgate Lane to the south. The site is therefore surrounded on all sides by existing development and this location is considered to represent a continuation of the existing urban development in this area and is therefore not considered to have a significant impact on the existing open character or enjoyment of the green wedge area. Access to the wider green wedge or views of it would not be unduly affected.
9. Policy E2 refers to maintaining the physical separation between existing development and the green wedge to preserve the open character of the green wedge. In this instance, the golf club house and car park to the north and the residential development at Netherby Farm to the west has already impacted on any physical separation distances within this green wedge designation. The location of the application site and the fact the existing development which has taken place within the immediate area has reduced any potential physical separation and will therefore prevent any undue detrimental impact on the open character of the green wedge.
10. Although the proposal will result in the loss of an area of the green wedge, it is currently an enclosed grassed field which has limited value and has a distinctive character which differs from the surrounding character of the green wedge which is primarily the golf course. The development layout is designed to provide rear gardens facing Ladgate Lane and the Golf Course, with the retention of the majority of the trees and thereby will not unduly affect the visual amenity or the character of the green wedge. Whilst the development is located within the green wedge, the location of the site along with the site layout show the density, scale and pattern of the development will be similar to the characteristics of the existing dwellings within the immediate area and as such the proposed development is not considered to have

a significant detrimental impact on the pen character and appearance of the green wedge.

11. A previous application was approved for residential development on the site which is largely identical to this proposed scheme. That consent of the earlier scheme has lapsed, however, the policies which applied and were relevant to the earlier approval remain to be the relevant policies to consider now. This earlier application essentially established the principle of development on the site and there are no changes in Planning Policy since the previous application was approved that would alter relevant considerations.

Character and Appearance of the Street Scene

12. The proposal provides three house type designs which each provide five bedrooms. Properties have a mixture of single and double integral garages. The proposed dwellings are two storey with pitched roof detailing and are considered to be a high quality of design which incorporates bay windows detailing, stone and brick detailing, chimneys and porch detailing, including pillars. Hard and soft landscaping proposed within the site will be secured by condition.
13. The NPPF requires local authorities to deliver a wide choice of high quality homes to significantly boost housing supply. The proposed dwellings offer high quality five bedroom properties with associated gardens areas. The dwellings are considered to be in accordance with the requirements of the NPPF in this regard.
14. The properties are considered to be in keeping with the mixture of house types within the immediate area which include the modern housing at Ladgate Woods to the south and the detached properties located within Netherby Farm to the east of the site. Following discussions with the developer the scale of Plot 1 has been reduced to replace the double garage with a single garage, Plots 3 and 4 have been re-orientated within the cul-de-sac and the scale of the attached garages to the side have been reduced.
15. The levels of surveillance within the site are considered to be acceptable. The Secure by Design officer at Cleveland Police has commented that the boundary treatments along the northern and southern boundaries be raised from 1.8 metres to a total of 2.4 metres (2 metre fence with 400mm trellis) and that any boundary treatments should be increased to 2 metres. Details of the boundary treatment will be secured by condition.
16. Objection comments to the original scheme related to the development being out of keeping with the existing character of the area. The revised design layout has reduced the scale of the dwellings within the site although it is noted that there is no specific vernacular within this area. The proposal is considered to be in keeping with the character and appearance of the immediate vicinity and in accordance with Policies CS5 and DC1.

Amenity

17. The layout of the development ensures that separation distances between the proposed dwellings are to an acceptable standard and accord with the 21 metre privacy guidance distance set out in the Council's Urban Design Guide.
18. Within the development itself several of the properties have facing windows on the front elevation that are slightly less than the 21 metre guidance, but considering the layout and design of the cul-de-sac the proposed separation distance is not considered to have a significant impact in terms of loss of privacy to the occupants.

