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## APPLICATION DETAILS

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**Application No:** 25/0321/MAJ

**Location:** Land at Nunthorpe Grange, Nunthorpe Bypass, Middlesbrough, TS7 0NG

**Proposal:** Erection of 205 dwellings including associated infrastructure

**Applicant:** Mr Richard Swann, Story Homes LTD

**Company Name:**

**Agent:** Mr Joe Ridgeon, Hedley Planning Services

**Company Name:**

**Ward:** Nunthorpe

**Recommendation:**

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## SUMMARY

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Permission is sought for the erection of 205 dwellings with associated access, landscaping and infrastructure on land at Nunthorpe Grange to the northwest of the A1043 (Nunthorpe Bypass). The site is part of the wider Nunthorpe Grange site.

Following a consultation exercise, objections were received from 73 properties, the Nunthorpe Parish Council, a Parish Councillor and the Ward Councillors.

The site is allocated for housing in the Local Plan (and the Publication Local Plan) therefore the principle of residential dwellings on the site is both established and in accordance with policy. It is considered that the proposed development would provide a good mix of dwelling types which are of a high quality design and materials, in an attractive landscaped setting with an appropriate layout. The density, design, house types and layout are considered to be sympathetic to the local character of the surrounding area and in keeping with the adopted Nunthorpe Grange Design Code.

The development will not result in a significant detrimental impact on the amenities of existing local residents although will, through the development of fields adjacent to existing properties, result in a change of character and circumstance adjacent to these properties. Localised and strategic works to the highway network will mitigate against the impact of the development on the local highway network and will provide sustainable travel links to existing services.

The development is considered to meet the requirements of the relevant national planning policies detailed within the NPPF and Local Plan policies, specifically H1, H10, H11, H12, H29, H31, CS4, CS5 and DC1. The development is also in broad accordance with relevant

policies within the Publication Local Plan which is afforded limited weight. The recommendation is for approval of the application subject to conditions and a s106 agreement.

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## **SITE AND SURROUNDINGS AND PROPOSED WORKS**

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The site is located to the northwest side of the A1043 (Nunthorpe Bypass) approximately 150m northeast from the Poole Roundabout. It comprises 15.8 hectares of green field subdivided by hedgerows and runs from the A1043 up to Guisborough Road, which forms the northern most boundary of the site.

To the north and northwest are existing dwellings. To the northeast is the approved Persimmon housing development (which forms part of the wider Nunthorpe Grange site). To the west is the recently constructed medical centre and the under construction community centre which are also located within the wider Nunthorpe Grange site and are separated by an area of open space which falls within the Nunthorpe Grange housing allocation. To the south is the A1043 (Nunthorpe Bypass) which separates the site from open fields with residential properties further to the south.

The existing dwellings in the area primarily comprise large detached two storey dwellings. The properties along the west boundary of the site consist of bungalows and two storey dwellings.

The proposed 205 properties comprise:

- 8 no. 3 bed detached bungalows
- 28 no. 3 bed semi-detached dwellings
- 22 no. 4 bed semi-detached dwellings
- 84 no. 4 bed detached dwellings
- 53 no. 5 bed detached dwellings
- 10 no. 6 bed detached dwellings

Documents submitted in support of the application include:

- Planning Statement
- Design and Access Statement
- Flood Risk Assessment and Drainage Strategy
- Transport Assessment
- Heritage Assessment
- Noise Impact Assessment
- Air Quality Assessment
- Ecological Appraisal
- Contaminated Land Site Investigation
- Sustainability Statement

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## **PLANNING HISTORY**

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18/0757/FUL – Construction of new roundabout  
Approved with conditions 5th March 2019

18/0786/FUL – Erection of 97 residential dwellings with associated access, landscaping and infrastructure  
Refused 8th September 2020

Dismissed at appeal 15th March 2021

20/0644/FUL – Erection of medical centre with associated car parking and landscaping.  
Land off Stokesley Road, Nunthorpe, Middlesbrough, TS7 0NA  
Approved with conditions 9th March 2021

20/0658/FUL – Erection of 69no. residential dwellings with associated access, landscaping and infrastructure.  
Nunthorpe Grange, Nunthorpe, Middlesbrough  
Refused 12th April 2024  
Allowed at appeal 7th August 2025

21/1145/FUL – Creation of a permanent access road off the proposed roundabout on the A1043 to the Nunthorpe Grange housing development to the north.  
Nunthorpe Grange, Nunthorpe, Middlesbrough  
Approved with conditions 25th March 2022

23/0485/FUL – Single storey extension to existing medical centre to provide pharmacy, with associated access, parking and landscaping works.  
Land off Stokesley Road, Nunthorpe, Middlesbrough, TS7 0NA  
Approved with conditions 24th November 2023

24/0190/MAJ – Construction of gospel hall with associated car parking and landscaping.  
Land off Stokesley Road, Nunthorpe, Middlesbrough  
Refused 6th September 2024  
Dismissed at appeal 5th August 2025

25/0189/FUL – Erection of single storey community building with associated parking and external works.  
Vacant land adjacent to new Medical Centre, Stokesley Road, Middlesbrough, TS7 0NB  
Approved with conditions 7th July 2025

25/0404/AMD – Non-material amendment to planning application 25/0189/FUL to extend opening hours.  
Vacant land adjacent to new Medical Centre, Stokesley Road, Middlesbrough, TS7 0NB  
Approved with conditions 7th August 2025

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## PLANNING POLICY

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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:

DC1 - General Development, CS5 - Design, CS4 - Sustainable Development, UDSPD - Urban Design SPD, CS20 - Green Infrastructure, H1 - Spatial Strategy, H11 - Housing Strategy, NDS - Nunthorpe Design SPD, GHDC - Highway Design Guide, H12 - Affordable Housing, CS18 - Demand Management, H29 - Land at Nunthorpe, CS19 - Road Safety, H10 - Nunthorpe,

NGDC - Nunthorpe Grange Design Code, CS6 - Developer Contributions, MWC1 - Minerals Strategy, MWC4 - Safeguarding Minerals, MWP1 - Waste Audits

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>

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## CONSULTATION AND PUBLICITY RESPONSES

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Consultation letters were sent to local residents, a press notice issued, and site notices posted around the site. Further re-consultations were carried out throughout the application process relative to changes being made to the scheme.

Following the consultation exercises objections were received from 73 properties, comments are summarised below:

- a) Not in line with Local Plan
- b) Not in line with emerging Local Plan
- c) Not in line with Nunthorpe Grange Design Code
- d) Density is too high
- e) Change character of area
- f) Overdevelopment of area
- g) Total number of housing across the whole site exceeds 250 stated as a maximum in the Design Code (274 in total)
- h) Houses should be predominantly 3 and 4 bedroom and should include bungalows
- i) 6 bed properties are too large for the development
- j) No bungalows
- k) Poor design of bungalows and not enough bungalows
- l) Bungalows should be single storey
- m) Bungalows do not have driveways, only footpaths
- n) No affordable housing
- o) Transport report focuses on non-car modes not vehicle movements and access
- p) Increase in traffic
- q) Increase in speeding cars
- r) Increase in congestion
- s) Increase in pollution
- t) Impact on road safety
- u) Reduced speed on the bypass means it will no longer be a bypass
- v) Poor access, no traffic lights, only one access for all the traffic
- w) There should be no vehicular access to Guisborough Road
- x) Lack of visitor parking
- y) Inadequate parking
- z) Lack of footpath on south side of Guisborough Road
- aa) Increased pedestrian traffic on Nunthorpe Gardens
- bb) Poor pedestrian connections
- cc) Gravel cycleway from former Pinchinthorpe rail into Nunthorpe should be completed without the current need to walk through a farmer's field and cross the Great Ayton rail line
- dd) Lack of available GP's
- ee) Lack of school places
- ff) Lack of services and amenities
- gg) Site is known to flood/Increase risk of flooding

- hh) Green space taken up with SuDS, more SuDS than shown on the masterplan
- ii) The Green's shape and location incorporates the existing playing fields which are not part of the development and therefore are not available for public use.
- jj) Loss of green space
- kk) Loss of trees
- ll) Lack of Village Green
- mm) Negative impact on the environment/wildlife
- nn) Negative visual impact
- oo) Play areas are too small, no details of equipment
- pp) Impact on light to neighbouring properties
- qq) Impact on privacy
- rr) Increase in noise pollution
- ss) Do not need or want more houses
- tt) Conflicts with Nunthorpe 19 commitments
- uu) How much of a reduction in our council tax can we expect due to this reduction in our local services
- vv) Work has already started
- ww) Noise and disturbance during construction
- xx) Plans haven't changed since the developer's public consultation
- yy) Lack of public consultation

Comments received from:

1. 5 Agricola Cottages	31. 26 Gypsy Lane
2. 4 Aldwalk Close	32. 2 Innes Court
3. 47 Bedford Road	33. 5 Innes Court
4. 42 Beverley Road	34. 1 Lamonby Close
5. 29 Bonny Grove	35. 6 Lamonby Close
6. 16 Brass Wynd	36. 6 Mallowdale
7. 17 Byland Road	37. 16 Marton Moor Road
8. 11 Chestnut Drive	38. 4 Matfen Avenue
9. 4 Church lane	39. 5 Moor Green
10. 14a Clarence Road	40. 16 Moor Green
11. 20 Clarence Road	41. 22 Moor Park
12. 3 Clevegate	42. 11 Nunthorpe Gardens
13. 22 Clevegate	43. 18 Nunthorpe Gardens
14. 24 Clevegate	44. 28 Nunthorpe Gardens
15. 32 Clevegate	45. 31 Nunthorpe Gardens
16. 103 Clevegate	46. 36 Nunthorpe Gardens
17. 2 Collingham Drive	47. 18 Plantation View
18. 36 Cotcliffe Way	48. 27 Plantation View
19. 237 Eagle Park	49. 49 Premier Road
20. 6 Fencote Grange	50. 7 Railway Cottages
21. 10 Green Close	51. 2 Rookwood Road
22. 11 Green Close	52. 17 Rookwood Road
23. 7 Green Way	53. 49 Rosedale Road
24. 17 Grey Towers Drive	54. 51 Rothesay Grove
25. 26 Grey Towers Drive	55. 12 Runnymede
26. 119 Guisborough Road	56. 16 Rutland Avenue
27. 155 Guisborough Road	57. 15 Selby Road
28. 159 Guisborough Road	58. 10 Sessay Grange
29. 21 Gunnergate Lane	59. 12 Sessay Grange
30. 103 Gunnergate Lane	60. 69 Sinderby Lane

61. 75 Sinderby Lane  
62. 11 Stokesley Road  
63. 19 Stokesley Road  
64. 21 Stokesley Road  
65. 89 The Avenue  
66. 103 The Avenue  
67. 122 The Avenue

68. 30 The Crescent  
69. 5 Tirril Way  
70. 6 Tirril Way  
71. 1 Watchgate  
72. 9 Wyke Lane  
73. 19 York Road

### **Consultees Responses**

#### **Planning Policy – MBC**

The principle of residential development on the application site accords with the adopted development plan and the emerging Local Plan.

The proposed number of dwellings, when considered cumulatively with other proposals for the wider allocation site, and elsewhere in Nunthorpe would exceed the maximum number of dwellings specified in Policies H1 and H29, but as this part of these Policies is considered to be out-of-date, should not be afforded weight in determining the planning application.

The application is contrary to Policy H29 in relation to the need for agreement and a timetable for implementation of either a park and ride facility or the Longlands Road to Ladgate Lane Road scheme, prior to development. Consideration will need to be given to whether the impact of the proposed development on the transport network would be acceptable without these schemes / with other mitigation measures. It is also noted that the above schemes have not been carried forward as requirements in Publication Local Plan Policy HO4d, requiring instead any necessary off-site improvements to transport infrastructure.

The development must be considered in relation to relevant policies and guidance in the local plan, publication local plan, Nunthorpe Grange Design Code and Nunthorpe Design Statement.

#### **Highways – MBC**

The application has been considered in relation to the impact on the highway network in terms of capacity and safety, sustainability, the access to the site, the internal layout and the parking provision.

No objections are raised subject to relevant conditions and s106 requirements.

#### **Public Rights of Way – MBC**

A public right of way crosses the site going from north to south. The proposed development seeks to slightly realign the PROW. The development will still retain the north south route in roughly the same location. No objections are raised.

#### **Education - MBC**

The proposed development will result in increased pupil numbers for both primary and secondary schools which are currently at or near capacity.

S106 funds should be obtained towards the expansion of both primary and secondary schools on the basis of the excess pupil numbers (namely 38 primary school pupils and 45 secondary school pupils).

#### **Waste Policy – MBC**

No objections

Bin stores are located at the end of shared drives adjacent to the adopted highways for 2 wheelie bins per property to place their bins ready for collection.

**Environmental Health – MBC**

I have reviewed the NJD Environmental Associates noise assessment dated June 25. This assessment is suitable and provided the mitigation measures as stated on Table 8 of the report are implemented then I have no further comments or conditions to add in relation to noise or vibration.

I have also reviewed the NJD Environmental Associated air quality assessment dated June 25. I have no objections to the proposal in relation to operational air quality. I would however recommend that a condition is attached to any approval requiring a construction environmental management plan to ensure that construction noise, vibration and dust are controlled throughout the construction phase.

In relation to land contamination, I would request further details on the gas monitoring undertaken on site. 4 rounds of gas monitoring have been completed. With residential it is usual for 6 rounds over 3 months to be undertaken. If the additional rounds could be submitted or an explanation on why only 4 rounds have been undertaken that would be appreciated. This can be controlled by condition.

Subsequent comment received confirming the extent of monitoring is adequate given the specific details of the findings and therefore no condition is required for additional gas monitoring.

**Local Flood Authority – MBC**

A flood risk assessment and drainage details have been submitted as part of the application documents. No objections are raised subject to relevant conditions.

**Redcar and Cleveland Borough Council**

Notice is hereby given that Redcar & Cleveland recommend that planning permission not be granted for a specified period of at least 3 months, up to 27 September 2025.

Reason: No assessment has been undertaken of the effect traffic flows will have on Redcar & Cleveland's Road Network. Swans Corner Roundabout / Middlesbrough Road / A171 Ormesby Bank / Guisborough Road must be assessed. It is our view that the application does not currently accord with Paragraphs 109, 115 and 116 of NPPF.

Our Education colleagues are still reviewing the information and the latest TVCA projections and we will look to provide comments in relation to this matter as soon as possible. I would advise that S106 contributions may be sought in relation to education provision.

***Following a response being sent to the neighbouring authority and re-consultation, no further comments were received.***

**Active Travel England**

Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our standing advice can be found here: <https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes>

### **National Highways**

Referring to the consultation on a planning application received 21 July 2025 referenced above, in the vicinity of the A174 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we: offer no objection.

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

### **Archaeology Consultant**

No response received

### **Natural England**

No objection.

