
APPLICATION DETAILS

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| Application No: | 22/0693/MAJ |
| Location: | Nunthorpe Hall Farm, Hall Farm, Old Stokesley Road, Middlesbrough, Middlesbrough, TS7 0NP |
| Proposal: | Conversion of the existing traditional farm house and buildings to form 7 dwellings, the demolition of agricultural buildings and the construction of 5 newbuild dwellings, along with associated works. |
| Applicant: | G and S Shaw, Shaw Property Developments Ltd |
| Agent: | ELG Planning |
| Ward: | Nunthorpe |
| Recommendation: | Approve with Conditions |

SUMMARY

The application relates to Nunthorpe Hall Farm which consists of a former farmhouse and several associated agricultural outbuildings located in Nunthorpe Village, within the southern part of the town. The proposal seeks planning consent for the conversion of the existing farm buildings (former stable courtyard buildings and two grain store buildings) into seven dwellings along with the demolition of two agricultural storage buildings, the erection of five detached dwellings with associated garages, works to a listed walled garden to form a group of private gardens as well as other ancillary works. The properties are shown as being 3, 4 and 5 bed dwellings. The proposal includes the formation of a SUDs drainage pond in the form of a surface water swale to the west of the site

The current farm access will be utilised for vehicular access to each of the properties. There are two public rights of way (PROW) which access across the site. One PROW will be stopped up and the existing PROW running along the existing farm track into the site would remain.

Following consultation there have been 3 objections and a letter of concern received from nearby residents and comments from Cllr Mieka Smiles. The objections and concerns are based on matters including, scale, proportion and design of the new builds, impact on the character of the area and setting of listed building, loss of privacy, parking issues, traffic and noise increases from the increase in population, privacy issues from Nunthorpe Hall access rights, impacts on nature and wildlife and biodiversity, Public Rights of Way access issues and improved broadband access.

The site is outside the limits of development established within the Council's adopted Local Plan Policies E20 and E22 and within the Nunthorpe and Poole Conservation Area. The farm buildings are locally listed and are considered to be an important part of the villages character and form and are considered to make a notable contribution to the significance of the conservation area. The wall to the walled garden is a listed structure, being formerly associated with Nunthorpe Hall and there are several other listed buildings within the immediate vicinity including Nunthorpe Hall.

The existing farm buildings within the site have been vacant for a considerable period and their retention and re-use is considered to be of significant importance in order to maintain their contribution to the character of the village. In 2013, due to concerns over the long-term functioning / use of the farm buildings, the council employed the North of England Civic Trust to undertake a study of the Group of buildings and associated site. The study detailed that the brick-built buildings on the site would lend themselves to be converted into residential properties but that there would be likely need for enabling development which could be reasonably provided on the site of the more modern and visually harmful agricultural sheds that currently sit to the rear (eastern part) of the site.

The proposed conversions of the historic farm buildings are considered to be well detailed, respecting the existing form and detailing of those buildings and with modest extensions to supplement them. These works will retain the historic presence, detailing and contribution of these buildings to the character of the village. The proposed new builds are deemed to be necessary to support the commercial costs to undertake the overall works. The new builds are detailed in two areas, a single dwelling fronting the main road and designed to be a cottage in keeping with the existing cottages adjacent, and a further courtyard of larger buildings designed to be more functional in appearance and represent agricultural scale, design and arrangement.

It is considered that the proposed development will provide a good mixture of dwelling types, be of a high-quality design and utilise high quality traditional materials suitable for this setting would complement the existing historic character of the area, without detracting from the historic importance of the nearby Grade II listed buildings and the listed walled garden. The proposal seeks rebuild a section of the walled garden where there has been a large section re-built using modern bricks and which currently detracts from the historic character and appearance and adversely affects its significance as a listed structure. The proposal is to rebuild the wall using appropriate matching bricks as well as forming six smaller walled garden areas to serve the proposed dwellings which don't have gardens in their own right and although altering the historic form of the walled garden is considered to be a neutral impact overall.

The existing highway access will be utilised for each of the plots with a central PROW being retained along the main highway access with properties having garaging and parking spaces served off this. The scheme proposed a sustainable drainage pond to the southern section of the site which will provide a positive visual and ecological addition to the site. The wider areas of land within the application site boundary is a small amount of agricultural / grazing land which includes the land within the walled garden.

In order to prevent increased nitrogen entering the River Tees and adversely affecting the associated Special Protection Area, the scheme proposes to prevent future agricultural use of part of the agricultural land and this has been considered and adequately mitigate this matter.

The site is close to a number of other residential dwellings and has been designed in such a way as to prevent any undue impacts on privacy or amenity or in respect of being unduly overbearing on any existing properties.

Whilst the proposal is contrary to Local Plan Policies H1, E20 and E22 for development outside the limits this is considered to be outweighed by the benefits of the conversion and the reuse of the existing historic locally listed buildings through the provision of a long-term use of the historic farmyard buildings and through the design and layout of the supporting development being or an appropriate form also reflective of the farmyard nature of the sites former function.

The development meets the general requirements of the relevant national planning policies detailed within the NPPF and Local Plan Policies, specifically H12, MWC4, MWP1, CS4, CS5, CS18, CS19, DC1, the Urban Design Supplementary Planning Document, Nunthorpe Design Statement SPD, Nunthorpe Hall Farm & Blacksmiths Yard Development Guidance, Nunthorpe and Poole Conservation Area Appraisal and Management Plan, Tees Valley Design Guide & Specification.

A separate application will be submitted for the listed building consent for the alterations to the walled garden area.

The recommendation is for approval of the application subject to conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The site is Nunthorpe Hall Farm which is located within Nunthorpe village and the Nunthorpe and Poole Conservation area. To the north of the application site are residential properties at 15-21 Old Stokesley Road along with agricultural fields, to the west is the former Blacksmith Yard and residential properties at 4-10 West Side (each individually Grade II listed). To the east is agricultural fields and the A172 beyond. The Grade II listed Nunthorpe Hall, entrance gates/walls, St Marys Chapel and the garden terrace walls/steps are located to the south with along with 23 Old Stokesley Road.

Nunthorpe Hall Farm comprises of a vacant farmhouse, attached former stable courtyard buildings, two brick built grain store buildings (all listed), more modern agricultural barns, a steel silo, a walled garden (listed) and agricultural fields. The overall application site area is 3.2 hectares with the development site area being 0.86 hectares and the remainder being agricultural/grazing land.

The proposal is for the conversion of the existing brick-built buildings into 7 dwellings and the erection of a further 5 detached properties with a mixture of integral, attached and detached garages. The properties will be 3 to 5 bed. The site layout includes individual gardens for each of the plots with additional garden spaces for plots 1 to 6 and a communal bin store within the walled garden. The existing highway access will be retained and utilised for each of the plots with a mixture of garage and courtyard parking spaces. The site includes a SUDS pond to the east of the new build plots. A small amount of landscaping would be removed to facilitate the development including a Silver Birch and a small section of hedgerow. The scheme has identified new planting as part of the proposals.

Documents submitted in support of the application include: -

- Planning Statement

- Heritage Statement
- Design and Access Statement
- Drainage Strategy and Preliminary drainage plan
- Tree Survey
- Archaeological Desk Top Survey
- Bat Survey
- Statement of community Involvement

PLANNING HISTORY

M/CAC/0041/98/P – Reduction in height of boundary wall, approved 10th July 1998
M/GRG/0042/98/P - 2.6m high boundary wall, approved 23rd March 1998

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).
- Stainton and Thornton Neighbourhood Plan (2022)

National Planning Policy Framework

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

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

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

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

Housing Local Plan (2014)

H1 Spatial Strategy

H12 Affordable Housing

Tees Valley Joint Minerals & Waste DPDs (2011)

MWC4 Safeguarding of Minerals Resources from Sterilisation

MWP1 Waste Audits

Core Strategy DPD (2008)

CS4 Sustainable Development

CS5 Design

CS18 Demand Management

CS19 Road Safety

DC1 General Development

Saved Local Plan Policies (1999)

E20 Limit to Urban Development

E21 Special Landscape Areas

E22 New Housing in Countryside Beyond the Limit to Development or in Green Wedges

E23 Conversion or Re-Use of Rural Buildings

E24 Conversion or Re-Use of Rural Buildings for Residential Purposes

Supplementary Planning Documents

Urban Design SPD (2013)

Nunthorpe Design Statement SPD (2011)

Other Relevant Guidance

Nunthorpe Hall Farm & Blacksmith's Yard Development Guidance (2013)

Nunthorpe and Poole Conservation Area Appraisal and Management Plan (2008)

Tees Valley Design Guide & Specification: Residential and Industrial Estates Development (2021)

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 and further consultation undertaken on the revised plans. The comments below are in response to the original and revised plans.

There have been 3 objection comments received from the following addresses: -

- Nunthorpe Hall
- 4 West Side (4 Old Stokesley Road)
- 14 West Side

There has been a letter of concern from the following address.

- 8 Agricola Cottages

The objection/concern comments received are summarised below: -

Principle

- Concerns new builds within the village setting will open up further parcels of land for more development and like assurances future development will not be approved.

Design/appearance

- Previous Kier designs showed Plot 1 as single storey with roof lights not dormer windows.
- Development size is disproportionate to the existing village and cannot have a positive impact on the village community. Scale of the buildings replacing the barns. Properties within the village are smaller properties. Resulting in the village being 50% bigger in one fell swoop.
- Heritage Statement notes agricultural relationship between farm/buildings and Nunthorpe Hall but not the evolution of the farmstead. Sets out new builds reflect barn conversions but these are insensitive to setting and historical associations, which result in problems of interpretation. If further courtyard buildings had been required, the original ones would have been extended not placed further north-east. New build plots do not reflect the agricultural form and appearance of the site so section 5 of the Heritage Statement is flawed.
- The proposed layout does not reflect the traditional 19th Century farmyard design. Nunthorpe Hall is Georgian and two storey new builds reflect a later mechanised era. Modern design, scale and breaks in between roof pitches has the appearance of a modern cul-de-sac residential development. Scale at odds with subdued nature of Nunthorpe Village and the proposed form is too urban and pastiche to integrate into the fabric of the village and will have a detrimental impact upon the Grade II listed Nunthorpe Hall.

Amenity

- Loss of privacy from Dormer window on Plot 1, particularly the dormer above the entrance door. Other dormer of lower concern but will lead to loss of privacy in bedroom/bathroom and ground floor rooms.
- Population increases adversely affect traffic and noise to the detriment of a village feel/community.

- Plots 9 – 12 have 16 metres separation distance less than the 21 m privacy required and for Plots 5-7 but concession could be made given this is a conversion.

