

PLANNING AND DEVELOPMENT COMMITTEE

Date: Friday 16th July, 2021
Time: 1.30 pm
Venue: Council Chamber

AGENDA

1. Welcome and Introduction
2. Apologies for Absence
3. Declarations of Interest
4. Minutes - Planning and Development Committee - 11 June 2021 3 - 6
5. Schedule of Remaining Planning Applications to be Considered by Committee 7 - 38

Item 1 - Whimsey Nook - Page 9
Item 2 - Land at Centre Square - Page 17
6. Applications Approved by the Head of Planning 39 - 48
7. 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
Thursday 8 July 2021

MEMBERSHIP

Councillors J Hobson (Chair), D Coupe (Vice-Chair), D Branson, B Cooper, C Dodds, L Garvey, M Nugent, J Rostron, J Thompson and G Wilson

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Georgina Moore/Chris Lunn, 01642 729711/729742, georgina_moore@middlesbrough.gov.uk/chris_lunn@middlesbrough.gov.uk

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on Friday 11 June 2021.

PRESENT: Councillors J Hobson (Chair), D Branson, B Cooper, D Coupe, C Dodds, L Garvey, M Nugent, J Rostron, J Thompson and G Wilson.

PRESENT AS OBSERVERS: A Metcalfe - Press

ALSO IN ATTENDANCE: Councillors C Cooke and A Hellaoui, Mr I Towers and Mr R Towers.

OFFICERS: P Clarke, A Glossop, C Lunn, G Moore, S Moorhouse and A Pain.

20/49 **DECLARATIONS OF INTEREST**

Name of Member	Type of Interest	Item/Nature of Interest
Councillor B Cooper	Non-Pecuniary	Agenda Item 5, Item 3, Ward Councillor

20/50 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 9 APRIL 2021**

The minutes of the meeting of the Planning and Development Committee held on 9 April 2021 were submitted and approved as a correct record.

20/51 **SCHEDULE OF REMAINING PLANNING APPLICATIONS TO BE CONSIDERED BY COMMITTEE**

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

21/0064/COU Retrospective extension to residential curtilage with boundary fencing and wall to front at Whimsey Nook, Stainton Way, Middlesbrough, TS8 9DF for Mr and Mrs Kevin and Kathleen Wanless

ORDERED that the application be **Deferred** for the reasons set out below:

To allow further consideration of the details.

21/0109/FUL Erection of detached domestic garage building to rear at 3 Marton Moor Road, Middlesbrough, TS7 0BL for Ms Chloe Brodrick

ORDERED that the application be **Deferred** for the reasons set out below:

To obtain a revised site location plan showing the application site abutting an adopted highway.

****In light of the non-pecuniary interest declared at the beginning of the meeting, prior to consideration of the following item, Councillor B Cooper left the meeting room****

21/0247/COU Part change of use from church and community centre (D1) to public house (A4) with associated outdoor seating area at Former St Cuthberts Youth and Community Centre, Newport Road, Middlesbrough, TS5 4BY for Mr Russell Towers

Full details of the planning application and the plan status were outlined in the report. The report contained a detailed analysis of the application and analysed relevant policies from the National Planning Policy Framework and the Local Development Framework.

The Development Control Manager advised that the application sought planning permission to use part of the existing community centre as a drinking establishment (A4). Although there were no significant alterations to the external appearance of the premises, part of the curtilage (between the building and the church to the north) was proposed for use as an outdoor

drinking area.

The key issues to be considered as part of the application were the principle of a town centre use being situated outside any designated centre, and the potential detrimental impacts of the use and its associated operations (for example, any deliveries, refuse collections and outdoor seating area use) on the nearby residential properties.

The application under consideration was a resubmission of a previous application (20/0205/FUL). Members of the Planning Committee refused the preceding application in November 2020, as it was considered that the proposed use and its associated activities would result in undue noise and disturbance upon the nearby local residents.

Members were informed that the application had been supported by a Sequential Assessment in order to provide justification for the proposed use in this edge-of-centre location. Whilst it was the officer conclusion that the application failed the sequential approach, it was considered that the scale of the use would not be harmful to the vitality and viability of Middlesbrough Town Centre or any other recognised local centre.

To address the concerns of Members, the application had also been supported by a Noise Assessment, which considered the potential noise and disturbance from the use. The assessment estimated the expected levels of noise from the premises and concluded that there was very little likelihood of any adverse noise impacts from the proposed development.

Following consultation, two objections had been received from residents (out of 100 original neighbour consultations). In summary, with its location in close proximity to residential properties, the objections were based on the likely noise and associated disturbance from the use on local amenity. The application had also received 66 letters of support, although many of those were from beyond the immediate community. Officers had worked closely with the applicant in order to seek a potential solution, which had resulted in conditions restricting hours of opening and refuse collection, as well as the undertaking of a noise risk assessment to mitigate for any increased noise levels within the outdoor seating area.

The Development Control Manager advised that the recommendation was to approve the application with conditions.

Members queried the location of the car park, its entrance, and the number of spaces available. In response, the Committee was shown the location from an aerial view and was advised that four parking spaces were available. In response to a subsequent enquiry, the location of the beer garden was pointed out to the Committee.

The Applicant was elected to address the Committee in support of the application; a handout summarising the development was provided to Members. In summary, the following points were raised:

- The Applicant had purchased the derelict site three years previously, which at the time was in a state of disuse and disrepair;
- Following discussion with local stakeholders, it was felt that Newport was missing a local public house;
- The development would serve as a micropub and coffee stop, serving high quality products for the local community and real ale enthusiasts;
- HD CCTV had been reinstated on site;
- Ownership of the building had resulted in thorough care being undertaken of the site;
- In addition to the micropub, it was intended that full renovation and reopening of the community hall would be achieved, which already had appropriate planning permissions in place;
- Reference was made to the Noise Assessment and support of the application in respect of that; and
- The development would help bring the local community together.

In response to an enquiry from a Member the applicant explained that fencing would be installed to divide parts of the site, which was shown via an aerial view in the handout.

Brief consideration was given to the products that would be made available on site and the independent nature of the business.

Two Ward Councillors were elected to address the Committee.

In summary, the Ward Councillors:

- Thanked those involved in the development of the proposal;
- Commented that the application would make a great contribution to the local community and hopefully provide some subsequent employment;
- Advised that charitable groups may wish to hold events on the site;
- Commented that the development would provide a huge asset to Middlesbrough and particularly the Newport Ward;
- Indicated that the chapel and wider site had been refurbished well, with aspects of the original building highlighted;
- Reiterated that the Noise Assessment indicated that noise would be at an appropriate level;
- Commented that many local residents had supported approval of the application; and
- Made reference to the area currently being marked as unsustainable due to a lack of community facilities.

ORDERED that the application be **Approved on Condition** for the reasons set out in the report.

****Following consideration of the item, Councillor B Cooper re-entered the meeting room****

20/52

APPLICATIONS APPROVED BY THE HEAD OF PLANNING

The Head of Planning 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).

NOTED

20/53

PLANNING APPEALS

Appeal Ref: APP/W0734/W/20/3259145 Land to the South of 1 Marwood Wynd, Marwood Wynd, Stainton, Middlesbrough, TS8 9AD – Appeal Dismissed

The development proposed was described as construction of a detached dwelling with a detached double garage.

The main issue in the determination of the appeal was the effect of the proposal on the character and appearance of the local area bearing in mind the special attention that should be paid to the desirability of preserving the settings of the nearby Grade II* listed building, St Peter and St Pauls Church [List Entry: 1137540], and the Grade II Listed Building, Stainton House [List Entry: 1137500], as well as the extent to which it would preserve or enhance the character or appearance of the Stainton and Thornton Conservation Area.

Appeal Ref: APP/W0734/W/20/3265716 4, The Crescent, Linthorpe, Middlesbrough, TS5 6SE – Appeal Dismissed

The development proposed was described as a proposed dwelling.

The main issues in the determination of the appeal were the effect of the proposal on:

- Designated heritage assets, with particular regard to the character and appearance of the Linthorpe Conservation Area and the setting of Grade II listed The Avenue Methodist Church; and
- The living conditions of occupiers of neighbouring dwellings, with particular regard to levels of outlook and privacy.

**Appeal Ref: APP/W0734/D/20/3266046 110 Cambridge Road, Middlesbrough, Cleveland,
TS5 5HP – Appeal Dismissed**

The development proposed was a kitchen extension.

The main issue in the determination of the appeal was the effect of the proposal on the character and appearance of the area.

In respect of the appeals, the Development Control Manager provided Members with details of the issues raised by the Planning Inspectorate.

NOTED

Planning & Development Committee - 16th July 2021

Town planning applications which require special consideration

1	21/0064/COU Stainton And Thornton	Applicant Mr & Mrs Kevin & Kathleen Wanless	Retrospective extension to residential curtilage with boundary fencing and wall to front. Whimsey Nook, Stainton Way, Middlesbrough TS8 9DF
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2	21/0144/OUT Central	Applicant Mr Mark Ashall Agent Ms Sarah Sabin	Erection of 3 office buildings (Class E(c)) with potential for part ground floor use for restaurant/cafe (Class E(b)), and new public realm and associated landscaping, car and cycle parking with servicing including refuse storage and substations Land At Centre Square & Land Off Borough Road, Middlesbrough TS1 2EP
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APPLICATION DETAILS

Application No:	21/0064/COU
Location:	Whimsey Nook Stainton Way Middlesbrough TS8 9DF
Proposal:	Retrospective extension to residential curtilage with boundary fencing and wall to front.
Applicant:	Mr & Mrs Kevin & Kathleen Wanless
Ward:	Stainton and Thornton
Recommendation:	Approve with Conditions

SUMMARY

Retrospective planning permission is sought for the change of use of land to residential curtilage and erection of a boundary wall to the front. Extension to the curtilage has taken place on both the side and rear boundaries of the site with a total land take of approximately 719m².

Consideration was given to the principle of the change of use and whether this would restrict future development of the adjacent site thereby hampering the implementation of the Councils policies in relation to the wider Hemlington Grange area.

One objection to the application was received in relation to the loss of council land.