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutory designated sites and has no objection.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant, but local bodies are consulted.

Natural England's further advice on designated sites/ landscapes and advice on natural environment issues is set out below.

#### European sites- Teesmouth and Cleveland Coast Special Protection Area

Natural England notes that your authority as competent authority under the provisions of the Habitat Regulations has screened the proposal to check for the likelihood of significant affects.

Your assessment concludes that the proposal can be screened out from other stages of assessment because significant effects are unlikely to occur either alone or in combination. On the basis of the information provided, Natural England concurs with this view.

The following provides justification for this:

- Proposals will lead to an overall decrease in nitrate generation from the change in land use from cereals to residential/ green space.

#### Teesmouth and Cleveland Coast, Site of Special Scientific Interest

Based on the plants admitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

### **Environment Agency**

We have reviewed the additional information which we received via email on 17 November 2025, including the comments from Northumbrian Water. Based on this information, we confirm that our previously requested foul drainage condition, as detailed in our letter dated 4 November 2025, can now be removed.

We therefore have no objection to the application as submitted, noting that all built development is located within Flood Zone 1 and areas of the site in Flood Zones 2 and 3 will be green space only.

Separate to the above we also have the following advice to offer:

Scheme to treat surface water and construction run-off – Advice to Applicant

We note that surface water from the proposed development will be connected to the Northumbrian Water surface water sewer network. Whilst this means the water will not be directly discharging into a watercourse from the development, we urge you to consider the following points to minimise the impact on the environment.

- Treatment and removal of suspended solids from surface water run-off during construction works and site operation
- Approach to ensure no sewage pollution or misconnections
- Management of fuel and chemical spills during construction and operation, including the process in place to ensure the environment is not detrimentally impacted in the event of a spill

Water Quality Permit Requirements – Advice to Applicant

You do not require a permit if you are only discharging uncontaminated surface runoff. If you intend to discharge to surface water for dewatering purposes, this may be covered by a Regulatory Position Statement (RPS) for water discharge activities. If you can comply with all of the conditions within the RPS, then a permit is not required for this activity.

Please find the RPS conditions here:

<https://www.gov.uk/government/publications/temporary-dewatering-from-excavations-to-surface-water/temporary-dewatering-from-excavations-to-surface-water>

If any discharges do not fully comply with the RPS, then a bespoke discharge permit will be required. Please find guidance on applying for a bespoke water discharge permit here:

Discharges to surface water and groundwater: <https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits#standard-rules-permits-for-package-treatment-plants>

The linked page also provides contact information should you need assistance.

Water Resources – Advice to Applicant

If you intend to abstract more than 20 cubic metres of water per day from a surface water source e.g. a stream or from underground strata (via borehole or well) for any particular purpose then you will need an abstraction licence from the Environment Agency. There is no guarantee that a licence will be granted as this is dependent on available water resources and existing protected rights.

Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) in order to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface.

The dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests.

This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site.

More information is available on gov.uk: <https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence#apply-for-a-licence-for-a-Previously-exempt-abstraction>.

#### Environmental permit - Advice to Applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing [enquiries@environmentagency.gov.uk](mailto:enquiries@environmentagency.gov.uk).

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

#### **Ecology/Biodiversity Net Gain Consultant**

##### ECIA Report

After reviewed the ECIA report, it seems to be concise and well structured. Biodiverse have made recommendation, which should be followed and monitored prior and throughout the works, listed below:

- Further aerial inspection surveys and a Precautionary Working Method Statement (PWMS) for bats.
- Construction and clearance to follow the Construction Environmental Management Plan (CEcMP) and Herpetofauna Method Statement.
- Pre-work checks for badgers.
- A wildlife-sensitive lighting scheme.
- An invasive species method statement.
- Creation of compensatory habitat for bats, birds, and great crested newts (GCN).
- Habitat management under a Habitat Management and Monitoring Plan (HMMP).
- Incorporation of nesting and roosting features for bats and birds, plus refugia for GCN.

It is worth noting that this last point should be enforced — contractors have frequently failed to deliver on these commitments / actions.

##### BNG Assessment Report

The BNG assessment seems thorough and looks to covers all essential / required elements. The gains achieved are calculated to exceed baseline requirements.

Summary of net gains:

- Total habitat units: +4.25 (10.01% net gain)
- Total hedgerow units: +10.65 (84.24% net gain)

With these figures, the site looks to meet BNG trading standards. The only outstanding deliverable is the final Habitat Management and Monitoring Plan (HMMP).

In addition to the points above, we wish to clarify that these observations do not indicate our support for—or objection to—the proposed development.

I note that this is a substantial scheme with the potential for localised adverse effects on the surrounding environment. In particular:

- Loss of mature hedgerows and the habitat connectivity they provide
- Reduced hunting and feeding sites for bird populations
- Presence of wildlife using the site that isolated surveys may not detect

#### **Northumbrian Water**

In making our response to the local planning authority Northumbrian Water assesses the impact of the proposed development on our assets and assesses the capacity within our network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/services/developers/>

We have no issues to raise with this application, provided it is approved and carried out within strict accordance with the submitted document entitled “Flood Risk Assessment and Drainage Strategy dated May 2025”. This document reflects our pre-planning enquiry advice identifying connections at manhole 5008 for foul flows and at manhole 6101 at a maximum rate of 58l/s (to include flows from adjacent care home).

We request that a condition is attached to a planning approval, so that the development is implemented in accordance with the above named document.

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developer's approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy. The required discharge rate and volume may be lower than the Northumbrian Water figures in response to the National and Local Flood Policy requirements and standards. Our comments simply reflect the ability of our network to accept flows if sewer connection is the only option. They are not part of any approval process for determining whether the proposed drainage layouts / design put forward at the planning stage satisfies the adoption criteria as set out in the Code for Sewer Adoption (sewer sector guidance). It is important for developers to understand that discussions need to take place with Northumbrian Water prior to seeking planning permission where it is their intention to offer SuDS features for adoption.

Please note that the site lies within drainage area 11-D47. This drainage area discharges to Bran Sands Sewerage Treatment Works, which is named on the Nutrient Neutrality Budget Calculator.

#### **Northern Gas**

Northern Gas has no objections to these proposals, however, there may be apparatus in the area that may be at risk during construction works that should the planning application be approved, then we would require the promoter of these words to contact us directly to discuss our requirements in detail. Should diverge reworks be required these will be fully chargeable.

We enclose an extract from our means records of the area covered by your proposals, together with a comprehensive list of precautions for your guidance. This plan shows only those mains owned by Northern Gas Networks in its role as a licenced gas transporter (GT). Privately owned networks and gas mains owned by other GT's may also be present in this area. Where Northern Gas Networks knows these they will be represented on the plans as a shaded area and/ or a series of x's. Information with regard to such pipes should be obtained from the owners.

### **Secured by Design – Cleveland Police**

Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED).

I would like to make you aware that Cleveland Police operate the “Secured by Design” initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments. I recommend applicant actively seek Secured by Design accreditation; full information is available within the SBD Residential Guide 2025 Guide at [www.securedbydesign.com](http://www.securedbydesign.com)

I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour. Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

The Secured by Design Residential Guide highlights that the concepts and approach adopted within this guide can be used to influence strategic planning policies, in support of Paragraph 102a of the NPPF.

- The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...
- The National Planning Policy Framework 2024, paragraph 135(f) which states that “Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.
- Policy CS5 (Design) of the Local Development Framework, section e states, creation of a safe and attractive environment, at all times of the day and night, where crime and disorder, or fear of crime, does not undermine quality of life or community cohesion by incorporating the aims and objectives of both Secured By Design and Designing Out Crime concepts into development layouts and is therefore a material consideration.
- Another material consideration is Section 17 of The Crime and Disorder Act 1998.

Further information on the Secured By design initiative can be found on [www.securedbydesign.com](http://www.securedbydesign.com)

Although not an SBD requirement, Middlesbrough along with many other areas nationwide suffers from offences of metal theft. These include copper piping, boilers, cables and lead flashing. Buildings under construction are particularly vulnerable. I recommend that alternative products be utilized where possible. Many new builds are now using plastic piping where building regulations allow and alternative lead products.

Strong consideration should also be given in relation to the provision of On- Site Security throughout the lifespan of the development. There is information contained within the Construction Site Security Guide 2021 also on the SBD website that may assist.

In addition to the above and having viewed the proposal I would also add the following comments and recommendations.

- All doors and windows are recommended to be tested and certified PAS24:2022/2016 standards (or equivalent) Roof lights are also included in this. This includes garage doors. These must be dual certified for both fire and security.
- Dusk til dawn lights are recommended to each elevation with an external door-set. This also includes any proposed garage doors and side in curtilage parking areas, particularly those that are 50% or more of the length of side elevation of plot it serves. .
- ALL roadways and pathways, adopted or otherwise, are recommended to be to BS5489-1:2020 standards with a uniformity preferably to Secured by Design recommended one of 40%, as a minimum 25%.
- Neighbourhood permeability... is one of the community level design features most reliably linked to crime rates. Excessive permeability should be eliminated.
- All proposed side and rear treatments onto public realm are recommended to be to 2.0m in height.
- Those to rear/rear side of Plots backing onto open space recommended to be increased to minimum of 2.2m, preferably 2.4m.
- Defensive planting to external façade of boundary treatments backing onto open space should be considered also and is strongly recommended.
- Locate all side boundary treatments as far forward to the front elevations of the properties as possible to eliminate recesses.
- Boundary treatments between rear gardens are recommended to be 1.8m in height. This is the proposal in this development and is supported.
- Often these rear side treatments are proposed to be lower-level post and rail, this option offers neither security or privacy and I would recommend against it.
- Defensible space to each plot is an important consideration.
- Ginnel access serving several rear gardens should be avoided where possible
- If they are deemed necessary, a lockable gate is required at initial access point as well as each individual garden. Again, I do not believe these are intended in this proposal.
- Any proposed PROW, informal pathways, cycle lanes etc. are to be incorporated into active street frontages to avoid creating potential crime generators.
  - This has been adopted in much of this proposal, however the PROWs shown to sides of Plots 101, 102, 109, 110 and 182-191 are of a concern as these are making the rear of these properties vulnerable.
- Any proposed links to existing or future phases of development are to be afforded maximum surveillance, be formalised and be fronted onto.
- Vehicles should either be parked in locked garages or on a hard standing within the dwelling boundary.

- Where communal parking areas are necessary, bays shall be sited in small groups, close and adjacent to homes, be within view of active rooms and clearly marked, so that it is obvious which parking spaces belong to which dwellings.
  - The word 'active' in this sense means rooms in building elevations from which there is direct and regular visual connection between the room and the street or parking court. Such visual connection can be expected from rooms such as kitchens and living rooms, but not from more private rooms, such as bedrooms and bathrooms. Rear parking courtyards are discouraged for the following reasons:
    - They introduce access to rear elevations, which may leave dwellings vulnerable to burglary. In private developments, such areas are often left unlit and therefore increase the fear of crime. Ungated courtyards provide areas of concealment which can encourage anti-social behaviour.
    - Where rear parking courtyards are considered necessary, they must be protected by a gate, the design of which shall be discussed with the DOCO at the earliest possible opportunity. Where gardens abut the parking area an appropriate boundary treatment should be discussed and agreed by the DOCO.
    - Again, the above lighting specification standards apply.
    - At this stage I am aware these are not proposed which is supported.
- In relation to any proposed play areas...
  - Poorly designed and specified communal areas, such as playgrounds, toddler play areas, seating facilities have the potential to generate crime, the fear of crime and anti-social behaviour.
  - Facilities should be designed to allow natural surveillance from nearby dwellings with safe and accessible routes for users to come and go.
  - Communal spaces as described above should not immediately abut residential buildings.
  - Play areas should ideally be designed so that they can be secured at night. This is to reduce the amount of damage and graffiti that occurs after dark. The type of fencing and security measures will need to vary to suit the area. However, consideration should be given to a single dedicated entry and exit point to enable parental/guardian control and supervision.
  - Boundaries between public and private space should be clearly defined and open spaces must have features which prevent unauthorised vehicular access.
  - The provision of inclusively designed public open amenity space, as an integral part of residential developments, should make a valuable contribution towards the quality of the development and the character of the neighbourhood.
  - To do this, it must be carefully located to suit its intended purpose – mere residual space unwanted by the developer is very unlikely to be acceptable. The open space must be inclusively designed with due regard for wayfinding, permeability and natural surveillance. Adequate mechanisms and resources must be put in place to ensure its satisfactory future management and maintenance.
  - Care should be taken to ensure that a lone dwelling will not be adversely affected by the location of the amenity space. It should be noted that positioning amenity/play space to the rear of dwellings can increase the potential for crime and complaints arising from increased noise and nuisance.
  - Fencing at a minimum height of 1.2m can often discourage casual entry, provide a safe clean play area, and reduce damage to the equipment.

- The specific requirements such as child safeguarding, preventing dogs entering, etc. should be discussed with the DOCO.
- Fixtures and fittings should be as resistant to damage and graffiti as possible.

### **Cleveland Fire Brigade**

There appears to be numerous 'private driveways' throughout the plan.

The following rows of plots have 'private drive' access that exceed the dead-end road condition as described in ADB V1 Para 13.4. Whilst in some cases the farthest dwelling may meet the 45m rule (ADB V1 Para 13.1), it is inevitable that appliances will access these areas to ensure that essential firefighting resources required at an incident are as close as reasonably practicable to ensure speed of response for any required rescues or firefighting measures. It would therefore be prudent to ensure that these roads meet the requirements of ADB V1 Table 13.1 with the amendments below in line with Note 1 of table 13.1.

The areas in question are 'Private Driveways' giving access to:

Plots 1 – 3, 4 – 6, 12 – 16, 17 – 20, 38 – 42, 43 – 45, 88 – 92, 103 – 110, 115 – 116 and 164 – 169.

We would be happy for some flexibility in the criteria described in ADB V1 Para 13.4 if these roads meet the above criteria.

Please confirm that the road adjacent to plot 195 is an adopted highway, if not the criteria in ADB V1 Table 13.1 with the amendments below in line with Note 1 of table 13.1 must be met.

Access and Water Supplies should meet the requirements as set out in:  
Approved Document B, Volume 1:2019, Section B5 for Dwellings.

It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 1Section B5 Table 13.1.

Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in AD B Vol 1Section B5 Table 13.1.

Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system.

Further comments may be made through the building regulation consultation process as required.

### **Nunthorpe Parish Council**

Nunthorpe Parish Council hereby registers its objection to this application for the following reasons

#### 1. Consultation Misrepresentation

The applicant states that Nunthorpe Parish Council has been consulted. Although an invitation was offered to nearby residents to attend a single event for Story to outline its plans, enabling some Parish Councillors to attend as residents, there was no attempt by

Story to consult with the Parish Council. Parish Councillors who attended this event were informed that Story had undertaken no research into local community perspectives, and had not read the emerging Nunthorpe Neighbourhood Plan.

