

Parish: Brompton

Committee date: 06 February 2020

Ward: Northallerton North & Brompton

Officer dealing: Mr P Jones

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Target date: 12 February 2020

15/01083/DCN06

Application for the discharge of condition 43 (Bridge details) for previously approved application 15/01083/HYB

At Link Road, Northallerton

For Taylor Wimpey

This application is referred to Planning Committee as the application site is part of the North Northallerton Development Area and is of significant public interest.

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The application is for the discharge of a condition attached to the hybrid application, for North Northallerton. This condition sought the submission of the design details for the proposed Link Road Bridge.
- 1.2 The application site is currently agricultural land allocated as part of the North Northallerton development area. The site is located between the current phase 1 development for Taylor Wimpey and Persimmon, between Darlington Road to the west and Stokesley Road to the East.
- 1.3 The proposed bridge will connect the east and west elements of the Link Road over the Middlesbrough Branch Railway.
- 1.4 The application proposes a ramp access onto the bridge from the east and west, and a three span bridge over the Railway and Beck supported by two sets of vertical piers.

2.0 RELEVANT PLANNING AND ENFORCEMENT 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)
 3. The proposal is a major development which is accompanied by an Environmental Statement.

Approved 05.12.2016 subject to condition 43, which states:

Prior to the commencement of any work to the bridge or its embankments detailed design and construction details for the bridge and embankments, including all structures through the embankment, must be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highways Authority and Network Rail. The construction of the bridge and embankments must be in accordance with the approved details or such amendments as may be approved in writing by the Local Planning Authority.

3.0 RELEVANT PLANNING POLICIES

3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Development Policies DP1 - Protecting amenity
Development Policies DP3 - Site accessibility
Development Policies DP4 - Access for all
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Development Policies DP28 - Conservation
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP31 - Protecting natural resources: biodiversity/nature conservation
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP32 - General design
Development Policies DP33 - Landscaping
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Brompton Parish Council – no comments received.
- 4.2 Northallerton Town Council - no comments received.
- 4.3 Highway Authority – no comments received.
- 4.4 Internal Drainage Board – Nothing to add owing to the requirements of other conditions.
- 4.5 Environment Agency – Not a condition added by the EA.
- 4.6 Yorkshire Water – no comments received.
- 4.7 Public comments – None received.

5.0 ANALYSIS

- 5.1 The principles behind this development have been considered previously and agreed within the Hybrid application for the development of North Northallerton. This application is only to consider the detail of the specific impacts of the proposed bridge design.
- 5.2 The main issues to consider are: (i) The design of the development; (ii) Highways Matters; (iii) Drainage matters and; (iv) Residential amenity.

Design

- 5.3 One of Hambleton’s strategic planning objectives, set out in The Core Strategy Local Development Document (2007), is “To protect and enhance the historic heritage and

the unique character and identity of the towns and villages by ensuring that new developments are appropriate in terms of scale and location in the context of settlement form and character.”

- 5.4 Policies CP17 and DP32 require the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of local character and settings, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space.
- 5.5 The National Planning Policy Framework supports this approach and, at paragraph 64, states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 5.6 The proposed bridge is of a utilitarian design similar to that found throughout the highway network. Through the course of the development of the design a number of parties have been directly involved, in particular the County Council Bridges Team and Network Rail.
- 5.7 There are a number of competing priorities involved in the design process, which result in a variety of constraints on the design of the bridge, owing to the technical requirements of the County Council and Network Rail. A number of iterations of bridge design have been gone through culminating in the design now presented.
- 5.8 In this case the bridge design submitted was considered to best meet those technical requirements whilst seeking to design a bridge with a simple aesthetic suitable for this location.
- 5.9 From a Planning Perspective the balance is between the aesthetic appearance of the bridge and the technical requirements of other Agencies. The current three span proposal is considered to offer a more elegant and aesthetically pleasing solution than the original, single span bridge suggested at the time of the Hybrid approval.
- 5.10 It is considered, that in the relatively urban context of the proposed development, and in consideration of the technical requirements of other agencies, the design is able to meet the requirements of Local Development Framework Policy.

Highway and Rail Safety

- 5.11 The Highway Authority has been consulted consistently through the development of the design presented here for consideration and has endorsed the design approach used. The Highway Authority has recommended that the design is appropriate and as such that the condition can be discharged, their formal response is awaited at the time of writing.
- 5.12 Network Rail has similarly been deeply involved in the development of the proposals presented here and have previously endorsed the design through their approvals process. Again it is noted that their written response is yet to be received.

Drainage

- 5.13 A major consideration in this application is the potential for the development to impact on both the water course itself and the surface water management regime approved for the North Northallerton Development Area. Development Policy DP43 seeks to ensure that new development is appropriately designed in order that it does not result in any significant impact in terms of flooding.

- 5.14 The Internal Drainage Board has been consulted on this application and they are satisfied that the proposed bridge design does not adversely impact on the drainage regime as dealt with under other conditions attached to the hybrid permission.
- 5.15 It is concluded that the proposed development will not impact on the surface water drainage solutions for North Northallerton or on flooding above or below the site. It is considered that the proposed development is in compliance with relevant Local Development Framework policy on flooding and drainage.

Residential Amenity

- 5.16 The proposed bridge is set at a significant level above the height of the railway in order to achieve a satisfactory clearance. However, the closest house in the proposed development is more than 50m from the bridge. It is considered that the proposed bridge design is acceptable in terms of its impact on residential amenity.

Conclusion

- 5.17 It is concluded that the submitted design accords with the requirements of the Hybrid application. It is further concluded that the proposed design is acceptable in terms of the character and appearance of the area and that the development will have no significant detrimental impact on road or rail safety. It is recommended that the Condition can be discharged, on the basis of the submitted details.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations, condition 43 attached to 15/01083/HYB is **DISCHARGED**.