

PLANNING AND DEVELOPMENT COMMITTEE

Date: Tuesday 2nd December, 2025 Time: 10.00 am Venue: Mandela Room
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AGENDA

1. Welcome, Introductions and Fire Evacuation Procedure

In the event the fire alarm sounds attendees will be advised to evacuate the building via the nearest fire exit and assemble at the Bottle of Notes opposite MIMA.

2. Apologies for Absence

3. Declarations of Interest

4. Minutes - Planning and Development Committee - 6 November 2025 3 - 8

5. Schedule of Remaining Planning Applications to be Considered by Committee 9 - 28

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Item 1 - 11, Woodlea, Middlesbrough, TS8 0TX – Page 11

6. Decisions made under Delegated Powers 29 - 32

7. Weekly Update List - Applications Received 33 - 34

8. Planning Appeals 35 - 50

Appeal Decision - Land at The Vale, Middlesbrough TS5 6RX
 Appeal Decision - Land at 8 Glenfield Drive, Middlesbrough,

TS5 7PX

Appeal Decision - The Orchard, Five Acres, Stainton,
Middlesbrough TS8 9FD

- | | | |
|-----|--|---------|
| 9. | Biodiversity Net Gain | 51 - 52 |
| | | |
| 10. | Any other urgent items which in the opinion of the Chair, may be considered. | |

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Monday 24 November 2025

MEMBERSHIP

Councillors J Thompson (Chair), J Rostron (Vice-Chair), I Blades, D Branson, D Coupe, I Morrish, J Ryles, M Saunders and G Wilson

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Joanne McNally, 01642 728329, Joanne_McNally@middlesbrough.gov.uk

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on Thursday 6 November 2025.

PRESENT: Councillors J Thompson (Chair), J Rostron (Vice-Chair), D Branson, D Coupe, I Morrish, J Ryles and G Wilson

ALSO IN ATTENDANCE: Councillors J Ewan and S Hill
D Stovell, C Woodhouse and D Varley-Turner

OFFICERS: A Glossop, R Harwood, J McNally and S Thompson

APOLOGIES FOR ABSENCE: Councillors I Blades and M Saunders

25/34 **WELCOME, INTRODUCTIONS AND FIRE EVACUATION PROCEDURE**

The Chair welcomed everyone to the meeting, introductions were made and the Fire Evacuation Procedure explained.

25/35 **DECLARATIONS OF INTEREST**

There were no declarations of interest received at this point in the meeting.

25/36 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 9 OCTOBER 2025**

The minutes of the meeting of the Planning and Development Committee held on 9 October 2025 were submitted and approved as a correct record.

25/37 **SCHEDULE OF REMAINING PLANNING APPLICATIONS TO BE CONSIDERED BY COMMITTEE**

25/0437/COU, 56 CARGO FLEET LANE, Middlesbrough, TS3 0PL, Retrospective change of use from vacant land to hand car wash

The Development Control Manager presented an application which sought retrospective planning permission for the change of use of vacant land, formerly occupied by a petrol filling station, to a hand car wash.

The site was located adjacent to a small parade of shops and other commercial units, forming part of the Cargo Fleet Lane/Fulbeck Road neighbourhood. The wider surrounding area was predominantly residential in character. Access to the site was available directly from both Cargo Fleet Lane and Bournemouth Avenue, which had raised highways-related concerns. The site had been operating between the hours of 8:00 a.m. and 6:00 p.m. from Monday to Saturday, and between 10:00 a.m. and 4:00 p.m. on Sundays. Members were advised that planning permission had previously been approved four years prior for the construction of several two-bedroom flats within a part two and part three storey block, including car parking.

Members noted that the application was not supported by national or local planning policies. The development was considered to conflict with the National Planning Policy Framework (NPPF), particularly in relation to highway safety, amenity, and design standards. The proposal failed to demonstrate a high-quality design and was deemed visually harmful to the character of the area. It was also considered detrimental to residential amenity due to noise, nuisance, and operational impacts.

Furthermore, the absence of a flood risk assessment and drainage strategy meant the application did not comply with Policies CS4 and NE10 of the Local Plan. The intensification of access in a congested highway environment raised significant safety concerns, contrary to Policies CS18, CS19, DC1 and emerging policies CR2 and IN2. Overall, the proposal was judged to be inappropriate in its location and operation and did not meet the requirements of sustainable development as set out in both national and local policy frameworks.

Furthermore, the applicant had failed to submit sufficient supporting documentation, including a noise assessment, drainage strategy, and flood risk assessment, which prevented a full consideration of the application and its associated impacts.

The Highways Officer clarified that there were two site access points onto Cargo Fleet Lane and Bournemouth Avenue that were already there but did not generate any traffic in their own right. There was no lawful fallback in regards to previous uses for traffic and it was confirmed that what is being considered now is the traffic implications of a new planning use which has given rise to concern given it is a very congested and confined highway network immediately adjacent to the site and where there is a number of competing demands including the existing access points to the shops, Bournemouth Avenue and the access to Fulbeck Road. There are conflicts with traffic turning right into the proposed site immediately come into conflict with right turning traffic into Fulbeck Road as there is no separation. There is also a bus stop, cycle lanes and a Toucan crossing with pedestrians crossing to use the shops and public transport. The Highway Authority believe that the creation of this site will intensify vehicle movements and be detrimental to the free flow of traffic and highway safety.

A total of six public objections were received, along with representations from two local ward councillors.

The Chair invited a representative to speak on behalf of the applicant and the following key points were highlighted:

- Dissatisfaction was expressed regarding how the application had been handled by Middlesbrough Council, stating that the applicant had not been contacted to provide the requested information as referenced in the Planning Officer's report.
- A meeting had been requested with Environmental Health Officers to address and minimise the concerns raised; however, no response had been received.
- Noise consultants had been instructed and did not consider noise to be a significant issue.
- The site was previously used as a commercial unit, and the applicant emphasised the need to utilise the space. It was acknowledged that although the site presents challenges, a solution should be sought with the applicant.
- There was nothing unlawful about submitting a retrospective planning application, nor about the current use of the land and it was requested that the application was deferred to allow the applicant to rectify the outstanding matters and unresolved issues.

Members raised questions regarding whether the applicant had been asked to provide the necessary supporting information, as the application suggested this had not occurred.

Officers clarified that pre-application advice and relevant policies were publicly accessible and that no direct pre-application advice had been sought, and advised that given the extent of concerns, the application should be determined in its current form, with any revised proposals to be submitted as a new application. It was explained that if a scheme significantly deviated from initial proposals, this then became a new planning consideration, requiring full reconsultation with neighbours. A Member suggested that clearer guidance be published online regarding how non-compliant applications are handled. Officers confirmed that such information was already available on the Council's website.

The Chair invited a resident to speak in objection to the application, and the following key points were raised:

- For a period of over three months, the hand car wash had operated outside its permitted scope by using a high-powered jet washer, which had resulted in several members of the public being sprayed while passing by.
- Concerns were raised regarding the lack of appropriate drainage and the nature of the water discharge as foam had frequently gathered at the drain and had not been cleaned up. Several minor floods had occurred on Bournemouth Avenue.
- Increased traffic congestion had been observed, and it was noted that if several cars turned right into the premises, this would obstruct emergency services from accessing

the road. An accident had occurred on 05 November, reportedly due to the increased traffic congestion.

- Noise pollution had increased, which had led the resident to relocate to the back bedroom of their home due to disturbances from car engines, doors slamming, and other related noise.
- The business had operated outside of its specified hours and often continued until 9:00 p.m.
- Signs and litter had been blown onto the main roads, posing health and safety risks to the public. It was reported that litter which did not fit into bins had been burned in fire bins on the site.
- Chemicals and liquids were getting pored onto the gravel areas of the site rather than being disposed of properly, raising concerns about safety and environmental impact.
- The resident confirmed the location of their property which indicated to the Committee that the noise had travelled a considerable distance.

The Ward Councillor for Park End and Beckfield commented that they were not opposed to the development of the site in principle; however, they considered the proposed development to be unsuitable for this particular location. Although the site had been an eyesore for approximately 30 years, the replacement had been perceived as an even greater visual detriment, described as noisy, polluting, and contributing to existing traffic issues along Cargo Fleet Lane.

Concerns were expressed regarding the site owner's conduct throughout the planning process, which had been described as poor and dismissive of both the process and planning regulations. It was noted that the owner had disregarded all advice provided by the Council.

ORDERED that the application be refused for the reasons detailed in the report.

25/0464/COU, 441 ACKLAM ROAD, Middlesbrough, TS5 7HB, Change of use from a dwellinghouse (Class C3) to a residential care home (Class C2) for three young persons

Members considered an application for planning permission to change the use of a two-storey, semi-detached dwellinghouse located at 441 Acklam Road to a residential care facility for three children aged 7–18. The property was set back from the road within a large plot, backing onto open green space.

The proposal was considered acceptable in principle and in accordance with national and local planning policies. The use remained residential in nature and was deemed appropriate within a suburban setting, with no external alterations proposed to the property. The scale of the use, staffing levels, and associated vehicle movements were considered comparable to a typical family home and would not result in undue harm to the character of the area or neighbouring amenity. The site was sustainably located with sufficient parking provision, and no objections were raised by statutory consultees including Highways, Environmental Health, Children's Commissioning, or Cleveland Police. Subject to conditions limiting occupancy and use, the proposal was compliant with the principles of sustainable development and relevant policies within the Local Development Framework and the NPPF.

Following the consultation period, five objections were received, and concerns were raised regarding the proposal and its expected operations, including potential privacy, noise, anti-social behaviour associated with the use, disturbance from the comings and goings of staff and residents, and the impact on parking and the highway network.

Concerns regarding potential anti-social behaviour were acknowledged; however, no evidence had been provided to support these claims, and such issues could arise from any residential occupation.

The Chair invited questions from the Committee.

Members were assured that there was sufficient safe outdoor space within the property boundaries for children to play, and that adequate parking was available in curtilage.

The Chair invited a representative from Resicare Alliance to speak in support of the

application, during which the following points were highlighted:

- Resicare operated 14 homes across England, with a vision to provide safe, nurturing, and home-like environments for children who could not live with their birth families.
- The proposal and future plans had been discussed with Middlesbrough Council's Children's Commissioning Team, with the aim of offering children stability and care close to their communities, helping them maintain local connections.
- Homes would be staffed by trained professionals and would follow routines similar to traditional households, ensuring minimal disruption to the neighbourhood.
- Shift changes would not occur during unsociable hours, staff were encouraged to car share, and the Council's Highways Officer had raised no objections.
- Concerns about potential disruption were considered unfounded, as the company followed a well-established neighbourhood policy and had a strong reputation for delivering high-quality care.

In response to a Members query regarding school attendance, Resicare confirmed that the aim would be to ensure children attended school, in keeping with the home's focus on providing a normal family environment.

It was clarified for Members that family visits would often be offsite to eventually support with family reintegration.

Members sought clarification on whether the children would be from Middlesbrough. The representative advised that, in most cases, they would be, as the business model was based on areas of demand. Following discussions with the Commissioning Team, Middlesbrough had been identified as an area in need of children's homes.

It was clarified to Members that the duration of care for each child was expected to be between 12 and 24 months.

ORDERED that the application be approved, subject to a condition limiting the use of the premises to a children's home, with no more than three children residing there at any one time.

25/0478/COU, 97A AYRESOME STREET, Middlesbrough, TS1 4PF, Retrospective change of use from Retail (Use Class E(a)) to a hot food takeaway (Sui Generis)

The Development Control Manager presented an application which sought retrospective approval to change of use from retail to a hot food takeaway.

The proposed site was within a largely residential area, comprising an end of terraced two-storey property and planning history had shown that this was a retail unit and a hot food takeaway historically.

Members noted that both national and local planning policies did not support the application due to several reasons, such as the site being located outside of a designated centre and within 150 metres of Sacred Heart Primary School, which conflicted with Paragraph 97 of the NPPF and Policy EC17 of the emerging Local Plan. No sequential assessment had been submitted, as required for town centre uses in out-of-centre locations. The proposal was also situated within Newport Ward, identified as one of the most deprived wards nationally, where childhood obesity and poor health outcomes were prevalent. The takeaway use was considered to have a detrimental impact on residential amenity due to late-night noise, odours, and disturbance, and the lack of detail regarding the flue and extraction system prevented a full assessment of its environmental impact. In addition, Members noted that the bins associated with the proposal did not have sufficient storage and were located on a public footpath at the side of the building, which raised concerns regarding obstruction and public safety. The proposal was therefore deemed contrary to Policies DC1, CS5, and CS13 of the Middlesbrough Local Plan, as well as relevant policies within the Publication Local Plan and the NPPF.

