

PLANNING AND DEVELOPMENT COMMITTEE

Date: Friday 5th February, 2021
Time: 1.30 pm
Venue: Virtual Meeting

AGENDA

Please note: this is a virtual meeting.

The meeting will be live-streamed via the Council's [Youtube channel](#) at 1.30 pm on Friday 5th February, 2021

1. Welcome and Introduction
2. Apologies for Absence
3. Declarations of Interest
4. Minutes - Planning and Development Committee - 15 January 2021 3 - 12
5. Schedule of Remaining Planning Applications to be Considered by Committee 13 - 68

Schedule (page 13)
Item 1 - Former St Davids School (pages 15 - 48)
Item 2 - Cawood Drive/Reivaulx Drive (pages 49 - 68)
6. Applications Approved by the Head of Planning 69 - 74
7. Local Plan - An Update

The Head of Planning will provide a verbal update on the progress made with reviewing the Local Plan.
8. Any other urgent items which in the opinion of the Chair, may be considered.

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Thursday 28 January 2021

MEMBERSHIP

Councillors J Hobson (Chair), D Coupe (Vice-Chair), D Branson, C Dodds, L Garvey, M Nugent, J Platt, J Rostron, J Thompson and G Wilson

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Georgina Moore/Chris Lunn, 01642 729711/729742, georgina_moore@middlesbrough.gov.uk/chris_lunn@middlesbrough.gov.uk

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on Friday 15 January 2021.

PRESENT: Councillors J Hobson (Chair), D Coupe (Vice-Chair), D Branson, C Dodds, L Garvey, M Nugent, J Platt, J Rostron, J Thompson and G Wilson

ALSO IN ATTENDANCE: R Arundale, S Dean, K Dixon, M Easie, D Hardcastle and K Richardson

OFFICERS: P Clarke, A Glossop, D Johnson, E Loughran, C Lunn, G Moore and S Thompson

20/27 **DECLARATIONS OF INTEREST**

Name of Member	Type of Interest	Item/Nature of Interest
Councillor J Platt	Non-Pecuniary	Agenda Item 5, Item 1, Ward Councillor.
Councillor J Rostron	Non-Pecuniary	Agenda Item 5, Item 1, Chair of Environment City, based at Former Natures World site.

20/28 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 4 DECEMBER 2020**

The minutes of the meeting of the Planning and Development Committee held on 4 December 2020 were submitted and approved as a correct record.

20/29 **SCHEDULE OF REMAINING PLANNING APPLICATIONS TO BE CONSIDERED BY COMMITTEE**

The Head of Planning submitted plans deposited as applications to develop land under the Town and Country Planning Act 1990.

20/0566/FUL Erection of school building (Class F1) with associated outdoor-sports areas, parking and landscaping at Land at Former Natures World, Sandy Flatts Lane, Middlesbrough, TS5 7YN for Interserve Construction Ltd

The Head of Planning advised that planning permission was sought for the erection of a Special Educational Needs (SEN) school on a site to the north of Sandy Flatts Lane, at the southern end of the former Nature’s World site.

The application was for the erection of a single storey school building and the proposed scheme included the school building along with the associated facilities and amenities, including car parking area, multi-use games area, landscaping and boundary treatments.

Access to the SEN school would be taken off Sandy Flatts Lane.

Following the consultation period, 25 representations had been received, including 22 letters of objection, 1 letter of support and 2 other representations.

The two issues that required consideration by the committee included:

- The development site being within a designated Green Wedge; and
- The transport implications.

The application site was allocated on the adopted Local Plan Proposals Map as part of the Green Wedge. As well as the Green Wedge, the western side of the site was identified as Secondary Open Space, and the eastern side of the site was identified as Primary Open Space. The general principles of those allocations was to protect the open and green character and appearance and to resist most developments.

The Head of Planning commented that the benefits of the proposed SEN school to the local community were considered to outweigh the loss of part of the Green Wedge. It was also concluded that the application site occupied a relatively small area of the larger Green Wedge allocation and that the green character and open appearance of the Green Wedge was not significantly harmed. It was considered that if tree planting and landscaping were to be incorporated, along the south western boundary of the site, that would reduce the visual impact of the development on the Green Wedge.

In terms of transport implications, it was explained that due to the nature of the school, the applicant had advised that most pupils would arrive in either arranged taxis or minibuses. The number of pupils that would arrive in private car was negligible and, as such, it was not envisaged that there would be the type of parking issues that could be seen at other schools. It was advised that there would be only 84 pupils on the school roll.

With regards to the proposal, it had been identified that there would be a material impact at the junction of Sandy Flatts Lane/Ladgate Lane. Further investigation had identified that the issue at the junction was due to the operation of the adjacent Blue Bell roundabout and the interaction of queues between those junctions. Therefore, officers had negotiated and secured a contribution of £22,500 from the school. If approval was granted, that funding would be secured through a Section 106 legal agreement. The majority of the contribution would be used towards feasibility, design and estimate studies for a mitigation scheme at the Blue Bell roundabout. Funding to deliver the mitigation scheme would then come forward proportionately from other sources that could include other S106s, capital funding or grants.

It was also added that £2,500 of the £22,500 contribution would be used towards the provision of School Keep Clear markings and zig-zags to assist in keeping the school frontage clear of any on-street parking.

Whilst it had been analysed that there would be an impact on the operation of the network, it was not at a level that would be considered as severe, which was the test in the NPPF against which a refusal could be considered.

The officer recommendation was to approve conditionally, subject to the signing of a Section 106 legal agreement.

It was advised that condition 10, which was outlined in the submitted report and related to the implementation of Traffic Regulation Orders, would no longer be required due to the signing of a Section 106 legal agreement.

The Agent was elected to address the committee, in support of the application.

In summary, the Agent explained that:

Objectors had commented on the impact of the proposed development on highways, ecology and the loss of trees. In response to those concerns, the Applicant had agreed to:

- provide £22,500 to mitigate the highways impact of the scheme;
- retain parts of the tree belt along the eastern boundary of the site, which would assist in screening and limiting the visual impact of the proposed building on the wider Green Wedge; and
- provide boundary planting for the southern part of the site to better integrate the proposed development with the surrounding natural environment.

It was also added that the school was looking into providing bat boxes and tubes within the building elevations and barn owl loft boxes.

The following benefits were outlined by the Agent:

- There was an evident need for the proposed development, as the temporary accommodation for the school was nearing capacity.
- There was a number of children with SEN that had been required to access education outside the area.
- The number of children with SEN was increasing.

The proposed development would:

- provide high-quality, specialist education for those children with SEN;

- reduce the number of children being educated outside of the borough, which would result in financial savings for the Local Authority;
- would create 64 direct and 96 indirect jobs during the construction period;
- be high-quality and sustainable; and
- achieve ecological net gains.

The Agent commented that the benefits of the proposed school to the community, as a whole, outweighed the loss of the Green Wedge.

A Ward Councillor was elected to address the committee.

On balance the Ward Councillor was in favour of the proposed development but shared the concerns of residents in respect of the highway implications. It was commented that concerns had been raised in respect of the width of Sandy Flatts Lane, it being insufficient to enable two-way traffic flow and it included a blind bend where there had been a number of accidents in the past. The Ward Councillor also questioned the spending of the Section 106 monies and expressed concern that a substantial amount was being used to fund a mitigation scheme at the Blue Bell roundabout, rather than mitigating the highway impact for nearby residents in the immediate vicinity of the site.

A discussion ensued and Members discussed the highway impact of the scheme. One Member suggested that the spending of the Section 106 monies should be revisited to ensure that a sufficient amount of work would be undertaken to mitigate the impact of the scheme on nearby residents. In response, the Head of Planning explained that the majority of the money would be allocated to a mitigation scheme at the Blue Bell roundabout as the material impact at the junction of Sandy Flatts Lane/Ladgate Lane was due to the operation of the roundabout and the interaction of queues between those junctions.

The Head of Planning advised that although the proposed development could be considered contrary to Policy E2 (Green Wedge), it was considered that the benefits of the proposed special educational needs school outweighed the loss of the Green Wedge. Moreover, the site area was a relatively small area of the larger Green Wedge allocation, which extended as far north as Linthorpe and as far east as Marton Road. As for the lost piece of Green Wedge, it was considered that tree planting and landscaping along the south western boundary of the site would reduce the visual impact of the development on the Green Wedge.

Overall, the officer recommendation was to approve the application, subject to conditions and the signing of the Section 106 agreement.

ORDERED that the application be **Approved on Condition** for the reasons set out in the report, subject to the signing of the Section 106 agreement and further discussion regarding the allocation of funding.

20/0594/FUL Social garden and community hub comprising of single storey building including workshops, cafe and shop with parking and ancillary spaces at Land at Corner of Stockton Street/Commercial Street Middlesbrough for Mr Denny

The Head of Planning advised that planning permission was sought for the erection of a building and creation of a site to provide a therapeutic support and opportunities hub, which allowed individuals and groups of differing backgrounds and abilities to engage with outdoor activities. The building planned to provide facilities for growing various fruit and vegetables, a street-front shop and cafe, and craft workshops.

The building proposed was a single storey L shape structure, parking would be provided along the eastern boundary served off Commercial Street and the majority of the site was garden space. The boundary was intended to be created by a fence interspersed with short sections of wall.

The committee were shown various images that provided information on the location, floor plans, elevations and artist impressions.

The Head of Planning advised that there had been no objections to the application. It was explained that the reason the application required consideration by the committee was due to the fact that the proposal was a departure from the adopted Local Plan.

There were two issues that required consideration by Members:

- the principle of the development; and
- the impact on the historical environment.

The proposal was in an area of Middlehaven identified in the Local Plan for residential uses. However, the scheme was considered to be a good fit with the wider aspirations for Middlehaven and planned to support the delivery of the remainder of the area for a high quality residential offer. In particular, the proposal would provide an important buffer and transitional zone between the surrounding industrial uses and any future residential development, enhancing the environment and the attractiveness as a place to live. Importantly, the proposal was not considered to have any adverse impacts upon the heritage assets of the Middlehaven area.

An important consideration had been how the proposal would interact with the historic environment. The closest listed structures were the Old Town Hall and Clock Tower (Grade II) and Customs House (Grade II) and those were within a relative close proximity to the site, whereby their setting and significance would be affected by the proposed development.

The application site was the north western most plot within the Middlehaven Regeneration Area, a cleared and vacant site of multiple development plots centred around the old Middlesbrough Town Hall. Stockton Street was located to the west, Commercial Street to the north and a grouping of 2 storey historic buildings known as 'My Place' to the east. Vacant land was located to the south. The site sloped up from a low northwest point to a high southeast point towards the Middlesbrough Old Town Hall, which was located within the centre, and highest part within the Middlehaven area.

The impact of the proposed scheme had been considered against a number of key listed buildings in the locality and the historic grid pattern of the Middlehaven area. Importantly, the proposal was considered to have a positive impact on the setting and long-term viability for the Old Town Hall. Overall, it was considered that the proposed social garden would be a positive addition to the Middlehaven area that respected the key principles of the grid pattern, did not result in harm to the heritage of the area and planned to allow a modern development to take place and frame the northwest corner of the Middlehaven regeneration area.

The proposal was considered acceptable and it was officer recommendation that the application be approved, subject to conditions.

In response to a Member's query regarding parking, the Principal Transport Engineer advised that 20 car spaces were proposed, together with some cycle parking. Whilst the nature of development was bespoke, a combination of using first principles with regards to staffing/visitors and the Tees Valley Design Guide had demonstrated that the level of parking proposed was realistic.

Members welcomed the proposed scheme, in particular the role of the development in securing the wider aspirations for the successful regeneration of Middlehaven.

ORDERED that the application be **Approved on Condition** for the reasons set out in the report.

20/0623/FUL Change of use from dwellinghouse (C3) to residential institution (C2 - Children's Home) 24 Church Lane Acklam, Middlesbrough, TS5 7EG for GAC Family Services Ltd

The Head of Planning advised that planning permission was sought for the change of use of 24 Church Lane from a dwellinghouse (C3) to a children's home (C2 use). The site was a semi-detached four bedroomed property located on a corner plot at the junction of Church Lane and Thirlmere Avenue. The property was sited within a predominantly residential area of Acklam.

The proposed children's home planned to provide accommodation for a maximum of three children between the ages of 8 and 18 years with 24 hour adult support, provided on a shift basis. Two members of staff would be present at the premises with an Ofsted registered manager living close by. There would be no external alterations to the property, with an

existing detached garage located within the curtilage of the property and a large area of hard standing located to the east side of the property.

The Head of Planning advised that if Members were minded to approve the application, a condition would be attached stating that the premises shall be used for a three person children's home and for no other purpose, including any other purpose in Class C2.

Following the consultation process, there had been 46 letters of objection received. The objections related to an increase in the volume of traffic and off-street parking, noise, light, privacy, litter, anti-social behaviour/ crime, the impact on character and appearance of the streetscene and the community, not suitable location for the use, no requirement for the facility, devaluation of properties, wider consultation should take place and not in accordance with the National Planning Policy Framework (NPPF) and local plan policies.

There had been 2 letters of support received for the proposal, which related to the proposal being a worthwhile cause and good for the community in helping out children and keeping them safe from harm and abuse with high-quality care and support in education and healthcare.

The proposal had been considered against national and local policy. It was considered that the proposed use was acceptable in the area of Acklam and the loss of a single dwellinghouse would not have a significant impact on the Council's Housing Delivery Strategy. It was considered that the level of the intended use, as a three person occupancy children's home, and the fact there would be no external alterations to the property meant the proposed change of use would have no significant impact on the character and appearance of the area or the amenity of the neighbouring properties.

The officer recommendation was to approve the application, subject to conditions.

A representative of the Applicant was elected to address the committee, in support of the application.

In summary, the Applicant's representative explained that:

- The number of children in care had risen by 28% over the last decade and was rising due to lockdown, therefore, there was an increased need for top-level care provision.
- GAC Family Services Ltd had the structure, knowledge and experience to provide high-level quality care for children and young people.
- The property was considered to be within a sustainable location, which provided good transport links and was close to local amenities, including a thriving community hub.
- All children and young people would be screened to ensure that the service could meet their individual needs.
- An Ofsted registered manager would be employed and two members of staff would be present at the premises. Staff members would all be fully trained.
- The home would be subject to robust risk assessments and behaviour management plans.
- The development would be fully regulated by Ofsted.
- GAC Family Services Ltd aimed to ensure that no noise, nuisance or disturbance would be encountered by neighbouring properties.

A discussion ensued and several Members commented on the Ofsted registration process. The Applicant's representative commented that if approval was granted:

- the property would be registered as a children's home and regulated by Ofsted;
- the home would be unable to open until it met Ofsted regulations;
- the Ofsted registered manager would live locally;
- the children's home would build links with the Local Authority; and
- the duration of placements would be dependent on each child or young person's care plan.

In response to a Member's query, the Applicant's representative explained that following a location risk assessment, given the lack of provision in the area and the increasing number of children in care, Middlesbrough had been identified as a suitable location to open a children's home.

A discussion ensued regarding the application, the change of use and the potential impact on amenity of neighbouring properties. The Applicant's representative responded to queries put forward by Members and advised that a multi-agency response would be taken when dealing with anti-social behaviour.

The Head of Planning explained that assessing the change of use was separate to the process for registering and monitoring the care home facilities. Registration and management of the children's home were not material planning considerations. Members were advised that the only issue that required consideration by the committee was the impact of the proposal on the surrounding area.

An Objector was elected to address the committee, in objection to the application.

In summary, the Objector explained that:

- 47 residents had submitted objections to the proposal, which was a considerable number.
- The area had already been subjected to a number of other developments, including Acklam Hall, Tees Valley Hospital and housing developments.
- The site was a semi-detached dwelling and an elderly gentleman resided next door.
- The shift rota proposed, with sleep in or awake carers overnight, was likely to have a detrimental impact on the occupier of the neighbouring property in respect of noise and disturbance.
- It would be more appropriate for the children's home to be located in a detached dwelling, where the impact on neighbouring properties could be minimised.
- The large area of hard standing located to the east side of the property was deceptive on the photographs shown to the committee and could only accommodate two vehicles.
- The property was located on an extremely busy junction.
- An application considered by Leeds County Council in 2020 had been refused due to the desirability of maintaining an area's prevailing character and setting. Similar reasoning could apply to the current application.
- The proposed location was a quiet residential area and the proposed commercial use would impact on the character of the area.
- The change of use from residential to commercial would set a precedent in the area.
- GAC Family Services Ltd had three homes in Northampton and the current proposal would be there fourth.
- GAC Family Services Ltd was a limited company, motivated by profit.

A Ward Councillor was elected to address the committee.

In summary, the Ward Councillor explained that:

- The safety and wellbeing of every resident was paramount.
- Previously, the Local Authority had commissioned children's homes through the NE12 Framework. The 12 local authorities in the northeast had made a commitment to commission placements through the framework to ensure that children and young people gained access to high-quality placements. The Local Authority's Children's Services now no longer operated within the framework and now commissioned placements via the Tees Valley Framework.
- GAC Family Services Ltd did not appear to be a provider for either of those frameworks. Therefore, aside from Ofsted, there would be no quality assurance in place to ensure the safety of children and young people placed in the home.
- There was a need for the home to provide placements for Middlesbrough's children and young people.
- The shift rota proposed, with awake carers overnight, gave the impression that children and young people placed may have complex needs, which could impact greatly on the occupier of the adjoining property.
- It would be more appropriate for the children's home to be located in a detached dwelling.

In light of the comments raised, the Development Control Manager advised that the needs of, and behaviours displayed by, the children and young people placed in the proposed children's home were not a material planning consideration. It was also added that, if Members were minded to refuse the application, a reason would need to be put forward. It was explained

that, from a planning perspective, there was a need to view the proposal as a residential use in a residential area.

A discussion ensued and a Member commented that although there was stigma attached to children's homes, a high number of properties in the borough had children and young people residing in them. It was commented that the proposal would provide a home to vulnerable children and young people in need. Another Member commented that with adequate supervision, the impact on the neighbouring property, in respect of noise, nuisance and disturbance, would be no more than another dwelling that was occupied by a family with children.

ORDERED that the application be **Approved on Condition** for the reasons set out in the report.

20/0629/COU Change of use from retail A1 [E(a)] to hot food take away A5 (Sui Generis) at 2 Newport Crescent, Middlesbrough, TS1 5EP for Mr A Shahzad

The Head of Planning advised that planning permission was sought to change the use of the premises from retail A1 (E (a)) to an A5 (sui generis) hot food takeaway use and for the installation of a flue on the side elevation of the building. The application site was identified as being within the retail sector of Middlesbrough town centre, where there was a mixture of retail, restaurants, drinking establishments and professional services.