Highways /Access

- Will sufficient parking be provided for each occupant. Village cannot support more on street parking as the majority of the village housing near the development have no parking.
- Detached gardens Plots 1,2,3 6 and Plots 4 and 5 have access to Nunthorpe Hall running through them and would not allow sufficient private amenity and is impractical. Understood this is to enable cars within the courtyard but contrived solution.

- Public Rights of Way – Major concerns regarding locked gate on existing public access way and loss of public footpath between A172 and Old Stokesley Road and the reduced width of the current public access by half which should not be restricted when developer/resident meeting said no restrictions to PROW.

Ecology/Landscaping

- Any provision made for the loss of habitat of 2 barn owls. Will swift bricks be Provided within the building
- Loss of silver birch tree

- Design – layout is based on tradition 19th Century farmyard the design does not reflect this. The Hall is Georgian period and new builds by being 2 storey reflect a later mechanised era. Modern design, scale and breaks in between roof pitches has the appearance of a modern cul-de-sac residential development. Scale at odds with subdued nature of Nunthorpe Village and the proposed form is too urban and pastiche to integrate into the fabric of the village and will have a detrimental impact upon the Grade II listed Nunthorpe Hall.

Public Responses

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| Number of original neighbour consultations | 33 |
| Total numbers of comments received | 3 |
| Total number of objections | 3 |
| Total number of support comments | 0 |
| Total number of representations | 0 |

Councillor Mieka Smiles

- Parking is properly thought through. There is already a strain on the main stretch due to visitors to the hall. Perhaps a 'residents only' parking scheme could be introduced to offset this.
- New builds are in keeping with the area - and that sympathetic building materials are used.
- Better broadband for the village can be looked at.

Strategic Policy Team – MBC (in summary)

The principle of residential development is contrary to Policies H1, E20, E22 and E24 of the adopted Development Plan. In determining the planning application this will need to be balanced against the material planning consideration of finding a viable use that will ensure the long term protection and enhancement of the heritage assets and their impact upon the special landscape character of the locality.

The proposed development is contrary to Policy H12 as it does not include an affordable

housing contribution. The proposed bin store and subdivision of the Walled Garden into gardens including the removal of the western boundary wall is contrary to the Nunthorpe Hall Farm & Blacksmith's Yard Development Guidance. Given that no elevations of the proposed bin store have been submitted there is considered insufficient detail provided to fully assess the impact of the proposals on the Walled Garden and the Conservation Area.

MBC Highways

Development proposals seek to create a total of 12 dwellings consisting of the conversion existing buildings to form 7 dwellings and the construction of 5 newbuild dwellings.

Traffic generation of a development of this quantum would be in the region of 10 two-way vehicle movements during the network peak periods. Such a level of traffic is negligible (one vehicle every 6 minutes) and will not have a material impact on either the immediate area nor wider highway network.

Development is proposed to be served via the existing vehicular access onto West side. Whilst the access is limited to single flow traffic this must be considered against the likely level of traffic generation, intervisibility between opposing vehicles and be sympathetic to the rural nature and character of the area. As stated above vehicle movements are low so the likelihood of opposing vehicles meeting is very low. Should opposing vehicles meet the intervisibility is suitable i.e a vehicle turning into the development would see a vehicle existing the development and vice versa. Should vehicles have to wait momentarily for each other this would not present a safety hazard to other highway users nor would it detrimentally impact on the free flow of traffic. The character of the area is rural with on-street parking and as such it would not be unexpected for motorists to have to slow or stop momentarily to enable other vehicles to pass and is a situation seen in many other locations.

Parking for residents has been provided in accordance with the Tees Valley Highway Design Guide. Due to the rural nature of the development and conversion of existing agricultural buildings it is not possible for visitor parking to be provided within the development for all properties and as such some limited on-street parking is likely to occur associated with casual callers such as deliveries or visitors for example. Such parking is often short term in nature and is typical within a residential area. The alignment and width of West Side means that this limited parking (duration and numbers) would not be detrimental, nor grounds to object.

The internal layout has proposed that the access and a turning head is to be adopted and as such provides facilities clear of West Side for refuse vehicles and other emergency or servicing traffic. The layout therefore would be designed and constructed to adoptable standards, taking into account sympathetic design to ensure that an overly engineered solution is not introduced to the rural area.

A condition is proposed to ensure that the construction of the development takes place in a managed way and minimising the impact on local residents and highway users.

Given the above the application is supported with the following informatives and conditions.

Local Flood Authority - MBC (In Summary)

No objections subject to conditions requiring additional information on the SUDS design, storage capacity and the infiltration given the proximity to the diverted PROW and on the reasoning behind the use of the swale to the SUDS pond and given the main road through

the site is not to be adopted a condition relating to the future management of the swale/basin.

A condition is required with regards to specific details of the gullies for surface water drainage and storage capacity of additional suds features proposed e.g water butts.

If the works traffic is to access the site from the A172 and the existing farm track which crosses a culvert and the applicant should contact the Highway Authority for a current road condition survey prior to the access being utilised. A condition will be required relating to the condition of the culvert and the weight limit prior to the track being utilised by work traffic. With the track not being adopted and including a public footpath a condition is required that any damage to the surface will be repaired.

The proposed changes to the PROW network will require a legal order to be made to formally change the definitive lines and will involve public consultation. The upgrade of the Public footpath that passes through the site should be considered and discussions undertaken with the PROW officer on proposed diversions.

Current proposals to divert the northern route to join the route through the center of the site may not meet the criteria for a diversion and it may be more desirable to divert this route to the north due to the increase in vehicular traffic. Limited information has been provided on the details of the diversion, surface of the route etc especially as it is proposed to be diverted close to the suds pond and through an area at risk of surface water flooding.

The private road off Old Stokesley road has no proposed restrictions i.e a gate and as such may be accessed by cycles etc. but it is recognized that restrictions are proposed in the middle of the site which again would need approval outside of the planning process. Any diversion order must be completed before works starts on site.

Legal orders, discharge consent and authorisation of gates on a highway is not part of the planning process and contact should be made at the earliest opportunity to the council to prevent delays.

Environmental Protection – MBC (In summary)

With reference to the above planning application should the application be approved conditions are required relating to a road noise assessment and a contaminated land site investigation.

Conservation Officer – MBC (in summary)

Alongside planning policy and legislation, the aforementioned Character Appraisal and Development Guidance guide my advice on this application, as well as Historic England's 'Adapting Traditional Farm Buildings: Best Practice Guidelines for Adaptive Reuse' (hereafter Best Practice), published on 20 October 2017.

The demolition of the modern agricultural buildings on the site is welcomed, not forming the best of traditional and historic development in the village.

The topography of the site and its place in a linear settlement, as described in the Development Guidance has been given careful consideration so new development should work with the identified form and significance of the setting of the village and not dominate views.

The new development proposed relies on the conversion of the farm buildings on site for its justification in this location. Best Practice for farm building adaptation and conversion involves working with its design and materials, including making use of existing window

and door apertures and only creating more where necessary, which has hopefully been achieved with the scheme proposed. However, a variety of windows have been proposed, so to be confident a window and door schedule, as part of a fenestration condition would resolve this.

Best Practice has this to say about new development on former agricultural sites: Whether contemporary in design or based on an existing structure, extensions and new buildings should be subordinate in scale and relate to the massing and character of the existing farmstead group. The Development Guidance states: There is potential for construction of new dwellings roughly E-W along the south boundary of Building 10. This would be a two-storey linear terrace similar in proportion to Buildings 7-8. The contours and village setting mean the visual impact of this orientation and massing would be minimal and would not extend further east than Nunthorpe Hall, but would improve the viability of the overall development. In terms of the 5 no. new dwellings proposed on the site, their locations pulled in towards the form of this linear settlement, should reduce their impact on the Conservation Area, the settings of the Listed Buildings and on the built form and layout of the 'Nunthorpe Hall' collection of buildings identified in the Character Appraisal. However plots 10 and 11 represent very large dwellings with big footprints and massing that have the potential to dominate views into Nunthorpe from the north, particularly considering topography.

The detached garages proposed for plots 10 and 11 are large and risk impacting views of the site from the north; they would benefit from some re-design and further reduction in height to single-storey.

A boundary treatments site plan and elevations plan have been included to support the application and are broadly acceptable. Best Practice for boundary treatments on converted agricultural sites is to minimise and soften them: New fencing, gates and boundary walls need careful design that follows locally observed patterns. Some uncertainties remain, therefore please condition boundary treatments (form, height, materials etc), to protect the significance of the Conservation Area.

Best Practice states: The upgrading of tracks, gateways and yards can have a detrimental effect on the setting of the building. The grey blocks hardstanding proposed for the vehicular access to the conversion and new dwellings appears to have been guided by some traditional blocks found over the road on the Blacksmith's Yard. In principle this is positive, however on the visual images submitted in support of the application, it could appear stark and urban in this location, but this could be resolved by softening the impact with more varied blocks and can be conditioned with samples: Please condition materials (hardstanding, masonry, roofs, door & window frames etc on the conversions, new dwellings, and garages) to be used on site to be agreed with us and approved in writing, to protect the significance of the Conservation Area.

Partial subdivision of the walled garden and the proposed bin store incursion are perhaps not ideal from a historic environment perspective, however their success will rest on precisely how they are achieved. A separate Listed Building Consent application will control the design, form and materials to be used.

I recommend Permitted Development rights are removed from all new residential uses created on this site, which is Best Practice on former agricultural sites, in order to manage future change. All new dwellings and converted buildings plots 6 & 7 (those not within the courtyard) propose extensions or include elements that read as extensions; this results in any future proposed extensions likely to result in overdevelopment of the site and be unable to comply with planning policy to gain planning approval. Please remove all Permitted Development rights as part of any approval, to protect the significance of the Conservation Area.

Providing the above requested conditions are put on any approval, this application with its combination of agricultural building conversion and new dwellings should result in a

positive and successful scheme, which sustains the significance of Nunthorpe & Poole Conservation Area, in accordance with policies CS4 and CS5 of the Middlesbrough Core Strategy and with paragraphs 197, 199, 200 & 202 of the 2021 National Planning Policy Framework.

North East Archaeological Research Limited (summarised)

Reconsidered our comments against some information (maps and aerial photographs) taken in 1946 and the 1958 showing the absence of the agricultural sheds at the western side of the area proposed for housing, demonstrating that the sheds are of relatively recent date. The Ordnance Survey First Edition 6" Series (published 1857) suggests a track or way crossing the area of the walled garden (from south-west to north-east) and connecting with the lane or garden buildings to the north-east.

