



COMMITTEE REPORT

Item No 1

APPLICATION DETAILS

Application No:	24/0356/VAR
Location:	Former St David's School Acklam, Middlesbrough
Proposal:	Variation of conditions on planning application 20/0004/FUL - Condition 2 (Approved plans), - Condition 6 (Method statement for demolition), - Condition 7 (Surface water drainage approved details), - Condition 16 (Hedges and hedgerows), - Condition 21 (Off-site highways works) & - Condition 23 (Archaeological observation)
Applicant:	Avant Homes (North East)
Ward:	Kader
Recommendation:	Approve with Conditions subject to a Deed of Variation to the S106 Agreement and legal agreement.

SUMMARY

Application 20/0004/FUL was granted on the 26th July 2024 for a residential development of 139 dwellings (and demolition of Caretakers Houses) on the site of the former St David's School. The application was placed before planning committee in February 2021 and the decision was to approve subject to S106/legal agreements being signed. The S106/legal agreement were not signed until July 2024. These covered matters including provision of replacement sports pitch, affordable housing, highway works and nutrient neutrality associated with the River Tees.

The approved scheme included details on the internal highway arrangements, layout of housing, general landscape detail and house types amongst other matters.

This application seeks to amend the scheme to alter the house types, to make slight adjustments to the site layout and to also re-define the wording around several conditions to better reflect the current position. The existing approved scheme however remains extant and able to be built out.

As the development of the site has already been established, the point of access and general highways layout and the arrangement and scale of dwellings remain largely the same or

similar to the approved scheme, these matters do not require additional consideration in determining this application. Similarly, the proposed number of houses remains as per the approved scheme.

The proposed changes, following officers requiring a number of amendments to retain feature detailing to properties, and greening of key parts of the street scenes, are considered to retain the provision of a high quality housing scheme and there has been no notable changes to the relevant policies within the existing local plan or guidance within the NPPF which would alter the key considerations associated with this planning application. The proposal is considered to meet the requirements of the relevant national planning guidance detailed within the NPPF and Local Plan policies, specifically H1,H11,H12,H31,H34,CS4, CS5,CS6,CS17,CS18,CS19, DC1, REG37 and E3. Similarly, the scheme is in general accordance with the allocation of the site for housing which exists within the emerging local plan.

The recommendation is for approval of the application subject to conditions and subject to the variation of the existing S106 agreement and other legal agreement in relation to replacement playing field, highway provisions both within and off site, nutrient neutrality and other matters.

SITE AND SURROUNDINGS AND PROPOSED WORKS

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

The site itself comprises of 6.22 hectares. The former buildings on the site have now been demolished. The proposal is to amend several conditions imposed on the previously approved scheme, these being;

- Condition 2 – Approved Plans
- Condition 6 – Method Statement for Demolition
- Condition 7 – Surface Water Drainage (approved details)
- Condition 16 – Hedges and Hedgerows
- Condition 21 – Off site highway works
- Condition 23 – Archaeological Evaluation

The proposed changes include amendment to house types, and site layout (approved plans) and changes to the wording associated with the other conditions.

The scheme retains provision of 139 dwellings that will comprise of 2, 3 and 4 bedroomed properties. The house types will continue to be a mixture of terraced, semi-detached and detached dwellings and will include semi-detached and detached bungalows. The site layout of the proposed revised scheme retains an area of open space to the north of the site which will include a small trim trail and further retains a landscaped corridor running east / west across the site which provides a footpath/cycle path link between St David's Way/Hall Drive and Acklam Road. The scheme does not make any alterations which affects the surrounding area's unduly and is considered to be in line with the basis on which the previous application was granted permission.

Highway improvement works will continue to be undertaken to bring St David's Way up to adoptable standards. The works include visitor parking bays, a pedestrian cycle path, removal

of the plateaux table at the junction of Hall Drive and St David's Way, being replaced by two speed cushions and the realignment of the kerbs at the junction with Hall Drive and resurfacing works.

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

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

PLANNING HISTORY

Previous planning history relevant to this proposal is as follows;

20/0004/FUL - Demolition of existing caretaker's property and erection of 139 dwellings with associated improvements to St David's Way including access widening and landscaping.