The application site was 2 Newport Crescent, an end of terraced commercial two-storey building located within the town centre. The site was located within the defined retail sector of the town centre, as identified within the local plan.

The proposal was for the change of use of the ground floor into a hot food takeaway with the upper floor being utilised for storage. The only external alteration proposed was a flue on the side elevation of the building.

The application site was located within a predominantly commercial area of the town centre with no residential properties within the immediate vicinity.

Following consultation, three objections had been received from the Ward Councillors, which primarily focused on the impact of the proposal on public health.

The main considerations with the change of use application were the principles of the development, the impacts on the character and appearance of the streetscene, the impacts on the amenity of the occupiers of the neighbouring premises and highway safety.

It was explained that planning permission for A (hot food takeaways) was considered suitable where they were complimentary and would not harm the principle function of the sector.

The Head of Planning advised that the proposal complied with the Interim Hot Food Takeaway Policy, which aimed to manage the location of hot food takeaways in certain locations. The policy stated that hot food takeaways would only be permitted where:

- the total proportion of the A5 uses within the centre would not exceed 10%;
- the use would result in no more than 2 adjacent hot food takeaways or be within a primary shopping frontage area; and
- the use should not be located within 400m walking distance of a secondary school.

The most recent monitoring data (March 2019) had shown the town centre as having a proportion of 4% hot food takeaways. It had not been possible to update the information in March 2020, using the established methods, due to the Covid 19 lockdown restrictions. A desktop study suggested that a maximum of 5.2 % of units could be hot food takeaways (based on previous planning approvals). As such, the application would not result in the proportion of A5 uses exceeding 10%.

The application site was not located adjacent to existing A5 uses so would not result in more than 2 adjacent A5 uses within the street, was located just outside of the primary shopping front area and was located more than 400 metres from a secondary school. The proposal was therefore considered to be compliant with the Interim Hot Food Takeaway Policy.

The Head of Planning advised that the application was considered to be an acceptable form of development, fully in accordance with the relevant policy guidance and there were no material considerations that would indicate that the development should be refused.

The officer recommendation was to approve the application, subject to conditions.

In response to Members' queries, the Head of Planning explained that:

- There was not a concentration of hot food takeaways in the general location of the premises.
- There were no residential properties nearby.
- The Northern School of Arts provided post-16 education, therefore it was not considered as part of the policy.
- There was a number of restaurants in the locality that were now operating as takeaways due to the current Covid-19 crisis. It was confirmed that restaurants had a different use class, therefore, they were not identified as takeaways in the town centre. The extended permitted development for hot food takeaways enabled restaurants to change their use class to allow for the provision of takeaway food, but that was only temporary and would come to an end.

A Member expressed concern that:

- The applicant would be responsible for ensuring the waste receptacles were collected.
- The proposal planned to remove the existing external bin store and provide an internal bin store area within the building itself.

The Head of Planning commented that conditions on the proposal required a noise and odour assessment that would ensure there were no significant impacts on the amenity of neighbouring premises, in terms of noise and odour. Members were advised that if there were issues in respect of the disposal of waste, enforcement action could be taken.

In response to a Member's query regarding updating the Hot Food Takeaway Policy, the Head of Planning advised that the Local Plan was currently being reviewed. As part of the review, the Hot Food Takeaway Policy would be revisited, improved, developed and incorporated into the plan. However, it was highlighted that there was a need for the committee to consider the application in relation to the current policy framework.

In response to a Member's query, the Head of Planning advised that Greggs was classed as a retail use.

A discussion ensued and Members:

- expressed concerns in respect of the impact of the proposal on public health;
- disputed the definition of hot food takeaway;
- expressed concern with regard to the proliferation of hot food takeaways and other retail units that sell hot food in the vicinity of the premises; and
- commented that the number of premises selling hot food was excessive.

Concerns were also expressed in respect of the storage of waste. The Development Control Manager advised that the unit was an existing premises and mismanagement of waste could be enforced against.

ORDERED that the application be **Refused** for the reasons outlined below:

In the opinion of the Local Planning Authority the proposed Hot Food Takeaway will result in a proliferation of Hot Food Takeaways and other fast food type outlets within the area which is considered to be contrary to the principles of the Council's Interim Hot Food Takeaway Policy which seeks to limit the number of Hot Food Take-away uses and to maintain a predominantly retailing function to the town centre.

The Head of Planning submitted details of planning applications which had been approved to date in accordance with the delegated authority granted to him at Minute 187 (29 September 1992).

NOTED

20/31

ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED

A Member requested that a report be submitted to the next meeting of the committee, outlining the progress made with reviewing the Local Plan.

NOTED

This page is intentionally left blank

Planning & Development Committee - 5th February 2021

Town planning applications which require special consideration

1	20/0004/FUL Kader	Applicant Mrs Amy McFaulds Agent Miss Hannah Chapman	Demolition of existing caretaker's property and erection of 139 dwellings with associated improvements to St David's Way including access widening and landscaping Former St Davids School, Acklam, Middlesbrough TS5 7EU
---	--------------------------	---	--

2	20/0496/FUL Acklam	Applicant Mr Tony Dodds Agent Mr Chris Allan	Mixed use development comprising retail use at ground floor with 24 no. apartments above with associated ancillary areas, parking and landscaping Cawood Drive/Reivaulx Drive, Tollesby, Middlesbrough
---	---------------------------	---	---

This page is intentionally left blank

APPLICATION DETAILS

Application No:	20/0004/FUL
Location:	Former St David's School Acklam, Middlesbrough TS5 7EU
Proposal:	Demolition of existing caretaker's property and erection of 139 dwellings with associated improvements to St David's Way, including access widening and landscaping
Applicant:	Mrs Amy McFaulds
Company Name:	Avant Homes (North East)
Agent:	Miss Hannah Chapman
Company Name:	Hedley Planning Services
Ward:	Kader
Recommendation:	Approve with Conditions

SUMMARY

The application seeks planning consent for the erection of 139 dwellings with associated access works, landscaping and infrastructure on the former St David's School site in Acklam.

Following consultation, there have been 25 letters of objection received from nearby residents and 1 letter of support with an objection from Councillor Arundale.

The objections and concerns are based on matters including density of the development, loss of privacy and impact on residential amenity, impact on character and appearance of area and heritage, impact on wildlife, traffic issues including congestion and highway safety, noise and traffic impacts during construction works, flood and sewerage risks, increased demand on local school provision and revisions made to the scheme following the public consultation event.

It is considered that the proposed development will provide a good mixture of dwelling types which are of a high quality design and materials that reflect the existing character of the area, whilst not detracting from the historic importance of both Acklam Hall and the Avenue of Trees. The site layout provides areas of attractive landscaping throughout the site along with an open space area including a trim trail. The development will not result in no notable detrimental impact on the amenities of the existing residents. Highway works to the proposed access road at St David's Way alongside the proposed cycleway/footpath linkages between Hall Drive and Acklam Road are considered to provide a significant public benefit to the scheme.

The development meets the requirements of the relevant national planning policies detailed within the NPPF and Local Plan policies, specifically H1,H11,H12,H31,H34,CS4, CS5,CS6,CS17,CS18,CS19, DC1, REG37 and E3.

The recommendation is for approval of the application subject to conditions and the entering into a S106 agreement.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The site is located off Hall Drive at the southern end of St David's Way, just outside of the Acklam Conservation area boundary. To the north is Cowley Road and Adcott Road and to the west and south are Bewley Grove and Acklam Road. The Avenue of Trees provides the eastern boundary of the site and is within the Acklam Conservation area. The application site is within the vicinity of the Grade 1 Acklam Hall sited to the north across Hall Drive but does not form part of the immediate setting of this listed building.

The site itself comprises of 6.22 hectares. The original school building has been demolished with the former caretaker's property and substation remaining within the north-east corner of the site alongside the existing car park hard standing.

The proposal is for the erection of 139 dwellings that will comprise of 2, 3 and 4 bedroomed properties. The house types will be a mixture of terraced, semi-detached and detached dwellings and will include semi-detached and detached affordable bungalows.

The 139 dwellings proposed consist of :-

- a) 14 x 2 bedroomed dwellings; and
- b) 54 x 3 bedroomed dwellings
- c) 5 x 3 bedroomed bungalows
- d) 66 x 4 bedroomed dwellings

The site layout includes an area of open space to the north of the site to include a trim trail. Running from west to east across the site is a footpath/cycle path link between St David's Way/Hall Drive and Acklam Road which is surrounded by additional landscaping.

Highway improvement works will be undertaken to bring St David's Way up to adoptable standards. The works include 9 visitor parking bays, 3 metre wide pedestrian cycle path, removal of the plateau table at the junction of Hall Drive and St David's Way, being replaced by two speed cushions and the realignment of the kerbs at the junction with Hall Drive and resurfacing works.

Drainage provision within the site will include the installation of a dual pumping station with concrete attenuation tank system and link into the existing network north of the site.

A section 106 agreement has been agreed for contributions to replacement playing fields, highways in the form of 2 real time bus stops and towards the strategic networks and off site affordable housing.

With the provision of 5 on-site affordable houses and the highway improvements to St David's Way.

Documents submitted in support of the application include:-

- Construction Method Statement
- Air Quality Assessment
- Arboricultural Tree Constraints Assessment

- Archaeological Desk Based Assessment
- Bat Survey
- Design and Access Statement
- Heritage Statement
- Flood Risk Assessment
- Drainage Strategy
- Travel Plan
- Transport Assessment
- Geoenvironmental Appraisal
- Noise Impact Assessment
- Planning Statement
- Preliminary Ecological Appraisal
- Statement of Community involvement

PLANNING HISTORY

Previous planning history for the site includes;-

M/FP/1375/08/P –Retention of portable classroom building approved under M/GRG/1222/06/P, approved September 2008

M/GRG/1222/06/P – 1 No mobile classroom unit on the playing field, approved July 2006

M/FP/0454/04/P - 2.4 metres high palisade fencing, approved April 2004

M/FP/2949/03/P- 5 no single storey extensions including internet café and garage, approved November 2003

M/FP/0341/03/P – New 17 space car parking area and bus bay adjacent to tennis courts, approved March 2003

PLANNING POLICY

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

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

Middlesbrough Local Plan

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

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

- Marton West Neighbourhood Plan (2016, applicable in Marton West Ward only).

National Planning Policy Framework

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

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

- The delivery of housing,
- Supporting economic growth,
- Ensuring the vitality of town centres,
- Promoting healthy and safe communities,
- Promoting sustainable transport,
- Supporting the expansion of electronic communications networks,
- Making effective use of land,
- Achieving well designed buildings and places,
- Protecting the essential characteristics of Green Belt land
- Dealing with climate change and flooding, and supporting the transition to a low carbon future,
- Conserving and enhancing the natural and historic environment, and
- Facilitating the sustainable use of minerals.

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

H1 - Spatial Strategy
H11 - Housing Strategy
H12 - Affordable Housing
H31 - Housing Allocations
H34 – St David’s (Former RC School Site)
CS4 - Sustainable Development
CS5 - Design
CS6 - Developer Contributions
CS17 - Transport Strategy
CS18 - Demand Management
CS19 - Road Safety
DC1 - General Development
REG37 - Bus Network
E3 - Dev adjacent to Green Wedge or POS
UDSPD - Urban Design SPD
Middlesbrough Council Playing Pitch Strategy 2019
Tees Valley Design Guide 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

Consultation letters were sent to local residents, a press notice issued and site notices posted around the site. Further consultation was undertaken on the revised plans. The comments below are in response to the original and revised plans.

Objections have been received from residents at 25 properties with 1 letter of support. The objection comments are summarised below.

Density

- a. Dwelling numbers higher than the 115 detailed in Local Plan
- b. 20% increase in the number dwellings stated in the Local Plan, produced by Council officers and approved by Members
- c. Density not taken into account area required for SUDs and when this is applied the 139 units equates to 23 per Ha which does not equate to high quality housing.
- d. Too compact with insufficient landscaping/green space or children's play area.
- e. Density of development means require better and safer infrastructure
- f. No requirement for additional houses in Acklam
- g. Number of dwellings on site could increase in order to sell the properties as has happened on other sites

Amenity

- h. Overlooking/privacy issues to existing residential properties
- i. Overshadowing issues
- j. Loss of privacy during construction and potential buyers
- k. Noise pollution, dust, smells and vibration from construction
- l. Light Pollution
- m. Out of hours operations and 4 year build rate will have significant impact on amenity of the neighbouring properties through construction noise
- n. Loss/impact on views
- o. Security issues with an open site and new road linkage to the rear of existing properties. Request a 7 foot boundary fence
- p. Security/ anti-social behaviour issues through SUDS design / trim trail areas and benches to the rear of properties on Cowley Road, public access should be limited.
- q. Proximity of bungalows and rear living areas will impact on the existing properties. Intrusive day and night, light, noise pollution.
- r. Height of roofs of bungalows leaves it open for conversion of loft space into rooms, loss of privacy.
- s. 4 bedroom property to the rear of Adcott Road will block light and impact on privacy
- t. Impact of change of use of land from garden area belonging to the caretakers house to public open space
- u. Request moving the boundary line for the development alongside 24 Cowley Road to resolve light and security issues
- v. Maintenance strip should be provided to allow maintenance of existing boundary fences
- w. Location of Construction compound on the site for 4 years will cause noise pollution, air pollution and privacy issues.

Character and Appearance

- x. Insufficient landscaping
- y. Negative impact on the character of the area by the quality and size of the houses

- z. Bungalows on the site would be more suitable or a reduced number of dwellings
- aa. Three storey dwellings unacceptable as impact on privacy that known since 1930's
- bb. Destroy the historic standing/importance and character of the area the ancient trees surrounding the site which will suffer
- cc. Impact on heritage
- dd. Footpath/cycle way alongside St David's Way will impact on the character of the Avenue of Trees

Ecology/Green Space

- ee. Destroying natural habitat/wildlife area that has developed since school demolished, should be maintained alongside Avenue of Trees
- ff. Impact on wildlife and nesting birds in the spring
- gg. Avenue of Trees is protected by law and any development must surely impinge on this territory
- hh. Existing mesh fence and boundary along The Avenue of Trees should be retained.
- ii. Natural Beauty of Avenue of trees under threat with widening of the access road and increased noise and air pollution
- jj. Environmental impact from increase in vehicles and plant and machinery
- kk. Trees to be removed along the boundary and these should be retained or replaced

Highways

- ll. Traffic increase/impact on Hall Drive and T Junction with Acklam Road with existing queues at peak times (7am-9.30am and 2.30-6pm)
- mm. No consideration of impact of existing new housing development at Acklam Hall or the closure of Church Lane and St Marys on increase in traffic in the area already.
- nn. Travel accessibility survey data is from 2011 prior to the Acklam Hall development which does not take into account the additional 100 cars and so over 400 cars using Hall Drive
- oo. 2011 census shows 72% travel in cars and this is not representative for the additional cars using the Acklam Hall Development
- pp. Increase in traffic on busy access road with cars accessing Marton and Kader Football Club.
- qq. Traffic survey not reflect the reality of extra cars with a 4 bedroomed property having 4 cars
- rr. Increase in traffic hazardous to children, pedestrians and cyclists and emergency vehicle access.
- ss. 200 + cars will add to the existing traffic queues along Hall Drive which already queue to Bewley Grove
- tt. Traffic impact on Tollesby and Glendale Road not considered along with the number of accidents on both these roads.
- uu. Figure 8 shows 3 collisions at Acklam Road and Hall Drive with this junction already having been modified which has had no effect on peak time traffic are there any surveys showing the improved traffic
- vv. Traffic impact along Hall Drive with construction/material delivery vehicles for the 4 year period of the build
- ww. Highway concerns with only one entrance in and out of the site
- xx. Traffic consultant report submitted is employed by the developer and although it may not be wrong is only an opinion.
- yy. Schools along Hall Drive not considered in traffic report, the report writers do not have the same local knowledge of the traffic as residents.

- zz. Traffic issues along Hall Drive acknowledged by Council due to recent works at junction of Hall Drive and Acklam Hall and this will have a negligible effect if this proposal approved.
- aaa. Removal of materials for foundations will result in spillages along Hall Drive and hazardous driving conditions for road users
- bbb. Condition of Hall Drive already poor with pot holes this will worsen the situation.
- ccc. Could the existing traffic light timing be altered so they are in line with each other
- ddd. Damage to Hall Drive from construction vehicles and dirty roads
- eee. Parking issues created by removal of the parking areas along St David's Way
- fff. Extra 500 vehicle journeys after construction vehicles for 5 years per day
- ggg. Increase in use of Hall Drive as a rat run from Acklam Road to Tollesby Road.
- hhh. Traffic counting measures on Hall Drive during Covid 19 will show lower usage than normal
- iii. Improvements to St David's Way will not improve traffic will only allow vehicles to join Hall Drive quicker

Drainage

- jjj. Flood risk as the hard landscaping will reduce the ability for the soft landscaping to absorb the water run-off.
- kkk. Surface water run off already an issue on Acklam Road additional properties will increase the issue
- lll. Existing public highway drains during heavy rain cannot currently facilitate the surface water
- mmm. Insufficient drainage will cause problems with drainage in garden areas at Adcott Road and who will be liable
- nnn. Suds should be relocated along The Avenue of Trees not alongside existing houses as water in the pond attracts vandalism as experienced at Acklam Hall site in the summer
- ooo. Lack of detail on the pumping station shown on the drawings.
- ppp. Existing sewerage system could not cope with the additional houses
- qqq. Sewerage issues as existing drains for Acklam Road are to the rear of these properties

Education

- rrr. Local schools already oversubscribed with no additional provision following the recent houses built in the last 5 years would this land not be better utilised as a school/sport facility.

Residual Issues

- sss. Business profit over improvement to the area
- ttt. Plans differ from those displayed at Acklam Hall consultation event so consultation feedback on the layout of the development and boundary line is misleading
- uuu. Open day attended and left with some questions unanswered on the layout
- vvv. Permitted development rights should be removed for extensions and prevent soft landscaping being altered to hard landscaping
- www. Request made to Council to purchase sections of land to the rear of Adcott Road which was prevented through this application.
- xxx. Covenants on the land established by the House of Lords with conditions on the land being used for development.
- yyy. Devaluation of existing properties

zzz. Led to believe only housing would be placed on the footprint of the old school building and not behind Acklam Road.

