

Land & Buildings

Nunthorpe Hall Farm, Nunthorpe Village TS7



Robin Jessop



Edge of Village Residential Development Opportunity A Residential Development Opportunity in a Prime Village Location Extending to 5.68 Acres (2.30 Ha) Approx For Sale as a Whole

- 5 Detached New Builds
- 7 Barn Conversions
- Full Detailed Planning
- No CIL and No Affordable Housing
- 31,000 Sq Ft (2882m²) Gross Internal Area
- Nutrient Neutrality Mitigation on Site
- Guide Price: Price on Application

Land & Buildings, Nunthorpe Hall Farm, Nunthorpe Village

SITUATION

Stokesley 4 miles, Great Ayton 3 miles, Guisborough 8 miles, Middlesbrough 6 miles (all distances are approximate).

Nunthorpe Hall Farm Development opportunity is attractively situated on the northern edge of the picturesque rural Nunthorpe village, close to the popular and thriving market towns of Stokesley and Guisborough. It is therefore, well placed in relation to the larger centres of Middlesbrough, Newcastle and York.

The site has uninterrupted views of the Cleveland Hills and Roseberry Topping in the distance.

DESCRIPTION

The main steading area includes the original farmhouse together with a range of traditional farm buildings set around a central courtyard. The traditional buildings together with the existing farmhouse has the benefit of converting into 7 barn conversions. The total gross internal area of the barn conversion is in excess of 15,000 sq ft (1,395 m²).

In addition to the barn conversion there are 5 new build plots on the site. The new building plots vary in size from detached family homes to large executive homes. The new build total gross internal area is in excess of 15,500 sq ft (1,441 m²).

The property includes the former walled garden of Nunthorpe Hall. The walled garden is Grade II Listed. Part of the walled garden has been granted planning permission for the use as additional garden/amenity space for the barn conversions.

Within the site there is an area extending to 3.60 acres (1.46 Ha) for Nutrient Neutrality. The area is coloured blue on the attached plan.

The whole site is edged red on the attached plan.

PLANNING

The farm steading has the benefit of detailed planning consent granted on 21st March 2023 for "conversion of the existing traditional farmhouse and buildings to form 7 dwellings, the demolition of agricultural buildings and the construction of 5 new build dwellings, along with associated works". Application No 22/0693/MAJ. The consent was granted subject to various conditions detailed in the Decision Notice.

The Vendors have also undertaken the majority of the key due diligence activities including:-

Ecology Licence Obtained, Utility Capacity Confirmed, Ground Investigation Survey. Site Contamination Survey,

Structural Survey, Archaeological Survey, Part Right of Way Re-direction (agreed with Council). Surveys Available Upon Request.

LOCAL AUTHORITY

Middlesbrough Council, Fountains Court, 119 Grange Road, Middlesbrough TS1 2DT – 01642 729377.

www.middlesbrough.gov.uk

NUTRIENT NEUTRALITY

Condition 34 of the Planning Permission 22/0693/MAJ states that "The area shaded blue on the approved plans 2166/03 REVB dated 27th February 2023 shall not be used for grazing, paddock or any agricultural process and will be used only as grassland and planting in perpetuity following the first occupation of the development. The reason for this is to achieve nutrient neutrality and prevent harm to the special Protection Area associated with the River Tees.

COMMUNITY INFRASTRUCTURE LEVY CHARGE (CIL) & AFFORDABLE HOUSING CONTRIBUTION

There is no CIL payable on the site and no affordable housing requirement.

GENERAL REMARKS AND STIPULATIONS

Viewing

Strictly by appointment with Robin Jessop Ltd – 01677 425950.

Tenure

The property is freehold and vacant possession will be given upon completion.

The title is registered with the Land Registry.

Services

Mains services including electric water, foul and surface water drainage are all believed to be available in the nearby public highway.

VAT

We understand that the property is NOT subject to VAT.

Boundaries

The Vendors will only sell such interest (if any) as they have in the boundary fences, ditches, walls and hedges etc and other boundaries separating this property from other properties not belonging to them.

Asbestos

With regards to any asbestos on the property, a detailed asbestos survey has not been carried out. On completion of the sale, it will be the responsibility of the Purchaser(s) to comply with the Control of the Asbestos Act at Work Regulations 2012.

