

PLANNING AND DEVELOPMENT COMMITTEE

Date: Friday 20th January, 2023 Time: 1.30 pm Venue: Mandela Room
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AGENDA

**Site visits will be held prior to the meeting.
The bus will depart the rear of the Town Hall at 11.00 a.m.**

1. Welcome and Introduction
2. Apologies for Absence
3. Declarations of Interest
4. Minutes - Planning and Development Committee - 16 December 2022 3 - 10
5. Schedule of Planning Applications to be Considered by Committee 11 - 36

Schedule - Page 11
Item 1 - 1B and 2 Marton Estate Square - Page 13
Item 2 - 4/4A Captain Cook Square - Page 25
6. Delegated Planning Decisions 37 - 38
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 12 January 2023

MEMBERSHIP

Councillors J Hobson (Chair), D Coupe (Vice-Chair), D Branson, B Cooper, C Dodds, 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, 01642 729711, georgina_moore@middlesbrough.gov.uk

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on Friday 16 December 2022.

PRESENT: Councillors J Hobson (Chair), D Coupe (Vice-Chair), D Branson, B Cooper, J Thompson and G Wilson

ALSO IN ATTENDANCE: A Cooper, R Holland, Councillor J Rathmell, Councillor M Smiles, A Walker, S Watson and B Wells

OFFICERS: P Clarke, A Glossop, R Harwood, G Moore and S Thompson

APOLOGIES FOR ABSENCE: Councillors C Dodds, M Nugent and J Rostron

22/17 **DECLARATIONS OF INTEREST**

Name of Member	Type of Interest	Item/Nature of Interest
Councillor D Coupe	Non-Pecuniary	Agenda Item 5, Item 2 - 8 Hemlington Road, Ward Councillor and Member of Stainton and Thornton Parish Council

22/18 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 11 NOVEMBER 2022**

The minutes of the meeting of the Planning and Development Committee held on 11 November 2022 were submitted and approved as a correct record.

22/19 **SCHEDULE OF 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.

20/0658/FUL Erection of 69 no. residential dwellings with associated access, landscaping and infrastructure at Nunthorpe Grange for Mr B Stephenson

The above application had been identified as requiring a site visit by members of the Planning and Development Committee. Accordingly, a site visit had been held prior to the meeting.

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 Head of Planning advised that permission was sought for the erection of 69 dwellings with associated access, landscaping and infrastructure on land at Nunthorpe Grange to the north west of the A1043 (Nunthorpe Bypass). The site was part of the wider Nunthorpe Grange site.

The application had originally been scheduled for submission to the Planning and Development Committee back in April (2022). However, delays had been encountered as a result of the guidance published by Natural England. Subsequently, there had been a need for the Applicant to consider and assess the nutrient impacts of the development and propose mitigation measures in that regard. It was commented that the Local Planning Authority was satisfied with the mitigation that had been proposed.

During the application process, revised details had been submitted demonstrating a reduction in the number of dwellings proposed from 77 to 69 and changes had been made to the housetypes and layout, including the removal of the parking courts.

Members were advised that in 2020, the Applicant had submitted an application for the erection of 97 residential dwellings, which had been refused by the Planning and Development Committee. Following refusal, an appeal had been subsequently submitted to, and dismissed by, the Planning Inspectorate.

The site was located on the northwest side of the A1043 (Nunthorpe Bypass) approximately half way between the Poole Roundabout and Swans Corner. It comprised 5.84ha of green field.

Permission was sought for the erection of 69 no. dwellings (reduced from 77) with associated works, including the creation of a temporary vehicle access onto the A1043, internal highway network, drainage works and landscaping. The 69 dwellings proposed were made up of 11 housetypes comprising 4 three-bed, 29 four-bed and 36 five-bed. The dwellings were a mix of two and three storey, detached and semi-detached properties. The majority of properties on the site had parking located to the side of the dwellings, leading to detached garages towards the rear of the houses.

The creation of a temporary vehicle access onto the A1043 was proposed, via a priority T junction. It was commented that the access onto the A1043 had been secured through planning consent 18/0757/FUL in the form of a 4 arm roundabout. It was intended that the T junction would be temporary, with future access proposed to be taken via the approved A1043 roundabout.

Members were shown 3D images of the proposed development, the proposed housetypes and the wider allocated site.

Under the adopted 2014 Housing Local Plan, the Applicant's site formed part of the wider allocated housing policy H29. The entire site (including the Applicant's land) comprised 26.5 hectares (gross), was currently in three separate ownerships. Policy H29 stated that the site be allocated for a maximum of 250 high quality, high value, low density, predominantly three and four bedroom detached and semi-detached dwellings, with open space and wildlife habitat areas, and associated access arrangements. In addition to policy H29, the adopted Nunthorpe Grange Design Code (NGDC) provided more detailed guidelines on the key layout principles, types of housing, landscaping and the quality of development that the Council was seeking for Nunthorpe Grange.

The committee was advised that policy H29 stated that the development would not be brought forward until an agreement on the provision of a park and ride facility or the Longland/Ladgate link road had been secured. Whilst the park and ride element of policy H29 had not been met, Members heard that the Local Planning Authority was duty bound to consider the application. It was explained that the lack of a full agreement, in relation to the park and ride, was not justification on its own to refuse the application.

The committee was advised that the Planning Inspectorate had assessed the Council's Housing Local Plan and had determined that it was up-to-date on most issues, however, in respect of policy H29 it was considered to be partly out of date where it referenced a maximum of 250 dwellings across the wider site. The Planning Inspectorate considered that the maximum of 250 should be given limited weight, given that the NGDC suggested the site could accommodate more dwellings. As a result of the Planning Inspectorate's comments, it was clear that planning policy could not restrict the number of dwellings on the wider site to 250. The number of acceptable dwellings on the site had to be determined by compliance with the design standards, as set out in the NGDC.

When considering the previous appeal at the site, in respect of the erection of 97 dwellings, the Planning Inspector had confirmed that the adopted NGDC was a material consideration and had afforded it significant weight. The appeal had been dismissed as it was contrary to the NGDC. The density of the proposed scheme of 97 dwellings would have been significantly higher than that envisaged within the NGDC and the scheme would have failed to respond positively to existing local character and identity, conflicting with the document. There was also an area of the site where parking would have dominated the front of dwellings, contrary to guidance within the NGDC. In addition, the extensive use of parking courts would have increased the risk and fear of crime.

The current application had removed the areas of high density, removing terrace rows and semi-detached dwellings, replacing them with large detached dwellings in large plots, which reflected the northern most part of the site. As a result, the development was now considered to be in accordance with the requirements of the NGDC in that regard. The reduction in dwellings, and the proposed larger properties, assisted in reducing the overall density of the

development.

In terms of parking, as stipulated by the NGDC, the majority of properties on the site would now have parking located to the side of dwellings, leading to detached garages toward the rear of the houses. It was also highlighted that the parking courts, which had been previously proposed, had now been removed.

The layout of the development had been designed to ensure that properties would front on to open spaces within the site, including the large landscaped area.

In terms of Sample Area E, it was explained that the large detached properties would have a staggered building line and would face the wildlife habitat. It was commented that the rear gardens of the properties would end at the bottom of the tree lined embankment of the A1043 and would be located to avoid the root protection zone.

It was advised that Sample Area F planned to provide lower density housing and there had been no significant changes to what was originally proposed. The housing located in Sample Area F, on the northern edge of the site with the railway to the rear and facing onto the proposed Wildlife Habitat Area, would be of the lowest density of the entire development.

In 2019, access onto the A1043 had been secured through planning consent 18/0757/FUL in the form of a 4 arm roundabout. Members noted that, although a technical start had been made, the 4 arm roundabout was yet to be constructed. Therefore, in terms of the current application, access would be provided to the site via a priority T junction. The Applicant had advised that the direct access T junction onto the A1043 was only ever intended to be temporary and that they were happy for the principle to be secured through either a planning condition or legal mechanism, such as a S106 Agreement.

Members heard that when assessing the development proposals in isolation i.e. a stand-alone consent, there were no available pedestrian/cycle connections into the wider area.

It was advised that development proposals included a pedestrian link to the North of the site into Nunthorpe Gardens, which would provide access to local facilities and public transport within nationally recommended walking distances. However, it was explained that the land over which that link would cross was outside of the red line planning boundary, was not publicly maintainable highway and was outside of the ownership/control of the Applicant. Without the footpath link to Nunthorpe Gardens, the distance to local facilities and services was approximately 1.5km. That distance was outside of national guidance covering acceptable and desirable walking/cycling distances to such facilities. In addition to the issue of the distance, no infrastructure existed to provide an alternate route. The alternate route would have involved walking/cycling on the grass verge alongside the A1043, which was unlit and subject to a 60mph speed limit.

The position of the Applicant was that they were in negotiations to enable the footpath link to be provided and that it could be covered by a suitably worded Grampian condition, a view which had been supported by planning colleagues. It was highlighted to the committee that a condition had been attached to the application, meaning that the development could not commence on site until it had been demonstrated that pedestrian access from the site, to the existing highway network on Nunthorpe Gardens, had been legally secured.

In terms of nutrient neutrality, the Applicant had provided details of off-site mitigation. A field, which was currently farmed within the catchment area would be left to lie fallow, reducing the levels of nitrate. The size of the field was suitable to provide the necessary levels of mitigation required by the development. It was commented that the measure would be controlled through the s106 agreement.