2. Incompatibility with the Planning Requirements of Middlesbrough Council.

The 2025 Nunthorpe Grange Design Code (including updated Masterplan) confirms its own status as the core planning framework, alongside the 2014 Middlesbrough Housing Local Plan, the 2025 Middlesbrough Publication Local Plan (including Policy H04d), the 2011 Nunthorpe Design Statement, and several other policy documents established by Middlesbrough Council. The application from Story quotes selectively from different documents to support its case, rather than complying consistently with the updated planning requirements, as set out in the 2025 Nunthorpe Grange Design Code and the 2025 Publication Local Plan.

Significant deviations are:

(a) Housing Density

The application for 205 dwellings, when combined with the application from Persimmon Homes to construct 69 dwellings, results in a total of 274 houses for Nunthorpe Grange - in excess of the 250 authorised by the 2025 Nunthorpe Grange Design Code, as endorsed in Middlesbrough's 2025 Publication Local Plan and its predecessor, the 2014 Housing Local Plan.

This excess of 24 houses becomes particularly significant in the context that the 250 dwellings relate to the whole of Nunthorpe Grange, whereas the Story / Persimmon site is considerably smaller, with the land available for housing at Nunthorpe Grange being re-defined to exclude the sites for a Plymouth Brethren Hall and a Residential Home. In short, building 205 dwellings on a reduced site would increase the overall housing density of Nunthorpe Grange.

(b) Housing Type

The Story application does not incorporate a mix of dwelling types. In contrast to the planning framework (2025 Local Plan and 2025 Masterplan) and the well-established needs of Nunthorpe and Middlesbrough, no bungalows and no affordable houses are planned on the Story site.

Story's Design and Access Statement claims that "the scheme is designed to accommodate a range of household types and life stages, ensuring that it meets both current and future housing demands within the local area", supporting "inclusive communities as outlined in the Local Plan". Despite these words, Story's aim is clearly to provide "executive" housing for those who desire large homes, and can afford them. The Story plan proposes eleven 6-bedroom houses, only 26 with 3 bedrooms, and no houses with fewer than 3 bedrooms. This focus on larger detached housing distorts the 2025 Masterplan requirement that the site has been allocated predominantly for homes with three/four bedrooms in detached or semi-detached houses and/or low-rise flats, and that "the development must also ensure that provision is made for single-storey accommodation to meet the needs of an aging population" (section 4.11.). It contrasts with the support in the 2025 Publication Local Plan for bungalows (Policies H04d and H03). It also overlooks the evidence that single-storey dwellings are particularly sought after by Nunthorpe's more elderly residents; and that the almost exclusive focus of all Nunthorpe's recent housing estates on larger detached houses has exacerbated the need for affordable housing in Nunthorpe.

It is sometimes alleged that developers seek to focus on large executive houses because these maximise profit for a developer. However, most developers not only comply with the planning framework, but are keen to promote their contribution to wider social needs. For example, within the private housing estate of Ashwood Grange (Middleton St George), Story Homes is providing 26 affordable homes, including 17 two-bed bungalows - exactly the mix of dwelling types which is needed in Nunthorpe, and which is not provided in Story's proposal for Nunthorpe Grange.

(c) **Green Space**

The Story proposal is to provide approximately 3.79 hectares of publicly accessible open space. It is claimed that this exceeds the requirements in the various planning documents since Policy H29 of the 2014 Local Plan stipulated approximately 3 hectares of land for public open space / recreational purposes. However, Story proposes that the 3.79 hectares includes a number of large SuDs, incorporated in the plans for drainage purposes, thereby reducing the effective allocation for community use. Therefore, the statement about 3.79 hectares for publicly accessible open space is misleading and incompatible with the planning requirements.

For example, at the Village Green, 40% of the so-called "public open space" is a SuD. In addition, not only would the SuDs take up a significant amount of the green space directly for drainage purposes, but they would also indirectly neutralise use of much of the surrounding land as being inappropriate for public enjoyment, due to the need for slopes towards the SuDs and the related need for safety buffers.

Furthermore, experience in Nunthorpe is that the SuDs are likely to be unsightly, becoming a negative rather than a positive component of the public green spaces. The Story plan is therefore an unacceptable proposal to reallocate a significant area of land from accessible public open space to inaccessible drainage areas. The 2025 Masterplan states that SuDs which "do not contribute to the design ethos for the development will not be supported" (section 7.2), and it is notable that the Masterplan does not have a SuDs dominating the Village Green (section 7.16) which is meant to be "a space for families, informal gatherings and public events" (section 1.2.).

3. **Lack of Infrastructure for Vehicles and Pedestrians**

The Story proposal envisages vehicular access to and from this development will be via a single point on the A1043 Bypass, shared also with all residents of the Persimmon houses - ie a total of 274 households. From the nature of the dwellings (likely to be occupied by affluent families with several cars) and the number of car-park spaces on the Story site (635), it can reasonably be expected that at least 300 cars will be attempting to access the Bypass during peak hours. However, the Story submission does not even propose traffic lights at the single access point.

Such an omission is likely to be of concern to a Planning Inspector. The recent report by the Planning Inspector in relation to the adjacent Persimmon site expressed some concerns about what he regarded as only interim arrangements for access at the single location on the Bypass during construction by Persimmon and Story Homes. However, he expressed himself to be satisfied with what he regarded as a clear commitment to a roundabout at this junction to facilitate access by residents of the Story / Persimmon developments - unaware that Middlesbrough Council appears to have abandoned this idea in the 2025 Masterplan (paragraph 53). Therefore the absence of a coherent plan for vehicular access in the Story proposal is a potentially

critical consideration for the Planning Committee, unless the Planning Inspector is correct in his assumption that a roundabout will be erected.

Story's Planning Statement notes that "the site is within walking distance of the existing local residential areas, Nunthorpe's local centre, and its railway station. Those destinations can be accessed via Stokesley Road and Guisborough Road, which both include footways and street lighting along their entirety"(section 2.5). This statement is misleading. It omits to mention that both Stokesley Road and Guisborough Road have a single, narrow footway on only the opposite side of the road to the Story site. Pedestrian access from the new development to the bus-stop on Guisborough Road would require construction of a footpath along Guisborough Road as part of the development. The 2025 Nunthorpe Grange Design Code requires construction of a safe crossing point and a footpath along Guisborough Road to the bus stop (section 3.1.), but this does not appear to be a feature of the Story proposal.

#### Conclusion

For these reasons, Nunthorpe Parish Council strongly objects to the application by Story Homes for permission to construct 205 dwellings at Nuntjorpe Grange.

The Parish Council recommends that the application be withdrawn, and that the Management of Story Homes consults with Nunthorpe Parish Council about alternative proposals which are compatible with the planning framework and with the enjoyment of the site not only by future residents of Story Homes but also by the existing community of Nunthorpe residents.

#### ***Following receipt of the revised scheme further additional comments were received.***

In addition to the objection to this initial planning application. Nunthorpe Parish Council wish to submit further objection to the revised application for the following reasons:

1. There remains a distinct lack of useable public open space for recreational use or play areas. This goes against guidance set out in the Masterplan for this area.

The majority of 'green space' allocated is that which surrounds SUDs areas. Play equipment areas identified appear to be ad hoc with two Children's play areas in very close proximity to a large SUDs. The Children's 'leap area' is close to the revised PROW route, a right of way used by many, including dog walkers, which we deem as an unacceptable location. Trim trail areas are also confined to perimeter footpath areas of the development.

2. Nunthorpe Parish Council acknowledge the revision of housing types included in the application. However, goes against requirements outlined in the Nunthorpe Grange Masterplan for the area for the following reasons.

- a) the number of bungalows (8) equates to only 4% as opposed to the 10% outlined in the Local Plan and Masterplan
- b) Proposed bungalow are of 2 storey, dormer style 3 bedroom properties. As oppose to the requirement of 'single-storey accommodation that meets the requirement of an ageing population.....'.
- c) The design of the 2 storey 3 bedroom bungalow in the application does not appear to meet the requirements of an ageing population in Nunthorpe looking to 'downsize'.
- d) There is a discrepancy within the revised documents submitted on the design of the proposed bungalows. Document PLN2\_Nunthorpe\_General\_Arrangement\_(P5).pdf

indicates 3 bed detached bungalow with integral single garage. However document Walton\_(NE)\_ -\_A25\_PD.pdf which show the proposed layout of a 3 bedroom detached bungalow, does not include an integral garage in the proposed design/build.

e) The revised application is also unclear on what proposed parking arrangements are available with the proposed bungalows.

3. It appears from the application that there is to be a left hand turn only in and out of the development. Whilst this could be understandable along a route that bypasses Nunthorpe. It will only further add to traffic congestion heading North and South of the development at Swans Corner and Poole Roundabout. Culminating in congestion at both ends of the bypass and arterial routes of Dixon's Bank and Ormesby Bank into Middlesbrough.

Consideration should be given to reinstate plans for traffic control measures for entry and exit into the development from the A1043

With the added lack of access onto A174 from Ormesby Bank. Motorists will undoubtedly resort to travelling along Guisborough Road to access Dixon's Bank or even cut along Stokesley Road. Both of which are also used as pedestrian routes to local schools.

**Parish Councillor Russell Lynch**

I object due to lack of traffic, school and public amenities infrastructure.

**Nunthorpe Community Council**

No response received

**Former Ward Councillor McClintock**

While Morgan McClintock is no longer a Ward Councillor, he submitted comments in objection to this application when he was in the role.

As a Ward Councillor for Nunthorpe, I have a number of significant concerns about the application from Story Homes. Instead of repeating the rationale for my objection, I endorse the detailed statement submitted by Nunthorpe Parish Council, to which I have contributed as a Parish Councillor.

**Ward Councillor Smiles**

As an elected member for Nunthorpe, I wish to formally object to the planning application for the development of up to 205 dwellings at Nunthorpe Grange.

This application raises serious concerns in terms of infrastructure, community impact and the environment. My objections are outlined below.

**1. Pressure on infrastructure**

The scale of the proposed development would place significant pressure on already stretched local infrastructure.

- Roads: I am very concerned about the impact on roads, particularly the A1043, Stokesley Road and Guisborough Road. This development would exacerbate congestion. This is mainly a car-dependent location and there are already serious concerns about road safety.
- Schools: There is already pressure on school places within Nunthorpe and surrounding areas.
- Health services: Local GP practices and pharmacies are already under strain. A further 200 households would vastly increase the pressure on these services.

## 2. Loss of green space

The site is a cherished local green space, frequently used by residents for walking and recreation. It is a key part of Nunthorpe's rural identity and character.

## 3. Environmental harm

- I am concerned about the impact on hedgerows, trees and local wildlife including bats, nesting birds and hedgehogs.
- The potential for flooding

## 4. Housing density and mix

The scale (205 dwellings) exceeds the original 250-dwelling cap for the wider allocation and contradicts the character of the area.

Bungalows do not feature in this plan, and yet this is the kind of housing that is required for Nunthorpe as older residents downsize.

I would welcome the opportunity to speak further on this matter and to represent the concerns of my residents.

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## PLANNING CONSIDERATION AND ASSESSMENT

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1. During the application process revised details were submitted in response to comments on the proposed development. The revised details included changes to the layout, the addition of a bungalow house type, alterations to the position of play areas and trim trails, changes to the landscaping and SuDS, changes to and additional pedestrian and cycle links, and details of the proposed level changes. Following receipt of the revised scheme neighbours and consultees were re-consulted. The revised scheme is the subject of this report.

### **Principle of Development**

2. The application site is allocated for housing in the Local Plan under Policy H29.
3. The Council is currently reviewing its Local Plan. The Publication Local Plan (PLP) was approved by the Council on 5th March 2025. The NPPF sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the NPPF. It is considered that some weight may be given to most PLP policies in the determination of current planning applications however, it is noted that there are objections to the allocation policy for this site, policy HO4d giving it limited weight in some regards.
4. The principle of residential development has been established through the allocation of the site in the current local plan and the PLP. Planning permission has also been granted for 69 dwellings on part of the wider site.
5. Local Plan Policy H1 identifies Land at Nunthorpe as a strategic housing location, for a maximum of 600 dwellings. Policy H11 identifies Nunthorpe for 595 dwellings, which includes Grey Towers Farm (within which the application site lies) (295 dwellings), South of Guisborough Road (250 dwellings) and Ford Close Riding Centre (50 dwellings), as allocated in Policy H31.

6. However, Policy H1 advises that proposals for more than the maximum dwelling requirements will be considered where it can clearly be demonstrated through a design led approach and having regard to the characteristics of the surrounding area and any site specific policy requirements that an alternative capacity is more appropriate.
7. Policy H29 sets out that development of the wider South of Guisborough Road (known as Nunthorpe Grange) allocation site should provide a maximum of 250 predominantly three and four bedroom detached and semi-detached dwellings. The potential 274 dwellings at the site would exceed the maximum number of dwellings specified in this policy.
8. Following changes in the NPPF, any local plan policies that restrict the number of dwellings on a site have to now be considered to be out of date and not in line with national planning policy guidance which seeks to support developments that make efficient use of land where housing isn't limited by number, but density is instead based on a design led approach. This view has been upheld at appeal by the Planning Inspector through multiple appeal decisions in Middlesbrough including in their determination of an appeal (APP/W0734/W/20/3262389) in relation to the adjacent land on the allocation site. As such, it is considered that the requirement for a "maximum" of 250 dwellings identified in Policy H29 and maximum of 600 dwellings identified in Policy H1 cannot be given weight in the determination of the current application.
9. Policy HO4d of the PLP reflects the policies within the NPPF with the site allocated for "approximately" 250 dwellings rather than a maximum number of dwellings.
10. Policy H29 requires dwellings to be predominantly three and four bedroom detached and semi-detached dwellings. Of the 205 proposed dwellings 142 (69%) are three and four bedroom detached and semi-detached properties. This is in line with the policy requirements. PLP policy HO3 expects residential development to provide a range of dwelling types, tenures and sizes including 10% to be M4(2) accessible and adaptable dwellings which are aimed at providing accommodation for people with disabilities and which can be adapted to support such living requirements. The proposed development provides a mix of house types ranging from bungalows to 2 ½ storey dwellings with smaller 3 bed properties up to large 6 bed properties. Of the proposed dwellings 119 (58%) are M4(2) compliant.
11. The PLP also includes requirements for 10% of dwellings to be bungalows, 2% to be M4(3) wheelchair adaptable dwellings, and the provision of self-build or custom-build plots to be included in the housing mix. These requirements in the emerging policy have been subject to a number of unresolved objections during the consultation phase of the adoption process. As such, it is considered that limited weight could be given to these emerging policy requirements with regard to the housing mix.
12. The Nunthorpe Grange Design Code (2025) (NGDC) sets out development guidance for the wider allocation site. It is not a prescriptive document, any development on this site can vary from the design code providing it still reflects the high quality aspirations of the guidance. Whilst it is not formally a Supplementary Planning Document, it can be a material weight in the determination of this

planning application and replaces the previous Design Code adopted in 2019. It therefore needs to be considered in reaching a decision on this application.