Members sought clarification on the use of the first floor of the building; however, it was confirmed that no details had been provided in relation to this. Rear access was available

through the staff W.C., although the space was noted to be very limited.

A Member queried whether the situation would be the same if the premises were selling snacks rather than hot food. In response, the Officer clarified that the application related specifically to a hot food takeaway, which fell under a different planning classification. It was explained that while sandwiches and similar items could be considered retail, hot food takeaways were subject to separate national guidance due to concerns around access to unhealthy food. The guidance specifically addressed the location and impact of hot food takeaways, particularly in relation to schools and community health.

The Chair invited the Ward Member for Newport to speak on the application. The Member objected to the proposal and raised the following key points:

- The proposal was incompatible with the established residential character of Ayresome Street, which comprised of larger family terraced homes. National planning policy supported hot food takeaways in designated shopping areas, such as Linthorpe Road and Parliament Road, but not in this location.
- There would be limited parking availability and increased traffic generation from staff and customers, particularly between 2:00 p.m. and midnight. The nearby conversion of a property into multiple flats had already intensified parking demand. Additional vehicle movements, including delivery services, could lead to unsafe manoeuvres in narrow residential streets, increasing noise and disruption.
- The illuminated signs and large front window lit until midnight were considered likely to attract groups gathering outside, particularly near a large Council planter that could act as informal seating. This raised concerns about loss of privacy for nearby residents whose windows face directly onto the street.
- It was unclear whether the existing drainage infrastructure, which was prone to flooding, could accommodate the increased water usage associated with a takeaway business.
- The premises were located within close walking distance of three primary schools, raising concerns about promoting unhealthy eating habits in an area with high levels of child poverty and obesity. The concentration of fast-food outlets in Middlesbrough was linked to wider public health and antisocial behaviour concerns. Additionally, the emission of fatty cooking smells was considered inappropriate in a residential setting.
- Discrepancies within the report were highlighted under the MBC Environmental Health section. It was noted that reference had been made to a car park, despite there being no car park at the premises. Additionally, the report referred to deliveries and collections taking place at the rear of the property, although there was no rear access available. Conditions relating to time restrictions for taking rubbish to a refuse store were also questioned, as no refuse store was present on site.

Members sought clarification on how long the establishment had been operating as a takeaway and it was confirmed since the summertime.

Discussions were also held in relation to the first floor potentially being part of the property next door and concerns were raised in relation to the impact on them and the wider community. It was also suggested that the bins were to be removed from the side of the takeaway.

ORDERED that the application was refused for the reasons detailed in the report.

Cllr Rostron withdrew from the meeting at 3.00pm and it was confirmed that the meeting remained quorate.

25/38

DECISIONS MADE UNDER DELEGATED POWERS

The Development Control Manager submitted details of planning applications which had been approved to date in accordance with the delegated authority granted to him at Minute 187 (29 September 1992).

Agreed as follows:

- Members noted the information presented

25/39 **WEEKLY UPDATE LIST - APPLICATIONS RECEIVED**

The Development Control Manager submitted details of new planning applications that had been received on a weekly basis over the past month. The purpose of this was to provide Members with the opportunity of viewing current live applications, which had yet to be considered by officers. The Committee discussed the contents of the document.

The Development Control Manager advised that if Members felt that an application ought to be considered by the Committee, he should be advised accordingly.

25/40 **PLANNING APPEALS**

The Development Control Manager provided an update on various Planning Appeals that had been considered by the Planning Inspectorate.

Agreed as follows:

- Members noted the information provided

25/41 **ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

None

Planning & Development Committee Schedule - 02-Dec-2025

Town Planning applications which require special consideration

1	Reference No: 25/0455/FUL Ward: Coulby Newham	Applicant: Mr Eddie Manning Agent:	Description: Retrospective reposition of front door to side, replacement of rear window with glazed double doors, and alterations to windows to side Location: 11, Woodlea, Middlesbrough, TS8 0TX
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APPLICATION DETAILS

Application No:	25/0455/FUL
Location:	11, Woodlea, Middlesbrough, TS8 0TX
Proposal:	Retrospective reposition of front door to side, replacement of rear window with glazed double doors, and alterations to windows to side
Applicant:	Mr Eddie Manning
Ward:	Coulby Newham
Recommendation:	Approve with conditions

SUMMARY

The application site is a single storey bungalow located on a cul-de-sac within the Woodlea estate, just off Coulby Farm Way. The site is within an established residential area comprising predominantly two-storey detached dwellings with some single storey properties towards the western end of this section of Woodlea. Dwellings are set back from road, with the Stainton Way sitting to the north of the site. The site is located at the end of a turning head.

This application seeks planning approval for a number of external alterations, including the reposition of the front door to side, render and cladding to the front, the replacement of rear window with glazed double doors, and alterations to windows on the side.

Officer Site Visit: 21-Oct-2025

PLANNING HISTORY

No relevant planning history.

PLANNING POLICY

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

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

Middlesbrough Local Plan

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

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

- CS5: Design
- DC1: General Development

- UDSPD: Middlesbrough Urban Design SPD

The detailed policy context and guidance for each policy is viewable within the relevant Local Plan documents, which can be accessed at the following web address.
<https://www.middlesbrough.gov.uk/planning-and-housing/planning/planning-policy>

CONSULTATION AND PUBLICITY RESPONSES

Public Responses

Number of original neighbour consultations: 15
Total numbers of comments received: 11
Total number of objections: 4
Total number of support: 7
Total number of representations: 11

7 Woodlea – Objector

We would like to object to the above application.

This Bungalow is going to be aesthetically displeasing to this lovely cul de sac.

The proposed changes, of adding black cladding at the front of the property would 'stand out like a sore thumb' and totally spoil this cul de sacs appearance.

We would like to say that the properties are not dated, all the people who live there, maintain their properties to a very high standard and take pride in the appearance of this lovely cul de sac. Visitors to the area always comment what a pretty cul de sac it is, so why change its appearance so dramatically?

39 Turnbull Way – Supporter

I believe the proposed building works will make a positive contribution to the local area by modernising the property and enhancing its overall appearance. The planned improvements are designed to be in keeping with the character of the surrounding neighbourhood while introducing a fresh and contemporary feel. By updating the home's design and functionality, the development will not only improve the visual appeal of the area but also make it more attractive to younger buyers and families seeking modern, energy-efficient homes. This investment will help revitalise the community, ensuring the area remains desirable and sustainable for future generations.

11 Lynwood Avenue – Supporter

I am in support of the proposed changes to this bungalow.

The residents have done nothing but try to improve the building since they moved in. As people may take in to consideration these changes can take time and the appearance of the dwelling will not be perfect over night. The houses on Woodlea are beginning to show their age, and in my opinion any improvement is good for the road/area.

There are a number of houses on Woodlea that have been altered/extended/had their outward appearance changed over the years. I don't see why these proposals should be placed under such scrutiny from certain neighbours who have nothing better to do than make others' lives difficult!

2A Cambridge Avenue

The property and location is well known to me as is next door to my parents who live at number 12 and have done for circa 34 years. I myself until very recently lived at number 61 Woodlea since 1992. My comments are in support of the application and the proposed works.

Over the years there has been much change on Woodlea to properties inc updates and modernisation to the look of properties which personally I find refreshing and brings a welcome freshness to the estate.

The updated and freshness of change has definitely supported the desirability and appeal to buy and live on the estate; this has been evident, this is key to helping to keep the look of the estate to be in line with modern new builds as well as adding uniqueness between the variance of different properties.

The mix of style the change has brought and will bring is positive, this resulting in a diverse spread of owners and residents, being: families, pensioners, new young buyers, middle aged and lots of long term residents.

I find the proposed change to be a great uplift, a change that will further enhance the draw of the estate being a desirable and diverse place to live, therefore fully supporting the application.

56 Woodlea – Supporter

We are in support of this application as we feel it will sympathetically update the property and enhance the surrounding area. Woodlea has always been a very sought after area to live and we feel the alterations will be aesthetically beneficial to the property. The changes to the property are practical and suitable for the owners whilst being of quality materials, fitted by Professionals.

12 Woodlea – Supporter

We would like to register our support the application.

We live at No. 12 which is next door to the applicants and have lived in our bungalow for 34 years. It is lovely to have younger families in the road, and nice to see modernisation that comes as part of that.

8 The Gables - Supporter

I would like to register my full support for the application.

The houses on Woodlea have been there about 40 years and do need some updates. The houses in the road are a total mix anyway bungalows small houses large houses. I live off Gunnergate Lane in Marton. There are original houses which were part of Gunnergate Hall, bungalows and totally modern "echo" houses next door built from big sections all totally different not at all in keeping with area but it's progress. Each property looks lovely in it's own right. I don't believe all properties in a road need to be the same to make it look attractive. Woodlea is nice and green with the gardens and trees I don't feel the requested works would take away from that.

17 Woodlea – Objector

I wish to object to the proposed plans for the above property. I was surprised to see a planning application submitted at this stage, as much of the work on the property appears to have already been completed.

The alterations have significantly changed the appearance of the dwelling and its relationship to the neighbouring bungalow, which was previously identical in design. The removal of the front door and porch has already resulted in an unbalanced and inconsistent frontage.

My main concern relates to the proposed external finishes. The plan to use black cladding on the right-hand side of the front elevation and solid white rendering on the left-hand side is not in keeping with the established character of the surrounding properties.

No other property within the cul-de-sac or within the wider Woodlea estate features this kind of stark contrast in materials. The result would be a frontage that stands out sharply and disrupts the uniform, harmonious appearance of the street.

While I would not object to a more sympathetic approach, such as a combination of brickwork with some white render, the current proposal is not appropriate for the setting.

The proposed design would negatively affect the visual character of the area. The cul-de-sac is made up of properties that share a consistent style, tone, and materials. The introduction of black cladding and split rendering would make this property appear out of place and draw unwanted attention, diminishing the overall cohesion of the development.

The plans also contain directional inaccuracies. The front elevation of the property is shown as facing south, when it in fact faces northeast. Similarly, what is labelled as the east elevation should actually be west. These errors should be corrected to ensure accuracy in the planning documentation.

I was disappointed not to have received a direct notification about this application, especially as the property is directly in front of mine and forms the main view from my front windows. As an immediate and directly affected neighbour, I believe I should have been consulted as part of the statutory notification process.

In summary, the proposed design and materials are out of keeping with the character of the area, and the plans contain errors.

For these reasons, I respectfully request that the application be revised to ensure the finished appearance aligns more closely with neighbouring properties and the established character of the Woodlea estate.

6 Woodlea - Supporter

After reviewing the plans, I think the intended refurbishment of the property looks exciting. All the properties in the area are now quite dated, with the majority upgrading doors and windows. Several have made bold changes by rendering the facia. Modern designs and innovative wall coverings are sure to only increase the curb appeal of this property and help modernise the rather dated surrounding properties.

15 Woodlea – Objector

After studying the plans, I would like to point out that the elevation labels on the submitted drawings are incorrect. The original front door, which has been bricked up, faces northeastwards into the close, while the plans for the existing and proposed drawings state it is the south elevation of the property. The new door is now on the west elevation, not the east. The labelling is inconsistent with the footprint of the building on the site plan, and should therefore be amended and resubmitted to reflect the correct details.

The council has consulted with residents of 2 properties in the Birches to the rear of the property, but excluded another property in the close, which would be directly opposite the cladding proposal details. I have provided a copy of my letter to the resident, so that they can submit their comments too.

To clarify, the plans for the treatment of the front of the bungalow to cover up the block work, faces northeastwards into the close. The proposal for white render on the left hand side, and then black cladding on the right hand side of the property frontage would be jarring to look at, and completely out of character with the rest of the properties, within the close, which generally are original brickwork, with some white render.

There are no drawings to show any treatment for the western side of the bungalow, to cover up the blockwork, following the change of position of the existing side door.

The estate was built almost 40 years ago and cladding on the frontage would look out of place.

I am not aware of any property within the whole of the Woodlea estate, which has black composite cladding on the frontage, and do not think this would be in keeping with current design aesthetics in our estate.

16 Woodlea - Objector

I was very surprised to receive this planning permission as front door and canopy have already been removed and all work completed. This bungalow is directly opposite me and looks odd next to the bungalow next door and stands out next to properties in cul de sac. I would have objected to removal of front door and porch and object to the black cladding and white rendering as it would stand out like sore thumb. I have lived in Woodlea 38 years all property's in Woodlea have white rendering and brick so this would not be in line with the area. White rendering and brick would be more appropriate option.

