

## PLANNING AND DEVELOPMENT COMMITTEE

<b>Date:</b> Thursday 16th November, 2023
<b>Time:</b> 1.30 pm
<b>Venue:</b> Mandela Room

### AGENDA

**No site visits will be held prior to this meeting**

1. Welcome and Introductions
2. Apologies for Absence
3. Declarations of Interest
4. Minutes - Planning and Development Committee - 12 October 2023 3 - 10
5. Schedule of Remaining Planning Applications to be Considered by Committee 11 - 94  
Schedule – Page 11  
Item 1 – Former Cleveland College of Art & Design – Page 13  
Item 2 – Land to rear of North Ormesby Institute – Page 83
6. Applications Approved by the Head of Planning 95 - 106
7. Planning Appeals
8. Any other urgent items which in the opinion of the Chair, may be considered.

Town Hall  
Middlesbrough  
Wednesday 8 November 2023

**MEMBERSHIP**

Councillors J Rostron (Chair), I Blades (Vice-Chair), D Coupe, J Ewan, M McClintock, I Morrish, M Nugent, J Platt, J Ryles and G Wilson

**Assistance in accessing information**

**Should you have any queries on accessing the Agenda and associated information please contact Joanne McNally, 01642 728329, [Joanne\\_McNally@middlesbrough.gov.uk](mailto:Joanne_McNally@middlesbrough.gov.uk)**

**PLANNING AND DEVELOPMENT COMMITTEE**

A meeting of the Planning and Development Committee was held on Thursday 12 October 2023.

**PRESENT:** Councillors J Rostron (Chair), I Blades (Vice-Chair), D Coupe, J Ewan, M McClintock, I Morrish, M Nugent, J Platt, J Ryles and G Wilson

**ALSO IN ATTENDANCE:** A Walker, Edera, Sandbach and walker

**OFFICERS:** C Cunningham, A Glossop, R Harwood, S Thompson, S Blood and L Churchill

**APOLOGIES FOR ABSENCE:** None

23/10 **DECLARATIONS OF INTEREST**

Name of Councillor	Type of Interest	Item/ Nature of interest
Councillor M McClintock	Non-Pecuniary	Agenda Item 5, item 2 , Land South of Grey Towers Farm. Ward Councillor.
Councillor G Wilson	Non-Pecuniary	Agenda Item 5, item 3. Public space north of Caldicotes Primary. Ward Councillor.
Councillor I Morrish	Non-Pecuniary	Agenda item 5, item 5. 8 Faemside Mews, Middlesbrough, TS8 9UR. Ward Councillor.

23/11 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 21 JULY 2023**

The minutes of the meeting of the Planning and Development Committee held on 21 July 2023 were submitted and approved as a correct record.

23/12 **SCHEDULE OF REMAINING PLANNING APPLICATIONS TO BE CONSIDERED BY COMMITTEE**

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

**22/0259/FUL Erection of 1no. detached dwelling at 20, Fountains Drive, Middlesbrough , TS5 7LJ for Mr J Bradley**

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 presented the application and advised that the purpose of the application was to seek planning approval for the erection of a three bedroomed two-storey dwelling on the section of residential garden located

immediately to the north of 20 Fountains Drive in Acklam. The vehicle access for the property was shown as being provided directly from Sledmere Drive.

Full details of the planning application and the plan status were outlined in the report. The Development Control Manager advised that the application site has been granted permission previously for a detached 2 storey property (2012) and a separate application for a dormer bungalow on the site (2015). The site lies within the limits of development and within a residential area.

The revised design and reduced scale of the proposed dwelling from the previous submitted scheme in 2021 are considered to achieve a property which is in keeping with the scale, design and character of the existing semi-detached two-storey properties along Fountains Drive.

Members were shown the site in question and proposed plans for the dwelling.

It was explained to members that there was an issue of nutrient neutrality relating to the site. This 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.

Whilst it was understood that this would 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. With all planning applications, each has to be considered on its own merits and would need to apply to Natural England for credits.

The Committee were advised that 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 and the details were sent to the agent to advise them of the total annual nitrogen load the development must mitigate against.

The agent was asked to confirm what mitigation they proposed however no information was forthcoming. Given the time period which has lapsed since the submission of the application and the lack of mitigation, officers consider it reasonable to determine the application as it currently stands. The applicant has the ability to re-apply should Nutrient Neutrality mitigation be achieved.

The officers opinion was therefore to recommend refusal on ground of nutrient neutrality.

One supporter was in attendance to speak on the application. In summary the following points were made:

- The revised design had taken on board planning inspectors comments and is a reduced dwelling to the from the previous submitted scheme in 2021.
- The design was felt to be keeping in scale, design and character of the existing semi detached two-storey properties in Fountains Drive.
- In terms of nutrient neutrality, contact had been made to Natural England and mitigation credits had been applied for.

There had been 41 objections received following neighbour consultation and the site notice.

The Ward councillor was elected to address the committee. In summary the following points were made:

- Concerns that if the build goes ahead It would cause numerous problems, making the junction of Fountains Drive and Sledmere drive a blind bend.
- The blind bend would result in accidents not only from with traffic but also from school children coming and going to school.
- There are a lot of corner properties in that area with large plots. If this application was approved it would set a precedent for other property owners to sell some of their garden to a property developer to build more houses.
- The property would look out of place
- There would be loss of view
- There is as covenant on the site to preserve the overall outlook/ aspect of the area.

A member queried the covenant. The Development Control Manager outlined that any covenants on the property are legal obligations for the owner of the property and not a material planning consideration which can be assessed as part of the application.

A Member also queried whether the decision would be deferred until a decision from Natural England had been made in relation to the nutrients neutrality and gaining mitigation credits, however it was advised that this was not a fast process and with no certainty that credits would be gained.

A discussion ensued and, in summary, Members felt that in light of the following the application should be refused.

**ORDERED** that the application be **REFUSED** due to the reasons set out below.

#### **Nutrient Neutrality**

The proposal would result in an increase in population and a consequential increase in waste water and nutrients (specifically nitrogen) entering into the drainage system which would, in turn, add to existing nutrient burdens within the River Tees. Unmitigated, this proposal would have an adverse impact on the Teesmouth and Cleveland Coast Special Protection Area, which would be contrary to Local Plan Policies CS4 (j) and DC1 (a) and the NPPF and would fail to meet the legal requirements of the Conservation of Species and Habitat Regulations 2017.

#### **Material affect on the area**

In the opinion of the Local Planning Authority, the proposed development of the open corner which is a characteristic of the estate, would have a material adverse impact on the open character of the area contrary to the requirements of Local Plan Policies CS5 (c and f) and DC1 (b and c).

#### **22/0270/MAJ- Erection of 8no. dwelling at Land South of Grey Towers Farm for Foody Farms (Ingleby ) Ltd.**

*\*\* In order to address the Members as a Ward Councillor, Councillor McClintock recused himself from the Committee for consideration of the item\*\**

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 Permission was being sought for the

erection of 8 dwellings with associated access and landscaping on land to the west of Grey Towers Farm.

It was considered that the proposed development would provide dwelling types which are of a high quality design, in an attractive mews / agricultural building layout with positive landscape setting. The density, design, housetypes and layout are sympathetic to the historic use of part of the site that was within the grounds of Grey Towers Farm and the proposed development is considered would successfully transition from housing within the conservation area and historic farm setting to meet the neighbouring new build development.

Following a consultation exercise which included a press notice, site notice and letters to residents. Comments were received from 13 properties. Of those, 2 were in support of the application and 11 were in objection.

The Development Control Manager advised that there were no technical objections to the development, the development is considered to be acceptable in terms of flood risk, highway safety and capacity, and nutrient neutrality.

The development provides a high quality development with large executive homes in an attractive landscaped setting which will result in an attractive streetscene with good levels of natural surveillance in accordance with the principles of secured by design and is sympathetic to the local character and history of the surrounding area.

The development will not have a significant impact on existing properties and provides high levels of amenity for future residents. The landscaping and ecological and biodiversity enhancements on the site and adjacent land will result in an attractive landscaped setting.

The officer's opinion was therefore to recommend approve with conditions.

The Agent and Property Owner of Grey Towers Farm were in attendance and asked to address the committee in support of the application.

In summary, the supporters advised the following:

- The development would bring high quality, Executive homes to areas.
- The design is bespoke to the areas.
- Currently the land is derelict and is a security issue with fly tipping and anti-social behaviour.
- The proposed dwellings are in keeping with what was previously on site following the footprints of the farm buildings.

An objection, Chair of the Parish Council was asked to address the Committee.

In summary the Objector advised that:

- No more houses were required
- The proposed dwellings would increase traffic and congestion
- There would be increased pressure on schools, doctors and lack of local amenities.
- Access to public transport is limited
- Impact on wildlife
- Impact right of way

A statement of objection had been received by a Ward Councillor and was read out by the Development Control Manager and was as follows:

*I would like to object to this planning application.*

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*It's a second or third iteration from the developers and I still have serious concerns about it - as do many of my fellow residents.*

*Firstly - it is located within a Conservation Area. This should take precedent when considering any application of this nature.*

*Grey Towers Village was sold to residents as a place where they could enjoy open green areas and wildlife which can be seen in the original masterplan. This application flies in the face of that, cramming in a further eight houses into a relatively small space.*

*In the original masterplan there was a cap of 295 dwellings - this has been significantly breached and there are now 452 houses on the site.*

*A well-used public right of way is being re-routed and made to look like an alleyway.*

*I walk through this area often and it is home to much wildlife such as rabbits and hedgehogs.*

*As Nunthorpe Parish Council states barn and tawny owls, buzzards, heron, geese and swans are also regularly observed hunting across the area from the nearby Fishponds Plantation and surrounding area. Roe deer also roam nearby.*

*I appeal to my fellow councillors to reject this application today.*

*Thank you.*

The other Ward councillor was elected to address the committee. In summary the following points were made:

- No more houses were required
- Building for building sake
- It will affect the wildlife
- Some of the application is outside of the limits of development in the Local Plan and in the Nunthorpe Conservation area.

A Committee member queried why there was further need for development and if there were, building bungalows would be more beneficial to the aging population.

Further comment was made in relation to the bridleway and public rights of way. Consideration has been these aspects had been taken into account and there was an expectation that any proposed hedging planted along the public rights of way must be maintained to ensure the useable width was retained.

Member of the Committee further queried the site of the proposed works, as felt it was not necessary due to 28% of the application site being outside of the limits of development on the Local Plan and is part of the Nunthorpe conservation area.

A discussion ensued and, in summary, Members felt that due to part of the site being outside of the limits of the Local plan and overdevelopment of the site (see below) the application should be refused.

**ORDERED** that the application be **REFUSED** for the reasons outlined below.

#### **Overdevelopment of the site**

In the opinion of the Local Planning Authority, the proposed development is considered to represent an overdevelopment of the site, adversely impacting on the PROW, the general character of the area and the Nunthorpe and Poole Conservation Area, contrary to the requirements of Local Plan Policies CS5 (c, f and h) and DC1 (b

and c).

*\*\*At this point in the meeting, Councillor McClintock re-joined the Committee\*\**

**22/0729/COU- Creation of play area, erection of perimeter fence and installation of new surfacing and play equipment, Public space north of Caldicotes Primary for Mr C Coverdale**

*\*\* In order to address the Members as a Ward Councillor, Councillor Wilson recused himself from the Committee for consideration of the item\*\**

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 presented the application which sought planning permission for the creation of a children's play area on the land to the North of Caldicotes Academy, and to the west of an existing multi games area.

Following the consultation period, a strong objection was raised by Cleveland Police on the grounds of the proposed location of the play area and the safety of children at the site. The proposal was considered to be:

- In a location that would have the potential to generate crime, increase the fear of crime and attract anti-social behaviour.
- Lack of natural surveillance from nearby properties. The play area is positioned to the rear of dwellings which is likely to increase the potential for crime.
- There is poor lighting serving the site and approaches to the site.