13. The NGDC includes an indicative masterplan that illustrates the essential components that are to be integrated into the layout and design. The design code requires that provision is made for bungalows, it then makes one reference to single-storey accommodation to meet the needs of an aging population. The NGDC does not specify a particular amount of bungalows on the site.
14. The proposed development does include 8 (4%) bungalows. Given the limited weight that can be applied to the PLP in this regard, and the NGDC being guidance only. It is considered that the provision of 8 bungalows on the site, coupled with 58% of dwellings being M4(2) compliant, the number of bungalows proposed is an acceptable provision.
15. Policy H29 states that the site will not be brought forward until an agreement on the provision of a park and ride facility has been secured or the Longlands Road to Ladgate Lane have been secured and a timetable for implementation agreed. Agreement on either scheme has not been secured, nor has a timetable for implementation. The proposed development is, therefore, contrary to this aspect of the policy. Policy HO4d in the PLP does not include this requirement, requiring instead any necessary off-site improvements to transport infrastructure, thereby moving away from specifically naming these previously intended highway schemes which lie in the adjacent authorities boundary.
16. Policy H29 sets out further criteria (a) to (n) that development proposals will be expected to meet. The application proposals are in broad accordance with these criteria.
17. Policy H12 requires housing developments in Nunthorpe ward to provide a 15% affordable housing contribution. Policy H29 criterion (k) seeks the provision of 15% affordable housing either on-site or an equivalent off-site financial contribution. The NGDC also allows for an offsite contribution for affordable housing. Policy HO5 of the PLP requires a minimum of 15% of the homes to be affordable but allows for off-site provision or a financial contribution in lieu of on-site provision in some circumstances. The applicant intends to provide a financial contribution in lieu of on-site affordable housing. While this is not in line with the emerging policy which has some weight, it is in line with the current policy for the site and also the recent appeal decision on the adjacent land which is part of the wider site. For these reasons the affordable housing provision via a financial contribution is considered acceptable in this instance.
18. Policy CS4 requires that all development contributes to sustainable development. This includes encouraging sustainable forms of transport. The site is adjacent to bus routes and includes proposed cycle path and footpath connections to the north and south. Policy CS4 also includes incorporating on site renewable energy facilities. Photovoltaic panels are proposed on the roofs of the dwellings. This also aligns with the requirements of Nunthorpe Design Statement.
19. Policy CS5 requires all development proposals to demonstrate high quality design that enhances both the built and natural environments. Section 2 of the Urban Design SPD provides further guidance on residential development. Emerging

Policies CR1, CR2 and CR3 in the PLP collectively require all development proposals to be sustainable, well-designed, and of a high quality.

20. Policy HO4d of the PLP also includes a number of other criterion including: (i) provide a minimum of 3ha of land as a park/public open space for recreational purposes, (j) the provision of a landscaped gateway from the A1043, (k) provide pocket parks, (n) create a wildlife habitat area of minimum 3.5ha in the part of the site within flood zones 2 and 3, (o) maximize the use of SuDS and natural pond areas where appropriate and, (q) the incorporation of vistas of Roseberry Topping and St Mary's Church from public open space. A community hall and medical facilities have already been provided on the wider site and are not required as part of this proposal.
21. Policies CS17 requires development to be located where it will not have a detrimental impact upon the operation of the strategic transport network and will contribute to the delivery of a sustainable transport network. Policy CS19 requires that development proposals will not have a detrimental impact on road safety. CS18 requires that development proposals improve the choice of transport options, including promoting opportunities for cycling and walking.
22. Policy E49 identifies the A172 Marton/Stokesley Road as a main approach route to Middlesbrough and requires that development visible from these routes has particular regard to the quality of design and landscaping of the proposal.
23. The site is within the minerals safeguarding area for gypsum and for salt. Policy MWC4 allows non-minerals development, where the need for that development can be demonstrated to outweigh the need for the mineral resource. Given that the site is allocated for residential use the need for the site to come forward for housing rather than for minerals extraction has already been established.
24. The proposed development should also be considered against the requirements of the Nunthorpe Design Statement SPD (NDS).

## Highway Related Matters

### Highway Network Impact

25. This application seeks consent for 205 dwellings on the site. This quantum of development has been tested within the authorities strategic Aimsun model for assessing the impact of development traffic on the road network. The proposed scheme would generate in the region of 130 vehicle movements during the AM/PM peak network periods. The Aimsun assessment considered the impact of development taking into account committed development and the Publication Local Plan sites to ensure a robust assessment for the impact in future years. Highway modelling demonstrated that subject to the highway interventions set out within the emerging Local Plan that the proposed development will not have a material impact. The interventions detailed within the emerging local plan relate to works to increase capacity at existing junctions within the south of the town.
26. In order to ensure this proposed scheme mitigates its own proportional impact of traffic it will generate, officers have negotiated a S106 contribution which will be used towards measures identified within the PLP and associated highways

Infrastructure Delivery Plan (IDP) to ensure their delivery, a contribution marginally in excess of £1.5m as detailed in the S106 requirements section of this report.

Site Access

27. The design guide for the site and associated local plan policy for the allocation states that there should be a single point of access to the A1043. There have been 2 access points into the Nunthorpe allocation approved and the situation is summarised below;
  - a) 18/0757/FUL – Middlesbrough Council (as land owner) were granted consent to deliver a 4 arm roundabout which would serve the whole Nunthorpe Grange allocation. Whilst not fully constructed, sufficient works have been undertaken to result in this having being technically commenced, and therefore this permission is extant, meaning it can be completed as approved in the future.
  - b) 20/658/FUL – Persimmon Homes have been granted consent on land which forms part of the wider Nunthorpe Grange allocation to the east of the current development proposals. Persimmon's consented scheme is accessed via a right turn ghost island onto the A1043, however a S106 Agreement forming part of that consent requires this access to be removed and reinstated once a single point of access to the Nunthorpe allocation is introduced.
28. This current application proposes access to be via a right turn ghost island that will be located on the A1043 bypass, in the same area as the previously approved roundabout. As such the current proposals are simply changing the form of the access into the site allocation from a roundabout to more typical junction arrangement. There are no objections to this approach, and it is considered that the proposed junction is suitable to serve the allocation with modelling demonstrating that it will operate satisfactorily. In addition to the S106 requiring Persimmon to remove their access the current application being considered will have a S106 obligation to ensure that the internal access road is in place in a suitable timeframe to facilitate access to the adjacent scheme and enable their temporary access to be removed. This will then leave a single point of access to the A1043 as per the design guide and policy.

Sustainability Relating to Highway Matters

29. A number of physical intervention works are proposed as part of the development, these are summarised below;  
Guisborough Road
  - 2 crossing points being provided consisting of a Zebra crossing to the west of the site frontage and an uncontrolled crossing (dropped kerbs and tactile paving) to the east of the site frontage
  - Footway linking the existing footway which currently terminates at the Stokesley Road/Guisborough Road junction to the proposed Zebra crossing
  - Footway linking the existing PROW running north/south on the Eastern boundary of the site to the existing westbound bus stop on Guisborough Road
  - Improvements to inbound and outbound bus stops consisting of easy access kerbs, bus stop flags and shelters

A1043

- A pedestrian crossing facility within a landscaped island is to be provided which will assist with those using the existing PROW to cross the bypass, a facility which does not currently exist
- A crushed stone footpath to link the existing PROW on the south side of the A1043 will be provided to connect the PROW to the proposed crossing point

30. The internal scheme layout provides north/south and east/west strategic shared pedestrian/cycle routes that are 3.6m wide. Such infrastructure will connect into infrastructure provided by Persimmon Homes to the east. To the west Story Homes will be providing a continuation of the 3.6m pedestrian/cycle route which will connect to the Poole hospital roundabout. This link falls outside of the application site but is on land owned by MBC, who have agreed to provide access to the developer in order for them to deliver this infrastructure. This approach results in strategic ped/cycle routes linking Guisborough Road to the A1043 and Poole hospital roundabout to Nunthorpe Gardens and as such ensures that the site is fully integrated and connected into the adjacent area. This in turn provides a good provision of sustainable travel options for residents of the scheme and those in the surrounding locality.

31. The above works will be secured through condition and delivered through Agreement(s) under the Highways Act 1980 to the standards and specifications of the Council.

32. In addition to the above the developer has agreed to provide a £300 Travel Voucher to each dwelling (totalling £61,500 max. across the site) to be used towards public transport passes or purchase of cycles/cycle accessories to incentivise non car travel. This initiative will be secured through the S106 Agreement associated with the granting of any planning consent as detailed in the S106 section of this report. The pedestrian and cycle links and travel voucher incentives are considered part of the overall schemes positive sustainable credentials which allows it to comply with the sustainability requirements of local plan and national policies in this regard.

33. Active Travel England have been consulted on the application and have raised no concerns regarding the sustainability of the site and the provision of pedestrian and cycle connections. It is considered that the design/layout of the site in conjunction with the proposed highway works and S106 initiatives will assist in making the site easily accessible by non-car modes to residents and as such proposals are considered to be sustainable.

#### Other Highways Matters

34. Redcar and Cleveland Council initially raised questions regarding the assessment of any impact on their network. Redcar and Cleveland were advised of the details within the Aimsun model. Following re-consultation they did not provide any further comments.

35. Vehicle swept path analysis has demonstrated that the internal layout is capable of accommodating refuse and other vehicles which will be using it. Car parking has been provided in accordance with the Tees Valley Design Guide for all properties including the proposed bungalows, and in-curtilege parking has been supplemented with areas of managed visitor/casual caller on-street parking. The internal road layout has been designed to naturally encourage low vehicle speeds with carriageway pinch points, shared surfaces and landscaped islands. The internal

layout will be designed, constructed and offered for adoption through agreement under the Highways Act.

36. The development is in accordance with the requirements of Policies DC1, CS4 and CS5 of the local plan, Policies CR2 and CR3 of the PLP and Policies T1, T2 and T3 of the NDS.

### **Environmental Matters**

37. The application has been submitted with supporting documents assessing air quality and noise in relation to the surrounding highways as well as site contamination. The Council's Environmental Health Service has confirmed that they have no objections to the proposed development subject to relevant conditions being imposed in relation to appropriate assessment and remediation of any contaminants which may be present on site.
38. In relation to noise specifically, a noise attenuation treatment is required to protect the rear gardens of a number of the proposed properties from the road noise associated with the A1043 bypass which lies to the south of the site. The council's Environmental Health team have accepted the findings of the reports and recommended conditions be imposed to ensure the development is undertaken in a manner which will allow future occupiers of property to achieve reasonable amenity through the prevention of undue noise pollution.
39. The development is considered to be in accordance with the requirements of Policy DC1 of the local plan and Policy CR2 of the PLP in these regards.

### **Amenity**

40. The proposed dwellings have been assessed in relation to Nationally Described Space Standards which government has set out. The dwellings all meet or exceed the space standards both in terms of the gross internal floor area and the size of the individual bedrooms. They are considered to have a good internal arrangement and provide sufficient useable space for future residents.
41. Whilst the proposed development primarily adjoins open space or roads, there are some existing residential properties located adjacent to the site. Whilst the site is generally flat in these locations the development seeks to raise the ground level on the application site to accommodate drainage infrastructure to reduce the need for above ground pumping stations within the development. The areas of raised ground level along the boundaries of the site with the existing residential properties and the sports field have been given particular consideration in the assessment of this application to ensure there are no undue impacts on residential amenity as a result of this.
42. To the north west of the site, the properties of 188 Guisborough Road, 13a and 17 Stokesley Road, and 2 and 3 The Woodlands share a boundary on the north western part of the site. The existing properties include two 2-storey dwellings and the rest are bungalows. Significant changes have been made to the proposed development along this boundary to ensure any impact on existing properties is reduced to a level that is not detrimental to the amenity of the residents, both in terms of privacy / overlooking and in terms of not being overbearing.

43. In this location the development includes a landscaped strip to separate the existing boundary line from the residential boundary of the proposed dwellings. The strip will protect the existing trees and foliage along the boundary and will enhance it with further planting to provide separation and a visual screen between the existing and proposed dwellings. The proposed dwellings will then sit on land at a level that is between 0.45m and 1.2m higher than the current ground level. The proposed dwellings along this section of the site are all bungalows with the gable ends facing the existing properties. The inclusion of bungalows in this location, the separation distances (which are in line with the guidance in the Urban Design SPD), the inclusion of boundary treatments, the landscaped buffer and the orientation of the properties, have all been considered in individual detail and combined, these would significantly reduce the visual impact of the proposed dwellings when viewed from existing properties from the initial proposals. The arrangement also ensures that the impact on privacy of both the existing and proposed dwellings is significantly reduced to a point which is considered to not be detrimental. The proposed dwellings are located to the northeast of the existing dwellings. As a result, there will not be a significant impact on sunlight to the existing dwellings. It is entirely accepted that the proposed scheme will notably change the character of immediate area of the existing properties, although this is inevitable where land is being developed for housing. What is important however is that the result is not unduly impacting on a reasonable amenity and privacy that occupiers adjacent to the site should be able to expect. This is considered to be achieved by the revised scheme.
44. To the north the site shares a boundary with Badgers Green which is a large property with a large garden. In this location the development includes a change in levels raised to between 0.75m and 1.5m. The change in levels would not be undertaken immediately adjacent to the boundary, but instead, set into the proposed plots creating a two-tier garden for the proposed dwellings. This is considered to provide protection to the substantial existing tree and hedgerow corridor along the boundary which screens the existing residential property and garden from the site. The separation distances from the proposed dwellings are in line with the guidance in the Urban Design SPD. Whilst there is a change in levels, the location of the existing dwelling, the separation distance from the boundary and the existing landscaped screening all ensure that the proposed development will not be dominating in its appearance when viewed from the existing property and will not have a significant detrimental impact on the privacy of the existing or proposed dwellings. Whist the properties are located to the south of the existing properties the separation distances and existing screening means there is no impact on light to the existing property.
45. No's 33 and 34 Nunthorpe Gardens are located further along the northern boundary. The ground level in this location will not be raised. The separation distances from the existing dwellings to the proposed dwellings is in excess of the guidance and is considered to adequately deal with levels proposed which are not significantly changed in this location. As a result, there will not be a significant detrimental impact on light or privacy to the residents.
46. The proposed development also includes raised ground levels around the boundaries with the Nunthorpe and Marton Playing fields. The changes in these locations are between 0.3m up to 1.95m (for a small section) with two-tier gardens for some of the proposed dwellings. Other properties are orientated so they are side on to the fields. While these properties will be on a higher level to the fields the existing landscaping will provide a significant screening. This will reduce the visual

appearance of the dwellings from the field and the existing public right of way which runs along the boundary outside of the application site.