Resident objection comments received from :

1. 18 Adcott Road
2. 19 Adcott Road
3. 24 Adcott Road
4. 28 Adcott Road
5. 30 Adcott Road
6. 32 Adcott Road
7. 34 Adcott Road
8. 36 Adcott Road
9. 40 Adcott Road
10. 44 Adcott Road
11. 52 Adcott Road
12. 7 Cowley Road
13. 10 Cowley Road
14. 24 Cowley Road
15. 25 Cowley Road
16. 35 Cowley Road
17. 28 Bewley Grove
18. 25 Bewley Grove
19. 4 Church Drive
20. 421 Acklam Road
21. 425 Acklam Road
22. 443 Acklam Road
23. 447 Acklam Road
24. 46 Adcott Road
25. 68 Hall Drive

Support comment received :-

- a. Will make a lovely addition to the area

Resident support comment received from ;-

1. 10 Ruskin Avenue

Public Responses

Number of original neighbour consultations	99
Total numbers of comments received	33
Total number of objections	25
Total number of support	1
Total number of representations	0

Councillor Arundale

Concerned about the traffic impact on Hall Drive due to this build which I hoped might have been mitigated with a substantial number of bungalows included in the scheme. To add the closure of Church Lane is likely to have increased traffic on Hall Drive making earlier traffic surveys outdated.

Strategic Policy Team – MBC (in summary)

Under Housing Local Plan Policy H34, the former St David's RC School site has been allocated for residential use. The site is a triangular in shape, located south of Hall Drive, east

of Acklam Road, and west of the Avenue of Trees. The site is adjacent to the Acklam Hall Conservation Area. Access to the site is from St David's Way via Hall Drive, and a pedestrian footpath off Acklam Road.

Core Strategy policies CS4 (Sustainable Development), CS5 (Design), CS6 (Developer contributions), CS18 (Demand Management), CS19 (Road Safety) and DC1 (General Development) will apply along with Housing Local Plan policies H1 (Spatial Strategy), H11 (Housing Strategy), H12 (Affordable Housing), CS17 (Transport Strategy), H31 (Housing Allocations) and H34 (St Davids, Former RC School Site)

In addition the Tees Valley Joint Minerals & Waste DPDs (2011) MWC1 –Minerals Strategy and MWP1 (Waste Audits) and the Regeneration DPD policy REG37 (Development Adjoining Green Wedges).

Consideration needs to be given to Middlesbrough Playing Pitch Strategy 2019, and the relocation of the playing pitches, to ensure that playing pitches attached to the former school are accommodated elsewhere in the town.

Although the proposal appears to meet most of the requirements under Policy H34, the applicant does need to demonstrate why there is an increase in the number of units from a policy maximum of 115 to 139, whilst maintaining a high quality, high value residential scheme.

Highways – MBC (in summary)

No objections. The development has been considered in relation to the impact on capacity and the safety of the highway network. Improvement works will be undertaken along St David's Way to bring the highway up to standard and to provide additional designated parking spaces. In addition, developer contributions are required through section 106 agreements for the strategic network and bus stop improvements.

The design of the internal layout is considered to be acceptable with the scheme being designed and constructed to a standard suitable for adoption. Car parking has been provided in accordance with the Tees Valley Design Guide and in addition to in curtilage car parking there are visitor parking bays provided.

No objections are raised subject to relevant conditions.

Local Flood Authority - MBC

Having reviewed the drainage details provided we have no objections to the proposed scheme as long as it is constructed as per the Drainage plan, dated 11/3/2020 (Revision T2) and following the principals as outlined in the Flood Risk assessment, dated December 2019 (Revision A) and the Drainage Strategy, dated April 2020 (Revision C).

Waste Policy- MBC

Properties serviced by shared drives will be responsible for bringing their Refuse and recycling bins to the nearest public highway. Collection vehicles are not authorised to drive on shared drives.

Environmental Protection – MBC

No objections on the revised plans and following the submission of the Dunelm Gas Risk Assessment

Conservation Officer – MBC

This site is allocated for 115 dwellings in Middlesbrough's Local Plan, meaning the principle of development has been assessed and agreed appropriate.

The proposed 139 dwellings is higher density than anticipated in this location, but not excessively so. The proposed new access appears to be a relatively modest and minimal solution that should avoid causing harm. Whilst the proximity to The Avenue of Trees is the chief concern from my perspective, screening in the form of planting is proposed to mitigate this. Bearing in mind the predominantly residential nature of development elsewhere in this area, this scheme is in line with that and should not cause harm to the heritage assets and their settings identified above.

This proposal should either sustain the significance of Acklam Hall and its heritage assets, including The Avenue of Trees. Therefore this application is in accordance with paragraph 192 of the NPPF and the relevant sections in policies CS4 and CS5 of the Core Strategy.

Secure By Design Officer- Cleveland Police (In summary)

The applicant should seek to develop to accredited Secure By Design Gold standards and a minimum of silver.

With recommendations on street lighting standards, fencing adjacent to the public areas being 2 metres in height and all wooden fencing wired internally, in-fill wooden panels on walls to be flush with the front elevation, dusk till dawn lighting, rear side access gates should be as far forward to front elevations as possible and all proposed pathways to be incorporated into the front street scene to maximise surveillance from properties.

Historic England

No further comments on revised plans should seek advice of Conservation officer.

Original comments from Historic England were :-

The proposal's eastern site boundary and its access road borders an avenue of trees focussed on the front entrance of Acklam Hall, a Grade I listed building, both are within the Acklam Conservation Area. The avenue is shown on historic illustrations and maps of the hall and is a formal approach, grand in nature, typical of many country house estates of the 17th and early 18th centuries.

The avenue's survival at Acklam is remarkable considering the suburban growth of Middlesbrough and its mature character not only strongly and beautifully defines a vista to the Hall but screens much of the surrounding suburban development. This allows a visual trick to be played, an experience where the modern city is shut out and an impression of the historic estate gained. This trick is not total but is sufficient to make an important contribution to the significance of the conservation area and, by extension, the grade I listed hall.

The Acklam Conservation Area is on the Heritage At Risk Register because of the intrusive impact of recent development and it is important to consider whether this proposal would add to that problem or could be managed in a way that preserves the contribution the avenue makes.

The built eastern edge of the housing development would come close to the start of the avenue, roughly in line with the previous school building and just forward of the houses on St David's Way. This feels close and potentially intrusive on plan but on site a high hedge shields the view between site and avenue. As long as this is maintained and preferably strengthened then the intrusion of housing onto the avenue should be slight.

Another option would be to have back gardens onto the avenue but this can lead to land grabbing and varied boundary treatments which would contrast poorly with the formal nature of the avenue and is less preferable than the proposed arrangement.

In heritage terms this application is about minimising impact and the landscape proposals appear to achieve this. However, the labelling 'existing hedgerow' on the landscape masterplan needs to be checked as it may just be a wire fence overgrown with vegetation,

which is presumably more ephemeral and open. Either way this boundary needs to form a natural screen in perpetuity if the significance of the conservation area and the setting of the listed building is to be maintained. Doing so would reflect the importance given to the conservation of designated heritage assets set out within the National Planning Policy Framework, in particular paragraphs 192, 193 and 196.

I recommend that planting for this area is confirmed, preferably before determination but if not, by condition.

Historic England has no objection to the application on heritage grounds subject to further exploration and consideration of the eastern site boundary as discussed above.

Sport England

Having read through the report, Sport England is satisfied that the land identified is capable of being made into playing field of a sufficient size and quality to be a suitable replacement (in respect of Sport England's playing field policy exception 4) for the playing field being lost at the St. David's School site.

The land for the new pitches is owned by Middlesbrough Council, and so it does seem necessary for the applicant to pay the Council to undertake the work to create them. The costs for the work are set out in the report, along with realistic timescales for their implementation. A S.106 agreement would seem to be the most mechanism for doing this (although we are prepared to consider other mechanisms that provide the same certainty)

Sport England would therefore require a S.106 agreement to be drawn up which;

- Required the developer to pay the LPA the cost of the works to create the playing field and pitches as set out in the PSD Agronomy feasibility report (15/04/20) and suitably index linked
- Committed Middlesbrough Council to undertake the works set out in feasibility report
- Key milestones in the development of the application site to be tied to the implementation of the replacement playing field works and the new pitches being brought into use.

Sport England would be happy to review and comment upon a draft of the S.106 before it is formally tabled.

Once the wording is agreed we can advise the LPA that the framework is in place for our objection to be met, but clearly it is the signing of the S.106 agreement that allows our objection to be withdrawn. We would not expect LPAs to follow the Playing Field Direction in such circumstances.

Northern Gas Networks (In summary)

Northern Gas Networks has no objections to these proposals, 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 require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

Northumbrian Water (In summary)

No issues to raise provided the application is approved and carried out in accordance with the submitted Drainage Strategy, which sets out the foul flow shall discharge to the combined sewer manhole 6501, whilst the surface water flows shall be restricted to 19l/sec and discharge to the surface water sewer at manhole 9803. A condition should be attached that the development be in accordance with the drainage strategy dated 4/2/2020.

Natural England (In summary)

The proposed amendments are unlikely to have significantly different impacts on the natural environment than the original proposal. Previous no objection comments apply. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

PLANNING CONSIDERATION AND ASSESSMENT

2. Under Local Housing Plan Policy H1, H31 and H34 the former St David's School site has been allocated for residential use to provide 115 dwellings. Policy H34 comments the development should reflect the housing types within the area which are predominantly three and four bedrooms and should provide either 15% of the dwellings as affordable, through 5% on site and a 10% off site contribution. Policy H12 allows variations in the proportion of on-off site contributions where it can be demonstrated that this would better contribute to the creation of mixed and balanced communities through the diversification of housing tenure, but there is still a requirement to meet the minimum 15% target.
3. Core Strategy Policies DC1, CS4 and CS5 seek to ensure a high quality sustainable development; ensure amenity of the nearby residents and that the character of the area and highway safety are not adversely affected by the development. Policy CS5 requires a high quality of design in terms of form, layout and contribution to the character and appearance of the area along with the preservation and enhancement of the character of the conservation area. CS17 requires development to be located where it will not have a detrimental impact on the operation of the strategic network. Policy CS18 requiring that the level of private car parking be restricted to be in accordance with the Tees Valley Design Guide and Specification with policy CS19 advising that new development should include measures to discourage car use and encourage sustainable transport choices.
4. In terms of heritage considerations, policy H34 requires the development to respond positively to the Acklam Hall Conservation Area and the Avenue of Trees. Setting out that the properties should have frontages facing the Avenue of Trees with the retention of existing trees. Highway access is set out in policy H34 as being taken from St David's Way with the expectation that the development should maintain and enhance footpath links between Acklam Road and Hall Drive. With part of the site being former school playing fields, policy H34 sets out replacement playing fields will be required as part of the site redevelopment.
5. The principle of the development has been established through the allocation of the site therefore the main considerations with this proposal are considerations of the relevant national and local policies, site layout and design, impact on the character and appearance of the street scene, heritage and conservation, ecology/landscaping, amenity, highways, education, flood risk and any other residual matters.

Policy

6. The application site is an allocated housing site under policy H34 of the adopted 2014 Housing Local Plan. Policy H34 sets out that any new development should reflect the existing house types within the immediate vicinity of the site, which are 3-4 bedroomed properties with a mixture of semi-detached and detached properties. The proposed development will provide a limited number of 2 bedroomed properties (14 in total) with the remainder being 3 and 4 bedroomed properties providing a mixture of detached and semi-detached dwellings. Following discussions with council officers revisions have been made to the house types to provide 3 bedroom bungalows (5 in total) within the site to accommodate a wider section of the community, which is considered to benefit the scheme.

7. Within policy H34 it sets out that the land allocated for St David's 'should be high quality, high value residential scheme, to provide a maximum of 115 dwellings'. Objection comments have been received that the proposal at 139 dwellings is above the maximum figure set out in policy H34. The proposal is above the 115 set out in policy H34, but is subject to consideration as to whether the overall development proposal submitted provides an adequate high quality design/appearance, layout including landscaping, open space provision alongside adequate amenity to the future occupants and the neighbouring properties.
8. Policy H1 sets out that all housing allocations figures within the Core Strategy policies and Housing Development Plan Document are minimum figures unless otherwise stated. Proposals for 'more than the maximum dwelling requirements' will only be considered suitable where it can be clearly demonstrated through a design led approach and taking into consideration the characteristics of the surrounding area and any site specific policy requirements that an alternative capacity is more appropriate'.
9. Policies DC1, CS4 and CS5 seek to ensure that all new development is a high quality sustainable development. The application site itself is located within a predominantly residential area of Acklam and is within walking distance of local services, schools and bus links. The proposal provides a new footpath and cycle link through the site linking Hall Drive and Acklam Road, which will ensure the future sustainability of the site. The Acklam Road/Mandale Road Local centre and Hall Drive Neighbourhood centres are within approximately 1 mile walking distance of the site. With both the Outwood Academy and Kader Primary School being less than a mile walking distance with the new footpath links provided onto Acklam Road. The doctor's surgery within the Acklam Hall site is within a mile of the site. Within less than 500 metres of the site are the main bus stops on Acklam Road and Hall Drive, which mean the site is considered to be within a sustainable location.
10. The application site is within two ownerships and the applicant has worked within the Council to develop the entire site within both land ownerships to provide a more comprehensive and high quality development. The proposed site layout provides significant areas of green space, including the trim trail at the entrance of the development, large area of landscaping around the footpath/cycle link through the site connecting Acklam Road and Hall Drive and several smaller areas of green space dispersed throughout the development. Individual properties provide the required privacy separation distances and sufficient garden spaces for the number of bedrooms provided. Alongside the two storey dwellings the revised scheme includes 5 bungalows which provide additional house types for the wider community. Given these factors, whilst it is acknowledged the total number of dwellings is above the initial 115 dwellings set out in policy H34, given the layout and design of the site, the proposed 139 dwellings is considered to be an acceptable density without compromising on the standard of the development.
11. Policies H12 and H34 require 15% of dwellings to be affordable provided as 5% on site and 10% off site contribution. Policy H12 allows variations in the proportion of onsite and off-site provision where it can be demonstrated that this would better contribute to the creation of mixed balanced communities through the diversification of housing tenure.
12. The original plans for the site provided 7 affordable terraced and semi-detached dwellings, which met the 5% onsite affordable housing provision. Following consultation feedback the plans were amended to include 5 affordable bungalows within the development site. With the bungalows requiring additional floor space to ensure they fit in with the remainder of the site, the number of affordable houses within the site was reduced to 5. Although slightly below the 5% level of onsite affordable

housing the number is still considered to be an acceptable level given the bungalow type of affordable housing being provided.

13. In addition to the onsite affordable housing provision an off-site affordable housing contribution will be secured by a section 106 agreement.
14. Part of the site is the former playing pitch of the former St David's School. Policy H34 requires that the redevelopment of the site would require the re-provision of playing pitches within the town. Within close proximity of the application site is an area of land directly to the south of the existing Outwood Academy and Kader Football Club which has been identified as suitable for the replacement playing pitches. The proposal will include 3 playing pitches with a contribution from the applicant for the installation of the playing pitches. The pitches long term maintenance and installation costs will be secured through the section 106 agreement or equivalent legal agreement.
15. It is considered that the development meets the requirements of Policies CS4, CS5 and H12 and H34.

Design

16. The NPPF paragraph 122 requires local authorities to support the efficient use of land by identifying the need for different types of housing, the availability of infrastructure and services whilst setting out the importance of securing a 'well designed, attractive and healthy places.' Paragraph 123 of the NPPF sets out that 'developments make optimum use of the potential of each site to meet housing requirements' providing they are well designed and maintain an areas prevailing character and setting within a sustainable location.
17. Policy DC1 comments that 'the visual appearance and layout of the development and its relationship with the surrounding area in terms of scale, design and materials will be of high quality with Policies CS4 and CS5 commenting that new development should 'enhance both the built and natural environment'.
18. The site is located on the boundary of the Acklam Hall Conservation Area with the Avenue of Trees located along the eastern boundary and existing residential properties around the remainder of the site. The overall gross density of the site is approximately 22 dwellings per hectare, which is considered to be in keeping with the mixture of densities within the surrounding residential streets. The site layout provides a mixture of high quality 2, 3, and 4 bedroomed properties providing 21 different house types to include detached, semi-detached, terraced properties and bungalows with a mixture of both integral and detached garages. The properties have varying garden sizes, but each property provides sufficient private amenity space.
19. The proposal is a design led scheme based around integrating the development to the Avenue of Trees and Acklam Road via the footpath and cycle link and landscape detail through the site. The new footpath and cycle link is a key design feature which retains the existing established trees within the site and provides additional trees and landscaping around the footpath. The design of the development includes an open space area on both sides of the entrance to the site from St David's Way with the northern open space area including a wildlife meadow grass area. These open space areas integrates the site with the landscaping along the Avenue of Trees. The dwellings within the scheme have been designed to look towards these open space areas and key landscape design features.
20. Each of the properties include various design features on the front elevation to include bay windows, open porch detailing, traditional window designs and door fenestration, gable and soffit detailing, stepped front elevations with feature brick bands and a

mixture of brick work and render to provide a high quality design to the street scene. The materials will be secured by condition.

21. At the entrance of the development is an area of open space which includes a trim trail area with equipment and benches that can be utilised by the occupants of the properties and the wider public. The layout of the development has been designed so where possible dwellings front onto or have views towards any open space/landscaped areas.
22. Consideration has been given to the Secure By Design Principles with the revised layout including windows on side elevations which face towards open space areas to ensure natural surveillance. In addition, 2 metre high fencing is proposed along the northern boundary of the site between the open space area and existing properties with each property having 1.8 metre high rear garden boundary fencing.
23. Concerns have been raised regarding the potential future loss of landscape areas within the site itself. To ensure the future quality of the development, permitted development rights will be removed to enable further control of alterations and extensions to the properties which will ensure not only a quality design along with the retention of the landscape areas.
24. A number of comments have been received in relation to the number of properties proposed not being in keeping with Policy H34 as it exceeds the 115. Whilst policy H34 states a 'maximum' of 155 dwellings, policy H1 states 'proposals for fewer than the minimum or more than the maximum dwelling requirements for a site will only be considered where it can be clearly demonstrated through a design led approach and having regard to the characteristics of the surrounding area and any site specific policy requirements that an alternative capacity is more appropriate'. The number of dwellings can be acceptable in planning terms subject to full consideration of the design and quality of the development and site specific policy requirements.
25. The proposed dwellings are considered to be a high quality design in accordance with the requirements of the NPPF and Policies DC1, CS4 and CS5.