Members were advised that policy H29 stated that off-site improvements to school provision would be required to accommodate the educational needs of future residents. Education had been consulted during the application process to consider the implications of the development on the local schools. Subsequently, no request had been made for a financial contribution towards new facilities or improvements to the local schools.

It was advised that, should the application be approved, s106 contributions would be required for offsite affordable housing, the provision of new community facilities and strategic highway

works. The Head of Planning confirmed the recommendation and referenced a change of wording to condition no. 17 to require agreement with the Local Planning Authority as part of the requirements of the condition.

A Member raised a query regarding access. In response, the Transport Development Engineer advised that proposed access to the site would be via a priority T junction, which would give way to the main traffic, with right turn ghost island approximately 220m east of the approved roundabout. It was commented that the junction would be temporary and there were no safety issues associated with that access.

The Applicant was elected to address the committee, in support of the application.

In summary, the Applicant advised that:

- the previous scheme, which had been refused, had been fundamentally redesigned;
- the scheme would form part of the Charles Church brand, which offered larger house types;
- the scheme fully complied with the NGDC in relation to the landscape setting, parking provision, house types and the high-quality layout;
- in terms of pedestrian access, negotiations were at the final stage and pedestrian/cycle connections into the wider area would be agreed in the new year; and
- in terms of nutrient neutrality, a mitigation strategy was in place and would be controlled through the s106 agreement.

A discussion ensued and Members commented on the importance of the development providing pedestrian footpaths and safe cycle routes to local facilities. It was also commented that the wider connectivity to the rest of the site and the incorporation of good walking and cycle connections was vitally important.

A Ward Councillor was elected to address the committee.

In summary, the Ward Councillor commented that:

- the application should be refused;
- additional housing was not required in Nunthorpe and there was no demand for overpriced new builds;
- Nunthorpe, as a community, was already overstretched and lacked the infrastructure it required;
- roads were already under strain;
- although pre-owned homes sold well in the area, sales of new executive homes were slow (that was exemplified by the nearby Bellway development);
- the proposed development would have a detrimental impact on wildlife;
- the proposed development would be isolated, marooned from the rest of Nunthorpe and vehicle dependent;
- since 2019, Persimmon have had the opportunity to find a solution in respect of providing good pedestrian and cycle links to local facilities, however, the issue remained unresolved; and
- residents were concerned that other green field sites in the area would be developed, particularly those on the opposite side of the A1043.

The Head of Planning advised that:

- in respect of the proposed development, the site had been allocated for housing in the Local Plan, therefore the principle of residential dwellings on the site was acceptable;
- there had been an increase in demand for larger properties, although, demand was not a planning issue; and
- the scheme's landscaping and ecological mitigation planned to increase opportunities for biodiversity on the site and would result in an attractive landscaped setting.

In respect of the potential development of green fields on the opposite side of the A1043, National Grid power lines were located there and the land was located in Redcar and Cleveland's boundary, meaning Middlesbrough Council had no control over that land. It was

added that the park and ride facility was likely to be located within the boundaries of Redcar and Cleveland.

Another Ward Councillor was elected to address the committee.

In summary, the Ward Councillor commented that:

- the development would increase traffic on to the A1043 at a point of relatively low visibility from vehicles approaching, which posed a risk to road users;
- the installation of the temporary T junction, with direct access onto the A1043, would increase road safety risks and it was imperative that the junction did not provide a permanent access;
- there had been no joined-up thinking in respect of the proposed development, particularly in respect of roads and pedestrian access; and
- the delivery of the development relied on the use of land located in Redcar and Cleveland's boundary, over which Middlesbrough Council had no control.

The Head of Planning commented that the Applicant had advised that the direct access onto the A1043 was only ever intended to be temporary. A legal mechanism, S106 Agreement, planned to ensure that the issue was enforceable and penalties would be incurred by the Applicant if the access was not removed.

The Chair of Nunthorpe Parish Council was elected to address the committee, in objection to the application.

In summary, the Chair of Nunthorpe Parish Council commented that:

- in terms of dwellings, the maximum figure for site as a whole was 250 as set out in the Local Plan, Persimmon planned to significantly exceed its fair share;
- with the 69 dwellings proposed, the density of the development remained excessive and the proposal provided Persimmon with an uncontrolled advantage over other developers;
- there was no right of way for pedestrians and cyclists to pass between the site and Nunthorpe Gardens and no evidence to demonstrate that the footpath and cycle link could even be achieved;
- the park and ride had not come forward and therefore the development was premature and in conflict with the Local Plan;
- it was difficult to understand how construction of housing could be shown to be compatible with the Housing Local Plan without the evidence of a joint commitment - by Middlesbrough Council, Redcar & Cleveland Council and Network Rail - to establish a park and ride adjacent to Nunthorpe Grange; and
- there was a sensitive boundary between the properties of Nunthorpe Gardens and the new estate.

The Head of Planning advised that the Local Plan had been published in 2014, and the Planning Inspectorate had determined that elements of that plan were considered relevant. However, the Planning Inspectorate had stated that policy H29 was partly out of date in identifying a maximum of dwellings across the wider site, as planning policy could not restrict the number of dwellings on the wider site to 250. It was advised that the number of acceptable dwellings on the site needed to be determined by compliance with the design standards as set out in the NGDC.

Members heard that, whilst full agreement in respect of the provision of the park and ride facility had not been secured, the application represented only one element of the wider Nunthorpe Grange site. Whilst the park and ride element of policy H29 had not been met, the Local Planning Authority was duty bound to consider the application submitted. It was commented that the lack of a full agreement in relation to the park and ride was not justification on its own to refuse the application.

In terms of the pedestrian footpaths and cycle routes via Nunthorpe Gardens, the Grampian condition would ensure those links were provided.

An objector was elected to address the committee, in objection to the application.

In summary, the Objector advised that:

- plot 46 would be located in close proximity to the boundary line of a property in Nunthorpe Gardens;
- a dwelling being built on plot 46 would result in overshadowing, overlooking and loss of privacy for the property; and
- Persimmon had acknowledged the detrimental impact of the proposed dwelling on the property but had not offered any solution.

A discussion ensued and Members were in agreement that the application should be deferred, for a period of six months, to ensure that:

- access via Nunthorpe Gardens for a pedestrian footpath and cycle route was secured; and
- agreement, in respect of the provision of a park and ride facility or the link road, was secured.

In addition, given the sensitive boundary line, Members requested that in order to mitigate the impact of the development on the amenity of residents, the Applicant should explore possible solutions with the relevant residents of Nunthorpe Gardens.

ORDERED that the application be **Deferred** for the following reasons:

To allow the developer to progress negotiations to ensure that access via Nunthorpe Gardens for a pedestrian footpath and cycle route is secured.

Prior to consideration of the following item, Councillor Coupe (Ward Councillor and Member of Stainton and Thornton Parish Council) went to sit in the public gallery.

22/0539/FUL Retrospective application for the erection of two storey dwelling with detached double garage (demolition of existing bungalow) at 8 Hemlington Road, Middlesbrough, TS8 9AJ for Mr S Watson

The above application had been identified as requiring a site visit by members of the Planning and Development Committee. Accordingly, a site visit had been held prior to the meeting.

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 retrospective permission was sought for alterations to a previous planning approval, which granted permission for the demolition of a bungalow and the erection of a two-storey dwelling and detached double garage at 8 Hemlington Road. The previous application had been approved by the Planning and Development Committee in November 2020 (20/0376/FUL).

Members heard that the Applicant was seeking retrospective consent for the following alterations to the previously approved plans:

- The site levels had been reduced by 0.47 metres towards the boundary with 10 Hemlington Road and by 0.6 metres towards Glebe Gardens. The building itself was the same height as was previously approved, but the site levels appeared not to have been reduced to the required levels at the point closest to 10 Hemlington Road. As a result, the overall height of the building was 0.47 metres higher. The additional 0.47 metres was not considered to have any significant impact in terms of the character and appearance of the street scene and the Stainton and Thornton Conservation area or in terms of having an overbearing impact on the neighbouring residential properties.
- The french doors and juliet balcony had been replaced with two separate windows on the first floor of the projecting two storey rear elevation, the triple pane window had been replaced with a door and side window on the first-floor rear elevation (resulting in a 0.3m increase in the height of the opening) and there had been an increase in the height of the window on the first floor front elevation by 0.3 metres. The revisions to

the previously approved french doors/juliet balcony and the first-floor windows on both the front and rear elevations were considered to have no additional impact in terms of loss of privacy or amenity to the neighbouring properties.

- In respect of the approved plans, the side elevation of the garage was 4.7 metres at the closest point from Glebe Gardens and the rear elevation was 1.5 metres from the boundary. The garage had been built 2.6 metres from the side boundary and 2.2 metres from the rear boundary. It was explained that the alteration would not impact on highway visibility, given its set back position.
- Solar panels had been positioned on the rear and side elevations of the roof. The photovoltaic panels had been installed within the rear/side elevations of the roof to reduce the visual impact on the appearance of the building and were therefore not considered to have a significant impact on the character and appearance of the area.

Following a consultation exercise, 1 neighbour objection had been received and there had been objections from Stainton and Thornton Parish Council. Those objections were detailed in the submitted report.

The changes to the approved scheme had been considered against their potential for harming the character and appearance of the host property, the surrounding area, the conservation area and the amenity and privacy of nearby properties. Whilst the changes being sought were not considered to be positive changes above the previously approved scheme, it was considered that on balance, the nature of the changes were not so significant as to warrant refusal of the application - given the property's position, design and relationship with surrounding properties.