47. The relationship between the proposed dwellings and the approved dwellings within the Persimmon Homes development on the adjacent site has also been taken into consideration. Where this development is adjacent to already approved dwellings the separation distances meet or exceed the guidance in the Design SPD resulting in no significant impact on the privacy or light to the approved or proposed dwellings.
48. Within the development site itself the properties, in the majority of instances meet or exceed the guidance separation distances. There are some locations where the distances are reduced but the shortfall is not significant and does not warrant the refusal of the application.
49. It is considered that the development will not have a detrimental impact on the amenity of any existing residents, and the layout and house types will ensure that new residents have adequate levels of amenities. The development is considered to be in accordance with the requirements of Policies DC1 and CS5 of the local plan and Policy CR2 of the PLP in these regards.

#### **Design/Layout/Streetscene**

50. The proposed development includes 14 house types which have been designed with some contemporary design features and finishing materials to enhance their appearance and the streetscene. The dwellings include a variety of heights, with bungalows (which include rooms in the roofspace), two-storey properties and two  $\frac{1}{2}$  storey properties where rooms exist within the roof space. The mix of dwellings incorporate projecting gable features, full height glazing elements, window detailing and surrounds, quoin stones, bay windows, dormer windows and canopies. The development also includes corner turn properties which have gable ends which include windows and features to break up highly visible gables and enhance natural surveillance in key locations. The dwelling types and materials are in keeping with the high quality aspirations of the Nunthorpe Grange Design Code (NGDC).
51. The NGDC requires bungalows to be erected at the site. Policies within the PLP also require bungalows at the site but can only be afforded limited weight due to objections to the policy. The proposed bungalows are small in terms of their height and include rooms in the roof space. The bungalow house type comprises two bedrooms on the ground floor, including a large master bedroom with an en-suite. A further bedroom is located in the roof space with a separate bathroom which is separated by a landing space.
52. While the NGDC refers to bungalows numerous times, it also makes one reference to single storey properties. Whilst noted, the PLP policies require bungalows but does not specify single storey properties. The provision of bungalows on sites has been debated in detail on other sites, with differing views as to what constitutes a bungalow, and whether it should be single storey only or whether there is opportunity for rooms within the roof space. Officers have considered case law in this regard, Ward v Paterson [1929] 2 Ch 396 defines a bungalow as a building of which the walls, with the exception of any gables, are no higher than the ground floor, and of which the roof starts at a point substantially not higher than the top of the wall of the ground floor, and it does not matter in what way the space in the roof

of a building so constructed is used. As a result, a bungalow does not specifically mean rooms cannot be located in the roof space. In this instance, the bungalows proposed within this scheme are considered to meet the legal definition of a bungalow. Furthermore, it is considered that a bungalow which includes rooms in the roof space can offer a wider variety for residents who may want a bungalow but who also want space for visitors. While the properties are not single storey, they are bungalows and are in accordance with the requirements of the PLP in terms of variety of house types, and the overarching aim of the guidance in the design code.

53. It should also be noted that there is a further area of land to the west of this site, between the site and the medical centre and community centre, which is also within the allocation and is specifically identified as an area for the provision of bungalows. This means that the provision of bungalows on the wider site may or is likely to be increased in the future.
54. The majority of properties on the site have parking located to the side of dwellings leading to detached garages towards the rear of houses in accordance with the design code. Where double width drives are located on key routes through the site the developer has narrowed the entrance points to the drives to reduce the amount of hardstanding and enhance the soft landscaped appearance of the streetscenes. This does not impact on the level of parking provision but increases the visual amenity of the area.
55. The layout has been designed so that properties front on to open spaces within the site including the large wildlife habitat area, the linear park and green corridors, play areas and landscaped SuDS features. The arrangement of the dwellings, highways including the walking and cycling routes are in keeping with the indicative sample areas set out in the NGDC. Further, the orientation of the properties and position of the open spaces allows for views over the hills to Roseberry Topping and the Captain Cook Monument, also being in accordance with the guidance set out in the NGDC.
56. The Parish Council have commented that they do not consider the placement of a play area near a public right of way used by dog walkers to be appropriate, but they have not specifically stated the reason why. The play areas will be enclosed with a boundary treatment where appropriate which will prevent dogs from accessing them. The play area specifically referred to by the Parish Council has been relocated at the request of planning officers as it was previously located near the entrance to the site adjacent to the A1043 access. This was considered to be an unsuitable location as it would have noise and traffic associated with it and should ideally be a more positive environment. The green spaces are connected with routes which pass by art features, trim trails and parks providing high quality circular leisure routes for residents as required by the NGDC and providing increased surveillance of the play areas. It is considered that the location is far more appropriate and safer for children. This also meets the requirement of policies in the PLP. Full details of the park, trim trail equipment and art features will be controlled by condition should this development be approved and will be required to provide features for all to engage with rather than being aimed at a single age range.
57. The high quality landscaped setting which is a key feature throughout the site is further enhanced through the use of high quality boundary treatments in key locations including stone walls, estate railings, brick walls and pillars with timber

infills. Hedges are also used to define residential boundaries to compliment the hard boundary treatments.

58. There are areas of lower density where properties are located on the edges of landscaped areas with higher density areas located further into the site. The overall density of the site is 21 dwellings per hectare. Whilst this is marginally over the figure set out in the design code (20 dwellings per hectare) it is considered to be acceptable in this instance due to the developments wider compliance with the design code in relation to open space provision, landscape setting, parking provision, house types and the high quality layout.
59. In view of the above, the proposed development is considered to be of a high quality design in terms of the proposed layout and the appearance of the dwellings, in keeping with the guidance set out in the NGDC and will result in an attractive streetscene to the benefit of existing and future residents. The development is in accordance with the requirements of Policies DC1, CS4 and CS5 of the local plan, Policies HO4d, CR1, CR2 and CR3 of the PLP and CA1, D1, D3, D4, D6, D7, G1, G2 and G3 of the NDS.

### **Flood Risk**

60. A Flood Risk Assessment has been submitted in support of the application. The site is within National Flood Zones 1, 2 and 3. Flood Zone 2 has a medium probability of flooding, between a 1 in 100 and 1 in 1000 annual probability of river flooding (1%-0.1%) in any year. Flood Zone 3 has a high probability of flooding, 1 in 100 or greater annual probability of river flooding (>1%) in any year.
61. The proposed development restricts built development to be within those parts of the site which lie in Flood Zone 1 which is classified as having a low probability of flooding, less than 1 in 1000 annual probability of river or sea flooding (<0.1%), residential dwellings are therefore an appropriate form of development in line with the NPPF technical guidance table 3. To further mitigate the risk of flooding of the proposed dwellings the finished floor levels for properties within the immediate vicinity should be set 600mm higher than the proposed 1 in 100 year flood levels.
62. Currently the site has a high risk of surface water flooding and overland flow with water running from the site unrestricted into the adjacent playing fields and creating a standing water issue. The proposed drainage strategy will ensure that post development, rainfall that would previously have cascaded across the site to low lying areas will be positively drained with site levels directing surface water away from buildings towards landscaped areas or impermeable areas which will be collected via gullies, linear drainage channels and guttering systems. This will reduce the amount of surface water run off towards the playing fields, thereby having a beneficial impact in this regard.
63. Properties that are located around the boundaries of the site will be at a higher level than existing ground levels with gardens stepping down to a lower level towards the boundary line. All plots that back onto the existing boundaries of the site will include drainage structures in the gardens to intercept any runoff generated from the rear gardens preventing runoff passing offsite.
64. The flood risk assessment also confirms that the site currently has a low risk of flooding due to ground water, sewer flooding, land drainage and artificial sources.

65. The drainage scheme will incorporate sustainable urban drainage (SuDS) principles. In the case of this development the scheme will include ponds and swales that will provide a drainage function but will also provide a high quality landscape setting and enhance opportunities for ecology on the site.
66. The Flood Risk Assessment and proposed drainage scheme has been considered by the Local Flood Authority, Northumbrian Water and the Environment Agency. No objections have been raised as they consider the proposals to be acceptable in principle and in accordance with their requirements subject to standard conditions being placed on the application. Final technical details of the drainage scheme will be dealt with by condition and consultation with the Local Flood Authority. The development is considered to be in accordance with the requirements of policies DC1 and CS4 of the Local Plan and policy CR2 of the PLP.

### **Ecology/Landscaping**

67. The application site comprises primarily agricultural field with some hedges and trees within the site and hedges and trees around the boundaries of the site. The agricultural grassland is not of any notable ecological value. The trees and hedges around the site and within the site have greater local value.
68. The site has been assessed in relation to a number of different species including bats, birds, badger and great crested newts. The presence of great crested newts has previously been found within one pond on the adjacent site. The proposed development includes the creation of a wildlife habitat in the northeast of the site in the location adjacent to the wildlife habitat area on the adjacent site. This, coupled with the wider landscaped areas within the development will help to provide an enhanced environment for the wildlife including terrestrial habitats suitable for foraging, sheltering and hibernation activities.
69. The ecology assessment sets out a number of recommendations to mitigate against harm to ecology and to provide enhanced opportunities for ecology on the site. These include bird boxes, bat bricks, log piles, hibernacula, insect boxes, hedgehog gaps and berry/fruit planting.
70. The majority of trees and hedgerow in and around the site will remain. Some sections of trees/hedgerow along the A1043 will be removed to allow for access to the site and within the site itself there are some areas of dense blackthorn and hawthorn scrub from outgrown mature hedge plants and hedgerows to be removed to enable the development. Within the site only 2 trees are to be removed.
71. The proposed development includes substantial tree planting along roads to create tree lined streets in line with the requirements of the NPPF. Additional planting will also be carried out along part of the western boundary to provide a buffer between the proposed houses and the existing houses in this location. The development also includes substantial hedge planting throughout the development and a substantial landscape scheme.
72. SuDS ponds are located in three locations through the site. The ponds are linked with green corridors which also connect to existing hedges and trees around the boundaries of the site. The development will provide a high quality landscape

setting but also provide connections and routes for wildlife to cross the site from east to west and north to south.

73. Comments have been received which state that the experience of SuDS in Nunthorpe is that they are unsightly being a negative rather than a positive component. It is the planning view that this is not necessarily the case and instead is very dependent on the specific design. SuDS can be detention basins where they are largely dry and only hold water in storm conditions, or they can be ponds, whereby they always hold some water but have capacity for more during storm conditions. The SuDS provision at the Grey Towers development is a prime example of how high quality SuDS ponds can be provided which becomes an attractive feature within a landscape setting and significantly raises the quality of a development. This view was reflected by the Planning Inspector when considering a planning appeal at the neighbouring Ford Close Riding site after they visited the Grey Towers site.

74. The NGDC which provides guidance for the development of the site sets out some requirements regarding the open space provision and wildlife habitat. The guidance states that a wildlife habitat zone of 3.5 hectares will be incorporated in the area to the west which is within flood zones 2 and 3. The proposed development includes 3.2 hectares of wildlife habitat (when coupled with the provision on the adjacent site which is within the wider site allocation). While this is marginally short of the 3.5 hectares set out in the guidance, we consider the reduced size is offset by the provision of SuDS ponds throughout the site rather than detention basins, with the connecting green corridors which support the wildlife habitat and wildlife movements through the site. This also serves to provide a high quality character area across the majority of the site which is based around water environment and landscaping. It is noted that Policy HO4d of the PLP requires a minimum of 3.5 hectares of wildlife habitat in the part of the site within flood zones 2 and 3 although only limited weight can be given to this specific policy due to challenges to that as an emerging policy. This does not alter the assessment of the wildlife habitat provision as set out above which is considered to be acceptable for this development.

75. The NGDC also makes specific reference to the provision of 3 hectares of open space referenced as a village green, which will also be a place for informal gatherings and public events. Comments have been received in relation to this requirement stating that the incorporation of SuDS features in the landscaped areas prevent the use of those spaces for community events. However, the design code is very clear that the 3 hectares of open space which will allow for public events incorporates the existing playing fields which the SuDS have no impact on.

76. The overall open space in the proposed development, excluding the wildlife habitat area, is 3.7 hectares. This exceeds the 3 hectares set out in the guidance and when added to the existing playing field the total is 5.4 hectares of open space. The position and scale of the open spaces proposed exceeds the guidance in the design code.

77. It should also be noted that there is a further area of land to the west of this site, between the site and the medical centre and community centre, which is also within the allocation and can provide additional development including further open space.

78. In view of the above matters, the proposed development is considered to meet the high quality aspirations of the NGDC in relation to the provision of landscaped spaces and wildlife habitat. The provision of open space and SuDS features on the site is also broadly in accordance with the requirements of the PLP.
79. It is considered that although the development will result in the loss of open field, the site is primarily of low ecological value as defined within the ecological assessment, and there is no clear reason to disagree with this. Furthermore, the creation of wildlife habitat, landscaped areas, appropriate planting, and species specific mitigation, will offer enhanced ecological potential and have a positive impact in accordance with the requirements of local plan Policy CS4, Policies NE4, CR2 and CR3 of the PLP and CA1, D4, D6, G1, G2 and G3 of the NDS.

### **Biodiversity Net Gain**

80. Since April 2024, BNG has become a mandatory requirement under Schedule 7A of the Town and Country Planning Act 1990. All relevant applications must deliver a BNG of 10%, which means that development will result in a more or better quality natural habitat than there was before development.
81. The application has been supported by a Biodiversity Net Gain Metric and Statement. The Biodiversity Report establishes the site's baseline biodiversity unit value of 42.43 habitat units and 12.65 hedgerow units. Following completion of the development the site will include 47.26 habitat units and 23.23 hedgerow units (through retention and creation) representing a gain of 11.39% in habitat units and 83.63% in hedgerow units respectively.
82. The provision of the 10% gain onsite meets the trading rules for this development and thus meets the mandatory Biodiversity Regulation requirements.
83. A Biodiversity Gain Plan and a final Habitat Management and Monitoring Plan (HMMP) will be required by a pre-commencement condition with a s106 agreement to secure a maintenance plan to give comfort to the planning authority that the BNG can be achieved for the minimum 30 years as is required.

### **Nutrient Neutrality**

84. 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 wastewater 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.

85. 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.
86. 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.
87. 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 which established the total annual nitrogen load the development must mitigate against.
88. There are a number of ways a development can mitigate against nitrogen, one of which is to include mitigation within the development itself. The proposed development provides the required mitigation through the development of the site and the creation of landscaped areas and open space.
89. The proposed development will not have an unacceptable impact in terms of nitrate generation/pollution as the applicant has been able to demonstrate acceptable mitigation. As a result, the scheme will not have a Likely Significant Effect. Natural England have confirmed that they have no objections to the development. On this basis the scheme is considered to be acceptable.