Character and Appearance of the street scene

26. The site was the former St David's School site which comprised of the main school building, playing fields, tennis courts, hard standing car parking and the caretakers house. The original school building and associated facilities would have had a presence and impact on the character of the area. Since the school building has been demolished the site has become overgrown with self-seeded grass/planting with the character of the area immediately surrounding the site being a mixture of high quality residential properties and the open space along the Avenue of Trees.
27. Consideration of the site layout has taken into account the views into the site from the Avenue of Trees and the requirements of Policy H34 that the housing within the site should front towards the Avenue of Trees. The site layout provides large detached dwellings facing the Avenue of Trees. The housing has been set back from the boundary with the Avenue of Trees and is partially screened by the existing hedgerow and trees. The frontage of these properties have a high quality designs with open porch and gable detailing, bay windows and a mixture of brickwork and render detailing with varying roof heights to provide some variety to the character of the dwellings. The frontages of properties have been designed to face towards the landscape areas within the site.
28. Views into the entrance of the site from St David's Way are softened by the open space trim trail and the tree lined landscaped areas surrounding the proposed cycle and

footpath link crossing west to east through the site. The footpath/cycle way link design is considered to provide a high quality landscape addition to the scheme that retains existing trees alongside providing additional planting and hedgerow planting. The footpath/cycle link and the trim trail are considered to be a benefit to the community providing leisure opportunities and opening up further access opportunities from Acklam Road to the Avenue of Trees. Additional areas of open space, tree/ hedge planting and landscaping have been included throughout the site layout design and the majority of the proposed dwellings front these landscaped areas.

29. The revised boundary treatment plan shows the areas around the main open space walkway areas as having 900mm wrought iron railings with the prominent corner plots having a mixed wall with fence panel boundary. No fences or walls are provided to the front of properties with ornamental hedgerows sited to the front of prominent sites with hard standing driveways being split where possible with landscaping areas.
30. It is considered that in light of the former school building and hard standing areas on the site and the current design and layout of the development, the proposal is not considered to adversely impact on the character and appearance of the street scene and will result in an attractive green streetscape to the benefit of the occupiers of the development. The development is considered to be in accordance with the requirements of Policies H34, CS4 and CS5.

Heritage/Conservation

31. The NPPF paragraph 192 states that applications should take account of the desirability of sustaining and enhancing the significance of a heritage asset and putting them to a viable use consistent with their conservation. Consideration should be given to the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability and the desirability of new development making a positive contribution to local character and distinctiveness.
32. Core Strategy Policy CS4 (k) requires new development to protect and enhance the historic heritage and townscape character delivering development of a high quality that contributes to improvements in the quality of the townscape with Core Strategy Policy CS5 requiring proposals to preserve and enhance the character or appearance of conservation areas and other areas of special interest and character.
33. To the north-east of the application site across Hall Drive is Acklam Hall which is Grade I listed. Along the eastern boundary is the Avenue of Trees that forms part of a planned landscape feature to allow distance views of the principle elevation and driveway of Acklam Hall. The Gate piers and pillars located at the southern end of the Avenue of Trees are included within the curtilage of the listed Acklam Hall with the two lodges at the southern end of the Avenue of Trees being locally listed. Acklam Hall and the Avenue of Trees are within the Acklam Hall Conservation area boundary with the application site being located outside the conservation area.
34. Comments have been received that the development will have impact and destroy the historic standing and character of the area and the ancient trees within the site.
35. Historic England have stated they have no objections to the proposal subject to the current hedgerow between the site and the Avenue of Trees remaining and if possible being strengthened. The revised landscape plan (P19-2675.001 REV C) show the hedgerow will remain and will be strengthened with any hedgerow gaps being filled. None of the trees within the Avenue of Trees will be removed as part of the development.

36. The Council's Conservation officer has no objections to the development. Commenting that apart from Acklam Hall the site is surrounded by similar residential properties with the principle of residential development having been agreed within the Local Plan. Whilst the 139 dwellings is a higher density than anticipated in this location it is not excessively so. The proposed new access arrangements appear to be relatively modest and a minimal solution that should avoid causing harm. Whilst the proximity of the Avenue of Trees is the main concern from the heritage aspect, screening in the form of planting is proposed to mitigate.
37. An Archaeological Desk-based study has been submitted in support of the application. The study concluded that the site sits beyond the edge of the medieval village of Acklam and remained as agricultural land until becoming part of the development of Middlesbrough in the mid-20th Century. The development of the school and playing fields is likely to have removed any earlier remains present within the footprint. The study recommended that a scheme of trial trenching be conducted on the western part of the site, a condition is recommended to address this.
38. The residential nature of the development elsewhere in the area surrounding the site and the screening which will be provided through the existing hedgerow and trees will ensure that the proposal will not cause any harm to the heritage assets and their settings. The proposal is considered to be in accordance with paragraph 192 of the NPPF and Core Strategy Policies CS4 and CS5.

Ecology / Landscaping

39. Core Strategy Policy CS4 requires development to ensure 'biodiversity assets, geodiversity, wildlife species, natural habitats, green infrastructure' are protected and enhanced.
40. The site was the former St David's School site with the caretakers building and car parking hard standing areas still remaining with the former school footprint and playing fields now being overgrown with self-seeded grass and plants.
41. Natural England have commented that they have no objections to the development and consider the development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
42. A preliminary Ecological Appraisal has been completed of the site which reported no evidence of great crested newts within the site and although they could be present within the Acklam Hall pond the distances and road barrier and size of the application site means the development is not a significant risk to the conservation status of the newts with no badgers having been reported.
43. The submitted Bat Survey showed no evidence of bats within the trees to be removed with a potential roost recorded on the western elevation of the caretakers building but no bats recorded flying from the building. The Bat Survey recommends that an endoscope survey be undertaken and if bats are present a licence would be required from Natural England. Providing no bats are present a working method for the demolition of the building and the removal of the tree should be provided, which will be secured by condition. If the demolition and tree felling does not take place within 12 months of the endoscope survey then an updated survey will be required. Further mitigation measures set out in the Bat Survey include low level lighting in areas where the endoscope survey shows bats, bat roosting opportunities and berry and fruit species to be planted. The proposed landscape plans show ornamental berry hedging and planting within the scheme.

44. There will be no trees removed within the Avenue of Trees to facilitate the development. The Arboricultural Impact Assessment sets out that a sycamore tree located towards the entrance of the site and a 15 metre section of hedgerow located immediately to the south of the current entrance off St David's Way will be removed to enable the new footpath entrance. A set of cypress trees sited within the front garden of the caretakers building and two trees within the existing access footpath between the site and Acklam Road will be removed as part of the development. The remainder of the trees within the site will be protected during the development works with tree protection measures. The existing hedgerow along the boundary with The Avenue of Trees will be strengthened and any gaps filled. Within the open space area to the north of the site there will be an area of meadow grass to encourage biodiversity.
45. Objection comments have been received that the proposal will impact on the existing wildlife which has developed since the school was demolished with further wildlife impacts generated from the increase in plant and machinery within the site and that it should be retained as a wildlife site. With the site being overgrown and vacant there is the potential for a natural increase in wildlife within the site. The majority of the trees and hedgerows within the site will remain with additional landscaping features and garden areas. Given these additional landscape and garden areas it is considered that reasonable wildlife opportunities will remain within the site after the construction has been completed and there will be no undue impact on the opportunity for wildlife to establish throughout the site. The level of tree planting, landscaping and open space areas within the development means the impact on wildlife is not considered to be significant with Natural England having raised no objections to the proposal.
46. Objection comments relate to the impact on the appearance of the Avenue of Trees with the proposed footpath/cycle way along St David's Way. The proposed footpath will be alongside the existing highway and the width of the new footpath along with the low level bollard style lighting proposed is considered not to impact on the overall character and appearance of the Avenue of Trees. Historic England and the Council's Conservation officer have no objections to the scheme stating the new access is relatively modest and a minimal solution that should avoid causing harm.
47. The proposal will see the loss of the current self-seeded grassed site but the survey results undertaken and the inclusion of the areas of meadow grass, additional ornamental hedgerow planting and tree planting means the proposed development is considered not to have a significant impact on ecology and the proposal accords with the requirements of Local Plan Policy CS4.

Amenity

48. Core Strategy Policy DC1 comments that all new development should consider the effects on the amenities of the occupiers of nearby properties both during and after completion.
49. The application site has residential properties located along the northern, western and southern boundaries of the site. Objection comments have been received in relation to loss of privacy. The separation distances that will remain between the rear elevation windows of the existing residential properties and the habitable room windows of the proposed dwellings will be 21 metres or above with over 14 metres remaining between side facing habitable room windows. This separation distance accords with the privacy distances set out in the Council's Urban Design SPD.
50. Internally all the rear elevations of the properties meet both the 21 metre and 14 metre separation distances. Any site frontages which are head on meet the 21 metres guidance or are at oblique angle which supports the reduction distance on some of the plots. Which is a recognised design tool which assists in creating informal layouts.

51. The internal space within each of the dwellings meets the government space standards for new dwellings, with each property providing a good sized private garden space with additional outside amenity space provided with the open space trim trail, which is considered to provide a high quality scheme.
52. The Council's Waste officer has no objections to the development, subject to the properties with shared driveways being responsible for bringing their refuse and recycling bins to the nearest highway. The revised site plan provides bin store collection points to the end of shared driveways in locations which have the minimum impact on the resident's amenity.
53. It is considered that the development will not have a detrimental impact on the amenity of any existing residents, and the proposed layout will ensure that new residents have adequate levels of amenities and as such is in accordance with the requirements of Policy DC1 and CS5.
54. Objection comments have been received regarding the potential loss of privacy from the development from future extensions and loft conversions. The proposed dwellings accord with the required separation distances to the existing houses. Permitted development rights have been removed to limit the impact of future development on the extensive use of permitted development rights within the estate which may result in a significant impact on the character of the estate and on the surrounding areas.
55. Concerns have been raised regarding potential anti-social behaviour within the open space area to the north of the site and the loss of privacy from the trim trail. Revised plans show the height of the northern boundary fence alongside the open space area will be 2 metres in line with the advice from Cleveland Police. The features within the trim trail are low height feature and benches with high levels of natural surveillance with the design of the scheme reducing any potential anti-social behaviour or potential loss of privacy for the existing residents.
56. Objections have been received regarding potential overbearing impact and loss of light to the existing properties from the development. There will, in accordance with standards, remain a minimum of 21 metres between the rear elevation of the proposed dwellings and the existing properties and 14 metres between side elevations. This separation distance will ensure there is no significant impact in terms of overbearing or loss of light.
57. Comments have been made that the construction compound on site for 4 years will result in noise and potential loss of privacy for residents. The construction phase is not a material planning consideration that can be assessed as part of the development. Should there be any undue noise associated with the construction site then there is legislation beyond planning which would deal with the noise issue. The applicant has confirmed through revised plans that a single storey construction cabin will be used rather than a two-storey cabin within reasonable proximity of the nearby properties, which will therefore reduce the construction impact.

Air Quality and site remediation

58. An air quality assessment has been submitted along with a Geo-Environmental Appraisal, Gas Remediation Strategy and noise impact assessment. The Environmental Protection Officers have considered the documents and have raised no objections to the development, subject to the development being carried out in line with the noise assessment and the Gas Remediation Strategy. A lighting plan will form part of the final highway scheme design to be submitted but the location of the lighting

within the estate and along St David's Way is not considered to have any significant light pollution to the existing properties.

59. Notwithstanding this objection comments have been received that the proposal will increase noise levels, provide dust pollution, smells and light pollution. However in view of the above comments this is not considered to have any undue impacts, particularly with it being a residential development adjacent to an existing residential development.

Traffic related issues

60. The proposed access to the site is from St David's Way which is currently not a publically maintainable highway. Therefore works are proposed to improve the road to bring it up to the required standards. These works include the following:-

- Existing raised table at the Hall Drive/St David's Way junction to be removed and replaced with two sets of speed cushions (one on either side of the junction)
- Realignment of the junction kerbs to create a crossing point with dropped kerbs and tactile paving
- Provision of a 3 metre wide shared footpath/cycleway to the east side of St David's Way to connect the development to Hall Drive
- Provision of 9 formal parking spaces on St David's Way which can be used by those visiting the Avenue of Trees or adjacent sport pitches. The design and layout of these are designed to minimise the visual impact and restrict vehicle speeds to 20 mph or less.
- Resurfacing and street lighting

61. It is considered that these works will result in a suitable access to the residential development and subject to these works being undertaken there are no highway objections raised by the Highway engineers. These works will be secured by conditions

62. The authorities validated strategic highway model (Aimsun) has been used to test the potential impact of traffic associated with the proposed development on the existing highways. An estimated level of traffic generation is coded into the model based upon the scale of the development proposed and using evidence based trip rates. The traffic associated within the proposed development is then tested within the model including future year's scenarios and this approach allows for traffic levels to increase as a result of traffic and other committed developments irrespective of the current proposal. The results then establish what impact the proposed development would have.

63. The scheme is estimated to generate in the region of 100 and 110 vehicle trips during the AM and PM peak periods respectively. The network is tested during these periods as this is when there is greatest demand and the networks is at its most sensitive. Outside of the peak periods greater levels of capacity are available and the network operates much more freely.

64. The traffic generated by the model distributes across the network, based upon origin and destination data. The greatest amount of traffic is seen at the site access junction then reduces as traffic takes different routes on its journey. Acklam Road is a main North/South artery within Middlesbrough and as such existing traffic flows here are high. The proportion of traffic associated with the proposed development will account for less than 2-3%. As such whilst traffic may generally slow slightly as a result of the development the impact is very small. It is widely acknowledged and demonstrated that traffic flows can vary by 10-15% based upon the weather, the time of the day, month etc. The scale of the impact of development is therefore less than these daily fluctuations so in reality will not be perceivable.

65. Using this evidence based approach it has been demonstrated that the impact of traffic associated with the development will not have a material impact on the free flow of traffic on the surrounding highway network. Importantly the NPPF guides that development should not be refused on highway grounds unless there is a severe impact on the highway network which is unable to be mitigated through offsite works or other means. It is considered that the impact of traffic associated with this development would fall far short of being able to be considered a severe impact and therefore is acceptable in this regard. In addition the development will be providing financial contributions, secured through a S106 Agreement towards ;

- a strategic highways contribution, which the authority will use towards strategic interventions on the wider network and
- a bus stop improvements contribution to adjacent inbound and outbound stops to improve facilities and encourage bus patronage.

These contributions will be able to be used to enhance public transport and improve the strategic network will arguably reduce the traffic association with the development further.

66. It's the officers view that the approach taken is particularly robust which provides assurance of the impact on the highway network this view is based upon :

- The modelling was based upon an earlier scheme proposal and as such has assessed the impact of 167 dwellings, this has now been reduced to 139 which will further reduce the traffic flows.
- The modelling approach assumes that every day development trip is new to the network. In reality it is not as simple as this and some residents of the new development will live in the surrounding area or will drive on this part of the network regularly, driving from home to work for example.

67. The site is considered to be very sustainable. Within a maximum of 15 minute walk there are a number of facilities including 2 schools, a retail parade and medical facilities with bus stops served by frequent services being less than a 5 minute walk. The layout of the site has sought to maximise the sustainable location and provides an east/west link between Hall Drive and the Avenue of Trees to Acklam Road, where there is a signalised crossing point. The location and the approach further increases the robustness of the highway modelling work as there is an increased likelihood of non-car journeys.

68. A number of objections have been received from residents raising highway issues which are summarised as being in relation to safety issues, capacity and parking.

69. Comments have been received regarding the recent works at the junction of Hall Drive/Acklam Road to improve traffic flow and capacity at this junction. When interrogating the output of the model in detail what is seen is that effectively the traffic generated by the development uses up some of the available capacity that has been created at the junction. This is why the model demonstrates that the development traffic will not have a material impact on the operation of this junction. It should also be noted that although the development traffic uses some of this spare capacity, the junction is still demonstrated to operate within capacity with the development in place.

70. Concerns regarding parking on Hall Drive associated with the school and sports pitches has been raised. This issue is an existing issue and would continue whether the development took place or not. The level of parking provided for new residents is in accordance with the Tees Valley Design Guide and the layout has been designed to provide for managed areas of on-street parking. As such it cannot be demonstrated

that the development will exacerbate parking issues and an objection cannot be raised on this basis.

71. As discussed earlier in the report works to St David's Way include the provision of managed on-street parking. This parking will be available for the public accessing facilities in the local area including sports pitches, the school or Avenue of Trees and represents an improvement to the current situation.
72. No highway objections are raised subject to conditions relating to the construction, design and materials for the roads/footpaths, car parking layouts, off-site highway works and a method of works statement.

Flood Risk

73. Core Strategy Policy CS5 sets out that all new development should provide 'sustainable methods of surface drainage' to 'mitigate against localised flooding, promote water conservation and help protect water quality.'
74. A flood risk assessment has been submitted in support of the application. The site is within National Flood Zone 1 which is classified as having a low probability of flooding, less than 1 in 1000 annual probability of river or sea flooding (0.1%), residential dwellings are therefore an appropriate form of development in line with the NPPF.
75. The revised drainage strategy for the site includes within the open space area towards the north of the site a dual pumping station, which will ensure the surface water drainage from the site is restricted to no more than 19 l/s into the public sewer. The existing greenfield run off from the existing site is circa 22 l/s. Northumbrian Water have requested a limit of 19 l/s for the proposal and the proposed run off rate at 19 l/s which will be lower than the existing greenfield run off rate, which should further mitigate flood risk downstream and will result in the proposal being a betterment than the existing levels of run off from the site which has areas of hard standing.
76. Surface water will be collected and directed to an attenuation tank (below ground) which has been designed to take up to 100 year storm events with an additional allowance of 40% climate change. The surface water will be held within the attenuation tank and allowed to discharge into the public surface water system via a hydrobrake, which will restrict the flow of water from the site (to the agreed discharge rate) to the existing drainage system to the north. The public road drainage, Carlow tank attenuation system will be adopted under section 104 with the dual pumping station being adopted by Northumbrian Water.
77. The foul drainage will be discharged via a pumping system into a public combined manhole (6501) within Cowley Road at a rate of 9.2 l/s which is and greed rate with Northumbrian Water.
78. Objections have been raised regarding existing drainage issues along Hall Drive and the potential impact which the proposed development will have on the drainage system. The Local Flood Risk officer and Northumbrian Water have considered the revised flood risk assessment and drainage details and have no objections subject to relevant conditions. The technical details show this proposed scheme to not increase the risk of flooding and as such is in accordance with the requirements of Policies DC1 and CS4 and the NPPF.

Education

79. The Council's Strategic School Planning Manager has advised that no education contribution is required subject to the dwellings not being occupied until 2022 due the

existing capacity within the schools and given the current capacity for school spaces a commuted lump sum is not required.

80. Comments have been received that schools are oversubscribed with no additional provision following recent house building in last 5 years and that land would be better utilised for school facilities. The site is an allocated housing site within the Local Plan and is not allocated for a school facility. The number of houses proposed along with the completion dates are not considered to have a significant impact on the capacity of school places, with no objections having been received from the Council's Strategic School Planning Manager.

