

PLANNING AND DEVELOPMENT COMMITTEE

Date: Friday 17th March, 2023
Time: 1.30 pm
Venue: Mandela Room

AGENDA

**Site visits will be held prior to the meeting.
The bus will depart the rear of the Town Hall at 10.30 a.m.**

1. Welcome and Introduction
2. Apologies for Absence
3. Declarations of Interest
4. Minutes - Planning and Development Committee - 20 January 2023 3 - 8
5. Schedule of Planning Applications to be Considered by Committee 9 - 68
Schedule - Page 9
Item 1 - Nunthorpe Hall Farm - Page 11
Item 2 - Site of former Southlands Centre - Page 49
6. Delegated Planning Decisions 69 - 70
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 9 March 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 20 January 2023.

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

OFFICERS: C Cunningham, A Glossop, G Moore and N Younis

22/21 **DECLARATIONS OF INTEREST**

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

22/22 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 16 DECEMBER 2022**

The minutes of the meeting of the Planning and Development Committee held on 16 December 2022 were submitted and approved as a correct record.

22/23 **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.

22/0420/COU Change of use from betting shop and post office (sui generis) and E(a) use classes) to restaurant (E(b) use class) at Units 1B and 2 Marton Estate Square, Stokesley Road, Marton, Middlesbrough for SJD Architects Ltd

Following the publication of the agenda, the item was withdrawn at the request of the Applicant. Therefore, the application no longer required consideration by the Planning and Development Committee.

22/0665/COU 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) at 4/4A, Captain Cook Square, Middlesbrough for Middlesbrough Council

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 the submitted application proposed a change of use from retail premises to bar, food and mixed use leisure venue, including outdoor roof terrace on 1st floor and store within the rear yard.

It was highlighted that the report had incorrectly referenced that the application site was located in Newport Ward, instead of Central Ward. Although the report contained that inaccuracy, the Development Control Manager assured committee members that the relevant interested parties had been notified as part of the application process.

The application site was Unit 4/4A Captain Cook Square, a two-storey building located within Middlesbrough town centre. The building had a rear service yard, which could be accessed from Grange Road and Smith Street.

The application site formed one of several similarly designed modern commercial buildings that fronted the pedestrianised area at Captain Cook Square. To the north of the site was Middlesbrough Bus Station and to the west was a pedestrian footpath link to the Captain Cook Square Multi-Storey Car Park. Immediately to the south were terraced properties along Grange Road and residential properties.

The application site was 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 were public car parks in close proximity.

It was explained that the use of Unit 4/4A as bar and leisure venue in the proposed location could have been 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 was considered a more flexible approach should be taken in respect of the primary shopping frontage policy.

Although the application site was located within the primary shopping frontage, Unit 4/4A was located 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. Members heard that the location of the unit was positioned on the outer edge of the primary shopping frontage area where there was a significant proportion of retail uses, as such the proposed use would not provide a break within the existing primary shop frontages.

The proposed leisure use planned to attract additional footfall into the town centre. It was likely that the leisure venue would be open during the day and during the evening, providing further benefits to the vitality and viability of that particular section of the town centre (outside of normal shop opening hours).

The intended bar and restaurant use was considered to further complement the recent planning approvals for leisure uses within the Captain Cook Square, assisting with the re-purposing of the Captain Cook Square from a retail location to a leisure destination through the grouping of similar uses.

There had been no objections in respect of the application.

The proposal was for the change of use of the vacant retail unit to a bar and restaurant with an outdoor first floor roof terrace (Sui Generis). Members were advised that there would be no alterations to the unit frontage. It was explained that proposed external alterations included the removal of part of the side boundary wall to the service yard and a single storey cellar extension.

It was planned that the proposed use would operate between 9.00 a.m. until 2.00 a.m. and would include the conversion of the existing roof into an open roof terrace. A noise assessment had been submitted in support of the proposal that had considered the noise impacts on the neighbouring properties, including the closest residential properties on Grange Road which had windows within 14 metres of the site. The noise assessment referenced the existing background noise levels that were apparent within the town centre and suggested the following mitigation measures:

- the installation of a 3.5m high acoustic fence within the existing boundary wall of the roof terrace;
- the operation of the roof top terrace until 1.00 a.m.;
- a noise management plan to minimise shouting;
- no amplified music outside; and
- internal noise within the venue to be sufficiently contained by the envelope of the building.

In terms of the acoustic fence, it was explained that the fence height would be approximately 1.5 metres above the existing wall height.

Members were advised that, if the committee was minded to approve the application, the proposal would be subject to conditions. One of the conditions referenced planned to ensure that the proposal would comply with the noise assessment mitigation measures. A condition had also 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 had been submitted to the Local Authority for consideration.

In terms of opening hours, a condition aimed to restrict opening to 9.00 a.m. and 2.00 a.m.

Monday to Sunday and the first floor outdoor seating area to the hours of 9.00 a.m. and 1.00 a.m. Monday to Sunday. Furthermore, an additional condition aimed to ensure deliveries and collections to the rear of the premises would be restricted to between the hours of 8.00 a.m. and 7.00 p.m. Monday to Saturday and 9:30 a.m. and 6:30 p.m. Sunday.

The proposed use was a town centre use and was appropriate, in principle, within the town centre. It was envisaged that the proposal would support the diversification of the area to a leisure destination, without having any notable detrimental impacts on the primary retailing function of the town centre. The application was therefore recommended for approval, with conditions.

Middlesbrough Council's Project Manager was elected to address the committee in support of the application.

In summary, the Council's Project Manager advised that:

- the Council had purchased Captain Cook Square in 2020;
- given the decline of retail, the Council aimed to transform Captain Cook Square and repurpose the shopping centre for leisure uses;
- if approval was granted, a local business that traded well locally would be operating from the unit;
- as well as a place to eat and drink, the new late-night venue planned to offer state-of-the-art golf simulators;
- the new establishment would be joining Lane 7's entertainment venue Level X in the former TJ Hughes and esports site and other leisure providers were on the cusp of signing contracts;
- there would be an increased security presence at the site; and
- the Captain Cook Square Multi-Storey Car Park would be open for extended hours to encourage and increase footfall.

A Member raised a query regarding security. In response, the Project Manager advised that joint working with the business planned to ensure that the CCTV system would be upgraded and there would be an increased level of security operatives, providing a physical presence.

A Member raised a query in respect of the use of the roof terrace. In response, the Project Manager advised that pod/group style seating was being considered, however, the internal layout and design plans for the unit were currently incomplete and would be subject to a future application(s). It was explained that a condition attached to the application would restrict use of the roof terrace outside the hours of 9.00 a.m. and 1.00 a.m. Monday to Sunday.

A Member requested further information on the plans for Captain Cook Square. The Project Manager explained that the Council had successfully secured £14.1m from the Future High Streets Fund. £9.1m of that funding had been allocated for the transformation of Captain Cook Square for leisure uses, incentives, decant compensation, remodelling units, contribution to fit out and adapting public spaces. The Council as the landlord for site had been providing grants to enable businesses to operate from the units. However, those businesses were ultimately responsible for their lease and licensing arrangements. It was added that there were restrictions, detailed within each contract, which aimed to prevent businesses from sub-letting their units.

A discussion ensued and Members commented that the proposal would assist in improving the vitality and viability of Captain Cook Square and the wider town centre. However, Members welcomed the conditions that had been placed on the application, which planned to monitor and mitigate noise levels.

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

22/24

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).

In reference to the property of 36 The Avenue, a Member sought clarification on the two applications that had been submitted for Prior Notification, as one had been refused and the other had been approved. The Development Control Manager advised that in respect of the Prior Notification process (only applicable to extensions of a certain scale), the Applicant was required to notify the Council of their intention to build so that the Council was able to consult immediate neighbours. Members were advised that if the neighbours objected, then the Council would have to consider the scheme as it would for any normal planning application. If the neighbours did not object, then the Council was not required to consider it and permission was automatically granted. Members heard that it was highly likely that the two applications would have differed slightly, meaning that objections had not been received in respect of the second submission. It was advised that, following the meeting, further information in respect of the applications would be sent to the committee members.

A Member raised a query in respect of the application submitted by Rose Wood Primary School for the erection of modular classrooms. The Development Control Manager commented that modular classrooms were common and use was usually limited to a specific timeframe, typically three or four years. It was advised that, following the meeting, the conditions placed on the application would be confirmed.

NOTED

22/25

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

Planning Appeals

Appeal Ref: APP/W0734/D/22/3308370 28 Croft Avenue, Middlesbrough, TS5 8AX - Allowed

The development proposed was a single storey rear extension - part retrospective.

The main issues were the effects of the proposal on:

- the character and appearance of the property and the area; and
- the living conditions of the neighbouring residential occupiers.

Appeal Ref: APP/W0734/D/22/3301967 6 The Gardens, Middlesbrough, TS4 3DU - Dismissed

The development proposed was a first floor rear extension; alteration to side elevation first floor window; alterations to existing rear extension openings.

The main issues were the effect of the proposal on the character and appearance of the surrounding area, and on the living conditions of the occupiers of 19 Pemberton Crescent in respect of their outlook and privacy.

Appeal Ref: APP/W0734/D/22/3306573 33 Barker Road, Middlesbrough TS5 5EW - Dismissed

The development proposed was the erection of a first-floor extension to accommodate an artist's studio.

The main issue was whether the proposed development would preserve or enhance the character or appearance of the Conservation Area.

NOTED

Charging Council Tax for Unbuilt Homes

A Member explained that the Local Government Association (LGA) had published comments in respect of unbuilt homes on expired permissions and unbuilt homes on sites that had started. Specifically, it was explained that the LGA would welcome the introduction of powers to allow local authorities to charge full council tax for every unbuilt development from the point the original planning permission expired.

NOTED

This page is intentionally left blank

Planning & Development Committee Schedule - 17 March 2023

Town Planning applications which require special consideration

1	<p>Reference No: 22/0693/MAJ</p> <p>Ward: Nunthorpe Ward buffer = Nunthorpe</p>	<p>Applicant: Shaw Property Developments Ltd</p> <p>Agent:</p>	<p>Description: Conversion of the existing traditional farm house and buildings to form 7 dwellings, the demolition of agricultural buildings and the construction of 5 newbuild dwellings, along with associated works.</p> <p>Location: Nunthorpe Hall Farm, Hall Farm, Old Stokesley Road, Middlesbrough, Middlesbrough, TS7 0NP</p>
2	<p>Reference No: 23/0061/FUL</p> <p>Ward: Berwick Hills/Pallister Park End/Beckfield Ward buffer = Berwick Hills & Pallister Ward buffer = Park End & Beckfield Ward buffer = Brambles & Thorntree</p>	<p>Applicant: Mr Peter Brewer</p> <p>Agent: Mr Billy Fisher</p>	<p>Description: Erection of single storey community facility (F2(b) use class) comprising a multi-use hall and multi-purpose rooms, including community café and office spaces; creation of multi-use games area (MUGA) with associated fencing and floodlighting; construction of associated car park, access roads and landscaping</p> <p>Location: Southlands Leisure Centre, Southlands Centre, Ormesby Road, Middlesbrough, TS3 0HB</p>

This page is intentionally left blank

APPLICATION DETAILS

Application No:	22/0693/MAJ
Location:	Nunthorpe Hall Farm, Hall Farm, Old Stokesley Road, Middlesbrough, Middlesbrough, TS7 0NP
Proposal:	Conversion of the existing traditional farm house and buildings to form 7 dwellings, the demolition of agricultural buildings and the construction of 5 newbuild dwellings, along with associated works.
Applicant:	G and S Shaw, Shaw Property Developments Ltd
Agent:	ELG Planning
Ward:	Nunthorpe
Recommendation:	Approve with Conditions

SUMMARY

The application relates to Nunthorpe Hall Farm which consists of a former farmhouse and several associated agricultural outbuildings located in Nunthorpe Village, within the southern part of the town. The proposal seeks planning consent for the conversion of the existing farm buildings (former stable courtyard buildings and two grain store buildings) into seven dwellings along with the demolition of two agricultural storage buildings, the erection of five detached dwellings with associated garages, works to a listed walled garden to form a group of private gardens as well as other ancillary works. The properties are shown as being 3, 4 and 5 bed dwellings. The proposal includes the formation of a SUDs drainage pond in the form of a surface water swale to the west of the site

The current farm access will be utilised for vehicular access to each of the properties. There are two public rights of way (PROW) which access across the site. One PROW will be stopped up and the existing PROW running along the existing farm track into the site would remain.

Following consultation there have been 3 objections and a letter of concern received from nearby residents and comments from Cllr Mieka Smiles. The objections and concerns are based on matters including, scale, proportion and design of the new builds, impact on the character of the area and setting of listed building, loss of privacy, parking issues, traffic and noise increases from the increase in population, privacy issues from Nunthorpe Hall access rights, impacts on nature and wildlife and biodiversity, Public Rights of Way access issues and improved broadband access.

The site is outside the limits of development established within the Council's adopted Local Plan Policies E20 and E22 and within the Nunthorpe and Poole Conservation Area. The farm buildings are locally listed and are considered to be an important part of the villages character and form and are considered to make a notable contribution to the significance of the conservation area. The wall to the walled garden is a listed structure, being formerly associated with Nunthorpe Hall and there are several other listed buildings within the immediate vicinity including Nunthorpe Hall.

The existing farm buildings within the site have been vacant for a considerable period and their retention and re-use is considered to be of significant importance in order to maintain their contribution to the character of the village. In 2013, due to concerns over the long-term functioning / use of the farm buildings, the council employed the North of England Civic Trust to undertake a study of the Group of buildings and associated site. The study detailed that the brick-built buildings on the site would lend themselves to be converted into residential properties but that there would be likely need for enabling development which could be reasonably provided on the site of the more modern and visually harmful agricultural sheds that currently sit to the rear (eastern part) of the site.

The proposed conversions of the historic farm buildings are considered to be well detailed, respecting the existing form and detailing of those buildings and with modest extensions to supplement them. These works will retain the historic presence, detailing and contribution of these buildings to the character of the village. The proposed new builds are deemed to be necessary to support the commercial costs to undertake the overall works. The new builds are detailed in two areas, a single dwelling fronting the main road and designed to be a cottage in keeping with the existing cottages adjacent, and a further courtyard of larger buildings designed to be more functional in appearance and represent agricultural scale, design and arrangement.

It is considered that the proposed development will provide a good mixture of dwelling types, be of a high-quality design and utilise high quality traditional materials suitable for this setting would complement the existing historic character of the area, without detracting from the historic importance of the nearby Grade II listed buildings and the listed walled garden. The proposal seeks rebuild a section of the walled garden where there has been a large section re-built using modern bricks and which currently detracts from the historic character and appearance and adversely affects its significance as a listed structure. The proposal is to rebuild the wall using appropriate matching bricks as well as forming six smaller walled garden areas to serve the proposed dwellings which don't have gardens in their own right and although altering the historic form of the walled garden is considered to be a neutral impact overall.

The existing highway access will be utilised for each of the plots with a central PROW being retained along the main highway access with properties having garaging and parking spaces served off this. The scheme proposed a sustainable drainage pond to the southern section of the site which will provide a positive visual and ecological addition to the site. The wider areas of land within the application site boundary is a small amount of agricultural / grazing land which includes the land within the walled garden.

In order to prevent increased nitrogen entering the River Tees and adversely affecting the associated Special Protection Area, the scheme proposes to prevent future agricultural use of part of the agricultural land and this has been considered and adequately mitigate this matter.

The site is close to a number of other residential dwellings and has been designed in such a way as to prevent any undue impacts on privacy or amenity or in respect of being unduly overbearing on any existing properties.

Whilst the proposal is contrary to Local Plan Policies H1, E20 and E22 for development outside the limits this is considered to be outweighed by the benefits of the conversion and the reuse of the existing historic locally listed buildings through the provision of a long-term use of the historic farmyard buildings and through the design and layout of the supporting development being or an appropriate form also reflective of the farmyard nature of the sites former function.

The development meets the general requirements of the relevant national planning policies detailed within the NPPF and Local Plan Policies, specifically H12, MWC4, MWP1, CS4, CS5, CS18, CS19, DC1, the Urban Design Supplementary Planning Document, Nunthorpe Design Statement SPD, Nunthorpe Hall Farm & Blacksmiths Yard Development Guidance, Nunthorpe and Poole Conservation Area Appraisal and Management Plan, Tees Valley Design Guide & Specification.

A separate application will be submitted for the listed building consent for the alterations to the walled garden area.

The recommendation is for approval of the application subject to conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The site is Nunthorpe Hall Farm which is located within Nunthorpe village and the Nunthorpe and Poole Conservation area. To the north of the application site are residential properties at 15-21 Old Stokesley Road along with agricultural fields, to the west is the former Blacksmith Yard and residential properties at 4-10 West Side (each individually Grade II listed). To the east is agricultural fields and the A172 beyond. The Grade II listed Nunthorpe Hall, entrance gates/walls, St Marys Chapel and the garden terrace walls/steps are located to the south with along with 23 Old Stokesley Road.

Nunthorpe Hall Farm comprises of a vacant farmhouse, attached former stable courtyard buildings, two brick built grain store buildings (all listed), more modern agricultural barns, a steel silo, a walled garden (listed) and agricultural fields. The overall application site area is 3.2 hectares with the development site area being 0.86 hectares and the remainder being agricultural/grazing land.