PLANNING CONSIDERATION AND ASSESSMENT

Policy

- 1.0. Policy CS5 and Policy DC1 are the relevant policies which will be considered in this case. Policy CS5 aims to secure a high standard of design for all development, ensuring that it is well integrated with the immediate and wider context. Policy DC1 takes account of the visual appearance and layout of the development and its relationship with the surrounding area in terms of scale, design and materials. This is to ensure that they are of a high quality and to ensure that the impact on the surrounding environment and amenities of nearby properties is minimal.
- 2.0. The Middlesbrough Urban Design SPD (UDSPD), adopted Jan. 2013, provides design guidance for development, including for householder/domestic development (Section 5) and is considered to be in accordance with the NPPF in general terms and is therefore a material planning consideration and decisions should reflect the guidance within the SPD unless other material planning considerations suggest it is appropriate to do otherwise.
- 3.0. The UDSPD recommends some basic principles are applied to development which is aimed at achieving good quality development, these being, to achieve consistent design (window style and proportions, consistent materials and fenestration detailing, subservience (to prevent overbearing or dominance), no dominance over neighbouring windows (to limit effects on daylight), avoiding flat roofs or large expanses of brickwork, preservation of building lines where appropriate and achieving adequate levels of privacy.

- 4.0. Overall, the design guide advises that all householder development should be of a scale that is appropriate to the existing building/site area and not of an overbearing nature. Development, which would dominate the street scene, is likely to be resisted. Alterations should not look out of place in the site or in the street and should enhance, not detract, from the character of the area.

Proposal

- 5.0. The proposed alterations to the principal elevation include the removal of the front door and canopy, and the replacement of this with cream render and black composite cladding. The entire principal elevation will be comprised of cream render, with the black cladding on the western half, and the eastern half will have a replacement window.
- 6.0. The existing principal elevation is comprised of brickwork, a bay window, a front door with an associated canopy. This mirrors the design of the adjacent neighbouring property, 12 Woodlea, albeit with slightly differing fenestration and door designs. The existing window will be replaced by a modernised bay window, with a slightly more modern design. Bay windows are a common design feature within the area, however there are a mix of designs and styles, and as a result this is not seen as a significant material change, as the feature is retained. This is in accordance with section 5.4(a) of the UDSPD, which states that the inclusion of similar design features, such as bay windows, is encouraged where appropriate.
- 7.0. The front door and canopy will be removed and replaced with cream render which will cover the entire principal elevation, and black composite cladding on the western half which was previously occupied by the door and canopy. The houses within the immediate local area are both single and two storey and of varying designs, and cream render is a feature commonly found on the principal elevation of dwellinghouses on the Woodlea estate, including the two houses directly opposite the site and is considered to be acceptable in design terms and in accordance with the character of the area. Despite this, the black composite cladding is not a common addition and is considered to be in conflict with the character of the estate, conflicting with section 5.4 (b) of the UDSPD which encourages consistent materials to be used. However, without the addition of the cladding, there would be a mass expanse of blank render wall on the principal elevation, which would look highly unusual – the black composite cladding breaks this up, and is considered to be a high quality, modern design feature which isn't a highly unusual addition in a contemporary housing estate. There is no extension to the footprint of the property, and the inclusion of the cladding ensures that the massing in this instance is in keeping with the context of the area, in accordance with Section 5.4 (i) of the UDSPD.
- 8.0. The existing side door will be removed and slightly repositioned, and the fenestration on the western side of the property will be slightly modified, including the removal of one window. The proposed windows are consistent with the proposed bay window on the principal elevation, and much more consistent in design than the existing, resulting in a higher quality proposal. The existing window to the rear of the property is proposed to be changed to a French patio door, allowing for garden access. This is considered a minor change and not significant to the design of the property, as it is a common feature within the area.
- 9.0. On balance, these alterations are considered to be in accordance with the UDSPD.

- 10.0. The proposals are subservient to the plot size, are of acceptable design and will be constructed of appropriately matching materials, which will not affect the streetscene. Therefore, it is felt that the proposed extensions will not have a harmful impact upon the character and appearance of the dwelling or the streetscene. The proposal is therefore considered to be in accordance with Policy DC1 (test b).
- 11.0. The fenestration and materials are considered to be high quality modern additions. The massing, with the inclusion of the cladding is deemed to be subservient and therefore poses no significant detrimental impact on the character and appearance of the area, and thus in accordance with Policy CS5 (test c).
- 12.0. No significant landscape value or trees would be lost as part of the works and access to and from the property will be unaffected.
- 13.0. Objections have been raised that the proposed external changes on the principal elevation would be detrimental to the visual amenity of neighbouring properties due to the finishing materials not being in keeping. Woodlea is part of a large modern housing development off Coulby Farm Way. Although the black cladding is not a common feature within the area, there are a number of examples of front and side extensions, porches, full white or cream rendering and porch extensions to the front of dwellings in both the Woodlea estate and surrounding streets. There are examples of dwellings within Woodlea that have black doors and window frames, and as such it is not a style that is entirely absent in this area. The submitted details show that the composite cladding is ridged and has texture, and is a lighter tone with a matte finish, that would not stand out as much, and is considered to be a high quality modern design feature.

Impacts on privacy and amenity

- 14.0. The retrospective works are minor in that they do not extend the footprint of the property. The proposed bay window to the front elevation replaces an existing window of the same dimensions, and does not overlook any neighbouring properties. Although side glazing is included, which is contrary to the UDSPD, this replaces existing side windows and they do not overlook any primary windows of 12 Woodlea. Side windows are a common design feature within bungalows in this area, and therefore it is deemed acceptable in this case.
- 15.0. 11 Woodlea is set on a lower level to the dwellings on the Birches, and as a result the minor works to the rear of the property will be fully screened, and they are modest in scale and design.
- 16.0. On balance, the proposal is considered to be in accordance with Policy DC1 (test c).

Other Matters

- 17.0. Objections were raised regarding inaccuracy of plans, and some refer to white render rather than cream. Revised plans were sought that correct the directional labels and changed the finishing colour of the render to cream, to match the dwellings opposite and better fit in within the estate.
- 18.0. Some objectors expressed frustration over the consultation process. Although letters are only sent out to immediate neighbours, the consultation process is open to

everyone, and anyone can leave a comment, regardless of whether they live in the area or not.

Conclusion

- 19.0 On balance, the alterations to the façade are considered to be sympathetic modernisations. Although the changes are not fully in keeping with the immediate cul-de-sac, high quality materials and design features are utilised that are typical of those within a modern housing development, whilst retaining important features such as the bay window, and not extending the footprint of the property.
- 20.0 In view of the above the application is deemed a satisfactory form of development, in accordance with relevant policy guidance and no material considerations that indicate that the application should be refused. The application is therefore recommended for approval subject to standard conditions.

RECOMMENDATIONS AND CONDITIONS

Approve with Conditions as detailed below

1. Approved Plans - Retrospective
The development hereby approved is retrospective and has been considered based on the details on site and on the plans and specifications detailed below:
 - a) Location Plan Rev A (Drawing No. 000_001_1_LP_100) received 28th October 2025
 - b) Existing & Proposed Plans Rev A (Drawing No. 000_001_1_01_100) received 28th October 2025
 - c) Proposed Elevations 01 Rev A (Drawing No. 000_001_1_02_101) received 28th October 2025
 - d) Proposed Elevations 02 Rev A (Drawing No. 000_001_1_02_102) received 28th October 2025

This approval only relates to the details on the above plans and specifications, it does not relate to any other works.

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

2. Materials - Approved Details
The development hereby approved shall be carried out in complete accordance with the external finishing materials detailed in the approved plans, 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.

Reason for Approval

This application is satisfactory in that the design of the proposed development accords with the principles of the National Planning Policy Framework (NPPF) and, where appropriate, the Council has worked with the applicant in a positive and proactive way in line with the NPPF. In addition the development accords with the local policy requirements (Policies CS5 & DC1 of the Council's Local Development Framework).

In particular the development is designed so that the appearance is complementary to the existing dwellinghouse and so that it will not have a detrimental impact on the amenity of any adjoining or nearby resident. The development will not prejudice the character and appearance of the area and will not significantly affect any landscaping nor prevent adequate and safe access to the dwelling.

The application is therefore considered to be an acceptable form of development, fully in accordance with the relevant policy guidance and there are no material considerations which would indicate that the development should be refused.

INFORMATIVES

- **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.

- **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.

IMPLICATIONS OF THE DECISION

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 to not be significant.

The proposed development is not 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.

Case Officer: Tom Luke

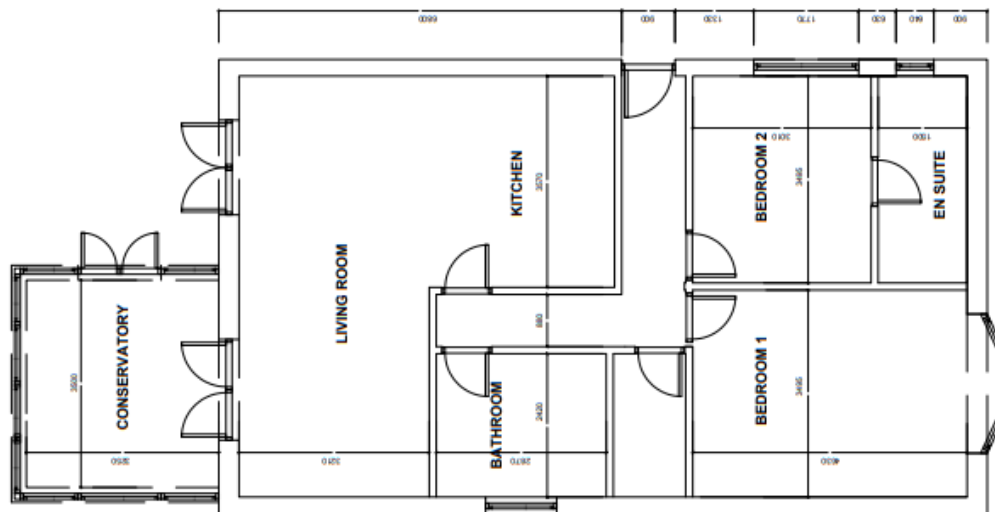
Committee Date: 2nd December 2025

APPENDICES

Appendix 1: Location Plan



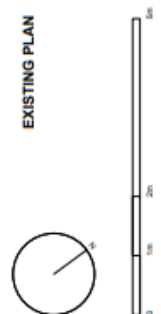
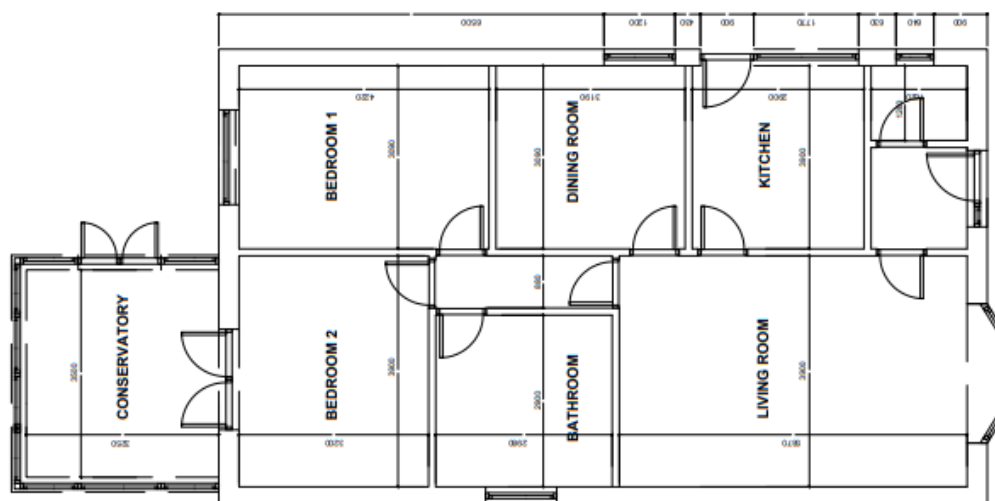
Appendix 2: Existing & Proposed Plans Rev A