The Development Control Manager advised that officers from the Council had sought to work with the applicant and had asked them to consider other potential locations for the play area as well as meeting on site to discuss the nature of the Police objection.

No alterations or re-location was forthcoming and with no alterations or revisions to the proposals, officers consider that significant weight should be given to the objection from Cleveland Police. The primary purpose of the play area would be to provide a facility for children and families to utilise and enjoy, but it is considered that this must be in a location which provides reasonable safety through being overlooked or similar.

The officer recommendation was to refuse.

The Ward councillor was elected to address the committee. In summary the following points were made:

- The play area would create a space for children and families to enjoy,
- The equipment installed would be of material which would withstand fire,
- There was no other suitable space in the surrounding areas for a play park.
- Residents has given verbal support to the play park,
- The ward councillor was working with the council to ensure the lighting and CCTV cameras were utilised so that the space could be used.

A discussion ensued and, in summary, Members felt that it would be inappropriate to approve the application on the strong objections from Cleveland Police.

**ORDERED** that the application be **REFUSED** for the reasons outlined below.



**Unsuitably located**

In the opinion of the Local Planning Authority, the proposed play area development, owing to the site-specific location, will create a community facility that would not be safe to use. The lack of natural surveillance over the play area and the excessive permeability to the site from the north is considered to result in a development that is in a secluded location and increases the fear of crime. This is contrary to the NPPF (paragraphs 92 and 130) and Core Strategy Policy CS5.

*\*\*At this point in the meeting, Councillor Wilson re-joined the Committee\*\**

**23/0166/FUL - Installation of play equipment at the Avenue Play Park, Nunthorpe, Middlesbrough, TS7 0AG for Mr C Coverdale**

**ORDERED - Item withdrawn**

**23/0272/FUL, Erection of outbuilding to rear at 8 Farmside Mews, Marton, Middlesbrough, TS8 9UR, for Daniel Raistrick**

*\*\* In order to address the Members as a Ward Councillor, Councillor Morrish recused himself from the Committee for consideration of the item\*\**

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 presented the revised application for the erection of outbuilding at the rear of 8 Farmside Mews, Marton.

The committee were advised that the application was initially to seek retrospective planning approval for an outbuilding at the property and following objections raised from residents revised plans have now been submitted relocating the outbuilding to the enclosed yard at the rear of the site.

Objections were raised from residents with regards to scale, design, appearance, materials location, amenity and impacts on the adjacent listed buildings.

The outbuildings relocation to the rear of the site will have less impact on the setting of the listed building and no impact on the neighbouring Grade II Listed former farmhouse and cottage nor would it be visible from any public vantage points or streetscene.

The outbuilding is a modest secondary addition located in the least visually intrusive position on site ensuring any impacts are minimal. The outbuilding was now considered to accord with the guidance set out in Core Strategy Policy CS4, CS5 and DC1 and principles of the Urban Design Guide and Marton West Neighbourhood plan.

The officer recommendation was to approve conditionally.

For the purpose of the report, the objections received throughout the application process were outlined as follows:

- The building is not in character with its surroundings and is visually obtrusive in its current location.
- Unique character of the Bonnygrove Farm Grade II properties in Marton

should be maintained in its current historical format for posterity and the residents of Marton and Middlesbrough

- The garden building can be clearly seen from the road on Turnberry Way
- The building does not comply with Marton West Neighbourhood Plan
- Building proximity from boundary of adjacent Listed Buildings
- Materials dissimilar construction to the adjacent grade 2 buildings and surrounding properties
- Height of building is excessive
- Restricts daylight to adjacent grade 2 listed property Bonnygrove Farmhouse notably in kitchen, utility room, hall and also rear garden

The revised location received the following objections:

- No mention is made in the application for the removal of the concrete foundations and electrical services in the front garden
- No mention within the revised documents of changing the building colour or the material used for the roofing.

The Ward councillor was elected to address the committee. In summary the following points were made:

- All previous objections were to be withdrawn, on account that the location has been changed for the outbuilding.
- The ward councillor expressed concern about the concrete plinth remaining in situ.

In response to the ward councillors' concerns, the officers advised that the concrete plinth would be removed within 3 months from the date of approval. This was to ensure satisfactory form of development and for the avoidance of doubt.

**ORDERED-** That the application be **APPROVED** for the reasons outlined below.

#### **REASON FOR APPROVAL**

This application is satisfactory in that the outbuilding to rear; accords with the principles of the National Planning Policy Framework (NPPF) and, where appropriate, the Council has worked with the applicant in a positive and proactive way in line with paragraphs 186-187 of the NPPF. In addition, the outbuilding to rear accords with the local policy requirements (Policies CS4, CS5 & DC1 of the Council's Local Development Framework).

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

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

23/13

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

No Items.

## Planning & Development Committee Schedule - 16-Nov-2023

Town Planning applications which require special consideration

1	<p>Reference No: 22/0570/MAJ</p> <p>Ward: Linthorpe</p>	<p>Applicant: Lidl Great Britain Limited</p> <p>Agent: Rapleys LLP</p>	<p>Description: Erection of a new discount foodstore (Use Class E) with access, car parking, landscaping and other associated works including the closure of Thackeray Grove.</p> <p>Location: Cleveland College of Art and Design, Green Lane, Middlesbrough, TS5 7RJ</p>
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2	<p>Reference No: 23/0308/COU</p> <p>Ward: Park End/Beckfield</p>	<p>Applicant: Amir Ahmadi</p> <p>Agent: Lee Wardman</p>	<p>Description: Change of use of part rear car park to hand car wash (Sui Generis) including canopy and portacabin for staff use</p> <p>Location: Land to rear of, North Ormesby Institute, Middlesbrough</p>
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**APPLICATION DETAILS**

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<b>Application No:</b>	<b>22/0570/MAJ</b>
<b>Location:</b>	<b>Former Cleveland College of Art and Design, Green Lane, Middlesbrough, TS5 7RJ</b>
<b>Proposal:</b>	<b>Erection of a new discount food store (Use Class E) with access, car parking, landscaping and other associated works including the closure of Thackeray Grove</b>
<b>Applicant:</b>	<b>Lidl Great Britain Limited</b>
<b>Agent:</b>	<b>Marcin Koszyczarek</b>
<b>Company Name:</b>	<b>Rapleys LLP</b>
<b>Ward:</b>	<b>Linthorpe</b>
<b>Recommendation:</b>	<b>Refuse</b>

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**SUMMARY**

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The site is the former Northern School of Arts campus on Green Lane, Middlesbrough. The site is located at the junction of Green Lane and Roman Road within a predominantly residential area. The Linthorpe Conservation area boundary extends to the eastern boundary of the site with the Roman Road Local Centre being located approximately 400 metres to the north. Tree Preservation orders are in place on five trees within the southern boundary of the site (TPO 82).

The site has been cleared following the demolition of the former Northern College of Arts building.

The application seeks planning consent for the erection of a new discount foodstore (Use Class E) and access, car parking, landscaping and other associated works at the former Northern School of Arts campus site on Green Lane, Middlesbrough and includes the closure of Thackeray Grove.

The initial plans resulted in 73 individual objection letters and 266 pro-forma objection letters with 61 individual support letters and 551 pro-forma support letters, a petition in support signed by 49 individuals and 1 representation letter.

The revised plans have resulted in an additional 99 individual objection letters, 14 support letters and 3 representation letters.

The proposed development has been assessed in relation to material planning considerations. It is the planning view the site is in a sustainable location however the manner in which

development proposals have not taken up sustainable opportunities and have been brought forward in a way that represents unsustainable development. The application site is outside of any defined centres identified within the adopted local development plan. The sequential test is considered not to have demonstrated flexibility in terms of both scale and format and failed to consider alternative sites the Council consider more appropriate for this scale of retail development, including Middlesbrough Town Centre within a five-minute drive time and Berwick Hills and Coulby Newham District Centre within the ten-minute drive time. An Impact Assessment has been submitted but is not considered to be a requirement for the scale of this retail development.

The layout of the proposed development has failed to adequately consider and adapt to the context of the surrounding residential area. In relation to the site layout with the position of the store to the rear of the site and the scale and location of the hard standing towards the site frontages. The scale, mass and design for the commercial development is considered to be visually dominant and out of character with the existing residential street scene and the character and appearance of the Linthorpe Conservation area.

The boundary of the site is immediately adjacent to residential properties and the impact on the amenity of the neighbours has been considered in relation to privacy, noise, light, outlook and health impacts. The proximity and the scale and mass of the main building to the northern and western boundaries is considered to have a detrimental impact in terms of overbearing and loss of outlook to these neighbours. The noise assessment report concluded there would be no detrimental impact from the plant and machinery located above the service area of the main store. The Noise Assessment is incomplete as it failed to assess the noise impact from the proposed substation positioned alongside a residential boundary, meaning the noise associated from the development cannot be fully assessed.

The traffic generation has been assessed through the Aimsun model and considered not to have a material impact in terms of the operational capacity of the network. However, the increase in traffic and vehicular movements in a concentrated area, alongside the layout, design and lack of infrastructure provided to encourage sustainable transport modes means the proposal will be dependent on private car use with the associated highway implications. The internal site layout design with the proposed Green Lane vehicle access, service area location, car and cycle parking layout, the width of the Green Lane access and proposed pedestrian refuge are considered to result in a detrimental impact on highway and pedestrian safety and the free flow of traffic.

The Flood Risk Assessment (FRA) and additional surface water and foul water drainage plans identifies the drainage provision. The Local Lead Flood Authority has assessed the FRA and plans and noted that the discharge rates and future maintenance details provided are acceptable. However, further information is required in relation control measures for the surface water run-off from the site which can be conditioned. Northumbrian Water required further details on the SUDS specification, drainage strategy and flow rates and exceedance routes but have provided no additional comments on the revised information.

The development is considered to be contrary to Local Plan policies and the NPPF, specifically Local Plan policies CS4(k &g), CS5 (c&f), DC1 (b) CS13 (c), CS17, CS18 and CS19 and NPPF paragraphs 110,111,112,128,130,134,185,197,200,202, the Council's Urban Design Supplementary Planning Document, Tees Valley Highway Design Guide, National Design Guide, Providing for Journeys on Foot and Local Transport Note LTN 1/20.

The recommendation is for refusal of the application.

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## **SITE AND SURROUNDINGS AND PROPOSED WORKS**

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The site is the former Northern School of Arts campus on Green Lane, Middlesbrough. The site is located at the junction of Green Lane and Roman Road. Residential properties are sited along the north and west boundary and across Green Lane and Roman Road to the south and east. The Linthorpe Conservation area boundary extends to the eastern boundary of the site with the Roman Road Local Centre being located approximately 400 metres to the north. Tree Preservation orders are in place on five trees within the southern boundary of the site (TPO 82). A wide footpath is located along the southern and eastern boundaries with bus stop shelter on Green Lane and a landscaped area at the corner of Green Lane and Roman Road.

Planning consent is sought for the erection of a new discount foodstore (Use Class E) and access, car parking, landscaping and other associated works, including the closure of Thackeray Grove. The foodstore will be positioned towards the northern boundary of the site with a footprint of 1895 square metres. The store design will have a flat and a sloping roof with photovoltaic panels. The south and east elevations will have curtain walling with facing brickwork detail. The west will be facing brickwork and render with the north elevation being rendered. The store entrance will set back from the junction of Roman Road and Green Lane.

The loading bay and associated acoustic fencing will be located towards the west side of the main building. The existing sub-station will be repositioned towards the western boundary of the site.