PLANNING POLICY

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

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

Middlesbrough Local Plan

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

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

National Planning Policy Framework

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

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

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

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

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

Emerging Local Plan
HO4e - Former St Davids School Site
ST1 – Development Strategy
CR1 – Creating Quality Places
CR2 – General Development Principles
CR3 – Sustainable and High Quality Design
CR4 – Developer Contributions

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. The plans have been revised further since these comments were received but typically on minor matters within the site.

Public Responses

Number of original neighbour consultations	104
Total numbers of comments received	15
Total number of objections	13
Total number of support	0
Total number of representations	2

Resident objection / comments received from:

24, 32 Adcott Road
2, 3, 5, 6, 7, 10, 12, 14, 20, 24, 25 Cowley Road
423, 425 Acklam Road

The objection comments are summarised below:

Groundwater drainage

There needs to be comprehensive plans in relation to the management of groundwater and waste water. A considerable amount of water is collecting on the site and does appear to have affected ongoing work. It has historically had ponds forming on the site over the years which have never fully drained away. The water affecting the site is not going to stop when buildings are erected and it will need somewhere to drain to. Consideration must be given to the severity of water collection in light of climate change.

Surface water drainage

Concerns regarding the handling of the surface water and in relation to the impact on the sewer pipes serving the houses located on Acklam Road whose drainage leads from the rear of the property's into the field where the development is to take place. The increase in volume of water has increased considerably in recent years and I would anticipate a further large increase from the development not being able to handle the overall quantity. This situation is only going to get worse due to changes in weather patterns.

Fencing to the end of Cowley Road

It was understood that there would be no access to the development from Cowley Road and there would be a 2m high fence forming this boundary. The proposals show a 0.45m birdsmouth fence across the end of the road will not stop access. As previously set out this could cause a security problem. (*Fence now amended since comments received about the initially proposed 450mm high fence*).

General Comments

I am happy the issues I raised have been resolved with the newer drawings that have been issued.

I am just emailing to confirm since the revised drawings, my previous comments are now closed out.

Construction Phase

I would strongly object to any works vehicles being permitted to enter Cowley Road, to work on the development. This would present a danger to the residents, particularly young children, and to parked vehicles. Heavy plant vehicles would deposit mud on the road, with all the problems that this would cause. As the owner of a property which backs on to St.

David's Road, the current works cause enough noise and inconvenience. Permitting plant to enter the road would be very detrimental.

Removal of Hedges

I am opposed to the removal of hedges and hedgerows. These are an important resource for the wildlife in the area. This development should not affect the important role of the Avenue of Trees in the ecology of this part Middlesbrough. Furthermore any amendment must not be used as an excuse to use the road as an access to the building site by the developer's vehicles.

Objection to the proposals to remove hedges due to lack of privacy (security and lack of accuracy and information regarding the proposals).

Biodiversity

In this original application form dated 2020. Section 12 Biodiversity and Geological Conservation. Avant have answered no to all 3 questions. Which I believe is incorrect and misleading. As you may already be aware the avenue of trees is in a conservation area that's is loved by local residents. It is also home to owls and other birds of prey. We also have bats, hedgehogs and a whole host of other wildlife here. Obviously this wildlife has also thrived on the old school land as well. Has this misinformation from Avant been picked up by anyone else at the council and how does this affect the application?

In addition to these comments the conditions that Sport England have insisted on by ensuring 3 football pitches are installed on the Sandy Flatts area near the Wind Turbine should be reconsidered. Adding more football pitches is of no benefit to the development the area and in the current climate the council could do without the expense of the upkeep. The proposed area is used by the wider public walking and enjoying the wildlife.

Waste Policy- MBC

As previously stated, properties serviced by shared drives will be responsible for bringing their Refuse and recycling bins to the nearest public highway. Collection vehicles are not authorised to drive on shared drives. The latest site layout drawing; 5187 200 05 Acklam Colour Site Layout Rev C, have Bin Collection Points servicing plots 16 to 17 and 72 to 75 along the shared drives. These Bin Collection Point's should be located adjacent the public highway as per all other BCP's, and as per previously submitted on 1175 AVA, Drawing No. 100, Revision L, and located off the private shared drives.

Environmental Health – MBC

No Comments.