Residual issues

81. Objection comments have been raised in relation to the development being for profit and not for improvements to the area, no requirement for more housing, loss of views and the devaluation of the existing properties. Each of these points are not material planning considerations which can be considered.
82. Concerns are raised that the number of houses within the development could be increased once approval is granted to ensure the dwelling sell which has occurred on other development sites. Any new proposal to increase the number of dwellings would require a further planning application to be submitted with further consultation.
83. Comments were received that the plans shown at the consultation event differ from those submitted for the application and therefore the consultation feedback is misleading with the open day leaving unanswered questions. The plans may have altered following the consultation event to reflect comments received. The neighbour letters and press/site notices have been issued for consultation on revised plans submitted for the application and specific queries raised to the planning department following the submission of the application have been addressed.
84. It is understood that the existing properties owners backing onto the site along Adcott Road have raised the issue of extending their gardens into the site to achieve extensions to their gardens. It is understood that the applicant has considered this. From a planning perspective whether this section of land to the rear of Adscott Road forms part of the development or is within the ownership of the properties in Adcott Road is not a planning issues as the garden areas for the proposed dwellings are a sufficient space.
85. Objection comments have been received that the land is subject to a legal covenant established by the House of Lords that conditions the use of the land for development. Legal covenants are separate legal requirements subjected to landowners which are not a material planning consideration.
86. Comments have been received that only the footprint of the former school building was to be built on and not the area of land behind Acklam Road. Within the adopted Local Plan Policy H34 the whole of the application site was allocated for housing.

RECOMMENDATIONS AND CONDITIONS

Approve subject to a s106 agreement

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: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Approved Plans

The development hereby approved shall be carried out in complete accordance with the plans and specifications detailed below and shall relate to no other plans;

a.	Site Location Plan	1175-AVA-001	8 th January 2020
b.	Site Plan as existing	1175-AVA-002	8 th January 2020
c.	Site Layout Plan	1175/AVA/100R	4 th December 2020
d.	Site layout Plan (coloured)	1175-AVA-104A	4 th December 2020
e.	Boundary Treatment Plan	1175-AVA-101G	25 th January 2021
f.	Adoption Plan	1175-AVA-102F	4 th December 2020
g.	Surface Treatment Plan	1175-AVA-103F	4 th December 2020
h.	Acklam Site Layout	5187-SL-01_REV A	4 th December 2020
i.	Indicative Site Sections	1175- AVA- 200 REV A	4 th December 2020
j.	Preliminary Ecological Appraisal	OS Ecology	November 2019
k.	Preliminary Land Investigation Report	Dunelm Geotechnical	December 2019
l.	Bat Survey	OS Ecology	October 2019
m.	Transport Assessment	Systra	November 2019
n.	Travel Framework Plan	Systra	November 2019
o.	Flood Risk Assessment	CK21 REV A	November 2019
p.	Drainage Strategy	CK21 REV C	April 2020
q.	Drainage Strategy	19089-CK-XX-XX-DR-C-22-5-REV T2	20 th April 2020
r.	Arboricultural Impact Assessment	AIAEXI	7 th January 2020
s.	Arboricultural Method Statement	AMSTPP	7 th January 2020
t.	Arboricultural Method Statement existing	AMSEXI	7 th January 2020
u.	Arboricultural Tree Protection Plan	AIATPP	7 th January 2020
v.	Existing tree plan	AIAEXI	7 th January 2020
w.	Noise Impact Assessment	Wardell Armstrong	September 2019
x.	Air Quality Assessment	Wardell Armstrong	September 2019
y.	Landscape Masterplan	P19-2675.001C	4 th December 2020
z.	Indicative Trim Trail	P19-2675.0002	4 th December 2020
aa.	Archaeological Desk Based Study	Report 5159	September 2019
bb.	Heritage Impact Assessment	2226-01	September 2019
cc.	Construction Plan	5187-CP-01	9 th April 2020
dd.	Construction Method Statement	REV #	December 2018
ee.	Bayfield plots 33 and 34 elevations	020/ACK/BALD/002	4 th December 2020
ff.	Bayfield End village floor plans	020/BALD/001 REV C	4 th December 2020
gg.	Bayfield End village elevations	020/BALD/0002 REV C	4 th December 2020
hh.	Burford Style 2 Village		5 th March 2020
ii.	Culstone End Village floor plans	020/CUNE/002 REV B	4 th December 2020
jj.	Culstone End Village elevations	020/CUNE/001 REV B	4 th December 2020
kk.	Dalstone End Village floor plans	020/DANE/001 REV B	4 th December 2020
ll.	Dalstone End Village elevations	020/DANE/002 REV B	4 th December 2020
mm.	Emstone End Village floor plans	020/EMNE/001/REV B	4 th December 2020
nn.	Emstone End Village elevations	020/EMNE/002/REV B	4 th December 2020
oo.	Greystone End Village floor plans	020/GRNE/001 REV C	4 th December 2020
pp.	Greystone End Village elevations	020/GRNE/002 REV C	4 th December 2020
qq.	Hivestone Village floor plans	020/HIVE/001 REV B	4 th December 2020
rr.	Hivestone Village elevations	020/HIVE/002/ REV B	4 th December 2020
ss.	Hornstone Village floor plans	020/HONE/001 REV C	4 th December 2020

tt.	Hornstone Village elevations	020/HONE/002 REV C	4 th December 2020
uu.	Impstone Village floor plans	020/IMNE/001 REV B	4 th December 2020
vv.	Impstone Village elevations	020/IMNE/002 REV B	4 th December 2020
ww.	Ivystone Village floor plans	020/IVNE/001 REV C	4 th December 2020
xx.	Ivystone Village elevations	020/IVNE/002 REV C	4 th December 2020
yy.	Maybrook Village floor plans	020/MAOK/001 REV B	4 th December 2020
zz.	Maybrook Village elevations	020/MAOK/002 REV B	4 th December 2020
aaa.	Meadowbrook Village floor plans	020/MEOK/001 REV B	4 th December 2020
bbb.	Meadowbrook Village elevations	020/MEOK/002 REV B	4 th December 2020
ccc.	Mulbrook Village floor plans	020/MUOK/001REV B	4 th December 2020
ddd.	Mulbrook Village elevations	020/MUOK/002 REV B	4 th December 2020
eee.	Narsbrook Village floor plans	020/NAOK/001 REV C	4 th December 2020
fff.	Narsbrook Village elevations	020/NOAK/002 REV C	4 th December 2020
ggg.	Nutbrook Village floor plans	020/NUOK/001 REV B	4 th December 2020
hhh.	Nutbrook Village elevations	020/NUOK/001 REV B	4 th December 2020
iii.	Oakbrook Village floor plans	020/OAOK/001 REV C	4 th December 2020
jjj.	Oakbrook Village elevations	020/OAOK/002 REV C	4 th December 2020
kkk.	Portbrook Village floor plans	020/POOK/001 REV A	4 th December 2020
lll.	Portbrook Village elevations	020/POOK/002 REV A	4 th December 2020
mmm.	Skybrook Village floor plans	020/SKOK/001 REV B	4 th December 2020
nnn.	Skybrook Village elevations	020/SKOK/002 REV B	4 th December 2020
ooo.	Tambrook Village floor plans	020/TAOK/001 REV B	4 th December 2020
ppp.	Tambrook Village elevations	020/TAOK/002 REV B	4 th December 2020
qqq.	Waywick Village floor plans	020/WACK/001 REV A	4 th December 2020
rrr.	Waywick Village elevations	020/WACK/002 REV A	4 th December 2020
sss.	Whinwick Village floor plans	020/WHCK/001 REV A	4 th December 2020
ttt.	Whinwick Village elevations	020/WHCK/002 REV A	4 th December 2020
uuu.	Skybrook Plot 110 floor plans	020/ACK/SKOK/001	4 th December 2020
vvv.	Skybrook Plot 110 Elevations	020/ACK/SKOK/002	4 th December 2020
www.	Mulbrook Plot 67 Floor plans	020/ACK/MUOK/001	4 th December 2020
xxx.	Mulbrook Plot 67 elevations	020/ACK/MUOK/002	4 th December 2020
yyy.	Pumping Station Kiosk Sections	5187_PS_SEC REV 1	9 th April 2020
zzz.	Pumping station in plan	5187_PS_01 REV 1	9 th April 2020
aaaa.	Garage Double Detached floor plan	SITE/DG/001/REV B	9 th April 2020
bbbb.	Garage Double Detached roof plan	SITE/DG/002 REV A	9 th April 2020
cccc.	Garage Double Detached elevation	SITE/DG/003 REV B	9 th April 2020
dddd.	Garage Single floor/roof plan	SITE/SG/001 REV B	9 th April 2020
eeee.	Garage single end elevation	SITE/SG/002 REV B	9 th April 2020
ffff.	Gas Risk Assessment	Dunelm Geotechnical	1 st April 2020
gggg.	Sub Station	GTC-E-SS-0012_R1-8_1_OF_1	6 th March 2020

3. Materials - Samples

Prior to the construction of the external elevations of the building(s) hereby approved samples of the external finishing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of the visual amenities of the area having regard for policies DC1, CS4 and CS5 of the Local Plan and section 12 of the NPPF.

4. Gateway Entrance

Prior to the occupation of the dwellings specific details of the materials, design, dimensions and location of the gateway entrance shall be submitted to the local authority for approval and shall be erected in accordance with the approved details.

Reason: To ensure an appropriate design and the use of appropriate materials in the interests of the visual amenities of the area having regard for policies DC1, CS4 and CS5 of the Local Plan and section 12 of the NPPF.

5. Waste Audit Required

Prior to the commencement of the development on site a Waste Audit must be submitted to and approved in writing by the Local Planning Authority. The Waste Audit must identify the amount and type of waste which is expected to be produced by the development both during the site clearance, construction phases and once it is in use. The Audit must set out how this waste will be minimised and where it will be re-used on site.

The development shall be undertaken in complete accordance with the approved Waste Audit.

Reason: In the interests of minimising, reusing and recycling waste during demolition and construction in line with the principles of waste management detailed in the approved Tees Valley Joint Minerals and Waste Development Plan Document.

6. Method Statement for Demolition

Prior to the demolition of the building and the removal of the existing trees within the application site a detailed method statement shall be provided in writing to the Local Planning Authority for approval, the demolition and removal shall be completed in accordance with the approved details.

Reason; To ensure there is no significant impact to local wildlife and to accord with the submitted Bat Survey recommendations.

7. Surface Water Drainage Approved Details

The development shall not be occupied until the surface water drainage works have been implemented in accordance with the submitted and approved Drainage plan, dated 11/3/2020 (Revision T2) which should follow the principles as outlined in the Flood Risk assessment, dated December 2019 (Revision A) and the Drainage Strategy, dated April 2020 (Revision C). The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 6501 and ensure that surface water discharges to the *surface water* sewer at manhole 9803. The surface water discharge rate shall not exceed the available capacity of 19l/sec that has been identified in this sewer.

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

8. Site contamination

Before the occupation of any part of the development hereby approved, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall confirm that all the proposed remediation works set out in the Dunelm Strategy for the Remedial Works report D9693 were completed before occupation of any part of the site or units hereby approved.

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.

9. PD Rights Removed Means of Enclosure

Notwithstanding the provisions of the Town and 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) shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which forms the principle elevation/fronts onto a road, footpath or open space without planning permission being obtained from the Local Planning Authority.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based, to protect the visual amenity of the area and in the interests of resident's amenity having regard for policies CS4, CS5, DC1 and section 12 of the NPPF.

10. PD Rights Removed Extensions/Alterations

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification), no building hereby approved shall be extended or materially altered in external appearance in any way, including any additions or alterations to the roof, without planning permission being obtained from the Local Planning Authority.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based, to protect the visual amenity of the area and in the interests of resident's amenity having regard for policies CS4, CS5, DC1 and section 12 of the NPPF.

11. PD Rights Removed Conversion of Garages

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting that Order), no garages shall be converted to habitable rooms without planning permission being obtained from the Local Planning Authority.

Reason: To retain adequate in curtilage parking provision in the interests of amenity and highway safety having regard for policies CS4, CS5, DC1 and sections 9 and 12 of the NPPF.

12. PD Rights Removed Hardstanding

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting that Order), no hardstanding shall be constructed at the front of the residential dwellings hereby permitted, without planning permission being obtained from the Local Planning Authority.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based, to protect the visual amenity of the area and in the interests of resident's amenity having regard for policies CS4, CS5, DC1 and section 12 of the NPPF.

13. Landscape Management Plan

A Landscape Management Plan covering relevant phases of development, including long term objectives, management responsibilities and maintenance schedules in perpetuity for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the first occupation/use of a building, or within 12 months of commencement of works on the relevant phases of the development to which it relates, whichever is the sooner. Thereafter the Landscape Management Plan must be implemented on site.

Reason: To ensure a satisfactory form of development in the interest of visual amenity and the character of the area having regard for policies CS4, CS5 and DC1 of the Local Plan and sections 12 and 15 of the NPPF.

14. Replacement Tree 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: To ensure a satisfactory form of development in the interest of visual amenity and the character of the area having regard for policies CS4, CS5 and DC1 of the Local Plan and sections 12 and 15 of the NPPF.

15. Retained Trees

In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of five years from the date of the occupation of the final building on site for its permitted use.

- a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:1989 (with subsequent amendments)(British Standard recommendations for Tree Work).
- b) If any retained tree is removed, uprooted or destroyed or dies during the period of construction another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the local planning authority. Similarly, if a retained tree dies or needs to be removed within five years of completion, and this is found to have been the result of damage sustained during development, this replanting condition will remain in force
- c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority. Retained trees shall be protected fully in accordance with British Standard 5837:1991 (Guide for Trees in Relation to Construction). In particular, fencing must not be dismantled at any time without the prior consent of the local planning authority.

Reason: To prevent the loss of or damage to trees and natural features during the development and to ensure so far as is practical that development progresses in accordance with current best practice having regard for policy CS4 and CS5 of the Local Plan and section 9 of the NPPF.

16. Hedges and Hedgerows

All hedges or hedgerows on the site unless indicated as being removed shall be retained and protected and enhanced in accordance with details submitted to and approved in writing by the local planning authority. In the event that hedges or hedgerows become damaged or otherwise defective during such period the local

planning authority shall be notified in writing as soon as reasonably practicable. Within one month a scheme of remedial action, including timetable for implementation shall be submitted to the local planning authority. The approved scheme shall be implemented in accordance with the approved timetable. Any trees or plants which within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To prevent the loss of or damage to existing hedgerows and natural features so far as is practical that development progresses in accordance with current best practice having regard for policy CS4 and CS5 of the Local Plan and section 9 of the NPPF.

17. 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 base course 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 amenity of residents having regard for policies CS4, CS5 and DC1 of the Local Plan and sections 9 and 12 of the NPPF.

18. 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. The development shall be carried out in accordance with the approved details.

Reason; To ensure a satisfactory form of development and in the interests of highway safety having regard for policies CS5 and DC1 of the Local Plan and sections 9 and 12 of the NPPF.

19. Car and Cycle Parking Laid Out

No part of the development hereby approved shall 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; To ensure a satisfactory form of development and in the interests of highway safety having regard for policies CS5 and DC1 of the Local Plan and sections 9 and 12 of the NPPF.

20. Off-Site Highway Works Phasing Plan

Prior to commencement of development a highways works phasing plan detailing the delivery of the agreed highway works to St David's Way shall be submitted to and agreed in writing by the Local Planning Authority. The approved highway works shall then be delivered in accordance with the approved phasing plan or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of providing a safe means of access to the site by all modes of transport and to, minimise disruptions to the free flow of traffic having regard for policies DC1 and CS5 of the Local plan and sections 9 and 12 of the NPPF.

21. Off-Site Highway Works

The development hereby permitted shall not be occupied until the highway works to St David's Way detailed below have been carried out in accordance with the approved highway works phasing plan and submitted drawing 5187/SL/01 REV A or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority:

- a) Removal of the existing raised table at the Hall Drive/St David's Way junction and replacement with two sets of speed cushions either side of the junction with resurfacing works as required
- b) Realignment of the junction kerbs at Hall Drive/St David's Way to create 6m junction radii with pedestrian crossing point consisting of dropped kerbs and tactile paving
- c) Provision of a 3m wide shared footway/cycleway to the East side of St David's Way to connect the development to Hall Drive
- d) Provision of managed on-street parking bays to create build outs incorporating street trees on St David's Way
- e) A scheme of street lighting

Reason: In the interests of providing a safe means of access to the site by all modes of transport and to, minimise disruptions to the free flow of traffic having regard for policies DC1 and CS5 of the Local plan and sections 9 and 12 of the NPPF.

22. Method of Works Statement

The development hereby approved shall not be commenced until a detailed method of works statement has been submitted to and approved in writing by the Local Planning Authority. Such statement shall include at least the following details;

- a) Routing of construction traffic, including signage where appropriate;
- b) Arrangements for site compound and contractor parking;
- c) Measures to prevent the egress of mud and other detritus onto the public highway;
- d) A jointly undertaken dilapidation survey of the adjacent highway;
- e) Program of works; and,
- f) Details of any road/footpath closures as may be required.

The development must be carried out in accordance with the approved details.

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 having regard for policy DC1 of the Local Plan.

23. Archaeological Observation

Prior to the commencement of the development of the western side of the site, where plots 128-131, 127-124 and 105-110 are located, a scheme of trial trenching is to be completed for the purposes of examining and recording any matter or things of Archaeological interest with the results provided to the Local Planning Authority.

Reason: To ensure opportunity is provided for archaeological assessment on this site having regard for policies CS4 and CS5 of the Local Plan and section 16 of the NPPF.

REASON FOR APPROVAL

The analysis of the development determines that the proposals are for a sustainable development, which will assist in economic growth in the town. The proposed layout and dwellings are of a high quality design and would provide a pleasant and sustainable environment offering a good mix of dwelling types. Landscaped areas within the site will enhance ecological potential and will benefit the wider community. There are no statutory objections to the proposal in terms of the sustainability of the site or the ability to meet necessary flood, ecology, highways and noise mitigation.

The application site is an allocated site within the approved Housing Local Plan. Although the additional dwellings conflict with some elements of Policy H34 it meets the other requirements of this policy and the justification for increased numbers as set out in policy H1 and other relevant local and national policies. On balance the conflict with policy H34 does not outweigh the social, economic and environmental sustainable benefits of the development.

It is the planning view that none of the material objections raised will result in a significantly detrimental impact on the character of the area or the Acklam Hall Conservation Area, the nearby residents or the community as a whole. The proposals do not conflict with local or national policies relating to sustainability, design, transport, open space or flood risk. The development will support the spatial vision set out in the development plan.