The proposal is for the conversion of the existing brick-built buildings into 7 dwellings and the erection of a further 5 detached properties with a mixture of integral, attached and detached garages. The properties will be 3 to 5 bed. The site layout includes individual gardens for each of the plots with additional garden spaces for plots 1 to 6 and a communal bin store within the walled garden. The existing highway access will be retained and utilised for each of the plots with a mixture of garage and courtyard parking spaces. The site includes a SUDS pond to the east of the new build plots. A small amount of landscaping would be removed to facilitate the development including a Silver Birch and a small section of hedgerow. The scheme has identified new planting as part of the proposals.

Documents submitted in support of the application include: -

- Planning Statement

- Heritage Statement
- Design and Access Statement
- Drainage Strategy and Preliminary drainage plan
- Tree Survey
- Archaeological Desk Top Survey
- Bat Survey
- Statement of community Involvement

PLANNING HISTORY

M/CAC/0041/98/P – Reduction in height of boundary wall, approved 10th July 1998
M/GRG/0042/98/P - 2.6m high boundary wall, approved 23rd March 1998

PLANNING POLICY

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

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

Middlesbrough Local Plan

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

- Housing Local Plan (2014)
- Core Strategy DPD (2008, policies which have not been superseded/deleted only)
- Regeneration DPD (2009, policies which have not been superseded/deleted only)
- Tees Valley Joint Minerals and Waste Core Strategy DPD (2011)
- Tees Valley Joint Minerals and Waste Policies & Sites DPD (2011)
- Middlesbrough Local Plan (1999, Saved Policies only) and
- Marton West Neighbourhood Plan (2016, applicable in Marton West Ward only).
- Stainton and Thornton Neighbourhood Plan (2022)

National Planning Policy Framework

National planning guidance, which is a material planning consideration, is largely detailed within the *National Planning Policy Framework* (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The NPPF defines the role of planning in achieving economically, socially and environmentally sustainable development although recognises that they are not criteria against which every application can or should be judged and highlights the need for local circumstances to be taken into account to reflect the character, needs and opportunities of each area.

For decision making, the NPPF advises that local planning authorities should approach decisions on proposed development in a positive and creative way, working pro-actively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and that at every level should seek to approve applications for sustainable development (paragraph 38). The NPPF gives further overarching guidance in relation to:

- The delivery of housing,
- Supporting economic growth,
- Ensuring the vitality of town centres,
- Promoting healthy and safe communities,
- Promoting sustainable transport,
- Supporting the expansion of electronic communications networks,
- Making effective use of land,
- Achieving well designed buildings and places,
- Protecting the essential characteristics of Green Belt land
- Dealing with climate change and flooding, and supporting the transition to a low carbon future,
- Conserving and enhancing the natural and historic environment, and
- Facilitating the sustainable use of minerals.

The planning policies and key areas of guidance that are relevant to the consideration of the application are:

Housing Local Plan (2014)

H1 Spatial Strategy

H12 Affordable Housing

Tees Valley Joint Minerals & Waste DPDs (2011)

MWC4 Safeguarding of Minerals Resources from Sterilisation

MWP1 Waste Audits

Core Strategy DPD (2008)

CS4 Sustainable Development

CS5 Design

CS18 Demand Management

CS19 Road Safety

DC1 General Development

Saved Local Plan Policies (1999)

E20 Limit to Urban Development

E21 Special Landscape Areas

E22 New Housing in Countryside Beyond the Limit to Development or in Green Wedges

E23 Conversion or Re-Use of Rural Buildings

E24 Conversion or Re-Use of Rural Buildings for Residential Purposes

Supplementary Planning Documents

Urban Design SPD (2013)

Nunthorpe Design Statement SPD (2011)

Other Relevant Guidance

Nunthorpe Hall Farm & Blacksmith's Yard Development Guidance (2013)

Nunthorpe and Poole Conservation Area Appraisal and Management Plan (2008)

Tees Valley Design Guide & Specification: Residential and Industrial Estates Development (2021)

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

Consultation letters were sent to local residents, a press notice issued, and site notices posted around the site and further consultation undertaken on the revised plans. The comments below are in response to the original and revised plans.

There have been 3 objection comments received from the following addresses: -

- Nunthorpe Hall
- 4 West Side (4 Old Stokesley Road)
- 14 West Side

There has been a letter of concern from the following address.

- 8 Agricola Cottages

The objection/concern comments received are summarised below: -

Principle

- Concerns new builds within the village setting will open up further parcels of land for more development and like assurances future development will not be approved.

Design/appearance

- Previous Kier designs showed Plot 1 as single storey with roof lights not dormer windows.
- Development size is disproportionate to the existing village and cannot have a positive impact on the village community. Scale of the buildings replacing the barns. Properties within the village are smaller properties. Resulting in the village being 50% bigger in one fell swoop.
- Heritage Statement notes agricultural relationship between farm/buildings and Nunthorpe Hall but not the evolution of the farmstead. Sets out new builds reflect barn conversions but these are insensitive to setting and historical associations, which result in problems of interpretation. If further courtyard buildings had been required, the original ones would have been extended not placed further north-east. New build plots do not reflect the agricultural form and appearance of the site so section 5 of the Heritage Statement is flawed.
- The proposed layout does not reflect the traditional 19th Century farmyard design. Nunthorpe Hall is Georgian and two storey new builds reflect a later mechanised era. Modern design, scale and breaks in between roof pitches has the appearance of a modern cul-de-sac residential development. Scale at odds with subdued nature of Nunthorpe Village and the proposed form is too urban and pastiche to integrate into the fabric of the village and will have a detrimental impact upon the Grade II listed Nunthorpe Hall.

Amenity

- Loss of privacy from Dormer window on Plot 1, particularly the dormer above the entrance door. Other dormer of lower concern but will lead to loss of privacy in bedroom/bathroom and ground floor rooms.
- Population increases adversely affect traffic and noise to the detriment of a village feel/community.

- Plots 9 – 12 have 16 metres separation distance less than the 21 m privacy required and for Plots 5-7 but concession could be made given this is a conversion.

Highways /Access

- Will sufficient parking be provided for each occupant. Village cannot support more on street parking as the majority of the village housing near the development have no parking.
- Detached gardens Plots 1,2,3 6 and Plots 4 and 5 have access to Nunthorpe Hall running through them and would not allow sufficient private amenity and is impractical. Understood this is to enable cars within the courtyard but contrived solution.

- Public Rights of Way – Major concerns regarding locked gate on existing public access way and loss of public footpath between A172 and Old Stokesley Road and the reduced width of the current public access by half which should not be restricted when developer/resident meeting said no restrictions to PROW.

Ecology/Landscaping

- Any provision made for the loss of habitat of 2 barn owls. Will swift bricks be Provided within the building
- Loss of silver birch tree

- Design – layout is based on tradition 19th Century farmyard the design does not reflect this. The Hall is Georgian period and new builds by being 2 storey reflect a later mechanised era. Modern design, scale and breaks in between roof pitches has the appearance of a modern cul-de-sac residential development. Scale at odds with subdued nature of Nunthorpe Village and the proposed form is too urban and pastiche to integrate into the fabric of the village and will have a detrimental impact upon the Grade II listed Nunthorpe Hall.

Public Responses

Number of original neighbour consultations	33
Total numbers of comments received	3
Total number of objections	3
Total number of support comments	0
Total number of representations	0

Councillor Mieka Smiles

- Parking is properly thought through. There is already a strain on the main stretch due to visitors to the hall. Perhaps a 'residents only' parking scheme could be introduced to offset this.
- New builds are in keeping with the area - and that sympathetic building materials are used.
- Better broadband for the village can be looked at.

Strategic Policy Team – MBC (in summary)

The principle of residential development is contrary to Policies H1, E20, E22 and E24 of the adopted Development Plan. In determining the planning application this will need to be balanced against the material planning consideration of finding a viable use that will ensure the long term protection and enhancement of the heritage assets and their impact upon the special landscape character of the locality.

The proposed development is contrary to Policy H12 as it does not include an affordable

housing contribution. The proposed bin store and subdivision of the Walled Garden into gardens including the removal of the western boundary wall is contrary to the Nunthorpe Hall Farm & Blacksmith's Yard Development Guidance. Given that no elevations of the proposed bin store have been submitted there is considered insufficient detail provided to fully assess the impact of the proposals on the Walled Garden and the Conservation Area.

MBC Highways

Development proposals seek to create a total of 12 dwellings consisting of the conversion existing buildings to form 7 dwellings and the construction of 5 newbuild dwellings.

Traffic generation of a development of this quantum would be in the region of 10 two-way vehicle movements during the network peak periods. Such a level of traffic is negligible (one vehicle every 6 minutes) and will not have a material impact on either the immediate area nor wider highway network.

Development is proposed to be served via the existing vehicular access onto West side. Whilst the access is limited to single flow traffic this must be considered against the likely level of traffic generation, intervisibility between opposing vehicles and be sympathetic to the rural nature and character of the area. As stated above vehicle movements are low so the likelihood of opposing vehicles meeting is very low. Should opposing vehicles meet the intervisibility is suitable i.e a vehicle turning into the development would see a vehicle existing the development and vice versa. Should vehicles have to wait momentarily for each other this would not present a safety hazard to other highway users nor would it detrimentally impact on the free flow of traffic. The character of the area is rural with on-street parking and as such it would not be unexpected for motorists to have to slow or stop momentarily to enable other vehicles to pass and is a situation seen in many other locations.

Parking for residents has been provided in accordance with the Tees Valley Highway Design Guide. Due to the rural nature of the development and conversion of existing agricultural buildings it is not possible for visitor parking to be provided within the development for all properties and as such some limited on-street parking is likely to occur associated with casual callers such as deliveries or visitors for example. Such parking is often short term in nature and is typical within a residential area. The alignment and width of West Side means that this limited parking (duration and numbers) would not be detrimental, nor grounds to object.

The internal layout has proposed that the access and a turning head is to be adopted and as such provides facilities clear of West Side for refuse vehicles and other emergency or servicing traffic. The layout therefore would be designed and constructed to adoptable standards, taking into account sympathetic design to ensure that an overly engineered solution is not introduced to the rural area.

A condition is proposed to ensure that the construction of the development takes place in a managed way and minimising the impact on local residents and highway users.

Given the above the application is supported with the following informatives and conditions.

Local Flood Authority - MBC (In Summary)

No objections subject to conditions requiring additional information on the SUDS design, storage capacity and the infiltration given the proximity to the diverted PROW and on the reasoning behind the use of the swale to the SUDS pond and given the main road through

the site is not to be adopted a condition relating to the future management of the swale/basin.

A condition is required with regards to specific details of the gullies for surface water drainage and storage capacity of additional suds features proposed e.g water butts.

If the works traffic is to access the site from the A172 and the existing farm track which crosses a culvert and the applicant should contact the Highway Authority for a current road condition survey prior to the access being utilised. A condition will be required relating to the condition of the culvert and the weight limit prior to the track being utilised by work traffic. With the track not being adopted and including a public footpath a condition is required that any damage to the surface will be repaired.

The proposed changes to the PROW network will require a legal order to be made to formally change the definitive lines and will involve public consultation. The upgrade of the Public footpath that passes through the site should be considered and discussions undertaken with the PROW officer on proposed diversions.

Current proposals to divert the northern route to join the route through the center of the site may not meet the criteria for a diversion and it may be more desirable to divert this route to the north due to the increase in vehicular traffic. Limited information has been provided on the details of the diversion, surface of the route etc especially as it is proposed to be diverted close to the suds pond and through an area at risk of surface water flooding.

The private road off Old Stokesley road has no proposed restrictions i.e a gate and as such may be accessed by cycles etc. but it is recognized that restrictions are proposed in the middle of the site which again would need approval outside of the planning process. Any diversion order must be completed before works starts on site.

Legal orders, discharge consent and authorisation of gates on a highway is not part of the planning process and contact should be made at the earliest opportunity to the council to prevent delays.

Environmental Protection – MBC (In summary)

With reference to the above planning application should the application be approved conditions are required relating to a road noise assessment and a contaminated land site investigation.

Conservation Officer – MBC (in summary)

Alongside planning policy and legislation, the aforementioned Character Appraisal and Development Guidance guide my advice on this application, as well as Historic England's 'Adapting Traditional Farm Buildings: Best Practice Guidelines for Adaptive Reuse' (hereafter Best Practice), published on 20 October 2017.

The demolition of the modern agricultural buildings on the site is welcomed, not forming the best of traditional and historic development in the village.

The topography of the site and its place in a linear settlement, as described in the Development Guidance has been given careful consideration so new development should work with the identified form and significance of the setting of the village and not dominate views.

The new development proposed relies on the conversion of the farm buildings on site for its justification in this location. Best Practice for farm building adaptation and conversion involves working with its design and materials, including making use of existing window

and door apertures and only creating more where necessary, which has hopefully been achieved with the scheme proposed. However, a variety of windows have been proposed, so to be confident a window and door schedule, as part of a fenestration condition would resolve this.

Best Practice has this to say about new development on former agricultural sites: Whether contemporary in design or based on an existing structure, extensions and new buildings should be subordinate in scale and relate to the massing and character of the existing farmstead group. The Development Guidance states: There is potential for construction of new dwellings roughly E-W along the south boundary of Building 10. This would be a two-storey linear terrace similar in proportion to Buildings 7-8. The contours and village setting mean the visual impact of this orientation and massing would be minimal and would not extend further east than Nunthorpe Hall, but would improve the viability of the overall development. In terms of the 5 no. new dwellings proposed on the site, their locations pulled in towards the form of this linear settlement, should reduce their impact on the Conservation Area, the settings of the Listed Buildings and on the built form and layout of the 'Nunthorpe Hall' collection of buildings identified in the Character Appraisal. However plots 10 and 11 represent very large dwellings with big footprints and massing that have the potential to dominate views into Nunthorpe from the north, particularly considering topography.

The detached garages proposed for plots 10 and 11 are large and risk impacting views of the site from the north; they would benefit from some re-design and further reduction in height to single-storey.

A boundary treatments site plan and elevations plan have been included to support the application and are broadly acceptable. Best Practice for boundary treatments on converted agricultural sites is to minimise and soften them: New fencing, gates and boundary walls need careful design that follows locally observed patterns. Some uncertainties remain, therefore please condition boundary treatments (form, height, materials etc), to protect the significance of the Conservation Area.

Best Practice states: The upgrading of tracks, gateways and yards can have a detrimental effect on the setting of the building. The grey blocks hardstanding proposed for the vehicular access to the conversion and new dwellings appears to have been guided by some traditional blocks found over the road on the Blacksmith's Yard. In principle this is positive, however on the visual images submitted in support of the application, it could appear stark and urban in this location, but this could be resolved by softening the impact with more varied blocks and can be conditioned with samples: Please condition materials (hardstanding, masonry, roofs, door & window frames etc on the conversions, new dwellings, and garages) to be used on site to be agreed with us and approved in writing, to protect the significance of the Conservation Area.

Partial subdivision of the walled garden and the proposed bin store incursion are perhaps not ideal from a historic environment perspective, however their success will rest on precisely how they are achieved. A separate Listed Building Consent application will control the design, form and materials to be used.

I recommend Permitted Development rights are removed from all new residential uses created on this site, which is Best Practice on former agricultural sites, in order to manage future change. All new dwellings and converted buildings plots 6 & 7 (those not within the courtyard) propose extensions or include elements that read as extensions; this results in any future proposed extensions likely to result in overdevelopment of the site and be unable to comply with planning policy to gain planning approval. Please remove all Permitted Development rights as part of any approval, to protect the significance of the Conservation Area.

Providing the above requested conditions are put on any approval, this application with its combination of agricultural building conversion and new dwellings should result in a

positive and successful scheme, which sustains the significance of Nunthorpe & Poole Conservation Area, in accordance with policies CS4 and CS5 of the Middlesbrough Core Strategy and with paragraphs 197, 199, 200 & 202 of the 2021 National Planning Policy Framework.

North East Archaeological Research Limited (summarised)

Reconsidered our comments against some information (maps and aerial photographs) taken in 1946 and the 1958 showing the absence of the agricultural sheds at the western side of the area proposed for housing, demonstrating that the sheds are of relatively recent date. The Ordnance Survey First Edition 6" Series (published 1857) suggests a track or way crossing the area of the walled garden (from south-west to north-east) and connecting with the lane or garden buildings to the north-east.

We would not resist the proposal of the applicant's adviser's to undertake a strip, map and record exercise of the development (red-line) area north of the lane - being the new build housing and the related pond and drainage - as this will ensure that in the absence of prior evaluation an overall picture of the presence/absence of archaeological features is still established before development work commences and any deposits or structures of archaeological interest can be sample excavated and recorded as appropriate. This will be a more labour-intensive option than prior geomagnetic survey, but will avoid the perceived shortcomings in the latter technique.

Strip map and record is however not appropriate in the part of the area of the former walled garden, given that such an investigation would result in greater disturbance/destruction to archaeological features than would the changes in the planning unit (ancillary to the hall to ancillary to the proposed dwellings) and the different intensity of use. The proposal for the western end of the walled garden nevertheless will not preserve the integrity of the walled garden, and our opinion remains that it is incumbent on the developer to fully evaluate the probable below ground features of the garden in those areas where new garden proposals will inevitably lead over time to loss of archaeological details. If the possibility of geophysical survey (resistivity survey would probably be more appropriate) to establish presence/absence existing below-ground features will not be pursued by the applicants, then, as well as a watching brief ahead of any intrusive operational works in this area (e.g. any new walls, kerbing or demolition, as proposed in the landscaping plan), it would be appropriate to attach to any planning permission granted a condition to limit the extent to which deep excavations can take place in the garden and destroy evidence for the arrangement of historic garden features.