A Member of Stainton and Thornton Parish Council was elected to address the committee, in objection to the application.

In summary, the Member of Stainton and Thornton Parish Council advised that:

- In July 2020 an application had been submitted to the Council for the demolition of the existing bungalow and the erection of a two storey dwelling with a detached double garage. As a result of the proposal, there had been a number of objections from local residents relating to the size and height of the new dwelling.
- Following consultation with the residents, revised plans had been submitted in October 2020, effectively reducing the overall height/ridge line and repositioning the detached garage.
- The revised plans had been submitted to the Council and were subsequently approved by the Planning and Development Committee, subject to conditions.
- The development had clearly not been built in accordance with the approved plans, and it appeared the dwelling had been built in accordance with the original plans that had been submitted in July and had received a number of objections.
- The approved plans had been completely disregarded and the dwelling had been built in accordance with unapproved plans, which had been rejected by the Council and residents.
- If the retrospective application received approval from the committee, the integrity of the Local Planning Authority would be jeopardised.

The Development Control Manager advised that if it was identified that a development was not being built in accordance with approved plans, and there was a perceived breach of planning control, a stop notice could be issued by the Local Planning Authority. It was added, however, that the issuing of stop notices could receive adverse challenge and it was therefore imperative that the issuing of such notices was both reasonable and proportionate. In respect of the retrospective application that had been submitted, minor alterations had been made and those changes had not resulted in a negative impact on the character of the area, amenity and privacy or highways. Therefore, the application was considered acceptable.

In respect of retrospective applications, the failure to comply with the details of the previous permissions was done at the Applicant's own risk. It was added that, retrospective planning applications were not uncommon.

The Applicant was elected to address the committee in support of the application.

In summary, the Applicant advised that:

- the unapproved changes made to the dwelling had been an oversight;
- it had been considered that solar panels were a permitted development;
- the changes made to approved plans were unintentional; and
- an apology was offered.

The Head of Planning advised that the installation of solar panels would have only become a permitted development when the building had been completed.

A Member expressed concern that the dwelling had been built in accordance with unapproved plans.

A discussion ensued and Members commented that the majority of alterations were minor. However, with regards to the door that had been installed on the first floor rear elevation of the property, Members highlighted the importance of the condition being imposed which prevented the use of the flat roofed area as a balcony or other outdoor seating.

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

22/20

DELEGATED PLANNING DECISIONS

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

Planning & Development Committee Schedule - 20 January 2023

Town Planning applications which require special consideration:

1	<p>Reference No: 22/0420/COU</p> <p>Ward: Marton East Ward buffer = Marton East Ward buffer = Marton West</p>	<p>Applicant: c/o SJD Architects Ltd</p> <p>Agent: SJD Architects Ltd</p>	<p>Description: Change of use from betting shop and post office (sui generis and E(a) use classes) to restaurant (E(b) use class)</p> <p>Location: Units 1B & 2, Marton Estate Square, Stokesley Road, Marton, Middlesbrough, TS7 8DU</p>
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2	<p>Reference No: 22/0665/COU</p> <p>Ward: Central Ward buffer = Central Ward buffer = Newport</p>	<p>Applicant: Middlesbrough Council</p> <p>Agent: Middlesbrough Council</p>	<p>Description: Change of use from retail to bar, food and mixed use Leisure Venue including outdoor roof terrace on 1st floor and cellar to the rear yard (Sui Generis)</p> <p>Location: 4/4A, Captain Cook Square, Middlesbrough</p>
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APPLICATION DETAILS

Application No:	22/0420/COU
Location:	Units 1B and 2 Marton Estate Square, Stokesley Road, Marton, Middlesbrough
Proposal:	Change of use from betting shop and post office (sui generis) and E(a) use classes) to restaurant (E(b) use class)
Agent:	SJD Architecture
Ward:	Marton East
Recommendation:	Refuse

SUMMARY

Planning permission is sought for the change of use of Units 1B and 2, Marton Estate Square, Stokesley Road from their current betting shop (sui generis) and post office (E(c)) uses to a restaurant (E(b)).

Following a consultation exercise, objections have been received that primarily relate to traffic matters and the existing high levels of car parking at the local centre. Additional concerns raised by objectors include the existing number of units trading hot food within the parade and the affect this will have on the amenities of the area.

The original Marton Estate Square development was granted planning permission in 2004 with a range of commercial and retail uses and associated area of car parking, all of which remain today. The current application seeks to re-occupy empty floorspace with a restaurant use.

Whilst the proposed restaurant is deemed to be an appropriate use in this Local Centre location and will not undermine the vitality and viability of the centre, the associated car parking for a restaurant use cannot be accommodated within the existing Local Centre and would have the unacceptable consequence of overspill customer and staff parking into the surrounding residential estates.

Given the above, and the reasons outlined in the detailed report, it is the officer recommendation to refuse the application.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is situated at the northern end of the Marton Road/Gypsy Lane Local Centre, more commonly referred to as Marton Shops. The main parade of shop units

(between Gypsy Lane and Laurel Road) was constructed at a similar time to the surrounding housing estates to provide the nearby residents with services and shops to fulfil daily needs.

The later expansion to the local centre, within Marton Estate Square, which is to the north of Laurel Road, was constructed approximately 20 years ago. The Marton Estate Square development added circa 1250 square metres of floorspace to the local centre and 25 parking spaces.

The two units that form part of the application are at ground floor level within Marton Estate Square and were previously in use as a betting shop and a Post Office (the betting shop ceased trading, whilst the Post Office downsized into the nearby Spar unit). The proposed restaurant would occupy the 207 square metres of floorspace vacated by these former uses.

No changes are proposed to the external elevations, with the minor exception of a new door on the rear elevation.

PLANNING HISTORY

M/FP/0802/03/P

Proposed commercial development comprising class A1 retail with class A2/B1 over

Refused 23rd July 2003

Allowed on Appeal on 20th April 2004

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:

CS4 – Sustainable Development
CS5 – Design
CS13 – Town Centres etc Strategy
REG29 – Local Centres
DC1 – General Development

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 the subject of the standard notification of neighbouring properties by letter drop, which includes 11 different addresses. Following the consultation period, four

objections were received – two from local ward Councillors Davison and Mawston, one from Marton Community Council, and one from Councillor Chris Hobson from the adjoining ward of Marton West.

Councillors Davison and Mawston submitted separate objections with similar content that can be summarised as follows.

- a) Existing traffic problems with the entrance to Marton Estate Square and exit to the main parade of shops being close to one another as well as a pedestrian crossing point.
- b) The site is only a few metres from the busy junction of Laurel Road and Stokesley Road (a road with about 25,000 vehicles a day usage).
- c) The car park associated with Marton Estate Square is already very busy, which provide many important services to our elderly community.
- d) There is not enough parking at the car parks with staff already parking on nearby streets, which is unpleasant for residents.
- e) More problems exist with cars parked at the Shops for dropping off and picking up of children at the nearby school.
- f) There are double yellow lines along Laurel Road which cause extra parking on The Willows.
- g) There are already seven takeaways and three restaurants in the Shops. An extra restaurant will have a detrimental effect on the area.

Neighbouring ward councillor Chris Hobson objects on the following grounds.

- a) The shopping parade is full of takeaways now we really do not want any more.
- b) There are more than enough eating places along this parade of shops. We certainly do not want anymore.

Marton Community Council objects on the following grounds.

- a) There are already five takeaways and three restaurants within Marton Shops.
- b) These shops are all situated on a very busy road.
- c) There is not enough parking as the car parks are not big enough. Staff of these establishments park on The Willows, Laurel Road and Gypsy Lane.
- d) Where the restaurant would be, the car park is required for essential services. There is a huge elderly community and these services are essential and we feel another café/restaurant in this area would cause parking problems for elderly residents.

Responses from Internal Technical Consultees

MBC Planning Policy

The proposed change of use to restaurant is in accordance with Policies CS4, CS13 and REG29, it is readily accessible by various modes of sustainable transport and as a town centre use it is considered complementary within the Marton Road/Gypsy Lane local centre. Furthermore, the re-use of a vacant unit will contribute to the vitality and viability of the overall centre. No objections to the principle of the proposed use at this site.

MBC Environmental Health

There are no objections subject to four conditions relating to noise mitigation, restrictions on deliveries and collections, restricting the hours of waste collection, and undertaking an odour impact assessment, should the application be approved.

MBC Waste Policy

No objections to the waste storage arrangements.

MBC Highway Planning

When considering the potential impact of the proposals, an assessment is made of proposals against the lawful fallback position. Using class A1 in the TVDG the 207sqm floorspace of empty units would require 7 spaces and 2 cycle spaces.

There are two methods to calculate the parking requirements for the proposed restaurant using the TVDG. The first is 1 vehicle per 2 seats (requires 21 vehicle spaces); the second is 1 vehicle space per 5sqm of internal public space (using 156sqm from the submitted drawing plan this would require 31 vehicle spaces and 15 cycle spaces) for this use. Whilst not a new development, the TVDG provides a good indication of the anticipated demand.

The number of spaces within the Marton Estate Square car park associated with these units is 25 spaces. The car park also accommodates vehicles for the existing units which would also be open during part of the proposed opening times for the restaurant being considered (7 days per week 12:00-22:00).

No servicing yard is available, so servicing of these units occurs within the car park area. The car park has private parking management restrictions which control the duration of stay and limits use of the area to customers.