Secure By Design Officer- Cleveland Police (In summary)

In relation to this application, my previous comments and recommendations dated 28/10/24 are still valid.

Historic England

We do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Sport England

As per our previous response, Sport England's interest in this site related to the playing field that formed part of its former use as a school. Planning approval 20/0004/FUL was subject to a section.106 agreement which secured replacement playing field as an extension to the nearby Kader playing field. The S.106 agreement remains unaffected by the proposed variations, and as such Sport England has no objection to this application.

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.

PLANNING CONSIDERATION AND ASSESSMENT

Principle of Development

1. Under Local Plan Policy H1, H31 and H34 the former St David's School site has been allocated for residential use and the previously approved scheme for the site has established the principle of residential development of upto 139 dwelling. The emerging Local Plan continues to allocate the site for the development of approximately 139 dwellings, which is aligned with the existing approved scheme. There is no policy change which would suggest this site is no longer appropriate for residential development. Given the proposal seeks amendments to the approved house types for the site, very minor layout changes and the remainder of changes being in regard to the specific wording of conditions, it is considered that the principle of this proposal to vary the original permission is in line with relevant planning policy and guidance.
2. Core Strategy Policies DC1, CS4 and CS5 seek to ensure a high-quality sustainable development; ensure amenity of the nearby residents and that the character of the area and highway safety are not adversely affected by development. These are echoed in emerging Local Plan Policies CR1, 2 & 3. Following the initial submission of plans with this application, the case officer raised concerns over a reduction in visual quality of house types, a number of concerns over changes to the layout of the site, albeit relatively minor changes, and the loss of the 2m high privacy fence to a section of the sites northern boundary adjacent to the end of Cowley Road, being a matter also raising objection from local residents. The applicant has reviewed these areas of concern and confirmed by revised plans that the fence to the end of Cowley Road will be a 2m high privacy fence, added new fenestration and feature details to the revised house types and introduced new street trees to parts of the road corridor where they were proposing change / loss of landscaping which would green the environment. In view of these changes, the proposed house types and street layout are considered to be in accordance with the principles / quality of the approved scheme and the guidance / policy expectations around new developments.
3. Those matters dealt with by the previous application which are not being affected by this application are not detailed in this report.

Playing Fields

4. Part of the site is the former playing pitch of the former St David's School. Policy H34 requires that the redevelopment of the site would require the re-provision of playing pitches within the town. Within close proximity of the application site is an area of land directly to the south of the existing Outwood Academy and Kader Football Club which has been identified as suitable for the replacement playing pitches. The re-provision of playing pitch's has been previously dealt with via a S106 Agreement (requiring financial contribution to undertake the works) and this proposal does not intend to amend the provisions of that agreement. There will however be a need to undertake a deed of

variation to that S106 Agreement so that it also relates to this current application reference. This forms part of the recommendation.

Design & Layout (Proposed Variation of Condition 2 – Approved Plans)

5. The proposed scheme has resulted in a number of small changes around the site which are limited in their extent. The scheme fundamentally retains the character and layout of key areas of the site, namely, the access road leading in, the open space to the northern part of the site, the east – west pedestrian route across the site and the land which forms the site adjacent to the 'Avenue of Trees' associated with Acklam Hall. These all remain unaltered in their overall provision, with alterations having been put forward to some of the much smaller areas adjacent to and in front of properties largely as a result of the footprint and arrangement of driveways changing to suit the latest house types.
6. The following images show a number of the proposed changes from the existing approved layout;

Plots 1-3. Amended house types resulting in adjusted building lines, wider property to plot 2 and introduction of garage in rear garden. No external impacts and largely retaining same character as approved scheme.