Secure By Design Officer- Cleveland Police (In summary)

In relation to this application, I recommend applicant contact me for any advice, guidance I can offer in relation to designing out opportunities for crime to occur at the development. Guidance is available also at www.securedbydesign.com into all security aspects of a new development however dialogue with myself is still recommended and encouraged.

Northern Gas Networks (In summary)

Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

Northumbrian Water (In summary)

At this time the planning application does not provide sufficient detail with regards to the management of foul water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We therefore request a pre-

commencement condition for further details of the disposal of foul water from the development to be provided to the Local Planning Authority for prior approval.

PLANNING CONSIDERATION AND ASSESSMENT

Policy Detail

The application site is located beyond the Limits to Development and within the Special Landscape Area, the Nunthorpe and Poole Conservation Area, and the minerals safeguarding area for salt and gypsum.

Policy H1 advises that development proposals need to be sited within the urban area, satisfy the requirements for sustainable development of Policy CS4 and contribute to and fully integrate with a sustainable transport network.

Policy E20 seeks to protect the open countryside from development by strictly controlling development beyond the Limits to Development. The Policy sets out allowable development, which includes conversion of buildings that accord with Policies E23 and E24 and development of dwellings that accord with Policy E22.

Policy E22 only allows new dwellings beyond the Limit to Development where it is required for the essential functioning of agriculture or forestry and is for occupation by those engaged in these activities.

Policy E24 only allows the conversion/re-use of rural buildings for residential uses where the applicant has made every reasonable attempt to secure business or leisure use and the application is supported by a statement of the efforts made, or where residential conversion is a subordinate part of a scheme for business use.

Policy CS4 (g) requires all development to contribute to achieving sustainable development principles. This includes being located so that services and facilities are accessible on foot, bicycle or by public transport and reliance on the private car is reduced or minimised.

Policy CS5 requires all development proposals to demonstrate a high quality of design in terms of layout, form and contribution to the character and appearance of the area. This includes the preservation or enhancement of conservation areas and the safeguarding of buildings identified as being of special historic or architectural interest and ensuring any adaptation or reuse is undertaken sympathetically and protects or enhances the special characteristics of the buildings.

Policy E21 requires that special attention is given to the protection and conservation of the scenic quality and character of the landscape within the Special Landscape Area (SLA) and that this is given greater weight than other planning considerations. The Policy requires that development proposals don't detract from the special scenic character and quality of the landscape, are of high design standard, carefully located to reflect traditional scale and character of buildings and landscape in the area, use materials sympathetic to the locality, and don't have a detrimental impact on features important to local landscape, such as trees.

Policy E24 sets out criteria for the conversion or re-use of rural buildings. Whilst the Policy is aimed at the re-use of buildings for business or leisure purposes the design criteria is relevant to the conversion works proposed in this planning application. The proposed residential use for the converted properties and the new builds does not comply with the

business and leisure use exemption set out within Policy E24, it does however accord with the design criteria for existing buildings i.e. extensions being subservient, external alterations being minimal, parking being visually unobtrusive and the protection of wildlife species. Policy MWC4 of the Tees Valley Joint Minerals and Waste Core Strategy DPD seeks to safeguard mineral resources from sterilisation, in this case salt and gypsum. The Policy sets out criteria where non-minerals development will be allowed. This includes where development would not sterilise or prejudice the future extraction of the mineral resource due to the resource being at depth, that depletion of the resource has already occurred, that the resource would be removed prior to development taking place and the need for the proposed development outweighs the need for the mineral resource.

Policy MWP1 requires that waste audits are provided for all major development.

Policy H12 of the Housing Local Plan requires housing developments within Nunthorpe Ward to provide a 15% affordable housing contribution. On sites under 30 dwellings like the application site, the Policy seeks that the affordable housing is provided as an offsite financial contribution.

Principle of Development

The site lies out-with the development limits for Middlesbrough as detailed within the Local Plan and the proposal is therefore contrary to Policy H1 in this regard, neither does it benefit from the allowances and exceptions detailed within Policies E20, E22 and E24 of the adopted development plan as the proposed dwellings are not for essential farming or forestry and there has not been an attempt to secure the buildings for business or leisure uses. The site was marketed for the conversion of the existing buildings to residential units and enabling development however in order to facilitate the conversions, in line with the guidance detailed within a 2013 North of England Civic Trust Study aimed at achieving the long-term use and retention of the heritage assets associated with the farm complex. Both national guidance and Local Plan Policy CS4(g) require housing to be provided within areas where good levels of sustainability and access to services can be achieved. The settlement of Nunthorpe, whilst being on a bus route (28A) that connects with the services and facilities in the urban part of the Borough, is not particularly sustainable as a location being set away from the day to day services people normally require.

The consideration therefore turns to whether there are any material planning considerations which would outweigh these matters.

It is of some relevance that Policy E20 seeks to protect the 'Open Countryside' but does allow some development under certain terms. This application is arguably not within the open countryside, but within a village setting with existing residential properties on either side, being a much reduced proposal to that of a stand-alone development with no other buildings surrounding.

However the development proposal will see the viable re-use of several vacant buildings located towards the centre of Nunthorpe village, providing for their long-term protection and re-use. As these are locally listed buildings, which along with Nunthorpe Hall, form the historic core and basis of the historic function of the village itself, this scheme which will secure their long-term future is considered to add significant positive weight to the balance of considerations.

The Civic Trust Document references future development of the site setting out that most of the buildings can be converted to a sustainable new use and the extent and method of repairs will be dependent on a full assessment of the interiors of each of the buildings with

any historic features being preserved, including those currently hidden. The Civic Trust document sets out that the clearance of the two agricultural stores provides the opportunity for modest new development to help fund the proper repair and re-use of the existing historic buildings and spaces. The scheme adheres to the general principles of this concept for conversions and enabling development and the applicant has submitted to the council a financial viability appraisal of a scheme for the development. The proposed works have since changed since the initial viability appraisal was submitted and this has reduced the additional units on the site by 1 and arguably increased the design quality of the properties. In view of this whilst not all aspects of the viability appraisal are accepted, it is considered to adequately demonstrate that losing a further unit from the scheme would likely result in the overall scheme being unviable and the benefit of the retention, restoration and conversion of the locally listed buildings not being achievable on a commercial basis without this enabling development.

Council's Development Guidance document for the site 'Nunthorpe Hall Farm & Blacksmith's Yard, which was prepared on behalf of the Council by the North of England Civic Trust and published in July 2013.

The Nunthorpe Design Statement SPD establishes Nunthorpe village as being based on the 17th Century Grade II listed Nunthorpe Hall and its associated farm with further cottages developed in the 1800's. Whilst no specific guidance is provided in relation to new residential housing within Nunthorpe village the SPD guidance sets out general principles. Referencing that settlement patterns are important in distinguishing the development of Nunthorpe and any new development layouts should reflect the existing urban grain, recognise historic aspects of the area, reflect the scale of surrounding buildings and context, take account of the existing landscaping and topography and avoid any potential impacts on distance views. Any new development should be high-quality contemporary architecture with in-fill plots being sympathetic to the existing street scene and replacement/new build development being locally distinctive with high-quality materials. Development should consider the relationship between buildings and where possible providing a high-quality landscape design. Any ancillary buildings should reflect the patterns, materials and detailing of the surrounding development. The Nunthorpe Design Statement SPD mentions that any development within or near a significant building, such as Nunthorpe Hall will need to reflect the existing features and character of those buildings.

An objection has been received that the new build plots will open further parcels of land for future development, however, the site is outside of the limits of development as is the remainder of Nunthorpe Village and this development is unique with regards to the conversion and re-use of existing locally listed vacant farm buildings. The positive planning benefits associated with this application would not exist were a further scheme submitted and any future applications for new housing outside the limits of development would have to be considered against local plan policies at the time of submission.

Site Layout / Design, Character and Appearance

Local Plan Policy DC1(b) 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'. Policies CS4 (l) and CS5 (f) commenting that new development should be a high quality design which will 'enhance both the built and natural environment'.

The NPPF (paragraph 124, Chapter 12 and para.130) requires support for;

- the efficient use of land
- securing '*well designed, attractive and healthy places.*'

- creation of high quality beautiful and sustainable buildings to create better places to live and work,
- the use of high-quality design which reflects local character principles set out within the National Design Guide and National Model Design Code.
- developments to be '*visually attractive as a result of good architecture, layout and appropriate and effective landscaping*' and are '*sympathetic to local character and history including the surrounding built environment and landscape setting.*'

The site is located within the Nunthorpe and Poole Conservation area. The existing farm house, stable courtyard buildings and two grain store buildings are locally listed whilst the walled garden to the east of the main farmhouse is listed due to its former association with the Grade II listed Nunthorpe Hall adjacent. In view of these matters, it is considered to be important that the proposed development retains the design, form, character and quality of the existing buildings and immediate surroundings which are of positive character in order to be policy compliant.

The site layout and design of the development has been based around retaining the existing character of the farmhouse, stable courtyard and grain store buildings and their sympathetic conversion into residential properties along with five new build plots, one being designed in a similar manner to the adjacent terrace and the remaining four to the rear of the site being designed on the premise of former agricultural buildings and thereby representing an agricultural scale, character and appearance.

The site currently has one single width access road from the village. Part of the design principles for the site was to ensure this single access road was retained with limited additional access roads or hard standing within the site to retain the agricultural nature of the site. The access road serves all the development with only a single turning head and entrance road into the courtyard development which should allow the semi-informal character to be retained to a degree and thereby reflect on the former character of the grouping of farm buildings.

Existing Buildings

The proposed design of the former stable block courtyard conversion has resulted in minimum alterations to the external appearance and the existing footprint of the buildings. The internal layouts for each plot have been adapted to utilise the majority of the existing window and door openings. Roof lights are proposed to support the use of the roof space within the buildings along with a limited number of dormer windows, the majority of which being internal facing within the courtyard and being compliant with the councils adopted urban design guide for the design of dormer windows. The scheme provides for the courtyard arrangement being retained with the introduction of additional soft landscaping and parking spaces which would replace the existing fully hard surfaced courtyard area which is in a poor state of repair and of relatively poor quality materials.

The proposed conversion of the two grain store buildings would result in a marginal increase in the overall footprint of both buildings by the inclusion of single storey extensions to their rear elevations along with a slight increase in the ridge height of Plot 7. Although the layout and design of these properties will be altered, they are considered to be sympathetic changes which retain the massing and grouping characteristics, would be of high quality and would ensure the original architectural design of the original grain store buildings remains. In view of the above the conversion of the existing buildings is considered to reflect the existing site layout in a way which works for the future use whilst maintaining their character

and appearance. The proposed courtyard treatment will make for a more residential feel compared to its former agricultural use and this is unavoidable to a degree due to the different functioning of the proposed use to that of a farm, however, through careful use of materials and boundary delineation will largely retain the former characteristics. The existing farmhouse does not require permission its own right for use as a dwelling and is included within the scheme for completeness.

The courtyard buildings have no enclosed and private amenity space within the internal courtyard area and it has been a requirement of the applicant to establish some private amenity space for these and two other of the proposed dwellings in order to assist with overall values to offset costs to support the conversion and long term retention of these buildings. The proposed site layout details a partial rebuild of the walled garden through the removal of a non-original section of wall to its west side, redefining the walled gardens main wall further to the east, with an appropriate traditional brick specification and providing 6 smaller 'inner' walled gardens to serve plots 1-6. The internal layout and design of these separate garden spaces is shown having high boundary walls and central access walkway with timber doors into each sub-divided area. This will screen domestic gardens, take a form that is consistent with the character of the area and utilise materials, scale and appearance which is already part of the character and layout of this immediate area.

New Build plots

Of the 5 proposed new build properties, plot 8 would be located between the former grain store buildings and the existing cottage terrace to the north with the other 4 (plots 9, 10, 11, 12) being proposed to the east of the site partly on the footprint of a large open agricultural shed and partly on the land immediately adjacent.

Plot 8 has been designed of a scale and with architectural details that reflect the existing row of terraced properties to the north at 15-21 Old Stokesley Road, also facing the highway and with a consistent building line and retaining the original boundary wall and the large Oak Tree to the front. This property would be in a prominent position fronting the main road and will be viewed more in the context of the existing row of terraced properties, albeit being detached which is somewhat uncommon within the village. Notwithstanding this, the proposed plot 8 is considered to be of a design which would fit with its surroundings in terms of layout, design and appearance. The property is shown having a detached garage set back within the site, not readily visible from the highway, accessed from within the complex of buildings and of a non-domestic scale, thereby taking a scale and appearance of a former agricultural building. This will be visible from the rear of properties and is on the site of an existing modern agricultural shed and is considered would be an improvement in the immediate context.

The four remaining new build plots are set to the rear of the site, partly in the position of an existing large open fronted steel and block agricultural shed and partly on the land behind / around it. These proposed properties will be visible from several wider vantage points and levels here vary, from a high point within the established yard area to a low point heading east away from the buildings towards the bypass. The existing shed on site, whilst clearly of an agricultural character is considered to be non-traditional, being more modern than the other more historically representative buildings in the area and is considered to be a negative characteristic of the site.

The four new build plots 9-12 have been designed to appear as if they are former agricultural buildings within the site, which has resulted in a courtyard arrangement and with each building having a different design and scale to reflect a collection of farm buildings which would have been built over a period of time, and to be utilised for varying functions. Although

individually designed each of the four plots have similar window and door features which link to the traditional window and door details provided within the original stables and farmhouse building. Particular design details include simple stone door and window headers, timber panelling within the window design, timber clad offshoots with simple window/door framing and timber open canopy detailing within the garages. It is acknowledged that Plots 10 and 11 are of a significant scale, however, it is considered that these reflect the scale and proportions which would be apparent from traditional farm buildings and their overall footprint and mass is broken up notably through add-ons / drop down roof sections, contrasting materials and other similar detailing.

The new build plots have a mixture of integral, attached and detached garages with individual designs. Each garage is brick with slate roofs with several of the garages having an open canopy detail with timber supports. Two of the garages will have a habitable room within the roof space but have individual designs with an internal staircase and external staircase and a variation in the garage door design and openings. Importantly, the mix of designs, scales and roof structures throughout the development mean that the proposed development will not appear as a single mass but will instead have its mass broken up and carefully placed landscaping will be able to assist with intermittent screening to support this.

The North of England Civic Trust guidance sets out that new development should generally sit on the site of the two agricultural buildings, which is achieved by the proposed development, however, it goes on to state that this should be done without impacting on the street frontage or pushing as far east as the eastern most agricultural store and should not close the gap between the farm and the existing terraces at 15-21 Old Stokesley Road. The proposed scheme arguably goes beyond this, although, with the benefit of being able to consider the design, massing and layout of the proposed scheme, it is considered that the overall character of the area would not be unduly affected, particularly when taking into account there being formerly active yard to the east of the large sheds, as defined within the Civic Trust document.

Objection comments have been received suggesting that the scale of the new build plots is too great compared to the smaller dwellings in the village and that the application proposals will increase the village by 50%. However, it is considered to be important to continue the development to have an agricultural scale rather than a domestic one as a key characteristic of the village is that residential properties are laid out in a linear form fronting the road and this proposal would not undermine that. Whilst the new build plots are larger than those found within the village, their design, materials, position within the east of the site means the scale and proportions are considered appropriate in this location within the village, as part of the farm grouping.

Objection comments have been received that the new build plots reflect a series of barn conversions which are insensitive to the setting and historical interpretation and if further courtyard buildings would have been required, they would have extended the original stables and not developed further north-east, so the site does not respect the general agricultural form of the wider site. It may be the case that typically farm buildings would have extended as a group, however, with the walled garden immediately adjacent and the Public Right of Way to the side, it is clear that this would not have been an option historically and in this instance it is considered, as detailed within the North of England Civic Trust document that the provision of further built form in the approximate location of the proposed new build's and replacing an existing structure/s, would be an appropriate location for such development. Objection comments have been received that the proposed site layout has been based on a traditional 19th Century farmyard design but the modern design, break in roof pitches reflects a modern cul de sac design and is pastiche and does not integrate well with the

fabric of the village or the Grade II Georgian Nunthorpe Hall. Whilst noted, it is considered that the proposed development has been designed sympathetically to its surroundings and although it is a pastiche, it is considered that a more modern equivalent of provision of buildings would not be suitable given the conservation area / traditional detailing in the area and presence of the listed Hall adjacent.

The overall site layout and design of the both the buildings being converted and the new build plots has been assessed and in view of the matters detailed above, it is considered the proposal, whilst a notable change and addition to this site, would be in keeping with the overarching character of Nunthorpe Hall Farm and would not have an undue adverse impact on the character of the village, notwithstanding it being a clear and notable addition. It would further remove two buildings from the site (large barn and silo) which have through no active use become an adverse visual aspect and these matters are considered to accord with the guidance set out within Policy DC1 (b) and paragraphs 124 and 130 of the NPPF.