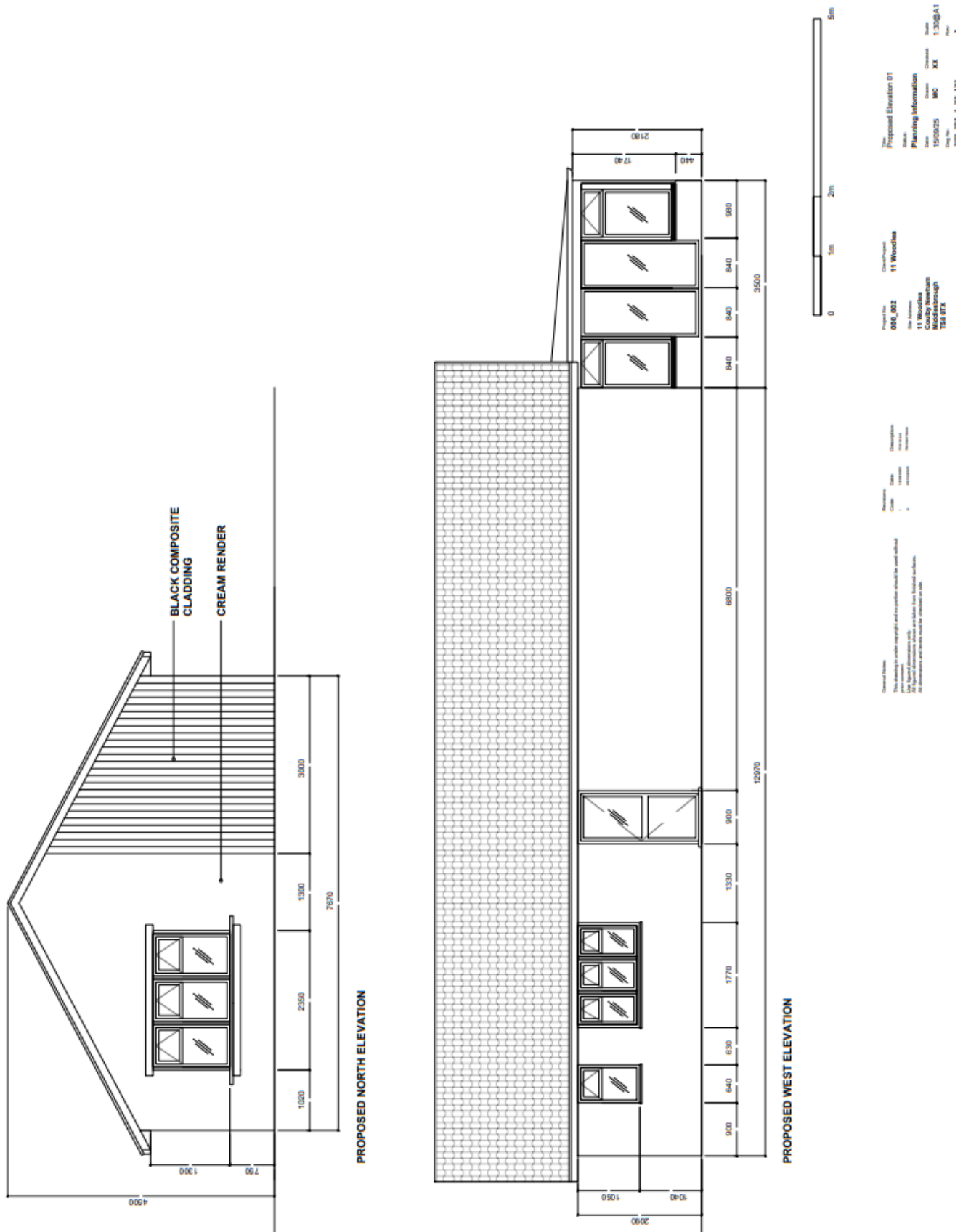
2nd Existing + Proposed Layouts
 Project No: 000_002
 Site Address: 11 Woodlea
 Planning Information
 Planning Application: 15/0225
 Planning Officer: MK
 Planning Officer: 14/01/21
 Date: 14/01/21
 Page: 6

Client/Project: 11 Woodlea
 Project No: 000_002
 Site Address: 11 Woodlea
 Planning Information
 Planning Application: 15/0225
 Planning Officer: MK
 Planning Officer: 14/01/21
 Date: 14/01/21
 Page: 6

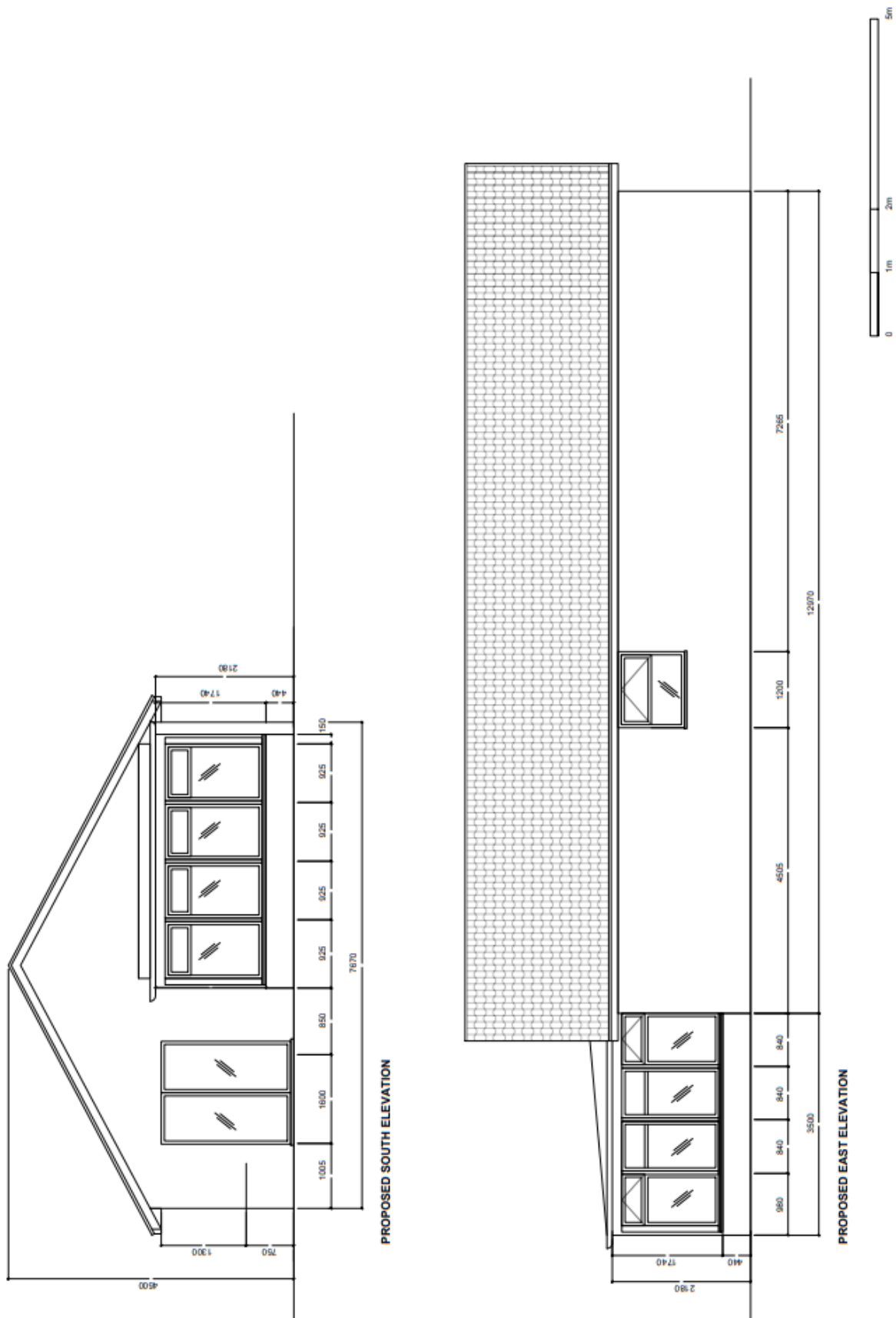
General Notes:
 This drawing is made copyright and no part should be used without
 the written permission of the architect.
 All dimensions and levels are to be taken from the
 ground level unless otherwise stated.