We would not resist the proposal of the applicant's adviser's to undertake a strip, map and record exercise of the development (red-line) area north of the lane - being the new build housing and the related pond and drainage - as this will ensure that in the absence of prior evaluation an overall picture of the presence/absence of archaeological features is still established before development work commences and any deposits or structures of archaeological interest can be sample excavated and recorded as appropriate. This will be a more labour-intensive option than prior geomagnetic survey, but will avoid the perceived shortcomings in the latter technique.

Strip map and record is however not appropriate in the part of the area of the former walled garden, given that such an investigation would result in greater disturbance/destruction to archaeological features than would the changes in the planning unit (ancillary to the hall to ancillary to the proposed dwellings) and the different intensity of use. The proposal for the western end of the walled garden nevertheless will not preserve the integrity of the walled garden, and our opinion remains that it is incumbent on the developer to fully evaluate the probable below ground features of the garden in those areas where new garden proposals will inevitably lead over time to loss of archaeological details. If the possibility of geophysical survey (resistivity survey would probably be more appropriate) to establish presence/absence existing below-ground features will not be pursued by the applicants, then, as well as a watching brief ahead of any intrusive operational works in this area (e.g. any new walls, kerbing or demolition, as proposed in the landscaping plan), it would be appropriate to attach to any planning permission granted a condition to limit the extent to which deep excavations can take place in the garden and destroy evidence for the arrangement of historic garden features.

Secure By Design Officer- Cleveland Police (In summary)

In relation to this application, I recommend applicant contact me for any advice, guidance I can offer in relation to designing out opportunities for crime to occur at the development. Guidance is available also at www.securedbydesign.com into all security aspects of a new development however dialogue with myself is still recommended and encouraged.

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)

At this time the planning application does not provide sufficient detail with regards to the management of foul water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We therefore request a pre-

commencement condition for further details of the disposal of foul water from the development to be provided to the Local Planning Authority for prior approval.

PLANNING CONSIDERATION AND ASSESSMENT

Policy Detail

The application site is located beyond the Limits to Development and within the Special Landscape Area, the Nunthorpe and Poole Conservation Area, and the minerals safeguarding area for salt and gypsum.

Policy H1 advises that development proposals need to be sited within the urban area, satisfy the requirements for sustainable development of Policy CS4 and contribute to and fully integrate with a sustainable transport network.

Policy E20 seeks to protect the open countryside from development by strictly controlling development beyond the Limits to Development. The Policy sets out allowable development, which includes conversion of buildings that accord with Policies E23 and E24 and development of dwellings that accord with Policy E22.

Policy E22 only allows new dwellings beyond the Limit to Development where it is required for the essential functioning of agriculture or forestry and is for occupation by those engaged in these activities.

Policy E24 only allows the conversion/re-use of rural buildings for residential uses where the applicant has made every reasonable attempt to secure business or leisure use and the application is supported by a statement of the efforts made, or where residential conversion is a subordinate part of a scheme for business use.

Policy CS4 (g) requires all development to contribute to achieving sustainable development principles. This includes being located so that services and facilities are accessible on foot, bicycle or by public transport and reliance on the private car is reduced or minimised.

Policy CS5 requires all development proposals to demonstrate a high quality of design in terms of layout, form and contribution to the character and appearance of the area. This includes the preservation or enhancement of conservation areas and the safeguarding of buildings identified as being of special historic or architectural interest and ensuring any adaptation or reuse is undertaken sympathetically and protects or enhances the special characteristics of the buildings.

Policy E21 requires that special attention is given to the protection and conservation of the scenic quality and character of the landscape within the Special Landscape Area (SLA) and that this is given greater weight than other planning considerations. The Policy requires that development proposals don't detract from the special scenic character and quality of the landscape, are of high design standard, carefully located to reflect traditional scale and character of buildings and landscape in the area, use materials sympathetic to the locality, and don't have a detrimental impact on features important to local landscape, such as trees.

Policy E24 sets out criteria for the conversion or re-use of rural buildings. Whilst the Policy is aimed at the re-use of buildings for business or leisure purposes the design criteria is relevant to the conversion works proposed in this planning application. The proposed residential use for the converted properties and the new builds does not comply with the

business and leisure use exemption set out within Policy E24, it does however accord with the design criteria for existing buildings i.e. extensions being subservient, external alterations being minimal, parking being visually unobtrusive and the protection of wildlife species. Policy MWC4 of the Tees Valley Joint Minerals and Waste Core Strategy DPD seeks to safeguard mineral resources from sterilisation, in this case salt and gypsum. The Policy sets out criteria where non-minerals development will be allowed. This includes where development would not sterilise or prejudice the future extraction of the mineral resource due to the resource being at depth, that depletion of the resource has already occurred, that the resource would be removed prior to development taking place and the need for the proposed development outweighs the need for the mineral resource.

Policy MWP1 requires that waste audits are provided for all major development.

Policy H12 of the Housing Local Plan requires housing developments within Nunthorpe Ward to provide a 15% affordable housing contribution. On sites under 30 dwellings like the application site, the Policy seeks that the affordable housing is provided as an offsite financial contribution.

Principle of Development

The site lies out-with the development limits for Middlesbrough as detailed within the Local Plan and the proposal is therefore contrary to Policy H1 in this regard, neither does it benefit from the allowances and exceptions detailed within Policies E20, E22 and E24 of the adopted development plan as the proposed dwellings are not for essential farming or forestry and there has not been an attempt to secure the buildings for business or leisure uses. The site was marketed for the conversion of the existing buildings to residential units and enabling development however in order to facilitate the conversions, in line with the guidance detailed within a 2013 North of England Civic Trust Study aimed at achieving the long-term use and retention of the heritage assets associated with the farm complex. Both national guidance and Local Plan Policy CS4(g) require housing to be provided within areas where good levels of sustainability and access to services can be achieved. The settlement of Nunthorpe, whilst being on a bus route (28A) that connects with the services and facilities in the urban part of the Borough, is not particularly sustainable as a location being set away from the day to day services people normally require.

The consideration therefore turns to whether there are any material planning considerations which would outweigh these matters.

It is of some relevance that Policy E20 seeks to protect the 'Open Countryside' but does allow some development under certain terms. This application is arguably not within the open countryside, but within a village setting with existing residential properties on either side, being a much reduced proposal to that of a stand-alone development with no other buildings surrounding.

However the development proposal will see the viable re-use of several vacant buildings located towards the centre of Nunthorpe village, providing for their long-term protection and re-use. As these are locally listed buildings, which along with Nunthorpe Hall, form the historic core and basis of the historic function of the village itself, this scheme which will secure their long-term future is considered to add significant positive weight to the balance of considerations.

The Civic Trust Document references future development of the site setting out that most of the buildings can be converted to a sustainable new use and the extent and method of repairs will be dependent on a full assessment of the interiors of each of the buildings with

any historic features being preserved, including those currently hidden. The Civic Trust document sets out that the clearance of the two agricultural stores provides the opportunity for modest new development to help fund the proper repair and re-use of the existing historic buildings and spaces. The scheme adheres to the general principles of this concept for conversions and enabling development and the applicant has submitted to the council a financial viability appraisal of a scheme for the development. The proposed works have since changed since the initial viability appraisal was submitted and this has reduced the additional units on the site by 1 and arguably increased the design quality of the properties. In view of this whilst not all aspects of the viability appraisal are accepted, it is considered to adequately demonstrate that losing a further unit from the scheme would likely result in the overall scheme being unviable and the benefit of the retention, restoration and conversion of the locally listed buildings not being achievable on a commercial basis without this enabling development.

Council's Development Guidance document for the site 'Nunthorpe Hall Farm & Blacksmith's Yard, which was prepared on behalf of the Council by the North of England Civic Trust and published in July 2013.

The Nunthorpe Design Statement SPD establishes Nunthorpe village as being based on the 17th Century Grade II listed Nunthorpe Hall and its associated farm with further cottages developed in the 1800's. Whilst no specific guidance is provided in relation to new residential housing within Nunthorpe village the SPD guidance sets out general principles. Referencing that settlement patterns are important in distinguishing the development of Nunthorpe and any new development layouts should reflect the existing urban grain, recognise historic aspects of the area, reflect the scale of surrounding buildings and context, take account of the existing landscaping and topography and avoid any potential impacts on distance views. Any new development should be high-quality contemporary architecture with in-fill plots being sympathetic to the existing street scene and replacement/new build development being locally distinctive with high-quality materials. Development should consider the relationship between buildings and where possible providing a high-quality landscape design. Any ancillary buildings should reflect the patterns, materials and detailing of the surrounding development. The Nunthorpe Design Statement SPD mentions that any development within or near a significant building, such as Nunthorpe Hall will need to reflect the existing features and character of those buildings.

An objection has been received that the new build plots will open further parcels of land for future development, however, the site is outside of the limits of development as is the remainder of Nunthorpe Village and this development is unique with regards to the conversion and re-use of existing locally listed vacant farm buildings. The positive planning benefits associated with this application would not exist were a further scheme submitted and any future applications for new housing outside the limits of development would have to be considered against local plan policies at the time of submission.

Site Layout / Design, Character and Appearance

Local Plan Policy DC1(b) 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'. Policies CS4 (l) and CS5 (f) commenting that new development should be a high quality design which will 'enhance both the built and natural environment'.

The NPPF (paragraph 124, Chapter 12 and para.130) requires support for;

- the efficient use of land
- securing '*well designed, attractive and healthy places.*'

- creation of high quality beautiful and sustainable buildings to create better places to live and work,
- the use of high-quality design which reflects local character principles set out within the National Design Guide and National Model Design Code.
- developments to be '*visually attractive as a result of good architecture, layout and appropriate and effective landscaping*' and are '*sympathetic to local character and history including the surrounding built environment and landscape setting.*'

The site is located within the Nunthorpe and Poole Conservation area. The existing farm house, stable courtyard buildings and two grain store buildings are locally listed whilst the walled garden to the east of the main farmhouse is listed due to its former association with the Grade II listed Nunthorpe Hall adjacent. In view of these matters, it is considered to be important that the proposed development retains the design, form, character and quality of the existing buildings and immediate surroundings which are of positive character in order to be policy compliant.

The site layout and design of the development has been based around retaining the existing character of the farmhouse, stable courtyard and grain store buildings and their sympathetic conversion into residential properties along with five new build plots, one being designed in a similar manner to the adjacent terrace and the remaining four to the rear of the site being designed on the premise of former agricultural buildings and thereby representing an agricultural scale, character and appearance.