### **Community Facilities/Education**

90. Located within the wider allocated site a medical centre has been constructed to the east of this application site. A community centre is also currently under construction within the wider allocation site. These will provide facilities for existing and future residents. The site is also well connected with pedestrian and cycle routes to nearby facilities and infrastructure including local schools, shops on Guisborough Road and the newly erected pub / restaurant at the Grey Towers site.
91. The application has been assessed by officers in the Education Department. Typically, where schools within the catchment area of a site are projected to have a shortfall of places a s106 financial contribution will be requested, even if they currently have some surplus capacity. Assessments are made to consider projected shortfalls / insufficient places to accommodate the pupil yield from a new development and the catchment area of schools, along with the ability for a neighbouring school to provide for suitable expansion.

92. Based on the number of house types by bedroom sizes the pupil yield for the proposed development equates to / is estimated to be 77 primary school children and 45 secondary school children. When looking at the schools within the catchment area and the available places as at summer census day, the shortfall in primary schools places is 38 and the shortfall for secondary school places is 45. As a result, a s106 contribution of approximately £778,700 is required (based on standard DfE / Local Authority costings) towards both primary and secondary school expansion. This is detailed in the S106 section of this report.

### **Heritage**

93. A heritage assessment has been submitted which includes the details of a geophysical survey. The survey shows the presence of a number of anomalies. Some of these possibly relate to archaeological activity. It is therefore necessary to carry out further archaeology investigations in the form of trial trenching before works are carried out in the location of the anomalies. This matter can be controlled by condition which requires a Written Statement of Investigation to be submitted which will set out an appropriate programme of works and reporting. This will ensure that if there are any archaeological findings are appropriately secured and recorded.
94. The development is considered to be in accordance with the requirements of Policies CS4 and CS5 of the Local Plan and section 16 of the NPPF in this regard.

### **S106 Requirements**

95. Following the analysis of the application there are a number of s106 requirements for the site to ensure the development provides the required mitigation and is in line with local and national planning policy requirements. Some of the discussions in relation to specific s106 requirements are ongoing. The details below set out the current position in relation to the s106 requirements.

#### Affordable Housing provision

96. Affordable housing is required at a level of 15%. The proposed development is for 205 dwellings resulting in a need for 31 affordable dwellings. As set out in the principle of development section of this report, the developer will provide a financial contribution for the provision of affordable housing. The contribution will be no less than £2,170,000 towards the provision of affordable housing in the town as defined by the NPPF.

#### Highway Works

97. A contribution will be required towards local strategic road improvements as set out in the Highways section of this report, at a value of £159,295 per net developable hectare bringing the required contribution to £1,515,819.36 which will be used towards measures identified within the PLP and associated highways Infrastructure Delivery Plan (IDP).

#### Sustainable Travel Voucher

98. To promote and encourage the use of sustainable travel modes in line with local and national policy requirements, the developer will be required to provide Sustainable Travel Vouchers to the value of £300.00 to each household. The voucher will be redeemable against bus passes or cycling equipment.

Link Road

99. The main road through the proposed development will connect to the approved Persimmon development to the east. The phasing details for the provision of the link road connecting this site to the approved site will be set out through the s106 agreement. This in turn will allow for the removal of the temporary access to the Persimmon site.

Public Rights of Way

100. The s106 agreement will set out a requirement to provide a dedication agreement for new public rights of way that will be provided through the site.

Public Open Space

101. The s106 agreement will secure the provision and future maintenance and management of public open space within the site and the option for the future transfer of the public open space land to the Council at, or before, the end of a five year maintenance period.

Education

102. As set out in the education section of this report, it is necessary to secure financial contributions towards both primary and secondary school provision within the catchment area of the development site. The required contributions are: Primary School - £334,324.00, and Secondary School - £444,465.00.

Biodiversity Net Gain

103. The s106 agreement will secure the provision of a maintenance plan to give comfort to the planning authority that the BNG can be achieved for the minimum 30 years as is required and will allow for monitoring of the site by the planning authority.

**Other Matters**

Electric Charging Points and Renewable Energy

104. Each dwelling includes an electric vehicle charging point and a condition is recommended to control the inclusion of solar panels, or any other form of renewable energy, to some of the properties as only limited details have been submitted in support of this application.
105. The development is considered to be in accordance with the requirements of Local Plan policy CS4, policy CR2 of the PLP and policy D2 of the NDS.

Non-material Planning Considerations

106. A number of the comments made by residents are not material planning considerations, as a result they are not considered as part of the analysis of this application.
107. Whilst it is acknowledged that the construction of dwellings on the site will have an impact on neighbouring properties in terms of noise and disturbance during construction. This is not a material planning consideration, and a development cannot be refused on that basis. Developers have a right to build and separate legislation controls working hours on site, matters relating to dust and noise from construction. Any noise and disturbance from construction will be for a temporary period only.

108. Some comments relate to work having already started on the bypass. This is not related to this application. The works are associated with the approved application on the neighbouring Persimmon Homes site.
109. There are also a number of the comments raised that relate to a Nunthorpe Vision and the Nunthorpe 19 commitments. This is wholly separate to the planning process and planning consideration of this planning application. It is not adopted or emerging planning policy or guidance and as a result it bears no weight in the decision making process for this application.

Social and Economic Benefits

110. The proposal would bring about social and economic benefits through the provision of additional homes in this location. There would be job creation during the construction of the development, and the local economy would be supported via household expenditure and support for local services and facilities in the locality. These benefits carry moderate weight in favour of the scheme.

**Conclusion**

111. The analysis of the development determines that the proposals are for a sustainable development, which will assist in economic growth in the town.
112. The development can achieve the required 10% biodiversity net gain and nutrient neutrality mitigation through a landscaping scheme on the site. 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.
113. The scheme as presented provides a high quality development in terms of the layout, built form, design and appearance, that will deliver a mix of dwelling types including bungalows. The development will also provide significant levels of open space, landscaping and wildlife habitat, and will incorporate play areas, art features and trim trails in keeping with policy requirements and guidance set out in the NGDC.
114. The development is in accordance with the requirements of policies within the current local plan and the guidance in the design code. While the development does not fully comply with all elements of policies within the PLP although this document can only be afforded some weight. For the reasons set out in this report, the lack of compliance with all elements of relevant policies in the PLP is not considered to outweigh the benefits of this development and do not warrant the refusal of this application.
115. It is the planning view that, following the amendments made to the scheme and subject to the S106 requirements of the scheme, none of the matters detailed in the material objections raised against the scheme, will result in a significantly detrimental impact on the character of the area, the nearby residents or the community as a whole. The proposals do not conflict with local or national policies relating to sustainability, design, transport, open space or flood risk. The development will support the spatial vision set out in the NGDC and the PLP.
116. The recommendation is for approval subject to a s106 agreement and the conditions set out below.

## RECOMMENDATIONS AND CONDITIONS

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### 1. Time Limit

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

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

### 2. Approved Plans

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

- a) Site Location Plan, drawing no. 30060.PLN.01 rev. P11
- b) General Arrangement: Overall, drawing no. 30060.PLN.02 rev. P11
- c) Site Levels – Sections, SH. 1, drawing no. 30060.PLN.21.01 rev. P11
- d) Site Levels – Sections, SH. 2, drawing no. 30060.PLN.21.01 rev. P11
- e) Site Levels – Sections, SH. 3, drawing no. 30060.PLN.21.01 rev. P11
- f) Site Levels – Update Plan: SH. 4, drawing no. 30060.PLN.21.04 rev. P11
- g) Topographical Survey, drawing no. 060724-SH-TOPO-001
- h) Housetype Compliance Plan, drawing no. 30060.PLN.16 rev. P11
- i) NDA Calculation Plan, drawing no. 30060.PLN.NDA
- j) SHNE Design – Material Booklet, rev. P5
- k) Rutherford (A25) M4(2), Planning Layout 1, drawing no. RTD-PLP1
- l) Rutherford (A25) M4(2), Planning Elevation 1/1, drawing no. RTD-PLE1/1
- m) Rutherford (A25) M4(2), Planning Elevation 1/2, drawing no. RTD-PLE1/2
- n) Rutherford (A25) M4(2), Planning Elevation 1/3, drawing no. RTD-PLE1/3
- o) Linford (A25) M4(2), Planning Layout 1, drawing no. LFD-PLP1
- p) Linford (A25) M4(2), Planning Elevation 1/1, drawing no. LFD-PLE1/1
- q) Linford (A25) M4(2), Planning Elevation 1/2, drawing no. LFD-PLE1/2
- r) Linford (A25) M4(2), Planning Elevation 1/3, drawing no. LFD-PLE1/3
- s) Cranford (A25) M4(2), Planning Layout 1, drawing no. CND-PLP1
- t) Cranford (A25) M4(2), Planning Elevation 1/1, drawing no. CND-PLE1/1
- u) Cranford (A25) M4(2), Planning Elevation 1/2, drawing no. CND-PLE1/2
- v) Milford (A20) M4(2), Planning Layout 1, drawing no. MLD-PLP1
- w) Milford (A20) M4(2), Planning Elevation 1/1, drawing no. MLD-PLE1/1 rev. C
- x) Milford (A20) M4(2), Planning Elevation 1/2, drawing no. MLD-PLE1/2 rev. C
- y) Sutton (A25), Planning Layout 1, drawing no. STN-PLP1
- z) Sutton (A25), Planning Elevation 1/1, drawing no. STN-PLE1/1
- aa) Sutton (A25), Planning Elevation 1/2, drawing no. STN-PLE1/2
- bb) Sutton (A25), Planning Elevation 1/3, drawing no. STN-PLE1/3
- cc) Sutton (A25), Section A-A, drawing no. STN-SECA
- dd) Sutton (A25), Section B-B, drawing no. STN-SECB
- ee) Sutton (A25), Section C-C, drawing no. STN-SECC
- ff) Dawson (A25), Planning Layout 1, drawing no. DWN-PLP1
- gg) Dawson (A25), Planning Elevation 1/1, drawing no. DWN-PLE1/1
- hh) Dawson (A25), Planning Elevation 1/2, drawing no. DWN-PLE1/2
- ii) Dawson (A20), Section A-A/1 (With Bay), drawing no. DWN-SECA/1
- jj) Dawson (A20), Section B-B, drawing no. DWN-SECB
- kk) Dawson (A20), Section C-C, drawing no. DWN-SECC
- ll) Langford (A25) M4(2), Planning Layout 1, drawing no. LGD-PLP1

- mm) Langford (A25) M4(2), Planning Elevation 1/1, drawing no. LGD-PLE1/1
- nn) Langford (A25) M4(2), Planning Elevation 1/2, drawing no. LGD-PLE1/2
- oo) Langford (A25) M4(2), Planning Elevation 1/3, drawing no. LGD-PLE1/3
- pp) Wilson (A25), Planning Layout 2 (Corner), drawing no. WLN-PLP2
- qq) Wilson (A25), Planning Elevation 2/1 (Corner), drawing no. WLN-PLE2/1
- rr) Wilson (A25), Planning Elevation 2/3 (Corner), drawing no. WLN-PLE2/3
- ss) Wilson (A25), Planning Elevation 2/4 (Corner), drawing no. WLN-PLE2/4
- tt) Robinson (A25), Planning Layout 1, drawing no. RBN-PLP1
- uu) Robinson (A25), Planning Elevation 1/1, drawing no. RBN-PLE1/1
- vv) Robinson (A25), Planning Elevation 1/2, drawing no. RBN-PLE1/2
- ww) Woodford (A25) M4(2), Planning Layout 1 – Floor Plans, drawing no. WFD-PLP1
- xx) Woodford (A25) M4(2), Planning Elevation 1/1, drawing no. WFD-PLE1/1
- yy) Woodford (A25) M4(2), Planning Elevation 1/2, drawing no. WFD-PLE1/2
- zz) Woodford (A25) M4(2), Planning Elevation 1/3, drawing no. WFD-PLE1/3
- aaa) Clifford M(4)2, Planning Layout 1, drawing no. CFD-PLP1
- bbb) Clifford M(4)2, Planning Elevation 1/1, drawing no. CFD-PLE1/1
- ccc) Clifford M(4)2, Planning Elevation 1/2, drawing no. CFD-PLE1/2
- ddd) Mayford (A25) M4(2), Planning Layout 1, drawing no. MYD-PLP1
- eee) Mayford (A25) M4(2), Planning Elevation 1/1, drawing no. MYD-PLE1/1
- fff) Mayford (A25) M4(2), Planning Elevation 1/2, drawing no. MYD-PLE1/2
- ggg) Jefferson (A25) (NE), Planning Layout 1, drawing no. JFN(NE)-PLP1
- hhh) Jefferson (A25) (NE), Planning Elevation 1/1, drawing no. JFN(NE)-PLE1/1
- iii) Jefferson (A25) (NE), Planning Elevation 1/2, drawing no. JFN(NE)-PLE1/2
- jjj) Walton (NE) (A25), Planning Layout, drawing no. WTN(NE)-PLP1
- kkk) Walton (NE) (A25), Planning Elevation 1/1, drawing no. WTN(NE)-PLE1/1
- lll) Walton (NE) (A25), Planning Elevation 1/2, drawing no. WTN(NE)-PLE1/2
- mmm) Walton (A25), Planning Sections, drawing no. WTN-SECA
- nnn) Garage Booklet (A20), Single Garage 1, Planning Drawing 1/1, drawing no. GB-PLP1/1
- ooo) Garage Booklet (A20), Double Garage 1, Planning Drawing 2/1, drawing no. GB-PLP2/1
- ppp) Garage Booklet (A20), Twin Garage 1, Planning Drawing 3/1, drawing no. GB-PLP3/1
- qqq) Garage Booklet (A20), Double Garage 1, Planning Drawing 4/1, drawing no. GB-PLP4/1
- rrr) External Plot Finishes (A20), 1850mm High Open Boarded Fence, drawing no. SD100-A-001
- sss) External Plot Finishes (A20), 2000mm High Acoustic Fence, drawing no. SD100-A-005
- ttt) External Plot Finishes (A20), 2400mm Acoustic Fence with Brick Pillars, drawing no. SD100-A-008
- uuu) External Plot Finishes (A20), 1800mm High Close Boarded Fence with 0.4m Trellis, drawing no. SD100-A-009
- vvv) External Plot Finishes (A20), 1800mm Brick Pillars with Dwarf Wall & Feather Edge Boarded Fence, drawing no. SD100-A-007
- www) External Plot Finishes (A20), 900mm High Stone Boundary Wall, drawing no. SD100-B-004
- xxx) External Plot Finishes (A20), 900mm High Estate Railing, drawing no. SD100-C-001
- yyy) External Plot Finishes (A20), 1200mm Plain Top Railing, drawing no. SD100-C-002