The proposals would lead to an increase in required car parking between 14 and 24 car spaces. In the best-case scenario, the development proposals would require just under 50% of the available parking stock on its own.

Whilst the applicant has stated that much of the custom would be by non-car modes, officers consider that this cannot be substantiated or controlled through the granting of planning consent. It is the view of officers that it is more likely that the existing uses will attract higher levels of custom by foot/cycle as they are local facilities serving adjacent the adjacent residential areas. The proposed restaurant use would create a greater potential catchment area and draw people in from distances where car use is more likely to be the primary mode of travel, particularly later into the evening.

Car parking associated with the current use is more likely to be short stay and high turnover in nature, whereas a restaurant use will result in a longer stay and thus lower turnover of spaces. This will lead to less flexibility in the use of the parking as parking spaces are occupied for longer periods of time and thus not available for other units or their customers.

The level of staffing for the proposed restaurant is expected to be much greater than the current uses. Due to the car parking restrictions, staff would not be able to park within the car park and as such would park elsewhere, with adjacent public highway being the most likely location.

There is high demand on the existing parking spaces and complaints are received regularly from residents and elected Members about parking issues in the nearby residential streets and the need to enforce. Issues include vehicles regularly being parked obstructing footpaths, dropped kerb accesses to drives and in contravention of waiting restrictions. This has been exacerbated after time restrictions were introduced within the car park. It is understood staff now park in residential streets. Complaints are also received regarding loading/unloading being carried out from the highway again blocking accesses and causing congestion on Laurel Road. Complaints have also been received from residents on The Willows. Existing restrictions were renewed and additional advisory markings were installed to try to alleviate some of the parking issues associated with business. However, residents were hoping for resident parking restrictions to be introduced and such requests have continued. The enforcement requests as a result of parking associated with businesses places additional demand on the Authority's enforcement resources.

Officers have requested a parking beat survey, which would demonstrate whether parking capacity exists to serve the proposed development or what the shortfall is and the duration of time that it occurs for. The applicant has failed to demonstrate that sufficient parking stock is available to serve the proposed development. Development proposals are located within a local centre that is under high demand for parking, which is demonstrated by a frequent number of complaints from elected members and the public. This high demand in parking is seen in parking being displaced into surrounding residential areas and that which occurs in an indiscriminate manner with parking taking place on footways, over vehicle access points and around junctions. Parking occurs for extended periods of time as some is associated with staff based at the local centre.

As such the Highway Authority recommend refusal of the application on the above grounds.

Public Responses

Number of original neighbour consultations	11
Total numbers of comments received	4
Total number of objections	4
Total number of support	0
Total number of representations	0

PLANNING CONSIDERATION AND ASSESSMENT

Character of the Local Area

1. The local housing estates were predominantly constructed in the 1960s and 1970s and are based on a very conventional housing layout. The majority of houses are constructed in traditional materials, semi-detached in nature with a generous number and diversity of bungalows. The A172 runs north-south through the local area, with a principal focal point of the community being the parade of shops, widely known as Marton Shops, to the east of the main road.

National Guidance

2. The Government's guidance is set out in the National Planning Policy Framework (NPPF), which states that the general principle underlying the town planning system is that it is 'plan led'. Put simply, this means all proposed development that is in accordance with an up-to-date Local Plan should be approved. Proposed development that conflicts should be refused unless other material considerations indicate otherwise.

3. Specific Government guidance for sustainable economic development and building a competitive economy is held within chapter 6 of the NPPF. The chapter outlines the Government's commitment to ensuring that sustainable economic growth is supported by the planning system. It is stated that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It is the officer view that the occupation of the empty floorspace with the proposed development would improve the offer at the local centre and support economic growth and productivity.

4. Chapter 7 of the NPPF 'Ensuring the vitality of town centres' determines that LPAs should promote competitive town centres, provide customer choice and diverse retail offers; and enhance existing markets ensuring they remain attractive and competitive. Inclusive in this chapter is the requirement to define a network and hierarchy of town centres and promote their long-term vitality and viability, allows a mix of uses (including housing) and reflects their distinctive characters and to recognise that residential development plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites. The development sought here is considered to adhere to this broad statement as it continues an appropriate mix of uses that would allow the centre to sustain a healthy vitality and viability.

Local Policy Context and Appraisal

5. The Local Plan seeks to achieve the same principles as the NPPF. In terms of establishing an order of centres, the Local Plan identifies centres across the town and distinguishes their roles in the form of a hierarchy. The application site lies within a recognised local centre, as defined under Policy CS13 of the Middlesbrough Core Strategy, which states that development proposed within local centres must meet local needs and would be of a scale appropriate to the centre and will not adversely impact upon the vitality and viability of other nearby centres. The Policy states that the above shall be achieved through encouraging retail, commercial, leisure and cultural development within a centre of an appropriate type and scale commensurate with its current and future function, as well as safeguarding the retail character and function of centres by resisting development that detracts from their vitality and viability.

6. Policy REG29 recognises the role of local centres and allows for development of an appropriate scale for the centre that fits in with the surroundings and serves a local catchment area. The Policy also states what uses would be considered acceptable and that, either on their own or cumulatively, these shall not impact upon the vitality or viability of centres. As well as A1 uses being considered acceptable, the Policy states that A2 and A3 uses could also be considered acceptable subject to not detracting from the vitality and viability of the centre, and not detrimentally impacting on the character and amenity of the surrounding area.

7. Since the publication of the Local Plan, the use class order has been amended with uses A1, A2 and A3 being redefined as E(a), E(c) and E(b) respectively. The proposed restaurant would fall within category E(b) and deemed acceptable in principle, subject to

considering the impacts on vitality and viability, as well as the character and amenity of the surrounding area.

8. In seeking to maintain and enhance the vitality and viability of the local centre, it is important to ensure that the ratio of retail to non-retail units is such that the retail function of the area is not undermined. On a recent survey of the units at Marton Shops, there were determined to be a total of 30 units in the centre.

- 11 retail uses (Use Class E(a), formerly A1),
- 7 offices / restaurants / café's (Use Class E(c) or E(b), formerly A2 and A3),
- 11 sui generis uses (being generally hot food takeaways or beauty salons),
- 1 dentist falling into the E(e) (former D1) use.

9. Whilst the ratio of retail units is considered to be relatively low, of the non-retail uses, many of them are deemed to be uses that encourage footfall during the day in the same way retail uses do, thereby supporting the vitality and viability of the centre. Whilst the proposed restaurant use would remove an E(a) use, it also removes a non-retail use and also introduces one that is deemed to encourage footfall at different times of the day (lunch times and evenings), and therefore supporting the vitality of the local centre.

10. Policy CS4 requires all development to contribute to achieving sustainable development by creating inclusive communities, ensuring everyone has access to facilities that they need in their daily lives, promotion of a healthier and safer community, being located so that services and facilities are accessible on foot or by sustainable transport, making the most efficient use of land with priority given to development on previously developed land, protecting biodiversity assets, and by delivering development of a high quality design that improves the townscape. Being surrounded by housing as well as being alongside the A174, the site is considered to have good links to sustainable transport. In addition, the occupation of vacant units is considered to make the most efficient use of land and in accordance with CS4.

Considerations on Amenity

11. Mindful of the operations associated with a proposed restaurant use, consideration needs to be had to the potential impacts on the residential amenities of nearby occupiers. As the closest residential dwelling to the application site is immediately adjacent – No. 1 Laurel Road – it is important that any noisy operations or those capable of disturbance are minimised.

12. It is noted that a similar use – Jolsha restaurant – occupies the floor above the proposed restaurant and operates without undue harm to the living conditions of the residential occupiers at No. 1. It is the officer view that a similar use at ground floor level would have a similar relationship with the neighbouring residential property, and restrictive conditions on hours of opening, bin collections and goods deliveries would enable the proposal to operate without adversely affecting amenity. The application proposes opening hours between noon and 2200 seven days a week, which are considered to be acceptable hours that would not significantly affect local amenity.

13. Moreover, customers leave the premises at the front, which is away from No. 1 Laurel Road and other nearby residential properties, so any potential disturbance from customers would largely be confined to the car parking area. Notwithstanding the similar existing uses and requested opening hours, to further safeguard nearby residents, the

Council's Environmental Health service has recommended (if Members were to support the application) a condition for a noise assessment to be carried out that would consider the current levels of attenuation and ensure that the levels of noise mitigation meet British Standards.

14. As well as noise and disturbance, it is the recommendation of the Environmental Health service to undertake an odour assessment, which would identify the impact of cooking odours to the local surrounds and how to protect residents from any identified harm. The drawings show that the extraction of odours would terminate through a vent on the northeast elevation, adjacent to the residential property of No. 1 Laurel Road. Concerns are raised, however, that if this ventilation point proves to be insufficient to discharge odours, an alternative solution would be required which could include the need for an external flue that may be visually prominent and unable to be supported from a Planning perspective.

Highways Considerations

15. As the proposal relates to the use of existing floorspace, it is necessary to consider the potential impact of the proposals relative to the lawful fallback position (the use of the existing units without the need for further planning consent).

16. The previous use of the two units were a betting shop and post office. Using the Tees Valley Design Guide (TVDG), these uses would require seven spaces (based on the proposed 207 square metres of floorspace provided) and two cycle spaces.