In relation to the site to the east, it was found that the potential for development of this site was already severely restricted due to its limited width and position between the application property and the access road. The reduction of the site resulting from the change to residential curtilage is considered to not result in any further significant loss of development potential that would be detrimental to the delivery of the wider objectives for Hemlington Grange.

Consideration was also given to the impact of the reduction in size of the wider site that surrounds the application property. It was found that the land that has been changed to residential curtilage is only a small percentage of the development site and as such, it is unlikely to have a material effect on future development proposals.

In assessing the impact of the front boundary wall, it was considered that it would not have an adverse impact on the character of the area, residential amenity or highway safety.

The proposed change of use of the land to residential curtilage is contrary to the Local Plan in terms of the allocation in the development plan although in this instance it is considered to not undermine the principle of the policy and would not serve to impede its implementation.

With regards to being in keeping with its surrounding and of an appropriate scale and design, the proposals are considered to be in accordance with relevant policies. The officer recommendation is to approve subject to conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

Whimsey Nook is a relatively isolated property located on the southern side of Stainton Way. The site is bounded on both sides and to the rear by open land. Cleveland Community Safety Hub is located to the west, the access road to the Community Hub and the wider Hemlington Grange site is to the east with residential development beyond.

The site of the existing property (prior to the unauthorised expansion of residential curtilage) is not allocated for any specific purposes in the Local Plan and is in use for residential purposes. Land immediately abutting the site to the west east and south is allocated as employment land and is part of the Hemlington Grange site identified in the Development Plan.

The original property at the site was a smaller single storey dwelling that was extended in 2015. At the time of the works being carried out, the boundary of the property was also extended by:

- approx.. 7.5 – 8m on the north eastern boundary;
- approx.. 4.3m along the south eastern boundary and
- between 3.8 and 4.3m along the south western boundary.

The original area of the site was approx.. 1040m² and has been increased by approx.. 720m² to 1,760m²

Within the extended garden area, part of the land that has been raised and fencing erected around the side and rear boundaries. The raised land and the part of the fence to the rear of the property that is more than 2m in height require planning permission but details of the works are not included in this application. Where development has been in place for more than four years it falls outside of planning control, in this case the work was carried out some time after 2015 but the exact date is not known and as such, it is not clear if the development is established. In any event, the raised ground area sits behind fencing so is not visible from the wider area. The raised part of the fence is not considered to be overbearing in terms of appearance and is located to the rear of the property so is not highly visible from Stainton Way. In view of the uncertainty over the timing of the works and their limited impact, it is the Development Control view that it is not expedient to take any further action in relation to these works. The fencing that is less than 2m in height does not require planning permission.

The four year rule does not apply to the change of use a of the land. Planning legislation dictates that the use needs to have be in place for 10 years before it becomes established. A 2m high feature brick wall built has been partially constructed to the front of the property more recently and so requires planning permission.

The land that has been incorporated into the site is owned by the Council, it was originally agricultural land but it is not known when it was last used for this purpose. Retrospective planning permission is now sought for the change of use to residential curtilage and for the wall that has been partially constructed.

It is understood that the applicant has been in negotiations with the Council and agreed terms for purchasing the land and that planning permission is required before any purchase can be agreed, however, the terms of the negotiation are not a material planning considerations and so cannot be taken into account in reaching a decision.

PLANNING HISTORY

M/FP/0724/14/P Conversion of existing bungalow, including single storey extensions to front/side and rear to create dormer bungalow with room in roof space Approve with Conditions

18th August 2014

M/FP/0925/14/P Demolition of existing bungalow and erection of new dormer bungalow Approve with Conditions but not implemented.

29th December 2014

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).

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:

DC1 - General Development
CS5 - Design
H7 - Hemlington Grange
H24 - Hemlington Grange Employment Uses

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

Stainton and Thornton Parish Council

No comments received.

Public Responses

Nearby Neighbours were notified of the proposal, one objection was received from:

Mr Dennison 7 Rowan Grove

The objection can be summarised as follows:

Loss of Council Land

Number of original neighbour consultations	1
Total numbers of comments received	1
Total number of objections	1
Total number of support	0
Total number of representations	0

Site notice posted –
24th February 2021

Policy context

1. The National Planning Policy Framework (NPPF) was most recently revised and published by the Government in February 2019, and is a material consideration. The NPPF states that, where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para. 12). In determining planning applications, due weight should be given to local planning policies in accordance with their consistency with the revised Framework, with greater weight given to those policies which are closer to those in the Framework (para 213).
2. As a starting point, the proposal should be assessed against policies set out in the Development Plan. Policies DC1 and CS5 in essence seek to ensure high quality sustainable development; ensure the amenity of nearby residents; character of the area and highway safety are not adversely affected by the development.
3. The land that this application relates to is within the Hemlington Grange Area where Policies H7 and H23-24 Apply. Policy H7 (Hemlington Grange) identifies that this location will be developed to create a sustainable community of 1,230 dwellings and 8ha of employment land. Policy H24 identifies the western part of Hemlington Grange, where the application site is located, as being suitable for uses that fall within use classes B1, B2 and B8 Employment uses

Principle

4. The extension to the residential curtilage encroaches into land that is allocated for employment use and as such, the proposal is contrary to the adopted development plan. In view of this consideration is given to the impact this will have on the future development potential of the surrounding area for the purposes set out in the plan. Although the Strategic Policy Team were not formally consulted, following discussion with the Head of Service the principles set out in the following paragraphs were agreed.
5. The extension of residential curtilage along the north eastern boundary projects approximately 8m into an area of open land that adjoins the access road to the wider Hemlington Grange Development site. The approved plans for the residential development on the other side of the road show a footpath with landscaping along the edge of the carriageway with a total depth of approximately 23m between the edge of the carriage way and the front of the proposed dwellings. Prior to the curtilage being extended, there was a distance of approximately 36m between the boundary of the site and the edge of the carriageway and its reduction by approx. 8m, down to 28m, is considered to retain a meaningful area of land whether this be utilised as a landscaped entrance to the site or with some form of development on it. Assuming a similar arrangement is carried out, this would leave 13m of developable land. It is unlikely that any sort of meaningful development that would be appropriate for the entrance to the site could be accomplished in this space and the land is most likely to contribute to additional landscaping provision and will not unduly curtail the potential for development over and above the existing situation.
6. In respect of the extensions to the other two boundaries, they have both been extended by just over 4m in width. When this is considered along with the north-eastern boundary extension, the total area of land involved is approximately 719m². This represents around 4% of the development site that immediately surrounds Whimsey Nook. Currently, there are no planning applications for development at this site and therefore no approved layout of the land relating to this site or the immediate

surroundings. In view of the limited percentage of land take within the site, it is considered that this proposal will not impede or hinder the implementation of the Local Plan Policy.

7. In view of the above, it is considered that although the proposed use does not accord with the uses set out in Policy H24 of adopted Development Plan, the extension of the curtilage of this existing residential premises will not unduly impact the potential for future development of the wider site. Nor will it prevent the implementation of the Council's policies set out in the Local Plan to develop a sustainable residential and employment. As such, the change of use to residential curtilage is considered to be acceptable in principle.

Appearance

8. The Urban Design Guide states that development should be consistent with the design of the original dwelling and should enhance, not detract from the character of the area.
9. The boundary wall to the front of the property has been partially constructed. Plans submitted with the application show a wall across the front of the site comprising 11no. 2.3m high brick pillars topped with coping stones with curve topped walling in between. 2no. 2.8m high pillars sit aside wrought iron gates to provide vehicular access with a separate pedestrian access provided. There are no other solid boundary treatments in this location to compare against, however, the design and materials of the wall and gates are considered to be of an appropriate scale in relation to the existing dwelling. It is considered that once the wall is completed it will present a high quality feature in the street scene.
10. In view of the above it is considered that the proposed development will not have a significantly adverse impact on the character of the area in accordance with CS5 (test c) and DC1 (test b), the Urban Design Guide.

Impact

11. There are no dwellings or buildings in close proximity to the site and as such there is little prospect of impact on residential amenity. The proposal is therefore in accordance with policy DC1 (test c).

Highways

12. Access to the site is off a narrow lane that is part of the adopted highway and set back from Stainton Way. The proposed walls are located so that they do not disrupt visibility at the access to Stainton Way. The entrance gates are set back from the main wall which will allow inter-visibility between vehicles egressing the site and pedestrians on the access lane. The proposal will not result in loss of parking at the site and will not therefore result in a demand for additional on street parking. In view of the above there will be no impact on the safe operation of the highway in accordance with policy DC1 (test d).

Other matters

13. Comment was made that Council land had been taken without permission and that the size of the site has been increased by 70%. Negotiations for the sale of the land have taken place and as outlined above, and the act of taking the land without permission is not a material planning consideration and cannot therefore be taken into account in reaching a decision on this application. With regards to the amount of land that has been incorporated which forms the basis of this application, this has been assessed above.

Conclusion

14. The proposal has been assessed against local policy and guidance and it is considered that the change of use to residential curtilage will not significantly restrict development of the wider site. The boundary treatment will, once it is completed, be in keeping with the scale and design of the host property and is appropriate to its setting. The development will not have an adverse impact on residential amenity or on the safe operation of the highway. All other issues raised have been considered but do not justify refusal of planning permission.

RECOMMENDATIONS AND CONDITIONS

Approve with Conditions

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 received 4th February 2021 and,
 - b) Existing and proposed site plans Drawing No. Received KW/WN/BS01
 - c) Layout and elevations of boundary Wall received 1st March 2021

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.

REASON FOR APPROVAL

This application is satisfactory in that although the residential use does not accord with the acceptable uses for this site set out in policies H7, H24 of the Local Council's Local Development Framework, it will not prevent development of the wider site and as such the principles of policy H7 and H24 can still be realised.