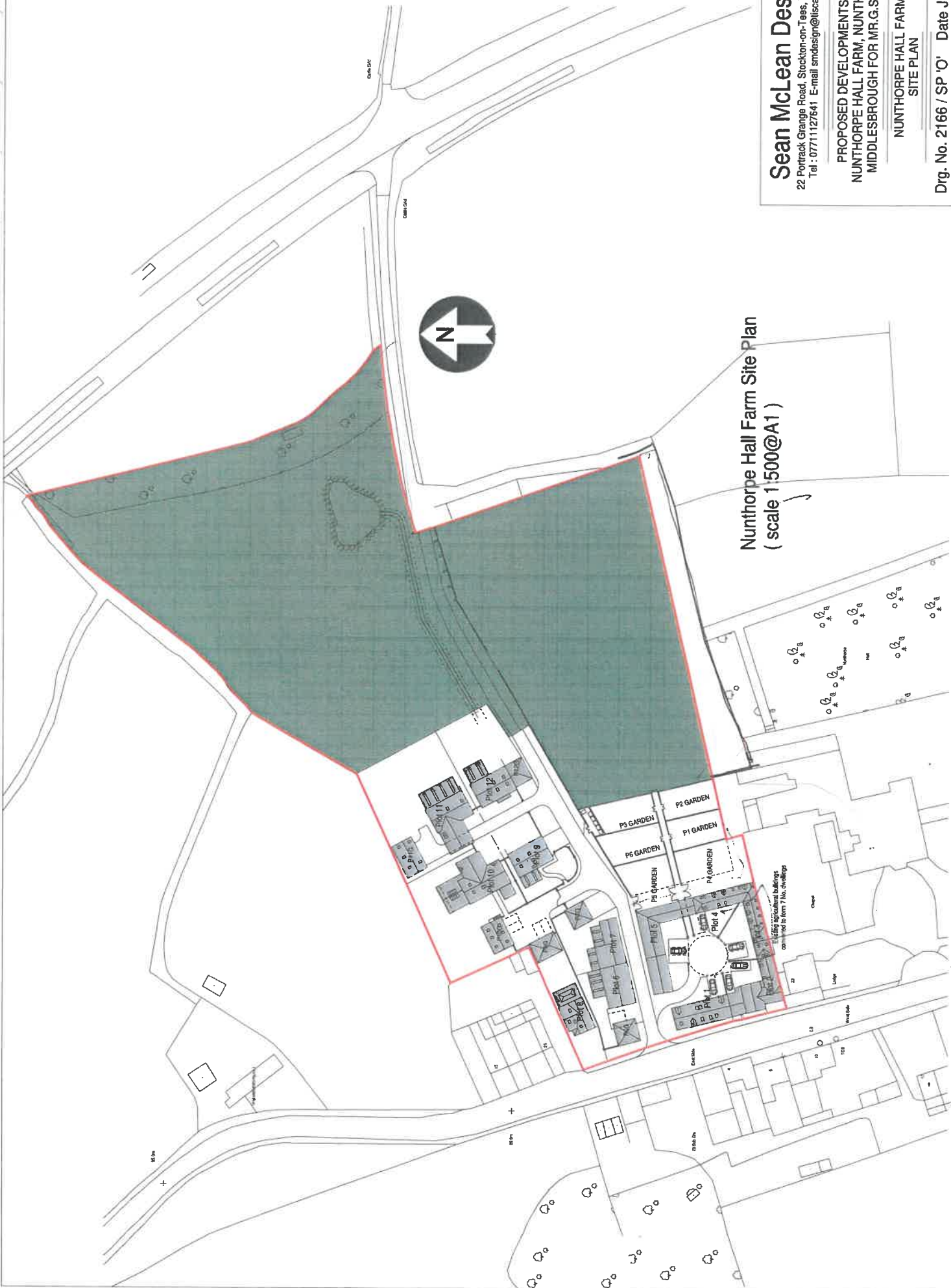
Sean McLean Design

22 Portrack Grange Road, Stockton-on-Tees, TS18 2PH
Tel : 07711127641 E-mail smdesign@fiscall.co.uk

PROPOSED DEVELOPMENTS AT
NUNTHORPE HALL FARM, NUNTHORPE
MIDDLESBROUGH FOR MR.G.SHAW

NUNTHORPE HALL FARM
SITE PLAN

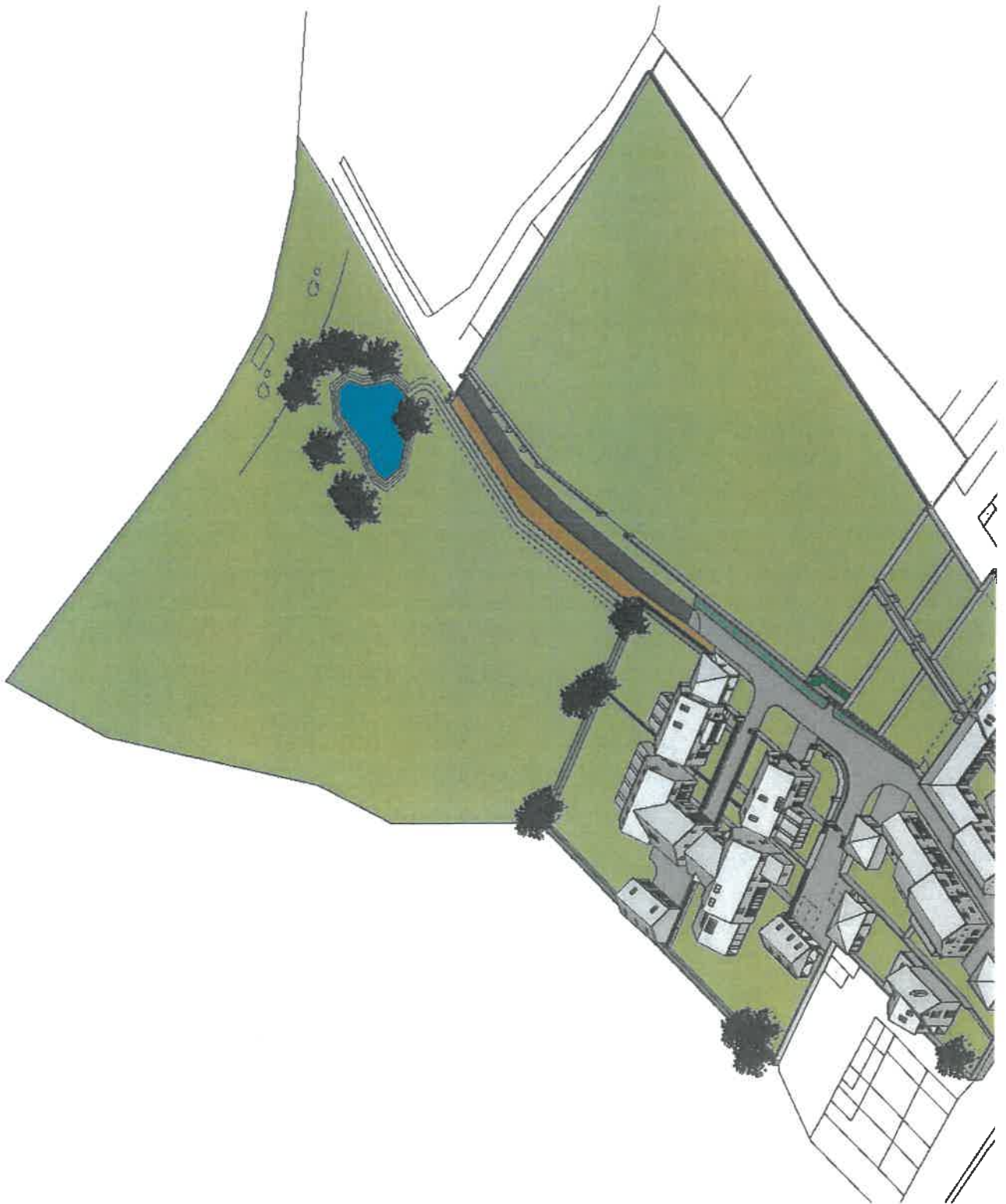
Drg. No. 2166 / SP 'O' Date JUNE 23



Nunthorpe Hall Farm Site Plan
(scale 1:500@A1)

Existing buildings highlighted
continued to form 7 No. dwellings





ELG Planning
Gateway House
55, Coniscliffe Road
Darlington
DL3 7EH

Our ref: 22/0693/MAJ
Case Officer: Debbie Moody
Tel No: 01642 729467
Email: debbie_moody@middlesbrough.gov.uk

21-Mar-2023

Dear Sir/Madam

Description: Conversion of the existing traditional farm house and buildings to form 7 dwellings, the demolition of agricultural buildings and the construction of 5 newbuild dwellings, along with associated works.

Location: Nunthorpe Hall Farm, Hall Farm, Old Stokesley Road, Middlesbrough, Middlesbrough, TS7 0NP

The above application registered on 03-Nov-2022 was considered by the Council and it has been agreed that permission should be granted. I therefore enclose the appropriate approval certificate.

If an application under the Building Regulations was also submitted, development must not commence until Building Regulations Approval has been received from Building Control.

Should Building Control require any alterations to the approved plan(s), in order to issue a Building Regulations Approval, you are required to resubmit copies of the amended plan(s) for approval before commencing work.

If applicable, I would also draw your attention to the conditions of the permission and particularly if there are matters requiring approval before development commences. This must be done by way of a formal application for the approval of details reserved by a condition.

Forms are available on request or alternatively they can be downloaded from the Council's website (www.middlesbrough.gov.uk) or submitted electronically via the Planning Portal (www.planningportal.gov.uk). A fee will be payable per request and the case officer above will be able to advise you of this and the procedure as a whole.