INFORMATIVES

Discharge of Condition Fee

Under the Town & Country Planning (Fees for Applications and Deemed Applications)(Amendment)(England) Regulations 2018, the Council must charge a fee for the discharge of conditions. Information relating to current fees is available on the Planning Portal website <https://1app.planningportal.co.uk/FeeCalculator/Standalone?region=1>. Please be aware that where there is more than one condition multiple fees will be required if you apply to discharge them separately.

Civil Ownership Matters

This permission refers only to that required under the Town and Country Planning Act 1990 (as amended) and does not include any other consent or approval under any enactments, byelaw, order or regulation. The grant of planning permission does not override any third party rights which may exist over the application site.

In addition, you are advised that any works affecting party walls or involving excavations for foundations adjacent to a party wall you will be required to serve notice on all adjoining owners before work commences and adhere to the requirements of the Party Wall Act 1996.

Rights of Access/Encroachment

This planning approval does not permit any person to access another person's land/property to enable the works to be completed, without their consent. Any encroachment into another person's land/property above or below ground is a civil matter to be resolved between the relevant parties.

Building Regulations

Compliance with Building Regulations will be required. Before commencing works it is recommended that discussions take place with the Building Control section of this Council. You can contact Building Control on 01642 729375 or by email at buildingcontrol@middlesbrough.gov.uk.

Where a building regulations approval is obtained which differs from your planning permission, you should discuss this matter with the Local Planning Authority to determine if the changes require further consent under planning legislation.

Name and Numbering

Should the development require Street Names, Numbers and/or Post Codes the developer must contact the Councils Naming and Numbering representative on 01642 728155.

Statutory Undertakers

The applicant is reminded that they are responsible for contacting the Statutory Undertakers in respect of both the new service to their development and the requirements of the undertakers in respect of their existing apparatus and any protection/ diversion work that may be required.

Adoption of Highway - S38

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 of the new highway layout. The S38 Agreement should be in place prior to the commencement of works on site.

Deliveries to Site

It should be ensured that, during construction, deliveries to the site do not obstruct the highway. If deliveries are to be made which may cause an obstruction then early discussion should be had with the Highway Authority on the timing of these deliveries and measures that may be required so as to mitigate the effect of the obstruction to the general public.

Cleaning of Highway

The applicant is reminded that it is the responsibility of anybody carrying out building work to ensure that mud, debris or other deleterious material is not deposited from the site onto the highway and, if it is, it shall be cleared by that person. In the case of mud being deposited on the highway wheel washing facilities should be installed at the exit of the development.

Sustainable Drainage Systems

Sustainable Drainage Systems (SuDS) should be considered when designing drainage, driveways and car parking areas.

Permeable Surfacing

Guidance on permeable surfacing of front gardens is available on the Communities and Local Government Website: www.communities.gov.uk

Wildlife and Countryside Act

The applicant is reminded that under the Wildlife and Countryside Act 1981 it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August. Trees and scrub are present on the application site should be assumed to contain nesting birds between the above dates unless a survey has shown conclusively that nesting birds are not present.

Protected Species

The applicant is reminded that it is an offence to damage or destroy species protected under separate legislation. Planning consent for a development does not provide a defence against prosecution under wildlife protection legislation. You are advised that the bat survey

suggested an endoscope survey be completed prior to development commencing on site to determine if any bats are present. If protected species are found to be present, Natural England should be consulted.

Construction Noise

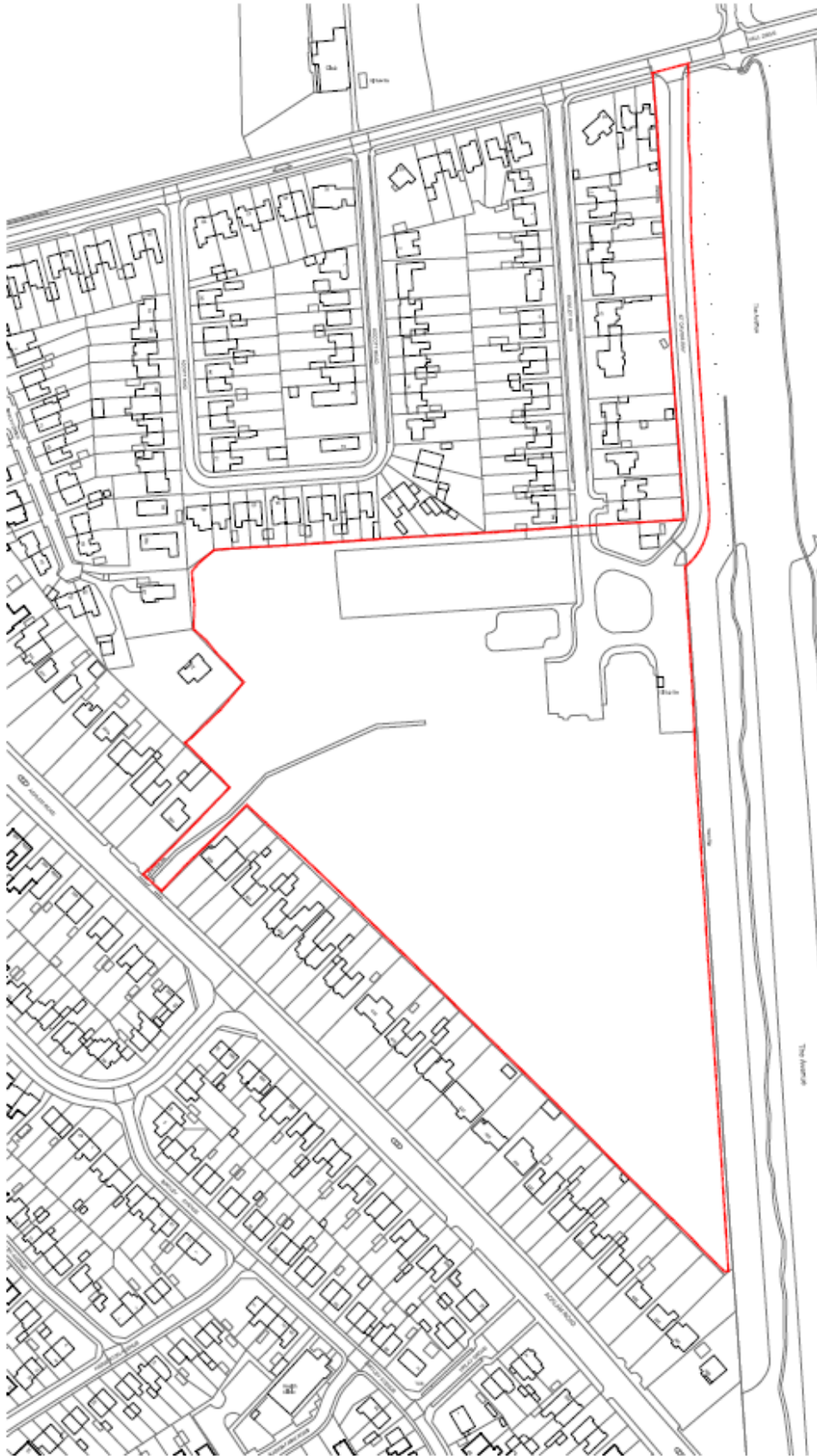
The applicant should be aware that noise from construction work and deliveries to the site may have an impact upon local residential premises. The applicant may if they wish to apply for a prior consent under the Control of Pollution Act 1974 Section 61 with regard to working hours at the site. The applicant can contact the authorities Environmental Protection service for more details regarding the prior consent process. The hours that are recommended in the Control of Pollution Act for noisy working are 8am-6pm Mon-Fri, 8am-1pm Saturday and no working Sundays and Bank holidays.

Secure By Design

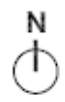
The applicant should seek to develop to accredited secure By Design Gold standards and a minimum silver with full guidance being available within SBD Homes 2019 guide at www.securebydesign.com and to contact Stephen Cranston at Stephen.Cranston2@cleveland.pnn.police.uk for further advice.

Case Officer: Debbie Moody

Committee Date: 5th February 2021



Information on this map is for informational purposes only and is not intended to be used as a basis for any legal or financial decision. The information on this map is provided as a service to the public and is not intended to be used as a basis for any legal or financial decision. The information on this map is provided as a service to the public and is not intended to be used as a basis for any legal or financial decision.



City of Acklam
 Former Acklam School

Site Location Plan

1175	AVA	001
------	-----	-----

APPLICATION DETAILS

Application No:	20/0496/FUL
Location:	Cawood Drive/Rievaulx Drive, Tollesby, Middlesbrough
Proposal:	Mixed use development comprising retail use at ground floor with 24 no. apartments above with associated ancillary areas, parking and landscaping
Applicant:	Middlesbrough Development Company
Agent:	Gradon Architecture
Ward:	Acklam
Recommendation:	Approve with Conditions

SUMMARY

Planning permission is sought for the erection of a part-three/part-four storey mixed-use development on the site of the former Newbridge Court neighbourhood centre. The proposed development includes 4 no. retail units on the ground floor with 24 no. residential units on the upper floors with associated parking and landscaping.

The application site is allocated in the adopted Local Plan as a neighbourhood centre and the proposals represent a replacement centre to the one which has recently been demolished at the site. A previous permission was granted for a replacement neighbourhood centre with residential apartments and that permission remains extant.

The proposed building would be of a scale and size that is greater than both the previous building and the extant permission. Notwithstanding this, it is concluded that the proposals sought are acceptable and would not have a significant adverse affect on the living conditions and residential amenities of nearby occupiers. The proposed development is also considered to be of a good quality design, using high quality materials to complement the surrounding built environment, and it is further considered that the traffic flows associated with the development can be reasonably accommodated within the existing environment and that the proposed car parking is sufficient for the development.

Given the above, it is the officer recommendation to approve conditionally subject to the relevant conditions listed.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is the former Newbridge Court neighbourhood centre situated off Rievaulx Drive. Within the Council's adopted Local Plan and on the adopted Proposals Map,

the site is referred to as Hall Drive neighbourhood centre, but is also known as Tollesby Shops.

The wider Tollesby estate was predominantly constructed in the 1960s and is based on a very conventional housing layout. The majority of houses are constructed in traditional materials, semi-detached in nature with a generous number and diversity of bungalows. The focal point of the whole estate was a central amenity area containing a larger shop unit with ancillary smaller shops and a post office with flats on the first floor. A public house and motor repairs garage was also located in the group.

The site subject to this application was previously occupied by a two-storey building accommodating a number of retail/commercial units and car repair garage at ground floor and residential apartments at first floor. Following a prolonged period of the building being vacant, the building has been demolished and the site cleared and secured.

Planning permission is sought for a predominantly three-storey brick-built mixed-use building with 4 no. retail/commercial units on the ground floor and 24 no. residential units on the upper floors. The proposed uses will be supported by associated landscaping and a 43 space car park.

PLANNING HISTORY

17/0131/FUL

Revised application for demolition of existing buildings and erection of 3 storey building comprising a convenience store (A1) and 1no ground floor unit for use as either shop (A1) offices (A2) cafe (A3) or hot food shop (A5) with 21no flats

Approved Conditionally

3rd May 2017

M/FP/1445/15/P

Demolition of existing buildings and erection of a three storey building, comprising a convenience store (A1) and two ground floor units (eastern unit for use either as a shop (A1), office (A2), cafe (A3) or hot food shop (A5) and western unit for A1, A2 or A3) with 21no flats at 1st and 2nd floor levels and associated works including 36no car parking spaces

Approved Conditionally

8th December 2015

437/64

Shops, flats and associated development

Approved

23rd June 1964

PLANNING POLICY

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

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

Middlesbrough Local Plan

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

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

National Planning Policy Framework

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

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

- The delivery of housing,
- Supporting economic growth,
- Ensuring the vitality of town centres,
- Promoting healthy and safe communities,
- Promoting sustainable transport,
- Supporting the expansion of electronic communications networks,
- Making effective use of land,
- Achieving well designed buildings and places,
- Protecting the essential characteristics of Green Belt land
- Dealing with climate change and flooding, and supporting the transition to a low carbon future,
- Conserving and enhancing the natural and historic environment, and
- Facilitating the sustainable use of minerals.

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

H1 - Spatial Strategy
 H11 - Housing Strategy
 CS4 - Sustainable Development
 CS5 - Design
 CS13 - Town Centres etc Strategy

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

A total of 85 neighbouring properties were consulted on the application which was also advertised in the local newspaper and by way of site notices displayed at locations around the application site. 7 representations were received, including 6 letters of objection and 1 other representation.

The objections received are summarised as follows:

- The 4 storeys are not in keeping with the surrounding area and would look completely out of place.
- The building would overshadow neighbouring bungalows and flats.
- Too many apartments being proposed.
- The proposed parking bays along Rievaulx Drive should be removed. Rievaulx Drive is already a very busy thoroughfare for traffic and these parking bays may result in an accident. The parking bays are also intended to be used for servicing, how will this be policed.
- In site parking is totally inadequate for the number of apartments, retail units, and visitors and where will the disabled parking be sited. This is below the council's standards.
- Parking for local residents would become an even bigger problem than it already is. Residents who live on Rievaulx Drive, Cawood Drive, Carnaby Walk, Newby Close and Boltby Close will need to have free resident parking permits to ensure that what few parking facilities there are not lost.
- Volume of traffic is already an issue without this addition.
- The floor plans show that the apartments on the west elevation will have primary windows and outside amenity area looking onto Rievaulx Drive. Although the separation distance exceeds 21m, due to the height of the building and outside amenity space, this must increase the overlooking issue for the properties looking onto this elevation.
- There is also an outside communal area located on the roof of the third storey. The outside communal area on this building is at a height of 9.6m and must give rise to the impact on and loss of privacy for local residents.
- There is redundant land onto Cawood Drive, how will this be dealt with.

Responses from Internal Technical Consultees

MBC Planning Policy

No objections to the principle of the proposed uses at this site.

MBC Environmental Health

No objections subject to various conditions relating to hours of deliveries/collections, hours of opening, and details of ventilation and fume extraction equipment.

MBC Waste Policy

No objections but residential refuse/recycling will be required to be put out for collection at the nearest adopted highway.

MBC Highways

No objections subject to four conditions.

MBC as Lead Local Flood Authority

No objections.

Ward Councillors (Polano & Dean)

No objections raised to the proposals.

Responses from External/Statutory Consultees

Northern Gas Networks

No objections.

Northumbrian Water

No objections subject to a condition requiring development to be carried out in accordance with the submitted drainage scheme.

Northern Powergrid

No comments received.

Cleveland Police Secure by Design officer

The proposals should adhere to the principles of Secured by Design.

Public Responses

Number of original neighbour consultations	84
Total numbers of comments received	7
Total number of objections	6
Total number of support	0
Total number of representations	1

PLANNING CONSIDERATION AND ASSESSMENT

Principle of Development

1. The proposal to replace the previous neighbourhood centre which consisted of retail, residential and motor repair garage with a scheme of retail and residential is considered to be acceptable in principle, being in accordance with policy requirements for appropriate uses within designated neighbourhood centres as is the proposal.
2. The scheme was initially proposed in a slightly different arrangement and included a children's nursery, however, the children's nursery has now been removed and other changes have been made to the scheme following consideration by officers. It is the revised scheme that is before members for consideration.

National & Local Planning Policy & Guidance

3. The Government's guidance is set out in the National Planning Policy Framework (NPPF), which states that the general principle underlying the town planning system is that it is 'plan led'. Put simply, this means all proposed development that is in

accordance with an up-to-date Local Plan should be approved. Proposed development that conflicts should be refused unless other material considerations indicate otherwise.

4. Specific Government guidance for sustainable economic development and building a competitive economy is held within chapter 6 of the NPPF. The chapter outlines the Government's commitment to ensuring that sustainable economic growth is supported by the planning system. It is stated that *significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.*
5. Chapter 7 of the NPPF 'Ensuring the vitality of town centres' determines that LPAs should promote competitive town centres, provide customer choice and diverse retail offers; and enhance existing markets ensuring they remain attractive and competitive. Inclusive in this chapter is the requirement to *define a network and hierarchy of town centres and promote their long-term vitality and viability, allows a mix of uses (including housing) and reflects their distinctive characters and to recognise that residential development plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.*
6. The importance of sustainability in new development is further emphasised in chapter 9 of the NPPF. This seeks to reduce the need to travel and reduce environmental impacts of transport.

Local Policy Context and Appraisal

7. The Local Plan seeks to achieve the same principles as the NPPF with good design and sustainable development being key policies (CS5 and CS4). The Local Plan also promotes the supply of housing through Policy H1 and recognises the role of a hierarchy of centres in the town (Policy CS13).
8. The application site lies within the 'Hall Drive Neighbourhood Centre', as defined under Policy CS13 of the Middlesbrough Core Strategy. Policy CS13 encourages retail, commercial, leisure and cultural development within a centre of an appropriate type and scale commensurate with its current and future function. Policy REG30 recognises the role of neighbourhood centres and allows for appropriate uses and promotes the vitality of the centre. The policy also determines that planning permission will be granted for small scale and neighbourhood retail and service uses (Use Class A1, A2, A3 and A5), with development being of an appropriate scale, not having an impact upon the character and amenity of the nearby area, and incorporate a sufficient level of car parking. Specifically, the Policy states that *'no proposed development within these centres, unless it can be demonstrated that it is to meet local needs, is of a scale appropriate to the centre and will not adversely impact upon the vitality or viability of other nearby centres, will be allowed'*.
9. Policies H1 and H11 identify west Middlesbrough as a strategic location for housing, which is to be aspirational, creating a sustainable and balanced mix of high quality design and density appropriate to the location. In addition, Policies H1, CS17, CS18 and CS19 determine all development will be required to ensure that it contributes to, and fully integrates with, a sustainable transport network.
10. 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.

11. Policy CS5 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.

Sustainability

12. A neighbourhood centre at Newbridge Court has served the local community for over 60 years and is recognised on the Council's adopted Proposals Map as an important centre to provide nearby residents with essential services. Its recent demolition suggests local residents need to travel further in order to satisfy their daily needs. The construction of four new retail units, including one larger anchor store, will once again allow the neighbourhood centre to serve the local population and minimise the need for people to travel by private car to other nearby local centres. The proposed development would also be seen as making the most efficient use of land, by constructing on the site of the former neighbourhood centre.
13. In terms of providing residential units at the site, these would also be sustainably located, close to the provision of shops and the sustainable transport network, within the established residential area.

