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PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on Thursday 9 April 2026.

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

ALSO IN ATTENDANCE: Councillors P Storey and L Henman
M Koszyczarek, E Polano, T Hussain, D O'Brien and A Moss

OFFICERS: A Glossop, R Harwood, J McNally, S Thompson, P Wilson and K Allan

APOLOGIES FOR ABSENCE: M Saunders and G Wilson

25/59 **WELCOME, INTRODUCTION AND FIRE EVACUATION PROCEDURE**

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

25/60 **DECLARATIONS OF INTEREST**

Councillor Name	Type of Declaration	Agenda Item
Councillor Julia Rostron	Non-Pecuniary	Agenda Item 5, Item 1 Ward Councillor of Ward to East side of Emmerson Avenue

25/61 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 12 FEBRUARY 2026**

The minutes of the meeting of the Planning and Development Committee held on 12 February 2026 were submitted and approved as a correct record.

25/62 **SCHEDULE OF REMAINING PLANNING APPLICATIONS TO BE CONSIDERED BY COMMITTEE**

CHANGE IN ORDER OF BUSINESS

In accordance with Council Procedure Rules 4.8.25 the Chair proposed a motion without notice, which was seconded and agreed to change the order of business. The motion proposed that Agenda Item 5, Item 2, Jesmond Avenue application be heard next. It was agreed that the order of business for the remainder of the meeting be items Agenda Item 5, Item 1, Agenda Item 6, 7 and 8.

The Head of Planning submitted plans deposited as applications to develop land under the Town and Country Planning Act 1990.

25/0672/COU, 2, Jesmond Avenue, Middlesbrough, TS5 5JY, change of Use from Dwelling-house (Class C3) to 3 Child Children's Home (Class C2)

The Development Control Manager presented an application which sought permission for the change of use of a four-bedroom detached dwellinghouse (C3) to a residential children's home (C2) for up to three children aged 7–18.

The property was located at the junction of Jesmond Avenue and Reeth Road within an established residential area. No external alterations to the dwelling were proposed. Internal changes would reconfigure one ground floor living room into a staff office and convert one first-floor bedroom into a staff room. The existing detached garage would be demolished, with the space used to extend the Jesmond Avenue driveway to provide additional parking.

Members were informed that four in-curtilage parking spaces would be available across the two existing driveways. Staffing levels would typically comprise two support workers during the day,

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a manager during weekday daytime hours, and two support workers overnight, with shift changes occurring at 08:00 and 20:00. Highways officers raised no objections and considered the level of vehicle movements comparable to that of a large family home.

Following consultation, 94 objections were received from 56 properties and one letter of support. Objections raised concerns regarding highway safety, parking pressures, increased noise and disturbance, loss of privacy, anti-social behaviour, over-concentration of care homes in the area, loss of housing stock, flood risk, safeguarding, and adequacy of consultation. Children's Commissioning had expressed concerns about the growing cluster of children's homes in the Linthorpe/Acklam area and potential market impacts. It was noted that while these concerns were acknowledged, the proposed use remained a residential use in planning terms and would not significantly affect housing availability.

The Committee was advised that the proposal did not involve any external changes that would worsen existing relationships with neighbouring properties. Overlooking and privacy impacts remained unchanged from the lawful residential use. Noise levels associated with the comings and goings of staff were considered modest and not significantly greater than those associated with a family dwelling. Environmental Health had raised no objections, and concerns regarding anti-social behaviour were not considered material to the planning assessment.

The site was in Flood Zone 1 and posed no flood risk to future occupants. Nutrient neutrality was addressed, and as the proposal did not increase overnight occupancy beyond that of a typical residential property, no mitigation was required.

The application was considered to comply with relevant national and local planning policies, including the National Planning Policy Framework, Policies H1, H11, CS4, CS5, CS17, CS18, CS19 and DC1 of the Local Plan, and the Urban Design SPD.

