

**Parish: Brompton**  
Ward: Northallerton North & Brompton

Committee Date: 24 November 2022  
Officer dealing: Mr Nathan Puckering  
Target Date: 3 October 2022  
Date of extension of time (if agreed):  
25 November 2022

**3**

**22/01835/MRC**

**Application for the modification of condition 2, for previously approved application 20/00898/REM. Remove drawing RFM-XX-00-DR-L-001 - New Drawings received 0780-RFM-02-00-DR-L-0001-S3-P02 - Northern Area Detailed General Arrangement Plan 1 of 2, 0780-RFM-02-00-DR-L-0002-S3-P02 - Northern Area Detailed General Arrangement Plan 2 of 2, 0780-RFM-01-00-DR-L-0001-S3-P02 - Southern Area General Arrangement Plan 1 of 2, 0780-RFM-01-00-DR-L-0002-S3-P02 - Southern Area General Arrangement Plan 2 of 2**

**At: Taylor Wimpey Thurstan Park Development North Northallerton Phase 1A  
Land at Stokesley Road Northallerton  
For: Hambleton District Council**

**The application is brought to Planning Committee as the District Council is the applicant.**

## **1.0 Site, Context and Proposal**

- 1.1 This application concerns the 'sports village' part of the wider hybrid north Northallerton development. It is to be situated in part on an area of green public space surrounding the north of the Civic Centre on the northern edge of Northallerton along with existing farmland, between the Civic Centre and the new North Northallerton Bridge.
- 1.2 In February 2021 permission was granted for this development, which effectively comprises a new access from Northallerton Road, a car park which will ultimately serve the sports village, an area of allotments adjacent to this car park and finally an extension to the public footpath which runs around the southern part of the site to also include the north section.
- 1.3 This section 73 application is seeking to alter the approved plans. The changes can be summarised as follows:
  - Relocation of the access further south on Northallerton Road so that it is now immediately to the north of a tree belt that splits the wider site into two parts.
  - Relocation of the car parking area so it is now next to the new access and is slightly reconfigured.
  - Removal of previously proposed 'skills village' which was adjacent to the car park.
  - Amendments to the walkway around the site to include a two-way macadam surface to create a delineation between walking route and running route.
- 1.4 There is an application running concurrently with this application that is looking to discharge a number of conditions from the original application that includes details such as landscaping and planting details, ecology surveys and construction details

of a maintenance track adjacent to the new bridge (which was a separate proposal).

## **2.0 Relevant Planning History**

- 2.1 15/01083/HYB - Hybrid planning application for:
1. Full planning application for Phase 1 residential comprising 150 dwellings to the east of Darlington Road and 148 dwellings to the west of Stokesley Road, including earth works across the site, engineering works for drainage associated with Phase 1 residential, associated infrastructure, construction of strategic link road from Darlington Road to the west and Stokesley Road to the east including roundabouts and road bridge crossing railway line and village green; and
  2. Outline planning application for a mixed use development of 900 dwellings (C3) which includes the residential development comprising Phase 1 referred to above, employment (B1, B2, B8), neighbourhood centre comprising shops (A1), restaurants (A3) and drinking establishments (A4), extra care facilities (C2), medical facilities (D1), primary school (D1), community uses including recreation playing pitches and allotments, car parking and means of access (all matters reserved apart from means of access) - Granted December 2016
- 2.2 20/00898/REM - Application for reserved matters for previously approved application 15/01038/HYB. Condition 2- Appearance, Landscaping, Layout, Scale and Access for the Environmental Space elements of North Northallerton Sports Village. Condition 8 - Landscape Masterplan, implementation and management programme. Condition 14 - Sections showing proposed and existing ground levels. Condition 20 - Ecological Enhancement Management Plan. Condition 32 - Propose Scheme for pre-construction surveys for mitigation impacts for breeding birds - Granted February 2021
- 2.3 20/00898/DCN - Discharge of conditions 3 (Landscape and Planting Scheme), 4 (Hard surfacing details), 5 (Additional ecology & biodiversity info) and 6 (Maintenance track) from previously approved application 20/00898/REM - Pending Consideration

## **3.0 Relevant Planning Policies**

- 3.1 As set out in paragraph 2 of the NPPF planning law requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. The law is set out at Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.