19. Each plot within the development has a significant area of usable amenity space located to the side / rear of the dwellings with a smaller front garden area, the landscaping for the site being secured by condition.
20. The Council's Environmental Protection officer has no objections to the proposal subject to conditions requiring a site contamination report, road traffic noise assessments and a noise assessment relating to the golf club car park being completed with any required mitigation works being implemented.
21. Objection comments have been received in terms of the noise which will result from the siting of the works compound shown alongside the existing boundary with residential properties. These comments are noted, however any site compound would be a temporary installation and would be for the contractor to manage any potential noise.
22. It is considered that the development will not have a detrimental impact on the amenity of the existing residents and the layout will ensure that the new residents have adequate levels of amenities. The development is considered to be in accordance with the requirements of Policy DC1.

Highway Related Matters

23. The proposed access into the development is from the un-adopted private access road to Middlesbrough Municipal Golf Club. The applicant has confirmed they have right of access to the site and have provided the required visibility splays into the development.
24. The Highway Engineers have commented they have no objections to the principle of the development as the required visibility splays have been provided at the entrance to the development and each dwelling has provided three parking spaces in accordance with the Council's Design Guide Specification. The hedgerows and trees that currently sit within the visibility splay areas are shown on both the revised site layout plans and the arboricultural report as being removed.
25. Internally there is no requirement for a footpath within the cul-de-sac but a footpath link has been provided from the development to the existing footpath along Ladgate Lane. To ensure future there is the option to enable potential linkages of this footpath to any future adopted highways a condition will be placed on the application for the specific design of the footway/kerb to be approved by the Local Authority.
26. The development provides a bin store provision at the entrance of the site. The Council's Highway officers have requested the bin store doors be recessed to avoid any impact on the highway, the specific design of the bin stores will be secured by condition. The Council's Waste officer has commented they have no objections to the proposed development as the access road is utilised by the Municipal Golf course and the bin wagons can utilise this access road for their collection.
27. Objection comments have been received regarding the increase in traffic from the development and the impact on the existing road network. Whilst these comments are noted, the limited number of houses means the traffic impacts of the scheme are considered to be limited with adequate provision to accept the additional traffic. Furthermore, each dwelling provides the required parking provision to reduce any potential off street parking within the site and the immediate road network. The Council's Highway Officers have considered the levels of traffic generated from the development and considered the impact as being negligible.

28. An objection comment has been received that service vehicles and bin wagons cannot fit on the access road. The Highway officers have commented that the requirement for emergency vehicle access is generally dictated by the fire service requirements with a carriageway width of 3.7 metres (kerb to kerb) being considered appropriate, the proposed access road meets this criteria.
29. To ensure the management of the site during both site clearance and construction a Method of Works Statement will be secured by condition.
30. The development is considered to be in accordance with the requirements of CS4, CS5 and DC1.

Flood Risk and Drainage

31. The application site is entirely located within Flood Zone 1 which is classified by the Environment Agency as an area which has a low possibility of flooding. A Flood Risk Assessment and revised Drainage Strategy (October 2019) has been submitted in support of the proposal. The drainage scheme sets out that the surface water drainage from the site will connect into the highway drain.
32. The Lead Local Flood Authority and Northumbrian Water has been consulted and have raised no objection to the principle of the proposed drainage, however further clarification is required in terms of the connection and suitability of the Highway drain to facilitate the levels of surface water. The additional information required from the applicant is a CCTV survey of the highway drain, modelling of the drainage system and confirmation that a management company is in place to maintain the private drainage systems from the proposed dwellings to the adopted highway. The application is recommended for approval subject to a condition that the applicant provide the additional drainage details within 6 months of the date of the approval and if the information is not considered satisfactory then the application be refused as there will have been no adequate demonstration of drainage provision.
33. The proposal is considered to meet the requirement of Policy CS4.