Vehicle access will be provided from both Green Lane and Roman Road with servicing indicated from Green Lane. Car parking for 91 vehicles including 2 electric vehicle charging points will be located to the front and side of the store with pedestrian footpath links from Green Lane and Roman Road. Landscaping will be provided around the perimeters of the site.

Advertisements for the building and any potential totem pole signage, would be subject to consideration under a separate advertisement application.

The committee meeting in July 2023 deferred the officers report recommending refusal following the late submission of revised plans. Subsequent revised plans were submitted and include the following changes :-

- 7 Additional trees along the northern boundary
- Removal of 2 car parking spaces on the northern boundary at the entrance/exit to Roman Road
- Relocation of the cycle store area to 2 areas to the east and south of the car park on former landscape areas
- Relocation of footpath links from Roman Road and Green Lane
- Relocation of vehicle charging points
- Increased width of vehicle access from Roman Road with pedestrian island
- Additional footpath to side of vehicle entrance to Roman Road
- Pedestrian crossing islands on Roman Road and Green lane
- Replacement of timber cladding with fair faced brickwork
- Closure of Thackeray Grove
- Removal of proposed low lying brick wall and coping stone detail to the side of the vehicle entrance on Roman Road

The application is supported by the following documents:-

- Transport Assessment
- Travel plan
- Road Safety Audit
- Planning and Retail Statement

- Sequential Note on Co-operative Store, Linthorpe Road
- Impact Assessment
- Heritage Statement
- Noise Impact Assessment
- Arboricultural Method Statement
- Design and Access Statement
- Energy Sustainability Statement
- Flood Risk Assessment
- Ecological Impact Assessment
- Statement of Community Involvement
- Boundary Treatment Plan
- Radley Rebuttal Note January 2022
- Lidl Sequential information on Co-operative site note
- Similar Layouts – Linthorpe 1<sup>st</sup> September 2023
- Green Lane Technical Note dated 7<sup>th</sup> August 2023
- Daylight and Sunlight Report (Neighbouring properties) dated 1<sup>st</sup> September 2023
- Drainage design review and results dated 1<sup>st</sup> September 2023

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## PLANNING HISTORY

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Previous planning history for the site includes;-

22/0496/EIASCR - EIA Screening, decision EIA not required August 2022

21/1158/PNO- Demolition of the former Northern School of Art, prior approval not required, 9<sup>th</sup> February 2022

M/FP/0853/01/P – Single Storey refectory extension and car park extension, approved August 2001

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## PLANNING POLICY

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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

### National Planning Policy Framework

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

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

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

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

H1 – Spatial Strategy

CS4 – Sustainable Development

CS5- Design

CS6- Developer Contributions

CS7- Economic Strategy

CS13 – A Strategy for Town, District, Local and Neighbourhood Centres

CS17- Transport Strategy

CS18- Demand Management

CS19 – Road Safety

DC1- General Development

Linthorpe Appraisal and Management Plan (April 2006)

Local Transport Note LTN 1/20 Cycle Infrastructure Design (July 2020)

Middlesbrough Urban Design Guide (January 2013)

Middlesbrough Town centres and Retail/Leisure Study (September 2020)

National Design Guide

National Planning Policy Guidance (NPPG) – Town Centres and Retail

National Planning Practice Guidance (NPPG) - Noise

Providing for Journeys on Foot (2000)

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>

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## CONSULTATION AND PUBLICITY RESPONSES

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Following the initial consultation exercise 73 individual letters of objection and 266 proforma objection letters were received from residents. An additional 99 individual objections were received following the submission of the revised plans. The addresses are detailed within Appendix 2.

Following the initial consultation exercise 61 individual letters of support and 551 proforma letters of support and a petition with 49 signatures were received. An additional 14 letters of support were received following the submission of the revised plans. The address are detailed within Appendix 3

1 Representation letter was received from 34 Green Lane from the initial consultation with an additional 3 representation letters following the submission of the revised plans. The addresses are detailed within Appendix 4

### **The objection comments are summarise below:-**

#### Principle of the development

- Local plan did not include discount supermarket in middle of residential area allocated for residential use
- Contrary to Policy CS13 which aims to protect existing hierarchy of town, district and local centres and states no retail development will be allowed that impacts on the vitality and viability of local centres with Acklam/Cambridge Road, Eastbourne, Linthorpe Village Roman Road and Saltersgill Avenue being within 1 mile of the application site.
- Impact on vitality of town centre, contrary to Local Plan ambitions
- New shopping development at Tollesby so impact on occupation of units within this development and Saltersgill shops
- Diversion of trade from other Lidl stores and lead to boycotts of Lidl generally
- Will draw trade from existing local retailers (Roman Road, Linthorpe Village and Acklam Road) and adversely impact vitality and viability of local centres, particularly independent retailers unable to compete. Lidl's assessment is to draw £9.87 million of annual trade from local centres by 2027
- Variety of existing stores (18 listed) within a 2 mile radius so no need for store
- Sequential Test flawed as states local need for large store when seeking non-local trade as otherwise why provide 94 car parking spaces
- Sequential test of available sites based on Lidl requirements and not valid interpretation
- Revisions do not alter the principle that the proposal fails the sequential test
- No requirement for store in area shown by closure of the Co-op store

- Lidl typically have 5 minute catchment area. No case provided of demographic people will serve and if their needs are met locally or further afield (possibly by Lidl at Newport which is a 5 minute drive).
- Lidl has stores already close to site – Newport 1.6 miles, Thornaby 2.4 miles, Cargo Fleet 2.9 miles and 2 stores in Stockton just over 3 miles, question if becoming a monopoly.
- Despite the developer's assertion that all the nearby centres are in good health, proposal will have a negligible impact on them. Development of this scale will threatened the vitality and viability of existing centres and the variety of shops and services they provide.
- Loss of local shops means loss of jobs and impact on local economy as Lidl providing 20 jobs at zero hour contracts
- Local shops closing due to abundance of supermarkets taking trade
- Co-op site could be utilised and Lidl have opened in existing centres e.g Easter Road, Edinburgh
- Co-op closure means if this goes ahead may not find a retailer for that vacant unit
- Reference to special status of Lidl and Aldi as 'discount food stores' quotes an appeal from 15 years ago. Change in retail since then with Sainsburys and Tesco providing similar retail offer, pricing and opening hours.
- Failure to adopt local plan left residents with unwanted development
- Store more suited to a brownfield site.
- Regeneration should be to areas run down where commercial site have stood empty.

#### Design/Appearance

- Changes to site plan are tweaks
- Simply swapping some cladding for bricks will not sufficiently change the appearance of this building to meet the heritage requirements of this unique area of Middlesbrough.
- Housing site would be architecturally sympathetic to the existing stock and not substantially increase traffic light or noise pollution
- Store design inconsistent with residential housing
- Large white and grey boxes will not fit in with the existing 1930's house designs
- Bungalows and housing would be more suitable and fit in with the existing properties
- Set a precedent making maintaining standards difficult
- Which other supermarkets built with residential properties on 4 sides
- Lowest possible cost scheme with lowest contribution to the area versus highest profit
- Clearance of site opportunity for unique development with positive impact on conservation area. Off the shelf design would have negative impact as sea of cars and single storey shed at the back.
- Whilst the college was not architecturally attractive, this is an opportunity for Middlesbrough Council to enhance this area further rather than add a building completely wrong for the area.
- Proposal not in keeping with the Conservation area with listed buildings
- Revised information show similar layouts within Linthorpe Conservation area but none are supermarkets
- All other examples quoted of development in conservation area pre-date the conservation designation with the Council recognising the need to strengthen the powers by introducing an Article 4 directive
- Preservation orders in place so why are we changing this area of Linthorpe for one large company
- Modern Store with brush signage and bright lighting not in keeping with historic buildings opposite

- Ugly unsympathetic box set amongst a car park at the gateway to a long established conservation area
- Unwelcome monstrosity which will further effect on the negative view of our town that has been degraded by decades of mistreatment of its building heritage.
- Jarring design of the building impinge both aesthetically and practically and will have a visually detrimental impact on the conservation area.
- Important that one of the few long established areas of architectural heritage should be preserved & not further devalued by siting a carbuncle on the edge of a conservation area
- Tesco quite rightly were made to replace historically important balustrade on their Roman Road store.
- Lidl found in Industrial estates not conservation areas
- Run down state of Cannon Park Lidl shows why in commercial area not residential area
- Unsympathetic to surrounding area no suggestion of urban form or design contribution to the established building style in the area.
- Precedent already set for new buildings to compliment design of conservation area e.g houses behind Kirby College and new flats on Roman Road/Cambridge Road
- Landscape boundaries will not make significant difference from the trees which were lost
- Removal of trees and concrete across the full site
- Disregard for appearance of the area by chopping down 15 established trees that cannot be replaced
- 9 additional small trees on Harrow Road no comfort to residents backing onto site.
- Signage will be an eyesore

#### Amenity

- Overbearing impact from rear of properties on Harrow Road looking out to a wall which is 3 times higher at 5.2 metres than the 1.8-metre-high fence and within 10-11 metres of our rear windows. Height of building as 5.2 metres (two-storey building) increasing to 6.8 metres height across the building roof. Will dwarf properties on Harrow Road.
- Proximity of building to Harrow Road with only a gap of two tables between properties and the wall of Lidl. The elevation is a potential issue blocking light and potentially causing flood issues with water run-off. The old CCAD building had different elevations.
- Loss of light from location and height of building with properties on Harrow Road being south facing and prior to this had open aspect and light into rear rooms.
- Loss of light to south facing rear gardens on Harrow Road
- Infringement of the right to light in the 'Right to Light' Act 1959 for Harrow Road residents
- Light pollution from car park, store lighting will disturb residents and wildlife
- Despite light impact details provided Lidl still fails to accept size of building inappropriate and will impact on resident's health and well-being.
- Privacy and light issues due to late night opening from service area so close to the rear gardens of Harrow Road, particularly for families who have small children
- Overlooking issues and loss of privacy from visitors to Lidl into gardens/properties
- Loss of outlook as landscape buffer to west side of building, but Harrow Road looking onto a huge wall.
- Noise issues from proximity of loading bays, service area, substation, refrigeration units, customer vehicles and delivery trucks to rear gardens on Harrow Road. Constant noise, creating a droning noise, day and night which will negatively impact on residents

- Noise from late night/early morning deliveries. Apart from reduced Sunday opening hours the hours of operation are almost identical to local convenience stores despite assertion by the applicant that trading hours would be much reduced.
- Noise increase from additional traffic, HGV deliveries during the day and after store opening hours to restock, trolleys, car doors, voices which impacts especially on neighbours who work night shifts.
- Extra traffic at unsociable hours.
- College use 30 weeks a year meant residents had quiet periods on a night and during holidays and site was securely maintained. Store likely to be 8-10pm every day.
- Removal of the trees prior to ownership being known on the site has meant noise no longer blocked
- Service area too close to Harrow Road and building foundations causing concerns
- Increased HGV use and other traffic will increase air pollution and detrimental impact on health of young and old people increasing asthma possibilities and stretching NHS resources. Outweighs economic advantages.
- Air pollution to children walking to school when air quality improvement a major environmental issue
- Anti-social behaviour – landscape strip of 4-5 metres between Harrow Road boundary with no gates and secluded location so security issues for residents
- Local neighbour impacted by rubbish and detritus of supermarket trolleys
- Additional litter and dirt

### Highways

- The Roman Road and Green Lane junction is already at capacity and further traffic on either road would cause serious risk. The site is on three school routes and a main cross town route from Marton Road to Acklam Road. Further congestion will significantly increase the likelihood of future incidents.
- Green Lane is used as a 'rat run' and whilst busy during the day is tail to tail during morning and evening rush hours and will be worse with people queuing for the store.
- Increase in traffic on Green Lane one of the busiest roads in Middlesbrough
- Traffic levels between 6.45 – 9.15 and 2.45 and 6.00 Monday to Friday already ridiculous without the volume of traffic for a Lidl.
- Route of 7 local schools primary and secondary so additional traffic at peak times.
- No account of the additional traffic generated from the future development of St Marys Hall site on Green Lane.
- Highway safety issues from increase in traffic in being able to access residential driveways along Green Lane which will become more dangerous
- Loss of the hatched access road markings in front of properties along Green Lane will severely impact accessing residential properties safely.
- Parking in the area is a premium and insufficient parking will result in on-street parking and issues for residents and emergency services.
- Will the 40 staff use the car park as already issues with on street parking as staff parking not on the revised plans.
- will use Lidl car park entrance and exits as a cut through resulting in problems with the car park and flow of vehicles on the adjacent roads.
- Green Lane entrance going over TVCA funded cycle lanes and is right next to the bus stop. Both these things will obscure road views of cars and the entrance of Green Lane adding to issues for pedestrians and the junction of Roman Road and Green Lane.
- Increase in cycle traffic should be assessed due to high volume of traffic and the fact most use footpaths combined with cars which park on the pavements so more difficult for pedestrian access.