The site currently has one single width access road from the village. Part of the design principles for the site was to ensure this single access road was retained with limited additional access roads or hard standing within the site to retain the agricultural nature of the site. The access road serves all the development with only a single turning head and entrance road into the courtyard development which should allow the semi-informal character to be retained to a degree and thereby reflect on the former character of the grouping of farm buildings.

Existing Buildings

The proposed design of the former stable block courtyard conversion has resulted in minimum alterations to the external appearance and the existing footprint of the buildings. The internal layouts for each plot have been adapted to utilise the majority of the existing window and door openings. Roof lights are proposed to support the use of the roof space within the buildings along with a limited number of dormer windows, the majority of which being internal facing within the courtyard and being compliant with the councils adopted urban design guide for the design of dormer windows. The scheme provides for the courtyard arrangement being retained with the introduction of additional soft landscaping and parking spaces which would replace the existing fully hard surfaced courtyard area which is in a poor state of repair and of relatively poor quality materials.

The proposed conversion of the two grain store buildings would result in a marginal increase in the overall footprint of both buildings by the inclusion of single storey extensions to their rear elevations along with a slight increase in the ridge height of Plot 7. Although the layout and design of these properties will be altered, they are considered to be sympathetic changes which retain the massing and grouping characteristics, would be of high quality and would ensure the original architectural design of the original grain store buildings remains. In view of the above the conversion of the existing buildings is considered to reflect the existing site layout in a way which works for the future use whilst maintaining their character

and appearance. The proposed courtyard treatment will make for a more residential feel compared to its former agricultural use and this is unavoidable to a degree due to the different functioning of the proposed use to that of a farm, however, through careful use of materials and boundary delineation will largely retain the former characteristics. The existing farmhouse does not require permission its own right for use as a dwelling and is included within the scheme for completeness.

The courtyard buildings have no enclosed and private amenity space within the internal courtyard area and it has been a requirement of the applicant to establish some private amenity space for these and two other of the proposed dwellings in order to assist with overall values to offset costs to support the conversion and long term retention of these buildings. The proposed site layout details a partial rebuild of the walled garden through the removal of a non-original section of wall to its west side, redefining the walled gardens main wall further to the east, with an appropriate traditional brick specification and providing 6 smaller 'inner' walled gardens to serve plots 1-6. The internal layout and design of these separate garden spaces is shown having high boundary walls and central access walkway with timber doors into each sub-divided area. This will screen domestic gardens, take a form that is consistent with the character of the area and utilise materials, scale and appearance which is already part of the character and layout of this immediate area.

New Build plots

Of the 5 proposed new build properties, plot 8 would be located between the former grain store buildings and the existing cottage terrace to the north with the other 4 (plots 9, 10, 11, 12) being proposed to the east of the site partly on the footprint of a large open agricultural shed and partly on the land immediately adjacent.

Plot 8 has been designed of a scale and with architectural details that reflect the existing row of terraced properties to the north at 15-21 Old Stokesley Road, also facing the highway and with a consistent building line and retaining the original boundary wall and the large Oak Tree to the front. This property would be in a prominent position fronting the main road and will be viewed more in the context of the existing row of terraced properties, albeit being detached which is somewhat uncommon within the village. Notwithstanding this, the proposed plot 8 is considered to be of a design which would fit with its surroundings in terms of layout, design and appearance. The property is shown having a detached garage set back within the site, not readily visible from the highway, accessed from within the complex of buildings and of a non-domestic scale, thereby taking a scale and appearance of a former agricultural building. This will be visible from the rear of properties and is on the site of an existing modern agricultural shed and is considered would be an improvement in the immediate context.

The four remaining new build plots are set to the rear of the site, partly in the position of an existing large open fronted steel and block agricultural shed and partly on the land behind / around it. These proposed properties will be visible from several wider vantage points and levels here vary, from a high point within the established yard area to a low point heading east away from the buildings towards the bypass. The existing shed on site, whilst clearly of an agricultural character is considered to be non-traditional, being more modern than the other more historically representative buildings in the area and is considered to be a negative characteristic of the site.

The four new build plots 9-12 have been designed to appear as if they are former agricultural buildings within the site, which has resulted in a courtyard arrangement and with each building having a different design and scale to reflect a collection of farm buildings which would have been built over a period of time, and to be utilised for varying functions. Although

individually designed each of the four plots have similar window and door features which link to the traditional window and door details provided within the original stables and farmhouse building. Particular design details include simple stone door and window headers, timber panelling within the window design, timber clad offshoots with simple window/door framing and timber open canopy detailing within the garages. It is acknowledged that Plots 10 and 11 are of a significant scale, however, it is considered that these reflect the scale and proportions which would be apparent from traditional farm buildings and their overall footprint and mass is broken up notably through add-ons / drop down roof sections, contrasting materials and other similar detailing.

The new build plots have a mixture of integral, attached and detached garages with individual designs. Each garage is brick with slate roofs with several of the garages having an open canopy detail with timber supports. Two of the garages will have a habitable room within the roof space but have individual designs with an internal staircase and external staircase and a variation in the garage door design and openings. Importantly, the mix of designs, scales and roof structures throughout the development mean that the proposed development will not appear as a single mass but will instead have its mass broken up and carefully placed landscaping will be able to assist with intermittent screening to support this.

The North of England Civic Trust guidance sets out that new development should generally sit on the site of the two agricultural buildings, which is achieved by the proposed development, however, it goes on to state that this should be done without impacting on the street frontage or pushing as far east as the eastern most agricultural store and should not close the gap between the farm and the existing terraces at 15-21 Old Stokesley Road. The proposed scheme arguably goes beyond this, although, with the benefit of being able to consider the design, massing and layout of the proposed scheme, it is considered that the overall character of the area would not be unduly affected, particularly when taking into account there being formerly active yard to the east of the large sheds, as defined within the Civic Trust document.

Objection comments have been received suggesting that the scale of the new build plots is too great compared to the smaller dwellings in the village and that the application proposals will increase the village by 50%. However, it is considered to be important to continue the development to have an agricultural scale rather than a domestic one as a key characteristic of the village is that residential properties are laid out in a linear form fronting the road and this proposal would not undermine that. Whilst the new build plots are larger than those found within the village, their design, materials, position within the east of the site means the scale and proportions are considered appropriate in this location within the village, as part of the farm grouping.

Objection comments have been received that the new build plots reflect a series of barn conversions which are insensitive to the setting and historical interpretation and if further courtyard buildings would have been required, they would have extended the original stables and not developed further north-east, so the site does not respect the general agricultural form of the wider site. It may be the case that typically farm buildings would have extended as a group, however, with the walled garden immediately adjacent and the Public Right of Way to the side, it is clear that this would not have been an option historically and in this instance it is considered, as detailed within the North of England Civic Trust document that the provision of further built form in the approximate location of the proposed new build's and replacing an existing structure/s, would be an appropriate location for such development. Objection comments have been received that the proposed site layout has been based on a traditional 19th Century farmyard design but the modern design, break in roof pitches reflects a modern cul de sac design and is pastiche and does not integrate well with the

fabric of the village or the Grade II Georgian Nunthorpe Hall. Whilst noted, it is considered that the proposed development has been designed sympathetically to its surroundings and although it is a pastiche, it is considered that a more modern equivalent of provision of buildings would not be suitable given the conservation area / traditional detailing in the area and presence of the listed Hall adjacent.

The overall site layout and design of the both the buildings being converted and the new build plots has been assessed and in view of the matters detailed above, it is considered the proposal, whilst a notable change and addition to this site, would be in keeping with the overarching character of Nunthorpe Hall Farm and would not have an undue adverse impact on the character of the village, notwithstanding it being a clear and notable addition. It would further remove two buildings from the site (large barn and silo) which have through no active use become an adverse visual aspect and these matters are considered to accord with the guidance set out within Policy DC1 (b) and paragraphs 124 and 130 of the NPPF.

The application site is visible from within Nunthorpe Village, from the road entering the village from the north, from the bypass to the east at various locations and from the wider area to the east. From the east, it is and will continue to be visible as development at an elevated position as land slopes down from the site towards the bypass. From this direction the new build properties (plots 9-12) will be visible from the A172, with a backdrop of the original farm buildings and Nunthorpe Hall. The layout and position of the proposed four new build plots and gardens extends beyond the line of the existing agricultural buildings and this will therefore put a greater level of built form back than is being demolished / removed. The site levels rise up from the road and then drop away within the new build part of the proposed development and it is intended that properties to the rear will drop in level to reflect this and to reduce their impacts and dominance on the surrounding / character of the village. A condition is recommended to agree final levels for the scheme.

The proposed site layout and simple design detailing to the rear of the new builds (plots 11 and 12) and relatively minor alterations to the converted courtyard buildings means that although these buildings will be visible, they will be broken up by levels, differing roof designs, shapes and positions, and Nunthorpe Hall will remain to be visible along with recognition of its presence, appearance and part scale, as well as its position nestled amongst mature trees. Whilst the position of the proposed plots 9-12 will serve to reduce the extent of view of the rear of Nunthorpe Hall it is noted that views from the bypass of Nunthorpe Hall already vary depending on the season, leaf cover and this is not a significant view of the Hall in its own right, neither its main elevations or a permeant open view. Indeed, prior to the bypass being built it would have been a more secondary view and in view of these matters it is considered that the proposed scheme will retain a grouping of development without unduly sprawling and without unduly affecting the immediate landscape.

Considering impacts on other viewpoints, the development will be visible when entering the village from the north, between an existing bungalow on the bend in the road and the nearby terrace of dwellings which marks the start of the village (15-21 Old Stokesley Road) and these views are of the existing agricultural sheds along with some screening provided by land levels in the foreground and limited landscaping. The new build properties will be the most notable change from this viewpoint but should, as a result of the designs being proposed, provide a largely agricultural scale and appearance which is what is currently the situation, albeit with more development being visible and of a much higher quality. There is likely to be a recognition of some domestic paraphernalia within gardens from this viewpoint although the proposed post and rail fence boundary to the northern edge of the

development, along with a hedge to supplement it should, in time, be sufficient to soften the overall impact of the proposed new development.

Moving further into the village, views from West Side, the road immediately adjacent to the site, will be of the original farmhouse building being restored and brought back into use, the converted former stable block, converted brick grain stores and the new dwelling (Plot 8). The changes proposed are considered to be sympathetic to the original buildings utilising existing window/door openings and retaining original architectural features. The proposed new builds will be intermittently visible from between the properties but in a sporadic / short term sense. Additions to the existing buildings are limited and have been designed to be of a functional appearance and of contrasting yet functional materials with the intention of representing the form and function of the original buildings on the site. The conversions of the original farm buildings are considered to have a positive impact in the character and appearance of the street scene in that they will bring the buildings back to a good state of repair with limited change to their character.