Please note that failure to comply with conditions could lead to the Council considering the taking of enforcement action.

Yours faithfully

Debbie Moody

Senior Planning Officer

22/0693/MAJ

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) APPROVAL NOTICE

Agent:

ELG Planning 55, Gateway
House, Coniscliffe Road,
Darlington, DL3 7EH

Applicant:

G and S Shaw, Shaw Property
Developments Ltd Shaw Property
Developments Ltd, C/O Agent,
ELG Planning, Darlington, DL3
7EH

Proposal: Conversion of the existing traditional farm house and buildings to form 7 dwellings, the demolition of agricultural buildings and the construction of 5 newbuild dwellings, along with associated works.

Location: Nunthorpe Hall Farm, Hall Farm, Old Stokesley Road, Middlesbrough, Middlesbrough, TS7 0NP

The Middlesbrough Council as the Local Planning Authority HEREBY PERMIT the development proposed by you in your application registered on 03-Nov-2022 and shown on the approved plan(s) subject to the conditions and reasons specified hereunder:

CONDITIONS/REASONS

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 2166/01 A dated 6th December 2022
- b. Site layout plan drawing 2166/03 REV B dated 28th February 2023
- c. Plots 1-5 Existing and proposed elevation drawings 2053/PL/07 REV B dated 28th February 2023
- d. Plots 6-7 Existing and proposed elevation drawings 2053/PL/08/REV B dated 17th February 2023
- e. Plots 1-7 Proposed ground floor plan drawing 2063/PL/05 dated 17th February 2023
- f. Plots 1- 7 Proposed first floor plan drawing 2053/PL/06 dated 17th February 2023
- g. Plot 8 Proposed elevation drawings 2166/P8/02 REV A dated

17th February 2023

- h. Plot 8 Proposed floor plan/sectional drawings 2166/P8/01 REV A dated 17th February 2023
 - i. Plot 8 garage drawings 2166/P8/03 REV A dated 17th February 2023
 - j. Plot 9 Elevation drawing 2166/P9/02 REV A dated 17th February 2023
 - k. Plot 9 Floor plan drawing 2166/P9/01 REV A dated 17th February 2023
 - l. Plot 10 Elevation drawing 2166/P10/02 REV B dated 28th February 2023
 - m. Plot 10 Floor plan drawing 2166/P10/01 REV B dated 28th February 2023
 - n. Plot 10 Garage drawings 2166/P10/03 REV B dated 28th February 2023
 - o. Plot 11 Elevation drawing 2166/P11.02 REV A dated 17th February 2023
 - p. Plot 11 Floor plan drawing 2166/P11/01 Rev A dated 17th February 2023
 - q. Plot 11 Garage drawings 2166/P11/03 Rev B dated 28th February 2023
 - r. Plot 12 Elevation drawings 2166/P12/02 REV A dated 17th February 2023
 - s. Plot 12 Floor plan drawings 2166/P12/01 REV A dated 17th February 2023
 - t. Bin store (potting shed) drawing 2166/BIN/01 Rev A dated 17th February 2023
 - u. Flood Risk Assessment & Drainage Strategy September 2022
 - v. Preliminary Drainage Plan NHF_05_01 dated 14th October 2022
 - w. Bat, Breeding and Barn Owl Survey (October 2022)
 - x. Nutrient Neutrality Plan drawing dated 28th February 2023
- Reason: For the avoidance of doubt and to ensure that the development is carried out as approved.

3. Materials - Samples

Prior to the construction of the external elevations of the buildings and structures hereby approved, samples of the external finishing materials to include walls, roofs, doors and hard standing to be used, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

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

4. Windows/door details

All windows, doors, fascia's, soffits and external joinery shall be installed in accordance with a scheme of such which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of their materials, design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:20 scale.

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

5. Retention of Historic Features

All existing historic features shall be retained in situ, and the timbers forming the structural frame of the buildings shall not be cut, removed or otherwise altered, except where;

- a) specifically indicated otherwise on the approved plans; or,
- b) the Local Planning Authority has agreed in writing their removal.

Reason: To safeguard the special architectural or historic interest, character, appearance and integrity of the locally listed buildings having regard for policies CS4 and CS5 of the Local Plan and section 16 of the NPPF

6. Schedule of Repair Works to conversions

No works to the locally listed buildings hereby approved shall commence on site until a full written schedule of repair works to the converted buildings has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the methods, materials and components to be used, any alterations, replacement or maintenance of brickwork, details of bonding, mortar, fenestration, rainwater goods and decorative features. The development shall be completed in accordance with the approved details.

Reason: To safeguard the historic fabric and the architectural character and appearance of the locally listed buildings having regard for policies CS4 and CS5 of the Local Plan and section 16 of the NPPF.