Existing



Proposed



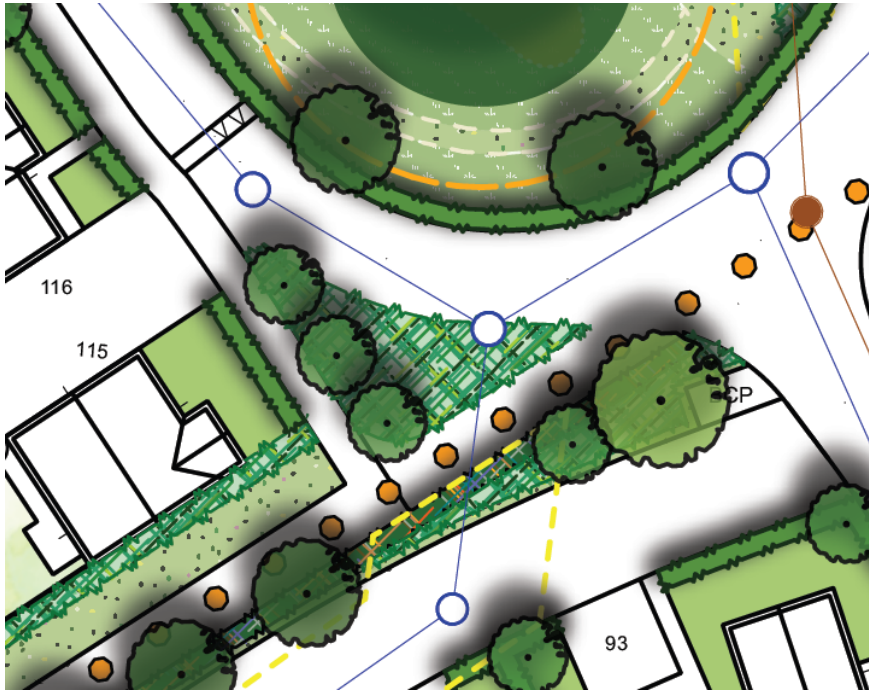
Plots 12 and 13 – Change to house types and slight realignment of dwellings and change in scale. No notable character changes.



Plot 47 and 48. Change to house types resulting in less overlap of properties front elevations, wider plot and rear garden to plot 48 and more front garden achieved to plot 48 so improved streetscene character.



Corner in Highway, Trees and green space in corner submitted as being removed and block paved. Amendments have re defined this as green space as per image below.



7. The proposed changes of housetypes means most properties within the development are slightly adjusted in alignment / width etc but as the example details show above, these are limited in nature of change and are considered to retain the overall quality and character of the scheme.
8. The approved plans detailed a 2m high boundary treatment along the site boundary adjacent to the end of Cowley Road. The initial plans submitted with this application to vary the approved scheme intended to amend the site boundary and provide a 0.45m high 'birdsmouth' rail instead of 2m height as previously approved. This resulted in a number of objections being submitted from residents in Cowley Road. Officers discussed this with the applicant and revised plans have been submitted detailing a 2m high fence between the site and Cowley Road and is considered to largely address objectors considerations in this regard.
9. With regards to house type alterations, examples are detailed below of those approved and those being proposed (following amendments being required to retain quality / character).



Approved House types



Proposed House Types



Amenity

10. The proposed layout and property types are considered to still maintain the same or similar distancing between opposing main elevations, retaining similar level of privacy for future and existing occupiers and providing adequate private amenity garden space for future occupiers. In addition the internal space within each of the dwellings meets the government space standards for new dwellings.

Proposed Variation of Condition 6 (Method Statement for Demolition)

11. The imposed condition 6 required demolition and removal of site trees (accepted for removal) to be undertaken in accordance with a scheme to be submitted for the council. This scheme has now been provided and the proposed amended wording for the condition relating to demolition and removal of site trees is that it is undertaken in line with the submitted Arboricultural Method Statement.
12. The method statement details are considered to be acceptable, providing details of root protection for retained trees, no dig construction, cover plates for the ground where vehicles will run and other similar details. Adequate protection will be afforded remaining trees.

Proposed Variation of Condition 7 (Surface Water Drainage)

13. The imposed condition required the development to be completed in accordance with an approved drainage scheme and limiting the surface water discharge to specific existing manholes and at specific discharge rates. The drainage scheme will have now changed to reflect all the slight changes to the site layout and house type changes and the applicant is seeking amendment of the condition to require connection to the same agreed existing manholes and to the same agreed discharge

rates. How the developer connects to these and the requirement for drainage tests will form part of Building Regulation Approval for the site and does not need to be controlled further than the proposed condition would require, which retains the same key requirements as the approved scheme.