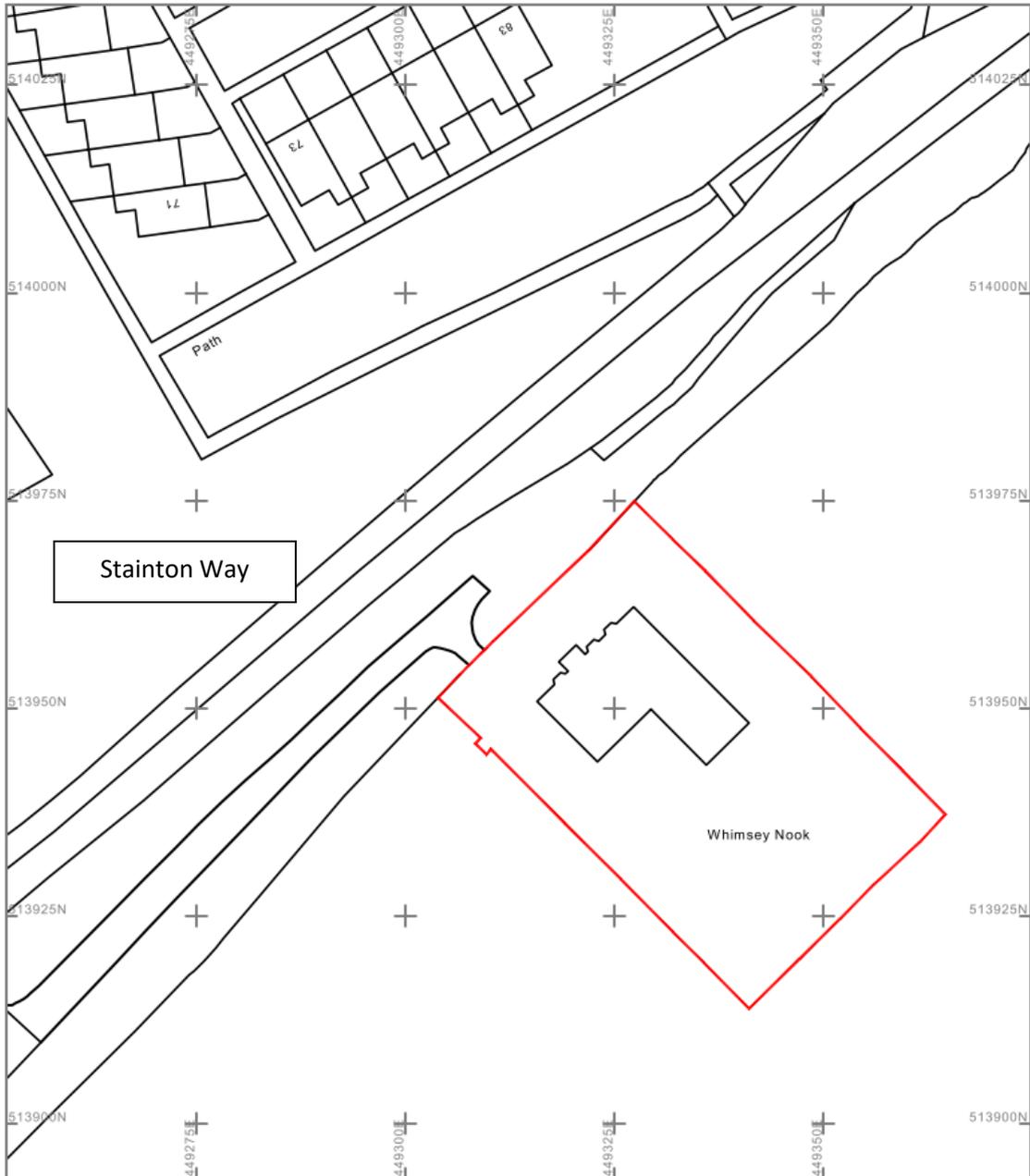
The boundary wall accords with the principles of the National Planning Policy Framework (NPPF) and the local policy requirements (Policy DC1, CS5, of the Council's Local Development Framework). Where appropriate, the Council has worked with the applicant in a positive and proactive way in line with paragraph 38 of the NPPF (2018) In particular the wall is designed so that its 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 wall will not prejudice the appearance of the area and does 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.

Case Officer: Maria Froggatt

Committee Date: 16th July 2021

Appendix 1: Location Plan



APPLICATION DETAILS

Application No:	21/0144/OUT
Location:	Land at Central Gardens, Middlesbrough, TS1 2AZ
Proposal:	Erection of 3 office buildings (Class E(c)) with potential for part ground floor use for restaurant/cafe (Class E(b)), and new public realm and associated landscaping, car and cycle parking with servicing including refuse storage and substations
Applicant:	Ashall Projects Ltd
Agent:	Seymour Architecture
Ward:	Central
Recommendation:	Approve with conditions

SUMMARY

Outline planning permission is sought for the development of three office buildings including potential for ground floor café and restaurant space, car parking, landscaping and public realm works and other ancillary development.

The site is allocated for Town Centre development and the principle of the scheme is therefore in accordance with town centre policies for the area, providing modern, high quality office blocks within this town centre location.

Consultation has been undertaken with local residents and businesses as well as consultees. Objections have been received, which, amongst other issues, mention the potential adverse impacts of the proposed development on the green space and pond at Centre Square.

The proposed scheme would represent a significant addition to the town centre, providing office space within the local area which is of benefit to the towns offer as a regional attractor for businesses and would also serve to re-invigorate the use of Centre Square through additional workers within this area, redefine the civic area of Middlesbrough Town Centre and serve to create a strong platform for future growth of the local economy. The scheme would also support the economy through its construction, all of which is supported within the National Planning Policy Framework.

It is considered that the scheme would add new buildings around Centre Square which is of a scale commensurate with that of other buildings in the surrounds and of a modern design which would provide a positive additions in an area where there is already an array of

buildings of very contrasting ages, styles, design and materials, and would thereby continue this principle.

The proposed scheme is recommended for approval subject to conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

This application seeks outline planning permission for three commercial office buildings (use class E(c)) with potential for restaurant/cafe elements (use class E(b)) at ground floor level. The overall development would create nearly 11,942 square metres of office space and 540 square metres of restaurant/cafe space. As the application is outline with all matters reserved (layout, scale, access, landscaping and appearance), indicative drawings have been submitted to illustrate how the proposed development might be arranged.

The overall site area of this outline application pertains to three separate sites within the Centre Square area of Middlesbrough town centre.

The first site is a large rectangular-like parcel of land positioned to the south of the Combined Law Courts, to the west of constructed 'Building 2', to the north of Fountains Court and Grange Road, and to the east of Mima art gallery. This parcel of land will accommodate two buildings: 'Building 3' and 'Building 5'.

'Building 3' would be L-shaped, four/five storeys in height, and has the largest maximum gross internal office space of 7,843 square metres (84,417sqft) with an additional 540 square metres (5,809sqft) for food and beverage purposes at ground floor level.

'Building 5' would be a rectangular office building, positioned to the south of 'Building 3' (with a possible link), four storeys in height and with a maximum gross internal floor space of 2,371 square metres (25,518sqft).

To the south of 'Building 3' and to the west of 'Building 5' would be a surface level car park having space for approximately 50 vehicles and with access from the road leading into the already-constructed 'Building 2'. Potential for underground car parking beneath the surface level parking is also shown on the masterplan, which would be accessed from Grange Road.

The second site is a smaller, linear rectangular plot of land situated at the northeast corner of Centre Square, to the east of the Combined Courts. This will accommodate 'Building 4', which would be three storeys in height and has a maximum gross internal office floor space of 1,728 square metres (18,600sqft). To the north of the building would be a surface level car park with capacity for 22 vehicles with access from Corporation Road.

The third site is a small rectangular parcel of land situated to the south of the approved 'Building 6' development, to the west of 168 Borough Road (Race Furniture) and to the east of government buildings along Borough Road. This will accommodate a 28-space surface level car park, which has vehicular access from the car park associated with 'Building 6'.

PLANNING HISTORY

17/0193/FUL (Building 1)

Erection of office building (B1 use class) with ground floor cafe / food use (A3 Use Class) and associated cycle parking and landscaping

Approved Conditionally 26th May 2017

17/0194/FUL (Building 2)

Erection of office building (Use Class B1) and associated access, car and cycle parking and landscaping

Approved Conditionally 26th May 2017

17/0195/OUT (Centre Square Masterplan)

Outline application for the development of 5 commercial office buildings (B1 Use) with part ground floor cafes (A3 use), including public realm works, landscaping, car parking, cycle parking and other ancillary development

Approved Conditionally 26th May 2017

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).

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:

H1 - Spatial Strategy
 CS17 - Transport Strategy
 CS4 - Sustainable Development
 CS5 - Design
 CS13 - Town Centres etc Strategy
 CS18 - Demand Management
 CS19 - Road Safety
 DC1 - General Development
 REG20 - Principal Use Sectors
 REG25 - Centre Square East
 UDSPD - 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

The application has been advertised in the local press, site notices have been posted around the site and consultations have been sent to statutory consultees, local residents, ward councillors and the Community Council. A summary of all the comments received is listed below.

Responses from the Statutory Consultation Period

Following the consultation period, twelve letters of objection have been received at the time of writing and a summary of the points made and issues raised is below:

- There is no demand for the office buildings. Other office buildings (historic and new) remain unused and likelihood of demand is reducing due to working from home.
- No reason for the loss of the pond and the recreational area.
- There are very few nature areas in the town centre for people. The nearest is Albert Park which is a kilometre away.
- The pond is a habitat for wildlife and brings biodiversity to the town centre.
- The Council should be leading Middlesbrough in greener, more sustainable ways of living alongside nature.

- The pond provides a pleasant public face for Middlesbrough.
- The Town Hall is a grade II listed building. How is the old architecture going to sit with this modern office block? More fabulous buildings that will be surrounded by roads and concrete, and spoils the outlook and setting.

Other representations were received with concerns and general comments over the proposals and the construction works. Whilst Members will be aware that Planning Officers are unable to consider impacts during construction, a summary of concerns raised is listed below.

- It is essential that the Teesside Combined Court is able to continue to run its daily programme without disruption and interference. MBC should consider the impact of the construction works (noise, dust, vibration and highways impacts) on the Court.

The application is also the subject of a petition signed by 519 persons, initiated by Middlesbrough and Redcar Friends of the Earth. The relevant points are.

- There is very little nature in the city centre. Albert Park is the nearest real space at 1 kilometre away.
- Since lockdown, nature has become more important to the public and improves their mental well being.
- Are these offices needed? More people will be working part time or at home following the pandemic.
- Instead of new office buildings, old office buildings should be retrofitted which would be cheaper and more environmentally friendly.
- The pond provides a pleasant environment.
- The area is being rundown. It would look good if not earmarked for development.