7. Road Traffic Noise Assessment

Prior to the commencement of development an assessment of road noise, and if necessary, a scheme for protecting the proposed dwellings and associated residential outdoor space from traffic noise, shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include a 15 year projection of traffic levels.

All residential units shall be designed so as not to exceed the noise criteria based on current figures from BS8233 (2014) 'Guidance on sound insulation and noise reduction for buildings' and the WHO 'Guidelines for Community Noise' 1999. Any scheme of protection shall demonstrate that noise from nearby road traffic as measured within bedrooms does not exceed 30dB(A) Leq and 45dB(A) Lmax (23:00-07:00) and 35dB(A) (07:00-23:00), and that noise from nearby road traffic as measured within the gardens or other residential outdoor space does not exceed 50dB(A) Leq.

Any works and/or noise mitigation measures identified within the scheme shall thereafter be carried out and brought into operation in accordance with the approved details. All works which form part of the approved scheme shall be completed prior to any of the residential/student accommodation hereby approved being occupied and must be retained on site in an operational state for the lifetime of the building. The internal noise levels must be obtainable while appropriate ventilation to habitable rooms is provided in a manner which meets the requirements of The Building

Regulations which may include mechanical ventilation.

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

8. Contaminated Land Site Investigation

Prior to the commencement of development a full and competent site investigation including risk assessment must be undertaken and submitted to and approved in writing by the Local Planning Authority. This must identify any contamination present and specify adequate remediation. The development must be carried out in accordance with the approved risk assessment and remediation scheme.

Validation of the remediated site shall be provided in the form of a detailed completion statement confirming that works set out and agreed were completed and that the site is suitable for its intended use.

Reason: To ensure the appropriate decontamination of the site in the interests of safety, local amenity and the amenities of the occupiers of the site having regard for policies DC1, CS5 and section 12 of the NPPF.

9. Finished Levels

Prior to the preparation of levels on site the finished ground floor levels of the building(s) hereby approved in relation to existing and proposed site levels, the adjacent highway and adjacent properties, together with details of levels of all accesses, to include pathways, driveways, steps and ramps, shall be submitted to and approved in writing by the Local Planning Authority thereafter the development shall be carried out in accordance with the approved scheme.

Reason: To ensure a satisfactory form of development in the interest of amenities including 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.

10. Waste Audit

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

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

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

11. Foul Water Drainage

Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in

accordance with the approved details.

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

12. 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 SPECIFY and the development shall be completed in accordance with the approved scheme.

The design of the drainage scheme shall include but is not be 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.

13. 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

Bird and Barn owl Survey (October 2022), 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, which shall include but not be restricted to:

- a) replacement void bat loft habitat within the garage of plot 8 ;
- b) destructive works to roost areas to be supervised by qualified ecologist;
- c) 3 woodcrete bat boxes within line of trees to east of the site;
- d) temporary barn owl boxes 30 days before construction
- e) permanent owl box within garage of plot 12
- f) three long lasting bird boxes either within the line of trees east of site or on boundary walls encompassing the adjacent fields
- g) Replacement barn swallow habitat in the form of open sided log stores

Thereafter the mitigation works shall be retained on site in perpetuity

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.

17. 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 and delivery timings 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 such as;

- 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 and protection of any existing landscaping during construction.

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.

18. Landscape Management Plan

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

19. Retained Trees

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).

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

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.

In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and the paragraphs within this condition 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.

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.

20. Renewables or Fabric First

The dwellings/buildings hereby approved shall not be occupied until details of

compliance with the approved SPECIFY has been submitted to and approved in writing by the Local Planning Authority.

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

21. PD Rights Removed – Boundary Treatments

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.

22. PD Rights Removed Extensions/Alterations and 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 building hereby approved shall be extended or materially altered in external appearance in any way, including additions or alterations to the roof, nor shall any ancillary buildings 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.

23. 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.

24. 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.

25. No Business Use

The development hereby approved shall at all times be used only for purposes incidental to the enjoyment of the dwellinghouse by the occupiers and shall not be used for commercial or business purposes.

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

26. Construction of Roads and Footways Prior to Occupation of Dwellings

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

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

27. Adoptable Layout

The development hereby approved shall not be occupied/brought into use/commenced until the internal roads as shown on the approved drawing(s) 2166/03 REV B have been constructed, surfaced to at least a basecourse level and lit.

Reason: To ensure the satisfactory design of the internal road layout and in the interests of free flow of traffic, safety of highway users and amenity of residents having regard for policies CS4, CS5 and DC1 of the Local Plan and sections 9 and 12 of the NPPF.

28. Details of Roads, Footpaths and Open Spaces Required

Fully detailed drawings illustrating the design and materials of roads, footpaths and other adoptable open spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the start of construction on site. The development shall be carried out in accordance with the approved details.