- Transport Assessment references plans/policies are generalised and not specific to this proposal. Paragraph 5.2.3 notes retail development does not generate vehicle trips but merely attracts them. Problem is this area has an existing high volume of traffic at peak times and this is not suited to any additional increase from the development.
- Presumption shorter trips of under 5km will be by walking or cycling, this is not valid when customers buying heavy/bulky goods.
- Infrequent bus services with 2 an hours as the number 12 and 17 buses mentioned do not pass the site so private cars and taxis will be used.
- New proposed entrance/exit onto Green Lane will cause even more problems as an even wider space for parents/children/pushchairs etc to cross (where none currently exist). Tiny refuge in the middle that will not support the large numbers of footpath users, particularly at school traffic times.
- The proposed new island on Green Lane is far too close to the already extremely difficult junction with Roman Road.
- No point positioning another crossing point on Green Lane when there is a functioning zebra crossing.
- Proposed “altered existing access” on Roman Road will cause problems for pedestrians trying to cross Roman Road. This entrance was only used by College of Art staff and occasional deliveries have any calculations been done to predict numbers of vehicles using this access..
- Transport Assessment Table 5.3 shows volume of traffic for old college site which has been demolished and so no relevance and is misleading comparison. No account made of the nature of the old building and relatively low student density verses floor area or that most of the students walked or used the school bus service provided so this section of the report is inaccurate and incorrect.
- Transport Assessment no reference to the issue of vehicles existing the site wishing to turn right on Green Lane towards Acklam Road. If unable to turn here would exit via Roman Road and then cause issues along Cambridge Road and immediate roads in the area which has not been assessed.
- No consideration given to turning circle for larger transit vehicles.
- The revised site plan do not address the problem of wagons reversing in or out of the Service Area. Only achieved by travelling into the car park area alongside the parent and child parking section
- Turning lane in middle of Green Lane is not a full car width and not wide enough for HGV access and to sustain 3 lanes of traffic.
- Green Lane not wide enough to provide a filter lane to the entrance particularly for HGV vehicles. School traffic morning and evening extends back to the bus stop and will mean the chevron area will form part of the filter lane.
- Entrance off Green Lane will increase congestion that already exists
- No traffic management plans proposed so would urge members to complete a site visit to assess the impact of the development on safety, traffic, parking, environment and access for the local community.
- Green lane Primary School sited nearly opposite the store already has cars parked either side of the road at drop off and pick up times. This dangerous situation will be exacerbated by the additional shoppers queueing to enter the store.
- The Aldi a mile up the road has 4 lanes of traffic 2 in each direction plus traffic lights to keep it moving. This is not the case on Green Lane and traffic in the inside lane is not going to be able to get past, particularly larger vehicles like fire engines and ambulances which use the road on a regular basis.
- Impact on emergency vehicle access and response times. Green Lane is a route used by emergency vehicles to link Marton Road and the A19. Only one set of traffic lights

the current proposal will create congestion and bottlenecks that will impact an emergency services for the whole area.

- No requirement for the bus stop as no buses use Green Lane.
- Pedestrians will be tempted to cross Roman Road to access the shop - dangerous.
- Creation of pedestrian crossing points on Green Lane, again just to satisfy large business is also going to ensure gridlock in certain circumstances and times of day.
- If approval granted it should include the provision that Lidl are responsible to fund speed cameras to ensure no further deterioration to road safety following construction of the store. Given local police are not sufficiently funded in upholding the 30 mph speed limits (20 mph during school drop off and pick uptimes).
- No evidence of any surveys been made to support Lidl's plans.
- MBC promoting active travel to improve health issues this development would not help or encourage that initiative.
- The majority of people saying they welcome the supermarket are not from the adjacent streets, showing a number will happily drive to Green Lane rather than it being used by locals, so having no positive affect on the local area or environment.

### Closure of Thackeray Grove

- Closure of Thackeray Grove now is admission that traffic proposed for the site is highway safety issue.
- Revised plans / closure of Thackeray Grove shows Lidl misjudged the traffic impact on Roman Road/Green Lane/Thackeray Grove junction and do not appreciate the change the closure will have on local traffic.
- Thackeray Grove closure would have serious consequences to the flow of traffic on the roads around this junction, The Green lane/Emerson Avenue/Keith Road route is one of only two West-East routes across town and link west Middlesbrough with James Cook Hospital
- Closure of Thackeray Grove will create issues for residents on that and surrounding roads.
- Three arm junction and blocking of Thackeray Grove will cause increase in traffic on the nearby streets, Walton Avenue, Kingston Avenue, The Prospect, Tollesby Road and Arlington Road and will become a rat run.
- If goods vehicle access is via Green Lane the closure of Thackeray will not alleviate traffic problems in the area as most goods vehicles will come via Croft Avenue and Green Lane from the A19.
- Thackeray Grove is the widest road in the immediate area and it's proposed closure will significantly increase traffic congestion on nearby narrower road such as Kingston Avenue.
- Despite 100 space car park and advising there would be minimal effect on traffic flow Lidl now plan to close Thackeray Grove due to increased traffic which contradicts their original report.
- Thackeray Grove closure will not rectify the danger caused by the planned 'pedestrian refuge' near the junction of Roman Road and Green Lane/Emerson Avenue junction
- Proposed road closure a paper exercise to stall Lidl's acceptance of the planning committee's recommendation to refuse planning permission.
- Recent traffic light near the site showed the traffic build up several hundred yards to Cambridge Road, Tollesby Road and Reeth Road. Turning customer and HGV traffic into a supermarket will only turn this temporary state of affairs into a permanent one.
- Closure of Thackeray Grove will worsen the situation, disrupting the free flow of traffic at a busy junction whilst at the same time increasing traffic levels with the construction of the store.

- Traffic from Tollesby Road turning into Green Lane currently has 3 outlets. Closing Thackeray Grove reduces it to Tollesby Road and Kingston Avenue causing build up on both these two roads.
- Council waste collection vehicles and delivery vehicles struggle to access the narrow roads near Green Lane as not built to accommodate the number of vehicles associated with modern family homes.
- Kingston Ave in particular is a narrow road, significant number of residents' cars parked curb side at school time with pedestrian walking on the road and people ignoring the 20 mph limit. Accident waiting to happen.
- The blind bend on Kingston avenue is already a danger spot due to speeding cars and double parking (which occurs down both streets).
- Need to review wider picture and not solve one problem in isolation, Keep Thackeray Grove open and put in traffic lights as originally proposed, make Kingston and Walton Avenue one way for residents parking only. Close Tollesby Road junction at Emmerson Avenue and sweep Tollesby Road across the unused field into Thackeray Grove which would improve access and egress in and out of Tollesby.
- The residents of Walton Ave have previously applied for a road closure or traffic calming ramps due to the traffic speed but have been unsuccessful, enduring this situation. If the applicants feel they want to reduce the flow of traffic closing the access on The Prospect would be the solution.
- No closure of surrounding road required when the Art college was there
- The structural integrity of the road on the corner of Walton Avenue and Kingston Avenue itself needs to be taken into consideration when the increased traffic happens if Thackeray is closed off due to problems with the road sinking/repairs to level off the collapse with the increase usage and more constant weight on an already questionable corner.
- Advised in previous enquiry on closure of The Prospect/Tollesby Road junction to prevent the current rush hour rat run wasn't possible due to the additional strain this would add to other routes. Now a similar proposal, that would cause myself and no doubt other Thackeray Grove, and the other local residents, major disruption is unbelievably considered.
- Traffic entering Emerson Avenue from Tollesby Road will hold up the no 13 bus as needs a large turning space and easy access into Tollesby road. If Thackeray Grove is blocked off then the traffic will increase not allowing the bus to enter Tollesby Road causing traffic to back up onto the Roman road junction.
- On a weekend Tollesby Road is used by multiple cars parking on both sides for the rugby field. Will become dangerous should traffic become congested trying to leave Tollesby Road.
- There has been no traffic assessment on this proposal despite the extensive plans and proposals from Lidl.
- Has Middlesbrough Planning completed a traffic survey along these roads
- Has the CCTV surveillance camera at the entrance to the "Arty" been checked to see the speed and volume of traffic at peak times.
- Why should my entrance and egress in and out of Thackeray Grove be dictated by your Planning Dept.
- Not seen any support for closure of Thackeray Grove on the website.

#### Environment / Flooding

- Too late to consider nature as trees already removed from the site
- Trees proposed next to the boundary with 125 Roman Road. Request planted no closer than previous trees in the Art College grounds due to tree root issues.



- Traffic increase results in more airborne toxic particulates where children walk to nearby schools
- Large tarmac areas will increase local flooding at the staggered junction of Roman Road, Green Lane and Thackeray Grove. Drainage system already being at capacity.

### Residual matters

- Planning department have done their job by placing signs up at the site informing passers by of the development. These disappeared well before the closing date for comments.
- Sale of the site with no disclosure of the purchaser. Only discovered after 100 year old trees felled so why the secrecy surely a brand would be proud to announce intentions.
- Letter received in June that stripping out of building would take 4 weeks, this was not the case as was for just asbestos removal when correct Health and Safety measures not followed – why was this allowed.
- Demolition works have suffered house vibrations from 7.30 to 5pm and dislodged glass in conservatories and long term impact on house – has a risk assessment been completed.
- Removal of the trees increases global warming/climate change
- Devaluation of properties nearby.
- How was the sale allowed to go ahead when the area is residential and subject to tree preservation orders and in a conservation area.
- Request members and officers involved with the decision should visit the site at times when the schools are starting and finishing.
- Brown envelopes already taken so will go ahead anyway and those who have taken the payment do not live in the area
- Lidl survey large number of home but it is those closest which will be impacted.
- No consideration from Local Authority for residents
- The recommendation to refuse permission which was due to be discussed at the meeting on 21st July 2023 should stand. A great deal of work was undertaken by council officers in preparing their report and by Lidl throwing in last minute changes, it clearly demonstrates the scant regard they have for rules, regulations, people's time and people's homes.
- Latest proposal not communicated to the wider community, only found out via social media.
- Council supposed to be working for the people of Middlesbrough who pay Council tax
- We wonder at what point the council is able to tell Lidl to stop adding additional changes constantly which must be creating a huge amount of work for you, costing our cash-strapped services a fortune and causing the Linthorpe residents continuing stress and anxiety
- Residents on Harrow Road not been treated fairly by Lidl and the council information about planning meetings is vague.
- The Lidl consultation letter drop was sent out to a few thousand households across the whole of the TS5 area as to water down the ill feeling of the local residents that are going to be directly affected by the supermarket.
- No consideration for the residents of The Prospect, Walton Avenue and Kingston Ave when the proposal to close Thackeray Grove.
- Attract Vermin and beggars
- Criminal element of shoplifters will be attracted to the area
- Binge/ underage drinkers from sale of cheap alcohol cause of a significant rise in anti-social behaviour.