Members were advised that the proposal had been considered against national and local policy. It was considered that the proposed residential children's home was acceptable in this residential location. The loss of a single dwellinghouse was not considered to have a significant impact on the Council's Housing Delivery Strategy.

The proposal had been assessed on the basis of three children occupying the property, it was considered important to limit the use of the children's home to no more than three children residing there at any one time. This would ensure that the nature and scale of the children's home would not alter without the further consideration of the local planning authority.

A Member commented that the report detailed that Children's Commissioning team had highlighted that the identified need was for provision for children with complex needs and they had raised concerns regarding potential over-provision in the area. The Development Control Manager advised that the scheme had to be considered on its own merits. It was noted that over provision as a specific issue would not constitute a material planning consideration unless there was a resultant impact that was material, noting that the proposal was required to be assessed in terms of its impact on the character of the area and whether it would adversely affect residential amenity and similar matters. It was further advised that there was no perceived over concentration of children's homes in the area.

A Member raised concerns regarding the number of staff and parking, the Development Control Manager advised that the number of staff present at any one time would not be significant, the parking would be split between the front and rear of the property and that any impact would therefore be dispersed across both areas. It was further advised that the property would continue to operate as a residential dwelling, accommodating looked after children supported by staff, with no alterations proposed to the building. The Development Control Manager reiterated that there was also the ability for on-street parking. Staff shift patterns operated on an 8.00am-8.00pm basis, which was considered reasonable hours for shift changes.

A Member queried the reason for the difference in information provided by the Planning Officers and Middlesbrough Councils Commissioning Team in relation to the number of care homes in the area. It was advised that it was understood that there are 8 care homes within a 1-mile radius and that the difference in information from the teams reflected the distinct considerations of each service area. From a planning perspective, officers were required to assess whether there would be likely adverse impacts in terms of visual impact, noise or any notable change to the character of the area including noise levels or housing character.

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Concerns were raised that the application property was a desirable four-bedroom dwelling and reference was made to the Local Plan Policy 2.1, which sought to meet housing need and re-attract families with the emphasis on making the best use of such properties. There was a need to sustain reasonable and balanced communities, and it was stressed that all development should contribute to achieving a balanced housing stock with concerns expressed regarding the potential over-concentration of children's homes.

The Chair invited a resident to speak in objection to the application the following objections were raised:

- Property is a desirable 4 bedroom family home and would be a loss of a family home according to the Development Plan
- Strong demand for middle/upper class housing
- Is this the best use of the property
- Not what the Children's Commissioning Team require
- Neighbour amenity, increase of coming and goings
- Fear – family member with learning disability letter had been submitted
- Traffic/highway concerns

The Chair invited a representative of the application to speak in support to the application, and the following points were made:

- Application would provide a safe and stable home environment for three children; Middlesbrough Council had a statutory duty to ensure there were sufficient placements for children in care. The Council's Children's Commissioning Team had confirmed that there was an identified need for such provision.
- Placing too many children outside of the local area often led to poorer outcomes, and stable, therapeutic placements close to home, with 24-hour professional support in a typical residential setting rather than an institutional environment, was preferable.
- In respect of parking, the Council's Highways Officers had raised no objections and the property would provide four off-street parking spaces. Overall activity at the site was considered to be comparable to that of a family home.
- Regarding noise, officers assessed the potential impact as low and controllable, with staff shift changes occurring at reasonable times. Environmental Health Officers had raised no objections, and it was advised that the use would function in a manner similar to a family dwelling. It was further stated that children deserved to live in family-type homes in suitable residential areas and that no external alterations were proposed.
- In relation to antisocial behaviour, it was advised that considerations must be evidence-based and that no evidence had been presented to support concerns in this regard. The home would be professionally staffed on a 24-hour basis, providing a higher level of supervision than a typical household.
- The proposal had been reduced in scale to accommodate three children, addressing concerns regarding potential overuse of the building. Overall, the development was described as a positive proposal that would support vulnerable children in Middlesbrough and assist them in developing into well-rounded adults.