Appendix 3: Proposed Elevations 01 Rev A

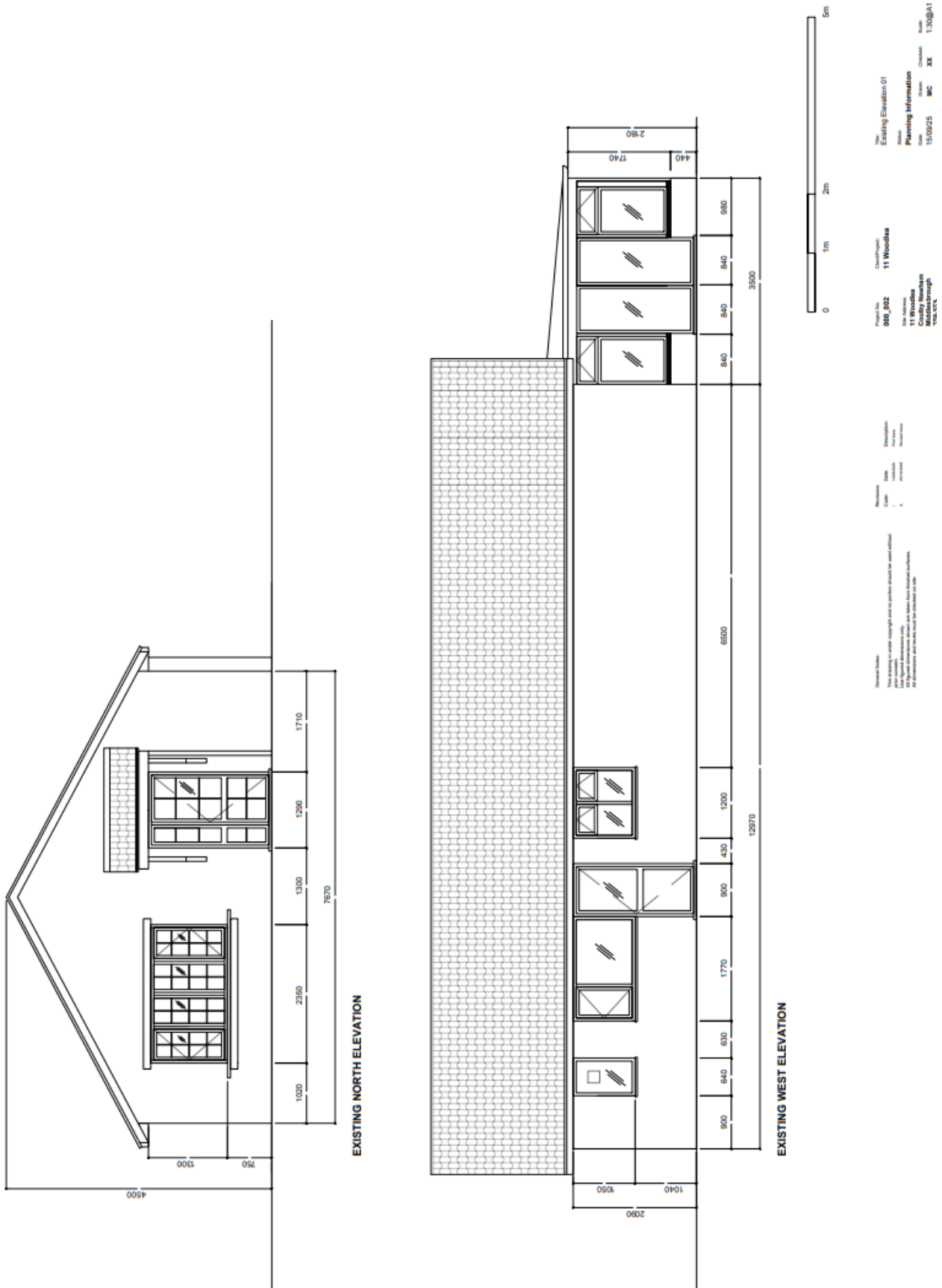


Appendix 4: Proposed Elevations 02 Rev A

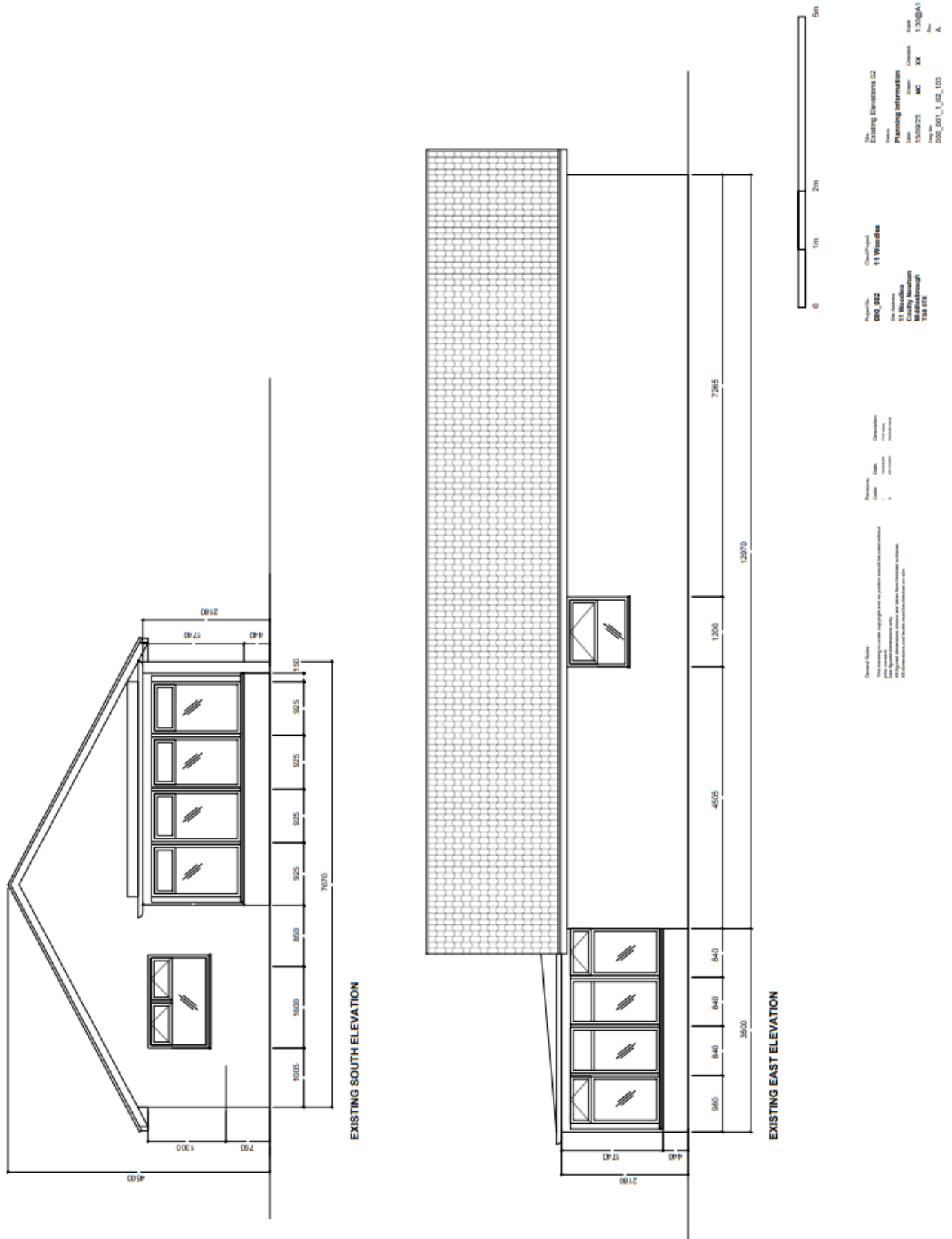


Client Name	000_002	Client Project	11 Woodilee	Plan	Proposed Elevation 02
Project Name	000_002	Site Address	11 Woodilee	Issue	000_001_02_102
Project Number	000_002	Client Name	County Newham	Planning Information	
Project Name	000_002	Client Name	Middlesbrough	Date	15/02/25
Project Number	000_002	Client Name	158 87E	Drawn	MC
Project Name	000_002	Client Name		Checked	XX
Project Number	000_002	Client Name		Scale	1:500
Project Name	000_002	Client Name		Rev	A

Appendix 5: Existing Elevations 01



Appendix 6: Existing Elevations 02



25/0405/FUL Company / Surname Proposal Address	28-Oct-2025 Mr Paul Groom Single storey extension to rear (Demolition of existing garage and conservatory 53, Gypsy Lane, Middlesbrough, TS7 8NF	Approve with Conditions
25/0570/TCA Company / Surname Proposal Address	28-Oct-2025 Pete McSheffrey Removal of 1no. Horse Chestnut near Grey Towers Hall and group of Ash along Coll Grey Towers Hall and Collingham Drive	No Objections
25/0509/TPO Company / Surname Proposal Address	30-Oct-2025 Penny Watchman Fell 1no. Lime tree to rear 116, Guisborough Road, Middlesbrough, TS7 0JA	Approve
25/0469/FUL Company / Surname Proposal Address	31-Oct-2025 Drummond Single storey extension to rear, part garage conversion to habitable room includ 23, Reeth Road, Middlesbrough, TS5 5JN	Approve with Conditions
25/0397/DIS Company / Surname Proposal Address	03-Nov-2025 SCC LIGHTING AND RENEWABLES Discharge of condition 3 (Surface water drainage scheme) on planning application Parfetts Cash & Carry, CARGO FLEET LANE, MIDDLESBROUGH, TS3 8AL	Full Discharge Conditions
25/0271/FUL Company / Surname Proposal Address	04-Nov-2025 Zamir Alterations to existing rear two-storey extension including erection of a rear s 8, Glenfield Drive, Middlesbrough, TS5 7PX	Approve with Conditions
25/0374/FUL Company / Surname Proposal Address	04-Nov-2025 Mrs Amanda Proctor Erection of outbuilding to rear 28, Plantation View, Middlesbrough, TS7 0AZ	Approve with Conditions
25/0503/FUL Company / Surname Proposal Address	04-Nov-2025 Mr & Mrs Jason & Helena Roper Installation of flat roof to existing offshoot including lantern feature and par 11, Reeth Road, Middlesbrough, TS5 5JN	Approve with Conditions
25/0515/FUL Company / Surname Proposal Address	05-Nov-2025 M ATKINSON Two storey extension to rear 14, Rookwood Road, Middlesbrough, TS7 0BN	Approve with Conditions
25/0251/FUL Company / Surname Proposal Address	07-Nov-2025 CONWAY Erection of 4no. detached dwellings and associated works (demolition of existing FORD CLOSE RIDING CENTRE, Brass Castle Lane, Middlesbrough, TS8 9EE	Refused
25/0352/COU Company / Surname Proposal Address	07-Nov-2025 The Redeemed Christian Church of God (Ou Change of Use from indoor recreation facility (Use Class E) to place of worship 390 Newport Road, Middlesbrough, TS5 4BT	Approve with Conditions
25/0394/FUL Company / Surname Proposal Address	07-Nov-2025 WATSON Single storey extension to rear, alterations to windows and doors 89, The Grove, Middlesbrough, TS7 8AN	Approve with Conditions
25/0424/FUL Company / Surname Proposal Address	07-Nov-2025 David Roberts Side extension with rooms in the roof space with two dormer windows to front and 1, Holbeck Avenue, Middlesbrough, TS5 8DR	Approve with Conditions
25/0448/CLU Company / Surname Proposal Address	07-Nov-2025 Sebastian Wade Certificate of lawful use from dwelling (C3) to Childrens home (C2) 11, Ingram Road, Middlesbrough, TS3 7AF	Refused
25/0449/ADV Company / Surname Proposal Address	07-Nov-2025 Smart Outdoor Limited Installation of 1no. internally illuminated wall mounted digital sign PARKWAY CENTRE, Dalby Way, Middlesbrough, TS8 0TJ	Approve with Conditions
25/0465/FUL Company / Surname Proposal Address	07-Nov-2025 Toni Quinn Part replacement of flat roof to pitched roof, part conversion of garage to habi 13, Buxton Avenue, Middlesbrough, TS7 8LP	Approve with Conditions

25/0249/FUL Company / Surname Proposal Address	10-Nov-2025 Lift Schools Erection of single storey teaching block and associated works UNITY CITY ACADEMY, Ormesby Road, MIDDLESBROUGH, TS3 8RE	Approve with Conditions
25/0456/COU Company / Surname Proposal Address	10-Nov-2025 Yellow Boat Hopldings Ltd Retrospective Change of use from dwelling (C3) to 4 bed HMO (C4) 33, Surrey Street, Middlesbrough, TS1 4QD	Refuse and enforce
25/0496/VAR Company / Surname Proposal Address	10-Nov-2025 Barratt David Wilson North East Variation of condition 1 (Approved plans) on planning application 24/0215/VAR to Grey Towers, Nunthorpe, Middlesbrough, TS7 0PW	Approve with Conditions
25/0447/VAR Company / Surname Proposal Address	11-Nov-2025 Miss Katie Inman Variation of condition 3 (Permitted use) on planning application 24/0521/COU to 13, Gypsy Lane, Middlesbrough, TS7 8NF	Refused
25/0486/FUL Company / Surname Proposal Address	11-Nov-2025 Duranta Teeside Ltd Installation of digestate tank and 5.5 metre bund wall, biogas upgrading unit, b FORMER D1 OILS SITE, Forty Foot Road, Middlesbrough, TS2 1HG	Approve with Conditions
25/0533/VAR Company / Surname Proposal Address	11-Nov-2025 Mansour Variation of condition 3 (Approved plans) on planning application 23/0259/FUL to 99, York Road, Middlesbrough, TS5 6LJ	Approve with Conditions
25/0260/COU Company / Surname Proposal Address	17-Nov-2025 EG on the Move Ltd Retrospective use of counter within convenience store for pizza takeaway (use cl EG on the Move PFS and associated kiosk, Acklam Road	Refuse and enforce
25/0435/FUL Company / Surname Proposal Address	18-Nov-2025 Mr Charlie Churchill Single storey extension to rear and side (Demolition of existing conservatory an 15, Malvern Drive, Middlesbrough, TS5 8JA	Refused
25/0534/FUL Company / Surname Proposal Address	18-Nov-2025 Mansour Single Storey extension to rear 99, York Road, Middlesbrough, TS5 6LJ	Approve with Conditions
23/0531/DIS Company / Surname Proposal Address	19-Nov-2025 LEON WHITE ERECTION OF 6NO BUNGALOWS WITH ASSOCIATED CAR PARKING AND LANDSCAPING Vaughan Centre, Fosdyke Green, Middlesbrough, TS3 0RY	Full Discharge Conditions
25/0461/FUL Company / Surname Proposal Address	19-Nov-2025 BELLOW Part single storey part two storey extension to side and rear, conversion of gar 23 Worsley Crescent, Middlesbrough, TS7 8LU	Refused
25/0209/FUL Company / Surname Proposal Address	20-Nov-2025 Architects Single storey extension to rear with roof terrace and conversion of garage to ha 25 Cleveland Drive, Middlesbrough, TS7 8AE	Approve with Conditions
25/0419/FUL Company / Surname Proposal Address	20-Nov-2025 Tom Jennings Proposed single storey extension to front, rear and side and raised patio 3 Gloucester Close, Nunthorpe, Middlesbrough, TS7 0BU	Approve with Conditions
25/0426/FUL Company / Surname Proposal Address	20-Nov-2025 Mr Rashad Mohamad Single storey extension including new pitched roof (Demolition of existing garag 64, Staindrop Drive, Middlesbrough, TS5 8NX	Approve with Conditions
25/0444/FUL Company / Surname Proposal Address	20-Nov-2025 Mr Ronald Bedingfield Retrospective dormer window to front 5 Norfolk Crescent, Middlesbrough, TS3 0LY	Approve with Conditions
25/0450/FUL Company / Surname Proposal Address	20-Nov-2025 MAGGIE Two storey extension to side St Marys Church Hall, Green Lane, Middlesbrough, TS5 7RX	Refused
25/0488/DIS Company / Surname Proposal Address	20-Nov-2025 Torsion Projects (NM) Discharge of conditions 3 (Sample of materials) and 13 (Method of works statemen Land off Cropton Way, Coulby Newham, Mid	Full Discharge Conditions