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

29. Turning/Servicing

No part of the development hereby approved shall be occupied/brought into use/commenced until facilities clear of the public highway have been provided for the manoeuvring of vehicles in accordance with the approved drawing(s) 2166/03 REV B or such drawings which are subsequently submitted to and approved in writing by the Local Planning Authority. The drawings shall show means of access, dimensions, surface treatment and drainage. The areas so provided shall at no time be used for any other purpose and retained thereafter for such purposes.

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

30. Car and Cycle Parking Laid Out

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

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

31. 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.

32. Archaeological Observation

Prior to the commencement of the development hereby approved, an archaeological site assessment and recording exercise shall have been undertaken and submitted in writing and to the written satisfaction of the Local planning Authority for the site of the new build plots and SUDs pond. The site assessment shall consist of a strip, map and recording exercise of any archaeological information. A watching brief shall be undertaken within the area of the walled garden to be developed with only limited depth excavations.

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

33. Unexpected Discoveries

Any historic or archaeological features not previously identified which are revealed

when carrying out the development hereby permitted shall be retained in-situ and reported to the Local Planning Authority in writing within 10 working days. Work shall be halted in the area/part of the building affected until provision has been made for the retention and/or recording in accordance with details submitted to and approved in writing by 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 polices CS4 and CS5 of the Local Plan and section 16 of the NPPF.

34. Nutrient Neutrality

The area shaded blue on approved plan 2166/03 REV B dated 27th February 2023 shall not be used for grazing, paddock or any agricultural process and will be used only as grassland and planting in perpetuity following the first occupation of the development.

Reason : To achieve nutrient neutrality and prevent harm to the Special Protection Area associated with the River Tees.

REASON FOR APPROVAL

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

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

It is the planning view that none of the material objections raised will result in a significantly detrimental impact on the character of the area or the setting of nearby Grade II buildings, including Nunthorpe Hall , the nearby residents or the community as a whole. The proposals do not conflict with local or national policies relating to sustainability, design, transport or flood risk.

INFORMATIVES

- **Discharge of Condition Fee**
Under the Town & Country Planning (Fees for Applications and Deemed Applications)(Amendment)(England) Regulations 2018, the Council must charge a fee for the discharge of conditions. Information relating to current fees is available on the Planning Portal website
<https://1app.planningportal.co.uk/FeeCalculator/Standalone?region=1>. Please be aware that where there is more than one condition multiple fees will be required if you apply to discharge them separately.
- **Civil Ownership Matters**
This permission refers only to that required under the Town and Country Planning Act 1990 (as amended) and does not include any other consent or approval under any enactments, byelaw, order or regulation. The grant of planning permission does not override any third party rights which may exist over the application site. In addition, you are advised that any works affecting party walls or involving excavations for foundations adjacent to a party wall you will be required to serve notice on all adjoining owners before work commences and adhere to the requirements of the Party Wall Act 1996.
- **Rights of Access/Encroachment**
This planning approval does not permit any person to access another person's land/property to enable the works to be completed, without their consent. Any encroachment into another person's land/property above or below ground is a civil matter to be resolved between the relevant parties.
- **Building Regulations**
Compliance with Building Regulations will be required. Before commencing works it is recommended that discussions take place with the Building Control section of this Council. You can contact Building Control on 01642 729375 or by email at buildingcontrol@middlesbrough.gov.uk.
Where a building regulations approval is obtained which differs from your planning permission, you should discuss this matter with the Local Planning Authority to determine if the changes require further consent under planning legislation.
- **Statutory Undertakers**
The applicant is reminded that they are responsible for contacting the Statutory Undertakers in respect of both the new service to their development and the requirements of the undertakers in respect of their existing apparatus and any protection/ diversion work that may be required. The applicant is advised to contact all the utilities prior to works commencing.
- **Name and Numbering**
Should the development require Street Names, Numbers and/or Post Codes the developer must contact the Councils Naming and Numbering representative on 01642 728155.
- **Listed Building Consent Required**
A Listed Building consent application must be submitted to the Local Planning Authority before any modifications or alterations are carried out, either externally or internally, which may affect the character of the listed building, or if the alterations take place to a building or structure within the curtilage which pre-dates the 1st July 1948.
- **Cleaning of Highway**
The applicant is reminded that it is the responsibility of anybody carrying out building work to ensure that mud, debris or other deleterious material is not deposited from the site onto the highway and, if it is, it shall be cleared by that person. In the case of mud being deposited on the highway wheel washing facilities should be installed at the exit of the development.
- **Protected Species**
The applicant is reminded that it is an offence to damage or destroy species

protected under separate legislation. Planning consent for a development does not provide a defence against prosecution under wildlife protection legislation. A licence from Natural England is required given the bat roosts within the site.