A Member questioned why the applicant considered there to be a need for the property, given the information provided by the Children's Commissioning Team suggesting otherwise. In response the applicant's representative advised that there remained a need to provide children with a safe and stable home environment and stated that all children deserved to be brought up in a suitable and positive residential setting.

A Member expressed concerns regarding the number of objections that had been and referred to the Council's Children's Commissioning Team, which had indicated that there was a potential over-use of such properties within the area.

A Member emphasised the importance of spreading provision more evenly across the borough and acknowledged the ongoing need to provide appropriate local placements for children in care however it was acknowledged that only certain areas provided larger suitable accommodation.

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It was queried whether there be any restrictions in place should there be a future increase in the number of children accommodated at the property and whether the use could be expanded. The Development Control Manager advised Members that a planning condition was recommended to restrict the use of the property, limiting the number of children to three and preventing any expansion beyond what had been considered as part of the application.

ORDERED: that the application be refused due to too many properties of similar use in proximity.

25/0429/MAJ, site of the former Cleveland College of Art and Design, Green Lane, TS5 7RU, construction of discount food store (Use Class E) with associated works including access, car parking, landscaping and closure of Thackeray Grove

The Development Control Manager presented an application which sought permission for the construction of a discount food store (Use Class E) on the site of the former Northern School of Art, with associated access, car parking, landscaping works and the closure of Thackeray Grove.

The site was located at the junction of Green Lane and Roman Road within a predominantly residential area, immediately adjacent to the Linthorpe Conservation Area. Members were reminded that a previous application for a similar scheme had been refused and subsequently dismissed on appeal, with the Planning Inspector identifying concerns relating to the design and siting of the building, its effect on the character of the area and the living conditions of residents in Harrow Road, as well as the safety of the Green Lane access.

The Committee was advised that the current proposal sought to address those issues. The store had been repositioned further away from the northern boundary; revised elevational treatments, including additional brick detailing and pitched roof elements, had been introduced; and significant soft landscaping was now proposed across the site and car park. Although the proposed use of slate-effect roof tiles remained a concern, the overall design was considered a marked improvement from the previous scheme.

With regard to highways matters, Members noted that the Inspector had considered the closure of Thackeray Grove necessary to reduce conflicts at the Green Lane/Roman Road junction and to provide safer pedestrian and cycle facilities.

The current application therefore included this closure and the creation of a new signal-controlled junction. Concerns had been raised by residents about the potential for Walton Avenue and Kingston Avenue to become 'rat runs'; however, the developer had agreed to enter into a Section 106 Agreement to fund mitigation measures should they become necessary.

A total of 53 objections and 113 letters of support had been received. Objections centred on the impact on residential amenity, increased traffic and highway safety concerns, the closure of Thackeray Grove, the scale and design of the building, loss of trees, and concerns about noise, lighting and general disturbance. Supporters welcomed the improved design, the need for a local food store, job creation, better accessibility to affordable shopping, and the view that the proposal would improve the appearance of the vacant site.

Members were advised that subsequent to the completion of the Officer Committee Report, a further 2 objections had been received and a further 32 letters of support received. The Council was also in receipt of a petition, containing 99 signatures. However, the petition was not in objection to the application but requested a meeting between residents, Council Officers and Lidl representatives to discuss an alternative to the closure of Thackeray Grove.

The Development Control Manager advised Members that the scheme had passed the sequential retail impact test; it would provide benefits to local people and was reasonably accessible in terms of available bus routes. It was further advised that the proposed building appearance, incorporating pitched roofs and gables, reflected the character of surrounding properties and was appropriate given the site's proximity to the Linthorpe Conservation area. Consideration had also been given to views into the site. Members heard that revisions to the scheme included reducing the width of the site access and increasing the provision of trees and landscaping around the site which was considered to be positive measures to mitigate visual impact and enhance the overall development.