Responses from Internal Technical Consultees

Planning Policy

The principle of office development (with associated ancillary uses) is deemed to be acceptable in this location. The reserved matters application(s) will provide the detail of the architectural style and overall design and will determine how the development fits within the wider Centre Square area.

Conservation

These sites are currently occupied by greenspace, a pond and part of the Centre Square park (Central Gardens). All are within Middlesbrough town centre, part of a number of municipal and court buildings in an area called Centre Square. The sites are in close proximity to the Town Hall, which is Grade II* Listed, and the Empire Theatre, Central Library, the statue of John Vaughan and the monument to Sir Samuel Sadler, which are all Grade II Listed. The submitted Heritage Statement is considered not to fully assess the potential impacts on these assets.

Each Listed Building has a setting and, with the exception of the statue and the monument, their settings are not considered to be a major part of their significance, which can be found in their historic (civic and entertainment) uses and their architecture. The statue and monument were originally within Victoria Park, a public park with bandstand out in place around the time the Town Hall was constructed. Their settings remaining open are more important, but this application does not propose to re-locate them.

The principle of large commercial buildings in these locations is broadly acceptable, indeed historically the sites have seen development albeit on a smaller scale. Originally, the site

was covered in terraced housing with much smaller buildings and closer grain than can be found in the area now. This area has now become synonymous with large civic and commercial buildings and the principle of what is proposed here will contribute to that. The building heights identified on the masterplan are restrained, guided by the buildings in the area, and should be generally acceptable subject to design and materials.

In this central location, surface level car parking is considered a poor solution. Where car parking is required to support development, alternative accommodation such as underground or multi-storey parking should be considered.

The setting of the Town Hall, considering its size, height and landmark nature, is more complex. However, the principle of the development is considered to be acceptable given its general position, and it will be the full planning application stage that will determine the exact impact of the new development on the settings of the nearby Listed Buildings.

Environmental Health

No objections subject to any approved development being constructed in accordance with the Noise Assessment submitted with the application.

Highway Planning

At the time of writing, there were no comments received from the Highways service to the application, which has been supported by a Transport Assessment and Aimsun Modelling report.

The revised scheme under consideration is not too dissimilar to the outline planning application approved in 2017 (17/0195/OUT). The buildings seeking outline planning permission here (Buildings 3, 4 and 5) are proposed in very similar locations, having similar floorspace and access arrangements. In 2017, Highways Officers were of the view that the previous outline application would not have a material adverse impact on the operation of the surrounding highway network.

The Planning Officer in attendance at the Committee will report any comments received from the Highways service to Members.

Waste Policy

No objections.

Responses from Statutory and Other External Consultees

Historic England

Whilst there are concerns relating to the current form of the proposals – which are considered not to make the most of the opportunities to better reveal the town's heritage significance – the principle of this development is something that Historic England is content with and that represents an important opportunity to work with and enhance Middlesbrough's sense of place.

Concerns were initially raised over the proposed demolition of the locally listed building, No. 154 Borough Road, although the revised scheme retains the building. The height of Building 3 was also a concern, but the revised scheme sees the height of this building reduced to 4/5 storeys. Building 5 has been re-introduced to compensate for the loss of floorspace but there are no objections to this building.

Concerns continue regarding the extent of proposed surface level car parking and the limited contribution this type of infrastructure would make to preserving or enhancing the heritage interest of Centre Square. Alternative parking options, such as underground car parking, could be considered without unintended harm to the significance of this site.

Historic England considers the revised scheme to better relate to the area's rich heritage and would welcome continued engagement to address the aforementioned concerns in the detailed applications.

Historic England does not object to the application on heritage grounds and considers the application to meet the requirements of the NPPF, in particular paragraphs 130, 184, 192, 193, 194, 196, 197 and 200.

Environment Agency

There are no objections in principle. The drainage strategy and sustainable drainage features can be provided in the applications for the reserved matters.

The application site lies entirely in Flood Zone 1 (lowest risk area for flooding) and the proposal meets no other constraints within the EA's remit. The proposal lies in an area of pluvial (surface water) flooding which should be considered by the Lead Local Flood Authority. Surface Water flood risk is within the remit of the LLFA.

The following issues are not within our direct remit or expertise, but nevertheless are important considerations for managing flood risk for this development. Prior to deciding this application, we recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

- Adequacy of rescue or evacuation arrangements
- Details and adequacy of an emergency plan
- Provision of and adequacy of a temporary refuge
- Details and adequacy of flood proofing and other building level resistance and resilience measures
- Details and calculations relating to the structural stability of buildings during a flood
- Whether insurance can be gained or not
- Provision of an adequate means of surface water disposal such that flood risk on and off-site isn't increased

Cleveland Fire Service

No objections. Access and water supplies should meet the relevant legislative requirements.

Northumbrian Water

There are no objections subject to any approved development being carried out in accordance with the Flood Risk Assessment and Drainage Strategy submitted with the application.

Northern Gas Networks

There are no objections.

Northern Powergrid

No comments received.

Ecology

The pond is not considered to have significant importance from an ecological standpoint. Ponds can be recreated and are frequently moved/replaced in response to development.

The proposed development is not considered to provide biodiversity net gain. The measures for wildlife mitigation are not considered to equate to the habitat being lost. Further consideration should be given to securing biodiversity net gain. In the event of approval, conditions should be considered to secure biodiversity net gain.

Ward Councillors

No comments received.

Middlehaven Community Council

No comments received.

Secured By Design

It is recommended that the overall development is in accordance with accredited secured by design standards.

The Georgian Group

No comments received.

Public Responses

Number of original neighbour consultations	191
Total numbers of comments received	15
Total number of objections	13
Total number of support	0
Total number of representations	2

Site notice posted – 24th March 2021

PLANNING CONSIDERATION AND ASSESSMENT

1. This is an outline application for planning permission for a significant office development within the Central Gardens area, located in the Cultural Quarter of Middlesbrough Town Centre.
2. As it is in outline form only with all matters reserved, it is simply the principle of the proposals that must be considered at this stage. The matters of detail – which are the appearance, scale, landscaping, layout and access – will be considered as part of the reserved matters submission(s) should this outline application be approved. The applications for the reserved matters would, of course, need to be made to the Local Planning Authority and would be subject to further consultation and consideration.
3. In considering whether the principle of development is acceptable for this outline proposal, due regard needs to be taken of other matters. The main planning considerations for this proposed development relate to:
 - The General Principle of the Development,
 - Economic Considerations,
 - Design, Appearance and Quality,
 - Impacts on the Historic Environment,
 - Impacts on the Nearby Buildings/Uses,
 - Impacts on the Highway Network,
 - Impacts on Residential Amenity,
 - Impacts on Ecology and Biodiversity, and
 - Loss of Green/Open Space.
4. These and other material planning considerations are assessed as follows.

Background

5. It should be brought to the attention of Members that a similar development was approved in 2017 (17/0195/OUT). The previously approved outline application was for 'five commercial office buildings with part ground floor cafés, public realm works, landscaping, car parking, cycle parking and other ancillary development' and was granted permission 26th May 2017. This approved development was a similar scale and massing, and on very similar red line boundaries within Centre Square. Two of the five approved buildings have been constructed – Buildings 1 and 2 – whilst the other three remain unimplemented. The current outline application has been submitted as the 2017 approval has since expired.

Principle of Development

6. The Government's planning guidance is set out in the National Planning Policy Framework (NPPF) and this confirms its support for development which is in accordance with an up-to-date Local Plan. It further supports sustainable development which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including improving the conditions in which people live, work, travel and take leisure.
7. The NPPF states that Planning should operate to encourage and not act as an impediment to sustainable growth, giving significant weight to the need to support economic growth and proactively meeting the development needs of business, supporting an economy fit for the 21st century.
8. Local Plan policies seek to achieve high quality development in the right place, which minimises the impact on the local area and nearby premises whilst Policy REG25 seeks to develop the area of Centre Square East as a modern civic open space. The spatial objectives of the plan go further to reinforce the Stockton-Middlesbrough urban core as the principal centre for cultural, leisure and civic administration activities whilst establishing an environment that encourages and supports economic vitality and quality of life that attracts both people and businesses to Middlesbrough. Objectives further indicate the desire to achieve high and sustainable levels of economic growth by supporting existing businesses and encouraging new ones to set up in Middlesbrough.
9. The site lies within the Town Centre boundary for Middlesbrough as defined within the Local Plan. Being a Town Centre location, it is well served by public transport and other facilities and provisions, thereby making it a highly sustainable location for such development, in full accordance with the locational principles of the National Planning Policy Framework. It is considered that the continued provision of modern office blocks within this key position around Centre Square will assist in achieving these policy objectives in a manner which continues to add positive definition to the civic character of the Centre Square area.

Economic Considerations

10. Central Middlesbrough is the economic heart of the economy of Teesside, providing a mix of business, retail, leisure and cultural features. Along with the constructed Buildings 1 and 2, the proposed development is considered to make a significant contribution to sustaining and enhancing the 'Middlesbrough' offer, with a high quality office development providing opportunity for inward investment for professional and service sector companies not currently represented in the Tees Valley or for progression of existing local businesses into new premises. In this regard, the scheme would reflect some of the ambitions of the Tees Valley Strategic Economic Plan, which commits to strengthening the local economy.
11. It is expected that the offices will appeal to high-value employers with a propensity to enhance the local economy and also bring new construction jobs to the area. Over the

last thirty years, Middlesbrough has suffered as a result of a lack of investment in its office space and, therefore, suffered outward migration of major professional employers. The proposed office buildings, along with the constructed Grade A office space within Buildings 1 and 2, will seek to address this by reducing the risk of future displacement and through attracting new business which would attract more spend within the local area.

12. Continued new office floorspace around Centre Square is expected to bring hundreds of skilled workers to the location, provide a renewed vibrancy for Centre Square, and re-define its function as a civic space central to the town and being immediately adjacent to the retail and cultural areas of the centre. With the addition of the ground floor café and restaurant uses, the development would assist in creating Centre Square as a destination and 'sense of place' within the centre of Middlesbrough, which currently is underrepresented for this sector.