Proposed Variation of Condition 16 (Hedges and Hedgerows)

14. The proposed wording for the new condition again, reflects the proposed amended site layout and references key specific Arboricultural documents submitted and considered with the application and achieves the same level of control and mitigation as required by the approved application.

Proposed Variation of Condition 21 (Off Site Highway Works)

15. The proposed amendments to this condition are again to reflect the change of approved documents and the need to amend plans so that the proposed layout is detailed within them. The overall provision of off site highway works is unaffected by this proposed change as the requirements for realignment of the Hall Drive / St Davids Way remains necessary, as does the provision of the shared footway / cycleway, the provision of managed on street parking bays and build outs, and the provision of a scheme of street lighting along the feeder road off Hall Drive.

Proposed Variation of Condition 23 (Archaeological Observation)

16. The proposed variation to this condition is intended to require the scheme to be undertaken in accordance with the findings and recommendations of the Archaeological Desk Based Assessment and Archaeological Evaluation Assessment which has been submitted as part of the condition discharges already submitted following the approval of the earlier scheme. This essentially just updates the documentation list which has to be complied with following matters progressing since the initial decision.

Residual issues

17. A letter of objection has been received in relation to details contained on the application form of the 2020 application, in relation to Biodiversity and Geological Conservation. This matter is relevant to the former application and not relevant to this proposal to alter the approved scheme. Notwithstanding this, officers have reviewed the relevant part of the application form of the approved scheme and consider it has been completed accurately in respect to the 3 questions asked about impact on Protected and Priority species, Designated sites and features of geological conservation importance.
18. Objection and concern has been raised in relation to the number of houses proposed and the impact of traffic and similar matters, however, these are not being affected by this proposal to vary house types and site layout and alter the wording of conditions imposed on the approved scheme. These comments on matters established by the previous application therefore carry no weight in considering this current application.
19. Comments from the Council's waste collection services has indicated that the bin collection points for plots 16/17 and 72-75 need to be located closer to the adoptable highway to prevent the refuse lorry having to reverse onto a private drive and which

would also prevent the pull distance being excessive. Bin collection for plots 72-75 has been addressed and a condition is recommended to address this matter in relation to plots 16 and 17.

20. None of the proposed changes to the conditions or the layout affect the proposals in relation to designing out crime or the opportunity for crime and as such previous comments received from the Police in this regard remain to be as per considerations in the previous application.
21. Affordable Housing, Public Bus Service contributions, Playing Fields contributions and Strategic Road Infrastructure Contributions are all detailed in the already agreed S106 Agreement from the previous approval and would remain unaffected by this proposal.
22. Nutrient Neutrality was dealt with via a legal agreement and this will require a deed of variation to enable it to relate to this application to vary. The recommendation deals with this matter.
23. In terms of heritage considerations, there are no alterations to this application which affect the heritage considerations detailed and considered as part of the original application.

RECOMMENDATIONS AND CONDITIONS

Approve subject to the following conditions and a deed of variation to the S106 agreement and legal agreement relating to Pitch Provision, Highways and other contributions, Nutrient Neutrality and other matters.

Full list of revised conditions to be confirmed.

REASON FOR APPROVAL

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

The relatively minor changes proposed by the variation application do not undermine the principles established by the initial application and there has been no change in national guidance or local policy which would suggest that the application should not be approved.

INFORMATIVES

Discharge of Condition Fee

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

Civil Ownership Matters

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

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

Rights of Access/Encroachment

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

Building Regulations

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

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

Name and Numbering

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

Statutory Undertakers

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

Adoption of Highway - S38

The applicant is advised that prior to the commencement of works on site they should contact the Highway Authority (01642 728156), with a view to preparing the necessary drawings and

legal work required for the formal adoption of the new highway layout. The S38 Agreement should be in place prior to the commencement of works on site.

Deliveries to Site

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

Cleaning of Highway

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

Sustainable Drainage Systems

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

Permeable Surfacing

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

Wildlife and Countryside Act

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

Protected Species

The applicant is reminded that it is an offence to damage or destroy species protected under separate legislation. Planning consent for a development does not provide a defence against prosecution under wildlife protection legislation. You are advised that the bat survey suggested an endoscope survey be completed prior to development commencing on site to determine if any bats are present. If protected species are found to be present, Natural England should be consulted.