Design and Layout Considerations

14. The proposed development is laid out as a single building, in a horseshoe shape, having 3 sides with the ground floor central section being an undercroft parking area. The main section fronts onto Rivaulx Drive and has 4 storey's, the uppermost being set back and of different materials to the main elevation which has been specifically designed to reduce the dominance of the uppermost floor. The central section oversails an area of parking and provides a 1st and 2nd floor and the rear section, closest to the PH, would provide 3 floors all of which give the overall building a main appearance and scale of 3 floors with the front section having the additional storey which is of reduced prominence.
15. Retail units are positioned on the ground floor with retail windows onto Rievaulx Drive and onto the inner courtyard parking area which itself has a single point of access off Rievaulx Drive. The 1st, 2nd and 3rd floors are laid out solely as residential apartments, providing 22no. 2 bed apartments and 2no. 1 bed apartments, a number of which have outdoor seating areas in the form of small balconies, predominantly to the block adjacent to Rievaulx Drive and predominantly facing east and west, although with some facing south. A communal outdoor space exists on the roof of the central section.
16. The proposed development did include a children's nursery which incorporated an outdoor play space although this has since been removed from the scheme.
17. The proposed development therefore replaces the previous two storey, flat roofed development which had a large overhanging canopy to the front of the shops and which was constructed of dark brick and all of which was arguably of a dated and low quality appearance and unwelcoming character relative to modern standards. It is considered that the proposed development will be a significant contrast to the former building/s, with a retail frontage onto Rievaulx Drive along with visible parking areas and a more modern design to the elevations and material palette. The proposals will bring a greater number of apartments onto the site providing more natural surveillance than was previously the case and, in terms of uses (no longer providing a car repair garage) and in terms of appearance, providing a more compatible development within this domestic environment.

18. Having considered the proposed layout and general appearance, it is the officer view that the design and aspect of the proposed retail and commercial units will be of high quality and is in accordance with the design criteria of Policy CS5.

Scale of development and associated impacts

19. Local Plan Policy DC1 requires development proposals to take account of, or satisfy, as a minimum the effect upon the surrounding environment and amenities of occupiers of nearby properties. Evidently the proposed building increases the scale of the now demolished structure from two-storey to predominantly three-storey and four storey in places). There is, therefore a different relationship and impacts on the surrounding environment as a result of the current proposal which requires careful consideration.
20. A number of objections have been raised in relation to impacts on privacy, amenity and overbearing as a result of the scale of the proposed development, the presence of windows serving habitable rooms and balconies and their associated distances from existing residential properties and their gardens. Objections have also been raised suggesting the proposed scale of the development is out of keeping with the character of the area.
21. It is noted that the original housing layout around the shop units was such that the houses were designed with either blank gable walls or garage blocks adjacent to the shops. The public house to the east has its rear elevation orientated towards the application site and the houses to the south (Boltby Close) and west are across highways or separated by a distance in excess of that recommended as being appropriate in the Urban Design Guide notwithstanding objection comments suggesting that the distances should be increased where the height of development increases. Impacts of the proposed scheme are considered below, relative to existing development to the north, east, south and west of the site.

Impacts to the north

22. The closest residential properties to the proposed building are those to the north and being to the north, these will be affected not only by the presence of the proposed building and its increased dominance but also as a result of windows within its elevations the reduced light associated with the properties. The proposals have been amended from the initial scheme to most affected properties are considered to be those to the north. To these properties, the proposed development would be a three-storey (part four-storey) structure that would be closer in proximity than the previous two-storey building. The proposed scheme abuts a residential garage block to the north (western side) and is spaced by approx. 1m from that and this relationship raises no specific concerns. Existing housing to the north is positioned further along the northern site boundary and the proposed development provides car park at ground floor in this location. It is a relatively small car park and provides the parking for the proposed apartments and will therefore be use more infrequently than the parking associated with the shops and is considered will, taking into account boundary treatments, not have an undue impact on amenity or privacy associated with existing residential properties to the north. The remaining ground floor section along the northern boundary provides an integral bin store and which has no openings along its northern elevation which is considered will adequately limit the impacts of movement associated with the operation of the refuse store.
23. The section of the proposed northern elevation is set in from the boundary with the residential properties by approximately 4.5m which assists in providing a greater spacing between windows. The existing properties to the north also lie at right angles to the proposed scheme and any views between windows will be somewhat oblique.

Notwithstanding this, proposed windows are in relative close proximity to those in existing properties. Whilst the majority of windows in the northern elevation serve non-habitable rooms, the ability for adverse impacts on privacy nevertheless remains. In view of this it is considered necessary for certain windows to be obscurely glazed which will be achieved by condition as recommended. Whilst windows may still be able to be opened in some of these locations, the obscuring of key windows will reduce the greater significance of impacts for the greatest periods. The previous shopping centre had its main pedestrian walkway running along the sites northern boundary which would have severely limited the privacy and amenity levels that were achievable as part of the residential occupation to the north and as there is no longer a pedestrian walkway adjacent to properties to the north, it is considered that this adds positively to the considerations.

24. On the third floor, there is provision for an external terrace to serve one of the apartments, as well as an area of 'external community amenity space' for other residents. Whilst the community amenity space is set back from the northern boundary which limits the potential views over neighbouring properties, the private terrace area is close to the northern boundary where there could be harmful overlooking and loss of privacy for residents of the existing houses. To prevent any adverse impacts from overlooking, a condition is recommended for screening for the terrace area.
25. With regards to loss of light, the proposed development, due to its scale and position will result in an additional loss of light with the properties to the north, above and beyond that associated with the previous flat roofed 2 storey development. During the summer whilst being noticeable, will be lesser of than through the winter months when the sun is lower in the sky. The properties to the north are relatively open to their north, east and west and so should remain to get reasonable light from those areas, however, direct sunlight through the winter months will be notably affected and will be to the detriment to the living conditions of the occupiers of the adjacent properties. The step in of part of the building away from the northern boundary will assist this slightly as will the closest section of building being only 3 stories and having a flat roof.

Impacts to the east

26. The eastern elevation of the proposed building is located to the rear of the adjacent public house which itself has accommodation at first floor level. The impacts on the public house mainly relate to the presence and interrelationships between the two buildings, which, are considered to not be of concern, given both the proposed building and the PH will present their 'back of house' elevations facing one another. At 1st and 2nd floors the east elevation has only 6 windows within it, 2 bedroom windows, 2 bathroom windows and 2 communal stair windows the latter of which can be obscurely glazed. A condition is recommended to achieve this.

Impacts to the south

27. Properties in Rievaulx Drive and Boltby Close lie to the south of the proposed building with properties in Cawood Drive also lying to the south east of the proposed building. The proposed site is laid out with the car park access road immediately adjacent to the existing properties to the south (Rievaulx and Boltby) with car park wrapping around the rear and side of properties and adjoining rear gardens of properties in Boltby Close and Cawood. This will result in some noise and disturbance from the proposed scheme through the operation of the car parking. This area however is the area where car parking and vehicular access as well as servicing used to take place associated with the previous development on the site and in view of this, it is considered that there is unlikely to be any additional significant impacts from movement of vehicles as a result of this proposal which also maintains a service access to the rear of the PH. There is a vehicular access point from Cawood through the site, however, the proposed layout is

not seeking to utilise this space. Objection concerns have been raised about what is intended to happen to this area of land which is shown as having no clear use as part of the proposed scheme and a condition is recommended to ensure this is not simply left with open access to it as an area of tarmac.

28. The other main area of impact for properties to the south relates to the presence of the proposed building and proximity of windows. The proposed building will be largely screened at ground floor level from properties existing boundary treatments. At first floor level, the proposed building is approx. 25m away from the rear elevation of properties in Boltby Close and approx. 15m from the side elevation of the nearest property in Rievaulx Drive which exceeds the guidance contained within the Council's Urban Design Guide. Whilst this building is larger than the typical 2 storey to 2 storey relationship to which the distances more commonly relate, the spacing is considered to be adequate to prevent any significantly detrimental impacts on overlooking or loss of privacy. The properties to the south east of the proposed building (Cawood) are at greater distance.
29. The proposed southern elevation is approx. 12.5m from the garden boundary of properties associated with 3 properties in Rievaulx and Boltby and whilst this is relatively close, it is relatively common for housing layouts to provide properties with approx. 10m rear gardens which means elevations with windows in are 10m away from adjoining gardens to the rear. The relationship as proposed, although relating to a 3 storey development at this position, is considered to adequately prevent undue levels of overlooking. The 3rd floor (4th storey) also has an elevation facing south at this position albeit set back from the main elevation by approx. 5m. Narrow balconies are set around the building in this location and will provide some outdoor seating for these apartments. However, these will be at a reasonable distance from the adjacent properties. As with any balcony, its use, at height, will result in a clear appreciation and potential for a perception of being overlooked from existing properties to the south, particularly as they will overlook rear gardens. However, in view of the spacing / distances involved, it is considered that this would not be an undue impact.

Impacts to the west

30. The proposed building is located at a position mainly, aligned with a gap in properties on the opposing side of Rievaulx Drive which assists in reducing the potential impacts of the proposed development. The proposed building is also located approx. 21m away from the residential properties (bungalows) on the opposing side of Rievaulx which is in accordance with the council's design guide for spacing although objection comments have been received suggesting the spacing for structures taller than 2 storey should be increased. The proposed scheme presents a 4 storey elevation onto Rievaulx with the ground floor and uppermost floor being set back from the main elevation by approx. 2m. which slightly increases the distances of these aspects from the residential properties and thereby further exceeds the council's guideline distance. Some of the apartments also have balconies associated with them, however, as these will provide a view across a public thoroughfare, and at distance, it is considered that the privacy or perception of privacy lost as a result of the balconies would not be significant, particularly taking into account balconies at 1st and 2nd floor being relatively limited in size.

Other impacts of scale

31. The proposal represents the replacement of the previous neighbourhood centre, the function of which is to provide a hub for the local community and for this building to be the largest within the immediate surroundings is considered to align with its intended function, becoming a prominent addition into the street scene. The existing street scene includes a mix of bungalows and houses, all with pitched roofs and some to the north of the site having mono-pitch variants which results in additional bulk at 2nd floor level

although it is recognised that these are not the predominant characteristic within the area. Notwithstanding this, it is accepted that the building will be particularly dominant on the area, however, in view of the intended function of the proposals as a neighbourhood centre, in view of the spacing of the proposed building from adjacent properties and in view of the buildings high quality and modern design, it is considered that the proposed development will have a positive impact on the character of the area.

Drainage Considerations

32. The site is within flood risk zone 1, which is recognised as an area with low probability of flooding. The submitted drainage information has been considered by the relevant drainage authorities who are satisfied with the proposed strategy. All surface water will be dealt with in a similar manner to the previous development on site although the proposed scheme will involve the attenuation of water in storm conditions and in doing so will not worsen flooding or the risk of flooding in the immediate or wider area. Conditions in relation to the submitted drainage drawings and the future maintenance and management of the drainage system are recommended to secure an appropriate development.

Highways Considerations

33. The proposed scheme shows an access in a similar position to that previously provided and the scheme would essentially replace a neighbourhood centre and add in a small amount of new housing when considering the amount of housing served by the adjacent road network. The surrounding highways of Glendale Road and Rievaulx Drive are circa 7.3 metres wide; such a width can accommodate some on-street parking without affecting two-way traffic flow or highway safety. Managed areas of formal on-street parking are also provided within defined laybys.
34. In view of these matters, there is no specific concerns over the amount of development from a traffic generation perspective. Indeed, it is considered that the development has the ability to limit trips on the highway by providing the neighbourhood centre which will allow people to walk and cycle to a greater extent.
35. The table below sets out the level of car and cycle parking proposed against the maximum amount of parking guided as being appropriate with Tees Valley Highway Design Guide (TVHDG). Importantly the TVDG is not a site specific document and needs to cover a wide range of developments in a wide range of locations and so careful consideration of individual schemes is important as those in highly sustainable locations can reasonably argue a lesser provision whereas those schemes away from any provisions / links in a rural unsustainable location would need higher provision.

	CAR PARKING		CYCLE PARKING	
	TVDG (max)	Proposed	TVDG	Proposed
Apartments	36	24	6	20
Retail	17	19	10	20
TOTAL	53	43	16	40

36. The proposed development is a small retail centre to serve the local community. These types of development are not designed to attract custom from a wider area and as such have a smaller catchment area with much greater potential for journeys on foot. A large food store on the other hand is designed with a larger catchment to attract customers over a greater area/distance making car travel more likely. Importantly, the retail parking provided is in line, and slightly over the TVDG standards with a much greater

capacity for cycle parking which will serve to encourage more sustainable travel to and from the shops.

37. The apartments are predominantly 2 bedroom although some are 1 bedroom and being positioned above a neighbourhood centre and close to other amenities are considered to be located in a relatively sustainable location which realistically supports lower levels of car ownership. Census data for the ward demonstrates that based upon car ownership per household for the ward that the level of parking proposed is reasonable and realistic. To ensure that this parking is available for residents, the apartment parking is in clearly defined blocks/areas with the majority being away from the retail parking and located adjacent to the resident access points to the building. Generally these parking arrangements are managed by private companies.
38. In terms of sustainability, there is a balance between providing sufficient car parking against encouraging car travel, which leads to further issues. The local area is walkable with schools, public transport, and other local facilities within nationally recognised walking distances (many less than a 10-15 minute walk). The proposed retail facilities will add to this offer for local residents and reduce the need for journeys to other more remote facilities. Bus stops are located on Rievaulx Drive, immediately adjacent to the development, which will provide staff and residents of the development viable alternatives to car travel.
39. Whilst the scheme has reduced the level of car parking, it has over-provided on cycle parking with the aim of promoting sustainable travel. Cycle parking is provided in secure and convenient locations for the differing needs of users. As noted earlier, the internal design and layout of the scheme has provided clear footways and crossing points to support and encourage journeys on foot.
40. Given the above considerations the level of parking is considered to be reasonable and will not be detrimental to the free flow of traffic or highway safety.
41. As for the proposed servicing arrangements, within the site is a turning head that has been designed and provided to adoptable standards, which will ensure that servicing vehicles can enter and leave in a forward gear. Swept path analysis has been provided and demonstrates that the arrangement is practical.
42. It is noted that the site incorporates areas of public highway, which will need to be extinguished. This process is separate to the granting of planning consent and will be undertaken through Section 247 of the Town and Country Planning Act. The highway works to form the site access and layby/footways to the Rievaulx Drive frontage will be covered through agreement under the Highways Act to the standards and specifications of the authority.
43. Given the above factors, there are no objections to the scheme from a highways perspective, subject to conditions requiring details of the off-site highways works, and a method of works statement to protect the existing highway.

Conclusion

44. Overall it has been assessed that the proposed retail and residential uses are acceptable in this location, which is allocated as a neighbourhood centre. The proposed design and scale of the building has been appraised as being acceptable. There will be some detrimental impacts to residential amenity and loss of light, in particular to the north and some notable change of character to what is currently a cleared site. However, the proposed scheme is considered to represent a significant improvement to the previous and current appearance of the site and will re-provide the locality with a much greater degree of sustainability through providing for some of the local day to day needs. It is considered that the significant positive benefits

outweigh the detrimental aspects which themselves have been minimised through careful design.

45. The officer recommendation is to approve subject to conditions.

RECOMMENDATIONS AND CONDITIONS

Approve with Conditions

1. Time Limit

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

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

2. Approved Plans

The development hereby approved shall be carried out in accordance with the following approved plans:

- a) Proposed Site Plan (200-00 Rev 19)
- b) Proposed Elevations (240-00 Rev 15)
- c) Proposed Ground Floor Plan (210-01 Rev 16)
- d) Proposed First Floor Plan (210-02 Rev 13)
- e) Proposed Second Floor Plan (210-03 Rev 13)
- f) Proposed Third Floor Plan (210-04 Rev 13)
- g) Proposed Roof Plan (210-05 Rev 13)
- h) Proposed Sections (300-00 Rev 14)

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

3. Samples of Materials

The development hereby approved shall only be carried out using finishing materials of which samples have been submitted to and approved by the Local Planning Authority.

Reason: To ensure the use of satisfactory materials

4. Approved Hours of Use

The hours of opening of the approved retail units shall be restricted to between the hours of 07:00 and 23:00 Monday to Sunday. Thereafter the individual approved units shall be operated in accordance with the approved hours unless the local planning authority gives its written consent to any variation.

Reason: In the interests of the amenities of the area and local residents.

5. Hours of Collections and Deliveries

Deliveries and collections to the premises shall be between the hours of 08:00 and 19:00 Monday to Saturday, and between the hours of 09:30 and 16:30 Sunday. Thereafter the collections and deliveries to the individual approved units shall be

operated in accordance with the approved hours unless the local planning authority gives its written consent to any variation.

Reason: In the interests of the amenities of the area and local residents.

6. Refuse Collections

Collections from the commercial refuse stores shall be kept between the hours of 08:00 and 19:00 Monday to Saturday, and 09:30 to 18:30 Sunday.

Reason: In the interests of amenity of residents having regard for policy DC1 of the Local Plan and section 12 of the NPPF.

7. Turning/Servicing

No part of the development hereby approved shall be occupied until facilities clear of the public highway have been provided for the manoeuvring of vehicles in accordance with the approved drawing(s) 200-00 Rev 19 or such drawings which are subsequently submitted to and approved in writing by the Local Planning Authority. The drawings shall show means of access, dimensions, surface treatment and drainage. The areas so provided shall at no time be used for any other purpose and retained thereafter for such purposes.

Reason: To ensure a satisfactory form of development and in the interests of highway safety having regard for policies CS5 and DC1 of the Local Plan and sections 9 and 12 of the NPPF.

8. Car and Cycle Parking Laid Out

No part of the development hereby approved shall 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: To ensure a satisfactory form of development and in the interests of highway safety having regard for policies CS5 and DC1 of the Local Plan and sections 9 and 12 of the NPPF.

9. Off-Site Highway Works

The development hereby permitted shall not be occupied until the highway works detailed below have been carried out in accordance with the approved highway works phasing plan and submitted drawing(s) 200-00 Rev 19 or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority:

- a) Removal of the Northernmost existing vehicular access to Rievaulx Drive
- b) Construction of a parking layby to Rievaulx Drive with associated resurfacing of the adjacent carriageway
- c) Construction of an adoptable flagged footway along Rievaulx Drive to the rear of the layby
- d) Formation of a junction to serve the proposed site with pedestrian crossing facilities consisting of dropped kerbs and tactile paving
- e) Removal of the existing vehicular access to Cawood Drive and reinstatement to full height kerb and footway.

Reason: In the interests of providing a safe means of access to the site by all modes of transport and to, minimise disruptions to the free flow of traffic having regard for policies DC1 and CS5 of the Local plan and sections 9 and 12 of the NPPF.