Design, Appearance and Quality

13. As the application is in outline form with all matters reserved, the exact appearance, layout and scale of the proposed buildings will be considered at the reserved matters stage. Notwithstanding the above, it is understood from the submitted visuals that the proposed office buildings would fit well within the alignment of existing buildings and have an external appearance that would complement the constructed office blocks of Buildings 1 and 2. It is considered that the proposals will provide positive additions to both the appearance of Centre Square and the immediate surrounds without unduly dominating the built environment. The proposed buildings to the rear of Centre Square would provide office space in separate blocks of development and therefore retain the existing principles of built form around Centre Square which is one of defined and separate buildings out looking over the open area.
14. Importantly, all buildings around Centre Square are different in their form, scale and use of materials, although, being located in a town centre, all are prominent large buildings in their own right. This proposed scheme would continue that approach to new buildings within this location, providing large and modern buildings of an intrinsic high quality. Consequently, they are deemed to be in accordance with Policy REG25 which emphasises the need for high quality contemporary feature buildings to complement the modern civic open space and existing landmark buildings within the area. Equally importantly, the scheme will be able to include public realm works around the proposed buildings, creating a new type of space which will be closely linked to the buildings and which will allow a new function to be achieved for space around Centre Square.
15. The height of the buildings are indicatively provided on the submitted masterplan, which are generally consistent with the surroundings. The accompanying visuals show that the buildings would have glazing as the main elevation material and therefore provide visual separate floors of development. The complementary high quality brickwork and coloured panelling would add colours to the overall scheme.
16. In view of these considerations, the proposals are considered in principle to adhere with the design requirements for such buildings as required by both local and national planning policies. Of course, conditions can be imposed to ensure high quality materials are provided in the detailed reserved matters applications.

Impacts on the Historic Environment

17. Legislation requires due assessment and protection of the setting of a Listed Building where deemed appropriate, whilst Local Plan Policies CS4 and CS5 collectively seek to protect heritage assets. The site is close to several Listed Buildings, including the Empire Theatre (II*), the Town Hall & Municipal Buildings (II*), Central Library (II) and the monuments to John Vaughan and Sir Samuel Sadler (II).

18. Each of these buildings has a separate function and all have been designed as stand-alone buildings or structures, with their use informing their design and form. The Municipal Buildings and Central Library contribute to framing Centre Square and are considered to be of notable significance, whilst the front of the Town Hall and Empire Theatre are related more to other streetscapes. Each of these Listed Buildings requires its setting from specific areas and views to be reasonably preserved in order to retain their significance. Being within a town centre location however with many building types around, none require nil development in their surrounds to achieve the preservation of their setting and due regard needs to be taken that Centre Square was once a site of many residential properties. Additionally, the views of the Council's Conservation Officer and Historic England are that the significance of these Listed Buildings come more from their function and architecture rather than their setting.
19. The significance of the Town Hall and associated Municipal Buildings is considered to be partly down to its initial design and architecture and partly to its overall use and partly as a result of its meaning within the wider area of Middlesbrough. Its setting is taken from its position and a degree of openness to its elevation onto Centre Square. It could be argued that the setting has already been compromised in the past by the nearby tower blocks (Centre North East, for example) and the addition of the Civic Centre although importantly, it retains an open aspect onto Centre Square as well as being a prominent building within the Corporation Road and Albert Road areas of the town centre. The proposed three office buildings would be set away from the Town Hall and are of a completely different design and architectural style. They would serve to enclose the square at the eastern end and create a greater 'sense of place' to this civic area and would therefore arguably have a positive impact on the setting. In view of these matters, it is considered that the proposed scheme would have a low impact on the significance of the Listed Town Hall & Municipal Buildings.
20. The Empire Theatre is separated from the proposed three office buildings by a host of buildings including Middlesbrough House, the Civic Centre buildings, Building 1 as well as the Combined Courts. Given this arrangement, the Empire Theatre would retain its visual significance gained from its frontage onto Corporation Road and its side elevations onto Pine Street and Dunning Street. Corporation Road is already a street of modern and old properties and this proposal would arguably continue with that characteristic. Given the above, it is considered the proposed development would have a low impact on the setting of the Empire Theatre and its associated significance.
21. Central Library has a dominant building frontage, but is set back from Albert Road. The side elevation and rear are of a secondary nature in design terms. The proposed office development will not affect the land to the front or immediately to the side of the Library; instead they are separated from the Library by Mima art gallery. Given the proposed buildings would sit away from Central Library and allow it to retain its prominence onto Albert Road, it is considered that the proposals would have a low impact on the significance and setting of this Listed Building.
22. Historically, the site was covered in terraced housing, which are, by their nature, much smaller buildings and exhibit a closer grain than can be found in the area now. It is further recognised from the submitted visuals that the proposed design of the new buildings would be contemporary with facing brickwork, glazed curtain walling and cladding. Its large size and scale would not be out of place in the area, considering the scale of the neighbouring buildings. It is hoped the active frontages and their uses (in combination with the approved café uses at Buildings 1 and 2), will encourage greater use of the area, which should benefit this civic and commercial space and it is concluded that the proposed development should sustain and enhance the settings of the nearby Listed Buildings.

23. The statues/monuments are of a much smaller scale to the Listed Buildings around Centre Square and are of a localised importance. These statues and monuments were originally within the area known as Victoria Park – a public park with bandstand in place around the time the Town Hall was constructed. Retaining an open setting for these is considered to be important and given this application does not propose to re-locate them, it is considered that this would be achieved and, arguably, the statues and monuments would gain greater recognition through the reinvigorated use of Centre Square.
24. The potential impacts of the development on the nearby heritage assets within Centre Square have been fully considered and it is the officer view that the scheme can be achieved with no significant impacts on nearby Listed Buildings and Structures, their settings and their associated significance, some of which are considered to be impacts of a positive nature.

Impacts on the Nearby Buildings/Uses

25. Policy REG20 specifically identifies the Central sector as an appropriate location for offices, provided vehicular access is kept to a minimum, and the height of the development has regard to surrounding office and public buildings. The proposed four-storey development is considered to be generally consistent with its surroundings and reflects the scaling, mass and height of the previous building on the site. Whilst complementing the uses around Centre Square, further south is Borough Road where various office and similar professional services can be found.
26. The proposed buildings and the future use associated with the proposed buildings themselves will have an impact on the surrounding uses, which include commercial and residential properties. The buildings will be in close proximity to the Civic Centre, the Crown Court, Fountains Court and Buildings 1 and 2, which are all commercial in nature and although some noise, disturbance and impacts on daylight and sunlight will arise, it is considered these would be reasonable impacts in this town centre location.

Impacts on the Highway Network

27. The proposed offices are a town centre use and are positioned in reasonable close proximity to the railway station and bus station whilst would be supported by the numerous bus stops and public car parks which exist within the town. The proposal therefore supports the principle of locating development in locations where there is a real prospect of its users travelling by sustainable means and thereby limiting their travel movements on the wider network which is in accordance with the principles of the National Planning Policy Framework.
28. The application has been supported through the submission of a Transport Assessment which defines the likely traffic movements generated by the proposed buildings in their fully occupied state. The Transport Assessment also considers the impact of the proposed development on the operation of the surrounding highway network, including the A66 Marton Road Interchange.
29. As noted in the Consultations section of the report, no Highways comments have been received at the time of writing. Any comments received will be reported to Members by the Planning Officer at the committee meeting.

Impacts on Residential Amenity

30. As with all development, consideration needs to be given to the impact on residential amenity. In this instance, the proposed buildings and associated uses are within a town centre location which has a high density and where residential amenity and privacy will generally be reduced to that normally experienced in more residential areas, although nonetheless requires reasonable assessment, in particular, against Local Plan Policy DC1 and the guidance of the National Planning Policy Framework.

31. As mentioned, the proposed buildings incorporate café and restaurant uses, which will front onto Centre Square and will be away from the nearest residential properties and therefore not have any undue impacts on residential properties within this town centre environment.
32. The commercial office elements of the buildings will relate to the environment of Corporation Road and the other buildings and their uses in the Central Gardens area. It is considered that the impacts on any residential properties in Corporation Road will be particularly limited given this is already a main thoroughfare within the town centre and background noise and disturbance will already be experienced in this environment. Also, only one of the proposed buildings (Building 4) would front onto Corporation Road, although this building is set back from the street frontage and its impact on the road is likely to be insignificant in comparison to the adjacent Combined Law Courts.
33. Residential properties also lie to the eastern side of Central Gardens, in an area known as Hazel Court. These properties, however, are largely screened from the proposed three office buildings by the constructed Building 2. Whilst Building 4 is positioned to the northwest of these residential properties, it is approximately 50 metres from the nearest house and positioned between Building 2 and the former Cleveland Business Centre building. Given this arrangement, there is considered to be no significant adverse impacts on the residential amenities from Building 4.
34. To the south of Buildings 3 and 5 are properties along Grange Road. The indicative layout shows Building 5 being perpendicular to the front elevations of the houses along Grange Road and the separation distance between the two is approximately 40 metres. The larger Building 3 would be approximately 80 metres to the north of these properties. Neither Building 3 nor Building 5 is considered to harm the living conditions of the residents at Grange Road.
35. The parking associated with office Buildings 3 and 5 may have some impact on the residents of Grange Road, although this should not be significant given its anticipated scale and the anticipation of such impacts being associated with living in a town centre location.
36. Lighting associated with the buildings has been designed so as to prevent undue spread and spillage of lighting to the wider area and therefore prevent any nuisance caused as a result. Notwithstanding these efforts, mindful of this town centre location, lighting around and of buildings is a relatively common occurrence and therefore an accepted circumstance given the use and nature of such areas. A condition is recommended by officers for the lighting associated with the proposed development to be in accordance with the submitted assessment.
37. In terms of the potential ground floor café and restaurant uses, conditions for delivery times, collections and appropriate ventilation are recommended to ensure an appropriate development that does not unduly harm the general amenities of any nearby residents and the users of Middlesbrough Town Centre.