This will not notably change views / appearance of the site from within the village and will be largely screened from views to the south of the village due to other structures / landscape features

Walled Garden, Boundary Treatments and Materials

The walled garden which forms part of this application site is associated with the previous use of the farm and was formerly part of the overall Nunthorpe Hall, Hall Farm grouping. It is set behind the farm buildings, adjacent in part to the rear of the hall and extends to the east forming a slightly irregular shape and being bound by a high wall, with a wide entrance served off the farm track adjacent to its northern boundary. The walled garden is curtilage listed (associated with the Hall's listing) and the applicant has been advised that a separate listed building application is required for the works within the walled garden.

The proposal seeks utilise an existing entrance to the rear of the stable block to access the walled garden area and create six individual, smaller walled gardens for plots 1-6, including traditional gate details. The garden boundaries will match the existing walled garden with stone coping. Further to this it is proposed to create a small lean to bin store structure within the walled garden area but designed on the basis of a historic brick potting shed or similar, with a well detailed door, lean-to roof and vents within the rear elevation. The walled gardens and bin store are considered to be appropriately designed for there position and would retain the integrity of the traditional character of the site and external views of it. Boundary treatments within the site have considered the local context in accordance with Historic England's Best Practice Guide. Boundaries between the new build plots are brick walls with coping stone detail and external boundaries to the north and east of the new build plots will be post and rail fencing with hedges to supplement. Metal railings on a stone plinth will be reinstated to the front of plots 1 and 2 alongside the road. Railings with stone walls are also proposed to the rear boundary of plot 6 and front of plot 8 to reflect the existing boundary treatment within this section of the site.

A materials schedule has been provided as part of the submission, however a condition will be added to the application that specific details of the materials for each plot and the specific design details of the windows and doors is provided.

The site will retain a large area of agricultural fields and the layout will provide a surface water swale which has been sympathetically designed and located to fit in with the rural landscape. Final details of this would be agreed by condition as recommended.

Saved Policy E21 of the Local Plan seeks the protection and conservation of the scenic quality and character of the landscape in the defined Special Landscape Area and in view of the considerations within this section of the report, it is considered that the proposals would not detract from the special scenic character of the area or the quality of the landscape, that proposals are of a high standard of design, carefully positioned and shall be able to use appropriate materials. As such, it is considered that the proposal is in accordance with the policy. Arguably, the long-term vacancy of the buildings, lack of maintenance and their boarded-up state is currently detracting from the character and quality of the Special Landscape Area.

Heritage/Conservation

Heritage / Conservation Assets – Policy Framework

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 whilst Policy CS5 (h) requires proposals to preserve and enhance the character or appearance of conservation areas and other areas of special interest and character.

The Nunthorpe Design Statement SPD (2021) Section 9 (Well Designed Buildings) sets out principles in terms of the design, materials and landscaping which should apply to existing and new build developments within Nunthorpe Village whilst Policy S1 advises that development within or near significant properties should respect the existing features and character of those buildings. The locally listed buildings within the application site are identified as significant buildings within the context of the Nunthorpe Design Statement.

Paragraph 197 of the NPPF 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.

The site is located within the Nunthorpe and Poole Conservation area. The existing farm house, stable courtyard buildings and two grain store buildings are locally listed. The walled garden to the east of the main farmhouse is curtilage listed due to its association with the Grade II listed Nunthorpe Hal which lies adjacent. Other listed buildings lie in close proximity as street houses / cottages. In order to be able to consider the magnitude of any impacts, or indeed positive affect of the development on these heritage assets there is a need to first understand the significance of the heritage assets. For ease of reading, this section of the report is based on the individual heritage assets, their significance and the impact upon them.

Conservation Area – Significance and impacts

The Nunthorpe and Poole Conservation Area Appraisal and Management Plan (June 2008) (hereafter the Character Appraisal) establishes the character of the Conservation Area as predominantly that of a linear, rural settlement set in a gently undulating landscape of arable and pastoral farmland with remnants of parkland landscaping. The character appraisal notes the application site as making a positive contribution to the conservation area.

The North of England Civic Trust produced a development guidance document in July 2013 for the application site and the Blacksmith Yard to assist the Council in marketing the two

sites. In 2013, the council employed the North of England Civic Trust to undertake a study of the farm site and the nearby Blacksmiths Yard and although this is not an adopted planning guidance document its considerations and assessments are based on preserving heritage. In summary the Civic Trust document identifies the significance of the application site as it's heritage merit and based on it forming an integral part of the village streetscape. The significance was derived from the position of the farm within the heart of Nunthorpe Settlement and the socio-economic history of the village, the functional contribution as part of a group of historic buildings, the incremental form and relaxed layout, visual impact from the intrinsic design of the farm complex and the contribution to the wider appearance of the village and the traditional handmade materials. The Civic Trust guidance provided recommendations in terms of the principles for the conversion of the existing farm buildings and the potential of new build plots within the site as well as highlighting (along with the Character Appraisal) that the two agricultural stores within the site have no historic merit and have a negative impact on the conservation area character. The Civic Trust guidance noted that the removal of the two stores within the eastern section of the site and the sloping contours of the land would enable some form of new housing/garages as replacements for the large agricultural sheds within this eastern section of the site. The Civic Trust guidance provided several options for between 5 and 7 new build houses and associated garages (dependant on the house types) within the site in addition to the conversions.

The proposal will involve the demolition of the two agricultural stores to enable the construction of the 4 new build courtyard plots (9-12) which will therefore have a positive impact on the character of the conservation area and its significance, and the new build structures, through their design, scale and layout as referred to in the earlier sections of the report will allow built form on the site to remain largely where it already is and allow the village to remain to be a linear, rural settlement set in a gently undulating landscape of arable and pastoral farmland with remnants of the parkland landscaping.

The provision of a new dwelling between the former grain stores and the existing terrace to the north is considered to fit with the existing relatively tight knit grain of buildings, reflect the design of nearby historic properties and maintain road frontage and is considered would not harm, undermine or have a negative impact on the character of the wider conservation area.

The proposed alterations to the listed walled garden, will remove non-historic fabric and redefine the western section of the walled garden, to still perform the function and appearance of a walled garden with appropriate scale of walls and use of materials, as well as providing a lean to building within and a relatively small area of inner walled gardens. The walled garden will remain, as will its significance and association with the surrounding buildings, the inclusion of some internal walls along a similar theme is considered will not undermine this significance and is therefore neutral in impact overall.

Listed Buildings and structures – Significance and impacts upon

Locally Listed Farm buildings - Significance

The farm buildings at Nunthorpe Hall Farm built between 1853 and 1894 are on Middlesbrough's Local List (non-designated Heritage Assets). The local list describes them as being a farm associated with Nunthorpe Hall with some very fine architectural details including sandstone dressings, coats of arms within the barn wall, and bull's-eye windows and built largely of handmade brick with slate roofs.

Locally listed Farm Buildings - Impacts

Alongside the North of England Civic Trust study, the conversion of the existing buildings has been assessed in accordance with Historic England's 'Adapting Traditional Farm

Buildings: Best Practice for Adaptive use (2017) document. In summary Historic England's guidance requires consideration of the significance of the buildings, relationship with the wider landscape and sensitivity for adaptation to change.

Structurally there will be limited changes to the existing farmhouse building with only the replacement of a side access door with a window. The main architectural details on the frontage which faces the highway will remain the same.

Revised plans have been submitted for the alterations to the four proposed former stable courtyard properties (plots 1,3,4 and 5). The revisions have resulted in the retention of a significant proportion of the existing windows and original stable door openings and the removal of any additional single storey extensions to these courtyard buildings.

The conversion works do include a limited number of well-designed traditional dormer windows and conservation style roof lights to enable first floor accommodation, without having to increase the overall ridgeline roof height of the buildings. Although individual properties, the overall design has ensured some cohesion between the courtyard plots with similar window designs but individual traditional bespoke door designs to fit the variation in the original door openings. Additional original historic architectural features of the former stables will be retained such as the decorative crest from Tudor Hall and the original stone steps to mount horses to reflect the original stable use of these buildings.

The layout and design of the stable building conversion has retained the original internal courtyard area and single vehicle access point and although the conversion of the buildings requires car parking, this has been designed to be within the existing hardstand yard area, with parking spaces taken off a circular area of hard standing with additional landscaping provided. This will slightly change the character of the courtyard but the retention of courtyard elevations, high quality appropriate materials used for surfacing and careful delineation of plots, it is considered that impact on the significance of these locally listed buildings will be limited, and when taking into account the benefit brought about by their restoration and re-use, is overall considered to be a positive impact.

Similarly, the proposed works to plots 6 and 7 which were the original grain store buildings have utilised the original windows and door openings and retained the original architectural features such as the window slits on the west elevation of plot 6. External alterations to these buildings include single storey extensions to the rear and an increase in the ridgeline roof height of Plot 7. Several revisions have been made to the design and materials for the rear extensions which have resulted in extensions which given the scale and simplistic designs will appear subservient and not detract from the original architectural features of the grain store buildings. The slight increase in the roof height of plot 7 is considered to be a minor alteration to the original design of the grain store building and will provide a stepped ridgeline roof height for plots 6 and 7 which will improve the overall appearance of the buildings and it is considered that the proposed works will allow the original parts of the buildings to be very clearly defined, for the majority of openings to remain, reflecting the former use of the buildings and for the modest extensions to be in clear contrast, thereby retaining the overall significance of the buildings albeit in a converted state. The adverse impacts to the significance of the buildings are therefore very minor with the benefits of their restoration and long term re-use outweighing this to have an overall positive impact.

The proposed new build properties will add to the amount of built form in this location but will maintain a similar tight knit grain with a semi-informal arrangement, utilising design details from elsewhere within the site. Whilst the new build properties will be large in their own right as residential properties they will replace the large modern agricultural sheds which are

currently highlighted within the Character Appraisal and Civic Trust Study as having a negative appearance to the more traditional elements of the former farm buildings. The proposed new builds will not adversely affect the setting of the existing locally listed buildings relative to the Hall, the Walled Garden or the main road within the village and in view of these matters, it is considered the presence of the new builds will be a neutral impact overall.

Listed Walled Garden - Significance

The walled garden is considered to be curtilage listed having been built to support the Grade II Listed Nunthorpe Hall. It is reported and understood that the walled garden has been altered in terms of both its size and shape as the Hall was extended over multiple periods and ownerships, and more recently its western most section has been heavily altered and rebuilt with modern bricks on the external skin. Other walls remain primarily intact, all be it in a poor state of repair. The significance of the walled garden comes from its association with the Hall and its associated history and takes visual recognition from the bypass to the east, which, would have previously not been the case as the bypass is a modern intervention.