**The support comments are summarised below :-**

## Principle of the development

- Cost of living crisis means high-quality, low-cost products from one of the 'Market Leaders', jobs created within walking distance
- No current discount food store in the area, disadvantage for elderly and those with young families
- Stores in vicinity mini Sainsburys at Saltersgill and Tesco Roman Road are small stores not suited for weekly shop and those on tight budget
- Increased competition for local convenience stores
- Closure of Co-operative on Linthorpe Road means should go ahead
- Forward thinking as lot of shopping services in Middlesbrough and town centre have been lost
- Off-set the influx of hot food takeaways
- Local shop will provide services the Council failed to deliver
- Investment in the area
- No requirement for more housing
- Houses benefit a few and Council tax revenue from store will benefit entire community
- Prefer retail store to overpriced apartments
- Housing would increase traffic and environmental issues
- Will encourage people to move to the area and develop the community
- Site cleared so need some use
- Tollesby without shops for 16 years due to inaction of local politicians and MBC
- Too many unneeded works in Middlesbrough e.g new games centre in town as not everyone is young or a student
- Need to eat so need shops
- Need for Lidl to serve Tollesby, Acklam and Green Lane areas
- Ignore nimbyism for the benefit of all the community not just some
- Shops within 1 mile radius all have limited parking provision
- Suggestions made for a park on the site but Acklam hall, Albert Park are 15 minutes walk away.

## Sustainability

- Within walking, cycle and mobility scooter distance
- Elderly/disabled person this is welcomed as means do not need to drive and will not have to pay current high prices of local shops
- Proximity means those with disability can access and enable further independence
- Means not have to take 2 bus trips to Coulby Newham or Teesside Park
- Reduce trips to Coulby Newham, Portrack, Thornaby and Stockton
- Walking distance aids green agenda, reduce carbon footprint
- Less impact on the environment than the college building
- Current stores in Linthorpe Village, Saltersgill Avenue, Eastbourne Road not provide same offer with Aldi at Marton Road not within walking or cycling distance and no cycle provision at Aldi.
- M&S moving from Middlesbrough centre means less distance for people to walk
- Previously Co-op only store of this size and no parking provided
- Family in the area so would do shopping when visiting them
- Lidl support UK agriculture which has to be a benefit
- 10 years ago has a row of shops and post office now nothing with poor bus links to Linthorpe Village and Glendale Road which have stopped
- Shops appear to be moving to retail parks which is fine in you have transport
- Bus stops moving from Linthorpe village, No Number 13 to Coulby Newham so need local shops
- Will be here for the long term
- No-internet access so local shop essential
- Beneficial for the community

- Alignment with concept of 15 minute town where people can access essential amenities within a short distance of home.

### Economic Issues

- Lidl stores well run, tidy and well maintained and well-paid staff for local area/economy
- 40 Jobs created included warehousing, customer facing & management and better than minimum wages, especially for the younger generation.
- Save petrol costs for residents travelling to Thornaby several times a week
- Drive 7 miles twice a week to a Lidl which is 672 miles a year and would save money if this store was 1 mile away

### Social Issues

- Community cohesion as see neighbours face to face

### Design

- Lidl offer modern retail unit with up-to-date facilities
- Replace ugly 1960'd building not in keeping with Victorian Linthorpe
- Provide amenity to this part of Linthorpe
- Sympathetic to the local environment with landscaping and existing trees retained
- Improved outlook from derelict site
- Architectural design and landscaping better than college building
- In keeping with the area and residential and commercial properties e.g Masonic Hall
- Better scale with college building being too big
- Store and landscaping better than possible multi storey housing
- Lidl will keep it looking good as not invest that much money not to
- Lidl promise not to lose greenery but add to it
- Site would be an eyesore if nothing built
- Investing in landscaping and retaining greenery when other developments may not have the same ethos
- Design looks up to date
- See if Lidl listen to shoppers and present a shop frontage design suitable for conservation area in terms of design, materials and signage
- Tree cutting a mistake does not warrant opposition to store
- Site plan well thought out and will blend in well
- Protected trees will be saved

### Amenity

- Comments on crime ill-informed and prejudiced against individuals on a budget
- Short term disruption to the areas while works carried out but long term benefits
- Never heard of house prices falling where Lidl stores located
- Pollution reduced as people travel less to shop
- Understand some Harrow Road residents welcome the store as flats would impact more on quality of life
- Considerate of the housing that overlooks the site and benefits to the community
- People out of the area no an issue as Lidl stores as Park End, Newport and Thornaby
- Store in nice area so not worry about walking there
- Noise impacts – sure there is a noise abatement society which could monitor the noise
- Walking distance means better health for residents
- Sainsburys, Saltergill, heron at Palladium shops and Tesco Belle Vue are not good areas to shop on a night and not pleasant on a daytime.

### Highways

- Lidl store would improve the current issues with parking and traffic flow from the college use
- Result in less traffic as currently elderly take taxis for shopping trips

- Provision of first electric charging points in Linthorpe/Acklam. Could lead to more people with electric cars particularly as not everyone has off street parking
- Car park efficient as had cars and college buses parked most of the day blocking the road
- Good to place traffic lights/ pedestrian crossing at junction Roman Road and Green Lane
- Traffic flow will not be adversely affected by the development
- Regrettable that child was hurt on Green Lane but there will be few if any main roads in Middlesbrough that have not experienced a similar incident.
- Art college operated successfully on the site for years and this proposal will have less traffic
- Art students used cars to access the site and not everyone will shop at the same time so steady flow of customers
- Highway Safety concerns addressed in the response from the applicant
- Will reduce traffic to the other Lidl store e.g Cargo Fleet L and Newport Road and where traffic an issue
- Parking provision satisfactory
- Could be flats where parking ratio never enough and cause congestion/traffic
- Child and Parent parking means easy access
- Traffic around the college never an issue and very rare accident problems
- Traffic measures at the access and egress may reduce high level of speeding on Green Lane/Emerson Avenue
- Need bus shelter providing
- Closure of Thackeray Grove is welcomed as it is a dangerous junction with Green Lane and the roads are off set with the entrance and exit as far from the junction as possible.
- Closure of Thackeray Grove will stop the frequency of ongoing accidents and stop cars racing on this road
- Could concrete bollards or similar be placed on the newly paved area to stop motorbikes speeding on pavement along Thackeray Grove
- Redesign with new pedestrian crossings, particularly Roman Road are positive and have been required in this location for years
- Closure of Thackeray Grove will assist in control of traffic and traffic calming as currently a misunderstood 'off set' junction.
- Would like to see more chargers provided with most Linthorpe properties being terraced.

#### Residual issues

- Some elected representative who do not want store do not live locally so unaware of the inconvenience in not having a supermarket in walking distance
- Older people not online so cannot voice their opinions
- Silent majority would like Lidl
- Toilets in a store will benefit customers
- Suggest Lidl employ a litter picker to ensure no litter
- Good place to shop with older children to allow them to be more responsible and independent in close proximity of my house.
- Perhaps Lidl will support local groups
- House prices will go up
- Why has it taken so long for permission to be granted
- As a resident love to see this go forward and hopefully built quicker than the incompetents presently building the shops at Tollesby – Get on with it and earn your keep.

The representation comments are summarised below:-

- Concerns on parking, particularly drivers not utilising store

- Current parking on pavement a concern at peak school times
- Traffic problems for deliveries, width of road at store entrance, uncontrolled crossing at junction Kingston Avenue. Council consider repositioning the uncontrolled crossing and bollards from Kingston Avenue to the east to reduce impact and access issues.

The following comments were received from the statutory consultees :-

### **Planning Policy – MBC (In Summary)**

The following policies of the Middlesbrough Local Plan are relevant to this planning application, H1 (Spatial Strategy), CS17 (Transport Strategy), CS4(Sustainable Development), CS5(Design), CS6 (Developer Contributions), CS13 (A Strategy for the Town, District, Local and Neighbourhood Centre, CS18 (Demand management), CS19 (Road Safety), DC1 (General Development) and the Middlesbrough Urban Design Guide (January 2013) and the Middlesbrough Town Centres and Retail/Leisure Study (September 2020).

The application site has no specific local plan allocations.

### **Sequential Assessment**

The Planning, Economic and Retail Statement (PERS) identifies the methodology for the Sequential Assessment (SA) for the development of the broad type of discount retail provision based on a limited assortment discount (LAD or 'deep discount') food store, identifying a catchment area of a 5min drive time and specific sequential parameters that reflect the minimum requirements necessary to accommodate a LAD food store and discount mixed-goods retailer. As per pre-application advice the 5-minute drive time is considered too low and a 10 minute drive time considered more realistic for this type of development. A 10-minute drive time would allow for a further degree of flexibility and the assessment of additional centres, and edge of centres at Middlesbrough Town Centre, Berwick Hills District Centre and Coulby Newham District Centre. Nevertheless, and in addition to the above, the 5-minute drive time catchment includes the Middlesbrough Town Centre boundary and edge of, which has not been assessed for sequential preference.

In addition to the 5 minute drive time catchment the PERS identifies a number of sequential parameters that it believes reflects the broad range of development proposed having regard to the scale, nature and range of goods typically sold by a 'LAD' retailer. These parameters have been used to assess three edge of centre sites at Eastbourne Road Local Centre (a large scale local centre, as identified in Policy CS13) and Saltersgill Avenue Local Centre (a medium scale local centre.) In accordance with NPPG it is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal. Given the specific requirements of the Lidl operator which are considered rigid and limiting, this does not appear to have been applied to the edge of centre assessments as part of the PERS, with the parameters likely to rule out most of, if not all, alternative sites. Therefore, and notwithstanding the catchment area, it is considered that a further degree of flexibility could be applied to the sequential parameters listed in paragraph 7.15, and equally the site assessments of the PERS.

A Sequential site appraisal note – co-operative food, 469 Linthorpe road, Middlesbrough, TS5 6HX has been submitted to determine the sequential preference of a recently confirmed store closure at the Coop store located on Linthorpe road; within the Linthorpe Village Local Centre as defined by Policy CS13 of the Core strategy. Notwithstanding previous comments on the Planning, Economic and Retail Statement (PERS), it is considered that the additional sequential assessment on the Coop store, specifically, is acceptable.

### **Impact Assessment**

It is recognised that an impact assessment has been submitted to support the application, this again reflects the 5 min drive time catchment area and focuses upon those centres that fall within the boundary. As an impact assessment is not a requirement of the application it will not be considered in policy terms.

### Conclusion

Contrary to Policy CS13 and the NPPF chapter 'Ensuring the vitality of Town Centres' the application fails to apply the sequential assessment, by not demonstrating flexibility and fully exploring the opportunities to utilise suitable town centre or edge of centre sites. As advised at pre-application stage it is considered that a further degree of flexibility, given the location, size and nature of the store, could be awarded to the sequential assessment. Not only are the business model requirements restricting presumably ruling out most alternative sites when applied sequentially, but also the 5 minute drive time catchment is not a realistic reflection of potential future customers, in which case a 10 minute drive time is considered more realistic. Nevertheless, the sequential assessment fails to assess Middlesbrough Town Centre, which lies within the 5 minute catchment area.

Consideration should be given to the overall sustainability of this site as an allocation for retail development of this scale. Should the proposal fail to demonstrate how it would contribute to achieving the spatial vision and objectives identified in the Local Plan, with all development required to ensure that it contributes to, and fully integrates with a sustainable transport network, it would be contrary to Policies CS4, CS17 and H1.