Total Decisions

33

Total Approvals

25

Total Refusals

8

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PLANNING APPLCATIONS WEEKLY LIST 25TH OCT 2025 – 19TH NOV 2025

Planning reference	Proposal	Location	Registration date
25/0512/DIS	Discharge of conditions 23 (Bio-diversity gain plan) and 24 (Bio-diversity net gain maintenance plan) on planning application 24/0530/MAJ	Land off Cropton Way, Coulby Newham, Middlesbrough	27/10/2025
25/0565/FUL	Erection of coffee shop (E(b)) including drive-thru facility and associated works	PARKWAY CENTRE, Dalby Way, Middlesbrough, TS8 0TJ	28/10/2025
25/0553/FUL	Retrospective first floor extension to rear	60, Crescent Road, Middlesbrough, TS1 4QP	29/10/2025
25/0572/CLD	Certificate of lawful development for single storey extension to the side	A G Parfett & Son - Cash & Carry, Cargo Fleet Lane, Middlesbrough, TS3 8AL	29/10/2025
25/0573/FUL	Proposed Single Storey Extension To the Rear	27, Sinderby Lane, Middlesbrough, TS7 0RP	29/10/2025
25/0569/FUL	Retrospective erection of front boundary wall including 2no. pillars	88, Green Lane, Middlesbrough, TS5 7AH	29/10/2025
25/0574/FUL	Erection of porch to front	19, Grange Crescent, Middlesbrough, TS7 8EA	30/10/2025
25/0576/TCA	Fell 1 Golden border Conifer and 2no. Conifers	91, The Grove, Middlesbrough, TS7 8AN	30/10/2025
25/0578/CLU	Certificate of lawful use for 4 bed HMO (C4)	76, Errol Street, Middlesbrough, TS1 3LW	31/10/2025
25/0562/ADV	Installation of 1no. internally illuminated signage and 1no. sign to side	97A, Ayresome Street, Middlesbrough, TS1 4PF	03/11/2025
25/0575/FUL	Retrospective erection of single storey extension to rear	6, Woodrow Avenue, Middlesbrough, TS7 8EZ	03/11/2025
25/0581/PNH	Single storey extension to rear (Length 3.34m, Height 3.2m, Eaves 2.9m)	24, Harrow Road, MIDDLESBROUGH, TS5 5NX	04/11/2025
25/0583/FUL	Two storey extension to side and rear, single storey extension to rear (Demolition of garage)	25, Ruskin Avenue, Middlesbrough, TS5 8PJ	05/11/2025
25/0588/FUL	Single storey extension to front	4, Hilderthorpe, Middlesbrough, TS7 0PT	05/11/2025
25/0587/TCA	Crown reduction of 2m & crown raise 3m from ground to 1no. Corkscrew Willow and crown reduction of 2.5m to 1no. Willow	Victoria Apartments, Park Road North, Middlesbrough, TS1 3NL	05/11/2025
25/0560/FUL	Two storey extension to side with pitched roof	4, Marlsford Grove, Middlesbrough, TS5 8PH	06/11/2025
25/0590/AMD	Non-material amendment to planning application 24/0056/MAJ to alter approved plans of house type Kingsley	Grey Towers, Nunthorpe, Middlesbrough, TS7 0PW	06/11/2025
25/0551/FUL	Retrospective demolition of front boundary wall for the creation of a driveway	20, Phillips Avenue, Middlesbrough, TS5 5PS	07/11/2025
25/0591/CLU	Certificate of lawful proposed use for change from dwelling (C3) as a single-occupancy children's home (Use Class C2)	22 A, Cornfield Road, Middlesbrough, Middlesbrough, TS5 5QL	07/11/2025
25/0599/DIS	Discharge of condition 13 (Designing out crime), 21(Renewables or Fabric First Required), 22 (Bio-diversity net gain plan), 23 (Bio-diversity net gain maintenance plan) on planning application 24/0214/MAJ	Land off Cargo Fleet Lane, Former Fleet and Thorntree House	07/11/2025
25/0595/CLU	Certificate of lawful proposed use as Childrens Home (Use C2)	39, Hambledon Road, Middlesbrough, TS5 5EE	08/11/2025
25/0475/FUL	Retrospective removal of boundary wall including creation of driveway	18, Phillips Avenue, Middlesbrough, TS5 5PS	10/11/2025
25/0594/FUL	Single storey extension to rear (Demolition of existing conservatory)	12, Kedlestone Park, Middlesbrough, TS8 9XW	10/11/2025
25/0548/COU	Change of use from Dwelling (Use C3) to 4 bed HMO (Use C4)	35, Romney Street, Middlesbrough, TS1 4NE	11/11/2025
25/0584/FUL	Single storey extensions to front, side and rear	11, Brass Castle Lane, Middlesbrough, TS8 9EF	11/11/2025
25/0598/FUL	Single storey extension to rear	111, Oxford Road, Middlesbrough, TS5 5EA	11/11/2025
25/0597/CLU	Certificate of lawfulness for 3 bed HMO (C4)	18 Lovaine Street Middlesbrough TS1 4EP	11/11/2025
25/0600/COU	Change of Use of from Butchers (Use Class E) to Hot Food Takeaway (Class Sui Generis) including new Shop Frontage and rear extract duct	16, Beaumont Road, Middlesbrough, TS3 6NL	13/11/2025
25/0601/CLU	Certificate of lawful use for HMO (C4)	34, Aubrey Street, Middlesbrough, TS1 3LX	13/11/2025
25/0603/RES	Reserved matters application for 137 houses, including landscaping and drainage proposals	Land at Hemlington Grange South	14/11/2025
25/0605/FUL	Single storey extension to rear and side	9, North Wood, Middlesbrough, TS5 7LL	17/11/2025
25/0604/FUL	Alterations to garage to include extension at front, raising of height to allow for additional floor, alterations to the fenestration and conversion to habitable space and erection of boundary wall and metal railings above to front curtilage	15, Fencote Grange, Middlesbrough, TS7 0AU	18/11/2025
25/0606/DIS	Discharge of conditions 6 (Bio-diversity gain plan) & 7 (Bio-diversity net gain maintenance plan) on planning application 25/0215/FUL	Greenfield Site, Off Cass House Road, Op	18/11/2025
25/0608/FUL	Renovation of existing wood windows and replacement of first floor balcony door to front elevation	105, Cambridge Road, Middlesbrough, TS5 5LD	18/11/2025
25/0582/COU	Change of use from public house/bar (Sui Generis) to use class E (Commercial, Business and Service)	55-57, Borough Road, Middlesbrough, TS1 3AA	19/11/2025
25/0610/FUL	Single storey extension to rear	52, Devonshire Road, Middlesbrough, TS5 6DP	20/11/2025
25/0613/DIS	Discharge of condition 16 (Fabric First / Renewables Statement) on planning application 24/0530/MAJ	Land off Cropton Way, Coulby Newham, Middlesbrough, TS8 0TL	21/11/2025

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Appeal Decision

Site visit made on 27 October 2025

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th November 2025

Appeal Ref: APP/W0734/W/25/3369616

Land at The Vale, Middlesbrough TS5 6RX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Ashleigh Boyce, on behalf of AMP Clean Energy, against the decision of Middlesbrough Council.
 - The application Ref is 24/0386/FUL.
 - The development proposed is construction and operation of a micro energy storage facility.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site comprises a parcel of grassland within a public open space that extends northwards from Keith Road and sits between several existing residential areas. The open space is crossed by footpaths and a cycle path, and remains primarily open, with only sporadic tree planting. The area to the north around the adjacent beck features more dense vegetation. The public open space gives this stretch of Keith Road a spacious and verdant character. It has a positive effect on the setting of the residential areas and provides a break in the built development.
4. The Middlesbrough Urban Design Supplementary Planning Document (SPD) Adopted January 2013 emphasises the need for public space to be uncluttered and warns that over cluttering should be avoided at all costs.
5. The existing open space already features a brick substation building, set back from the road, close to the beck. Alongside the road is a collection of metal utility cabinets, of varying size and colour, and a tall telecommunications mast. On the opposite side of the road is another large metal utility building, surrounded by a tall palisade fence. This existing accumulation of utility cabinets, buildings and other structures does not contribute to the prevailing open and verdant character of the area and taken cumulatively are detracting features.
6. The proposed development would place a 200kW Energy Storage System (ESS) alongside the existing substation building, with a modest gap between the two. The 4 battery units would have a functional appearance. They would be laid out in a line between the substation and the footpath. The eastern side of the ESS would

be enclosed by a 2.4-metre-high wire mesh fence, further adding to the somewhat industrial character of the development.

7. Given the openness of the area, the siting of the substation itself is not particularly discrete, though it is set back from the road. The proposed ESS would sit further to the south than the substation, while its orientation would extend it even further toward the road and the footpath immediately adjacent. It would thus be more prominent in the street scene. The site is also currently occupied by a small tree, which would likely require removal to facilitate the development.
8. I recognise that the modest scale of the ESS system proposed is better suited to urban, suburban, and industrial areas than large scale ESS or renewable energy generation schemes. However, for the reasons set out in detail above, the size, siting, orientation and appearance of the development in this case would contribute to the creeping urbanisation of the public open space and would further erode the verdant appearance and spacious character of the area.
9. The appellant has suggested that the mesh panel fencing could be infilled with timber slats. However, this would do little to mitigate the obtrusive appearance of the development, and the battery units themselves would remain largely exposed. While this could lessen the industrial appearance of the development, it would still contribute to the urbanisation of the area and detract from its existing openness.
10. Soft landscaping could be used to provide a degree of screening of the development. However, no details of landscaping have been provided, and it has not been demonstrated that there is sufficient space between the development and the adjacent footpaths to accommodate adequate tree and shrub planting for this purpose. A planning condition to secure details of soft landscaping would therefore not be appropriate in this instance.
11. The proposed development would have a harmful effect on the character and appearance of the area. It would thus conflict with Policies DC1 and CS5 of the Middlesbrough Local Development Framework Core Strategy Adopted February 2008. These policies, among other provisions, seek to ensure that development proposals demonstrate a high quality of design in terms of layout, form and contribution to the character of the area, including by enhancing the best characteristics of Middlesbrough and the built and natural environment, and being well integrated with the immediate and wider context.

Other Matters

12. I recognise that finding suitable locations within the existing built environment, where this type of ESS is best suited, presents considerable challenges. The appellant advises that the site must be flat, of sufficient size and have a willing landlord. To enable a viable connection, it must also be within 50m of an existing substation or a large 3 phase low voltage cable.
13. The Framework and the PPG do not require the consideration of alternatives for renewable energy scheme site selection, but a lack of alternatives can be a material consideration in support. Nonetheless, while an alternative location to the east of the substation was originally proposed and then changed following concerns raised by the Council, a more detailed assessment of other alternatives is not before me, and the rarity of suitable sites in the vicinity is not clear from the evidence. As such, this only provides very limited weight in favour of the proposal.

14. Other than where set out above, I have not identified conflict with any other relevant parts of the development plan or national policy and guidance. However, the absence of harm or development plan conflict with respect to other relevant matters weighs neither for nor against the proposal.

Planning Balance and Conclusion

15. The Planning Practice Guidance¹ highlights that electricity storage can enable more flexible energy use and de-carbonise the energy system cost-effectively. Paragraph 161 of the National Planning Policy Framework identifies that the planning system should support the transition to net zero by 2050, and support renewable and low carbon energy and associated infrastructure. An ESS would be such associated infrastructure. Likewise, paragraph 163 requires planning applications to consider the need to mitigate and adapt to climate change. This is reflective of the wider UK strategy and associated legislation to address climate change and achieve net zero emissions.
16. The ESS would allow renewable electricity to be stored and used later when low carbon sources are unable to generate enough electricity. The scheme could thus displace some demand for fossil fuels, though would import electricity from the local electricity network and not directly from existing renewable energy sources. Nevertheless, the appellant estimates that it could save 160 tonnes of carbon each year and approximately 5000 tonnes of carbon over the project lifespan.
17. The ESS would connect into the local Low Voltage network, and the stored electricity would be consumed locally. It has the potential to power 200 homes for 4 hours where there is disruption to local supply. The scheme may help reduce the need to upgrade and reinforce the local electricity network as demand grows, eliminating the associated disruption and increased costs involved in this. It may also reduce reliance on imported natural gas and provide better energy security.
18. The proposal's contribution to a net zero future attracts significant weight and I recognise that it would provide a valuable contribution to cutting greenhouse gas emissions. Nevertheless, based on the evidence before me, the cumulative benefits of the scheme remain relatively modest given its size and context and insufficient to outweigh the identified harm and development plan conflict.
19. The proposed development would conflict with the development plan, taken as a whole. As set out above, I have found no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Consequently, I conclude that the appeal is dismissed.