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The Highways Officer outlined that he had reviewed the scheme as submitted, together with the individual comments made by the Inspector. It was noted that the site was considered to be in a sustainable location however, the previous scheme had not maximised opportunities for sustainable travel, a point which the Inspector had agreed with, particularly in relation to the indirect use of the car park by customers due to a lack of supporting infrastructure. The Highways Officer advised that the revised scheme introduced dedicated pedestrian pathways and crossing facilities to better support sustainable travel, together with buffer areas around crossing points to provide safer waiting and crossing areas. It was also advised that parent and child parking spaces had been relocated away from areas used by heavy vehicles, to improve public safety.

The Highways Officer explained the complications associated with the initial infrastructure model at the Thackeray Grove entrance. It was identified that there were no pedestrian crossing facilities on Green Lane. The Highways Officer referred to STATS19 data, noting that recorded accidents and incidents reported to the police were likely under-represented, as near misses, damage-only incidents, or minor injuries were not always reported. It was highlighted that only two recorded incidents had occurred during nighttime hours, with a significant number involving cyclists.

The use of the Red Optima system was explained, which applied variables and inputs to generate a risk rating and had been used in assessing the scheme. Members were advised that Roman Road fell within the top 7% of high-risk locations and that this information was used to identify sites for capital investment and to manage the highway network. Reference was made to points 11, 12 and 13 of the Inspector's findings, with point 11 relating to a Grampian-style condition, which the Inspector had supported. It was advised that, without the mitigation proposed under point 13, the application would have been refused on that basis alone.

The Highways Officer explained the amendments made to the scheme and reiterated that the plans had been revised to reflect the Inspector's review and advice. He advised that the required infrastructure would be delivered at the applicant's expense through the Highways Act. Concerns raised by residents in relation to through-traffic were acknowledged, and it was confirmed that funding had been secured through a Section 106 agreement to address these issues. The Highways Officer outlined a number of potential options, including: Option 1, a vehicle point closure with remaining access taken from Kingston Avenue; Option 2, utilising Walton Avenue with a split between east and west movements; Option 3, introducing a point closure around access via Tollesby Avenue coming off and out of Kingston Avenue; and Option 4, the introduction of one-way vehicular access restrictions on Walton Avenue. It was further noted that a traffic-calming scheme had been introduced.

It was concluded that both officers and the independent Planning Inspector had confirmed that the issues at the junction, and the demands placed upon it by the development, were acceptable and in line with local and national policies and strategies, and that Section 106 funding had been secured to appropriately address the site-specific impacts.

The Chair invited comments from the Committee.

A Member queried the reasoning behind the proposed closure of Thackeray Grove and referred to a similar junction from Marton Gypsy Lane to Gunnergate Lane, noting that no incidents had occurred there. It was suggested that allowing one lane of traffic could remove the need to close Thackeray Grove altogether.

In response, the Highways Officer advised that introducing additional traffic lanes would increase delays and reduce overall efficiency. It was explained that priority green time was given to Green Lane and Emerson Avenue as main routes providing access to James Cook Hospital. It was further advised that the introduction of a fourth arm at the junction would require it to operate as a separate phase, with additional pedestrian movements needing to be accommodated, resulting in further complexity.

A Member also referred to a trial on Stokesley Road involving opposing traffic lines and, despite it being one of the busiest routes into Middlesbrough, questioned why delays were being introduced at Thackeray Road and asked whether a solution that avoided closing Thackeray Grove might be safer. In response it was advised that, from an operational capacity perspective, three-arm junctions consistently operated more efficiently than those with additional arms. From an active travel perspective, the proposals would facilitate pedestrian and cyclist movements and aligned with the Council's wider transport strategy.