Impacts on Ecology and Biodiversity

38. Due to the overall scale of the proposed development and its siting on existing green space and potential wildlife habitats, it is important to ensure that there are no adverse impacts on any protected species, flora and fauna, and that the development provides biodiversity net gain.
39. The National Planning Policy Framework (NPPF) provides protections for important sites and wildlife (for example, Sites of Special Scientific Interest (SSSIs), species licensing), and makes provisions for the delivery of biodiversity net gain. In 2018, the

government published a revised version of the NPPF, which strengthened policy wording on biodiversity net gain as well as incorporating policy proposals from the Housing White Paper and Planning for the right homes in the right places.

40. Paragraph 170 of the NPPF states that *planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity value, and minimising impacts on and providing net gains for biodiversity*. Paragraph 175 continues by stating that *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused*.
41. An Ecological Impact Assessment has been submitted in support of the application to assess any potential impacts. First and foremost, the ecological report has given consideration to the potential impact of the proposed development upon the Teesmouth and Cleveland Coast Special Protection Area, Ramsar site and SSSI, which is a protected nature reserve recognised by European legislation located within 2 kilometres. The report concludes, however, that there are no anticipated impacts and no mitigation is required.
42. For the development site itself, the assessment indicates that the habitats on site are typically of low conservation importance and of local value only. The site for proposed Buildings 3 and 5 has been assessed as containing an ornamental pond and being surrounded by ornamental shrubs, trees and amenity grassland. The Council's ecological consultant has considered the report and agreed that the pond does not have significant importance from an ecological perspective.
43. Although the existing grassland, shrubs, trees and pond are considered only to be ornamental and of low conservation and local value, it is not accepted by officers that the current proposals provide biodiversity net gain. The initial landscaping proposals (highly managed landscape space and water feature with treated water) for the new development and the incorporation of some bird boxes were considered not to equate to the habitat that is being lost.
44. Considerations for appropriate biodiversity measures within the development site might include more informal landscaping, less managed planting with no treated water feature, planting mix native and ornamental species as advised by specialists. Green roofs have been considered although this would lead to mechanical and electrical equipment being situated with landscaped areas, which is not desirable nor considered in keeping with a high quality public realm. An area of brown roof zones could be provided on the roofs of the bicycle and refuse stores. The planting within the landscaped areas will include plants that bear flowers, nectar and fruits, whilst bird nest boxes and bricks will be installed
45. These concerns will need to be addressed as part of any reserved matters application(s). Consequently, it is considered that a suitably worded condition for biodiversity net gain can be attached to any planning approval at the outline stage and its requirements met in the subsequent application(s) for the reserved matters.
46. In respect of impacts on bats, the report advises that the proposed lighting may affect foraging and commuting, although light disturbance in the heart of the town centre is already high. There may be a loss of potential bat roosting opportunities of low suitability, as well as a risk of disturbance as bats are present during works. However, the likelihood of bats foraging and roosting in the area is considered to be low.

47. In respect of birds, the report advises that pre-commencement checks are required for nesting birds if clearance is undertaken in the bird nesting season. There may also be a loss of foraging and nesting opportunities, although the proposed planting in the landscaping scheme would be important to ensure these are appropriately replaced.
48. The likely impacts on other species, namely amphibians, hedgehogs, as well as general wildlife are also looked at in the report. The report recommends that works will be undertaken to precautionary method statements and that any excavations left open overnight would have a means of escape for wildlife.
49. Conditions are recommended to address these matters and thereby limit any impacts on ecology, flora and fauna in line with policy guidance.

Loss of Green/Open Space

50. Central to the concerns raised in the petition submitted by the Friends of the Earth is the loss of green and open space in the Town Centre, which provides a valuable amenity to the public and town centre residents. As outlined above, the scheme will be subject to biodiversity net gain conditions ensuring that there will be no loss of biodiversity as a result of the development.
51. Concerning the availability of wider open space to serve the public and workers, some will be incorporated as part of the development. A significant amount of open space remains on Centre Square that will be available to the public to access and enjoy.
52. The scheme does include the provision of an area of open space that will be publicly accessible between Building 3 and the Law Courts. Whilst this will clearly not, in quantitative terms, replace that lost to development it will contribute to meeting some of the needs expressed by the objectors for open space to meet public needs. It is considered that this, alongside the remaining Centre Square open space, the biodiversity measures outlined previously, and the economic benefits associated with the proposal outweigh the loss of open space.

Other Matters

53. The application was supported by a Flood Risk Assessment, which has been considered by appropriate bodies. It indicates suitable ability exists to undertake sustainable drainage solutions for the scheme and achieve suitable discharge rates in to the surface water system. Northumbrian Water has no objections to the scheme provided the submitted flood risk assessment is implemented as part of any approved scheme. A condition is recommended to secure these measures.
54. The application was supported by a noise assessment which has been considered by officers in the Council's Environmental Health service. A condition is recommended to align the development to the report.
55. Northumbrian Water and Northern Gas Networks have advised of their apparatus within the site and an informative has been recommended to address this.
56. The Crown Court raised concerns in relation to noise from the construction phase of the development affecting their daily operations. Whilst noted, the construction implications are not readily controlled by planning, being a necessary part of all development proposals. Notwithstanding this, the developer is being encouraged to engage with the Court to minimise impacts of construction operations.

Overall Conclusions

57. The proposals are considered to have a beneficial impact on the town centre offer and on the economy, and therefore deemed to be in accordance with the NPPF and Local Plan Policy CS7 in these regards.

58. In terms of the social element, it has been analysed that the proposals would appeal to high-value employers, provide new employment opportunities in skilled trades and create higher average weekly incomes for local people. It will assist in re-invigorating the use of Centre Square and as such, accords with the social strand of sustainability within the NPPF.
59. The overall scale and type of development proposed would evidently contribute towards reinforcing and strengthening the role of the town centre as the principal centre within the Tees Valley city region and support the commercial role of the town centre. As such, the proposals are considered to be in accordance with the strategic policy H1 as well as REG25.
60. The proposal will not result in any notable impact on nearby listed buildings, adjacent operators, residential amenity and privacy, highway related matters or ecology and the proposed building and its design are considered to represent high quality development.

RECOMMENDATIONS AND CONDITIONS

Approve subject to Conditions

1. **Outline Permission: All Matters Reserved**

An application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission. The reserved matters will detail the means of access, the appearance, the landscaping, the overall layout and scale of the outline development hereby approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Act 2004 and to reserve the rights of the Local Planning Authority with regard to these matters.

2. **Time Period for Commencement**

The development hereby permitted shall be begun not later than:

- (i) The expiration of 5 years from the date of this permission; or
- (ii) The expiration of 2 years from the date of approval of the final reserved matter(s) to be approved, whichever is the later.

Reason: The consent is in outline form only and to protect the rights of the Local Planning Authority.

3. **Approved Plans**

The development hereby approved shall be undertaken in accordance with the details within the approved plans as detailed below:

- a) Location Plan (334-SArch-S0-XX-DR-A-0010-P01)
- b) Site Plan as Existing (334-SArch-S0-XX-DR-A-0100-P01)
- c) Proposed Masterplan – with application boundaries (334-SArch-S2-XX-DR-A-1000-P03)

Reason: In order to define the consent.

4. Samples of Materials

The development hereby approved shall be carried out in full accordance with a schedule of external finishing materials which shall be submitted to and approved in writing by the local planning authority prior to the above ground commencement of the development.

Reason: To ensure a high quality appearance of development in accordance with the requirements of the National Planning Policy Framework.

5. Biodiversity Net Gain

Prior to the commencement of the development hereby approved, a detailed ecological appraisal for the purposes of biodiversity net gain shall be submitted to and approved in writing by the Local Planning Authority. The appraisal shall assess the ecological value of the existing site and identify measures to secure a net measurable gain in biodiversity of at least 10% when measured against the pre-development biodiversity value of the development site. Any approved scheme for biodiversity net gain shall then be implemented as part of the development hereby approved and retained in perpetuity.

Reason: To protect and enhance the ecology and biodiversity of the site and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development having regard to policy CS4 of the Local Plan and section 15 of the National Planning Policy Framework.

6. Sustainable Drainage & Surface Water Systems

Before the construction of any of the buildings hereby permitted commences, a scheme for a Sustainable Drainage System (SuDS), surface water design, strategy and management plan, which shall sustainably drain surface water, minimise pollution, manage the impact on water quality and prevent water from flowing onto the public highway, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved scheme.

Reason: In the interests of highway safety, to minimise the risk of flooding and to secure a sustainable development in accordance with local policy CS4 and the general principles of the National Planning Policy Framework.

7. Cycle & Bin Stores

The cycle and bin stores hereby approved shall be constructed in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority and shall be installed on site prior to the building hereby approved being brought into use and thereafter maintained in perpetuity for cycle and bin store purposes.

Reason: In order to ensure sustainable transport options for the development and adequately control the appearance of the development, in accordance with the requirements of the National Planning Policy Framework.

8. Details of Hard Landscaping and External Furniture

The buildings shall not be occupied until a scheme of hard landscaping works has been undertaken on site in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

The scheme of hard landscaping works shall include proposed finishing levels and contours within the site, hard surfacing materials and minor structures such as street furniture.

Reason: To ensure the satisfactory implementation of hard landscaping and external furniture in the interests of the visual amenities and landscape features of the area.

9. Soft Landscape Works

Prior to the building hereby approved being occupied, a scheme of soft landscaping works shall have been implemented on site in accordance with a scheme of such which has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be restricted to detailing the position, number and species of new planting within the site and the planting regime/methods including the provision of root barriers and tree pits.

Reason: In order to provide a high quality of development within a prominent town centre location in accordance with the requirements of Local and National Policy.

10. Landscape Management Plan

A landscape management plan, including management responsibilities and maintenance schedules for a minimum of five years post completion of the soft landscaping scheme, for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any part of the development hereby approved. The management plan shall provide for replacement of landscaping that fails within the first 5 years of its existence. The approved landscape management plan shall be carried out as approved.

Reason: To ensure the satisfactory implementation of an approved landscaping scheme in the interests of the visual amenities and landscape features of the area.

11. Boundary Treatments

Notwithstanding any details hereby approved, all boundary treatments for the application site shall be in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure a final suitable scheme is achieved in the interests of high quality design.

12. Tree Protection

The construction phase of the development shall be undertaken in accordance with the recommendations and practices outlined in the submitted arboricultural report by Elliott Consultancy (ARB/AE/2534) and associated tree protection details.