The application site is visible from within Nunthorpe Village, from the road entering the village from the north, from the bypass to the east at various locations and from the wider area to the east. From the east, it is and will continue to be visible as development at an elevated position as land slopes down from the site towards the bypass. From this direction the new build properties (plots 9-12) will be visible from the A172, with a backdrop of the original farm buildings and Nunthorpe Hall. The layout and position of the proposed four new build plots and gardens extends beyond the line of the existing agricultural buildings and this will therefore put a greater level of built form back than is being demolished / removed. The site levels rise up from the road and then drop away within the new build part of the proposed development and it is intended that properties to the rear will drop in level to reflect this and to reduce their impacts and dominance on the surrounding / character of the village. A condition is recommended to agree final levels for the scheme.

The proposed site layout and simple design detailing to the rear of the new builds (plots 11 and 12) and relatively minor alterations to the converted courtyard buildings means that although these buildings will be visible, they will be broken up by levels, differing roof designs, shapes and positions, and Nunthorpe Hall will remain to be visible along with recognition of its presence, appearance and part scale, as well as its position nestled amongst mature trees. Whilst the position of the proposed plots 9-12 will serve to reduce the extent of view of the rear of Nunthorpe Hall it is noted that views from the bypass of Nunthorpe Hall already vary depending on the season, leaf cover and this is not a significant view of the Hall in its own right, neither its main elevations or a permeant open view. Indeed, prior to the bypass being built it would have been a more secondary view and in view of these matters it is considered that the proposed scheme will retain a grouping of development without unduly sprawling and without unduly affecting the immediate landscape.

Considering impacts on other viewpoints, the development will be visible when entering the village from the north, between an existing bungalow on the bend in the road and the nearby terrace of dwellings which marks the start of the village (15-21 Old Stokesley Road) and these views are of the existing agricultural sheds along with some screening provided by land levels in the foreground and limited landscaping. The new build properties will be the most notable change from this viewpoint but should, as a result of the designs being proposed, provide a largely agricultural scale and appearance which is what is currently the situation, albeit with more development being visible and of a much higher quality. There is likely to be a recognition of some domestic paraphernalia within gardens from this viewpoint although the proposed post and rail fence boundary to the northern edge of the

development, along with a hedge to supplement it should, in time, be sufficient to soften the overall impact of the proposed new development.

Moving further into the village, views from West Side, the road immediately adjacent to the site, will be of the original farmhouse building being restored and brought back into use, the converted former stable block, converted brick grain stores and the new dwelling (Plot 8). The changes proposed are considered to be sympathetic to the original buildings utilising existing window/door openings and retaining original architectural features. The proposed new builds will be intermittently visible from between the properties but in a sporadic / short term sense. Additions to the existing buildings are limited and have been designed to be of a functional appearance and of contrasting yet functional materials with the intention of representing the form and function of the original buildings on the site. The conversions of the original farm buildings are considered to have a positive impact in the character and appearance of the street scene in that they will bring the buildings back to a good state of repair with limited change to their character.

This will not notably change views / appearance of the site from within the village and will be largely screened from views to the south of the village due to other structures / landscape features

Walled Garden, Boundary Treatments and Materials

The walled garden which forms part of this application site is associated with the previous use of the farm and was formerly part of the overall Nunthorpe Hall, Hall Farm grouping. It is set behind the farm buildings, adjacent in part to the rear of the hall and extends to the east forming a slightly irregular shape and being bound by a high wall, with a wide entrance served off the farm track adjacent to its northern boundary. The walled garden is curtilage listed (associated with the Hall's listing) and the applicant has been advised that a separate listed building application is required for the works within the walled garden.

The proposal seeks utilise an existing entrance to the rear of the stable block to access the walled garden area and create six individual, smaller walled gardens for plots 1-6, including traditional gate details. The garden boundaries will match the existing walled garden with stone coping. Further to this it is proposed to create a small lean to bin store structure within the walled garden area but designed on the basis of a historic brick potting shed or similar, with a well detailed door, lean-to roof and vents within the rear elevation. The walled gardens and bin store are considered to be appropriately designed for there position and would retain the integrity of the traditional character of the site and external views of it. Boundary treatments within the site have considered the local context in accordance with Historic England's Best Practice Guide. Boundaries between the new build plots are brick walls with coping stone detail and external boundaries to the north and east of the new build plots will be post and rail fencing with hedges to supplement. Metal railings on a stone plinth will be reinstated to the front of plots 1 and 2 alongside the road. Railings with stone walls are also proposed to the rear boundary of plot 6 and front of plot 8 to reflect the existing boundary treatment within this section of the site.

A materials schedule has been provided as part of the submission, however a condition will be added to the application that specific details of the materials for each plot and the specific design details of the windows and doors is provided.

The site will retain a large area of agricultural fields and the layout will provide a surface water swale which has been sympathetically designed and located to fit in with the rural landscape. Final details of this would be agreed by condition as recommended.

Saved Policy E21 of the Local Plan seeks the protection and conservation of the scenic quality and character of the landscape in the defined Special Landscape Area and in view of the considerations within this section of the report, it is considered that the proposals would not detract from the special scenic character of the area or the quality of the landscape, that proposals are of a high standard of design, carefully positioned and shall be able to use appropriate materials. As such, it is considered that the proposal is in accordance with the policy. Arguably, the long-term vacancy of the buildings, lack of maintenance and their boarded-up state is currently detracting from the character and quality of the Special Landscape Area.

Heritage/Conservation

Heritage / Conservation Assets – Policy Framework

Core Strategy Policy CS4 (k) requires new development to protect and enhance the historic heritage and townscape character delivering development of a high quality that contributes to improvements in the quality of the townscape whilst Policy CS5 (h) requires proposals to preserve and enhance the character or appearance of conservation areas and other areas of special interest and character.

The Nunthorpe Design Statement SPD (2021) Section 9 (Well Designed Buildings) sets out principles in terms of the design, materials and landscaping which should apply to existing and new build developments within Nunthorpe Village whilst Policy S1 advises that development within or near significant properties should respect the existing features and character of those buildings. The locally listed buildings within the application site are identified as significant buildings within the context of the Nunthorpe Design Statement.

Paragraph 197 of the NPPF states that applications should take account of the 'desirability of sustaining and enhancing the significance of a heritage asset and putting them to a viable use consistent with their conservation'. Consideration should be given to the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability and the desirability of new development making a positive contribution to local character and distinctiveness.

The site is located within the Nunthorpe and Poole Conservation area. The existing farm house, stable courtyard buildings and two grain store buildings are locally listed. The walled garden to the east of the main farmhouse is curtilage listed due to its association with the Grade II listed Nunthorpe Hall which lies adjacent. Other listed buildings lie in close proximity as street houses / cottages. In order to be able to consider the magnitude of any impacts, or indeed positive affect of the development on these heritage assets there is a need to first understand the significance of the heritage assets. For ease of reading, this section of the report is based on the individual heritage assets, their significance and the impact upon them.

Conservation Area – Significance and impacts

The Nunthorpe and Poole Conservation Area Appraisal and Management Plan (June 2008) (hereafter the Character Appraisal) establishes the character of the Conservation Area as predominantly that of a linear, rural settlement set in a gently undulating landscape of arable and pastoral farmland with remnants of parkland landscaping. The character appraisal notes the application site as making a positive contribution to the conservation area.

The North of England Civic Trust produced a development guidance document in July 2013 for the application site and the Blacksmith Yard to assist the Council in marketing the two

sites. In 2013, the council employed the North of England Civic Trust to undertake a study of the farm site and the nearby Blacksmiths Yard and although this is not an adopted planning guidance document its considerations and assessments are based on preserving heritage. In summary the Civic Trust document identifies the significance of the application site as it's heritage merit and based on it forming an integral part of the village streetscape. The significance was derived from the position of the farm within the heart of Nunthorpe Settlement and the socio-economic history of the village, the functional contribution as part of a group of historic buildings, the incremental form and relaxed layout, visual impact from the intrinsic design of the farm complex and the contribution to the wider appearance of the village and the traditional handmade materials. The Civic Trust guidance provided recommendations in terms of the principles for the conversion of the existing farm buildings and the potential of new build plots within the site as well as highlighting (along with the Character Appraisal) that the two agricultural stores within the site have no historic merit and have a negative impact on the conservation area character. The Civic Trust guidance noted that the removal of the two stores within the eastern section of the site and the sloping contours of the land would enable some form of new housing/garages as replacements for the large agricultural sheds within this eastern section of the site. The Civic Trust guidance provided several options for between 5 and 7 new build houses and associated garages (dependant on the house types) within the site in addition to the conversions.

The proposal will involve the demolition of the two agricultural stores to enable the construction of the 4 new build courtyard plots (9-12) which will therefore have a positive impact on the character of the conservation area and its significance, and the new build structures, through their design, scale and layout as referred to in the earlier sections of the report will allow built form on the site to remain largely where it already is and allow the village to remain to be a linear, rural settlement set in a gently undulating landscape of arable and pastoral farmland with remnants of the parkland landscaping.

The provision of a new dwelling between the former grain stores and the existing terrace to the north is considered to fit with the existing relatively tight knit grain of buildings, reflect the design of nearby historic properties and maintain road frontage and is considered would not harm, undermine or have a negative impact on the character of the wider conservation area.

The proposed alterations to the listed walled garden, will remove non-historic fabric and redefine the western section of the walled garden, to still perform the function and appearance of a walled garden with appropriate scale of walls and use of materials, as well as providing a lean to building within and a relatively small area of inner walled gardens. The walled garden will remain, as will its significance and association with the surrounding buildings, the inclusion of some internal walls along a similar theme is considered will not undermine this significance and is therefore neutral in impact overall.

Listed Buildings and structures – Significance and impacts upon

Locally Listed Farm buildings - Significance

The farm buildings at Nunthorpe Hall Farm built between 1853 and 1894 are on Middlesbrough's Local List (non-designated Heritage Assets). The local list describes them as being a farm associated with Nunthorpe Hall with some very fine architectural details including sandstone dressings, coats of arms within the barn wall, and bull's-eye windows and built largely of handmade brick with slate roofs.

Locally listed Farm Buildings - Impacts

Alongside the North of England Civic Trust study, the conversion of the existing buildings has been assessed in accordance with Historic England's 'Adapting Traditional Farm

Buildings: Best Practice for Adaptive use (2017) document. In summary Historic England's guidance requires consideration of the significance of the buildings, relationship with the wider landscape and sensitivity for adaptation to change.

Structurally there will be limited changes to the existing farmhouse building with only the replacement of a side access door with a window. The main architectural details on the frontage which faces the highway will remain the same.

Revised plans have been submitted for the alterations to the four proposed former stable courtyard properties (plots 1,3,4 and 5). The revisions have resulted in the retention of a significant proportion of the existing windows and original stable door openings and the removal of any additional single storey extensions to these courtyard buildings.

The conversion works do include a limited number of well-designed traditional dormer windows and conservation style roof lights to enable first floor accommodation, without having to increase the overall ridgeline roof height of the buildings. Although individual properties, the overall design has ensured some cohesion between the courtyard plots with similar window designs but individual traditional bespoke door designs to fit the variation in the original door openings. Additional original historic architectural features of the former stables will be retained such as the decorative crest from Tudor Hall and the original stone steps to mount horses to reflect the original stable use of these buildings.

The layout and design of the stable building conversion has retained the original internal courtyard area and single vehicle access point and although the conversion of the buildings requires car parking, this has been designed to be within the existing hardstand yard area, with parking spaces taken off a circular area of hard standing with additional landscaping provided. This will slightly change the character of the courtyard but the retention of courtyard elevations, high quality appropriate materials used for surfacing and careful delineation of plots, it is considered that impact on the significance of these locally listed buildings will be limited, and when taking into account the benefit brought about by their restoration and re-use, is overall considered to be a positive impact.

Similarly, the proposed works to plots 6 and 7 which were the original grain store buildings have utilised the original windows and door openings and retained the original architectural features such as the window slits on the west elevation of plot 6. External alterations to these buildings include single storey extensions to the rear and an increase in the ridgeline roof height of Plot 7. Several revisions have been made to the design and materials for the rear extensions which have resulted in extensions which given the scale and simplistic designs will appear subservient and not detract from the original architectural features of the grain store buildings. The slight increase in the roof height of plot 7 is considered to be a minor alteration to the original design of the grain store building and will provide a stepped ridgeline roof height for plots 6 and 7 which will improve the overall appearance of the buildings and it is considered that the proposed works will allow the original parts of the buildings to be very clearly defined, for the majority of openings to remain, reflecting the former use of the buildings and for the modest extensions to be in clear contrast, thereby retaining the overall significance of the buildings albeit in a converted state. The adverse impacts to the significance of the buildings are therefore very minor with the benefits of their restoration and long term re-use outweighing this to have an overall positive impact.

The proposed new build properties will add to the amount of built form in this location but will maintain a similar tight knit grain with a semi-informal arrangement, utilising design details from elsewhere within the site. Whilst the new build properties will be large in their own right as residential properties they will replace the large modern agricultural sheds which are

currently highlighted within the Character Appraisal and Civic Trust Study as having a negative appearance to the more traditional elements of the former farm buildings. The proposed new builds will not adversely affect the setting of the existing locally listed buildings relative to the Hall, the Walled Garden or the main road within the village and in view of these matters, it is considered the presence of the new builds will be a neutral impact overall.

Listed Walled Garden - Significance

The walled garden is considered to be curtilage listed having been built to support the Grade II Listed Nunthorpe Hall. It is reported and understood that the walled garden has been altered in terms of both its size and shape as the Hall was extended over multiple periods and ownerships, and more recently its western most section has been heavily altered and rebuilt with modern bricks on the external skin. Other walls remain primarily intact, all be it in a poor state of repair. The significance of the walled garden comes from its association with the Hall and its associated history and takes visual recognition from the bypass to the east, which, would have previously not been the case as the bypass is a modern intervention.

Listed Walled Garden - Impact

The walled garden does not have a current use, similar to the existing buildings on site and this prolonged lack of use is problematic for listed buildings and structures. The proposals seek to use the walled garden as amenity space associated with the development, with the majority being a more open and communal space and the western section being partially redefined to provide 6 individual and relatively small walled gardens within the overall walled garden parcel. This would serve to undermine the significance of the appearance of the overall walled garden were it to be readily visible and were it to be undertaken unsympathetically, however, the walled garden will remain to its existing alignments and the additional sub-division, is shown as being undertaken sympathetically, using matching bricks, and the additional of appropriately detailed doors. The inner walls will be lower in height than the main perimeter wall thereby not competing with the significance of the outer wall, and the works will also include for the re-building of out of keeping rebuilt section. It is considered that the impact on the significance of the walled garden will therefore be less than substantial but through its re-use, ability to receive long term maintenance, as well as the removal of the non-conforming repairs / brickwork, the proposals will result in an overall neutral impact.

Listed Nunthorpe Hall and associated structures – Significance

Nunthorpe Hall, its garden terrace retaining walls and steps, main entrance gates and piers and St Mary's Chapel are all separately Grade II Listed. In the mid- fourteenth century the Lord of the Manor founded a chantry and chapel of St Mary, the site of which is the current private Chapel of St Marys rebuilt in 1842, attached to Nunthorpe Hall. The Constable family acquired the manor in 1613 and built the first Nunthorpe Hall which appears to have been largely rebuilt in around 1801 with fragments of the earlier building remaining in the form of the ashlar retaining walls to the garden terraces. The significance of Nunthorpe Hall lies from being the primary Georgian Manor house within the village with it's own chapel, Blacksmiths, farm and walled garden and it's position within the centre of the village with residential properties built around the Hall and grounds.

Listed Nunthorpe Hall and associated structures – Impacts

The application site is the farm, farmhouse, former stables and walled garden associated within Nunthorpe Hall, which have been vacant for a significant period. The current derelict state of the farm house, stables and walled garden located in close proximity immediately to the north of Nunthorpe Hall is considered to have a negative impact on the physical appearance and the setting of Nunthorpe Hall and the associated listed structures.

Furthermore, the two modern pre-war agricultural buildings and silo no longer serve a functional purpose with the site being derelict with their presence detracts from the current setting of Nunthorpe Hall and associated St Marys church. Particularly when the Hall and village is viewed from the wider viewpoints along the A172. The demolition of the two derelict agricultural buildings and the silos will ensure these structures do not further deteriorate in terms of their appearance to the further detriment of the setting of the Hall. The proposal will include four dwellings on the site of the former agricultural buildings which will have some presence in terms of the setting of Nunthorpe Hall given their location. However, the redevelopment of this area farm with dwellings which have been sympathetically designed to appear as converted farm buildings, utilising appropriate materials is considered an improvement to the current negative impact of the derelict agricultural buildings on the setting of Nunthorpe Hall.

The proposed conversion of the existing farmhouse, stables and two original store buildings will see former vacant buildings brought back into a viable use. Furthermore, the re-use of the buildings, required repair works and the sympathetic design which retains the original farm building features will ensure the long-term future and historic value of these original buildings. Given the proximity of these buildings to Nunthorpe Hall, particularly the stables and farmhouse the proposed conversion works are considered to have a positive impact on the setting of the Hall and associated listed structures.

It is considered that the impact on the significance of Nunthorpe Hall and the associated listed structures within the grounds will be less than significant given the current negative impact of the derelict buildings and agricultural store buildings. The re-use, repair and ability to maintain the converted and new buildings mean the proposal will result in an overall neutral impact.