Listed Walled Garden - Impact

The walled garden does not have a current use, similar to the existing buildings on site and this prolonged lack of use is problematic for listed buildings and structures. The proposals seek to use the walled garden as amenity space associated with the development, with the majority being a more open and communal space and the western section being partially redefined to provide 6 individual and relatively small walled gardens within the overall walled garden parcel. This would serve to undermine the significance of the appearance of the overall walled garden were it to be readily visible and were it to be undertaken unsympathetically, however, the walled garden will remain to its existing alignments and the additional sub-division, is shown as being undertaken sympathetically, using matching bricks, and the additional of appropriately detailed doors. The inner walls will be lower in height than the main perimeter wall thereby not competing with the significance of the outer wall, and the works will also include for the re-building of out of keeping rebuilt section. It is considered that the impact on the significance of the walled garden will therefore be less than substantial but thorough its re-use, ability to receive long term maintenance, as well as the removal of the non-conforming repairs / brickwork, the proposals will result in an overall neutral impact.

Listed Nunthorpe Hall and associated structures – Significance

Nunthorpe Hall, its garden terrace retaining walls and steps, main entrance gates and piers and St Mary's Chapel are all separately Grade II Listed. In the mid- fourteenth century the Lord of the Manor founded a chantry and chapel of St Mary, the site of which is the current private Chapel of St Marys rebuilt in 1842, attached to Nunthorpe Hall. The Constable family acquired the manor in 1613 and built the first Nunthorpe Hall which appears to have been largely rebuilt in around 1801 with fragments of the earlier building remaining in the form of the ashlar retaining walls to the garden terraces. The significance of Nunthorpe Hall lies from being the primary Georgian Manor house within the village with it's own chapel, Blacksmiths, farm and walled garden and it's position within the centre of the village with residential properties built around the Hall and grounds.

Listed Nunthorpe Hall and associated structures – Impacts

The application site is the farm, farmhouse, former stables and walled garden associated within Nunthorpe Hall, which have been vacant for a significant period. The current derelict state of the farm house, stables and walled garden located in close proximity immediately to the north of Nunthorpe Hall is considered to have a negative impact on the physical appearance and the setting of Nunthorpe Hall and the associated listed structures.

Furthermore, the two modern pre-war agricultural buildings and silo no longer serve a functional purpose with the site being derelict with their presence detracts from the current setting of Nunthorpe Hall and associated St Marys church. Particularly when the Hall and village is viewed from the wider viewpoints along the A172. The demolition of the two derelict agricultural buildings and the silos will ensure these structures do not further deteriorate in terms of their appearance to the further detriment of the setting of the Hall. The proposal will include four dwellings on the site of the former agricultural buildings which will have some presence in terms of the setting of Nunthorpe Hall given their location. However, the redevelopment of this area farm with dwellings which have been sympathetically designed to appear as converted farm buildings, utilising appropriate materials is considered an improvement to the current negative impact of the derelict agricultural buildings on the setting of Nunthorpe Hall.

The proposed conversion of the existing farmhouse, stables and two original store buildings will see former vacant buildings brought back into a viable use. Furthermore, the re-use of the buildings, required repair works and the sympathetic design which retains the original farm building features will ensure the long-term future and historic value of these original buildings. Given the proximity of these buildings to Nunthorpe Hall, particularly the stables and farmhouse the proposed conversion works are considered to have a positive impact on the setting of the Hall and associated listed structures.

It is considered that the impact on the significance of Nunthorpe Hall and the associated listed structures within the grounds will be less than significant given the current negative impact of the derelict buildings and agricultural store buildings. The re-use, repair and ability to maintain the converted and new buildings mean the proposal will result in an overall neutral impact.

Listed Building's No's 4, 6 and 8 West Side – Significance

The row of terraced cottages to the west of the application site are individually Grade II and were built between 1853 and 1894. Their significance lies in the fact they were built in the same period as the Nunthorpe Hall farm and former the start of the residential development within the centre of the village.

Listed Building's no's 4, 6 and 8 West Side- Impact

The application site lies immediately to the east of these listed cottages. The main impact on the setting of these cottages is derived from the current physical appearance of the derelict stables and the farm building and the fact the current state of the buildings will deteriorate further in the long term.

The proposal will reinstate the residential use of the farm building and will convert the stables to residential use which will involve the repair of the existing fabric of the buildings. The conversion works have been sympathetically designed to re-use existing window and door openings with minimum extensions. Externally the frontage along the main highway will be improved with landscaping and the reinstatement of original boundary railings. The proposed re-use of the buildings to be converted, repair works and the minimum physical alterations to the design and fabric of the converted buildings is considered to have a positive impact on the setting of the listed cottages at 4,6 and 8 West Side.

Archaeology

The Archaeological Desk Based Assessment (September 2022) has been assessed by North East Archaeological Research Limited on behalf of the Council alongside historical maps (1946 and 1958). The historical maps show the agricultural sheds to the western side

of the site where the new housing is to be positioned as relatively recent additions and a track crossing the area of the walled garden.

The recommendation from North East Archaeological Research is that a strip, map and record exercise for the development area to the north of the lane is appropriate, where the new build housing and related drainage pond is proposed. This will establish the presence of archaeological features before development work commences and any deposits or structures of archaeological interest can then be excavated and recorded.

The strip map and record method is not however considered appropriate within the former walled garden area given this method of investigation could result in further disturbance/destruction to archaeological features. As geophysical surveys have not been provided it is recommended that in addition to a full watching brief, a condition is required to limit the extent to which deep excavations can take place within the walled garden. This should be prior to any operational works in this area e.g new walls, kerbing or demolition to ensure no evidence of the arrangement of historic garden features is destroyed.

The strip map and record for the northern area of the lane and the full watching brief and limitation on the depth of excavations within the walled garden area are recommended as pre-commencement conditions.

Amenity and Privacy

Core Strategy Policy DC1(c) comments that all new development should consider the effects on the amenities of the occupiers of nearby properties both during and after completion.

Amenity and privacy associated with existing dwellings

The proposed development lies adjacent to and to the rear of existing properties on Old Stokesley Road, to the side of Nunthorpe Hall and opposite residential properties on West Side. Other properties lie further afield. In general terms, the proposal replaces a farm with residential dwellings and the potential impacts of noise, disturbance, odours etc is likely to be much less in relation to the proposed development than a re-purposed / active farm. This is considered to be a positive impact for residential amenity.

There would be impacts through the demolition and construction phases of development and these are not uncommon for all residential and other development and the layout / scheme is such that there is nothing of significance that would be likely to unduly affect surrounding residential amenity in that regard.

Beyond these matters are the impacts of privacy and amenity as a result of the position and outlook of windows with proposed dwellings and the relationship of outdoor amenity space to that of adjacent properties.

The restoration of the existing farmhouse does not require permission in its own right and the position of windows and doors relative to this property are already established. An objection comment has been received in relation to the potential loss of privacy from the two dormer windows located on the front elevation of the converted courtyard buildings (plots 1 and 2) that would face the main road and residential property at 4 West Side, in particular the proposed dormer above the entrance door for plot 2. This concern has been raised with the application and this has subsequently been removed from the scheme. The second dormer has been redesigned with a barn style door opening that will be sited at an oblique angle and approximately 14 metres from the front elevation windows at 4 West Side. The

proposed dormer window and four roof lights will be utilised as bedrooms, landing and bathroom spaces which are not classified as a habitable room space in terms of the recommended privacy distances set out in the Middlesbrough Urban Design Supplementary Planning Document (UDSPD). The revisions to the plans and the non-habitable room uses for the remaining windows is considered to adequately address privacy matters in this regard.

The stable courtyard buildings side elevation faces Nunthorpe Hall and 23 Old Stokesley Road to the south. The alterations to this elevation include the replacement of a door with a window at ground floor and several roof lights at first floor. The replacement door with a window at ground floor is a kitchen window and will be a high-level window which will ensure no impact in terms of the residential property at 23 Old Stokesley Road. Each of the proposed roof lights directly facing Nunthorpe Hall will be non-habitable room windows (landing and a dressing room) and as such are considered to have no significant impact in terms of loss of privacy. There are two additional roof lights which will be installed within the pitched roof of this elevation facing west that may be visible from the rear of 23 Old Stokesley Road. The two roof lights will be bedroom windows and positioned at an oblique angle with no direct views towards 23 Old Stokesley Road.

The east facing elevation of the stable courtyard buildings will have additional ground floor windows, first floor dormers and roof lights which will face directly towards the walled garden. Each of these windows may be visible from Nunthorpe Hall and grounds, given their position and oblique angle to the Hall and grounds there is considered to be no significant privacy impact on the occupants of Nunthorpe Hall.

A row of terraced properties (15-21 Old Stokesley Road) is located immediately to the north and west of the development site. New build plot 8 is within 7 metres of the end terraced property (21 Old Stokesley Road), however none of the windows on the side elevation of Plot 8 are habitable room windows. The habitable room windows within new Build Plot 10 and the converted buildings, plots 6 and 7 accord with the 21 metre privacy separation distances set out within the UDSPD and are also separated by a rear access track. A detached property is located to the north of the development site at 1 Old Stokesley Road. There will remain a minimum separation distance of approximately 65 metres to this property, the proposed development is considered to have no significant impact on the amenity of the occupants of 1 Old Stokesley Road, notwithstanding the proposed development will be visible from that property and its amenity space.

Any alterations to the converted buildings within close proximity to existing residential properties have retained their original ridgeline roof heights. Each of the new build plots (plots 8-12) are located a sufficient distance from the existing residential properties to ensure there is no significant impact in terms of potential loss of light or overbearing impact.

Amenity and privacy associated with proposed dwellings

Within the converted courtyard properties (plots 1-5) any habitable room windows that face each other within the internal courtyard accord with the 21 metre privacy distances set out within the UDSPD.

There is only a 6m separation distance between the windows on the front elevation of the two grain store buildings (plots 6 and 7) that face towards the converted courtyard building (Plot 5). This has been considered as part of the internal layout of the converted buildings with no habitable room windows directly facing each other to resolve any potential privacy issues.

The two converted grain store buildings and detached proposed summerhouse (plots 6 and 7) will have habitable ground floor windows that face towards the gardens and side elevation of new build plot 8 with the upper windows being non-habitable room windows. Screening of the rear garden areas will be provided by a 1.8m high boundary and section of wall and railings towards the front side garden boundary of Plot 8. The boundary height and the fact the no habitable room windows from each of the plots directly face each other means the impact in terms of loss of privacy is not considered significant.