10. Method of Works Statement

The development hereby approved shall not be commenced until a detailed method of works statement has been submitted to and approved in writing by the Local Planning Authority. Such statement shall include at least the following details:

- a) Routing of construction traffic, including signage where appropriate;
- b) Arrangements for site compound and contractor parking;
- c) Measures to prevent the egress of mud and other detritus onto the public highway;
- d) A jointly undertaken dilapidation survey of the adjacent highway;
- e) Program of works; and,
- f) Details of any road/footpath closures as may be required.

The development must be carried out in accordance with the approved details.

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 having regard for policy DC1 of the Local Plan.

11. Soft Landscaping

Prior to the occupation of the development hereby approved, a detailed scheme for tree planting and associated soft landscaping works (based on the indicative landscaping proposals on the approved drawings) 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.

12. 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.

13. 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.

14. Adjacent Commercial Premises Noise Assessment

Prior to the commencement of development a noise assessment from a noise consultant detailing the noise levels that residents are likely to be exposed to from

the neighbouring/nearby commercial premises together with a scheme designed to protect these dwellings from any noise transference shall be submitted to and approved in writing by the Local Planning Authority. The levels required to be met in habitable rooms of the proposed accommodation are those set in BS 8233(2014) measured when the neighbouring commercial business is in use. The report shall also identify all works that will be necessary to protect the residents from noise. Any scheme provided to protect the proposed development from noise shall be completed prior to any of the residential accommodation hereby approved being occupied. Any mitigation works must be retained on site in an operational state for the lifetime of the building.

Reason: To ensure a satisfactory form of development in the interests of the amenities of residents having regard for policies DC1, CS5 of the Local Plan and section 12 of the NPPF.

15. Ventilation/Fume Extraction System

Prior to their installation, details of any ventilation and fume extraction system suitable for uses within class A1, including a full technical specification by a suitably qualified person, specifying the position of ventilation fume or flue outlet points and the type of filtration or other fume treatment to be installed and used at the premises in pursuance of this permission, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be installed before the respective use hereby permitted commences and thereafter shall be retained on site in full accordance with the approved details in an operational state for the lifetime of the use. The ventilation and extraction system shall be operated and maintained in accordance with the manufacturers recommendations including the frequency of replacement filters.

Reason: To ensure a satisfactory form of development in the interests of the amenities of residents having regard for policies DC1, CS5 of the Local Plan and section 12 of the NPPF.

16. Details of Boundary Treatments

Notwithstanding the approved plans, prior to their installation, details of all boundary treatments for the development hereby approved shall be submitted to and approved in writing by the local planning authority. Details for submission shall include the design, specification and positioning of the boundary treatments. Any approved boundary treatments shall then be implemented as part of the development hereby approved.

Reason: In the interests of the visual amenities, character and appearance of the local area.

17. Approved Drainage Scheme

The development hereby approved shall be implemented in line with the drainage scheme contained within the submitted document entitled "Drainage Catchment Plan" dated 24/08/2020. The drainage scheme shall ensure that foul flows discharge to the foul sewer network at 3 locations; upstream of manholes 1004, 1007 and 2003. Surface water shall discharge to the surface water sewer upstream of manhole 2002. The surface water discharge rate shall not exceed the available capacity of 5.0 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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

18. Surface Water Drainage Approved Details

The development shall not be occupied until the surface water drainage works have been implemented in accordance with the submitted and approved Drainage plan (P20-128-3E-ZZ-XX-DR-C-1001-P2), dated August 2020 and restricts surface water discharge from the development to a greenfield runoff rate of 5 l/s or as specified by the LLFA.

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.

19. Surface Water Drainage Management and Maintenance Plan

The development shall not be occupied until a Management & Maintenance Plan for the surface water drainage scheme has been submitted and approved by the Local planning Authority; the plan shall include details of the following:

- a) A plan clearly identifying the arrangements for the adoption of the surface water system by any public authority or statutory undertaker (i.e s104 Agreement) and any other arrangements to secure the operation of the scheme throughout its lifetime.
- b) Arrangements for the short and long term maintenance of the SuDS elements of the surface water system

Reason: To ensure that the surface water drainage infrastructure is maintained to minimise the risk flooding in the locality having regard for policy CS4 of the Local Plan and section 14 of the NPPF.

20. Screening for Upper Floor Terrace

A detailed scheme for the protection of the residential occupiers within the neighbouring units from the external terraced areas shall be submitted to and approved by the Local Planning Authority. The scheme shall include details of screening and any other measures to mitigate the adverse impacts of noise and visual disturbance. Any approved scheme shall be implemented within the approved development, prior to the use of the terrace areas, and retained in perpetuity.

Reason: In the interests of safeguarding the living conditions of the existing neighbouring residential occupiers.

21. Obscure Glazing

The development hereby approved will only be occupied once a scheme of obscure glazing has been installed into the development in accordance with a scheme of such which has first been submitted to and approved in writing by the Local Planning Authority. The approved and implemented scheme shall be retained in perpetuity.

Reason: In order to ensure there are no undue impacts on residential amenity.

22. Car Park Management

The car park shall be laid out and maintained in perpetuity in accordance with a management plan which has first been submitted to and approved in writing by the Local Planning Authority. The management plan shall dictate how the residential and commercial parking shall be provided and operated.

Reason: In order to minimise the risk of ad hoc and inappropriate parking in the wider area.

23. Land to south east corner of the site

Notwithstanding the details hereby approved a scheme of treatment for the land within the south eastern corner of the site attached to Cawood Drive shall be implemented on site prior to the first occupation of the development in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure a suitable treatment of the land.

REASON FOR APPROVAL

This application is acceptable as the proposed mixed use development comprising retail use at ground floor and residential apartments on the upper floors is in full accordance with the relevant national and local planning policies.

In particular, the proposed mixed-use development adheres to the principles and guidance contained within the National Planning Policy Framework and the policies regarding sustainable development, the efficient use of land, transport and accessibility, appropriate measures to mitigate flood risk, conserving and enhancing the historic environment, and it would not be detrimental to the amenities of local residents and other neighbouring uses.

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

Informatives: Environmental Health matters

Noise from Construction Work

The developer should be aware that noise from construction work and deliveries to the site may have an impact upon local residential premises. The developer may apply for a prior consent under the Control of Pollution Act 1974 Section 61 with regard to working hours at the site. The developer can contact the Environmental Protection service for require more details regarding the prior consent process. The hours that are recommended in the Control of Pollution Act for noisy working are 0800-1800 Monday-Friday, 0800-1300 Saturday and no working Sundays and Bank Holidays.

Sound-Proof Machinery

Before any ventilation and fume extraction system is used on the premises it shall be enclosed with sound insulating material and mounted in a way which will minimise transmission of structure borne sound in accordance with a scheme to be approved in writing by the Local Planning Authority. Further advice is available from the Community Protection Service.

Informatives: Highways Related Matters

Statutory Undertakers

The applicant is reminded that they are responsible for contacting the Statutory Undertakers in respect of both the new service to their development and the requirements of the

undertakers in respect of their existing apparatus and any protection/ diversion work that may be required.

Adoption of Highway - S38

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 of the new highway layout. The S38 Agreement should be in place prior to the commencement of works on site.

Works to Highway- S278

The proposals will require alterations to the existing highway and as such will require an Agreement under Section 278 of the 1980 Highways Act. The applicant is urged to consult early with the Highway Authority (tel: 01642 728156) to discuss these proposals. This agreement must be completed and in place before work commences.

Extinguishment of Highway

Implementation of this proposal will require the extinguishment of publicly maintainable highway. The extinguishment process is a separate Legal process to the granting of planning consent and is not guaranteed to be successful. Extinguishment must be commenced before any work is commenced in the vicinity of the affected area and takes in the region of 6 months to complete.

For further information contact the Highway Authority (tel: 01642 728153).

The permission hereby granted should not be construed as authority to place signage, skips, scaffolding, hoarding or building materials within the public highway nor allow cranes/structures to oversail the public highway. Highways consent and the appropriate licence(s) are required prior to these activities.

Further information can be found at:

<https://www.middlesbrough.gov.uk/parking-roads-and-footpaths/roads-and-highways/highway-licences> or contact the Highway Authority (tel: 01642 728153).

Informatives: Drainage Related Matters

Sustainable Drainage Systems

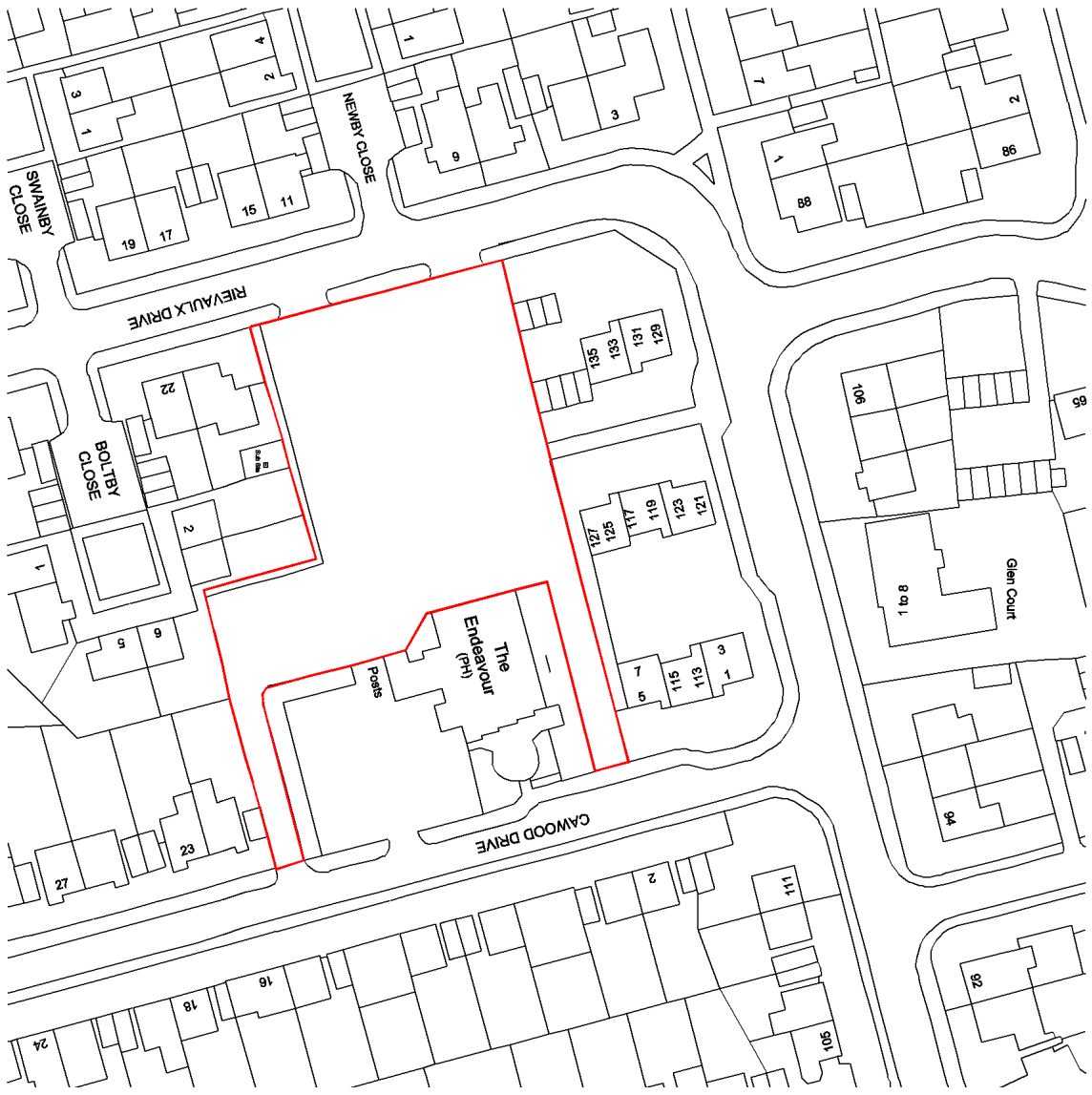
Sustainable Drainage Systems (SuDS) should be considered when designing drainage, driveways and car parking areas.

Permeable Surfacing

Guidance on permeable surfacing of front gardens is available on the Communities and Local Government Website: www.communities.gov.uk

Case Officer: Peter Wilson

Committee Date: 5th February 2021



**PLANNING & DEVELOPMENT COMMITTEE
APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting.

REFERENCE	PROPOSAL/LOCATION	DECISION
20/0275/COU Central	Use of site as temporary car park Former Melrose House , Melrose Street , Middlesbrough , TS1 2HZ	Approve with Conditions
20/0313/FUL Ayresome	Single storey extension to rear 236 Acklam Road , Middlesbrough , TS5 8AA	Approve with Conditions
20/0314/FUL Ayresome	Single storey extension to rear and installation of dormer windows to side and rear 238 Acklam Road , Middlesbrough , TS5 8AA	Approve with Conditions
20/0556/LBC Central	Replacement and additional external lighting Teesside Archives , Exchange House , Exchange Square , Middlesbrough , TS1 1DB	Approve with Conditions
20/0568/COU Linthorpe	Change of use of existing social club to 11 no self-contained apartments (C3) to include extension (part demolition) and external alterations 115 Burlam Road , Middlesbrough , TS5 5AR	Approve with Conditions

20/0588/DIS Newport	Discharge of condition 3 (Ventilation & fume extraction) and condition 4 (Acoustic assessment) on planning application M/FP/0010/14/P Unit 1A Forbes Building , 311 - 321 Linthorpe Road , Middlesbrough , TS1 4AW	Part Discharge Conditions
20/0589/FUL Park	Single storey extension to side 3 Cheltenham Close , Middlesbrough , TS5 6LX	Approve with Conditions
20/0597/FUL Nunthorpe	Retrospective application for ground floor extension of garage and hall to front and first floor extension above garage 12 Levington Wynd , Middlesbrough , TS7 0QD	Refuse and enforce
20/0602/ADV Newport	3no internally illuminated fascia signs and 2no externally illuminated projecting signs. Unit 1A , Forbes Building , 311 - 321 Linthorpe Road , Middlesbrough , TS1 4AW	Approve with Conditions
20/0609/FUL Park	Single storey extension to rear 26 Eastbourne Road , Middlesbrough , TS5 6QW	Approve with Conditions
20/0610/COU Marton West	Change of use of land as extension to residential curtilage with erection of a boundary fence 46 Rushmere , Middlesbrough , TS8 9XL	Approve with Conditions

20/0636/FUL Central	Change of use from shop (A1) to adult gaming centre (Sui Generis) 58 Linthorpe Road , Middlesbrough , TS1 1RA	Refused
20/0655/COU North Ormesby	Change of use from cafe (E(b)) to hot food takeaway (sui generis) and flue to rear 63 Beaumont Road , Middlesbrough , TS3 6NW	Refused
20/0660/FUL Ayresome	Two storey extension to side/rear and single storey extension to rear (Demolition of existing garage) 37 Heythrop Drive , Middlesbrough , TS5 8QB	Approve with Conditions
20/0666/FUL Nunthorpe	Erection of fence at side 14 Collingham Drive , Middlesbrough , TS7 0GB	Approve with Conditions
20/0669/COU Central	Part retrospective change of use of first floor to restaurant (E(b)) and alterations to the existing first floor extension to form function room and remove the timber panelling to replace with brickwork 184 Linthorpe Road , Middlesbrough , TS1 3RF	Approve with Conditions
20/0671/FUL Linthorpe	Replacement timber windows and door to front 73 Cambridge Road , Linthorpe , Middlesbrough , TS5 5NL	Approve with Conditions

20/0676/PNO Central	Installation of photovoltaic solar panels on roof Law Courts , Victoria Square , Albert Road , Middlesbrough , TS1 2AS	Prior Notification Not Required/No Obj
20/0678/OUT Park End/Beckfield	Outline permission for residential development(also retaining the single residential property at Number 57) Former Firmhaul Garage Site And 57 Pritchett Road , Middlesbrough , TS3 0NG	Approve with Conditions
20/0686/FUL Stainton And Thornton	Erection of glass veranda to rear 42 De Havilland Wynd , Middlesbrough , TS8 9GQ	Approve with Conditions
20/0695/COU Ladgate	Change of use of land as extension to residential curtilages 4,6 & 8 Keighley Avenue , Middlesbrough , TS7 8SS	Approve with Conditions
20/0701/FUL Marton West	Single storey extension to rear and replacement dormer to front 14 De Brus Park , Middlesbrough , TS8 9RZ	Approve with Conditions
20/0702/FUL Coulby Newham	Single storey extension to front 50 Woodvale , Middlesbrough , TS8 0SJ	Approve with Conditions
20/0703/DIS Park	Discharge of condition 6 (Noise Assessment) on planning application 18/0447/FUL 406 Linthorpe Road , Middlesbrough , TS5 6HF	Full Discharge Conditions

20/0710/AMD Longlands/Beechwood	Non material amendment to planning application 20/0464/FUL for alterations to internal layout 23 Marton Grove Road , Middlesbrough , TS4 2RQ	Approve
20/0711/FUL Longlands/Beechwood	Single storey extension to side and rear 9 Bilsdale Road , Middlesbrough , TS4 2LQ	Approve with Conditions
20/0714/PNH Park End/Beckfield	Single storey extension to rear 22 Bournemouth Avenue , Middlesbrough , TS3 0NH	Prior Notification Not Required/No Obj
20/0727/PNH Park End/Beckfield	Single storey extension at rear 28 Penistone Road , Middlesbrough , TS3 0DF	Prior Notification Not Required/No Obj
20/0726/FUL Linthorpe	Single storey extension at rear 9 Eton Road , Middlesbrough , TS5 5EP	Approve with Conditions
20/0734/FUL Nunthorpe	Single storey extension to front 43 Bedford Road , Middlesbrough , TS7 0BY	Approve with Conditions
20/0744/PNH Acklam	Single storey extension to rear 12 Britain Avenue , Middlesbrough , TS5 7AT	Prior Notification Not Required/No Obj
20/0765/PNH Marton West	Single storey extension at rear 17 The Croft , Middlesbrough , TS7 8DY	Prior Notification Not Required/No Obj

20/0779/SCON	<p>External alterations including red panels to front elevation and new window to rear (20/2820/FUL)</p> <p>Unit 7 (Former Chiquito Restaurant) , Teesside Shopping Park , Haydock Park Road , Stockton On Tees</p>	No Objections
--------------	---	---------------

20/0780/SCON	<p>Replacement signage comprising 1no. internally illuminated fascia lettering sign and 1no. internally illuminated totem sign (20/2821/ADV)</p> <p>Former Chiquito Restaurant , Teesside Shopping Park , Haydock Park Road , Stockton On Tees</p>	No Objections
--------------	--	---------------

27 January 2021