Listed Building's No's 4, 6 and 8 West Side – Significance

The row of terraced cottages to the west of the application site are individually Grade II and were built between 1853 and 1894. Their significance lies in the fact they were built in the same period as the Nunthorpe Hall farm and former the start of the residential development within the centre of the village.

Listed Building's no's 4, 6 and 8 West Side- Impact

The application site lies immediately to the east of these listed cottages. The main impact on the setting of these cottages is derived from the current physical appearance of the derelict stables and the farm building and the fact the current state of the buildings will deteriorate further in the long term.

The proposal will reinstate the residential use of the farm building and will convert the stables to residential use which will involve the repair of the existing fabric of the buildings. The conversion works have been sympathetically designed to re-use existing window and door openings with minimum extensions. Externally the frontage along the main highway will be improved with landscaping and the reinstatement of original boundary railings. The proposed re-use of the buildings to be converted, repair works and the minimum physical alterations to the design and fabric of the converted buildings is considered to have a positive impact on the setting of the listed cottages at 4,6 and 8 West Side.

Archaeology

The Archaeological Desk Based Assessment (September 2022) has been assessed by North East Archaeological Research Limited on behalf of the Council alongside historical maps (1946 and 1958). The historical maps show the agricultural sheds to the western side

of the site where the new housing is to be positioned as relatively recent additions and a track crossing the area of the walled garden.

The recommendation from North East Archaeological Research is that a strip, map and record exercise for the development area to the north of the lane is appropriate, where the new build housing and related drainage pond is proposed. This will establish the presence of archaeological features before development work commences and any deposits or structures of archaeological interest can then be excavated and recorded.

The strip map and record method is not however considered appropriate within the former walled garden area given this method of investigation could result in further disturbance/destruction to archaeological features. As geophysical surveys have not been provided it is recommended that in addition to a full watching brief, a condition is required to limit the extent to which deep excavations can take place within the walled garden. This should be prior to any operational works in this area e.g new walls, kerbing or demolition to ensure no evidence of the arrangement of historic garden features is destroyed.

The strip map and record for the northern area of the lane and the full watching brief and limitation on the depth of excavations within the walled garden area are recommended as pre-commencement conditions.

Amenity and Privacy

Core Strategy Policy DC1(c) comments that all new development should consider the effects on the amenities of the occupiers of nearby properties both during and after completion.

Amenity and privacy associated with existing dwellings

The proposed development lies adjacent to and to the rear of existing properties on Old Stokesley Road, to the side of Nunthorpe Hall and opposite residential properties on West Side. Other properties lie further afield. In general terms, the proposal replaces a farm with residential dwellings and the potential impacts of noise, disturbance, odours etc is likely to be much less in relation to the proposed development than a re-purposed / active farm. This is considered to be a positive impact for residential amenity.

There would be impacts through the demolition and construction phases of development and these are not uncommon for all residential and other development and the layout / scheme is such that there is nothing of significance that would be likely to unduly affect surrounding residential amenity in that regard.

Beyond these matters are the impacts of privacy and amenity as a result of the position and outlook of windows with proposed dwellings and the relationship of outdoor amenity space to that of adjacent properties.

The restoration of the existing farmhouse does not require permission in its own right and the position of windows and doors relative to this property are already established. An objection comment has been received in relation to the potential loss of privacy from the two dormer windows located on the front elevation of the converted courtyard buildings (plots 1 and 2) that would face the main road and residential property at 4 West Side, in particular the proposed dormer above the entrance door for plot 2. This concern has been raised with the application and this has subsequently been removed from the scheme. The second dormer has been redesigned with a barn style door opening that will be sited at an oblique angle and approximately 14 metres from the front elevation windows at 4 West Side. The

proposed dormer window and four roof lights will be utilised as bedrooms, landing and bathroom spaces which are not classified as a habitable room space in terms of the recommended privacy distances set out in the Middlesbrough Urban Design Supplementary Planning Document (UDSPD). The revisions to the plans and the non-habitable room uses for the remaining windows is considered to adequately address privacy matters in this regard.

The stable courtyard buildings side elevation faces Nunthorpe Hall and 23 Old Stokesley Road to the south. The alterations to this elevation include the replacement of a door with a window at ground floor and several roof lights at first floor. The replacement door with a window at ground floor is a kitchen window and will be a high-level window which will ensure no impact in terms of the residential property at 23 Old Stokesley Road. Each of the proposed roof lights directly facing Nunthorpe Hall will be non-habitable room windows (landing and a dressing room) and as such are considered to have no significant impact in terms of loss of privacy. There are two additional roof lights which will be installed within the pitched roof of this elevation facing west that may be visible from the rear of 23 Old Stokesley Road. The two roof lights will be bedroom windows and positioned at an oblique angle with no direct views towards 23 Old Stokesley Road.

The east facing elevation of the stable courtyard buildings will have additional ground floor windows, first floor dormers and roof lights which will face directly towards the walled garden. Each of these windows may be visible from Nunthorpe Hall and grounds, given their position and oblique angle to the Hall and grounds there is considered to be no significant privacy impact on the occupants of Nunthorpe Hall.

A row of terraced properties (15-21 Old Stokesley Road) is located immediately to the north and west of the development site. New build plot 8 is within 7 metres of the end terraced property (21 Old Stokesley Road), however none of the windows on the side elevation of Plot 8 are habitable room windows. The habitable room windows within new Build Plot 10 and the converted buildings, plots 6 and 7 accord with the 21 metre privacy separation distances set out within the UDSPD and are also separated by a rear access track. A detached property is located to the north of the development site at 1 Old Stokesley Road. There will remain a minimum separation distance of approximately 65 metres to this property, the proposed development is considered to have no significant impact on the amenity of the occupants of 1 Old Stokesley Road, notwithstanding the proposed development will be visible from that property and its amenity space.

Any alterations to the converted buildings within close proximity to existing residential properties have retained their original ridgeline roof heights. Each of the new build plots (plots 8-12) are located a sufficient distance from the existing residential properties to ensure there is no significant impact in terms of potential loss of light or overbearing impact.

Amenity and privacy associated with proposed dwellings

Within the converted courtyard properties (plots 1-5) any habitable room windows that face each other within the internal courtyard accord with the 21 metre privacy distances set out within the UDSPD.

There is only a 6m separation distance between the windows on the front elevation of the two grain store buildings (plots 6 and 7) that face towards the converted courtyard building (Plot 5). This has been considered as part of the internal layout of the converted buildings with no habitable room windows directly facing each other to resolve any potential privacy issues.

The two converted grain store buildings and detached proposed summerhouse (plots 6 and 7) will have habitable ground floor windows that face towards the gardens and side elevation of new build plot 8 with the upper windows being non-habitable room windows. Screening of the rear garden areas will be provided by a 1.8m high boundary and section of wall and railings towards the front side garden boundary of Plot 8. The boundary height and the fact the no habitable room windows from each of the plots directly face each other means the impact in terms of loss of privacy is not considered significant.

An objection comment references the privacy distances for the new build plots at 16m, being less than the guidance of 21m within the adopted urban design SPD. Whilst noted, the four new builds (Plots 9-12) have been designed with a traditional farm building courtyard arrangement, which historically would have resulted in lower separation distances between the farm buildings. There is a separation distance of 16m within the courtyard itself, however the internal floor plans for each of these four plots has been designed to ensure no habitable room windows directly face each other so will result in no significant privacy issues, thereby achieving satisfactory privacy distances whilst maintaining a characterful tight knit grain. Both new build courtyard plots 9 and 10 have rear elevation windows which face towards Plots 6,7 and 8. The majority of the windows are at an oblique angle to each other and any directly facing windows accord with the 21m privacy guidance.

The overall site layout and distances between the plots ensures there is no significant impact in terms of potential loss of light or overbearing dominance to the future occupants. Consideration has been given to the proximity of plot 8 to the converted properties at plots 6 and 7. The position and orientation of Plot 8 in relation to plots 6 and 7 will ensure there are no significant impacts in terms of potential loss of light or overbearing to Plots 6 and 7. Despite there being some restricted roof heights within the courtyard conversion plots each of the proposed plots provides bedroom spaces which accord with the Nationally Described Space Standards. New Built Plot 8 falls slightly below the 75% gross internal floor area of ceiling heights over 2.3 metres with the first floor being slightly under at 2.25 however this marginal reduction is not considered to be significant.

Each of the plots will have a garden area and outdoor amenity space with additional separate garden spaces provided within the walled garden for the occupants of the converted properties.

An objection comment notes Nunthorpe Hall has access rights to the rear of the stable block between its eastern side elevation and the walled garden and is indicated that this will be impractical and will impact on privacy and amenity associated with the converted properties and having been contrived to enable cars within the courtyard area, the latter of which has been detailed elsewhere within the report). Whilst right of access is a legal issue it is appropriate to consider this as a potential impact on ability for reasonable amenity and privacy being achievable. It is understood that the right of access is for emergency vehicles only and not a general right of access for passing and re-passing. The proposed layout shows the emergency access being maintained through the current site layout design should it be required. Use of this right of access would clearly and adversely affect the privacy of the future occupiers of the properties, however, given the use is for emergency vehicles only and not for the general public use, the impact in terms of privacy is likely to be very limited and the need to find a new, practical and long term use to ensure the long term use of these buildings is considered to carry greater weight in this instance.

An objection comment has referenced the additional noise from the cars and increase in the population. The proposal is for 12 dwellings with one being an existing farmhouse building, the level of activity generated from the proposal is not considered to raise concerns in

relation to noise, particularly as it is replacing the farming use of these properties and the noise that can be generated by an active farming use.

The Council's Environmental Protection team have assessed the proposal and have no objections subject to conditions requiring a road noise assessment and land contamination assessment.

The overall site layout design and internal layouts of the plots are considered to ensure there is no significant impact on amenity levels of the existing residents within the immediate vicinity of the site or the amenity levels of the intended occupants. The proposal is considered to accord with the guidance set out within Core Strategy Policy DC1 (c).
Ecology

Core Strategy Policy CS4(j) requires all new developments to ensure that 'biodiversity assets, geodiversity assets, wildlife species, natural habitats, water resources, landscape character, green infrastructure, air quality and water quality; within and outside Middlesbrough are protected. Where possible such assets should be enhanced.'

Objection comments have queried whether provision for the loss of habitat for the 2 barn owls and swift bricks will be provided within the fabric of the buildings.

The proposal includes the demolition of two agricultural stores and the conversion of several vacant buildings. A Bat, Bird and Barn Owl survey has been completed (Oct 2022) which identified bat roosts for low numbers of pipistrelle and brown long eared bats within the existing stable courtyard buildings and the two grain store buildings, generally limited to daytime roosts. Noting most of the buildings within the site offer suitable bat roost habitats with a high potential for movement throughout the site. The proposed works will result in the loss of these roosts and without mitigation would result in disturbance of maternity roosts and therefore the applicant will be required to apply for a Natural England Protected Species Licence.

Since 2016, there is evidence of barn owls returning to the site and nesting within one of the courtyard buildings to be converted. The proposal would also result in the loss of swallow and house martin nesting habitats.

The survey recognises the loss of some of the existing bat, barn and bird nesting spaces but recommends mitigation measures to ensure the continued use of the site by bats and birds. The Bat, Bird and Barn Owl survey (Oct 2022) recommends the following mitigation measures which will be conditioned:-

- Replacement void habitat created above the garage for Plot 8 (suitable for pipistrelle bats)
- destructive works to roost areas to be supervised by qualified ecologist
- 3 woodcrete bat boxes within line of trees to east of the site
- Temporary barn owl box to be installed within 200m of the development site and 30 days before construction and permanent owl box within garage of plot 12
- Three long lasting bird boxes installed within the line of trees east of the site or boundary walls encompassing the adjacent field
- Replacement barn swallow habitat in the form of open sided log stores
- Works to be undertaken outside of bird nesting period

A further objection comment has been received that biodiversity net gain should be calculated by an ecologist given the loss of wildlife habitat, including alternative barn owl/bat accommodation. The proposal has considered the loss of existing wildlife within the site with mitigation measures provided in this respect. The proposal will retain large areas of arable land and includes the addition of a SUDS pond which is considered to provide additional positive biodiversity benefits to the site, which alongside the mitigation measures is considered to provide a benefit to biodiversity within the site.

Landscaping /PROW

Local Plan Policy E21 requires that special attention is given to the protection and conservation of the scenic quality and character of the landscape within the Special Landscape Area (SLA). The Nunthorpe Design Statement SPD (NDPSD) Policy D6 requires that development outside urban Nunthorpe gives high priority to landscape design.

The proposal seeks to retain the majority of the existing hedgerows around the site with only a small section being removed to the northeast of plot 11. Trees within the site are to remain, including the large oak tree located within the front garden of plot 8 with the self-seeded trees alongside the oak tree being removed.

The original oak tree to the front of proposed Plot 8 will be retained with a single Silver Birch Tree being removed within the site. The Silver Birch is positioned within the site of Plot 10 and whilst the retention of the tree would be preferable it would restrict the development of this plots. A condition will be placed on the proposal that a replacement tree will be provided and that no other trees other than those set out on the approved landscape plan shall be removed from the site without the prior approval of the Local Authority. Additional border planting will be provided to the front of plots 1 and 2, along the main highway access and the garden area for plot 9 with additional landscaping provided within both the internal courtyard areas. A surface water swale will be provided to the SUDS pond.

The Nunthorpe Design Statement SPD (NDPSD) Policy D6 (b) requires new development to avoid the diversion or extinguishments of public rights of way, where it would adversely affect the use and appearance of the countryside. The application proposes the extinguishment of a section of public right of way which runs through the northern section of the site where the proposed newbuilds (plots 10 and 11) are to be located and diversion of another section.

An objection comment has been received that the Public Right of Way (PROW) from the A172 to the village should remain and that the width of the remaining PROW is being reduced. Two PROW's run through the application site with one footpath link from the A172 to the north east cutting across the site and a further PROW along the existing farm vehicles track from the A172 into the village. Although the PROW to the north-east will be removed the existing PROW along the existing farm track will be maintained. The Council's PROW officer has in principle no objections to the proposal however has requested the applicant contact them with regards to the legal process for the diversion of the PROW which would need to take place prior to commencement on site and the potential upgrades to the existing PROW.

The development is considered to be in accordance with the requirements of Policies CS5, E21 and D6 in this regard.

Traffic related issues

The development is for the creation of a total of 12 dwellings. The traffic generation for the development would be in the region of 10 two way movements during the network peak periods which is considered to be a negligible level (one vehicle every 6 minutes) and will not have a material impact on the immediate area or the wider highway network.

The existing single vehicle access into the application site off West Side will remain and will be utilised for the entire development. Whilst the access is limited to single flow traffic this must be considered against the likely level of traffic generation, intervisibility between opposing vehicles and be sympathetic to the rural nature and character of the area.

As stated above vehicle movements are low so the likelihood of opposing vehicles meeting is very low. Should opposing vehicles meet the intervisibility is suitable i.e a vehicle turning into the development would see a vehicle existing the development and vice versa. Should vehicles have to wait momentarily for each other this would not present a safety hazard to other highway users nor would it detrimentally impact on the free flow of traffic. The character of the area is rural with on-street parking and as such it would not be unexpected for motorists to have to slow or stop momentarily to enable other vehicles to pass and is a situation seen in many other locations.

Parking for residents has been provided in accordance with the Tees Valley Highway Design Guide. Due to the rural nature of the development and conversion of existing agricultural buildings it is not possible for visitor parking to be provided within the development for all properties and as such some limited on-street parking is likely to occur associated with casual callers such as deliveries or visitors for example. Such parking is often short term in nature and is typical within a residential area. The alignment and width of West Side means that this limited parking (duration and numbers) would not be detrimental, nor grounds to object.

The internal layout has proposed that the access and a turning head is to be adopted and as such provides facilities clear of West Side for refuse vehicles and other emergency or servicing traffic. The layout therefore would be designed and constructed to adoptable standards, taking into account sympathetic design to ensure that an overly engineered solution is not introduced to the rural area.

A condition is proposed to ensure that the construction of the development takes place in a managed way and minimising the impact on local residents and highway users.

The development will provide a mixture of 3-5 bedroomed properties. Objection comments have been received regarding the on-street parking and whether adequate levels of parking are provided for the development. Revised plans have been received removing the on-street parking with all the required parking to be provided within the application site.

The material schedule shows the internal road and driveways will be a combination of traditional style grey block paving sets matching edging and grey tar & chip. Precise details of the road and driveway materials will be conditioned.

Objection comments have been received that the proposal will result in more traffic and noise to the detriment of the village feel and community. The proposal is for 12 dwellings with one of the properties being the existing farmhouse building. The number of additional properties is not considered to result in a significant increase in the levels of traffic to the village. Each property has parking provision within the site there will be no visual impact from the additional cars.

To minimise intrusion to the village the works traffic is proposed to be taken off the existing farm access track on the A172. A culvert exists within this farm track and therefore prior to any works commencing on the site alongside a dilapidation survey information is required on the condition of the culvert and the weight limit.

The highway officers have raised no objections to the proposal subject to conditions on the construction of roads and footpaths, adoptable layout, details of roads and footways, turning / servicing, car and parking layouts and a method of works statement.

The development is considered to be in accordance with the requirements of Policy DC1 in this regard.