An objection comment references the privacy distances for the new build plots at 16m, being less than the guidance of 21m within the adopted urban design SPD. Whilst noted, the four new builds (Plots 9-12) have been designed with a traditional farm building courtyard arrangement, which historically would have resulted in lower separation distances between the farm buildings. There is a separation distance of 16m within the courtyard itself, however the internal floor plans for each of these four plots has been designed to ensure no habitable room windows directly face each other so will result in no significant privacy issues, thereby achieving satisfactory privacy distances whilst maintaining a characterful tight knit grain. Both new build courtyard plots 9 and 10 have rear elevation windows which face towards Plots 6,7 and 8. The majority of the windows are at an oblique angle to each other and any directly facing windows accord with the 21m privacy guidance.

The overall site layout and distances between the plots ensures there is no significant impact in terms of potential loss of light or overbearing dominance to the future occupants. Consideration has been given to the proximity of plot 8 to the converted properties at plots 6 and 7. The position and orientation of Plot 8 in relation to plots 6 and 7 will ensure there are no significant impacts in terms of potential loss of light or overbearing to Plots 6 and 7. Despite there being some restricted roof heights within the courtyard conversion plots each of the proposed plots provides bedroom spaces which accord with the Nationally Described Space Standards. New Built Plot 8 falls slightly below the 75% gross internal floor area of ceiling heights over 2.3 metres with the first floor being slightly under at 2.25 however this marginal reduction is not considered to be significant.

Each of the plots will have a garden area and outdoor amenity space with additional separate garden spaces provided within the walled garden for the occupants of the converted properties.

An objection comment notes Nunthorpe Hall has access rights to the rear of the stable block between its eastern side elevation and the walled garden and is indicated that this will be impractical and will impact on privacy and amenity associated with the converted properties and having been contrived to enable cars within the courtyard area, the latter of which has been detailed elsewhere within the report). Whilst right of access is a legal issue it is appropriate to consider this as a potential impact on ability for reasonable amenity and privacy being achievable. It is understood that the right of access is for emergency vehicles only and not a general right of access for passing and re-passing. The proposed layout shows the emergency access being maintained through the current site layout design should it be required. Use of this right of access would clearly and adversely affect the privacy of the future occupiers of the properties, however, given the use is for emergency vehicles only and not for the general public use, the impact in terms of privacy is likely to be very limited and the need to find a new, practical and long term use to ensure the long term use of these buildings is considered to carry greater weight in this instance.

An objection comment has referenced the additional noise from the cars and increase in the population. The proposal is for 12 dwellings with one being an existing farmhouse building, the level of activity generated from the proposal is not considered to raise concerns in

relation to noise, particularly as it is replacing the farming use of these properties and the noise that can be generated by an active farming use.

The Council's Environmental Protection team have assessed the proposal and have no objections subject to conditions requiring a road noise assessment and land contamination assessment.

The overall site layout design and internal layouts of the plots are considered to ensure there is no significant impact on amenity levels of the existing residents within the immediate vicinity of the site or the amenity levels of the intended occupants. The proposal is considered to accord with the guidance set out within Core Strategy Policy DC1 (c).
Ecology

Core Strategy Policy CS4(j) requires all new developments to ensure that 'biodiversity assets, geodiversity assets, wildlife species, natural habitats, water resources, landscape character, green infrastructure, air quality and water quality; within and outside Middlesbrough are protected. Where possible such assets should be enhanced.'

Objection comments have queried whether provision for the loss of habitat for the 2 barn owls and swift bricks will be provided within the fabric of the buildings.

The proposal includes the demolition of two agricultural stores and the conversion of several vacant buildings. A Bat, Bird and Barn Owl survey has been completed (Oct 2022) which identified bat roosts for low numbers of pipistrelle and brown long eared bats within the existing stable courtyard buildings and the two grain store buildings, generally limited to daytime roosts. Noting most of the buildings within the site offer suitable bat roost habitats with a high potential for movement throughout the site. The proposed works will result in the loss of these roosts and without mitigation would result in disturbance of maternity roosts and therefore the applicant will be required to apply for a Natural England Protected Species Licence.

Since 2016, there is evidence of barn owls returning to the site and nesting within one of the courtyard buildings to be converted. The proposal would also result in the loss of swallow and house martin nesting habitats.

The survey recognises the loss of some of the existing bat, barn and bird nesting spaces but recommends mitigation measures to ensure the continued use of the site by bats and birds. The Bat, Bird and Barn Owl survey (Oct 2022) recommends the following mitigation measures which will be conditioned:-

- Replacement void habitat created above the garage for Plot 8 (suitable for pipistrelle bats)
- destructive works to roost areas to be supervised by qualified ecologist
- 3 woodcrete bat boxes within line of trees to east of the site
- Temporary barn owl box to be installed within 200m of the development site and 30 days before construction and permanent owl box within garage of plot 12
- Three long lasting bird boxes installed within the line of trees east of the site or boundary walls encompassing the adjacent field
- Replacement barn swallow habitat in the form of open sided log stores
- Works to be undertaken outside of bird nesting period

A further objection comment has been received that biodiversity net gain should be calculated by an ecologist given the loss of wildlife habitat, including alternative barn owl/bat accommodation. The proposal has considered the loss of existing wildlife within the site with mitigation measures provided in this respect. The proposal will retain large areas of arable land and includes the addition of a SUDS pond which is considered to provide additional positive biodiversity benefits to the site, which alongside the mitigation measures is considered to provide a benefit to biodiversity within the site.

Landscaping /PROW

Local Plan Policy E21 requires that special attention is given to the protection and conservation of the scenic quality and character of the landscape within the Special Landscape Area (SLA). The Nunthorpe Design Statement SPD (NDPSD) Policy D6 requires that development outside urban Nunthorpe gives high priority to landscape design.

The proposal seeks to retain the majority of the existing hedgerows around the site with only a small section being removed to the northeast of plot 11. Trees within the site are to remain, including the large oak tree located within the front garden of plot 8 with the self-seeded trees alongside the oak tree being removed.

The original oak tree to the front of proposed Plot 8 will be retained with a single Silver Birch Tree being removed within the site. The Silver Birch is positioned within the site of Plot 10 and whilst the retention of the tree would be preferable it would restrict the development of this plots. A condition will be placed on the proposal that a replacement tree will be provided and that no other trees other than those set out on the approved landscape plan shall be removed from the site without the prior approval of the Local Authority. Additional border planting will be provided to the front of plots 1 and 2, along the main highway access and the garden area for plot 9 with additional landscaping provided within both the internal courtyard areas. A surface water swale will be provided to the SUDS pond.

The Nunthorpe Design Statement SPD (NDPSD) Policy D6 (b) requires new development to avoid the diversion or extinguishments of public rights of way, where it would adversely affect the use and appearance of the countryside. The application proposes the extinguishment of a section of public right of way which runs through the northern section of the site where the proposed newbuilds (plots 10 and 11) are to be located and diversion of another section.

An objection comment has been received that the Public Right of Way (PROW) from the A172 to the village should remain and that the width of the remaining PROW is being reduced. Two PROW's run through the application site with one footpath link from the A172 to the north east cutting across the site and a further PROW along the existing farm vehicles track from the A172 into the village. Although the PROW to the north-east will be removed the existing PROW along the existing farm track will be maintained. The Council's PROW officer has in principle no objections to the proposal however has requested the applicant contact them with regards to the legal process for the diversion of the PROW which would need to take place prior to commencement on site and the potential upgrades to the existing PROW.

The development is considered to be in accordance with the requirements of Policies CS5, E21 and D6 in this regard.

Traffic related issues

The development is for the creation of a total of 12 dwellings. The traffic generation for the development would be in the region of 10 two way movements during the network peak periods which is considered to be a negligible level (one vehicle every 6 minutes) and will not have a material impact on the immediate area or the wider highway network.

The existing single vehicle access into the application site off West Side will remain and will be utilised for the entire development. Whilst the access is limited to single flow traffic this must be considered against the likely level of traffic generation, intervisibility between opposing vehicles and be sympathetic to the rural nature and character of the area.

As stated above vehicle movements are low so the likelihood of opposing vehicles meeting is very low. Should opposing vehicles meet the intervisibility is suitable i.e a vehicle turning into the development would see a vehicle existing the development and vice versa. Should vehicles have to wait momentarily for each other this would not present a safety hazard to other highway users nor would it detrimentally impact on the free flow of traffic. The character of the area is rural with on-street parking and as such it would not be unexpected for motorists to have to slow or stop momentarily to enable other vehicles to pass and is a situation seen in many other locations.

Parking for residents has been provided in accordance with the Tees Valley Highway Design Guide. Due to the rural nature of the development and conversion of existing agricultural buildings it is not possible for visitor parking to be provided within the development for all properties and as such some limited on-street parking is likely to occur associated with casual callers such as deliveries or visitors for example. Such parking is often short term in nature and is typical within a residential area. The alignment and width of West Side means that this limited parking (duration and numbers) would not be detrimental, nor grounds to object.

The internal layout has proposed that the access and a turning head is to be adopted and as such provides facilities clear of West Side for refuse vehicles and other emergency or servicing traffic. The layout therefore would be designed and constructed to adoptable standards, taking into account sympathetic design to ensure that an overly engineered solution is not introduced to the rural area.

A condition is proposed to ensure that the construction of the development takes place in a managed way and minimising the impact on local residents and highway users.

The development will provide a mixture of 3-5 bedroomed properties. Objection comments have been received regarding the on-street parking and whether adequate levels of parking are provided for the development. Revised plans have been received removing the on-street parking with all the required parking to be provided within the application site.

The material schedule shows the internal road and driveways will be a combination of traditional style grey block paving sets matching edging and grey tar & chip. Precise details of the road and driveway materials will be conditioned.

Objection comments have been received that the proposal will result in more traffic and noise to the detriment of the village feel and community. The proposal is for 12 dwellings with one of the properties being the existing farmhouse building. The number of additional properties is not considered to result in a significant increase in the levels of traffic to the village. Each property has parking provision within the site there will be no visual impact from the additional cars.

To minimise intrusion to the village the works traffic is proposed to be taken off the existing farm access track on the A172. A culvert exists within this farm track and therefore prior to any works commencing on the site alongside a dilapidation survey information is required on the condition of the culvert and the weight limit.

The highway officers have raised no objections to the proposal subject to conditions on the construction of roads and footpaths, adoptable layout, details of roads and footways, turning / servicing, car and parking layouts and a method of works statement.

The development is considered to be in accordance with the requirements of Policy DC1 in this regard.