Consideration should be given to whether the proposed development would protect existing residential amenity, with careful consideration given to the proximity of the proposed store to existing residents at Harrow Road, and noise issues associated with this type of use. Should it be considered to have more than a minimal impact upon the amenities of nearby occupiers the development would be contrary to Policy DC1.

### Highways – MBC

Development proposals have been tested within the authorities strategic Aimsun model in order to understand what the potential impact on the highway network could be. As is a standard approach when assessing retail development it is agreed that not all trips associated with the development will be new to the network and development traffic will be made up of;

- New trips – trips that are new to the network (20%).
- Pass-by trips – trips already passing the site and call in as part of another journey (40%).
- Diverted trips – trips already on the adjacent network but change route to call in as part of another journey (40%).

This approach is a nationally recognised approach and the proportions for each type of journey are consistent with other retail schemes.

The Aimsun assessment has therefore tested the impact of development traffic on the above basis in the 2025 and 2030 future year scenarios.

The table below sets out the level of traffic generated by the proposals;

	<b>AM</b>	<b>PM</b>
New	13	31
Pass-By	27	62

Diverted	27	62
TOTAL	66	156

In summary the Aimsun modelling demonstrates that the traffic generated by the development will not have a material impact in terms of the operational capacity of the network.

Whilst not impacting on the operational capacity of the highway network, the development will, as can be seen in the figures above, generate high levels of traffic at the site entrances and the immediate environs of the site. The number of vehicle movements occurring within a concentrated area, when assessed in conjunction with other sustainability and layout issues will contribute to detrimental impacts as set out in the following sections.

### **Sustainability**

The proposed development by combination of its land use and location is such that it has the potential if designed and approached in an appropriate way, to ensure a significant number of trips could be made by sustainable travel. The site is located within a residential area with a significant number of properties falling within a 5min or 10 minute walking/cycling catchment. A number of bus stops are located within 400m (a 5minute walk) of the site and are served by various frequent services. However the approach taken to developing the site in terms of proposed design and layout of the site together with the proposed access arrangements and lack of suitable infrastructure arrangements do not seek to tap into this potential. As submitted the development proposals have taken a default standardised approach centred around car based travel and as such do not support, prioritise nor incentivise sustainable travel.

### **Ped/Cycle Access**

Ped/cycle routes are not direct between the adjacent highway and store entrance. Routes into the store for these users are squeezed between rows of parked cars and do not lead via convenient, direct, high-quality routes to the main entrance. Whilst not shown on the submitted plans the areas around the main entrance to these stores are normally used for ancillary sales of promotional/seasonal goods, which introduces further clutter and visual obstructions to clear direct routes. A number of car spaces have been placed within the immediate environs of the main store entrance and internal crossing points resulting in vehicles manoeuvring against/over these crossings whilst again reinforcing that the layout has been designed first and foremost around vehicular accessibility and the needs of vehicles.

A new vehicular access is proposed onto Green Lane which has been designed around the requirements of vehicles and articulated vehicle swept paths. The access consists of an overall width of 21m broken down as a 10m entry width, 2m refuge and 9m exit width with large kerb radii. The creation of the access results in a new junction of significant size and width which will be used by high volumes of traffic that pedestrians now have to negotiate, including pedestrians/the general public not associated with the store. The pedestrian refuge is 2m wide, which is considered the bare minimum required width for pedestrians and is not sufficient to accommodate cyclists. Pedestrians will have to cross in two stages, waiting for gaps in traffic on an island that is of minimal width. Given the limited width these pedestrians will be waiting in close proximity to traffic, including articulated HGV's. The combination of traffic flows, crossing distances, large kerb radii and minimal width refuge results in an extremely hostile environment particularly for vulnerable highway users such as blind/partially sighted, those with mobility issues or parents with young children.

Just west of the site is Green Lane Primary School. Green Lane during school peak periods is extremely busy with on-street parking and is used by parents and pupils walking to/from

school. The introduction this new junction with high volumes of traffic will present a safety hazard for these pedestrians and others.

The existing vehicular access onto Roman Road is to be widened to 7m thus adding a further large busy junction that pedestrians must negotiate. The same situation will be seen as per the access to Green Lane and the individual and cumulative impact of these access is to create additional severance within existing footways to the detriment of pedestrians in residential areas. To summarise the development proposals introduce two large access junctions to serve the site which are designed around the car to accommodate high levels of constant traffic to the detriment of pedestrians and cyclists who become secondary to traffic.

Nowwithstanding the impact that these access points will have on pedestrians/cyclists not associated with the store, the internal layout also does not provide connections to these junctions. As such store customers arriving by non-car modes will have to either negotiate these junctions to access the separate footpath link into the site or, as will be more likely, they will follow the natural desire line which is to walk into the site at the vehicular entrance and then through the car park and associated aisles.

It is unclear from the submitted plans what, if any works, are proposed to the existing footway along the site frontage. Previous plans detailed the provision of a section of shared ped/cycle route but this is now not annotated nor referenced. Officers acknowledge that they raised concerns regarding the provision of a shared route along here but this was on the basis that it was designed in isolation with no assessment/consideration of how such a facility would connect into adjacent infrastructure. A similar approach has been taken to sustainable travel in the current proposals in that infrastructure has been provided but seemingly on a haphazard basis that does not consider the need nor quality of facilities.

Pedestrian refuges have also been proposed on Roman Road at its junction with Green Lane and Green Lane just West of the junction with Roman Road. As per the pedestrian refuge to the Green Lane store junction, these refuges are of minimal width and do not accommodate cyclists. No vehicular swept paths have been provided to demonstrate whether vehicles could successfully and safely negotiate the proposed works, particularly the junction of Roman Road/Green Lane. As such there is no guarantee that these features, which seek to overcome other issues with the scheme, could actually be delivered.

Whilst cycle parking facilities within the scheme have been provided no infrastructure has been proposed to facilitate access by this mode, the design does not encourage it and in the case of the refuges prevents it. Whilst cyclists can park their cycles at the store it would be far more unattractive and challenging to access it.

### **Vehicular Access**

Access to the proposed development is proposed to be taken from both Roman Road and Green Lane. The access onto Roman Road is an existing access which is proposed to be widened to 7m to facilitate the necessary vehicular movements.

The access to Green Lane is a new vehicular access which does not currently exist and involves the formation of a new kerbed junction as described above. Green Lane in the vicinity of the access will be relined in order to provide a right turn ghost island. The principle of a new access to Green Lane is not supported by the Highway Authority and this has been relayed to the applicants repeatedly from the pre-application stage, predominantly for the following reasons;

- The creation of the new junction onto Green Lane and associated right turn island effectively introduces a third lane of traffic and removes the potential for suitable ped/cycle crossing points to be provided



- Hinders the authority's strategic objective to deliver cycle infrastructure along this main corridor (the reallocation of roadspace to provide the right turn ghost island will prevent this roadspace being used to introduce cycle lanes)
- The change in nature of Green Lane from two lanes of traffic to three increases the severance created by the road.

In addition to the concerns of the Authority an independent Road Safety Audit has also highlighted deficiencies and concerns with the proposed layout including;

- Lane overrun by delivery vehicles accessing/egressing the new junction may result in sideswipe or head on type collisions.
- Use of the right turn ghost island by residents using the facility as a holding area when entering numerous private drives on Green Lane.

### **Safety**

The junction of Green Lane/Roman Road/Thackeray Grove is a poor junction in terms of safety due to its poor alignment, opposing arms and high traffic volumes along Green Lane. The junction is an unsignalised off-set crossroads with the priority flow being along Green Lane. This situation is reflected in the accident records which show that the junction has a poor accident history.

Using Stats19 Accident Records within a 200m distance of the junction of Green Lane/Roman Road there have been a total of 8 accidents within the last 5 years. Accidents were predominantly clustered between the junctions of Green Lane/Roman Road and Green Lane/Tollesby Road. Generally speaking the accidents involved vehicles either turning from a side road into Green Lane or turning from Green Lane into a side road. This pattern tends to indicate that mainline flows are such that motorists get frustrated or take additional risks leading to an increased number of accidents. Of the 8 accidents, 3 involved pedestrians/cyclists including at the Zebra crossing to the East of the site. Accidents at the Zebra crossing are consistent with reports that the council receive regarding vehicles failing to stop at the Zebra and additional works that have been undertaken to try to minimise these occurrences.

When assessing the accident statistics it must be borne in mind that the Stats19 system only records injury accidents, damage only accidents are not recorded as generally they are not attended by the police. As a Highway Authority officers are aware that this junction is a tricky/awkward junction to negotiate and as such the actual number of collisions or near miss events are likely to be significantly higher. This view is further supported by concerns that are regularly received by Ward councillors regarding the junction. In addition speeds and accident rates are high hence being placed within the Police Enforcement top ten list.

The authority works with a company which uses Artificial Intelligence together with environmental input data (traffic flows, geometries, rainfall etc) to determine accident risk and probability. This is a similar approach used by the insurance industry. Using this software the risk rating of the highway network is derived and can be broken down to either links or junctions. This software has identified that the junction of Green Lane/Roman Road is a significant risk location and a higher risk location than other benchmarked locations. Data extracted from the software supports both the accident statistics and local knowledge of the operation of this part of the network.

Development proposals will lead to increased volumes of traffic, turning movements and ped/cycle activity around the immediate environs of the site. This increase will further increase both the risk and frequency of accidents, particularly taking into account the lack of high quality sustainable travel infrastructure.

The latest revised plans have sought to address these concerns by proposing to close Thackeray Grove thus creating a simple 3 arm priority T junction of Green Lane/Roman Road. In addition the applicants have offered a small contribution towards the signalisation of this new junction arrangement with the expectation that the authority funds the majority of the signalisation scheme. Given the concerns around the design of the site and proposed pedestrian refuges it is considered that the signalisation of the junction is a necessary part of the development proposals to overcome a number of differing issues. A signalised junction with pedestrian/cycle facilities will manage the competing demands more efficiently/safely and provide improved ped/cycle facilities to the new store. This, together with other design suggestions made to the applicants would have resolved many of the issues now being raised.

Furthermore the proposed closure of Thackeray Grove does not propose/provide any turning facilities on Thackeray Grove i.e a turning head at the end. Given the length of road and number of properties between the junction of The Prospect and the proposed closure point (circa 130m) the lack of turning facilities would be detrimental to servicing (refuse collection) and highway safety (vehicles having to reverse excessive distances/damage to infrastructure). Officers believe that turning facilities could potentially be provided within the highway envelope but no details have been provided and no works have been proposed. As presented there are concerns therefore that the proposed closure would not deliver the closure to a suitable standard for the long term functioning of that road.

### **Servicing**

HGV's servicing the site must undertake multi-point manoeuvres within the main car park in the main access aisle. This is a less than desirable solution in terms of safety as articulated HGV's are manoeuvring within bellmouths of junctions, where pedestrians are likely to be walking and adjacent to Parent & Child spaces. The longer the delivery process takes due to other traffic within the internal layout or delivery drivers being cautious due to the safety implications the greater the impact in terms of internal congestion and blocking back onto the highway network.

Concerns are raised with the internal layout and the potential for vehicles waiting or caught in internal congestion to start blocking back out on the public highway. Examples of this include;

- Servicing traffic manoeuvring within the main car park aisle which when occurring (at least twice per day) will obstruct the main aisle and access to a number of parking spaces.
- Due to high East/West flows on Green Lane and the provision of a right turn island traffic leaving the site may struggle to find gaps or left turning traffic will be blocked by a right turning vehicle. Limited stacking space within the site results in queuing blocking the internal layout and car parking.
- The access onto Roman Road has a 90deg bend immediately on entry/exit with car spaces in this location. Vehicles manoeuvring into/out of these spaces coupled with the alignment will detrimentally affect the ability of traffic to smoothly enter and leave the site. This alignment will also result in a small number of vehicles queuing to leave the site quickly having a detrimental impact on the internal layout.