Reason: In order to reasonably protect trees intended for retention in the interests of the amenity of the surrounding area.

13. Site Clearance and Protection of Nesting Birds

Any works to clear the site in preparation for development (including removal of vegetation and any groundworks) should be initiated outside of the bird breeding season (March to October). If preparatory site clearance works cannot be undertaken outside of the bird breeding season, a suitable methodology for undertaking site clearance works shall be submitted to and approved in writing by the Local Planning Authority prior to such works commencing. Thereafter, the approved methodology shall be carried out on site.

Reason: To provide adequate protection for nesting and breeding birds in accordance with the requirements of the National Planning Policy Framework.

14. Ecological Mitigation

The development shall be undertaken in strict accordance with the mitigation measures detailed within the submitted ecological report.

Reason: In order to ensure adequate protection of ecology, flora and fauna in line with local and national policy requirements.

15. External Lighting

The development hereby approved shall be implemented in accordance with the submitted 'External Lighting Strategy' (16033/REPORT/MP/EXTLT/01). Any deviations from the recommendations made in the report shall be submitted to the Local Planning Authority for further written approval prior to being implemented.

Reason: In order to prevent undue impacts on residential amenity in the wider area in accordance with the requirements of the National Planning Policy Framework.

16. A3 Use Class – Hours of Opening

The A3 café / restaurant element of the scheme shall be restricted in its opening hours, being between 07:30 and 00:00 Monday to Sunday.

Reason: In order to prevent undue impacts on residential amenity in the wider area in accordance with the requirements of the National Planning Policy Framework.

17. Deliveries and Collections – Restrictions on Hours

Deliveries and collections to the premises hereby approved shall be kept between the hours of 08:00 and 19:00 Monday to Saturday, and between the hours of 09:30 and 18:30 Sunday.

Reason: In order to prevent undue impacts on residential amenity in the wider area in accordance with the requirements of the National Planning Policy Framework.

18. Ventilation and Fume Extraction

No above ground construction of the building shall commence until a scheme for the ventilation and fume extraction for the E(b) use has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be restricted to, details of a full technical specification by a suitably qualified technical professional person, specifying the position of ventilation fume or flue outlet points and the type of filtration or other fume treatment to be installed and used at the premises. The approved scheme shall be implemented on site prior to the E(b) use being brought into operation and shall be retained in full accordance with the approved details and maintained in perpetuity in accordance with the manufacturer's recommendations including the frequency of replacement filters.

Reason: In order to control odour from the premises and prevent undue impacts on surrounding uses in accordance with the requirements of the National Planning Policy Framework.

19. Waste Storage and Removal

A scheme for the storage and removal of refuse from each approved use shall be submitted to and approved in writing by the Local Planning Authority and implemented before that approved use commences.

Reason: In order to ensure a suitably functioning commercial building and prevent undue detrimental impacts on the character and appearance of the surrounding environment.

20. **Noise Mitigation**

The development hereby approved shall be implemented in accordance with the submitted Noise Impact Assessment (8802.1). Any deviations from the recommendations made in the report shall be submitted to the Local Planning Authority for further written approval prior to being implemented. The development shall subsequently be carried out in accordance with the approved details.

Reason: In order to prevent undue impacts on residential amenity in the wider area in accordance with the requirements of the National Planning Policy Framework.

REASON FOR APPROVAL

This outline application is acceptable as the development of three commercial buildings (E(c)) with part ground floor café uses (E(b)), public realm works, landscaping, car parking, cycle parking and other ancillary development situated on land at Central Gardens is in full accordance with the relevant national and local planning policies.

In particular, the proposed development adheres to the principles and guidance contained within the National Planning Policy Framework and the policies regarding sustainable development, the efficient use of land, transport and accessibility, appropriate measures to mitigate flood risk, conserving and enhancing the historic environment, and would not be detrimental to the amenities of local residents and other neighbouring uses. Moreover, the proposed office buildings and associated development would be situated in an appropriate location being within an area allocated for such uses.

Accordingly, the Local Planning Authority considers that there are no material planning considerations that would override the general assumption that development be approved unless other material factors determine otherwise.

INFORMATIVES

Informative: Northumbrian Water / Northern Gas Networks apparatus within the site

Northumbrian Water and Northern Gas Networks have advised that a public sewer crosses the site and may be affected by the proposed development, that they do not permit a building over or close to our apparatus and therefore we will be contacting the developer direct to establish the exact location assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development.

Informative: Highway works

Implementation of this proposal will require a formal highway closure and the applicant should be informed that it is subject to Public Comment and therefore closures cannot be guaranteed. For further information tel.01642 728153. This closure must be commenced before any work is commenced in the vicinity of the affected area.

The applicant is strongly advised to contact the Highway Authority tel: 01642 728156 prior to any work commencing on site in order that a pre-inspection of the highway can be undertaken and agreement reached on suitable protection to prevent damage to the highway during construction. Failure to do this may result in the Highway Authority using powers available to them to impose such restrictions they deem necessary to protect the

existing highway. Any damage that does occur will be deemed the responsibility of the person undertaking the work along with the liability for reinstatement.

Informative: Alteration of the highway

Interference or alteration of the highway requires a licence under the HA 1980. Connections to public sewers in the highway require a licence under NRSWA 1991. The applicant should contact the Highway Authority tel 01642 728156 before any work commences on site, allowing a minimum of 7 days notice, or 30 days in the case of a NRASWA licence, if either or both of these licences are required.

Informative: Condition of the highway during construction

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.

Informative: Construction Deliveries

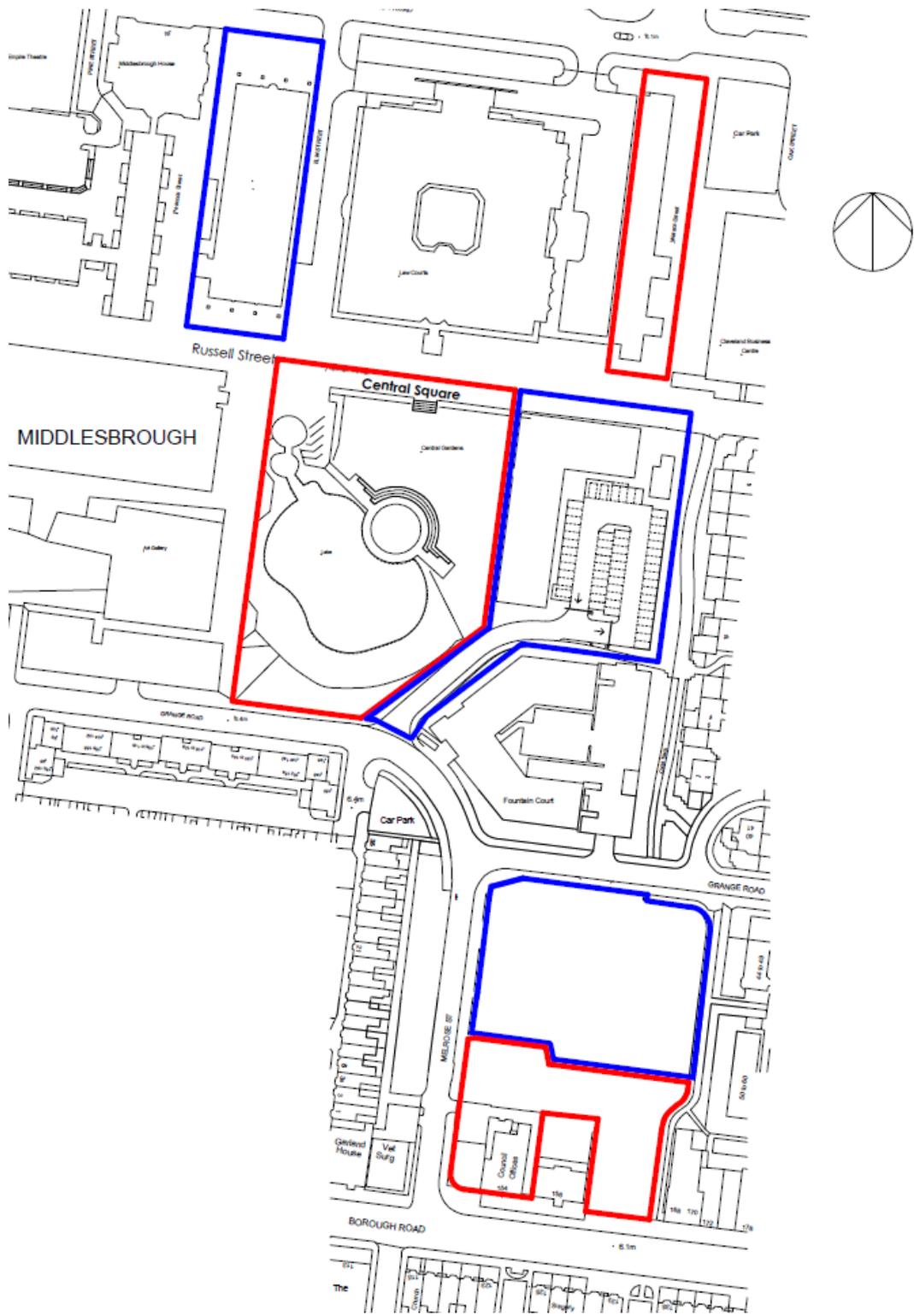
It should be ensured that, during construction, deliveries to the site do not obstruct the highway. If deliveries are to be made which may cause an obstruction then early discussion should be had with the Highway Authority on the timing of these deliveries and measures that may be required so as to mitigate the effect of the obstruction to the general public.

Informative: Street Naming and Numbering

Should the development require Street Names, Numbers and/or Post Codes the developer must contact the Councils Naming and Numbering representative on (01642) 728155.