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A Member asked whether similar traffic measures would have been considered at Thackeray Grove had the development not proceeded and queried the positioning of the proposed cycle route along Green Lane, asking whether there were reasons it could not be located on the opposite side of the road. It was advised that the junction was already unsafe and that the proposed development would intensify its use, making it essential in planning terms to implement these safety measures. It was confirmed that the cycle lane formed part of a Tees Valley Combined Authority funding scheme and that, although the schemes had been considered together, the cycle route could still be delivered should the development not proceed. It was advised that the cycle route was proposed on the southern side of Green Lane through the junction area.

A Member queried how pedestrians travelling from Emerson Avenue on the north side would cross Roman Road to access Green Lane School. It was confirmed that a pedestrian crossing was proposed. A Member also asked whether alternative options had been explored that did not involve closing Thackeray Grove. It was advised that the Inspector's conclusions required a balance between managing the highway network and achieving policy objectives. It was confirmed that alternative options had been explored but were limited due to space constraints, noting that there was insufficient space for a roundabout or ghost island, which significantly restricted available solutions.

Concerns regarding access for emergency vehicles travelling from the A19 to James Cook Hospital were raised and whether restrictions on heavy goods vehicle access along that route had been considered. It was advised that the necessary traffic regulation measures could be discussed.

A Member commented that the options presented did not fully address residents' concerns and stated that closing Thackeray Grove raised multiple considerations. It was noted that the proposals required balancing the needs associated with the Lidl store development alongside the impacts on local residents.

The Chair invited two residents to speak in objection to the application, and the following points were made:

- Concerns were raised that the development would appear overbearing, would increase traffic signal activity in the area, and would result in higher noise levels. Objection was also raised regarding the potential impact on nearby listed buildings. It was further suggested that the layout was overly intensive, with approximately 90 parking spaces being accommodated on the site, and that while improvements to the design and materials had been acknowledged, the proposal remained a modern development within a long-established older residential area. Reference was made to the area having been residential for over 100 years, it was also noted that the objector felt emotionally invested in the area, having raised a family locally, and while recognising the need for Middlesbrough to progress, expressed concern regarding the provision of another Lidl store.
- The proposal had failed to respect the views of local residents. Reference was made to Cleveland College of Art and Design, which had demonstrated how the development could operate without the need for road closures, and concern was expressed regarding the proposal to close the road. It was further suggested that existing road conditions required careful consideration and that the introduction of traffic calming measures was not equivalent to diverting traffic away from the area. The resident stated that the road was 3.7 meters wide at its narrowest point and emergency vehicles and bin wagons already struggled to get down.

The Ward Councillor was invited to speak in objection to the application and raised the following concerns:

- Serious concerns were raised regarding the proposed roof tiles, which were considered to be inconsistent with materials in the surrounding area and not in keeping with the established character. It was suggested that the development should better reflect the appearance of neighbouring properties.
- Concerns regarding the potential impact on the living conditions of residents to the north of the site, together with issues relating to air pollution.

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- Additional concerns regarding parking on Green Lane during school drop-off and pick-up times for three nearby primary and secondary schools, which already created a bottleneck on Tollesby Road that had not been adequately taken into account.
- Reference was also made to the proximity of residential properties on Green Lane opposite the proposed development, issues regarding the ability of emergency vehicles using blue lights to access Roman Road, and the potential displacement of traffic and accidents onto Green Lane. It was further stated that local councillors had not been kept adequately informed throughout the process.

Councillor Henman was invited to speak:

Councillor Henman stated that he supported the principle of the development; however, could not support the proposal as a whole due to the impact arising from the proposed closure of Thackeray Grove, which he considered would cause issues for local residents.

He expressed concern that the impact on Kingston Avenue and the surrounding area would be significant and, while it was noted that mitigation was proposed through a Section 106 agreement, it would have been preferable to resolve these issues upfront rather than addressing them retrospectively. Councillor Henman stated that residents had not been engaged with despite a petition calling for a meeting with residents and Lidl.