Ecology and Landscaping

34. The application site is an area of undeveloped enclosed grassland with established hedgerows located along the northern, western and southern boundaries and additional trees located around the perimeter of the site.
35. The application is supported by an Arboricultural Impact Assessment (February 2018) detailing the removal of two trees and two smaller groups of trees which are considered to have low value. The report provides mitigation protection measures in relation to the trees which will be retained within the site. It is recommended the mitigation measures will be secured by condition.
36. The proposal includes the removal of the established hawthorn hedgerow along the western boundary of the site. Within the site itself the plans show additional tree planting (apple trees) within the rear gardens of the dwellings and it is recommended that a soft landscaping condition be placed on the application to ensure there is adequate landscaping provision within the site.
37. A preliminary Ecological Appraisal (July 2018 ref ELM-18-01) has been submitted in support of the application which identified that the site was of low value ecological value however there was some potential for nesting birds and bats. The ash located along the southern boundary of the site which is to be removed was considered to provide a moderate level of roosting for bats and therefore the Ecological

Assessment recommends that two bat activity surveys should be conducted prior to the removal of the tree. Any bat surveys should be completed between May and August and should bats be present then the necessary licences will be required from Natural England. The bat surveys will be secured by condition.

38. It is considered that the development meets the requirements of Policies CS4 and CS5.

Conclusion

39. There are no technical objections from statutory consultees to the proposal in terms of the sustainability of the site or the ability of the site to meet necessary drainage, highway requirements, ecology and mitigation.
40. The proposal has been considered in relation to relevant local and national planning policies. Whilst the development is a technical departure from the local plan in relation to saved Policy EC2 and EC22 as it is development of a section of designated green wedge and open space, it is considered that the location of the development site within an area of the Green Wedge which has existing residential development to the west and north and the Municipal Golf Club to the north means the nature, layout and character of the site will not impact on the existing green infrastructure links and the meets the majority of the criteria requirements under Policies E2 and E22 and does not have any notable harm to the purpose of the green wedge and open space designations. Furthermore, the proposal accords with Policies CS4, CS5, DC1 and H11.

RECOMMENDATIONS AND CONDITIONS

That the development be approved subject to;

- **A. The conditions below; and**
- **B. An acceptable scheme of drainage being submitted to and approved in writing by the Local Planning Authority within 9 months from the date of this decision.**

In the instance that the a scheme of drainage for the site has not been submitted to and approved in writing by the Local Planning Authority within 9 months from the date of this decision, then the application be refused.

1. Time Limit

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. Approved Plans

The development hereby approved shall be in accordance with the following approved plans.

- a. Location plan drawing 1804-002 dated 21st February 2018
- b. Site compound drawing 1804-008 dated 21st February 2018
- c. Existing and proposed site layout 1804/003D dated 25th July 2019
- d. Proposed Drainage 1804/006/D dated 25th July 2019
- e. Plot 1 Proposed Plans and Elevation drawing 1804-011 dated 25th July 2019
- f. Plot 2 and 6 Proposed Plans and Elevation drawing 1804-012 dated 25th July 2019

- g. Plot 3 Proposed Plans and Elevation drawing 1804-013 dated 25th July 2019
- h. Plot 4 Proposed Plans and Elevation drawing 1804-014 dated 25th July 2019
- i. Plot 5 proposed Plans and Elevation drawing 1804-015 dated 25th July 2019
- j. Preliminary Drainage Layout drawing LL-MB-DR05- 001 dated 14th October 2019
- k. Drainage Strategy dated October 2019

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

3. Drainage

Prior to the commencement of the development on site the following mitigation measures must be undertaken and the information submitted and approved by the Local Planning Authority.

- a. A CCTV survey of the highway drain and gully's must be undertaken and any repair works or blockages that are identified would need to be resolved.
- b. Modelling ran on the drainage system indicating at what point the Highway Drain would flood
- c. An agreement reached with the LLFA if the highway network cannot contain a 1:100 year flood event
- d. Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by public at authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout it's lifetime.
- e. A plan showing how surface water from the site during construction will be prevented from flowing onto existing highway to the detriment of all highway users must be submitted to and approved in writing by the Local Planning Authority.
- f. Northumbrian Water agreed to enter into a s102 adoption of the highway drain in Ladgate Lane from the site entrance to the beck.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

4. Materials

Prior to the commencement of the development, specific details and samples of the material for the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details/samples.