17. Using the TVDG, there are two methods for calculating the required spaces for a proposed restaurant. The first method is to require one vehicle per two seats, which would require 21 vehicular spaces; the second method is one space per 5 square metres (public space). Using 156 square metres from the plan, this would require 31 vehicular spaces to be provided and 15 cycle spaces. Whilst it is acknowledged that this is not new development, the TVDG provides a good indication of the anticipated demand.

18. The number of spaces within the car park associated with the units at Marton Estate Square is 23, plus two accessible bays (25 in total). As well as the proposed use, the car park serves the other five uses within Marton Estate Square, which would also be open during part of the proposed opening times for the restaurant being considered.

19. No servicing yard is available at Marton Estate Square, so servicing of these units occurs within the car park area. The car park has private parking management restrictions which control the duration of stay and limits use of the area to customers.

20. Based on the above, the proposals would lead to an increase in required car parking to the design guide standards of between 14 and 24 car spaces. In the best-case scenario, the development proposals would require just under 50% of the available parking stock on its own.

21. Concerns have been relayed to the applicant, who has stated that much of the custom to the proposed restaurant would arrive by non-car modes. Despite these assurances, there are concerns from the council's highways team that this cannot be relied upon, substantiated nor controlled through the granting of planning consent.

22. It is the view of Highways Officers that it is more likely that the extant uses will attract higher levels of custom by foot/cycle, as they are local facilities serving adjacent the adjacent

residential areas. The proposed use as a restaurant is likely to create a greater potential catchment area thus drawing people in from distances where car use is more likely to be the primary mode of travel, particularly later into the evening.

23. Highways Officers consider the car parking associated with the current uses is more likely to be short stay and high turnover in nature, whereas a restaurant use will result in a longer stay and thus lower turnover of spaces. This will lead to less flexibility in the use of the parking as parking spaces are occupied for longer periods of time and thus not available for other units or their customers.

24. As well as customer parking provision, consideration needs to be had to potential staffing demand. The level of staffing that could reasonably be expected to operate the current use of the units is very low (one or two staff), whereas the proposed development use is likely to have a higher staffing requirement (various kitchen staff, manager, waiting staff, cleaners etc). Due to the car parking restrictions, staff may not be able to park within the car park and, consequently, may need to park elsewhere, with adjacent public highway being the most likely location.

25. The Council's Highways service is aware of high demand for the existing spaces and has received regular complaints about parking issues in the nearby residential streets. This was exacerbated when time restrictions were introduced within the car park, which prevent staff using the car park and has resulted in many staff working in the associated businesses parking their vehicles in the surrounding residential streets. This has prompted regular complaints/requests for enforcement (monthly) from residents and elected members regarding vehicles regularly being parked obstructing footpaths, dropped kerb accesses to drives and in contravention of waiting restrictions. Complaints are also received regarding loading and unloading being carried out from the highway again blocking accesses and causing congestion on Laurel Road. Complaints (separate to this application) have also been received from residents on The Willows and existing restrictions were renewed, and additional advisory markings were installed to try to alleviate some of the parking issues associated with business. However, residents were hoping for resident parking restrictions to be introduced and such requests have continued. The enforcement requests because of parking associated with businesses, places additional demand on the Authority's enforcement resources.

26. During the application, Officers requested a parking survey to be undertaken, which would clearly demonstrate whether available parking capacity exists to serve the proposed development or, if not, what the shortfall is and the duration of time that it occurs for. Such information would have enabled a clearer assessment to be made, although the applicant was unwilling to carry out such a survey.

27. As well as not carrying out a parking survey, the applicant has failed to demonstrate that sufficient parking stock is available to serve the proposed development. The above has laid out that the development proposals are located within a local centre that is under high demand for parking, and this is demonstrated by frequent complaints from elected members and the public. This high demand is seen in parking being displaced into surrounding residential areas, which often occurs in an indiscriminate manner with parking taking place on footways, over vehicle access points and around junctions. Parking occurs for extended periods of time, as some is associated with staff based at the local centre. In view of these matters the Highway Authority has recommended refusal of the application.

28. The Marton Estate Square development was granted planning permission in 2004 with a provision of 25 parking spaces to serve the proposed units. The permission allowed retail use only at ground floor level and office use at first floor level.

29. It is noted that the existing Jolsha restaurant was granted planning permission in 2009. Not being a retail use, consideration was needed of the likely impact of the restaurant on the parking availability owing to the greater number of parking spaces required for a restaurant use. The Jolsha restaurant, however, sought consent for hours of opening between 1730 and 2300, which were deemed to be acceptable as these times would be when the majority of units at Marton Estate Square closed. This meant that the existing car park would be available for customers and staff of the restaurant.

30. The proposed restaurant as part of the current application, however, seeks hours of opening of 12 noon until 2200. This means that the proposed restaurant use would be open at times that most of the units in the parade would be open and, therefore, puts extra demand on the car parks serving the shopping parade. As the applicant has not demonstrated that the existing car park is capable of accommodating the proposed use, it is considered likely that customers and staff will be required to park elsewhere, which is expected to be the surrounding housing estates, to the detriment of the local area.

Conclusion

31. The proposed restaurant in the Marton Shops Local Centre would be deemed an acceptable use in principle, not being considered harmful to the balance of retail and non-retail uses, and would retain the vitality and viability of the centre. It has been concluded, however, that the parking required for such a development would be significantly harmful to the local area, as the existing provision of parking at the centre is considered insufficient to accommodate the parking requirements of the likely numbers of customers and staff.

32. The Council is aware through a high volume of complaints and reports that the parking of vehicles of customers and staff for the existing centre uses overflows into the local housing estates to the detriment of their residential amenity through indiscriminate parking. The introduction of another restaurant use, which would open during the day and competing for parking spaces, would further burden the surrounding housing estates with parking.

33. The officer recommendation is to refuse.

RECOMMENDATIONS AND CONDITIONS

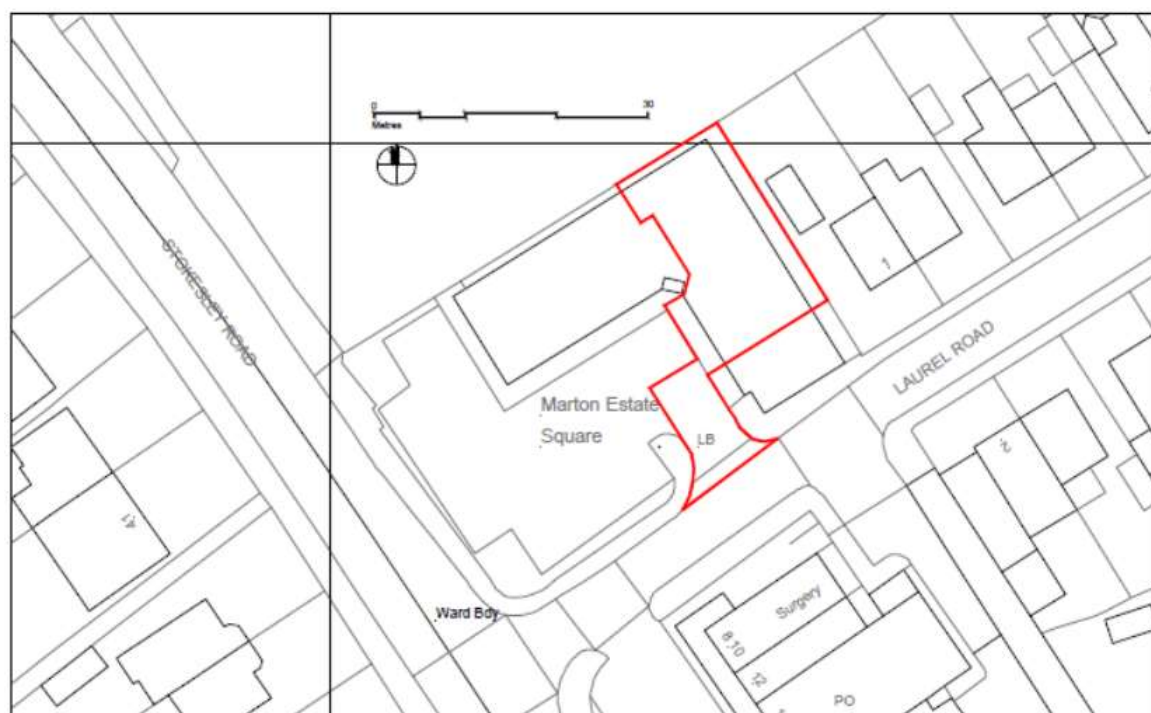
Refuse for the following reason

In the opinion of the Local Planning Authority, the proposed restaurant is considered to be an unacceptable form of development owing to the expected high levels of parking required, which would have a significant harmful impact on the local area. The existing car park at the Marton Shops Local Centre is under high demand which is shown through overflow and indiscriminate parking into the surrounding housing estates. It is considered that the proposed restaurant would exacerbate this situation, affecting the character of the

surrounding area, and will result in the loss of amenity for local residents, contrary to local policies DC1(a), (b), (c) and (d), and REG29(e) of the Council's Local Plan.

Case Officer: Peter Wilson

Committee Date: 20th January 2023



LOCATION PLAN SCALE : 1:1250@A1 1:2500@A3

APPLICATION DETAILS

Application No:	22/0665/COU
Location:	4/4A, Captain Cook Square, Middlesbrough
Proposal:	Change of use from retail to bar, food and mixed use Leisure Venue including outdoor roof terrace on 1st floor and cellar to the rear yard (Sui Generis)
Applicant:	Middlesbrough Council
Agent:	Middlesbrough Council
Ward:	Newport
Recommendation:	Approve with conditions

SUMMARY

Planning permission is sought for the change of use of a vacant retail unit within the Town centres primary shopping area to a bar and restaurant (sui generis) and for a first-floor outdoor seating area to provide limited bar/food area.