- zzz) External Plot Finishes (A20), SUDS Fencing 700mm High Steel Hooped Railings, drawing no. SD100-C-005
- aaaa) Waste Audit, reference no. 1046698-PG01 rev. A, dated 28th May 2025
- bbbb) Ecological Impact Assessment, reference no. BIOC24-058 rev. V3.0
- cccc) Shadow Habitats and Regulations Assessment, reference no. 2400437-ENV-S1-NE-TR-E-0002, dated 27th October 2025
- dddd) Nutrient Neutrality Assessment and Mitigation Strategy, reference no. 2400437-ENV-S1-NE-TR-E-0001, dated 24th October 2025
- eeee) Sustainability Statement dated October 2025
- ffff) Air Quality Assessment, reference no. NJD24-0184-002R/R2, dated October 2025
- gggg) Noise and Vibration Assessment, refence no. NJD24-0184-001R, dated October 2025
- hhhh) Geo-Environmental Assessment, reference no. 24/4304, dated 19th September 2024
- iii) Heritage Appraisal, reference no. NGM-BWB-ZZ-XX-RP-LH-001\_Report Title, dated May 2025
- jjjj) Proposed Site Access Plan, drawing no. 4489-F02 rev. H
- kkkk) Offsite Connectivity Plan, drawing no. 30060.PLN.19 rev. P5
- llll) Proposed Access Arrangements, Stage 1 – Road Safety Audit, reference no. GS-1608-2025 issue 2, dated October 2025
- mmmm) Road Safety Audit Designers Response Form, reference no. GS1608-2025
- nnnn) Transport Assessment, reference no. 4489, dated 19th May 2025
- oooo) External Finishes and Boundary Treatments Plan – Sheet 1, drawing no. 30060.PLN.03a rev. P11
- pppp) External Finishes and Boundary Treatments Plan – Sheet 2, drawing no. 30060.PLN.03b rev. P11
- qqqq) External Finishes and Boundary Treatments Plan – Sheet 3, drawing no. 30060.PLN.03c rev. P11
- rrrr) External Finishes and Boundary Treatments Plan – Sheet 4, drawing no. 30060.PLN.03d rev. P11
- ssss) EV Charging Plan, drawing no. 30060.PLN.09 rev. P11
- tttt) Equipped Areas Plan, drawing no. 30060.PLN.13 rev. P11
- uuuu) Proposed Footway Plan, drawing no. 4489-F05 rev. D
- vvvv) Wayfinding and Connectivity Plan, drawing no. 30060.PLN.12 rev. P11
- wwww) PROW Plan, drawing no. 30060.PLN.14 rev. P11
- xxxx) Indicative Adoption/Management Plan, drawing no. 30060.PLN.07 rev. P11
- yyyy) Swept Path Analysis Plan, drawing no. 30060.PLN.11 rev. P11
- zzzz) Road Hierarchy Plan, drawing no. 30060.PLN.10 rev. P11
- aaaaa) Street Tree Plan, drawing no. 30060.PLN.15 rev. P11
- bbbbbb) Planting Strategy, drawing no. L1180-ONE-ZZ-XX-DR-L0201, rev. P06
- cccccc) Flood Risk Assessment and Drainage Strategy, rev. C, dated January 2026
- dddddd) Biodiversity Net Gain Statement & Assessment, reference no. BIOC24-058 rev. V3.0
- eeeeee) Biodiversity Metric Calculation Tool, reference no. BioC24-058 V3.0
- ffffff) Arboricultural Survey, Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Protection Plan, reference no. ARB/AR/3484, dated January 2026

Reason: For the avoidance of doubt and to ensure that the development is carried out as approved.

**3. PD Rights Removed Means of Enclosure**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification), no fences, gates, walls or other means of enclosure (other than those expressly authorised by this permission) shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which forms the principle elevation/fronts onto a road, footpath or open space without planning permission being obtained from the Local Planning Authority.

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

**4. PD Rights Removed Extensions/Alterations**

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

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

**5. PD Rights Removed Outbuildings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification), no ancillary buildings shall be erected in the curtilage of any property (other than those expressly authorised by this permission) without planning permission being obtained from the Local Planning Authority.

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

**6. PD Rights Removed Conversion of Garages**

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

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

**7. PD Rights Removed Hardstanding**

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting that Order), no hardstanding shall be constructed at the front of the residential dwellings

hereby permitted, without planning permission being obtained from the Local Planning Authority.

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

**8. PD Rights Removed Access**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification), no vehicular or pedestrian access other than that shown on the approved plans, shall be formed on the site without planning permission being obtained from the Local Planning Authority.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based in the interests of amenity and highway safety having regard for Policies CS4, CS5, DC1 and sections 9 and 12 of the NPPF.

**9. Materials - Approved Details**

The development hereby approved shall be carried out in complete accordance with the external finishing materials detailed in the approved SHNE Design – Material Booklet, rev. P5, or in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

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

**10. Phasing Details Required**

The development must be carried out in accordance with a phasing plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction (excluding site clearance and site set up). The phasing plan shall include the build route, creation and use of access points including roads, footpaths, cycle paths and bridleways

Reason: In the interests of highway safety and amenity of the area having regard for Policy DC1 of the Local Plan.

**11. Construction of Access**

The development hereby approved shall not be occupied unless or until the means of vehicular/pedestrian access from the public highway has been constructed and surfaced to at least a base course level, in accordance with the details shown on submitted drawing(s) General Arrangement: Overall, drawing no. 30060.PLN.02 rev. P11, or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To confine access to the permitted points in the interests of good management of the highway and to minimise the number of vehicle accesses onto the highway in the interests of free flow of traffic and safety of highway users having regard for policy DC1 of the Local Plan and sections 9 and 12 of the NPPF.

**12. Construction of Roads and Footways Prior to Occupation of Dwellings**

No dwelling hereby approved shall be occupied unless or until the carriageway base course and kerb foundation to the new estate road and footpath to which it fronts, is adjacent to or gains access from, has been constructed. Road and footway wearing courses and street lighting shall be provided within 3 months of the date of commencement on the construction of the penultimate dwelling of the development.

Reason: To ensure appropriate access and egress to the properties, in the interests of highway safety and the amenity of residents having regard for policies CS4, CS5 and DC1 of the Local Plan and sections 9 and 12 of the NPPF.

**13. Off-Site Highway Works**

Highway works detailed below must be carried out in accordance with the submitted drawing(s) Proposed Footway Plan, drawing no. 4489-F05 rev. D, or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority and in accordance with the approved phasing plan:

- a) Provision of a Zebra crossing on Guisborough Road to the West of the site frontage adjacent to 188 Guisborough Road;
- b) Provision of an uncontrolled pedestrian crossing consisting of dropped kerbs and tactile paving to the East of the site frontage on Guisborough Road in the vicinity of 127 Guisborough Road;
- c) Provision of a footway of minimum width of 2m linking the existing footway to the front of 188 Guisborough Road to the proposed Zebra crossing;
- d) Widening of existing PROW MID/060/3 to a minimum width of 2m for a minimum distance of 25m from the Southern kerbline of Guisborough Road;
- e) Provision of a footway of minimum width of 1.5m linking the widened PROW to the existing bus stop East of the site frontage; and,
- f) Any drainage, streetlighting, signage, lining and resurfacing works as may be required to deliver the above.

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

**14. Off-Site Highway Works**

Highway works detailed below must be carried out in accordance with the submitted drawing(s) Proposed Site Access Plan, drawing no. 4489-F02 rev. H and Offsite Connectivity Plan, drawing no. 30060.PLN.19 rev. P5, or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority and in accordance with the approved phasing plan:

- a) Provision of a right turn ghost island on the A1043 to serve the development including a scheme of streetlighting and reduction in speed limit on the A1043;
- b) Provision of a central landscaped island on the A1043 which includes a two stage pedestrian crossing
- c) Provision of a crushed stone footpath of minimum width 1.5m along the South side of the A1043 linking the proposed refuge crossing point to the existing PROW
- d) Provision of a 3.6m ped/cycle route between the sites South Western boundary to the Stokesley Road/A1043/A172 junction
- e) Works to safely terminate the proposed ped/cycle route at the Stokesley Road/A1043/A172 junction to integrate the proposed ped/cycle route into existing infrastructure; and

- f) Any drainage, streetlighting, signage, lining and resurfacing works as may be required to deliver the above.

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

**15. Road Safety Audit**

A full 4 stage road safety audit carried out in accordance with guidance set out in the DMRB GG119 and guidance issued by the council, will be required for the internal highway layout/all off-site works requiring alteration as specified in submitted drawing(s) Proposed Site Access Plan, drawing no. 4489-F02 rev. H and Offsite Connectivity Plan, drawing no. 30060.PLN.19 rev. P5, such plans which are subsequently submitted to and approved in writing by the Local Planning Authority. Stage 2 of said audit must be submitted to and confirmed in writing by the Local Planning Authority prior to works commencing on site.

Any remedial works required within the audit shall be implemented within 6 months following the remedial works being identified and agreed unless an alternative timescale is first agreed in writing with the Local Planning Authority.

Reason: To minimise the road safety risks associated with the changes imposed by the development having regard for policies DC1 and CS5 and sections 9 and 12 of the NPPF.

**16. Cycle Store Details Required**

No dwelling hereby approved shall be occupied unless or until covered and secure cycle parking facilities, for that dwelling, have been provided in accordance with drawing(s) to be submitted to and approved in writing by the Local Planning Authority. Such drawings to show the position, design, materials and finishes thereof. Thereafter the cycle parking facilities shall be retained for the lifetime of the development for the sole purpose of parking cycles.

Reason: To promote use of cycles reducing traffic congestion and in the interests of the amenities of residents to ensure a satisfactory form of development having regard for Policies DC1, CS4 and CS5 of the Local Plan and sections 9 and 12 of the NPPF.

**17. Car and Cycle Parking Laid Out**

No dwelling hereby approved shall be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) for the dwelling, have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

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

**18. Method of Works Statement**

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

- a) Routing of construction traffic, including signage where appropriate;

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

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

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users having regard for policy DC1 of the Local Plan.

**19. Public Rights of Way (Footpaths and Bridleways)**

Within six months of commencement of the development hereby approved, a Public Rights of Way General Arrangement Plan(s) to a scale of 1:200 showing the following information and works to both existing and proposed Public Rights of Way must be submitted to and approved in writing by the Local Planning Authority.

- Phasing Plan
- Signing and furniture i.e Stiles and Gates
- Structures i.e Bridges and Boardwalks on or adjacent to
- Construction Details including any changes to surfaces of existing PROW
- Extent of any stopping up, diversion or dedication of new highway rights (including public rights of way shown on the definitive map and statement)
- Maintenance Plan

Thereafter the development must be carried out in full accordance with the approved details

Reason: To ensure appropriate facilities are provided throughout the development in order to promote an active lifestyle and reduce dependence on the private car having regard for Policy CS4 of the Local Plan and section 9 of the NPPF.

**20. Surface Water Drainage Scheme**

Prior to the commencement of the development on site a detailed surface water drainage scheme (design and strategy) shall be submitted to and approved in writing by the Local Planning Authority. The scheme should be designed, following the principles as outlined in the Flood Risk Assessment and Drainage Strategy, rev. C, dated January 2026 and the development shall be completed in accordance with the approved scheme.

The design of the drainage scheme shall include but, is not limited to;

- i. The surface water discharge from the development must be limited to a Greenfield run off rate (Qbar value) with sufficient storage within the system to accommodate a 1 in 30 year storm.
- ii. The method used for calculation of the existing greenfield run-off rate shall be the ICP SUDS method.
- iii. The design shall ensure that storm water resulting from a 1 in 100 year event, plus climate change surcharging the system, can be stored on site with minimal risk to persons or property and without overflowing into drains, local highways or watercourses.
- iv. Provide an outline assessment of existing geology, ground conditions and permeability.

- v. The design shall take into account potential urban creep.
- vi. The flow path of flood waters for the site as a result on a 1 in 100 year event plus climate change (Conveyance and exceedence routes)

This should be accomplished by the use of SUDs techniques, if it is not possible to include a sustainable drainage system, details as to the reason why must be submitted.

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area having regard for Policy CS4 of the Local Plan and section 14 of the NPPF.

#### 21. Surface Water Drainage Management Plan

Prior to the commencement of the development on site, details of a Surface Water Drainage Management Plan must be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include:

- i. A build program and timetable for the provision of the critical surface water drainage infrastructure.
- ii. Details of any control structure(s) and surface water storage structures
- iii. Details of how surface water runoff from the site will be managed during the construction Phase
- iv. Measures to control silt levels entering the system and out falling into any watercourse or public sewer during construction.

The development shall, in all respects, be carried out in accordance with the approved Management Plan.

Reason: To ensure the development is supported by an appropriately designed surface water disposal infrastructure scheme and to minimise the risk of increased flooding and contamination of the system during the construction process having regard for Policies DC1 and CS4 of the Local Plan and section 14 of the NPPF.

#### 22. Surface Water Drainage Management and Maintenance Plan

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

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

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

#### 23. Foul and Surface Water NWL

The development hereby approved shall be implemented in line with the drainage scheme contained within the approved Flood Risk Assessment and Drainage

Strategy, rev. C, dated January 2026. The drainage scheme shall ensure that foul flows discharge to the sewer at manhole 5008 and ensure that surface water discharges to the sewer at manhole 6101. The surface water discharge rate shall not exceed the maximum available capacity of 58l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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

**24. Electricity Substations**

Full details and specifications for the substation, including elevations and external materials, must be submitted to and approved in writing by the local planning authority prior to its erection on site.

Reason: In the interests of the amenities, character and appearance of the area having regard for Policies DC1 and CS5 of the Local Plan and section 12 of the NPPF.

**25. Noise Assessment**

The development hereby approved shall be carried out in accordance with the approved Noise and Vibration Assessment, refence no. NJD24-0184-001R, dated October 2025. Any deviations from the recommendations made in the report shall be submitted to the local planning authority for approval prior to the occupation/first use of the dwellings/buildings and will thereafter be implemented on site. Any mitigation works must be retained on site in an operational state for the lifetime of the building.

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

**26. Renewable Energy**

Notwithstanding the details set out in the approved Sustainability Statement dated October 2025, prior to the occupation of each dwelling, if solar photovoltaic panels, or any other renewable energy system, are required for the dwelling to meet Building Regulation Part L, full details and specifications of the renewable energy system, including the appearance and location on the dwelling, must be submitted to and approved in writing by the Local Planning Authority. Thereafter the renewable energy system will be erected and retained on site in accordance with the approved details.

Reason: In the interests of sustainable development having regard for policy CS4 of the Local Plan and section 14 of the NPPF.

**27. Recreation**

Full details and specifications of the art/play/leisure/fitness areas for each phase of the development (including planting, fencing, safety surfacing, equipment, seats, litter bins, lighting and a management and maintenance scheme), and a programme of works including implementation timescales, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the 10th dwelling.