Reason: To ensure an appropriate finishing appearance to the development in the interests of the amenities of the local area, in accordance with the guidance set out within Core Strategy Policy CS4

5. Landscape Scheme

Prior to the commencement of development, a scheme showing full details of both hard and soft landscape works to include boundary treatment details along with a programme of works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.

Reason: To ensure a satisfactory form of development and to improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with DC1 and CS5.

6. Noise Assessment

Prior to the commencement of development an assessment of road noise, and if necessary, a scheme for protecting the proposed dwellings and associated residential outdoor space from traffic noise, shall be 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 student accommodation hereby approved being occupied and must be retained on site in an operational state for the lifetime of the building. 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 a satisfactory form of development and in the interest of the amenity of the residents in accordance with DC1.

7. Noise from the Golf Course

Prior to the commencement of the development, a scheme to identify noise from the use of the golf centre car parking area and its impact upon the occupiers of proposed dwellings, identifying existing noise levels and the impact of these noise levels along with any mitigation measures required to reduce the impact shall be submitted to and approved in writing by the Local Planning Authority. All mitigation works shall be completed before any of the proposed dwellings are occupied.

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

8. Site Investigation

Prior to the commencement of the development, a full and competent site investigation, including risk assessment must be undertaken and submitted to the Local Authority for approval. This must identify any contamination present and specify adequate remediation necessary. The risk assessment and remediation scheme must be approved in writing by the Local Planning Authority. 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 a satisfactory form of development and in the interests of the amenity of the residents in accordance with DC1.

9. Tree Protection and works

The development must be carried out in accordance with the mitigation measures detailed in the approved Arboricultural Impact Assessment (REF: ARB/AE/1725), dated February 2018, to include an Arboricultural Method Statement and Tree Protection Plan. Any deviations from the recommendations made in the report shall be submitted to and approved in writing by the Local Planning Authority prior to undertaking relevant works.

Reason : To ensure a satisfactory form of development and in the interests of the visual amenity of the area in accordance with DC1 and CS5.

10. Bat Surveys

In accordance with the Preliminary Ecological Survey (July 2018 ref ELM-18-01) prior to the removal of the ash tree (No 18) on the southern boundary of the site, two bat surveys shall be undertaken in accordance with the specifications set out in the Preliminary Ecological Survey.

Reason: To ensure a satisfactory form of development in accordance with the requirements of the NPPF.

11. Ecology Mitigation

The development must be carried out in accordance with the mitigation measures detailed in the approved Preliminary Ecological Survey, dated July 2018 (REF ELM-18-01). Any deviations from the recommendations made in the report shall be submitted to and approved in writing by the Local Planning Authority prior to undertaking relevant works.

Reason: To ensure a satisfactory form of development in accordance with the requirements of the NPPF

12. Bin Store Provision

Notwithstanding the submitted plans, prior to the commencement of the development, specific details of the design of the bin store located towards the entrance of the site shall be submitted to the Local Authority for approval in writing.

Reason: In the interests of a satisfactory form of development and in the interests of visual amenity of the area in accordance with DC1 and CS5.

13. Footpath/Kerb Design

Prior to the occupation of the dwellings, specific details of the footpath/kerb linkage between the development site and Ladgate Lane shall be submitted to the Local Authority and implemented and completed in accordance with the approved specifications.

Reason: To ensure a satisfactory form of development in accordance with Core Strategy DC1

14. 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) where contractors will park
- c) where materials will be stored
- d) measures employed to ensure no mud/detritus is dragged out over 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.

INFORMATIVES

Informative 1 - Water Main

A strategic water main crosses the application boundary which may affect the proposed development. Northumbrian Water will be contacting the developer to discuss any required diversionary or relocation measures required prior to the commencement of the development.

Informative 2 –Bin Store

The bin store provision should have recessed outward opening doors to ensure there is no impact on the highway if this is not possible please contact the Highway Authority (Tel 01642 728156) to agree any mitigation measures required.

Case Officer: Debbie Moody

Committee Date: 6th December 2019