Flood Risk

The application is supported by a Flood Risk Assessment and Drainage Strategy (Sept 2022). The surface water drainage from the site will utilise an ordinary watercourse located within the south-east corner of the site, with the surface water run off rates being restricted and managed by a SUDS basin located to the east of the new build plots. The access roads and houses will be drained by traditional gullies and carrier drains. A landscaped swale will connect surface water flows from the carrier drain to the suds basin. The SUDS basin has a hydro brake which will restrict the discharge rate flow level to 4l/s to the ordinary watercourse. The ownership of the SUDs basin will either remain with the developer or a private management company.

The Foul water drainage is proposed via the public sewers via a foul pump chamber which will be installed within the bin store outbuilding, with the additional flow estimated at 0.6 l/s. Northumbrian Water state that insufficient detail has been provided on the foul water drainage provision and they require a pre-commencement condition for further details to be submitted and agreed with the Local Authority.

The Local Lead Flood Officer has no objections subject to conditions requiring additional information on the SUDS design, storage capacity and the infiltration given the proximity to the diverted PROW and the reasoning behind the use of the swale to the SUDS pond. Given the main road through the site is not to be adopted a condition relating to the future management of the swale/basin is required.

The Local lead Flood officer has required a condition for the specifications for the surface water gullies and storage capacities for the additional suds features within the site e.g water butts.

As set out within the highways section of the report the current farm access crosses a culvert and a condition is required to establish the condition of the culvert and the weight limit prior to being utilised by work traffic.

Nutrient Neutrality

Nutrient neutrality relates to the impact of new development on the Teesmouth and Cleveland Coast Special Protection Area (and Ramsar Site) (SPA) which Natural England now consider to be in an unfavourable condition due to nutrient enrichment, in particular with nitrates, which are polluting the SPA. It is understood that this has arisen from developments and operations which discharge or result in nitrogen into the catchment of the River Tees. Whilst it is understood that this will include farming activities and discharge from sewage treatment works, it also relates to waste water from development. New development therefore has the ability to exacerbate / add to this impact. Natural England has advised that only development featuring overnight stays (houses, student accommodation, hotels etc)

should be deemed to be in scope for considering this impact although this is generic advice and Natural England have since advised that other development where there is notable new daytime use such as a new motorway service area or similar could also be deemed to have an impact which may require mitigating. As with all planning applications, each has to be considered on its own merits. Furthermore, it is recognised as being particularly difficult if not impossible to accurately define a precise impact from development in relation to nutrient neutrality given the scale of other influences. Notwithstanding this, the LPA need to determine applications whilst taking into account all relevant material planning considerations.

The Local Planning Authority must consider the nutrient impacts of any development within the SPA catchment area which is considered to be 'in-scope development' and whether any impacts may have an adverse effect on its integrity that requires mitigation. If mitigation is required it will be necessary to secure it as part of the application decision unless there is a clear justification on material planning grounds to do otherwise.

In-scope development includes new homes, student accommodation, care homes, tourism attractions and tourist accommodation, as well as permitted development (which gives rise to new overnight accommodation). This is not an exhaustive list. It also includes agriculture and industrial development that has the potential to release additional nitrogen and / or phosphorous into the system. Other types of business or commercial development, not involving overnight accommodation, will generally not be in-scope unless they have other (non-sewerage) water quality implications.

Following the completion of a Habitat Regulation Assessment this development is considered to be in scope and has been put through the Teesmouth Nutrient Budget Calculator.

The application site includes a 15,228 m² area of agricultural grazing land to the north and east of the housing development site, a 6218 m² area of sheep grazing within the walled garden and a 500m² SUDS pond area. Based on the levels of agricultural/grazing land and SUDS pond which form part of the application site this off sets any increase of phosphates and nitrate levels generated from the proposed development, resulting in a net change figure of zero for the development.

With the agricultural and grazing land and SUDS pond forming part of the nutrient neutrality mitigation calculation a condition is recommended that these uses shall be retained for the lifetime of the development unless otherwise agreed with the Local Planning Authority.

Residual Matters

Affordable Housing

Local Plan Policy H12 requires housing developments of 5 dwellings or more within specific wards, including Nunthorpe, to provide 15% affordable housing contribution. The applicant's planning statement states that vacant building credit is available to the development which would reduce the affordable housing requirement. As set out in paragraph 64 of the NPPF, to support the re-use of brownfield land where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount. The provisions of NPPF paragraph 64 only apply to brownfield sites. The NPPF specifically excludes land that is or was last occupied by agricultural or forestry buildings from its definition of brownfield / previously developed land. As the application site is not a brownfield site the vacant building credit does not apply.

Notwithstanding this, Policy H12 advises that the Council will relax the affordable housing requirement where the applicant can demonstrate that the requirement would make the development economically unviable. The applicant has provided a viability statement to the council demonstrating the finances associated with the development and based on design requirements, the scheme has further changed to be reduced by 1 unit and to be of a high quality design and more onerous set of works. Officers are therefore satisfied that that the requirement for 2 dwellings within the site to be provided as affordable housing or an off site contribution to be made in lieu, would make the scheme financially unviable.

Minerals

With regards to the policy protection for salt and gypsum (MWC4), it is recognised that the majority of development is on the position of existing buildings and only very marginally extends beyond the existing built form and in view of this is considered to have no notable impact on the future extraction of minerals from this area.

Broadband

Comments have been received that better broadband should be looked at for the village. The proposed development is not required to provide additional broadband facilities for the village as this is not something which is being impacted on by the development. The developer is aware of the Councils aims to improving faster broadband access setting out within the Planning Statement that the proposed development will be constructed (e.g suitable ducting) to ensure it is able to connect and upgrade to the most up to date internet facilities available.

Waste Audit

There has been no details provided with regards to a Waste Audit associated with the proposed development and as such, a condition is recommended to require one to be provided in accordance with the requirements of Policy MWP1.

Conclusion

The site is outside of the limits for development but within an established village and would serve to provide a re-use and renovation of a group of locally listed buildings which are considered to be of notable importance to the historic significance of the village and the associated conservation area. The new build properties, whilst contrary to the policy in principle are necessary to provide viability to the of the overall scheme of works to the locally listed buildings and would do so without undue harm to the privacy and amenity of surrounding properties whilst having only a neutral impact on the significance of the heritage assets both within and adjacent to the site. The proposals are considered to represent high quality, historically representative development of a scale relative to agricultural forms and functions where appropriate. Matters of archaeology, ecology, nutrient neutrality, biodiversity and drainage amongst other matters are all considered to be suitably dealt with and all subject to controlling conditions.

RECOMMENDATIONS AND CONDITIONS

Approve with conditions relating to;

Time Period for Commencement
Approved Plans
Materials Samples

Windows and Door Details
Retention of historic features
External construction
Schedule of Repair Works
Road Noise Assessment
Contaminated Land Site Investigation
Finished Levels
Waste Audit
Foul Drainage
Surface Water Drainage Scheme
Surface Water Drainage Management Plan
Surface Water Drainage Management and Maintenance Plan
Existing Public Rights of Way
Ecology
Retained Trees
Replacement Trees
Hedges and Hedgerows
Renewables or Fabric First
Pd Rights Removed Boundary Treatments
Pd Rights Removed Extensions & Alterations
Pd Rights Removed Conversions of Garages
Pd Rights Removed Hardstanding
Landscape Scheme
Landscape Management Plan
No Business Use
Construction of Roads and Footways prior to occupation
Adoptable Layout
Details of roads, footpaths and open spaces required
Turning and Servicing
Car and cycle parking laid out
Method of Works
Archaeological Observation
Unexpected Discoveries
Nutrient Neutrality

Reason For Approval

The analysis of the development determines that the proposals are for a sustainable development, which will assist in economic growth in the town. The proposed conversions and new dwellings are of a high quality design and would provide a pleasant and sustainable environment offering a good mix of dwelling types. Landscaped areas within the site will enhance ecological potential. There are no statutory objections to the proposal in terms of the sustainability of the site or the ability to meet necessary flood, ecology, highways and noise mitigation.

The principle of residential development is contrary to Policies H1, E20, E22 and E24 of the adopted Development Plan with the site being outside the limits of development and the use not being association for business or leisure use however the proposal will result in several vacant locally listed buildings within the centre of Nunthorpe being brought into active use with a high-quality scheme for their conversion and several new built properties. On balance the conflict with policy H1, E20, E22 and E24 does not outweigh the social, economic and heritage benefits of the re-use of these buildings.

It is the planning view that none of the material objections raised will result in a significantly

detrimental impact on the character of the area or the setting of nearby Grade II buildings, including Nunthorpe Hall, the nearby residents or the community as a whole. The proposals do not conflict with local or national policies relating to sustainability, design, transport or flood risk.

INFORMATIVES

- **Discharge of Condition Fee**
Under the Town & Country Planning (Fees for Applications and Deemed Applications)(Amendment)(England) Regulations 2018, the Council must charge a fee for the discharge of conditions. Information relating to current fees is available on the Planning Portal website
<https://1app.planningportal.co.uk/FeeCalculator/Standalone?region=1>. Please be aware that where there is more than one condition multiple fees will be required if you apply to discharge them separately.
- **Civil Ownership Matters**
This permission refers only to that required under the Town and Country Planning Act 1990 (as amended) and does not include any other consent or approval under any enactments, byelaw, order or regulation. The grant of planning permission does not override any third party rights which may exist over the application site. In addition, you are advised that any works affecting party walls or involving excavations for foundations adjacent to a party wall you will be required to serve notice on all adjoining owners before work commences and adhere to the requirements of the Party Wall Act 1996.
- **Rights of Access/Encroachment**
This planning approval does not permit any person to access another person's land/property to enable the works to be completed, without their consent. Any encroachment into another person's land/property above or below ground is a civil matter to be resolved between the relevant parties.
- **Building Regulations**
Compliance with Building Regulations will be required. Before commencing works it is recommended that discussions take place with the Building Control section of this Council. You can contact Building Control on 01642 729375 or by email at buildingcontrol@middlesbrough.gov.uk.
Where a building regulations approval is obtained which differs from your planning permission, you should discuss this matter with the Local Planning Authority to determine if the changes require further consent under planning legislation.
- **Statutory Undertakers**
The applicant is reminded that they are responsible for contacting the Statutory Undertakers in respect of both the new service to their development and the requirements of the undertakers in respect of their existing apparatus and any protection/ diversion work that may be required. The applicant is advised to contact

all the utilities prior to works commencing.

- **Name and Numbering**
Should the development require Street Names, Numbers and/or Post Codes the developer must contact the Councils Naming and Numbering representative on 01642 728155.
- **Listed Building Consent Required**
A Listed Building consent application must be submitted to the Local Planning Authority before any modifications or alterations are carried out, either externally or internally, which may affect the character of the listed building, or if the alterations take place to a building or structure within the curtilage which pre-dates the 1st July 1948.
- **Cleaning of Highway**
The applicant is reminded that it is the responsibility of anybody carrying out building work to ensure that mud, debris or other deleterious material is not deposited from the site onto the highway and, if it is, it shall be cleared by that person. In the case of mud being deposited on the highway wheel washing facilities should be installed at the exit of the development.
- **Protected Species**
The applicant is reminded that it is an offence to damage or destroy species protected under separate legislation. Planning consent for a development does not provide a defence against prosecution under wildlife protection legislation. A licence from Natural England is required given the bat roosts within the site.
Discharge into Watercourse/Culvert
The applicant is advised that any discharge of surface water into a watercourse or culverted watercourse requires consent from the Local Authority.
- **Sustainable Drainage Systems**
Sustainable Drainage Systems (SuDS) should be considered when designing drainage, driveways and car parking areas.
- **Public Right of Way on Site**
A Public Right of way exists on the site. Before planning approval is commenced discussion is required with the Highway Authority's Public Rights of Way Officer (tel: 01642 728153) to ensure that the line of the path is not interfered with. Or an order must be obtained to stop up or divert the Public Right of Ways, as shown on the definitive map and statement, under Section 257 of the Town and Country Planning Act 1990. To discuss or apply for an order contact the Highways Authority's Public Rights of Way Officer at rightsofway@middlesbrough.gov.uk.
- **Adoption of Highway - S38**
The applicant is advised that prior to the commencement of works on site they should contact the Highway Authority (01642 728156), with a view to preparing the necessary drawings and legal work required for the formal adoption of the new highway layout. The S38 Agreement should be in place prior to the commencement

of works on site.

- **Dropped Kerb - S184**
The permission hereby granted should not be construed as authority to work within the public highway. Highways consent is required for the creation/alteration of a dropped vehicle crossing under Section 184 of the 1980 Highways Act. Such works will need to be carried out at the applicant's expense by Middlesbrough Council approved contractors. The applicant is advised that prior to the commencement of works on site they should contact the Highway Authority (01642 728156).
- **Private Street - S220**
As the proposed development fronts a private street, notice will be served under Section 220 of the 1980 Highways Act once Building Regulation approval (or initial notice acceptance) has been given. The applicant is therefore urged to consult early with the Highway Authority (tel: 01642 728156) on the highway details, particularly if it is considered that there may be an entitlement to an exemption under that section.
- **Protect Existing Footpaths/Verges**
Measures must be taken to protect existing footpaths and verges being damaged by site vehicles.
- **Demolition**
Demolition requires notification under Section 80 Of the Building Act1984 prior to any work commencing on site.
- **Highway Authority Discussion**
It is essential that early discussion take place with the Highway Authority (tel: 01642 728156) to discuss the effect on the surrounding highway network during the construction of this development.
- **Highway Authority Discussion**
It is essential that early discussion take place with the Highway Authority (tel: 01642 728156) to discuss the effect on the surrounding highway network during the construction of this development.

Case Officer: Debbie Moody

Committee Date: 17-Mar-2023

This page is intentionally left blank

APPLICATION DETAILS

Application No:	23/0061/FUL
Location:	Site of former Southlands Centre, Ormesby Road, Middlesbrough TS3 0HB
Proposal:	Erection of single storey community facility (F2(b) use class) comprising a multi-use hall and multi-purpose rooms, including ancillary community café and office spaces; creation of multi-use games area (MUGA) with associated fencing and floodlighting; construction of associated car park, access roads and landscaping
Agent:	Design Services, Middlesbrough Council
Ward:	Park End/Beckfield
Recommendation:	Approve Conditionally

SUMMARY

The application seeks planning permission for the erection of a single storey community facility, a new multi-use games area (MUGA) and associated works on the site of the former Southlands Centre.

A similar application was submitted in 2021 for a community facility and associated car park, although this was deferred at the meeting of the Planning Committee on 9th April 2021. At the time, Members principally raised concerns over the position of the vehicular access to the facility, which was through the residential estate, as well as an outstanding objection from Sport England. The application was subsequently withdrawn.

The key considerations with the current application relate to the principle of development on Green Wedge and Primary Open Space, the design and arrangement of the proposals, the highways related issues such as vehicular movements and access to the site, the requirements of Sport England, and the implications including potential noise nuisance on surrounding properties.

The report concludes that the proposed building is of a high quality and situated at a distance away from residential properties not to unduly harm their amenities. The only development within the Green Wedge and Primary Open Space is the new MUGA which has been designed in a way to minimise the impact on the local area.

Issues relating to the likely noise levels from activities at the proposed community facility and MUGA have been considered as well as the implications of traffic movements on nearby properties, although none have been deemed as having harmful impacts.

It is, therefore, the officer recommendation to approve subject to conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site forms part of the grounds of the former Southlands Centre, as well as land to the north.

Residential properties are situated along much of the southern boundary of the site, Middle Beck run along the eastern boundary, Ormesby Road is situated to the west, and the Unity City Academy is situated to the north.

Planning permission is sought for the construction of a new community centre facility comprising a single storey building to be used as a multi-function hall and multi-purpose rooms with associated car park and other works. It is worth noting that the proposed development forms part of a phased development (funding permitting), with this being the first phase.

Consent is also sought for a new MUGA with associated fencing and lighting.

PLANNING HISTORY

18/0568/PNO

Demolition of Southlands Leisure Centre
Prior Notification Approved
13th September 2018

21/0058/FUL

Erection of single storey community facility, comprising of a multi-use hall and 2 multi-purpose rooms with associated car park and external works
Deferred at Planning Committee 9th April 2021. Members principally raised concerns with regards to the position of the vehicular access to the facility, which was through the residential estate to the south, as well as an outstanding objection from Sport England.

After the deferral, the applicant has given consideration to an alternative access (off the existing roundabout) and engaged in discussion with Sport England.
The 2021 application was subsequently withdrawn and the current application submitted.

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:

Core Strategy:

DC1 (General Development),

CS4 (Sustainable Development),
CS5 (Design),
CS13 (A Strategy for the Town, District, Local and Neighbourhood Centres),
CS14 (Leisure Development),
CS18 (Demand Management) and
CS19 (Road Safety)

Housing Local Plan:

H1 (Spatial Strategy),
CS17 (Transport Strategy) and
CS20 (Green Infrastructure)

Saved Local Plan:

E2 Green Wedges
E3 Development Adjoining Green Wedges
E7 Primary Open Space (Existing): Protection from Development
E10 Secondary Open Space: Protection from Development
E28 Recreational Uses in the Countryside and in the Green Wedges

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

Consultation with surrounding neighbours through a letter-drop exercise has been undertaken – and is still underway – and does not expire until the 16th March 2023. Additional to the letter-drop exercise, two site notices have been displayed near to the site (one at the site entrance off Ormesby Road and the other at Blanchland Road).

At the time of writing, no objections or other representations had been received.