Construction Noise

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

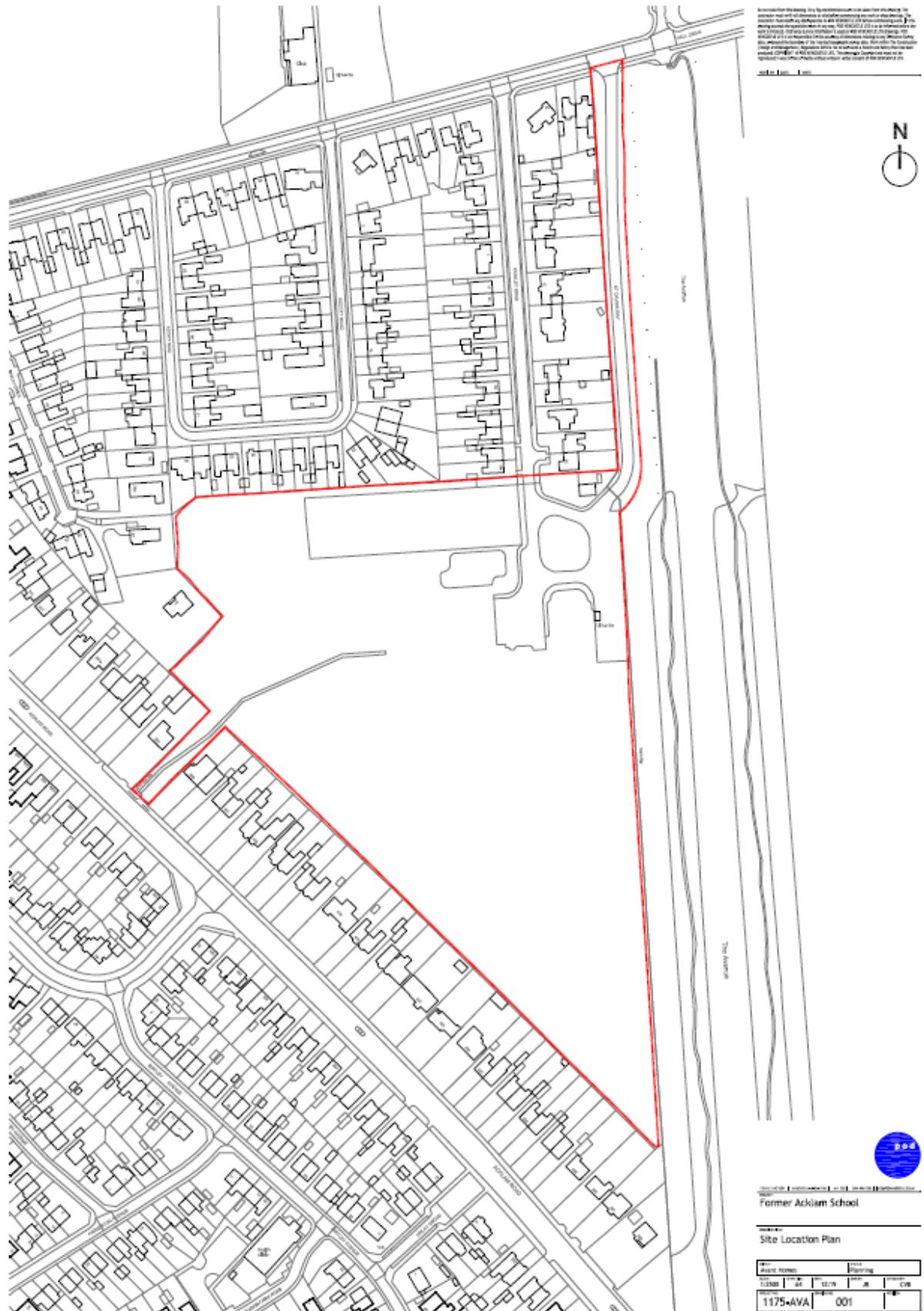
Secure By Design

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

Case Officer: Andrew Glossop

Committee Date: 10th April 2025

Appendix 1 – Site Location Plan



Appendix 2. Site Layout Approved under 20/0004/FUL



Appendix 3 – Site Layout Proposed