The art/play/leisure/fitness areas shall be implemented and maintained in accordance with the approved details and shall be retained in perpetuity solely for the

purposes of recreation.

Reason: To secure the provision of sufficient amenity space for residents having regard for Policies CS4, CS5 and DC1 of the Local Plan and sections 8 and 12 of the NPPF.

**28. Retaining Walls**

Notwithstanding the approved details, full details of all proposed retaining walls, including the design, materials, location and heights/retained ground level, must be submitted to and approved in writing by the Local Planning Authority before the construction of the walls commence. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory form of development and in the interests of the amenities of residents and the visual amenities of the area having regard for policies DC1, CS4 and CS5 of the Local Plan and section 12 of the NPPF.

**29. Landscape Scheme**

Prior to the commencement of construction of each phase of the development a scheme showing full details of both hard and soft landscape works and a programme of works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out on site as approved.

Details must include all services and physical entities that would impact on landscaping. These details shall include but are not limited to: footpath and cycleway links; proposed finished levels or contours; means of enclosure and boundary treatment; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials, minor artefacts and structures (eg; furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg; drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers, densities where appropriate; implementation programme.

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

**30. Landscape Management Plan**

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

Reason: To ensure a satisfactory form of development in the interest of visual

amenity and the character of the area having regard for Policies CS4, CS5 and DC1 of the Local Plan and sections 12 and 15 of the NPPF.

**31. Replacement Tree Planting**

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

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

**32. Retained Trees**

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

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

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

**33. Hedges and Hedgerows**

All hedges or hedgerows on the site unless indicated as being removed shall be

retained and protected on land within each phase in accordance with details submitted to and approved in writing by the local planning authority for the duration of works on land within each phase unless otherwise agreeing in writing by the local planning authority. In the event that hedges or hedgerows become damaged or otherwise defective during such period the local planning authority shall be notified in writing as soon as reasonably practicable. Within one month a scheme of remedial action, including timetable for implementation shall be submitted to the local planning authority. The approved scheme shall be implemented in accordance with the approved timetable. Any trees or plants which within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

#### 34. Ecology

The recommendations, mitigation and compensation/enhancement measures set out in section 5 of the approved Ecological Impact Assessment, reference no. BIOC24-058 rev. V3.0, must be carried out on site in accordance with a programme of works to be submitted to and approved in writing by the Local Planning Authority. The measures include:

- a) Further aerial inspection surveys and a Precautionary Working Method Statement (PWMS) for bats.
- b) Construction and clearance to follow the Construction Environmental Management Plan (CEcMP) and Herpetofauna Method Statement.
- c) Pre-work checks for badgers.
- d) A wildlife-sensitive lighting scheme.
- e) An invasive species method statement.
- f) Native, berry, fruit bearing and pollinator species planting.
- g) Creation of compensatory habitat for bats, birds, and great crested newts (GCN).
- h) Habitat management under a Habitat Management and Monitoring Plan (HMMP).
- i) Incorporation of nesting and roosting features for bats and birds, plus refugia for GCN and hedgehog holes.

The submitted details must include a plan which identifies which properties will include bird, bat or bee boxes and where rubble piles, log stacks, earth banks and hibernacula will be located.

Thereafter the mitigation works shall be retained on site in for the lifetime of the development.

Reason: To protect and enhance the ecology and biodiversity of the site and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development having regard to Policy CS4 of the Local Plan and section 15 of the NPPF.

#### 35. Biodiversity Gain Plan

The development hereby approved shall not commence until a Biodiversity Gain Plan has been submitted to and approved in writing by the Local Planning Authority.

Reason: As required under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 and having regard for Policy CS4.

**36. Biodiversity Net Gain Maintenance Plan**

The development hereby permitted shall be carried out in accordance with the approved Biodiversity Gain Plan to ensure that there is a minimum 10% net gain in biodiversity within a 30-year period as a result of the development and the Biodiversity Gain Plan shall be implemented in full.

No development shall commence until a Biodiversity Monitoring Plan to ensure that there is a minimum 10% net gain in biodiversity within a 30-year period as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The Biodiversity Management Plan shall include 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports.

Monitoring reports will be submitted to the Local Planning Authority during years 1, 2, 5, 7, 10, 15, 20 and 30 from commencement of development unless otherwise stated in any Biodiversity Management Plan, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed to be undertaken to address a shortfall in predicted levels of gain.

Reason: In the interests of ensuring measurable net gains to biodiversity and in accordance with paragraphs 180 and 186 of the National Planning Policy Framework and having regard for Policy CS4.

**37. Nutrient Mitigation Scheme**

The development must be carried out in accordance with the agreed nutrient mitigation or in accordance with full details and specifications of an alternative Nutrient Neutrality Mitigation Scheme, including any long term maintenance and monitoring details submitted to and approved in writing by the Local Planning Authority (in consultation with Natural England) prior to any commencement of works on site. Thereafter the development shall be carried out in accordance with the approved Nutrient Neutrality Mitigation Scheme.

Reason: To ensure the appropriate mitigation of nutrients to protect the Teesmouth and Cleveland Coast Special Protection Area in accordance with the requirements of Regulation 63 of the Habitats Regulations.

**38. Programme of Archaeological Works**

Prior to the commencement of development a programme of archaeological work specified in a Written Scheme of Investigation must be submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions and:

- a) the programme and methodology of site investigation including trial trenching, and recording;
- b) the programme for post investigation assessment;
- c) provision to be made for analysis of the site investigation and recording;
- d) provision to be made for publication and dissemination of the analysis and records of the site investigation;
- e) provision to be made for archive deposition of the analysis and records of the site investigation;

- f) nomination of a competent person or persons/organisation to undertake the works set out within the written scheme of investigation

No development shall take place other than in accordance with the approved Written Scheme of Investigation.

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured to the satisfaction of the Local Planning Authority.

Reason: To safeguard the identification and recording of any features of architectural, historic and archaeological interest associated with the site and the fabric of the building having regard for policies CS4 and CS5 of the Local Plan and section 16 of the NPPF.

### **Reason for Approval**

The analysis of the development determines that the proposals are for a sustainable development, which will assist in economic growth in the town. The proposed layout and dwellings are of a high quality design and would provide a pleasant and sustainable environment offering bungalows with a good mix of dwelling sizes and type. There are no statutory objections to the proposal in terms of the sustainability of the site or the ability to meet necessary flood, ecology, highways and noise mitigation.

The application site is an allocated site within the approved Housing Local Plan. It meets the requirements of policy H29, other relevant local policies (including DC1, CS4, CS5), the policies in the Nunthorpe Design Statement, the guidance in the Nunthorpe Grange Design Codes and national policies.

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, the nearby residents or the community as a whole. The proposals do not conflict with local or national policies relating to sustainability, design, transport, open space or flood risk. The development will support the spatial vision set out in the development plan.

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### **INFORMATIVES**

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- 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](mailto: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.

- S106

This permission is subject to an agreement under section 106 of the Town and Country Planning Act 1990 as amended.

- 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 Council's Naming and Numbering representative on 01642 728155.

- Adoption of Highway - S38

The applicant is advised that prior to the commencement of works on site they should contact the Highway Authority (01642 728156), with a view to preparing the necessary drawings and legal work required for the formal adoption of the new highway layout. The S38 Agreement should be in place prior to the commencement

of works on site.

- **Works to Highway - S278**

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

- **Interference or Alteration of the Highway**

Interference or alteration of the highway requires a licence under the 1980 Highways Act. Connections to public sewers in the highway require a licence under 1991 New Roads and Street Works Act. The applicant should contact the Highway Authority (tel: 01642 728156) before any work commences on site, allowing a minimum of 7 days' notice, or 30 days in the case of a NRASWA licence, if either or both of these licences are required.

- **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 [rights-of-way@middlesbrough.gov.uk](mailto:rights-of-way@middlesbrough.gov.uk).

- **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.

- **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 it may be necessary before development commences, for the applicant to commission an ecological survey from a suitably qualified and experienced professional to determine the presence or otherwise of such protected species. If protected species are found to be present, Natural England should be consulted.

- **Environmental Construction Management**

This informative is aimed at ensuring there are no breaches of environmental legislation on the site throughout the construction phase of the development and contractors and developers should adhere to the following advice. For any further information and advice relating to environmental construction management please contact the authorities Environmental Protection Service.

- All demolition, construction works and ancillary operations, including deliveries to and dispatch from the site should be restricted to between the hours:

- 08.00 to 18.00 Monday to Friday
- 09.00 to 13.00 Saturday
- Not at all on Sundays and Bank Holidays.

- All work should be carried out in such a manner so as to comply with the general recommendations of British Standards BS 5228-1:2009 + A1:2014 and BS 5228-2:2009 + A1:2014, a code of practice for "Noise and Vibration Control on Construction and Open Sites".

- Best practicable means should be employed at all times in order to minimise noise, vibration, dust, odour and light emissions. Information on the control of dust from construction sites can be found using the following link. Construction-Dust-Guidance-Jan-2024.pdf ([iaqm.co.uk](http://iaqm.co.uk))

- All plant and machinery should be operated, sited and maintained in order to minimise disturbance. All items of machinery powered by internal combustion engines should be properly silenced and/or fitted with effective and well maintained mufflers in accordance with manufacturers instructions.

- There should be no bonfires on the site

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## IMPLICATIONS OF THE DECISION

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### **Environmental Implications:**

The proposal relates to residential development and its environmental impacts have been considered within the report above. Such considerations have included amongst others, visual implications, privacy and amenity, noise and disturbance and ecological implications. In view of all those considerations, it is on balance judged that in this instance the associated environmental impacts are considered not to be significant.

Biodiversity net gain has been taken into account in relation to this report and is detailed above.

The proposed development is in scope for Nutrient Neutrality, being within the catchment of the River Tees. Nutrient Neutrality is adequately dealt with as reported above.

**Human Rights Implications:**

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report and the recommendation is made having taken regard of the Local Development Plan Policies relevant to the proposals and all material planning considerations as is required by law.

The proposed development raises no implications in relation to people's Human Rights.

**Public Sector Equality Duty Implications:**

This report has been written having had regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act 2010 and to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

There are no matters relating to this application which relate to harassment, victimisation or similar conduct or which would affect equality of opportunity or affect the fostering of good relations between people with and without protected characteristics.

**Community Safety Implications:**

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report. Specifically, considerations around designing out opportunity for crime and disorder have been detailed within the report. Whilst actions of individuals are not typically a material planning consideration in reaching a decision in this regard, designing out the opportunity for crime and disorder is aligned to good quality design and is, in that regard a material planning consideration.

**Financial Implications:**

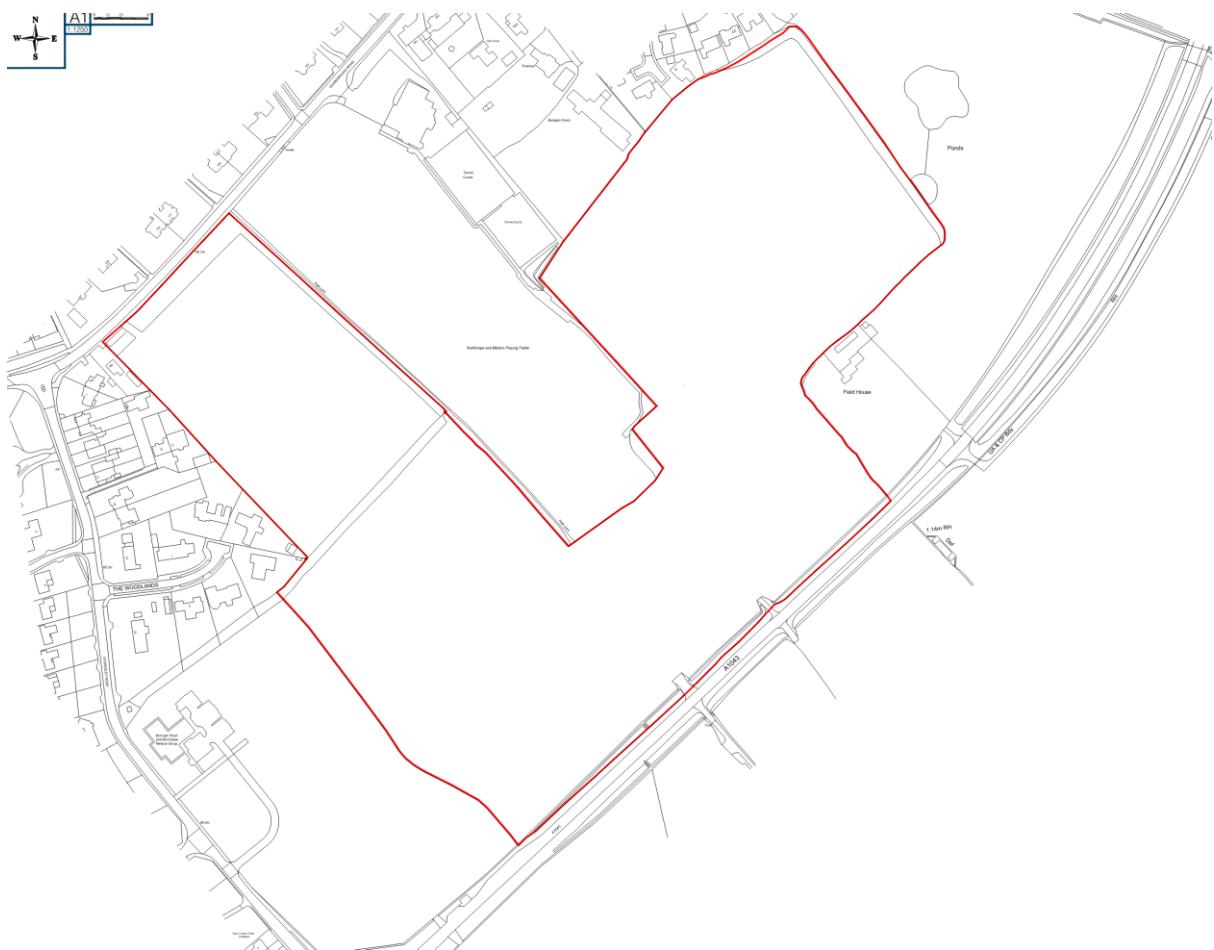
The proposed development if approved will result in financial contributions towards the required infrastructure / Education provision / affordable housing provisions and sustainable transport as detailed in the report. These matters have been given weight in reaching a decision.

The proposed development if approved would result in residential properties being constructed which would in turn lead to council tax revenue for the council. This matter is not a material planning consideration.

Case Officer: Shelly Pearman

Committee Date: 12-Feb-2026

**Location Plan**



**Proposed Site Plan**



**Examples of Proposed House Types**



**Examples Proposed House Types Continued**