The Planning Agent for Lidl addressed the Committee and spoke in support of the application.

Members heard the proposal would create new jobs for local people, make use of a brownfield site, and address comments previously raised by the Committee. The site was described as being in a sustainable location, and it was noted that there was no existing medium to large sized supermarket within the area. It was further stated that the applicant had engaged with neighbours and the wider community throughout the planning process, with over 2,000 residents expressing support for seeing development brought forward on the site.

The proposed building was smaller than the former arts college building, with deliveries expected to take place 1-2 times a day taking approximately 45 minutes with any waste being taken away. It was also confirmed that no objections had been raised by Environmental Health Officers.

It was further advised that the associated costs would be met by Lidl, with works to be undertaken by Middlesbrough Council.

A Member queried whether there had been consultation with residents and asked for clarification on who the applicant had met with during the process. In response, the applicant's representative advised that meetings had taken place with Councillor Henman during which issues raised by residents were discussed. It was stated that the applicant had subsequently revisited the proposals and that the current scheme was considered to be the best available option.

A Member queried delivery arrangements to the store, including whether deliveries would take place during opening hours and whether sirens or early morning activity, such as at 6.00 am, would cause disturbance. In response, it was confirmed that opening hours would be between 8.00 am and 10.00 pm, with delivery times restricted accordingly and not taking place during peak hours. It was further advised that deliveries would be controlled by conditions and that a timber fence would be installed along the delivery yard to screen it from public view and provide visual mitigation.

A Member commented that while a number of objections had been received, there was also a lack of access to discount food stores in the area. It was noted that not everyone drove and that options for affordable food shopping were limited, demonstrating a clear need for such a store. The Member stated that a compromise was required, particularly as smaller food stores were closing. It was further observed that the junction in question was already considered dangerous and that its operation may need to be reviewed independently. The Member concluded that access to nearby houses would remain available and that the issues relating to the junction and the store should be considered as separate matters.

A resident spoke in support of the application and read out comments from a resident who was unable to be present at the meeting, the following points were raised:

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- This is a revised scheme; the building is smaller and moved further away from homes. The design and landscaping have improved.
- Closing Thackeray doesn't remove that route. It just pushes traffic into those streets, and those roads are already tight they are not built for that level of traffic. This creates real safety concerns for residents and the vehicles they rely on if we want to deal with this rat-run properly, it suggests the issue sits at the Prospect / Tollesby Road junction this is where the flow is created.
- Many residents travel outside the area for affordable food which means the money they spend is leaving our community instead of supporting it. It also creates longer journeys and more car use. This development brings that closer to where people live. Shorter trips. More walking. Less reliance on cars. But it's also about people's lives for some especially older residents, disabled people, or those without a car doing a weekly shop isn't simple having Lidl here makes it easier, it would give people more independence.

A Member proposed that the decision be deferred to allow for further consideration of the proposed closure of Thackeray Grove, stating that the current proposal did not adequately address the main concerns of local residents.

Members requested that further consideration was required in relation to the proposed closure of Thackeray Grove, including what would be acceptable to both the Council and residents.

ORDERED: that the application be deferred.

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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.**

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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.

In response to a Councillors query regarding the application for Elmwood Road and whether it involved a change of use to a small care facility, the Manager advised that a number of applications had been received for small-scale children's homes, which differed from the application considered earlier at the meeting. It was explained that, in contrast, the Jesmond Avenue application would involve a change in the use of a residential property. The Development Control Manager further advised that, in line with relevant case law, the application for Elmwood Road did not represent a material change to the way the property operated and therefore could be granted under delegated authority.

A Member suggested that the weekly planning applications were emailed to Councillors on a weekly basis rather than being brought to Committee monthly. All Members agreed to this proposal

Agreed as follows:

- Members noted the information provided.
- Weekly update list to be emailed

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ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.

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None