Local Plan Policy S1: Sustainable Development Principles

Local Plan Policy E1: Design

Local Plan Policy E2: Amenity

Local Plan Policy E3: The Natural Environment

Local Plan Policy IC2: Transport and Accessibility

Local Plan Policy IC3: Open Space, Sport and Recreation

Local Plan Policy IC4: Community Facilities

National Planning Policy Framework

## 4.0 Consultations

- 4.1 Parish Council - No comments received.
- 4.2 NYCC Highways - The change in proposed access point off Northallerton Road is acceptable as the visibility requirements set out in the manual for streets are available. However, the proposed access does require some alterations to the existing public highway and as such the applicant will be required to enter into a Section 278 Agreement with the local highway authority. The existing grasscrete service track that has been provided as part of the bridge works to the north of North Moor Road is likely to be used by pedestrians following the proposed development, but it should be noted this service track has not been designed for such use and it unlikely to provide a suitable and safe surface for walking.
- 4.3 Environmental Health - No objection.
- 4.4 Swale & Ure Drainage Board - As previously stipulated the surface water will require restricting to 1.4ls/ha, the IDB is the consenting authority. It's noted that the discharge point will be EA main river. It should be observed that stone cross stell (culvert section) lies within the proposed development & discharges from East to West.
- 4.5 Lead Local Flood Authority - As this development sits within the Swale and Ure drainage board district, the LLFA refer to any recommendations and surface water restrictions set by the IBD.
- 4.6 Natural England - Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application.
- 4.7 NY Police Designing Out Crime Officer - No comments to make.
- 4.8 RAF Linton On Ouse, Network Rail and Yorkshire Water were consulted but submitted no comments.
- 4.9 Site Notice & Neighbour Notification - 2 formal letters of objections with the following comments:
- The proposal is materially different to the North Northallerton Masterplan that was published and sold to the community.
  - The new layout offers a significantly diluted scheme that offers little of what was initially proposed and approved and as such negatively impacted the overall environment enhancement for residents that should benefit the most from this investment.
  - Works have already commenced and neighbours had no notification of what is happening.
  - The letters state the site address is Stokesley Road when it is in fact Northallerton Road which is misleading and underhand.
  - The entrance originally was further down in the centre of the development which at least was facing hedges instead of housing, there would have been a buffer and the houses were set further back. They have now moved the entrance to opposite housing set closer to the road and no buffer between.

- Will the car park be closed on an evening with a barrier? I know other new car parks in town have had to do that in the past to stop it becoming a gathering place on an evening, especially on a quiet residential road.
- As we know with the Rugby Club in Brompton on match days cars are parked all along the road as they don't all fit in the Rugby Club, the same would happen along here and again there is no buffer between us, seems like no thought or consideration has gone into the revisions.

## 5.0 Analysis

- 5.1 The principle of this development was assessed under the original hybrid application and the subsequent reserved matters application and as such the principle of development is not for debate through this application. The purpose of the application is to allow an assessment of the amended elements of the scheme.

The main issues for consideration in this instance are i) the impact of the relocation of the access on highway safety, ii) the impact of the various aspects of the alterations to the layout on the character and appearance of the surrounding area and iii) the amenity of surrounding residents.

### Highway Safety

- 5.2 Policy IC2 of the Local Plan concerns transport and accessibility of development. It sets out that development will only be supported subject to it meeting a list of requirements. Relevant in this instance are ensuring highway safety would not be compromised and safe physical access can be provided to the proposed development from the footpath and highway networks and also appropriate provision for parking is incorporated, equating to 55 spaces.
- 5.3 The Local Highway Authority was consulted on the application to ensure that the new position of the access has adequate visibility and will not compromise highway safety. They subsequently confirmed this to be the case. The number of car parking spaces will increase, and the layout will change slightly. This remains adequate to serve the development and the layout is otherwise considered to be suitable.
- 5.4 Concern has been expressed about whether or not the car park will be sufficient for future development of the site should 3G pitches be formed. Based on the current proposals for the development of the Sport Village, the car parking provision is considered to be acceptable.

- 5.5 It is considered that the proposal complies with policy IC2.

### Impact on the Surrounding Area

- 5.6 Policy E1 of the Local Plan relates to design of development and states that all development should be of a high quality, integrating successfully with its surroundings in terms of form and function, reinforcing local distinctiveness and help to create a strong sense of place. It lists a number of principles that help to achieve this overarching aim. Relevant in this case are as follows:
- promotes accessibility and permeability for all by creating safe and welcoming places that connect with each other and are easy to move through, putting people before traffic and integrating land uses and transport;

- makes efficient use of the site consistent with achieving a high-quality design particularly in relation to public realm, open space, green corridors and layout, and the protection of local character and amenity.