As the consultation phase does not expire until 16th March 2023 – which is the day before the Planning Committee meeting – any comments that may be received shall be reported directly to Committee at the meeting on the 17th March 2023.

Responses from Internal Technical Services

MBC Planning Policy

Initially, there were concerns from the Planning Policy service as the proposed café is not within a centre as recognised on the Local Plan proposals map and no justification nor sequential assessment has been provided. However, it has been clarified by the applicant that the café proposed would simply be for the community facility and the offices used as part of the facility. Therefore, the proposals are considered to have a locational requirement and in accordance with the NPPF.

MBC Highways

Given the existing infrastructure and location, the site is considered to be highly sustainable. There are no objections to the proposals subject to five conditions, including adherence to the submitted Travel Plan, implementation of the turning areas and parking areas, details of off-site highways works, and a method of works statement.

MBC Flooding Officer

No objections with the proposed method of surface water disposal from the development. Conditions are recommended for details of surface water drainage and its management.

MBC Waste Policy

No objections, although it is noted refuse collection vehicles may have to do considerable manoeuvring to collect waste from the bin store.

MBC Environmental Health

There are no objections subject to two conditions requiring details of floodlighting, and adherence to the submitted Noise Assessment.

Responses from External and Statutory Consultees

Sport England

No objections as the proposals are considered to meet its exception policies. Conditions are recommended that include details of the artificial grass pitch, registration of the facilities with the appropriate bodies, assessment of ground conditions, and the drafting of a community use agreement.

Northern Gas Networks

No objections to the proposals, although there may be apparatus in the area that may be affected by the development. Informative recommending contact with NGN has been provided.

Cleveland Fire Brigade

No objections to the proposals. Informative with recommendations of the access and water supplies have been provided.

Natural England

No comments received to date.

Northumbrian Water

No objections to the development. Pre-planning discussions were held to establish allowable discharge rates and connection points into the public sewer. As no drainage scheme has been submitted with the application, a condition is requested for details of the disposal of foul and surface water.

Secured By Design

It is recommended that the development incorporates Secured by Design principles within the scheme.

Summary of Public Responses

Number of original neighbour consultations	125
Total numbers of comments received	0
Total number of objections	0
Total number of support	0
Total number of representations	0

1. The application before Members is a full application for planning permission for a new community facility with associated works on the site of the former Southlands Centre, as well as a new multi-use games area to the north within the Unity City Academy.
2. The following considerations are based on the proposed scheme and the consultation responses received to date. Details of any additional responses that may be received as part of the consultation period, which does not expire until the 16th March 2023, will be reported to the Committee.
3. As with consideration of all applications, whether or not comments of support, objection or general comment are received from others, it remains to be a requirement for the Local Planning Authority to consider a proposal against all material planning considerations. The considerations below represent a complete consideration of the proposal against relevant planning policy and an assessment of the impacts of the scheme on the surroundings, including neighbouring properties and their associated amenity and privacy.

Relevant National and Local Policies

4. National guidance relating to development for community facilities is contained within the National Planning Policy Framework (NPPF). Paragraph 20 of the NPPF states that the Councils strategic policies should 'make sufficient provision for leisure and community facilities' and that decisions should help provide community needs.
5. Section 8 of the NPPF makes clear the role of local authorities and outlines how they need to be '*promoting healthy and safe communities*'. The section advises that policies and decisions *should aim to achieve healthy, inclusive and safe places, as well as providing the social, recreational and cultural facilities and services the community needs*. Paragraph 92 states that authorities should *promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments and strong neighbourhood centres* amongst other things. The same paragraph also advises planning policies and decisions to aim for healthy, inclusive and safe places that are *safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion* as well as to *enable and support healthy lifestyles*. Paragraph 93 states that decisions should *plan positively for the provision and use of community facilities and other local services to enhance the sustainability of communities and residential environments and guard against the unnecessary loss of valued facilities and services*.
6. The relevant policies in the Local Development Plan regarding this application have been outlined in the Planning Policy section of this report. In general terms, these policies seek to achieve high quality sustainable development that is situated in the right place and minimises the impact on neighbouring occupiers.

Principle of Development

7. The application site is designated on the Local Plan Proposals Map as Green Wedge and Primary Open Space where the two grass pitches are proposed; and Green Wedge and mainly Secondary Open Space where the new MUGA is proposed. The parts of the site where the community building and car park are proposed are not allocated for a specific use nor is the land where the existing MUGA is located.
8. Policy E2 seeks to retain Green Wedges as open space. The Policy advises that planning permission will not be granted for development that would: affect the predominantly open, green character of the Green Wedge or create undue nuisance or disturbance to occupiers of nearby properties or to the quiet enjoyment of the open

space; harm visual amenity; adversely affect areas of nature conservation or archaeological value; impair public access to Green Wedges; or reduce the physical separation between existing development. Policy DC1 similarly requires that the impact of the development upon the surrounding environment to be minimal; that the effect on protected open space within the urban area and Green Wedges is limited. Policy E28 advises that outdoor participatory recreational uses will normally be permitted in Green Wedges subject to criteria, a number of which overlap with the criteria in Policy E2.

9. The proposed two 9 v 9 grass pitches and the new MUGA are within the Green Wedge. The MUGA will feature 4-metre-high perimeter fencing and LED lighting, although no details have been provided of the type of fencing proposed. However, subject to it being a mesh style fence that allows views through it then the MUGA would be unlikely to affect the predominantly open green character of the Green Wedge or harm visual amenity.
10. The use of the pitches is likely to generate noise from participants. The part of the Green Wedge where the MUGA is proposed is currently school playing field and, as such, is currently subject to sports/play related noise and the proposed grass pitches are adjacent to an existing MUGA. The proposed development is, therefore, considered unlikely to have a significantly detrimental impact on the quiet enjoyment of open space within the Green Wedge compared to the current situation.
11. The proposed MUGA is located within the Unity City Academy part of Green Wedge where public access is restricted so it will not impact on public access to the Green Wedge. The location of the two proposed 9 v 9 grass pitches is fenced by low railings with access points. The application does not indicate any proposed changes to this boundary treatment and hence should not impact on public access to this part of the Green Wedge. The 4-metre-high fencing and floodlighting of the MUGA by introducing a built element will reduce the physical separation between existing development, but this is considered not to a significantly detrimental extent.
12. Policy E7 seeks to safeguard Primary Open Space from development and only allows exceptions that complement its function or is of over-riding benefit to the community and would not result in the significant loss of open space which is in a Green Wedge or of significant visual or landscape value. The Primary Open Space on the site is where the two grass pitches are proposed along with the southern section of the proposed new MUGA. The proposed pitches and MUGA are considered to be appropriate uses for open space and would be of benefit to the community. The land upon which they are proposed is relatively flat mown grassland that whilst being within the Green Wedge is not of significant visual or landscape value.
13. The majority of the proposed new MUGA is located on land designated as Secondary Open Space. Policy E10 advises that planning permission for development on Secondary Open Space will be granted where it would not result in the loss of an area of significant value as a recreational, visual or amenity resource or for nature conservation. The proposed use is considered to maintain and enhance the current recreational use of the site as an amenity for the local community. As set out above, this part of the site is not considered to be of significant visual value or of nature conservation importance.
14. Policy CS20 identifies Green Wedges as part of the strategic network of green infrastructure and advises that the loss of green space that contributes to the achievement of an integrated network of green infrastructure will be resisted. As set out above, however, the only part of the development proposed in the Green Wedge is the MUGA with associated fencing/floodlighting and the 9 v 9 grass pitches.
15. Overall, it is considered that the principle of the proposed development meets the requirements of the Green Wedge, Primary Open Space and Secondary Open Space

policies and the application is, therefore, deemed to comply with the relevant criteria of DC1, E2, E7, E10, E28 and CS20.

Design, Scale and Impacts on Surrounding Areas

16. Policy H1 advises that development proposals need to be sited within the urban area where they are accessible to the community they serve and satisfy the requirements for sustainable development as contained in policy CS4. Such proposals also need to demonstrate how they would contribute to achieving the spatial vision and objectives of the Plan. The application site is in a suburban location adjacent to a residential area and therefore easily accessible to the community that the proposed development is intended to serve. Objective 1 of the Housing Local Plan is to stabilise population decline through the creation of sustainable communities that create an attractive environment to retain the population in the town. The Plan advises that the objective will be achieved through a combination of providing housing in locations, and of the type, that people want, and through improvements to the local environment and investment in facilities and infrastructure. The proposed community centre and sports pitches that are proposed by the application are considered to provide facilities and infrastructure that will contribute to the creation of sustainable communities.
17. Policy CS4 requires all development to contribute to achieving sustainable development, which includes ensuring everyone has access to leisure and other community facilities that they need in their daily lives, promotion of a healthier community, being located so that services and facilities are accessible on foot, bicycle, or by public transport, making the most efficient use of land with priority being given to development on previously developed land, in particular vacant sites, and ensuring that green infrastructure is protected. It is considered that the proposed development will improve access in the locality to sports and community facilities, and the sports facilities should bring health benefits to the users. The application site is considered to be in a sustainable location, being adjacent to residential properties and close to a bus route and cycle path. Moreover, the proposed community building is on previously developed land. Given the above, it is considered that the development would comply with the criteria of CS4.
18. Policy CS5 requires, amongst other things, all development to demonstrate a high quality of design in terms of layout, form and contribution to the character and appearance of the area. Similarly, Policy E3 advises that development adjoining green wedges must be designed to complement the character and environment of the green wedge in terms of the scale, materials, massing, and visibility of buildings, means of enclosure, and design and provision of landscaping. The proposed design features a variety of roof heights and slopes that along with a range of proposed materials help to break up the scale of the building and add visual interest whilst being functional to accommodate a community hall. The Design and Access statement advises that additional trees will be provided to soften the impact of the building and car park area.
19. As the proposed building has a contemporary design, it is considered to be in accordance with the principle of CS5. The chosen design and materials are considered to complement the surrounding residential environment. The external elevations will be finished with facing bricks at a low level with coloured render above, the pitched roof will be finished with composite metal. A condition is recommended that appropriate materials and colours are used in the finished appearance.
20. It is noted that the building design features measures to minimise potential crime and other unauthorised access to the facility, and the location of the building is relatively well positioned, with natural surveillance from the surrounding residential area, all of which are in line with the guidance of the NPPF.
21. Policy DC1 seeks to ensure that the effect upon the surrounding environment and the amenities of occupiers of nearby properties will be minimal as a result of development.

The nearest properties are considered to be those to the south of the site – those located on Blanchland Road – which would be separated from the side elevation of the facility by a distance of approximately 21 metres. For a development of this type and scale (it is noted that the lowest part of the building is nearest the residential properties), it is considered that such a separation distance would be suitable and minimise the impacts of the scheme as a result of its presence and scale.

22. The existing car park to the north of Blanchland Road is to be resurfaced and extended. Whilst this may bring some additional noise and disturbance, it is not anticipated that this would bring significant undue levels of noise and disturbance into the area and would therefore not be unduly detrimental to residential amenity. To minimise the visual impact of the appearance of a car park on the nearby residential properties, soft landscaping and tree planting is being introduced, the details of which can be secured by a suitably worded condition.
23. The use of the pitches is likely to generate noise from participants and from footballs hitting the fencing, which may have harmful impacts on the levels of residential amenity of nearby occupiers. As noted earlier in the report, the part of the Green Wedge where the MUGA is proposed is currently school playing field and, as such, is currently subject to sports/play related noise and the proposed grass pitches are adjacent to an existing MUGA.
24. To assess the likely impacts, the application has been supported by a noise assessment of the impact on nearby properties. This has been considered by officers in the Council's Environmental Health service, who raise no objection subject to the implementation of the development in line with the recommendations of the noise assessment. With this in place, it is considered therefore that the proposed development is unlikely to have a significantly detrimental impact on residential amenity.

Sequential Assessment

25. As noted earlier in the report, the proposed building will accommodate community facilities, including ancillary café and offices. The community facility is considered to accord with the criteria of Policy H1 as set out above.
26. In isolation, cafés and offices are deemed to be main town centre uses as defined by the NPPF. Core Strategy Policy CS13 advises that new retail and office development will be directed to the Town Centre and requires a sequential approach to be applied when considering proposals for new town centre uses outside of designated centres. Section 7 of the NPPF similarly requires that Local Planning Authorities apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan.
27. The proposed café and offices are in an out-of-centre location. However, it is noted that the proposed café use does not have a dedicated floorspace on the floor plans; its use is not intended to provide a service to the wider public but will primarily operate and serve those persons who utilise the facility. Whilst the NPPF does not have a minimum threshold for when the sequential test should be applied, the National Planning Practice Guidance (PPG) does advise that the use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements, which mean that they may only be accommodated in specific locations. The PPG requires robust justification to be provided where this is the case.
28. Although the applicant has not submitted a sequential test or provided robust justification for why the café and offices cannot be located in a sequentially preferable location, the principal objective of the café would be to serve the users of the community facility, whereas the offices are for community benefit and the management of the

proposed facility rather than being general use offices to be occupied by any businesses. They are seen to be integral to the use of the building for community uses and help ensure their long-term viability as such. A condition is recommended to ensure that the café and office uses are ancillary and remain as such in perpetuity. Given this intention, the proposed development is considered to be in accordance with Policy CS13 and Section 7 of the NPPF.

Sport England Considerations

29. It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.
30. Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 99), and against its own playing fields policy, which states: *'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of: all or any part of a playing field, or land which has been used as a playing field and remains undeveloped, or land allocated for use as a playing field unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions'*.
31. There are considered to be a number of elements within the proposals that impact on playing field. The proposed artificial grass pitch (AGP) proposed for the Unity City Academy's playing field is the most major element, but additionally there are footpaths and car parking areas proposed. As the proposals relate to the provision of a new sports facility on the existing playing field, the application needs to be considered against exception 5 of Sport England's Playing Field Policy, which states: *'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field'*.
32. Sport England has assessed the potential benefit of the new and extended sports facility by taking into account a number of considerations. These may include whether the facility:
 - meets an identified local or strategic need e.g. as set out in a local authority or NGB strategy (rather than duplicating existing provision);
 - fully secures sport related benefits for the local community;
 - helps to meet identified sports development priorities;
 - complies with relevant Sport England and NGB design guidance;
 - improves the delivery of sport and physical education on school sites; and
 - is accessible by alternative transport modes to the car.
33. Proposals also need to demonstrate that the loss of any area of playing field will not have an unacceptable impact on the current and potential playing pitch provision on the site. As one of the stated ambitions of the proposed development is the creation of a football hub, Sport England has sought the views of the Football Association on the development. Through its delivery arm – the Football Foundation (FF) – the Football Association advises the following:

'The Middlesbrough Playing Pitch Strategy (PPS) (2019) identified a shortfall of three full sized 3G pitches for football across the local authority. This proposal for an additional full sized 3G pitch was tested as a scenario in the PPS as a potential location to reduce the shortfall, as well as being identified in the Middlesbrough Local Football Facility Plan (2019, to be updated) as a priority project for potential FF funding. The proposal would

incorporate delivery of S106 from the loss of playing fields at Marton Avenue as mitigation.

FF is presently working with the applicant to develop the proposal, with the intention of pursuing a future FF application for grant funding support for this project. The project is in the early stages of progressing through the FF 3G pitch framework. Given that FF is engaged with this proposal and FF funding being key to the delivery of it, we are content that, though design guide compliance will be ensured through the framework process, full detail of design and specification can be conditioned.

Potential use of the 3G pitch and grass pitches includes Unity City Academy (school), with the new 3G pitch location proposed to be within the Academy boundary line. Proposed partner clubs for community use are yet to be determined, though significantly sized clubs in the area include Riverside Juniors FC, Prissick Rovers FC and Boro Rangers FC.

Resurfacing of the existing 3G pitch is proposed at the same time as part of the wider project but this aspect will be funded by the local authority via the collected sinking fund, a condition of initial FF funding for the pitch.'

34. Sport England has advised that it concurs with the response of the Football Foundation, and considers the creation of a football hub at Southlands/Unity City Academy will be of significant benefit to football development and participation in Middlesbrough. As a result, it is considered that the proposal meets playing field policy exception 5. Moreover, the proposed paths and car parks are considered important in ensuring that the football hub functions across the Academy and community centre sites and they are deemed to be in compliance with the playing field policy exception 2.
35. Whilst the proposed development does not replace the playing field that will be lost to housing development at Marton Avenue, Sport England accepts that the proposed developments at Southlands/Unity City Academy will offer significant benefits to sport that represent adequate compensation for the failure to comply with playing field policy.
36. Given the above assessment, Sport England offers no objection to the application, which is considered to meet exception 5 and exception 2 of their playing field policy. The Sport England no objection, however, is subject to four conditions being imposed which require details of the artificial grass pitch, registration of the pitch with the relevant bodies, an assessment of the ground conditions, and the drafting of a community use agreement.

Highways Related Matters

37. Policy CS17 advises that the Council, in association with partners, will seek to deliver a sustainable transport network, which promotes alternative modes of transport other than the private car whilst reducing the need to travel. The Policy also expects all major developments to include a comprehensive network of cycleways and pedestrian routes that permeate throughout the site and link into the wider strategic network. Additionally, Policy CS18 requires development proposals to incorporate measures that improve the choice of transport options available to people, including promotion of schemes for cycling and walking. In order to assess the application against these Policies, the application has been supported by both a Transport Statement and Travel Plan; the scoping of which have been agreed with officers.
38. Traffic generation of the proposed uses has been established using the nationally recognised TRICS database and supplemented with Tees Valley Highway Design Guide parking standards. This approach has demonstrated that the peak periods of operation of the site will occur outside of the peak periods of operation of the highway network. The level of traffic generation, especially when taking into account the existing MUGA

facility at the site, is not material and does not require further assessment of the operation of the network.