Flood Risk

The application is supported by a Flood Risk Assessment and Drainage Strategy (Sept 2022). The surface water drainage from the site will utilise an ordinary watercourse located within the south-east corner of the site, with the surface water run off rates being restricted and managed by a SUDS basin located to the east of the new build plots. The access roads and houses will be drained by traditional gullies and carrier drains. A landscaped swale will connect surface water flows from the carrier drain to the suds basin. The SUDS basin has a hydro brake which will restrict the discharge rate flow level to 4l/s to the ordinary watercourse. The ownership of the SUDs basin will either remain with the developer or a private management company.

The Foul water drainage is proposed via the public sewers via a foul pump chamber which will be installed within the bin store outbuilding, with the additional flow estimated at 0.6 l/s. Northumbrian Water state that insufficient detail has been provided on the foul water drainage provision and they require a pre-commencement condition for further details to be submitted and agreed with the Local Authority.

The Local Lead Flood Officer has no objections subject to conditions requiring additional information on the SUDS design, storage capacity and the infiltration given the proximity to the diverted PROW and the reasoning behind the use of the swale to the SUDS pond. Given the main road through the site is not to be adopted a condition relating to the future management of the swale/basin is required.

The Local lead Flood officer has required a condition for the specifications for the surface water gullies and storage capacities for the additional suds features within the site e.g water butts.

As set out within the highways section of the report the current farm access crosses a culvert and a condition is required to establish the condition of the culvert and the weight limit prior to being utilised by work traffic.

Nutrient Neutrality

Nutrient neutrality relates to the impact of new development on the Teesmouth and Cleveland Coast Special Protection Area (and Ramsar Site) (SPA) which Natural England now consider to be in an unfavourable condition due to nutrient enrichment, in particular with nitrates, which are polluting the SPA. It is understood that this has arisen from developments and operations which discharge or result in nitrogen into the catchment of the River Tees. Whilst it is understood that this will include farming activities and discharge from sewage treatment works, it also relates to waste water from development. New development therefore has the ability to exacerbate / add to this impact. Natural England has advised that only development featuring overnight stays (houses, student accommodation, hotels etc)

should be deemed to be in scope for considering this impact although this is generic advice and Natural England have since advised that other development where there is notable new daytime use such as a new motorway service area or similar could also be deemed to have an impact which may require mitigating. As with all planning applications, each has to be considered on its own merits. Furthermore, it is recognised as being particularly difficult if not impossible to accurately define a precise impact from development in relation to nutrient neutrality given the scale of other influences. Notwithstanding this, the LPA need to determine applications whilst taking into account all relevant material planning considerations.

The Local Planning Authority must consider the nutrient impacts of any development within the SPA catchment area which is considered to be 'in-scope development' and whether any impacts may have an adverse effect on its integrity that requires mitigation. If mitigation is required it will be necessary to secure it as part of the application decision unless there is a clear justification on material planning grounds to do otherwise.

In-scope development includes new homes, student accommodation, care homes, tourism attractions and tourist accommodation, as well as permitted development (which gives rise to new overnight accommodation). This is not an exhaustive list. It also includes agriculture and industrial development that has the potential to release additional nitrogen and / or phosphorous into the system. Other types of business or commercial development, not involving overnight accommodation, will generally not be in-scope unless they have other (non-sewerage) water quality implications.

Following the completion of a Habitat Regulation Assessment this development is considered to be in scope and has been put through the Teesmouth Nutrient Budget Calculator.

The application site includes a 15,228 m² area of agricultural grazing land to the north and east of the housing development site, a 6218 m² area of sheep grazing within the walled garden and a 500m² SUDS pond area. Based on the levels of agricultural/grazing land and SUDS pond which form part of the application site this off sets any increase of phosphates and nitrate levels generated from the proposed development, resulting in a net change figure of zero for the development.

With the agricultural and grazing land and SUDS pond forming part of the nutrient neutrality mitigation calculation a condition is recommended that these uses shall be retained for the lifetime of the development unless otherwise agreed with the Local Planning Authority.

Residual Matters

Affordable Housing

Local Plan Policy H12 requires housing developments of 5 dwellings or more within specific wards, including Nunthorpe, to provide 15% affordable housing contribution. The applicant's planning statement states that vacant building credit is available to the development which would reduce the affordable housing requirement. As set out in paragraph 64 of the NPPF, to support the re-use of brownfield land where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount. The provisions of NPPF paragraph 64 only apply to brownfield sites. The NPPF specifically excludes land that is or was last occupied by agricultural or forestry buildings from its definition of brownfield / previously developed land. As the application site is not a brownfield site the vacant building credit does not apply.

Notwithstanding this, Policy H12 advises that the Council will relax the affordable housing requirement where the applicant can demonstrate that the requirement would make the development economically unviable. The applicant has provided a viability statement to the council demonstrating the finances associated with the development and based on design requirements, the scheme has further changed to be reduced by 1 unit and to be of a high quality design and more onerous set of works. Officers are therefore satisfied that that the requirement for 2 dwellings within the site to be provided as affordable housing or an off site contribution to be made in lieu, would make the scheme financially unviable.

Minerals

With regards to the policy protection for salt and gypsum (MWC4), it is recognised that the majority of development is on the position of existing buildings and only very marginally extends beyond the existing built form and in view of this is considered to have no notable impact on the future extraction of minerals from this area.

Broadband

Comments have been received that better broadband should be looked at for the village. The proposed development is not required to provide additional broadband facilities for the village as this is not something which is being impacted on by the development. The developer is aware of the Council's aims to improving faster broadband access setting out within the Planning Statement that the proposed development will be constructed (e.g suitable ducting) to ensure it is able to connect and upgrade to the most up to date internet facilities available.

Waste Audit

There has been no details provided with regards to a Waste Audit associated with the proposed development and as such, a condition is recommended to require one to be provided in accordance with the requirements of Policy MWP1.

Conclusion

The site is outside of the limits for development but within an established village and would serve to provide a re-use and renovation of a group of locally listed buildings which are considered to be of notable importance to the historic significance of the village and the associated conservation area. The new build properties, whilst contrary to the policy in principle are necessary to provide viability to the of the overall scheme of works to the locally listed buildings and would do so without undue harm to the privacy and amenity of surrounding properties whilst having only a neutral impact on the significance of the heritage assets both within and adjacent to the site. The proposals are considered to represent high quality, historically representative development of a scale relative to agricultural forms and functions where appropriate. Matters of archaeology, ecology, nutrient neutrality, biodiversity and drainage amongst other matters are all considered to be suitably dealt with and all subject to controlling conditions.

RECOMMENDATIONS AND CONDITIONS

Approve with conditions relating to;

Time Period for Commencement
Approved Plans
Materials Samples

Windows and Door Details
Retention of historic features
External construction
Schedule of Repair Works
Road Noise Assessment
Contaminated Land Site Investigation
Finished Levels
Waste Audit
Foul Drainage
Surface Water Drainage Scheme
Surface Water Drainage Management Plan
Surface Water Drainage Management and Maintenance Plan
Existing Public Rights of Way
Ecology
Retained Trees
Replacement Trees
Hedges and Hedgerows
Renewables or Fabric First
Pd Rights Removed Boundary Treatments
Pd Rights Removed Extensions & Alterations
Pd Rights Removed Conversions of Garages
Pd Rights Removed Hardstanding
Landscape Scheme
Landscape Management Plan
No Business Use
Construction of Roads and Footways prior to occupation
Adoptable Layout
Details of roads, footpaths and open spaces required
Turning and Servicing
Car and cycle parking laid out
Method of Works
Archaeological Observation
Unexpected Discoveries
Nutrient Neutrality

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 conversions and new 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. 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 principle of residential development is contrary to Policies H1, E20, E22 and E24 of the adopted Development Plan with the site being outside the limits of development and the use not being association for business or leisure use however the proposal will result in several vacant locally listed buildings within the centre of Nunthorpe being brought into active use with a high-quality scheme for their conversion and several new built properties. On balance the conflict with policy H1, E20, E22 and E24 does not outweigh the social, economic and heritage benefits of the re-use of these buildings.

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 setting of nearby Grade II buildings, including Nunthorpe Hall, the nearby residents or the community as a whole. The proposals do not conflict with local or national policies relating to sustainability, design, transport or flood risk.

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.
- **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. The applicant is advised to contact

all the utilities prior to works commencing.

- **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.
- **Listed Building Consent Required**
A Listed Building consent application must be submitted to the Local Planning Authority before any modifications or alterations are carried out, either externally or internally, which may affect the character of the listed building, or if the alterations take place to a building or structure within the curtilage which pre-dates the 1st July 1948.
- **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.
- **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. A licence from Natural England is required given the bat roosts within the site.
Discharge into Watercourse/Culvert
The applicant is advised that any discharge of surface water into a watercourse or culverted watercourse requires consent from the Local Authority.
- **Sustainable Drainage Systems**
Sustainable Drainage Systems (SuDS) should be considered when designing drainage, driveways and car parking areas.
- **Public Right of Way on Site**
A Public Right of way exists on the site. Before planning approval is commenced discussion is required with the Highway Authority's Public Rights of Way Officer (tel: 01642 728153) to ensure that the line of the path is not interfered with. Or an order must be obtained to stop up or divert the Public Right of Ways, as shown on the definitive map and statement, under Section 257 of the Town and Country Planning Act 1990. To discuss or apply for an order contact the Highways Authority's Public Rights of Way Officer at rightsofway@middlesbrough.gov.uk.
- **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.

- **Dropped Kerb - S184**
The permission hereby granted should not be construed as authority to work within the public highway. Highways consent is required for the creation/alteration of a dropped vehicle crossing under Section 184 of the 1980 Highways Act. Such works will need to be carried out at the applicant's expense by Middlesbrough Council approved contractors. The applicant is advised that prior to the commencement of works on site they should contact the Highway Authority (01642 728156).
- **Private Street - S220**
As the proposed development fronts a private street, notice will be served under Section 220 of the 1980 Highways Act once Building Regulation approval (or initial notice acceptance) has been given. The applicant is therefore urged to consult early with the Highway Authority (tel: 01642 728156) on the highway details, particularly if it is considered that there may be an entitlement to an exemption under that section.
- **Protect Existing Footpaths/Verges**
Measures must be taken to protect existing footpaths and verges being damaged by site vehicles.
- **Demolition**
Demolition requires notification under Section 80 Of the Building Act1984 prior to any work commencing on site.
- **Highway Authority Discussion**
It is essential that early discussion take place with the Highway Authority (tel: 01642 728156) to discuss the effect on the surrounding highway network during the construction of this development.
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Case Officer: Debbie Moody

Committee Date: 17-Mar-2023