Being a town centre use the principle of the proposed use in this location is considered acceptable. Local Plan Policy REG21 defines this area as being primary shopping frontage which is aimed at retaining retail uses within this location. Policy REG21 sets out that there should be no more than 15% non-retailing uses within the primary shopping front areas of the town centre. The October 2021 survey established 15.7 % non-retail uses within the primary shopping frontage designation with a further slight increase in this figure following the recent approval of the E Gaming centre at Unit 5 Captain Cook Square.

The proposal will result in the loss of a single retail unit but will provide a new leisure use and result in the re-occupation of a large vacant unit, providing additional footfall within this section of the town centre and additional employment opportunities that will assist in improving the vitality and viability of Captain Cook Square and the wider town centre.

The external changes to the building including the single storey extension and acoustic fencing around the roof terrace area will be to the rear of the building and given the locations will not have a significant impact on the character and appearance of the area.

The proposed acoustic fencing to the outdoor seating area is in accordance with the submitted noise report mitigation measures and will reduce any potential noise impacts on the occupants of the nearby premises.

Despite there being no parking provision for the intended use, the application site is considered to be within a sustainable location within the town centre and within close walking

distance to good public transport links such as the bus station and train station and there are public car parks in close proximity.

No objections have been received in relation to the proposal and the application is recommended for approval subject to conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is Unit 4/4A Captain Cook Square a two-storey building located within Middlesbrough Town Centre. The building has a rear service yard accessed from Grange Road and Smith Street.

The application site forms one of several similarly designed modern commercial buildings that front the pedestrianised area at Captain Cook Square. To the north of the site is Middlesbrough Bus Station and to the west is a pedestrian footpath link to the Captain Cook multi-storey car park. Immediately to the south are terraced properties along Grange Road and residential properties located around Stephenson House, Hardwick House and Runswick House.

The proposal is for the change of use of the vacant retail unit to a bar and restaurant with an outdoor first floor roof terrace (Sui Generis). There will be no alterations to the unit frontage with external alterations including the removal of part of the side boundary wall to the service yard and a single storey cellar extension.

The extension will project 5.8 metres with a height of 3 metres and a width of 6.2 metres with a double set of doors on the rear elevation. The proposed outdoor roof terrace will include the installation of a 3-metre-high acoustic fence internally around the existing perimeter wall. With the fence height siting approximately 1.5 metres above the existing wall height.

The applicant has submitted a Design and Access Statement and a Noise Report in support of the application

PLANNING HISTORY

Previous planning history for the site includes:-

M/FP/0254/02/P – New Frontage, approved April 2002

M/ADV/0253/02/P – 2 No internally illuminated fascia signs, approved April 2002

M/FP/0934/02/P – 1m dia. satellite dish on wall mount at roof level, approved September 2002

M/FP/2424/01/P – Change of use to Class A2 Betting shop, approved January 2002

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:

Housing Local plan (2014)
H1 - Spatial Strategy

Core Strategy DPD (2008)
CS4 - Sustainable Development
CS5 - Design
CS13 - Town Centres etc Strategy
CS14 - Leisure Development
CS18 - Demand Management
DC1 - General Development

Regeneration DPD (2009)
REG20 - Principal Use Sectors
REG21 - Primary Shopping Frontage

Supplementary Planning Documents
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

There have been no comments received following the neighbour's consultation and the site notices.

Public Responses

Number of original neighbour consultations	130
Total numbers of comments received	0
Total number of objections	0
Total number of supports	0
Total number of representations	0

The following comments have been received from the statutory consultees.

MBC Planning Policy (in summary)

National Planning Practice Guidance 'Town centres and retail' explains that a wide range of uses can, if suitably located, help to support the vitality of town centres; with evening and night-time activities having the potential to increase economic activity and provide for additional employment opportunities.

Most recent figures (October 2021) for Middlesbrough's primary shopping frontage designation show a percentage of 15.7% non-A1 uses, slightly above the 15% threshold, therefore the use as bar and leisure in this location could be deemed contrary to Policy Reg21. However given recent changes in the dynamics of both shopping and leisure patterns, and in order to promote the long term vitality and viability of the town centre, it is considered a more

flexible approach should be taken in respect of the primary shopping frontage policy. An approach that, in accordance with the NPPF 'Ensuring the vitality of town centres', allows the town centre to grow and diversify in a way that can respond to rapid change in the retail and leisure industries, allows a suitable mix of uses and reflects their distinctive character. It is therefore considered that, as a main town centre use, the use of leisure development in this location is, in principle, acceptable; although not a direct A1 retail use it is considered the development will create employment opportunities and support the long-term vitality and viability of Captain Cook Square and the wider town centre.

MBC Environmental Protection (in summary)

No objections subject to conditions restricting delivery and collection times, refuse collection times, submission of an odour and particulate impact assessment and the use being developed in accordance with the submitted noise assessment report (R1-05.08.22).

PLANNING CONSIDERATION AND ASSESSMENT

The main considerations with this proposal are the principle of development, the impact on amenity, impact on the character and appearance and highway safety.

Policy Context

Planning legislation requires that planning applications should be determined in accordance with the relevant development plan in force unless material considerations indicate otherwise. In addition, the National Planning Policy Framework (NPPF) as revised in 2021, is a relevant material consideration. The NPPF states that applications should be determined giving due weight to local planning policies in accordance with their consistency with the revised Framework, with greater weight given the closer policies are to those in the Framework (para 219) and where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. As such, the Middlesbrough Local Plan and associated policies are the starting point for decision making with those of most relevance listed in the earlier section of this report.

As a matter of principle both the Local Plan and NPPF require development to be sustainable and to make an efficient use of land and buildings.

Policy REG20 (Principle Use Sectors) identifies the retail sector as a primary retail area uses A1, A2 and A3 (now 'E' uses) as being the most suitable with specific reference to the primary shopping frontages as being for retail use. Policy REG20 sets out that other complimentary uses may be acceptable providing they do not harm the principal function and character of the shopping area or impact on the vitality and viability of the town centre.

Policy CS13 seeks to protect and enhance the hierarchy of vital and viable town, district, local and neighbourhood centres in Middlesbrough by seeking to safeguard their retail character and function and resisting developments that will detract from the vitality and viability of the core retailing function of the town centre.

Additionally, to ensure the primary retail function within key areas of the town centre, Policy REG21 sets out that the proportion of non-retailing uses within the primary shopping frontages should not exceed 15% and that concentrations of non-retail uses should be avoided. The

recent town centre survey completed in October 2021 shows the percentage of units being non-A1 use (now E(a) use) for the primary shopping frontage area as 15.7 %.

With specific reference to the primary shopping frontages, Policy REG21 identifies use class A1 (retail) as the most appropriate. Other uses within class A2 (financial/professional services), A3 (restaurants and cafes) and other complimentary uses may be acceptable providing they do not harm the function and character of the shopping area, nor impact on the vitality and viability of the town centre. The Use Class order was amended in September 2020 which means A1, A2 and A3 uses now fall within retail E(a), Financial and professional services E(c) and cafes/restaurants E(b).

Principle of the change of use

The proposal relates to a use which is in line with the types of uses supported by Policy REG 21 and is located within a highly sustainable location, given the building is within the town centre and within walking distance of Middlesbrough bus and train stations. The proposal is therefore considered to be within a highly sustainable location in line with both local and national policies. In addition, the re-use of a large vacant building within the town centre is considered to be a positive improvement to the vitality and viability of this area of the town centre and will contribute to the planned and approved leisure uses within Captain Cook Square. In this respect, the proposal is considered to be in accordance with the general principles of Local Plan Policies CS4 and CS5.

The proposed use is considered to provide a leisure destination within the town centre. The use will provide additional footfall within this section of the centre that will assist in supporting the vitality and viability of the town centre and is considered to be in accordance with the principles set out within Policies REG 20 and REG21.

The percentage of non-retail uses will be slightly above this 15.7 % figure given the recent approvals for the Gaming use at Unit 15 Captain Cook Square. Therefore, this proposal would be contrary to the guidance set out in Policy REG21 retailing to the protection of the retailing function of the primary shopping area and consideration therefore needs to be given as to whether there are material planning considerations that would promote a decision away from this policy guidance.

The application site is located within the primary shopping frontage. However, the location of the unit is away from the main prominent core shopping centres (Hill Street/ Dundas and Cleveland Centre) and the main through routes in the centre e.g Linthorpe Road/ Corporation Road. The location of the unit is positioned on the outer edge of the primary shopping frontage area where there is a significant proportion of retail uses and as such will not provide a break within the existing primary shop frontages.

The proposed leisure use will attract additional footfall into the town centre and is likely to be open during the day and in the evening, providing further benefits to the vitality and viability of this section of the town centre outside of normal shop hours. The intended bar and restaurant use is considered to further compliment the recent planning approvals for leisure uses within the Captain Cook Square and will contribute further to the vitality of this section of the town centre, assisting with the re-purposing of the Captain Cook Square from a retail location to a leisure destination through the grouping of similar uses.

The application site is currently vacant with a boarded-up shop front. The proposed use of both floors of this large building that fronts Captain Cook Square is considered to provide an active frontage within this location.