Ryan Cowley

INSPECTOR

¹ Paragraph: 032 Reference ID: 5-032-20230814

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Appeal Decision

by Ken McEntee

a person appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 16 October 2025

Appeal ref: APP/W0734/C/25/3366718

Land at 8 Glenfield Drive, Middlesbrough, TS5 7PX

- The appeal is made under section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.
- The appeal is brought by Mrs Iram Shezadi against an enforcement notice issued by Middlesbrough Council.
- The notice was issued on 24 April 2025.
- The breach of planning control as alleged in the notice is: "Without planning permission, the erection of a two-storey extension (in the approximate position outlined in black on the attached plan) on the rear wall of the dwellinghouse ("the development")."
- The requirements of the notice are: "a) Demolish the two-storey rear extension shown in the approximate position outlined in black on the attached plan (and shown in photographs A&B). b) Remove from the land the resulting material and debris, together with any plant, tools and equipment used to undertake the required steps".
- The time period from compliance with the requirements of the notice is "Six (6) months after this notice takes effect".
- The appeal is proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 as amended.

Summary of decision: The appeal is dismissed and the enforcement notice is upheld without variation.

Reasons for the decision

1. The appellant contends that the compliance period is too short in order to come to an agreement with the Council on a new set of plans which have been submitted. However, she does not suggest an alternative time-period. The Council confirm that an application (25/0271/FUL) is currently under consideration
2. While I note the appellant's reason for wanting the compliance period to be extended, I am mindful that more than 4 months have elapsed since the appeal was submitted with enforcement action effectively suspended. As the compliance period will begin again from the date of this decision, the appellant will effectively have had more than 10 months in which to take the necessary steps to demolish the unauthorised development in order to comply with the requirements of the notice. I consider this period to be more than reasonable and allows time for the alternative proposal to be determined. Therefore, I am not satisfied there is good reason to extend the compliance period further. The appeal fails accordingly.
3. However, should there be any genuine difficulties, it is open to the appellant to submit a request to the Council to use their powers under section 173A(1)(b) of the 1990 Act to extend the compliance period themselves, should they be satisfied there is justification for doing so.

Formal decision

4. For the reasons given above, the appeal is dismissed and the enforcement notice is upheld without variation.

K McEntee



Appeal Decision

Site visit made on 11 June 2025

by **Paul Thompson DipTRP MAUD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2 October 2025

Appeal Ref: APP/W0734/W/25/3361392

The Orchard, Five Acres, Stainton, Middlesbrough TS8 9FD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr R Woodhouse against the decision of Middlesbrough Council.
 - The application Ref is 23/0621/FUL.
 - The development proposed is dwelling and detached garage - assisted living home for son, nurses and carers.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The site address is taken from the Appeal Form, as it better reflects its location.
3. I have had regard to the National Planning Policy Framework, which was revised in December 2024 (the Framework). The revisions to the Framework do not alter the policies upon which this appeal turns, only the paragraph numbers have changed.
4. The main parties have referred to Policy HIST1, with the Council confirming this is in fact draft policy H12 of the Middlesbrough Publication Local Plan (March 2025), its emerging plan. As this is still being considered at Examination, having regard to paragraph 49 of the Framework, I am only able to afford the policy limited weight in my consideration of the appeal.
5. The Decision Notice only refers to the Stainton and Thornton Neighbourhood Plan (STNP), not any specific policies, but the Officer Report states conflict with policies ST3, ST4 and ST8. I have determined the appeal in relation to those policies.

Main Issues

6. The main issues are:
 - the personal circumstances, need for the proposed development, and the consequences of a dismissed appeal for the appellant's family, having regard to their living conditions;
 - whether the site would be a suitable location for the proposal, having regard to the Council's strategy for development; and

- whether the proposal would be an outstanding or innovative design which promotes high levels of sustainability, and fits in with the overall form and layout of its surroundings, having regard to the character and appearance of the area, including its effect on the significance of the Stainton and Thornton Conservation Area (CA), through development within its setting.

Reasons

Consequences of a Dismissed Appeal

The Legal Framework

7. Article 8(1) of the Human Rights Act 1998 (HRA98) provides that everyone has the right to respect for their private and family life, home and correspondence. As the term 'family life' refers to matters essential for a person to enjoy a relationship with their family, I have determined the appeal in terms of the whole of the appellant's family, not just in relation to his brother.
8. Article 8(2) of HRA98 states there shall be no interference by a public authority with the exercise of Article 8(1), except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.
9. Article 19 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) provides that 'states...recognise the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:
 - (a) Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement.
 - (b) Persons with disabilities have access to...community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community.
 - (c) Community services and facilities for the general population are equally available to persons with disabilities and are responsive to their needs.
10. The Equality Act 2010 (EA10) imposed the 'public sector equality duty' (PSED), which is that 'a public authority must, in the exercise of its functions, have due regard to' what are known as the three aims, namely the need to:
 - (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under [EA10].
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and...do not share it.
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Consequences

11. I have carefully considered the reasons given for why the appellant has applied for planning permission for the proposed dwelling, along with information pertaining to the disability and wider health of his brother. Given the sensitive nature of the personal information provided, it would not be appropriate for me to outline specific details pertaining to the individual concerned. However, for the purposes of EA10, protected characteristics include physical impairment, so I am satisfied that the appellant's brother has a protected characteristic for the purposes of applying the PSED. I have also had regard to the rights conveyed within the HRA98.
12. The proposed dwelling is to enable the appellant's disabled adult brother to live semi-independently, without having to move to a care facility, close to his family in familiar surroundings. This includes enabling views over land associated with the family home, The Orchard. I have no reason to doubt that this would result in a betterment to what he currently experiences at The Orchard. The new dwelling would be more comfortable and accessible, which would improve the standard of living of the appellant's brother, through provision of access, space, facilities and equipment to aid his health and mobility. The access for emergency services could also be an improvement on the existing situation.
13. In addition, private bedrooms and shared living spaces would be provided for live-in carers and nurses, alongside rooms for family to stay overnight if required. The provision of the dwelling would also be for the wellbeing of all the appellant's family, not just his brother, as it would enable the family to remain, and live and work independently out of The Orchard.
14. The proposal would provide a dwelling that would be of benefit to the personal circumstances of the appellant's brother and his family, which demonstrates a clear need for the development. Moreover, the dwelling would provide modern and functional spaces that would improve the living environment of the appellant's brother and his family, including during any time that they would spend together. Furthermore, the spaces for carers and nurses would also potentially reduce the impact on local health and social care services. These are therefore personal circumstances to which I afford weight in favour of the proposal.
15. Accordingly, I conclude that the refusal of permission for the appellant's family would be detrimental to their living conditions, including their health and wellbeing as referred to in paragraph 135 of the Framework.

Suitable Location

16. The appeal site forms part of garden land associated with The Orchard, one of a linear group of homes at Five Acres, situated beyond the LtD for Stainton. The site is therefore situated within the open countryside, where MLP Saved Policies E20 and E22 apply to proposals for housing. The appeal scheme is not for any of the types of development listed in those policies and so it would be contrary to their aims to strictly control development in the countryside.

Whether the Proposal Would be an Outstanding or Innovative Design Which Promotes High Levels of Sustainability, and Fits in With the Overall Form and Layout of its Surroundings

Site and Surroundings, Setting and Significance

17. The CA encompasses the two villages of Stainton and Thornton. It generally focuses on the medieval core of each village, but also Thornton Road, which joins the villages, and the verdant countryside in the valley of Stainton Beck between them that includes gardens and agricultural land. The Conservation and Appraisal and Management Plan (February 2008) (CAMP) shows the most significant phases of development in the villages and CA have occurred since the mid-20th Century. Older buildings in the CA are generally large villas set within sizeable gardens or brick and pantile cottages built in the local vernacular tradition. However, housing after the mid-20th Century has taken many alternative forms and styles, leading to considerable architectural variance and use of materials. This is reflected in development outside of the CA elsewhere in the villages, including homes at Five Acres and the more recent development west of the site. Houses in Thornton Road are generally set back from its frontage behind mature trees and/or hedgerows. Despite growth of the villages, including homes behind the street frontages, the dominance of green open space, largely absent of development, between the villages has remained of critical importance to their layout.
18. The change in topography either side of the Beck is most dramatically evidenced by the sweeping nature of Thornton Road as it enters Stainton, and the retaining wall alongside it to the yard of the Church of St Peter and St Paul. The elevated yard area affords views out over the countryside in the valley but, when trees are in leaf, mature planting around it means those views are filtered or obscured to a varying extent, including at the time of my visit. The same must also be said of views into and out of the CA from public rights of way to the south and east, off Thornton Road and Maltby Lane, when trees in the locality and that mark the site boundaries are not in leaf. I note the Inspector for a recent appeal at Hawthorn Cottage¹ made a similar observation.
19. The significance of the CA is principally derived from the contribution made by the development within it, including the relationship of buildings to the streets, but also the open and undeveloped parcels of land to either side of Thornton Road in the Stainton Beck valley. The latter remain very distinct from built forms and separate the two villages, so are important to their historic positioning within their rural context. Together, these features make considerable contributions to the character and appearance of the CA, and its understanding and significance.
20. Land within the setting of the CA is also crucial to experiencing and understanding its significance. Moreover, the CAMP outlines the importance of open countryside in the valley, along with views into and out of the CA. The site is close to the CA's western boundary and is a component part of those views. The existing verdant and undeveloped qualities of its southwestern end also share characteristics with land in the CA either side of Thornton Road, which together limit intrusion into the space between the settlements.
21. The dwellings in Five Acres differ to those in Broad Close and to the west, having large plots more synonymous with those in Thornton Road. Furthermore, apart

¹ Appeal Reference: APP/W0734/W/24/3338963.

from a long linear parcel of land parallel to the Beck, most of the allocated housing site to the west has been developed. It is unclear if this could be accessed or would be developed in the short term, but it appears to have been purposefully left undeveloped. The existing attributes of the site therefore contribute positively to the area's character and appearance, including to the significance of the CA.

Design

22. Although the proposed dwelling would be separated from the host dwelling by its garden, it would, nevertheless, be close to it and homes within the Limit to Development (LtD) for Stainton, as defined by the Middlesbrough Local Plan 1999 (MLP). Hence, it would not be an isolated home in the countryside, as it would not be physically separated from or remote from Stainton, and paragraph 84 of the Framework would not apply to the development.
23. I have also been referred to paragraph 139b of the Framework. This states *significant weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings*. However, the evidence in support of the appeal does not explain how it would help to raise the standard of design more generally in the area. I cannot surmise how this could take place, but the appellant is clear in his belief that the proposal could not be seen. It has therefore not been argued that visibility of the scheme would help to raise such standards. Accordingly, my determination is confined to whether the appeal scheme would meet the remaining requirements of paragraph 139b, as set out in the main issues below.
24. The Council, though it suggests that notable weight not be accorded to the sustainability credentials of the proposal, does not challenge the claim that it would promote high levels of sustainability. In the absence of any reference to relevant policies or guidance with measurable standards, and based on the very limited information before me, I am not in a position to find other than that the proposal would promote a high level of sustainability.
25. Notwithstanding this, and the claim that the house represents exceptional design with strong elements of modern architecture, there is little to distinguish it from more conventional dwellings. While the design may respond to a complex brief, it lacks innovation or any particularly engaging spatial arrangement. Of the five bedrooms, only two would benefit from dual aspects, and two would face retaining walls, limiting their outlook. Features such as expansive glazing, folding doors, cantilevered balconies, and terraces overlooking scenic views are not unusual and, in this instance, do not offer anything notably original. Similarly, while the proposed use of zinc, cedar cladding, and powder-coated steel may differ from local materials, these are widely used today. Their application here does not evoke excitement or interest.
26. The building's form is unremarkable and its relationship to the valley lacks sensitivity. It would present as two narrow, pitched-roof volumes stacked atop a broader base, with the lower portion partially embedded into the ground. Although two-storey houses are typical in the area, the overhanging gables and especially the projecting balcony would protrude into the valley space in a manner that feels intrusive. This is not a sympathetic response to a largely undeveloped and visually sensitive, valley-side setting.

27. While the house is designed to appear single-storey in views south and would not be prominent in such views from Five Acres, including at The Orchard, its upper floor proportions in the valley-facing elevation would appear top-heavy. From within the valley, it would appear as a dominant intrusion into the natural enclosure, undermining the largely undeveloped character of the valley landscape. This impact would be particularly noticeable from nearby public land within the Conservation Area, including public rights of way to the south and east.
28. The proposed dwelling would be situated closer to Stainton Beck than neighbouring houses to the west, positioned well behind those in Five Acres, and generally set away from other properties in Stainton. This siting would conflict with the established pattern of development in the villages, which typically avoids encroachment into the open landscape of the valley of the Beck.
29. The detached garage would be positioned higher up the valley slope and displaced to the side of the house, thereby intensifying the visual prominence of the development, especially in views from the south and east. This would differ from the arrangement of the garage at The Orchard which is at the same level as that property.
30. While applications may have been determined by the Council for housing in the villages, I have not been referred to any schemes, so I am not able to determine whether any of them would be comparable with the scheme before me.