39. The TRICS data and parking standards have been used in conjunction to identify the most appropriate level of car parking for the site. This assessment has identified a peak accumulation/demand in parking of 50 spaces. Vehicular access to the proposed development is to be taken from the existing roundabout access onto Ormesby Road. This internal access road leads to a car park which is to provide 98 car spaces (including 5 disabled spaces). Turning and parking for two coaches within the site is also proposed and demonstrated to be practical with swept path analysis.
40. Pedestrian and cycle access is provided in the form of a new 3.6 metres shared route, which runs east-west through the site and links up with adjoining residential areas. This facility leads to a proposed new Toucan signalised crossing on Ormesby Road just south of the existing roundabout, which will further encourage safe pedestrian access.
41. At this location, pedestrians currently have to wait for traffic, cross in two stages and hold in a pedestrian refuge when crossing Ormesby Road. The highway works consist of upgrading this existing uncontrolled pedestrian crossing to a signalised Toucan crossing, which will also connect into existing shared ped/cycle routes which run along Ormesby Road. These works will improve non-car accessibility to the site and will be secured by a suitably worded condition.
42. Bus stops exist immediately north and south of the proposed Toucan and are well served by a number of frequent bus services.
43. Given the above infrastructure and location the site can be considered to be highly sustainable, which will reduce the need to travel by car. In order to support this approach, a Travel Plan has been submitted which will also be secured by condition.

Drainage Related Matters

44. While it is noted that a Flood Risk Assessment (FRA) has been provided, which assesses the sources of flood risk, it does not appear to provide information on the proposed discharge location or run off rate.
45. The FRA is to be amended providing clarification on the proposed discharge of surface water into the private culvert that crosses the site. The FRA has indicated that storm water events up to and including the 1 in 100 year plus 40% climate change would be attenuated by way of a tank towards the north eastern corner of the site. In principle, there are no objections to the proposed development or the suggested proposed disposal method for the surface water into the culvert that crosses the site at a discharge rate of 4 litres per second.

Conclusion

46. It is concluded that the proposed development would constitute a high quality, sustainable development, which will go towards enhancing the site of the former Southlands Centre and provides community facilities and resources to meet anticipated demand. Moreover, the design and layout of the scheme are acceptable and generally in accordance with the relevant local and national policies given there will be only limited adverse impacts on the surrounding residential area.
47. There are no additional material planning considerations that officers are aware of at this stage, however, it has been noted that the overall consultation period for the application does not expire until the 16th March 2023. As such, additional matters may need to be taken into account which need to be reflected in the scheme, its design or its

layout. Any comments that may influence the above findings shall be reported to Members at the Committee meeting.

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: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. Approved Plans

The development hereby approved shall be carried out in accordance with the following approved plans:

- a) Red Line Site Boundary (A00)
- b) Proposed Site Plan (A01)
- c) Proposed Layout Plan (A02)
- d) Proposed Elevations (A03)

Reason: To ensure a satisfactory form of development and for the avoidance of doubt.

3. Samples of Materials

The development hereby approved shall only be carried out using finishing materials of which samples have been submitted to and approved by the Local Planning Authority. This shall include materials to be used in the construction of the community facility building as well as the bin store screening/fencing.

Reason: To ensure the use of satisfactory materials.

4. Ancillary Café and Office Space

The café use and office space approved as part of the development hereby approved shall at all times remain ancillary elements to the community facility. The café use shall only be used to serve users of the community facility, and the offices shall only be for local community benefit or management of the facility and not for general use by a business.

Reason: To ensure an acceptable form of development that is in accordance with Policy CS13 and Section 7 of the National Planning Policy Framework.

5. Soft Landscaping

Prior to the occupation of any community facility hereby approved, a detailed scheme for tree planting and associated soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall include details of the proposed trees to be planted, including their species, size and location. The tree planting and associated landscaping works shall take place during the first available planting season (October-March) following the completion of

building works on the site. The Local Planning Authority shall be notified within two weeks of the landscape planting works.

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

6. Landscape Management Plan

A landscape management plan, including management responsibilities and maintenance schedules for a minimum of five years, and including arrangements for its implementation, for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any part of the development for its permitted use. Thereafter, the approved landscape management plan shall be carried out as approved.

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

6. Replacement Planting

If within a period of five years from the date of the planting of any tree, that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason: In the interests of the general amenities of the area and a satisfactory landscaping scheme.

7. Disposal of Foul and Surface Water

Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

8. Surface Water Drainage Scheme

Prior to the commencement of the development on site a detailed surface water drainage scheme (design and strategy) shall be submitted to and approved in writing by the Local Planning Authority. The scheme should be designed, following the principles as outlined in the Flood Risk Assessment (SLCS-BGP-00-XX-RP-C-002) and the development shall be completed in accordance with the approved scheme.

The design of the drainage scheme shall include but is not be limited to:

- i. The surface water discharge from the development must be limited to a Greenfield run off rate (Q_{bar} value) with sufficient storage within the system to accommodate a 1 in 30 year storm.
- ii. The method used for calculation of the existing greenfield run-off rate shall be the ICP SUDS method.
- iii. The design shall ensure that storm water resulting from a 1 in 100 year event, plus climate change surcharging the system, can be stored on site with minimal risk to persons or property and without overflowing into drains, local highways or watercourses.

- iv. Provide an outline assessment of existing geology, ground conditions and permeability.
- v. The design shall take into account potential urban creep
- vi. The flow path of flood waters for the site as a result on a 1 in 100 year event plus climate change (Conveyance and exceedence routes)

This should be accomplished by the use of SuDs techniques, if it is not possible to include a sustainable drainage system, details as to the reason why must be submitted.

Reason: To ensure the site is developed in a manner that will not increase the risk of surface water flooding to site or surrounding area having regard for policy CS4 of the Local Plan and section 14 of the NPPF.

9. Surface Water Drainage Management Plan

Prior to the commencement of the development on site, details of a Surface Water Drainage Management Plan must be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include:

- i. A build program and timetable for the provision of the critical surface water drainage infrastructure.
- ii. Details of any control structure(s) and surface water storage structures
- iii. Details of how surface water runoff from the site will be managed during the construction Phase
- iv. Measures to control silt levels entering the system and out falling into any watercourse or public sewer during construction.

The development shall, in all respects, be carried out in accordance with the approved Management Plan.

Reason: To ensure the development is supported by an appropriately designed surface water disposal infrastructure scheme and to minimise the risk of increased flooding and contamination of the system during the construction process having regard for policies DC1 and CS4 of the Local Plan and section 14 of the NPPF.

10. Surface Water Drainage Management and Maintenance Plan

The development shall not be occupied until a Management & Maintenance Plan for the surface water drainage scheme has been submitted and approved by the Local planning Authority; the plan shall include details of the following:

- i. A plan clearly identifying the arrangements for the adoption of the surface water system by any public authority or statutory undertaker (s104 Agreement) and any other arrangements to secure the operation of the scheme throughout its lifetime.
- ii. Arrangements for the short and long term maintenance of the SuDS elements of the surface water system

Reason: To ensure that the surface water drainage infrastructure is maintained to minimise the risk flooding in the locality having regard for policy CS4 of the Local Plan and section 14 of the NPPF.

11. Turning/Servicing

No part of the development hereby approved shall be brought into use until facilities clear of the public highway have been provided for the manoeuvring of vehicles in accordance with the approved drawing, or such drawings which are subsequently submitted to and approved in writing by the Local Planning Authority. The drawings shall show means of access, dimensions, surface treatment and drainage. The

areas so provided shall at no time be used for any other purpose and retained thereafter for such purposes.

Reason: To ensure a satisfactory form of development and in the interests of highway safety having regard for policies CS5 and DC1 of the Local Plan and sections 9 and 12 of the NPPF.

12. Car and Cycle Parking Laid Out

No part of the development hereby approved shall be occupied until the areas shown on the approved plans for parking and manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason: To ensure a satisfactory form of development and in the interests of highway safety having regard for policies CS5 and DC1 of the Local Plan and sections 9 and 12 of the NPPF.

13. Off-Site Highway Works

The development hereby permitted shall not come into use until the highway works detailed below have been carried out in accordance with the submitted drawing(s) Proposed Site Plan Drawing A01 or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority:

- i. Removal of the existing pedestrian refuge South of the Sandringham Road/Ormesby Road/Site access roundabout and provision of a Toucan crossing together with associated infrastructure

Reason: In the interests of providing a safe means of access to the site by all modes of transport and to minimise disruptions to the free flow of traffic having regard for policies DC1 and CS5 of the Local plan and sections 9 and 12 of the NPPF.

14. Method of Works Statement

The development hereby approved shall not be commenced until a detailed method of works statement has been submitted to and approved in writing by the Local Planning Authority. Such statement shall include at least the following details:

- i. Routing of construction traffic, including signage where appropriate,
- ii. Arrangements for site compound and contractor parking,
- iii. Measures to prevent the egress of mud and other detritus onto the public highway,
- iv. A jointly undertaken dilapidation survey of the adjacent highway,
- v. Program of works, and,
- vi. Details of any road/footpath closures as may be required.

The development must be carried out in accordance with the approved details.

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic, or safety of highway users having regard for policy DC1 of the Local Plan.

15. Travel Plan

Within 3 months of the commencement of development hereby approved a full Travel Plan must be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented prior to first occupation with the development thereafter being occupied in accordance with the approved Travel Plan unless agreed otherwise in writing by the Local Planning Authority.

Reason: To promote sustainable transport measures for visitors/staff/residents having regard for policy CS4 of the Local Plan and section 9 of the NPPF.

16. Details of Artificial Pitch

No development affecting playing field shall commence until details of the design and layout of the floodlit artificial grass pitch, including fencing, lighting and surfacing details, have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The floodlit artificial grass pitch shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable.

17. Turf Certification and Pitch Registration

Use of the development shall not commence until:

- a) Certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS), and
- b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose and sustainable, and provides anticipated sporting benefits

18. Assessment of Ground Conditions

- a) No development shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:
 - i. A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the grass playing pitches which identifies constraints which could adversely affect playing field quality; and
 - ii. Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.
- b) The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose

19. Community Use Agreement

Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the artificial grass pitches and grass pitches and include details of pricing policy, hours of use, access by non-academy users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement."

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport.

20. Details of Floodlighting

Details of any floodlighting to be used at the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before the use commences. The details shall include a plan which identifies the location of lighting columns along with lighting levels that will be provided at the development and at the facades of neighbouring premises, and the hours of operation of the lighting. The construction and use of the floodlighting shall be carried out in accordance with the approved details and shall be retained in an operation state for the lifetime of the use.

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.

21. Approved Noise Assessment

The use hereby approved shall be developed in accordance with Noise Assessment Reference 10519.1, which was submitted to the local planning authority in support of the application. Any deviations from the recommendations made in the report shall be submitted to the local planning authority for approval.

Prior to the installation of any fixed plant or machinery, further noise assessment shall be undertaken and the details of which submitted to the local planning authority for written approval.

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 community facility, multi-use games area with associated works is considered to be appropriate as it is in full accordance with national and local planning policies, statements and guidance.

In particular, the proposals are in accordance with the National Planning Policy Framework, and the policies regarding community development, sustainable development, the efficient use of land, appropriate scales of development, the protection of open spaces of different characters and uses, good quality design, and transport and accessibility, whilst proposing a development that would not be out of scale and character within the surrounding area, and would not be detrimental to the local and residential amenities of the area.

Issues of principle regarding the use of this site and the generation of traffic have been considered fully and are not considered, on balance, to give rise to any inappropriate or undue affects. Accordingly, the Local Planning Authority considers that there are no material planning considerations that would override the general assumption that development be approved unless other material factors determine otherwise.

Informatives

Informatives: Cleveland Fire Service

Access and Water Supplies should meet the requirements as set out in: Approved Document B Volume 2: 2019, Section B5 for buildings other than Dwellings. It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5 tonnes. This is greater than the specified weight in AD B Vol 2 Section B5 Table 15.2.

Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety. It is therefore recommended that as part of the submission consideration is given to the installation of sprinklers or a suitable alternative AFS system.

Informative: Northern Gas Networks

Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works. The promoter of these works should contact Northern Gas Networks directly on 0800 040 776 (option 5) to discuss the requirements in detail. Should diversionary works be required these will be fully chargeable.

Discharge of Condition Fee

Under the Town & Country Planning (Fees for Applications and Deemed Applications)(Amendment)(England) Regulations 2018, the Council must charge a fee for the discharge of conditions. Information relating to current fees is available on the Planning Portal website <https://1app.planningportal.co.uk/FeeCalculator/Standalone?region=1>. Please be aware that where there is more than one condition multiple fees will be required if you apply to discharge them separately.

Case Officer: Peter Wilson

Committee Date: 17th March 2023

Delegated Planning Decisions 10.01.2023 – 03.03.2023

Case Reference	Main Location	Proposal Description	Despatch Date	Decision	Ward		
20/0471/FUL	109 Chalford Oaks Middlesbrough TS5 8QQ	Two storey and single storey extensions to rear and 2no. first floor bay windows to side	Tuesday, 10 January 2023	Refused	Ayresome		
22/0778/FUL	6, Runnymede, Middlesbrough, TS7 0QL	Installation of a new window, alterations to existing windows and single/two storey front extension	Wednesday, 11 January 2023	Refused	Nunthorpe		
22/0767/FUL	31, Clevegate, Middlesbrough, TS7 0JH	SINGLE STOREY FRONT EXTENSION	Thursday, 12 January 2023	Approve with Conditions	Nunthorpe		
21/0297/DIS	1 - 29 Station Street Middlesbrough TS1 1SR	Discharge of condition no's 3 (Construction Compound) 11 & 12 (Ventilation Strategy/Noise and Ventilation) 16 - (SI Phase 2) 22 (Network Rail) of planning permission 17/0277/FUL	Friday, 13 January 2023	Full Discharge Conditions	Central		
20/0582/DIS	Acklam Iron And Steel Works Club Park Road South Middlesbrough TS4 2RD	Discharge of conditions 3 (Materials), condition 4 (Temp car parking), condition 5 (Surface water drainage), condition 6 (Foul & surface water drainage), condition 8 (Landscaping) and condition 9 (Boundary treatment) on planning application 16/5038/FUL	Tuesday, 17 January 2023	Full Discharge Conditions	Longlands/Beechwood		
22/0805/TELPN	Adjacent Hemlington Recreation Centre, Cass House Road, Middlesbrough, Hemlington, TS8 9QW	Installation of a replacement antennas, revised headframe arrangements, and associated ancillary development	Tuesday, 17 January 2023	Approve	Hemlington		
22/0774/FUL	62, Grey Towers Drive, Middlesbrough, TS7 0LT	Two storey side extension and single storey extension to rear (demolition of rear conservatory)	Wednesday, 25 January 2023	Approve with Conditions	Nunthorpe		
21/1067/VAR	Cleveland Cottage, Brass Castle Lane, Nunthorpe, Middlesbrough, TS8 9ED	Variation of condition 2 (Approved plans) to planning application 21/0041/FUL	Monday, 06 February 2023	Approve with Conditions	Marton West		
22/0786/FUL	19, Strait Lane, Middlesbrough, TS8 9BB	Front dormer extension and reducing size of a side window	Monday, 06 February 2023	Approve with Conditions	Stainton And Thornton		
21/0715/FUL	115 Burlam Road Middlesbrough TS5 5AR	Change of use from social club to 10no. self contained flats, to include extensions, alterations to elevations (demolition of rear extension), with associated access and parking arrangements.	Friday, 10 February 2023	Approve with Conditions	Linthorpe		
23/0037/PNH	15, The Croft, Middlesbrough, TS7 8DY	Single storey extension to rear (eaves 2.5m, height 3.66m, length 3.50m)	Tuesday, 14 February 2023	Prior Notification Not Required/No Obj	Marton West		
21/0381/DIS	115 Burlam Road Middlesbrough TS5 5AR	Discharge condition 5 Waste Audit in regards to application 20/0568/COU	Thursday, 16 February 2023	Full Discharge Conditions	Linthorpe		
21/0611/VAR	32 Wilson Street Middlesbrough TS1 1RP	Variation of condition 2 (Approved Plans) on planning application 19/0663/FUL for changes to external works layout	Thursday, 16 February 2023	Approve with Conditions	Central		
21/0534/DIS	Boho X Lower Gosford Street Middlesbrough	Discharge of condition 7 (Method of Works Statement) for planning application 20/0764/FUL	Tuesday, 28 February 2023	Full Discharge Conditions			
22/0777/DIS	4, Old Stokesley Road, Middlesbrough, TS7 0NN	Discharge of condition 3 (External finishing materials) alter external materials on planning application 21/0168/FUL	Wednesday, 01 March 2023	Full Discharge Conditions	Nunthorpe		
22/0698/FUL	Cleveland Cottage, Brass Castle Lane, Middlesbrough, TS8 9ED	Replacement entrance gates, wall/railings and pillars	Thursday, 02 March 2023	Approve with Conditions	Marton West		

This page is intentionally left blank