Policy CS14 established that the Council will work with partner organisations to ensure the provision of a wide and accessible choice of leisure facilities for the community and to reinforce Middlesbrough's role at the heart of the Tees Valley. Policy CS14 (a) sets out this will be achieved through the promotion of the town centre as a sub-regional leisure destination both in the daytime and during the evening. The proposed use of the building as a bar and restaurant use and the potential operating hours is in line with the aims of Policy CS14.

The council's planning policy team has advised that the National Planning Practice Guidance '*Town centres and retail*' explains that a wide range of uses can, if suitably located, help to support the vitality of town centres, with evening and night-time activities having the potential to increase economic activity and provide for additional employment opportunities and that given recent changes in the dynamics of both shopping and leisure patterns, and in order to promote the long term vitality and viability of the town centre, a more flexible approach should be taken in respect of the Local Plan's primary shopping frontage policy. An approach which, in accordance with the NPPF '*Ensuring the vitality of town centres*', will allow the town centre to grow and diversify in a way that can respond to rapid change in the retail and leisure industries, allow a suitable mix of uses and reflect the distinctive character of the town centre.

The proposal is considered to align with the consultation advice from the Planning Policy team and is considered to be in accordance with principles of the Local Plan Policies, creating employment opportunities and supporting the long-term vitality and viability of Captain Cook Square and the wider town centre.

Character and appearance

Policy CS5 (c & f) comments that new development should secure a high standard of design, should be well integrated to the immediate and wider context and should enhance the built and natural environments.

Policy DC1(b) (General Development) comments that '*the visual appearance and layout of the development and its relationship with the surrounding area in terms of scale, design and materials will be of high quality*'.

The external alterations proposed include a single storey flat roof cellar extension to be located within the rear yard area and installation of the acoustic fencing around the perimeter of the proposed roof terrace. The location of the external changes to the rear of the building mean they will not be visible from the main pedestrianised area of Captain Cook Square and are relatively small scale in the context of the overall site / buildings.

The proposed extension and acoustic fencing around the first-floor outdoor seating area will be visible from the rear of the properties along Grange Road and from Davison Street. The extension will be the same materials as the existing building. The design, scale and location of the single storey extension within the existing service yard area means the extension is considered to have no significant impact on the character and appearance of the area.

The acoustic fencing will be fixed to the existing wall around the perimeter of the proposed roof terrace and will therefore sit approximately 1.5 metres above the boundary wall. Whilst it would be preferable for the materials to be brickwork to match the existing boundary wall,

given the fact the proposed first floor seating area is to the rear of the building and not highly visible from the wider area, the proposed fencing is in this instance considered to have no significant impact on the overall character and appearance of the street scene.

The front of the ground floor of the building is currently boarded up. This proposal includes no alterations to the existing frontage of the unit and if changes are required this would be subject to a separate planning application.

These proposed external alterations are considered to be in line with the guidance set out within Core Strategy Policies CS5 (c&f) and DC1 (b).

Impacts on surrounding amenity

Both the NPPF (paragraph 130 (f) and Local Plan Policy DC1(c) require all development proposals to take account of their effects upon the surrounding environment and amenities of occupiers of nearby properties.

The application site is located within an established commercial location within the town centre. The frontage of the building faces towards the pedestrianised public realm area of Captain Cook Square. The building is located within the outer edge of Captain Cook Square with residential uses within close proximity to the south along Grange Road, Monkland Close and St Aiden Drive. There is an existing level of background noise which will be apparent to these residential properties given their proximity to the units with Captain Cook Square and this has been factored into the consideration of the proposed bar/restaurant use and the outdoor terrace

The proposed use will operate between 9am until 2 am and will include the conversion of the existing roof into an open roof terrace. A noise assessment has been submitted in support of the proposal and considered the noise impacts on the neighbouring properties including the closest residential properties on Grange Road which have windows within 14 metres of the site. The noise assessment references the existing background noise levels which are apparent within the town centre. During the evening the main noise sources were from commercial plant machinery with the source being from the nearby McDonalds which is turned off at 1am. The noise assessment suggested the following mitigation measures: -

- the installation of a 3-metre-high acoustic fence within the existing boundary wall of the roof terrace
- the operation of the roof top terrace until 1am.
- Noise management plan to minimise shouting
- Amplified music system to be set to appropriate background measures
- Internal noise within the venue to be sufficiently contained by the envelope of the building

The Environmental Health officers have considered the noise assessment report and mitigation measures provided and no objections to the proposal subject to conditions. Namely that the proposal should be in accordance with the noise assessment mitigation measure with further conditions including the submission of an odour and particulate assessment and restrictions on the hours for deliveries and collections and refuse collection.

A condition has been placed on the application to ensure that should the levels of noise within the outdoor roof terrace exceed the levels set out within the noise assessment report the use of the outdoor roof terrace would cease until a further noise survey reports and mitigation measures have been submitted to the Local Authority for consideration.

Although not specifically requested by the Environmental Health officers, given the proximity of the roof terrace to the neighbouring residential properties along Grange Road it is considered appropriate to place a condition on the proposed use to restrict any amplified music within this outdoor seating area.

The proposed use is likely to potentially increase the number of pedestrians and associated traffic within the area, particularly within the nearest street which is Grange Road. The site is considered to be within a highly sustainable location within close proximity to the bus and train stations and town centre car parks. Pedestrian access to the site is provided not only from Grange Road but also from several pedestrianised through routes leading to Captain Cook Square. The sustainable location of the site will assist in limiting any potential increase in the level of noise from pedestrians and traffic which would result from the proposed use.

In view of the sites location in the town centre, and not directly adjacent (frontage) to the nearest housing and the mitigation measures proposed, it is considered that the proposal will not result in any undue impacts on residential amenity in the area subject to conditions.

Highways

The application site is located within the town centre in close proximity to both private and council car parks. Captain Cook Square itself has a multi-storey car park with a pedestrianised footpath link directly to the application site. The site is also well served by public transport link with Middlesbrough Bus Station within close walking distance and Middlesbrough Train Station. As such, there should be no adverse impacts on highway provision or safety as a result of this proposal.

The proposal will not alter the existing bin storage or service arrangements with a large service yard located to the rear of the building.

Conclusion

The proposed use is a town centre use and is appropriate in principle within the town centre, it will support the diversification of this area to a leisure destination and without having any notable detrimental impacts to the primary retailing function of the town centre, in accordance with local and national planning policy and guidance. The proposed design and scale of the external alterations are considered to have no significant impact on the character and appearance of the building or the surrounding area. The location of the proposed use within the Town Centre where there is an element of existing background noise and the proposed mitigation measures means there is considered to be no adverse impact on the amenity of the neighbouring premises.

RECOMMENDATIONS AND CONDITIONS

Approve with conditions

1. Time Limit

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: In order to comply with the requirements of Section 91 of the Town and

Country Planning Act 1990 (as amended).

2. Approved Plans

The development hereby approved shall be carried out in complete accordance with the plans and specifications detailed below and shall relate to no other plans:

- a. Existing floor plans and site location plan drawing 01 dated 18th October 2022
- b. Proposed floor plans drawing 02 dated 18th October 2022
- c. Existing and proposed elevation drawing 3(a) dated 3rd January 2023
- d. Proposed acoustic fence drawing 04 dated 12th December 2022

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

3. Opening Hours

The use of the main building hereby approved shall not be open to visiting members of the public outside the hours of 9am and 2am Monday to Sunday and the first floor outdoor seating area shall not be used by visiting members of the public outside the hours of 9am and 1am Monday to Sunday.

Reason: To prevent undue detrimental impact on residential amenity in accordance with the requirements of Local Plan Policy CS5.

4. Odour and Particulate Impact Assessment

Prior to the commencement of the use of the development an odour and particulate impact assessment shall be provided by a competent and suitably experienced, specialist air quality or odour consultant and approved in writing by the local planning authority. The assessment shall identify the impact of cooking odours and grease released to the air from the premises and detail methods to control them to prevent harm to the amenity. The report shall be carried out in accordance with the EMAQ guidance "Control of Odour and Noise from Commercial Kitchen Exhaust Systems" 2018 or an alternative appropriate assessment tool agreed in advance with the Local planning Authority. The report should include details of the position of internal ventilation extraction canopies, the position and height of the flue outlet and the type of filtration and or odour control units or other fume treatment to be installed. The systems and filtration and odour control units shall be installed and maintained in accordance with the manufacturer's recommendations including the frequency of replacement filters.

Reason ; To ensure a satisfactory form of development in the interests of the amenities of residents having regard for Policies DC1. CS5 of the Local plan and section 12 of the NPPF.

5. Delivery/Collection Hours

Deliveries and collections to the rear of the premises including waste collection must be restricted to between the hours of 8 am and 7pm Monday to Saturday and 9:30am and 6:30 pm Sunday.

Reason: In the interests of amenity of residents having regard for policy DC1 of the Local Plan and section 12 of the NPPF

6. Acoustic Fencing

The acoustic fencing shown on the approved plans shall be installed prior to the commencement of the use of the roof terrace area and shall be maintained and retained for the lifetime of the development, unless otherwise agreed in writing with the Local Planning Authority.

Reason : In the interests of the amenity of the neighbouring premises and to accord with Core Strategy policy DC1

7. External amplified systems

No speakers, tannoy, address system or amplified music system shall be installed or operated to the exterior of the building or in any external areas.