Heritage Balance and Conclusion on the Third Main Issue

31. While the site covers a small part of the Stainton Beck valley, the harm that would be caused to the significance of the CA as a designated heritage asset, through a significant incursion into the valley within its setting, would be of considerable detriment. This would amount to a high level of less than substantial harm to the significance of this asset. In such circumstances, the Framework states this harm should be weighed against the public benefits of the proposal.
32. The proposal would be sustainably located given the availability of public transport and constructed to reduce its implications for climate change but, due to the scale of the proposal, I give moderate weight to its provision regarding these matters. Furthermore, there would be short-term economic benefits brought about by employment, and use of suppliers and providers, during the construction phase; and in the longer-term by supporting jobs for carers and nurses. I also afford these benefits moderate weight in favour of the proposal.
33. The proposal would provide improved accommodation for the appellant's brother and his family. Accordingly, the responsibility for care may not shift to a specialist facility, and he could continue living near the family home, maintaining family relationships whilst doing so. This would primarily be a private benefit, but could potentially reduce public service delivery of care, which would be a moderate public benefit in social and economic terms.
34. The dwelling would also contribute to the Government's objective of significantly boosting the supply of homes, including the availability of specialist housing, in pursuit of the PSED, as outlined above. However, I have not been referred to a specific shortfall in the supply of housing, including for persons with disabilities. What is more, it has not been demonstrated that other less intrusive schemes would not provide the appellant's brother and his family with a dwelling with a

suitable standard of accommodation. Hence, other less harmful schemes could be considered. Furthermore, the harmful effects of the proposed development would endure if the appellant, his brother, and family sold and moved from the property. Consequently, for these reasons, these matters attract no more than moderate weight as a social benefit in favour of the appeal.

35. Although the proposal could make a more efficient use of the land within the site and provide housing for an identified need for the occupant, it would not maintain the area's prevailing character and setting, which the Framework advises is taken into account in determining such matters. I therefore afford this limited weight as a benefit in favour of the development.
36. The position of the dwelling, the location of its access and the likely extent of comings and goings would ensure there would not be harmful effects to the living conditions of neighbouring occupiers. The proposal would also include sufficient space for future occupants within and around the dwelling for a garden, parking and refuse storage. Additionally, there would not be harm to wildlife or regarding other environmental considerations. Nonetheless, these aspects cited in support of the proposal relate to absences of harm through policy compliance, rather than considerations that provide positive advantages, so neither weigh in favour nor against the development.
37. The proposed layout of the site indicates that trees would be removed for access and the hardstanding. While the appellant indicates no additional landscaping is proposed, to ensure the site is manageable for his family, this would not amount to a benefit of the scheme.
38. Taking the stated benefits together, there would be a high level of less than substantial harm to the significance of the CA, so I am not persuaded there would be public benefits of sufficient magnitude to outweigh the great weight to the asset's conservation and the considerable importance and weight to this harm.
39. The proposal would promote high levels of sustainability in accordance with Framework paragraph 139b) and relevant criterion in CS² Policy CS4(g) and (o), and STNP Policy ST3(4). However, I conclude that it would not amount to an outstanding or innovative design which fits in with the overall form and layout of its surroundings. Hence, it would have a harmful effect on the character and appearance of the area, including to the significance of the CA, through development within its setting.
40. Moreover, Framework paragraph 139b sets a very high bar for designs to be outstanding or innovative and my findings are that the proposal would not meet these aims or fit in with its surroundings. Accordingly, I cannot afford significant weight to the design of the development. The proposal would also fail to accord with criteria in the paragraphs 135, 203 and 210 of the Framework, which all refer to the importance of heritage, including the built environment and landscape setting of an area.
41. I am also not satisfied that the proposal would accord with the development plan, which has a lower test to demonstrate a high quality of design in terms of layout, form and contribution to character and appearance of the area as expected by CS Policy CS5, or the similar aims expressed in CS Policy DC1; or to avoid adversely

² Middlesbrough Local Development Framework Core Strategy, Adopted February 2008.

affecting the distinctive local character of the open landscapes of the parish, or reflect the character of the villages or rural area, as respectively required by STNP Policies ST3 and ST8. The proposal would also fail to accord with the heritage aims in CS Policy CS4(k) and STNP Policy ST4, including the approach to materials. Furthermore, even if the proposal was for one of the types of development listed in MLP Policies E20 and E22, given my findings in relation to the design of the proposal, it would not blend in with its surroundings or be sited in a location associated with an existing building or group of buildings, as required by the latter.

Other Matters

42. The Council's third reason for refusal refers to adverse impacts on the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar Site, which Natural England considers to be in an unfavourable condition due to nutrient enrichment. This is particularly from nitrates associated with, amongst other things, wastewater from development within its catchment. Hence, there is potential for the proposed development, involving new housing, to affect the integrity of these protected sites, requiring mitigation.
43. Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 indicates that the requirement for an Appropriate Assessment (AA) is only necessary where the competent authority is minded to give consent for the proposed development. Had I been minded to allow the appeal I would have carried out an AA of the effect of the proposal on the integrity of the protected sites. However, as the proposed development is unacceptable for other reasons, an AA is unnecessary as doing so would not change the outcome of the appeal.

Planning Balance and Conclusion

44. I have identified the public benefits of the appeal scheme through undertaking the heritage balance in the third main issue. Despite my findings in relation to the promotion of high levels of sustainability, the proposal would be for development that would conflict with the Council's strategy for the location of development and fail to achieve outstanding or innovative design, which would fit in with its surroundings. Moreover, it would harm the character and appearance of the area and, thereby, the significance of the CA, through development within its setting. These harms would result in the stated conflict with the development plan and Framework.
45. While the Saved MLP, CS and STNP predate the current Framework, this is clear existing policies should not be considered out-of-date simply because they were adopted or made prior to its publication. Due weight should be given to policies according to their consistency with the Framework.
46. The aim of Saved MLP Policies E20 and E22 is to strictly protect the open countryside from development which does not need to be there. This does not wholly align with the more flexible and balanced approach implicit in the objectives outlined in the Framework. Nevertheless, it does not fundamentally undermine the continued relevance of such an approach, as it does not differ fundamentally from the Framework's aim to recognise the intrinsic character and beauty of the countryside. There is therefore still a clear rationale for development limits to protect the countryside while focusing growth within designated settlements. Accordingly, I have regarded the underlying objectives of these policies, as being

generally consistent with the current Framework, so I afford moderate weight to the conflict of the proposal with these policies.

47. CS Policies CS4, CS5, and DC1 include numerous aims regarding design, the environment, living conditions and sustainability. STNP Policy ST4 does not expressly refer to the concept of less than substantial harm, but it does advocate a balancing of harms with public benefits. STNP Policies ST3 and ST8 also refer to numerous aspects regarding the built and natural environments. I therefore find these policies to be consistent with various aims of Framework, including design, heritage and the natural environment, so I afford significant weight to the conflict of the proposal with them.
48. In light of the above, the appeal scheme would not accord with the development plan, when considered as a whole. Furthermore, even if the Council has a housing supply of less than five years, the outcome of the heritage balance in connection with harm to the CA, through development within its setting, would provide a strong reason for refusing the development proposed.
49. I afford significant weight to the personal circumstances, need for the proposal, requirements of the HRA98 and UNCRDP, and the aims of the PSED; and moderate weight overall to the stated benefits of the proposal detailed in the third main issue. However, these must all be considered against the harmful effect that the proposal would have on the character and appearance of the area, including the high level of less than substantial harm to the significance of the CA, through development within its setting. This harm would be of considerable importance and attract great weight. Furthermore, for reasons set out above, conflict with the Council's strategy for the location of development would attract moderate weight. In the overall planning balance, the considerations in favour of the development do not outweigh the permanent harms I have identified. Consequently, my findings in this balance and in the first main issue do not lead me away from my conclusion on the second and third main issues in this case.
50. A refusal of planning permission would therefore be a proportionate and necessary approach to the legitimate aim of protecting the significance of a designated heritage asset, along with the Council's strategy for the location of development. These are well-established principles in planning for the public interest and, therefore, cannot be achieved by means that are less interfering of the human rights of the appellant, his brother or the other occupants of the proposed dwelling.
51. Accordingly, I conclude that the proposal would conflict with the development plan and the personal circumstances, need for the development, the requirements of the HRA98 and UNCRDP, the aims of the PSED, and the stated benefits would not amount to material considerations of such significance to lead me to conclude that the appeal should be decided other than in accordance with it. For these reasons, the appeal should be dismissed.

Paul Thompson

INSPECTOR

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What is Biodiversity Net Gain?

Since 2nd April 2024, Biodiversity Net Gain (BNG) has become a mandatory requirement throughout England for all major and minor applications – subject to certain exemptions – and developments must now deliver an increase of at least 10% for better quality natural habitats than what is lost through their development. Put simply, BNG is an approach to development that makes sure that habitats for wildlife are left in a measurably better state than they were before the development.

What applications are exempt?

There are certain types of application that are exempt from BNG, which includes, amongst others:

- *Householder development*
- *De minimis* exemption. Development that does not impact a priority habitat and impacts less than 25 square metres of onsite habitat.
- *Self-build and custom-build development*. Development which consists of no more than 9 dwellings and on a site less than 0.5 hectares.

When providing reasons for the de minimis exemption, applicants and agents will be expected to provide sufficient evidence to support their justification.

What BNG information is required with relevant applications?

When a planning application **is** subject to mandatory BNG, national legislation requires applications to be submitted with the following items in addition to the normal requirement;

- the completed statutory metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application.
- a plan drawn to an identified scale (including the direction of north), showing on-site habitat existing on the date of application.

If this information has not been provided, the Council is likely to refuse to validate the application.

Further information relating to BNG may be requested as part of the planning application, which may be to provide justification and assurance that the minimum 10% net gain can be achieved.

Unless exempt, a standard condition requiring BNG will be imposed automatically on all approved applications. This condition will require a Biodiversity Gain Plan to be submitted to and approved in writing by the Council before any works start on site.

Achieving BNG

For the purposes of BNG, biodiversity value is measured in standardised biodiversity units, with each habitat (grassland, woodland, ponds, hedges etc) containing a number of biodiversity units depending on its size, quality, location and type. Biodiversity units can be lost through development

or generated through creating and enhancing habitats. The statutory biodiversity metric is used to measure how many units a habitat contains before development as well as how many are needed to replace the units of habitat lost and to achieve 10% BNG.

The biodiversity gain objective of at least a 10% gain is measured against the pre-development biodiversity value of the onsite habitat for the development. The objective is met if the post-development biodiversity value is exceeded by at least 10%. The statutory biodiversity metric is used to calculate both the pre-development and post-development biodiversity value of the development's onsite habitat.

It is worth noting that developers cannot clear a site before applying for planning permission to avoid BNG, as the condition of the site on 30th January 2020 will be taken into account.

Through site selection and layout, developers should avoid or reduce any negative impact on biodiversity. There are 3 ways a developer can achieve BNG.

1. They can create biodiversity on-site (within the red line boundary of a development site).
2. If developers cannot achieve all of their BNG on-site, they can deliver through a mixture of on-site and off-site. Developers can either make off-site biodiversity gains on their own land outside the development site or buy off-site biodiversity units on the market.
3. If developers cannot achieve on-site or off-site BNG, they must buy statutory biodiversity credits from the government or other registered credit provider, but only as a last resort.

Developers can combine all 3 options but must follow the steps in order. This order of steps is called the biodiversity gain hierarchy.

1. **Avoid:**
Choose development sites/layouts that do not negatively impact biodiversity in the first place.
2. **Minimise:**
If impacts can't be avoided, focus on reducing the negative impacts of development on biodiversity through careful design and construction practices.
3. **Restore:**
This involves restoring damaged or lost habitats to their original state or improving their ecological quality.
4. **Offset:**
For any remaining unavoidable losses of biodiversity, this step requires creating new habitats or enhancing existing ones to compensate for the loss, typically off-site.

The Council may refuse to grant planning permission if it is of the opinion that the hierarchy has not been taken into consideration.

The proposed habitats achieving the biodiversity gain would then need to be managed and maintained for 30 years, which would start from when the development is completed. The Council can/is recover(ing) money for monitoring through entering into legal agreements.

If the BNG requirements are not met or the approved maintenance is not undertaken, a developer might be deemed in breach of planning condition or legal agreement and the Council may take appropriate enforcement action.