### **Parking**

When assessing the scheme against the Tees Valley Highway Design Guide the development requires 136 car spaces, 91 are proposed. A car parking accumulation survey has now been supplied and has demonstrated that the peak accumulation of the car parking is 55% on a weekday store peak and 66% on a weekend store peak period. Generally this is a peak accumulation demand of 62 spaces out of 91 proposed. The parking accumulation also demonstrates that the car park only exceeds 50% occupancy for a 3 hour period on a weekday

and a 6 hour period on a weekend. Outside of these peaks there will be much greater areas of unused parking.

As has been described elsewhere and by the applicant the site could be considered to be in a sustainable location. In line with local and national best practice and policies this type of local facility should be designed in such a way as to actively promote active travel and reduce dependence on the private car. The level of car parking, as demonstrated by the applicants own evidence, is in excess of what is required and further demonstrates that the site has been designed primarily around access by the private car.

Green Lane is extensively used by parents dropping off/picking up children to the adjacent Green Lane Primary School and parking can be seen occurring along long lengths of Green Lane during school drop off and pick up periods. Without suitable active management there is a real risk that large amounts of the car park are taken up by these parking demands. The applicants have now confirmed that they would be happy to allow school drop off and pick up parking within the site. Such parking occurs outside of the peak periods of operation of the store and as such would not be detrimental to the car park capacity. Such an approach is welcomed but it is unclear as to how this could be formalised or secured in perpetuity.

There are a number of factors in assessing what is an appropriate level of car parking including the design of the site and infrastructure in place to support and encourage active (non-car) travel. Within development proposals the approach to this is poor with high levels of car parking (an evidenced over provision against demonstrated demand) and poor active travel infrastructure that is often designed in after the needs of vehicular traffic. As such there is little incentive or encouragement to arrive by non-car modes thus further increasing dependence on the private car and associated demand/number of parking spaces required.

It is the view of the Highway Authority that development proposals cannot be supported for the reasons as set out above. As such the recommendation is that the application be refused on the grounds of Highway Safety and Sustainability.

### **Conservation officer – MBC**

The application site is a corner plot on Roman Road and Green Lane in Linthorpe, a suburb immediately south of Middlesbrough town centre. Surrounding uses are primarily residential with some educational and ecclesiastical.

The site was, until recently, occupied by The Northern School of Art (formerly the Cleveland College of Art and Design) buildings. The buildings have been demolished and trees have been removed.

### **Heritage Assets**

The site lies immediately adjacent to the southern tip of the boundary of Linthorpe Conservation Area, which was designated in July 1975. The Conservation Area boundary was amended in 2006, which included the application site's Roman Road frontage and the corner where it meets Green Lane. The bulk of the application site forms part of the setting of the Conservation Area, but falls outside the Linthorpe Conservation Area's boundaries.

The original village of Linthorpe, from which the area derives its name, was part of the Acklam manor in the twelfth century and early Linthorpe was an agricultural area until the mid-nineteenth century. The significance of the Conservation Area lies in its village origins, which have grown into high quality late nineteenth and early twentieth century suburbs, with streets of planned architectural consistency. The streets within the Conservation Area around the application site can be considered 'leafy suburbs' with the elegant, early twentieth century 'Phillippsville' development of Roman Road of Westwood and Claude Avenues, amongst

others. Daleston Avenue is a unique, narrow, tree-lined cul-de-sac with a dwelling designs, forms, and materials unique to this street.

Historic maps evidence the earliest development appears on the site between 1895-1899. On the site at this time is a group of buildings called Ashgate, possibly a villa or farmstead, surrounded by fields, farms, various brickworks and the southern tip of early Linthorpe suburbs. By 1916-1929 Ashgate is clearly a villa with grounds, possibly a walled garden and orchard with outbuildings. Ashgate remains until approximately 1952 and by 1960, the college buildings appear on the site, remaining, but altered, added to and renamed, until their recent demolition. Architecturally, whilst the college buildings most recently on the site did not make a positive contribution to the setting of Linthorpe Conservation Area, their layout was positive and education made a neutral impact, both found elsewhere in Linthorpe.

### Impact Assessment

The proposed discount foodstore use is not commonly found in the surrounding area. A similar use is the Tesco convenience store further North on Roman Road, however it is considerably smaller and accommodated in an existing, Victorian building, which make a positive contribution to Linthorpe Conservation Area.

In terms of new development, there are design, form and layout concerns about this proposal and its impact on Linthorpe Conservation Area:

- It would be a smaller and lower building than the college buildings, however the proposed layout, with the building to the rear of the site and vehicle parking to the front is not found in this area. It may be, to some extent, screened from both roads with landscaping, this does not make the proposed layout positive; it would be an anomaly, because the majority of development in the area, including the existing buildings, are found near the front of sites, nearer to the highway and with active, street frontages. The building line from the demolished college buildings and its residential neighbours, is worth replicating, with parking and deliveries better provided to the rear of the site, screened by the building rather than by landscaping. The examples provided, of similar layouts of buildings and sites in the Conservation Area, are infill, non-traditional development that make a negative contribution to the significance of the Conservation Area and would fail to comply with current policy.
- The college buildings were a typical 1960s education establishment, with curtain wall apertures and a flat roof, found all over the country; they were not typical of the age or form of most development in Linthorpe. The design of the proposed new building appears to be a contemporary version of the college buildings (which do not merit mimicking), with curtain walling and a flat roof. Architecturally uninspiring, materials are metal window and door frames, red brick panels with a flat roof. In principle, the use of red brick, the predominant masonry found in Linthorpe, to the Roman Road and Green Lane elevations has the potential to be positive, were it not for the design of the building. The building proposed does not respond to the best of development typical of the Conservation Area, so is not good design in context.
- A new vehicular access is proposed off Green Lane, outside the Conservation Area, at the furthest point from the corner with Roman Road; the college Roman Road access is proposed to be doubled in width. In terms of forms of access in Linthorpe and the length of the street frontage, the impact on Linthorpe Conservation Area would also be negative.

The proposed retention of the triangular area of trees on the corner of Roman Road and Green Lane is positive, however several trees have already been removed from the sites, eroding the leafy character.

This proposal is not appropriate in this location and the impact on Linthorpe Conservation Area and its setting, for the reasons explained above, would be negative and harmful.

## Conclusion

The proposed development would not result in sustainable development or high-quality design, contrary to Policies CS4 and CS5 of the Middlesbrough Core Strategy and to paragraphs 11 and 134 of the 2023 NPPF. This poor design, along with the poor layout and materials would result in development that would not make a positive contribution to local character and distinctiveness, contrary to paragraph 197 of the NPPF. Consequently this would result in less than substantial harm not acknowledged or justified in a clear and convincing justification manner by the application and its supporting documents, to the setting, which contributes to the significance of Linthorpe Conservation Area, contrary to paragraphs 199, 200, 202 and 206 of the NPPF.

## **Environmental Protection – MBC (In summary)**

With reference to the above planning application please note the conditions limiting the deliveries and collections to between the hours of 8:00am and 7:00pm Monday to Saturday, and between the hours of 9:30am and 6:30pm Sunday, Refuse collection between the hours of 8:00am and 7:00pm Monday to Saturday, and 9:30am to 6:30pm Sunday.

The substation along the boundary of the site has not been included within the noise assessment. This will need to be assessed alongside any proposed mitigation.

No concerns with the submitted lighting plan.

## **Waste Officer – MBC**

No comments

## **Cleveland Police**

In relation to this application, applicant is recommended to contact me for any advice, guidance I can offer in relation to designing out opportunities for crime and disorder to occur.

## **Northern Gas (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.

## **Northumbria Water (In summary)**

It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>.

At this time the planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. A pre-commencement condition for details of the disposal of foul and surface water shall be submitted to be agreed with Northumbrian Water and the Lead Local Flood Authority.

## **Local Lead Flood Authority – MBC (in summary)**

The additional information provided has clarified / answered some of the questions previously raised namely that discharged rates will be restricted to Greenfield runoff rates and will see a reduction from an existing flow rate of 63.9l/s to a total flow rate of 8.6l/s. It is

noted that information has been provided on flood exceedance routes and it is accepted that flooding from the 1 in 100 year + 40 % cc will be contained onsite. It is also noted that flooding will occur during events greater than 1 in 116 year + 40% CC and will see exceedance routes via the site access off Roman Road.

Information has been provided on proposed levels and falls of the land and this would appear to show in some places that the ground would fall away from the building towards the boundary of the site. On looking at the Drainage layout for surface water it does not appear to show drainage to capture any surface water. Clarification is required if this is indeed the case and if so drainage to capture any runoff is required.

The Surface Water Drainage plan provides information on the Existing offsite flow (210l/s), Proposed flow restriction (15l/s) and Proposed offsite flow (25l/s) this does not appear to be in keeping with information provided within the Drainage Design Review dated July 2023 which indicates a total surface water flow rate off site of 8.6l /s this needs clarification.

Information has been provided on surface water drainage maintenance which has confirmed that it will be maintained by Lidl's building management company.

Details on Control measures have been provided but it would appear that some of the details have not been provided i.e outlet diameter.

Details on how surface water runoff from the site will be managed during the construction and silt will be prevented from entering the surrounding drainage systems has not been provided.

In principle I am happy with proposed development and suggested drainage layout subject to clarification of the points raised above. Until clarification is provided pre-commencement conditions are required that a surface water drainage scheme following the principles of the FRA Revision F (December 2021) shall be submitted to the Local Authority for approval along with a surface water drainage and management condition.

### **Northern Gas Networks**

We object to the planning application on the grounds that the protection given to our plant may be diminished by the works you intend to carry out. There are specific building proximity distances for individual pipelines, which are dependent on pre-defined risk levels and the type of development.

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## **PLANNING CONSIDERATION AND ASSESSMENT**

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1. The application seeks planning consent for the erection of a new discount foodstore (Use Class E) and access, car parking, landscaping and other associated works at the former Northern School of Arts campus site on Green Lane, Middlesbrough. The proposal includes the closure of Thackeray Grove.
2. The principle issues to be considered in respect of this application centre upon the appropriateness and sustainability of the site and include an assessment of retail impacts, highway infrastructure, place making and layout and design, residential amenity, ecology and biodiversity, flood risk and any other residual issues.

### **Policy Framework**

3. In assessing the principle of the development of the application site consideration needs to be given to both Local and National Planning Policies. Where the proposal does not

accord with the Local Plan, material considerations, including National Planning Policies, will be taken into account to determine the suitability of the proposal.

4. The Local Plan Core Strategy, which was adopted in February 2008, sets out the Council's strategy in terms of housing, economy, community facilities and infrastructure until 2023. This was supplemented and amended by the spatial strategy of the Housing Local Plan (2014) which extended the plan period to 2029 for some aspects of the plan.
5. The Council commenced a review of its Local Plan in 2016, reaching the publication stage in 2018. However, preparation of the plan was paused in 2019 to allow reconsideration of the key strategic aspects of the emerging plan and to provide an opportunity to update the evidence base. As part of this process, a new Middlesbrough Town Centres and Retail/Leisure Study has been undertaken (September 2020). This study will be used to inform the new Local Plan and is a material consideration for this application.
6. The Council's spatial vision and strategic objectives for the area are set out in the adopted Core Strategy and Housing Local Plan. Together these aim to reinforce the economic, social and environmental objectives as set out within the National Planning Policy Framework (NPPF). The key priorities the Council aims to address through the planning system are set out in Section 1 Background (paragraph 1.4) of the Core Strategy. Particularly relevant to this commercial development are:
  - the ambitions to create sustainable communities;
  - meeting local transport needs more efficiently;
  - promoting the economic vitality of Middlesbrough;
  - reinforcing the role of Middlesbrough Town Centre within the Tees Valley city region;
  - improving health; and
  - transforming the local environment
7. The National Planning Policy Framework (NPPF) sets out the national planning policies. The Planning Practice Guidance (PPG) provides further guidance on how the NPPF should be interpreted and applied.
8. The National Planning Policy Framework (NPPF) September 2023 sets out the purpose of the planning system is to contribute to sustainable development through three overarching objectives which are economic, social and environmental. The objectives are interdependent and should be pursued in mutually supportive ways.