Reason: In the interests of amenity of residents having regard for policy DC1 of the Local Plan and section 12 of the NPPF

8. Roof Terrace

The outdoor roof terrace hereby approved shall be carried out in accordance with the mitigation measures set out within the noise assessment report 22221310-AJN dated 5th August 2022. In the instance of the scheme of noise mitigation failing to achieve the levels detailed within the submitted report and at the written request of the Local Planning Authority, the use of the outdoor roof terrace shall cease until further noise mitigation measures are implemented on site to achieve the noise levels detailed within the report. Any additional measures required as a result of this condition shall be retained in operational order for the lifetime of the use of the roof terrace.

Reason: To ensure a satisfactory form of development in the interests of the amenities of residents having regard for policies DC1, CS5 of the Local Plan and section 12 of the NPPF.

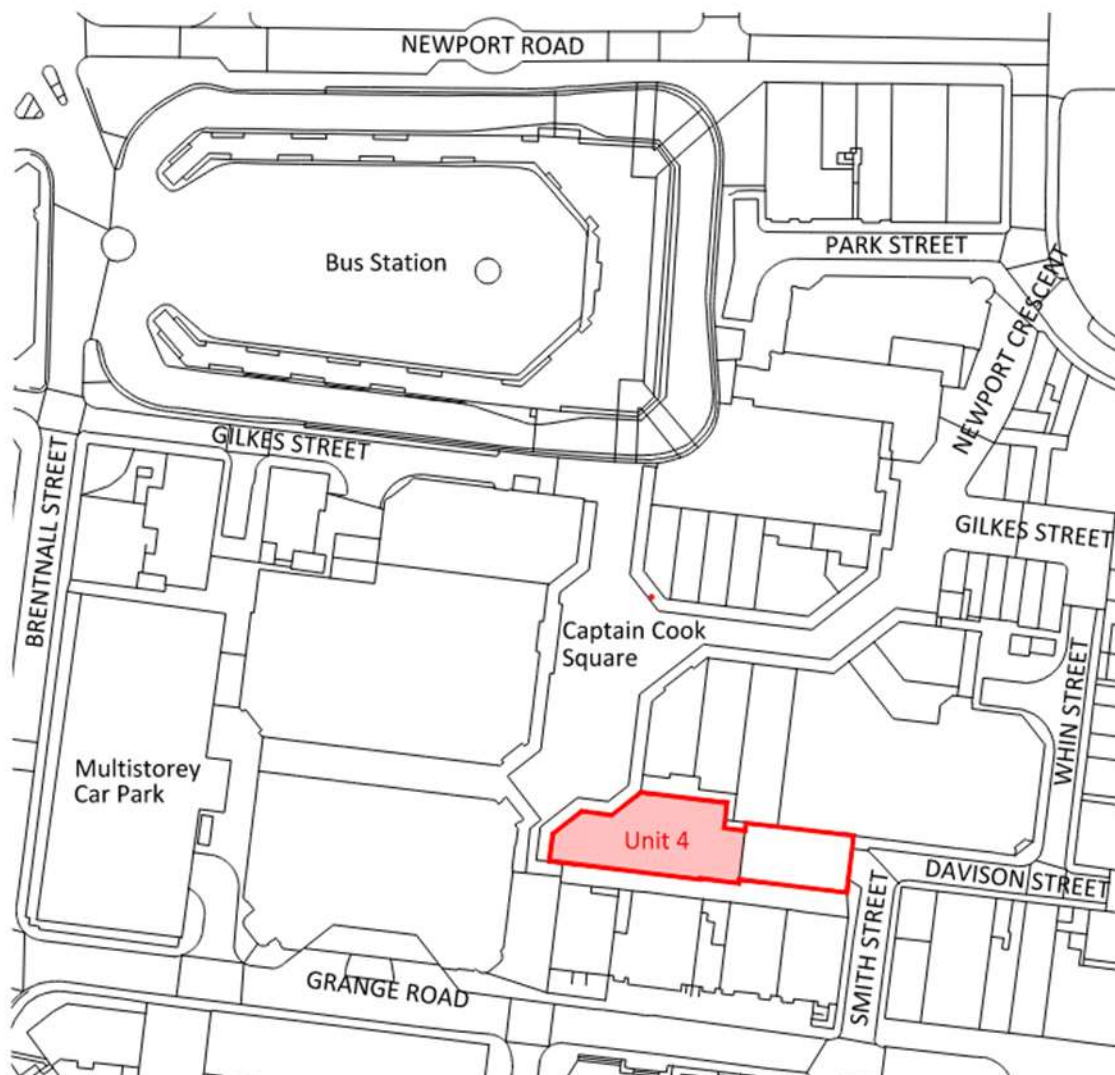
Reason for approval

The proposed change of use will introduce new uses to the town centre, bringing additional footfall, vitality and viability to the town centre without unduly harming the retailing function of the town centre, and is considered to be a sustainable and appropriate location for a use of this type without having undue impacts on surrounding premises or their associated uses including the nearby residential properties or on the character and appearance of the area, in accordance with the guiding principles of both national planning policy guidance and the relevant Local Plan Policies.

Case Officer: Debbie Moody

Committee Date: 20th January 2023

Appendix 1. Site Location Plan



Case Reference	Main Location	Proposal Description	Applicant	Despatch Date	Decision
22/0630/FUL	31, Pinewood Road, Middlesbrough, TS7 8DB	Two storey extension to rear	Hussain	Tuesday, 08 November 2022	Approve with Conditions
22/0704/CLD	34, Seamer Road, Middlesbrough, TS8 9DG	SINGLE STOREY SIDE EXTENSION	Mr & Mrs Christon	Tuesday, 08 November 2022	Approve
22/0634/FUL	82, Clevegate, Middlesbrough, TS7 ORB	Single storey rear extension, pitched roof over front protrusion and changes to windows/doors to rear	KERRY SEDGWICK	Wednesday, 09 November 2022	Approve with Conditions
22/0650/PNH	36, The Avenue, Middlesbrough, TS7 OAR	Single storey rear extension (eaves 2.6m, height 2.6m, length 5.7m)	Sam Rhucroft	Thursday, 17 November 2022	Refused
21/0438/DIS	Baker Furniture Ltd Romaldkirk Road Middlesbrough TS2 1XA	Discharge of condition 3 (Site Investigation and Remediation), condition 6 (Site plan showing cycle store), condition 10 (Surface water drainage), condition 11 (Surface water drainage management plan) and condition 12 (Surface water drainage management and maintenance plan) on planning application 20/0782/FUL	Baker Furniture	Monday, 21 November 2022	Part Discharge Condition
22/0694/FUL	58, Grey Towers Drive, Middlesbrough, TS7 0LT	First floor extension to side, single storey extension to rear and alterations to a window to form patio doors	Ansir Mahmood	Tuesday, 22 November 2022	Approve with Conditions
22/0676/FUL	6, Church Close, Middlesbrough, TS8 9AF	Two storey and single storey extension to rear and side	Prendergast	Tuesday, 29 November 2022	Approve with Conditions
22/0414/FUL	ROSE WOOD PRIMARY SCHOOL, The Garth, Middlesbrough, TS8 OUG	Erection of Modular Classrooms and WC	The Enquire Learning Trust	Tuesday, 06 December 2022	Approve with Conditions
22/0631/FUL	9, Cedar Road, Middlesbrough, TS7 8DA	Two storey extension to side, single storey infill extension to rear and pitched roof on existing garage	LYNNE PUCKRIN	Tuesday, 06 December 2022	Refused
22/0632/FUL	15, Thurnham Grove, Middlesbrough, TS7 8PT	First floor extension to front, formation of a new window and change garage door to a window	Applebridge Investments	Tuesday, 06 December 2022	Refused
22/0726/PNH	36, The Avenue, Middlesbrough, TS7 OAR	Single storey extension to rear (eaves 2.6m, length 5.7m, height 2.6m)	Mr Samuel Rhucroft	Wednesday, 14 December 2022	Prior Notification/No Objections
22/0687/PNO	Hemlington lake and Recreation Centre, Cass House Road, Middlesbrough, TS8 9QW	Installation of 40KW Photovoltaic array consisting of 96 modules	Miss Sophie Grace	Thursday, 15 December 2022	Prior Notification/No Objections
22/0539/FUL	8, Hemlington Road, Middlesbrough, TS8 9AJ	Retrospective application for the erection of two storey dwelling with detached double garage (demolition of existing bungalow)	Stephen Watson	Monday, 19 December 2022	Approve with Conditions
22/0703/FUL	31, Harvington Chase, Middlesbrough, TS8 OTR	Single storey extension to rear, decking and formation of new window opening in original part of the dwelling	Mr & Mrs Vickers	Monday, 19 December 2022	Approve with Conditions

22/0585/FUL	247 Eagle Park, Middlesbrough, TS8 9QT	Change of use of open space to private garden including 2m high timber fence	Mr Josh Macfadzean	Tuesday, 03 January 2023	Refused
22/0730/FUL	12, Collingham Drive, Middlesbrough, Middlesbrough, TS7 0GB	SINGLE STOREY REAR EXTENSION	Bay & Lisa Bashir	Thursday, 05 January 2023	Approve with Conditions
23/0003/CLD	16, Grange Crescent, Middlesbrough, TS7 8EA	Dormer extension to side and installation of two roof lights	R MOORE	Thursday, 05 January 2023	Approve with Conditions
22/0725/FUL	1, The Wynd, Middlesbrough, TS8 9BP	Single storey side extension (including demolition of existing conservatory)	Simpson	Friday, 06 January 2023	Approve with Conditions