Discharge into Watercourse/Culvert

The applicant is advised that any discharge of surface water into a watercourse or culverted watercourse requires consent from the Local Authority.

Sustainable Drainage Systems

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

Public Right of Way on Site

A Public Right of way exists on the site. Before planning approval is commenced discussion is required with the Highway Authority's Public Rights of Way Officer (tel: 01642 728153) to ensure that the line of the path is not interfered with. Or an order must be obtained to stop up or divert the Public Right of Ways, as shown on the definitive map and statement, under Section 257 of the Town and Country Planning Act 1990. To discuss or apply for an order contact the Highways Authority's Public Rights of Way Officer at rightsofway@middlesbrough.gov.uk.

Adoption of Highway - S38

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

Dropped Kerb - S184

The permission hereby granted should not be construed as authority to work within the public highway. Highways consent is required for the creation/alteration of a dropped vehicle crossing under Section 184 of the 1980 Highways Act. Such works will need to be carried out at the applicant's expense by Middlesbrough Council approved contractors. The applicant is advised that prior to the commencement of works on site they should contact the Highway Authority (01642 728156).

Private Street - S220

As the proposed development fronts a private street, notice will be served under Section 220 of the 1980 Highways Act once Building Regulation approval (or initial notice acceptance) has been given. The applicant is therefore urged to consult early with the Highway Authority (tel: 01642 728156) on the highway details, particularly if it is considered that there may be an entitlement to an exemption under that section.

Protect Existing Footpaths/Verges

Measures must be taken to protect existing footpaths and verges being damaged by site vehicles.

Demolition

Demolition requires notification under Section 80 Of the Building Act 1984 prior to any work commencing on site.

Highway Authority Discussion

It is essential that early discussion take place with the Highway Authority (tel: 01642 728156) to discuss the effect on the surrounding highway network during the construction of this development.

Highway Authority Discussion

It is essential that early discussion take place with the Highway Authority (tel: 01642 728156) to discuss the effect on the surrounding highway network during the construction of this development.

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

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

- **Rights of Access/Encroachment**
This planning approval does not permit any person to access another person's land/property to enable the works to be completed, without their consent. Any encroachment into another person's land/property above or below ground is a civil matter to be resolved between the relevant parties.
- **Building Regulations**
Compliance with Building Regulations will be required. Before commencing works it is recommended that discussions take place with the Building Control section of this Council. You can contact Building Control on 01642 729375 or by email at buildingcontrol@middlesbrough.gov.uk.

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

- **Statutory Undertakers**
The applicant is reminded that they are responsible for contacting the Statutory Undertakers in respect of both the new service to their development and the requirements of the undertakers in respect of their existing apparatus and any protection/ diversion work that may be required. The applicant is advised to contact all the utilities prior to works commencing.
- **Name and Numbering**
Should the development require Street Names, Numbers and/or Post Codes the developer must contact the Councils Naming and Numbering representative on 01642 728155.
- **Listed Building Consent Required**
A Listed Building consent application must be submitted to the Local Planning Authority before any modifications or alterations are carried out, either externally or internally, which may affect the character of the listed building, or if the alterations take place to a building or structure within the curtilage which pre-dates the 1st July 1948.
- **Cleaning of Highway**
The applicant is reminded that it is the responsibility of anybody carrying out building work to ensure that mud, debris or other deleterious material is not deposited from the site onto the highway and, if it is, it shall be cleared by that person. In the case of mud being deposited on the highway wheel washing facilities should be installed at

the exit of the development.

- **Protected Species**
The applicant is reminded that it is an offence to damage or destroy species protected under separate legislation. Planning consent for a development does not provide a defence against prosecution under wildlife protection legislation. 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.
- **Discharge into Watercourse/Culvert**
The applicant is advised that any discharge of surface water into a watercourse or culverted watercourse requires consent from the Local Authority.
- **Sustainable Drainage Systems**
Sustainable Drainage Systems (SuDS) should be considered when designing drainage, driveways and car parking areas.
- **Public Right of Way on Site**
A Public Right of way exists on the site. Before planning approval is commenced discussion is required with the Highway Authority's Public Rights of Way Officer (tel: 01642 728153) to ensure that the line of the path is not interfered with. Or an order must be obtained to stop up or divert the Public Right of Ways, as shown on the definitive map and statement, under Section 257 of the Town and Country Planning Act 1990. To discuss or apply for an order contact the Highways Authority's Public Rights of Way Officer at rightsofway@middlesbrough.gov.uk.
- **Adoption of Highway - S38**
The applicant is advised that prior to the commencement of works on site they should contact the Highway Authority (01642 728156), with a view to preparing the necessary drawings and legal work required for the formal adoption of the new highway layout. The S38 Agreement should be in place prior to the commencement of works on site.
- **Dropped Kerb - S184**
The permission hereby granted should not be construed as authority to work within the public highway. Highways consent is required for the creation/alteration of a dropped vehicle crossing under Section 184 of the 1980 Highways Act. Such works will need to be carried out at the applicant's expense by Middlesbrough Council approved contractors. The applicant is advised that prior to the commencement of works on site they should contact the Highway Authority (01642 728156).
- **Private Street - S220**
As the proposed development fronts a private street, notice will be served under Section 220 of the 1980 Highways Act once Building Regulation approval (or initial notice acceptance) has been given. The applicant is therefore urged to consult early with the Highway Authority (tel: 01642 728156) on the highway details, particularly if it is considered that there may be an entitlement to an exemption under that section.
- **Protect Existing Footpaths/Verges**
Measures must be taken to protect existing footpaths and verges being damaged by