Case Officer: Peter Wilson

Committee Date: 16.07.2021



**PLANNING & DEVELOPMENT COMMITTEE
APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting.

REFERENCE	PROPOSAL/LOCATION	DECISION
20/0614/FUL Central	Erection of workshop building for educational use Middlesbrough College , Dock Street , Middlesbrough , TS2 1AD	Approve with Conditions
21/0013/FUL Central	Erection of light industrial / warehouse unit (B1(c)/B8) Former Economix Site , Innes Street , Middlesbrough , TS2 1LP	Approve with Conditions
21/0061/FUL Linthorpe	Erection of detached single garage to rear 7 Cambridge Square , Middlesbrough , TS5 5PG	Approve with Conditions
21/0107/COU Marton East	Conversion of garage to provide additional residential accommodation, erection of boundary fence to side and change of use of a section of land on the northern boundary into residential curtilage. 34 Marton Avenue , Middlesbrough , TS4 3SQ	Approve with Conditions
21/0118/FUL Park	Erection of 6 No dwellings. 91 - 97 St Barnabas Road , Middlesbrough , TS5 6AZ	Approve with Conditions

21/0120/FUL Central	Erection of two steel framed buildings and formation of new vehicular access Britannia Testhouse Project And Design , Romaldekirk Road , Middlesbrough , TS2 1XA	Approve with Conditions
21/0130/PNH Park	Single storey extension at rear. 126 Ayresome Street , Middlesbrough , TS1 4PE	Prior Notification Not Required/No Obj
21/0166/COU Central	Retrospective change of use to drinking establishment (sui generis) including outdoor seating area. 5 - 6 Marland Buildings , Marton Road , Middlesbrough , TS4 2JQ	Approve with Conditions
21/0212/FUL Acklam	Single storey rear extension 12 Glendale Road , Middlesbrough , TS5 7QB	Refused
21/0214/FUL North Ormesby	Erection of 2no light industrial units Land At South Of Tame Road , Tame Road , Middlesbrough ,	Approve with Conditions
21/0220/FUL Nunthorpe	First floor extension to side 44 Hilderthorpe , Middlesbrough , TS7 0PT	Refused
21/0224/FUL Linthorpe	Proposed two storey side extension, removal of boundary wall, creation of vehicle access. 1 Cambridge Square , Middlesbrough , TS5 5PG	Refused

21/0232/DIS	Discharge conditions 7 (Surface Water Drainage Management and Maintenance Plan), 8 (Disposal of Foul and Surface Water) and 22 (Floodlighting) of application 20/0566/FUL Former Nature's World Site , Sandy Flatts Lane , Acklam , Middlesbrough , . , TS5 7YN	Full Discharge Conditions
21/0242/FUL Acklam	Single Storey Extension to Rear 20 Church Drive , Middlesbrough , TS5 7DU	Approve with Conditions
21/0245/TCA Park	Crown reduction of 1 no. Ash and 1 no. Laburnum, and removal of 1 no. Conifer 2 Poplars Road , Middlesbrough , TS5 6RL	6 Weeks Expired
21/0251/FUL Marton East	Alterations to front elevation with associated conversion of garage to habitable room 14 Scholars Rise , Middlesbrough , TS4 3RP	Approve with Conditions
21/0265/FUL Marton West	Single storey extensions to rear and side 7 Claremont Drive , Middlesbrough , TS7 8ND	Approve with Conditions
21/0279/TELFUL	Removal of the existing 15m column supporting 3 no. shrouded antennas and 3 no. equipment cabinets. The installation of a replacement 20m column supporting 6 no. antennas, 1 no. replacement equipment cabinet and ancillary development thereto including 3 no. Ericsson Radio Systems (ERSs) and 1 no. GPS module. Footway On Broughton Road Off Broughton Avenue , Easterside , Middlesbrough	Approve with Conditions

21/0280/PNH Kader	Single Storey Rear Extension 1 Virginia Gardens , Middlesbrough , TS5 8BT	Prior Notification Not Required/No Obj
21/0285/FUL Nunthorpe	Two storey and single storey extension to side, porch to front and erection of detached garage (demolition of existing garage) 10 Nunthorpe Gardens , Middlesbrough , TS7 0GA	Approve with Conditions
21/0292/FUL Central	Change of use from nine bed HMO into six one bed self contained flats for student accommodation (sui Generis) 78 Southfield Road , Middlesbrough , TS1 3ES	Approve with Conditions
21/0294/FUL Nunthorpe	Revised application for a first storey side extension 6 Leckfell Close , Middlesbrough , TS7 8PW	Approve with Conditions
21/0295/FUL Marton West	Raising of roof height with pitched roof dormers to front and rear and roof lights, single storey extension with bay window to front, plus installation of a new window in the existing dwelling 19 Bonny Grove , Middlesbrough , TS8 9QZ	Approve with Conditions
21/0298/DIS	Discharge of condition Nos. 6 (Surface Water Drainage), 11 (Method of Works Statement), and 23 (Construction Method Statement) of planning permission 20/0566/FUL Former Nature's World Site , Sandy Flatts Lane , Acklam , Middlesbrough , . , TS5 7YN	Full Discharge Conditions

21/0300/FUL Acklam	First floor extension to rear 20 Rydal Avenue , Middlesbrough , TS5 7BG	Approve with Conditions
21/0301/FUL Acklam	Single story extension to rear 68 Coniston Grove , Middlesbrough , TS5 7DD	Approve with Conditions
21/0302/FUL Trimdon	Single storey extension to rear and alterations to one existing window 46 Hampstead Way , Middlesbrough , TS5 8FD	Approve with Conditions
21/0307/VAR	Removal of condition no. 2 on application M/FP/0461/96/P which restricts use to warehousing of furniture Pearson Street , Cannon Park , Middlesbrough	Approve with Conditions
21/0310/FUL Kader	Increase in roof height and replacement of hipped roof with gable roof, single storey extension to rear with associated increase in height of main roof pitch, 2 no. dormer windows to front (removal of existing dormer window), 3 no. dormer windows at rear including walk-on balcony, and increase in height of existing chimney. Demolition of Existing Side Offshots and Replacement with New Single Storey Side Extension. 132 Low Lane , Middlesbrough , TS5 8EE	Approve with Conditions
21/0311/FUL Nunthorpe	Single storey extension to the rear, canopies to side and rear 1 Hastings Close , Middlesbrough , TS7 0AW	Approve with Conditions

21/0314/FUL Central	Retrospective installation of transformer and prefab enclosure Stanley Vickers Limited , Richmond Street , Middlesbrough , TS2 1LG	Approve with Conditions
21/0316/FUL Trimdon	Two storey extension to front, side and rear plus single storey extension to rear 11 Seathwaite , Middlesbrough , TS5 8TX	Refused
21/0317/PNH Longlands/Beechwood	Single storey extension to rear 4 Roseberry Road , Middlesbrough , TS4 2LH	Prior Notification Not Required/No Obj
21/0319/FUL Marton East	Single storey extension to front 11 Sandling Court , Middlesbrough , TS7 8QP	Approve with Conditions
21/0321/VAR Nunthorpe	Variation of condition 2 on application 20/0485/FUL to alter approved windows, insertion of first floor side elevation window and roof light on front elevation 18 Rookwood Road , Middlesbrough , TS7 0BN	Approve with Conditions
21/0325/DIS Central	Discharge of condition 3 (Samples of Materials) of 19/0663/FUL 32 Wilson Street , Middlesbrough , TS1 1RP	Full Discharge Conditions
21/0342/PNH Kader	Conservatory extension to rear 352 Acklam Road , Middlesbrough , TS5 8AZ	Prior Notification Not Required/No Obj

21/0343/FUL Linthorpe	Erection of detached garage 47 Reeth Road , Middlesbrough , TS5 5JU	Approve with Conditions
21/0345/FUL Ayresome	Roof extension to side and dormer extension to rear 42 Mandale Road , Middlesbrough , TS5 8AF	Refused
21/0347/PNH Ladgate	Demolition of existing conservatory and construction of single storey extension to rear 17 Darnall Green , Middlesbrough , TS4 3NN	Prior Notification Not Required/No Obj
21/0349/FUL	Installation of a replacement 20 metre high slim-line column, supporting 6 no. antennas, replacement of 2no. existing equipment cabinets with 1no. upgraded equipment cabinet and ancillary development including 1 no. GPS module and 3 no. Remote Radio Heads (RRHs) located on the replacement column. Grass Verge Outside Parkway Shopping Centre , Dalby Way , Middlesbrough , TS8 0XE	Approve with Conditions
21/0350/FUL Coulby Newham	Single storey extension to rear, porch extension to front, alterations to the garage to form a habitable room and alterations to existing side doors 75 Ash Green , Middlesbrough , TS8 0UP	Approve with Conditions
21/0352/FUL Marton East	First floor extension to side 1 Cedar Road , Middlesbrough , TS7 8DA	Approve with Conditions

21/0354/FUL Berwick Hills/Pallister	Single storey extension to rear 72 Crossfell Road , Middlesbrough , TS3 7PY	Approve with Conditions
21/0355/FUL Kader	Single storey extension to rear 22 Yearby Close , Middlesbrough , TS5 8NA	Approve with Conditions
21/0356/FUL Acklam	Single storey extension to rear 11 Church Drive , Middlesbrough , TS5 7DU	Approve with Conditions
21/0358/FUL Ayresome	Porch to front, and pitched roof over detached garage to side 41 Farley Drive , Middlesbrough , TS5 8QT	Approve with Conditions
21/0360/FUL Nunthorpe	Single storey extension to rear 4 Poole Gardens , Wyke Lane , Middlesbrough , TS7 0GJ	Approve with Conditions
21/0361/FUL Ladgate	Single storey extension to rear 35 Buckthorn Grove , Middlesbrough , TS8 9BF	Approve with Conditions
21/0374/FUL Park	Single storey side/rear extension, front bay window/canopy and alterations to garage to form ancillary accommodation (including a new window opening) 48 Harrogate Crescent , Middlesbrough , TS5 6PS	Approve with Conditions

21/0385/FUL Longlands/Beechwood	Single storey extension to rear of garage 24 Hutton Road , Middlesbrough , TS4 2LE	Approve with Conditions
21/0394/FUL Park	Single storey extension to front 6 Canterbury Grove , Middlesbrough , TS5 6NS	Refused
21/0396/FUL Marton West	Single storey extension to rear 329 Eagle Park , Middlesbrough , TS8 9QR	Approve with Conditions
21/0407/PNH Trimdon	Erection of canopy to rear 110 Hesleden Avenue , Middlesbrough , TS5 8RS	Prior Notification Not Required/No Obj

7 July 2021

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