- 5.7 The relocation of the car park, access and allotment area are considered to have little additional impact to the wider character and appearance of the locality over and above the existing approved development. The car park and built form will be on the same footprint as approved and due to the hedgerow that lines the western side of Northallerton Road it will still be screened as per the previous approved scheme.
- 5.8 The layout of the walking/running track that leads around the site and adjoins the existing footway to the south and west of the Civic Centre remains roughly the same. It will be slightly more 'winding' as it runs down the western edge of the site adjacent to Brompton Beck but not to the point that changes the nature of the impact on the character and appearance of the surrounding area. It will also cut through the tree line that runs west-east through the site at a more central location. Again, this is considered to have little additional impact on the character and appearance of the surrounding area.
- 5.9 The introduction of a second material on the track will clearly have an impact on its appearance but it is not uncommon for these types of running/walking tracks to have an appearance such as that proposed to delineate between the areas for walkers and runners/cyclists.
- 5.10 Overall, the changes to the development do not compromise the overall quality of the development or cause harm to the character and appearance of the surrounding area. On that basis, the proposed development is considered to comply with policy E1.
- Amenity
- 5.11 Policy E2 of the Local Plan seeks to ensure that all development provide and maintain a high standard of amenity for all users and occupiers, including both future occupants and users of the proposed development as well as existing occupants and users of neighbouring land and buildings, in particular those in residential use.
- 5.12 The original access point was located opposite a hedge, fronting the new housing development in a location where a service road provides access to three dwellings set back from the road frontage. Concern has been expressed that the proposed amendment brings the access directly in line with dwellings fronting the road, resulting in the potential for a loss of amenity resulting from vehicles coming and going from the site, potentially in the dark, with resultant impact from car lights and noise and disturbance from groups of people. The general form of the development is little changed from the originally approved scheme, the relocation of the access is a significant change. However, in the context of the urban environment in which the development is located the layout and position of the access is not considered to result in a level of harm to amenity such as to justify a recommendation of refusal.
- 5.13 Matters pertaining to the formation of all-weather pitches and their impacts in terms of use are not for consideration at this time as they do not form part of this application.

- 5.14 It is considered that the proposed amendments to the scheme are not likely to result in a significant loss of residential amenity and are otherwise in compliance with Policy E2 of the Local plan.

#### Other Issues

- 5.15 Both letters of objection refer to the overall masterplan for the north Northallerton sports village. It is understood this has been made visible on the Council's website, albeit separately to the planning public access page. Nevertheless, anything within this masterplan that is over and above what is on the submitted plans is not for consideration at this stage and will require an additional application, through which the impact of these additions will be assessed.

#### Planning Balance

- 5.16 The amended plans are considered to remain acceptable in terms of the impact on the locality, amenity and highway safety and are otherwise considered to be in compliance with the outline approval and the requirements of the Local Plan. Approval is recommended on that basis.

## 6.0 Recommendation

- 6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s):
1. The development hereby permitted shall begin no later than 2 years from the date of the original permission - i.e. 15.02.2021.
  2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered 0780-RFM-02-00-DR-L: -0001 P05, -0002 P05, Southern Phase General Arrangement 1 of 2 & 2 of 2, Impermeable Areas Plan, Proposed Externals Plan, Proposed Drainage Plan, External Works Details and S278 Plan; received by Hambleton District Council on 17.10.2022 and 08.08.2022; unless otherwise approved in writing by the Local Planning Authority.
  3. Prior to landscaping works commencing a full landscape and planting scheme shall be submitted to and approved by the Local Planning Authority. The landscaping shall be implemented in accordance with the approved details, by the end of the first planting scheme following the opening of the development hereby approved. Any plants that fail or die, within the first 5 years following implementation of the planting scheme, shall be replaced.
  4. The surfacing shall be installed in line with drawings Typical Surface & Edge Details, Northern Phase General Arrangement Plan 1 of 2 and 2 of 2 & Southern Phase General Arrangement Plan 1 of 2 and 2 of 2.
  5. The additional surveys recommended in the Ecological Enhancement Plan by MAB Environment and Ecology Ltd received by Hambleton District Council on 05.05.2020 shall be carried out prior to any works that may impact on habitats identified within the Enhancement Plan. The results of these surveys shall be incorporated into an updated and detailed enhancement plan including a 10 year management plan which shall be

submitted to and approved in writing by the Local planning Authority prior to any enhancement work commencing.

6. Prior to the installation of the Link Bridge maintenance access track full details of the track to be installed shall be submitted to and approved in writing by the Local Planning Authority. The track must be capable of accommodating large vehicles, including turning ability, and must not be obstructed by any landscaping or public furniture. Once approved the development shall be carried out in accordance with the approved details.

7. The following schemes of off-site highway mitigation measures must be completed as indicated below: - Provision of site access onto Northallerton Road and removal of existing bus layby to be provided prior to first occupation. For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority. A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site. Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme

The reasons are:-

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Local Plan Policies S1 and E1.
3. In order that the proposed landscaping is appropriately established and to accord with E1 and E3.
4. In the interest of public amenity.
5. In the interest of biodiversity as per policy E3 of the Local Plan.
6. In the interest of highway safety.
7. To ensure that the design is appropriate in the interests of the safety and convenience of highway users.