site vehicles.

- **Demolition**
Demolition requires notification under Section 80 Of the Building Act1984 prior to any work commencing on site.
- **Highway Authority Discussion**
It is essential that early discussion take place with the Highway Authority (tel: 01642 728156) to discuss the effect on the surrounding highway network during the construction of this development.

Dated 21-Mar-2023



Head of Planning

Please note that this notice does not relieve the applicant from the need to ensure compliance with the appropriate provisions of the Building Act 1984 and the Building Regulations 2000.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE

APPROVAL NOTES

The permission relates to planning control only. Any other statutory consent necessary must be obtained from the appropriate Authority.

By virtue of Section 91 of the Town and Country Planning Act, 1990, the development hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission. In the event of such a time limit becoming operative, Article 3 of the Town and Country Planning (Applications) Regulations 1988 provides for a simplified form of application to have the permission renewed. This course of action must be taken before the permission expires.

The attention of developers is drawn to the fact that any failure to adhere to the details of the approved plans or comply with conditions attached to the consents constitutes a contravention of the provisions of the Town and Country Planning Acts, in respect of which enforcement action may be taken.

CONDITIONAL APPROVAL NOTES

This permission refers only to that required under the Town and Country Planning Act 1990 and does not include any consent or approval under any other enactment, byelaw, order or regulation.

Any other statutory consent necessary e.g. Building Regulations approval must be obtained from the appropriate authority.

Failure to adhere to the details of approved plans or to comply with conditions attached to this permission is a contravention of the provisions of the Town and Country Planning Act 1990 in respect of which enforcement action may be taken.

If you object to the Local Planning Authority's decision to grant permission, approval or consent subject to conditions, you may appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 within 6 months of the date of this notice. With regard to approved applications concerning listed buildings in a conservation area, you may appeal under Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 8 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Please make your appeal using a form from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) or online at GOV.UK www.gov.uk/appeal-planning-decision

The Secretary of State may allow a longer period for you to give notice of appeal, but will normally only do so if there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it appears that the Local Planning Authority could have granted permission for the proposed development only subject to the conditions it imposed, bearing in mind the statutory requirements, the development order, and any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority made its decision on the grounds of a direction that he or she had given.

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the District in which the land is situated a purchase notice requiring that Council to purchase his interests in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Section 92 of the Town and Country Planning Act provides that where outline planning permission is granted for development existing in or including the carrying out of building or other operations, it shall be granted to conditions to the following effect:-

a) that in the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission.

b) that the development to which the permission relates must be begun not later than whichever is the later of the following dates:-

(i) the expiration of three years from the date of the grant of outline permission, or
(ii) the expiration of two years from the final approval of the reserved matters or, in the case of the approval on different dates the final approval of the last such matter to be approved.

Under the provisions of Section 76 of the Town and Country Planning Act 1990 the Local Planning Authority is required to draw your attention to the provisions of the Chronically Sick and Disabled Persons Act 1970 which makes provisions for the needs of disabled people.

Your proposal may also be subject to Building Regulations and the provisions of Section 5 of the County of Cleveland Act 1987. You are advised to check this before progressing the development with the Council's Building Control Section.

In order to improve the speed and efficiency of the planning appeals system, a new procedure for the submission of appeals has been introduced by the Department of the Environment. As from 7th April 1986; when an appeal is lodged with the Department of the Environment, a copy of the appeal documents must also be sent to the Local Planning Authority. These documents will normally include a copy of the appeal form, additional information, correspondence and plans or drawings relating to the appeal. There is no need to send to the Local Authority plans etc, which have already been submitted as part of the application which is subject of the appeal.

All correspondence regarding such an appeal should be sent to:-

Head of Planning Services
Middlesbrough Council
Civic Centre
Middlesbrough
TS1 9FY