### **Assessment of the Economic, Social and Environmental Sustainability of the Development**

#### **9. Economic Sustainability**

The economic sustainability objective set out in paragraph 8 of the NPPF relates to building a '*... strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating infrastructure*'.

### **Sequential and Impact Test – Local, National Policy guidance and case law**

10. Core Strategy Policy CS4 (a) requires all new development to contribute to achieving sustainable economic development to support efficient, competitive and innovative business, commercial and industrial sectors.
11. Core Strategy Policy CS7 aims to support and encourage employment opportunities that assist in delivering economic prosperity and developing Middlesbrough's role as part of the heart of a vibrant and prosperous Tees Valley City region. The aim of the strategy is to focus employment development (that previously fell within use classes B1, B2 & B8) within key employment sites such as Greater Middlehaven, Riverside Park, Greater Hemlington and Middlesbrough Town Centre
12. Within the criteria of Core Strategy Policy CS7, development outside of these identified locations will require a sequential test. Priority will be given to those sites that utilise previously developed land and will contribute to the implementation of the economic strategy and be of a scale and nature appropriate for the location.
13. Core Strategy Policy CS13 determines a hierarchy of retail centres based upon strategic importance within the borough, identifying a network of centres that meet day to day shopping and community needs. Seeking to safeguard the retail character and function of centres by resisting development that detract from their vitality and viability, with the need to apply the sequential approach when considering proposals for new town centre uses.
14. Housing Local Plan Policy H1 determines proposals outside of strategic locations will need to be sited within the urban area where they are accessible to the community they serve and satisfy the requirements for sustainable development, such proposals should demonstrate how they would contribute to achieving the spatial vision and objectives identified in the Local Plan, with all development required to ensure that it contributes to, and fully integrates with a sustainable transport network.
15. The guidance within paragraph 82 of the NPPF states that planning policies should set out a clear economic vision and strategy that positively and proactively encourages sustainable economic growth, having regard to other Local Industrial Strategies and other local policies for economic development and regeneration. In addition, policies should identify strategic sites for local and inward investment to match the strategy and to meet the needs over the plan period.
16. The NPPF paragraph 86, supports the vitality and viability of town centres by placing existing town centres foremost in both plan-making and decision-taking, determining main town centre uses should be located in town centres, then in edge of centre locations.
17. Paragraph 87 of the NPPF sets out that a sequential test should be applied to planning applications for main town centre uses which are neither in an existing centre nor in accordance with a up-to-date plan.
18. With paragraph 88 stating that when considering edge of centre locations or out of centre proposals preference should be given to accessible sites which are well connected to the town centre and applicants should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centres are fully explored.
19. In addition, the NPPF paragraph 90, states that when assessing applications for retail and leisure development outside of a centre and not in accordance with an up-to-date plan, Local Planning Authorities should require an impact assessment. In this instance for developments of 2,500m<sup>2</sup>. This should include assessment of a) the proposal on existing, committed and planned in a centre of centres within the catchment of area of the proposals



and b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment area.

20. Paragraph 91 of the NPPF sets out that where an '**.. application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 90, it should be refused**'.
21. The National Planning Policy Guidance (NPPG) – Town Centres and Retail, paragraph 011 (ID:2b-010-20190722) provides a checklist for consideration that should be taken into account in determining whether a proposal complies with the sequential test :-
  - The requirement to demonstrate flexibility and the suitability of more central sites to accommodate the proposal being considered, where the proposal would be located in an edge of centre location, preference should be given to accessible sites that are well connected to the town centre. It is important to set out any associated reasoning clearly.
  - Is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal
  - If there are no suitable sequentially preferable locations, the sequential test is passed.
22. The Supreme Court Judgment – Tesco Stores Ltd v Dundee City Council (dated March 2012) UKSC13 provides clarity on the lawful meaning of the sequential test in Scottish policy. The Judgment rules that the sequential test, and its limb concerning 'suitable' sites closer to the town centre, is about explaining why alternative sites for the developer's scheme are not more suitable.
23. The Dundee case set out that developers should have regard to the circumstances of a particular town centre when preparing their proposals, as regards the format, design and scale of the development. As part of such an approach, developers are expected to consider the scope for accommodating the proposed development in a different built form, and where appropriate adjusting or sub-dividing large proposals, in order that their scale may fit better with existing development in the town centre. Provided the applicant has done so, however, the question remains whether an alternative site is suitable for the proposed development, not whether the proposed development can be altered or reduced so that it can be made to fit an alternative site.
24. The broad application of Dundee in England has been confirmed by the High Court R (on the application of Zurich Assurance Ltd (t/a Threadneedle Property Investments)) v North Lincolnshire Council [2012] EWHC 3708 (Admin) and more recently Aldergate Properties [2016] EWHC 1670 (Admin). The latter judgement confirms that the sequential test should be applied to the type of retail development proposed, rather than the requirements of the particular operator, and that sites cannot be excluded because the proposed operator has a store elsewhere. It also confirms that a site might still be classed as available, even though it is controlled by another retailer.
25. The Secretary of State in granting planning permission in December 2016 for a factory outlet shopping centre at Scotch Corner in Richmondshire (North Yorkshire) (Refs. APP/V2723/V/15/3132873 and APP/V2723/V/16/3143678) agreed with his Inspector, who noted that, in carrying out the sequential test, whilst paragraph 24 of the NPPF indicates that applicants should demonstrate flexibility on issues such as format and scale, it does

not require them to disaggregate the scheme. It was confirmed that the sequential test seeks to establish whether the application (i.e. what is proposed) can be accommodated on sequentially preferable sites.

26. In October 2018 the Secretary of State call-in decision on Cribbs Causeway (APP/P0119/V/17/3170627) notes the Inspector (in paragraphs 567 & 568 of their report) confirmed that whilst disaggregation was adopted in past policy it was not embodied in either the Framework or the PPG.
27. It is clear the Secretary of State decisions generally take the view that disaggregation is not required to be considered when applying the sequential test. Notwithstanding this, however, there remains a need for the applicant to demonstrate flexibility in terms of both scale and format, when assessing the suitability of alternative sites to accommodate the proposed development

#### Sequential Test Assessment

28. The proposal is for a limited assortment discount store which is considered a main town centre use. The out of centre location means a sequential test is required.
29. The Planning, Economic and Retail Statement (PERS) submitted in support of the development identifies the methodology for the Sequential Assessment (SA) based on a limited assortment discount (LAD or 'deep discount') food store, identifying a 5-minute drive-time catchment area. With specific sequential parameters that reflect the minimum requirements necessary to accommodate a LAD food store and discount mixed-goods retailer.
30. The submitted PERS has been based on a 5-minute drivetime, but has not included the Middlesbrough Town Centre Boundary and edge of which is within a 5 minute drive and has not been assessed for sequential preference.
31. The pre-application discussions on the site advised that a 5-minute drive time was considered too low and for this type of development a 10-minute drive time was more realistic. The 10-minute drive time would enable a further degree of flexibility and would include assessments of additional centres including Middlesbrough Town Centre, Berwick Hills District Centre and Coulby Newham District Centre.
32. In addition to the 5-minute drive time catchment, the PERS identifies seven minimum sequential parameters believed to reflect the broad range of development proposed, having regard to the scale, nature and range of goods typically sold by a 'LAD' retailer. Namely :-
  - a. Available sites with an area between 0.6ha and 1.6ha with the potential to house a unit measuring between 1672sqm and 2461 sqm
  - b. Existing vacant units with a floorspace measuring at least 90% of the size of that proposed
  - c. A site allowing safe manoeuvring of customer vehicles
  - d. A prominent site with the ability to attract passing trade
  - e. A site that is able to offer adjacent surface level parking
  - f. A site which can accommodate a dedicated service area to the rear of the store and associated HGV deliveries and manoeuvres
  - g. A single storey, open and unrestricted sales floor area which benefits from a generally level/flat topography, or which has the ability to be developed as such,
33. These parameters (a-g) have been used within the PERS to assess three edge of centre sites at Eastbourne Road Local Centre (a large-scale local centre, as identified in Policy CS13) and Saltersgill Avenue Local Centre (a medium scale local centre.)

34. In accordance with NPPG it is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal. The specific requirements of the Lidl operator are considered to be rigid, particularly in relation to parking and service area requirements and technically this approach is not in accordance with the flexibility guidance set out within the NPPF. However, the Inspector within a recent appeal decision for a similar retail development at Low Lane, Middlesbrough (APP/W0734/W/22/3313867) did not give significant weight to the use of these specific rigid parameters as part of the sequential assessment and is therefore not a reason for refusal of the proposal.
35. Following the closure of the Co-operative branch at 469 Linthorpe Road the applicant provided an additional sequential appraisal note specifically in relation to the former Co-operative site. The sequential evidence provided with regards to why the former Co-operative site is unsuitable from both an operational and ownership perspective is considered to be acceptable.

### Impact Assessment

36. An impact assessment has been submitted in support of the proposal which reflects the 5-minute drive time catchment area and focuses upon those centres that fall within the 5-minute boundary. The proposed gross floor area for the development is 1895 sqm and therefore falls below the default threshold set out within paragraph 90 of the NPPF as requiring an impact assessment. The Inspector within the recent Low Lane, Middlesbrough appeal decision (APP/W0734/W/22/3313867) noted that there is no definition of what might constitute a significant adverse impact in the context of the impact test and the National Planning Practice Guidance indicates that in areas of high vacancy or low retailer demand even modest trade diversion may lead to significant adverse impact. Whilst the proposal may lead to some modest trade diversion, the level of potential impact is not considered to reach the threshold of being of sufficient significance to suggest the proposal should be refused for that reason.
37. It is acknowledged that the development will provide some economic employment opportunities to the area in terms of short-term construction jobs and employment opportunities for the units. The weight given to the employment benefits of the development is not considered to outweigh the unsustainable design and layout of the proposal which will be addressed separately within the report. The proposed economic employment opportunities are noted however are considered to carry little overall weight and not notably affect other considerations.

### Highways - Local and National Policy Guidance

38. Core Strategy Policy CS17 sets out development should be located where it will not have a detrimental impact upon the operation of the strategic transport network and will deliver several key priorities. The most relevant for this proposal being, improving access for all, promoting alternative modes of travel an integrated and safe system of cycle and pedestrian routes.
39. Core Strategy Policy CS18 establishes that as part of the creation of a sustainable transport network it will be necessary to incorporate measures into development proposals that improve the choice of transport options. Setting out priorities which include restricting the amount of private car parking in new development and identifying minimum car parking standards as set out with the Tees Valley Design Guide and Specification, the promotion of schemes for cycling and walking and requiring travel plans and transport assessments to ensure the strategic road network will be no worse off as a result of development.

40. Core Strategy Policy CS19 aims to reduce the impact of traffic and to improve safety and the quality of the environment in residential and commercial areas by prioritising five key areas. Including workplace travel plans and arrangements with new developers to introduce a package of measures to discourage car use and encourage other means including bus, bike and walking. Policy CS19 comments that development proposals that would have a detrimental impact upon road safety will not be supported.
41. The Tees Valley Design Guide and Specification 'Residential and Industrial Estates Development' sets out guidance standards in relation to providing sustainable communities by providing safe, convenient and functionally efficient road, footpath and cycle routes, whilst ensuring development reflects the setting of the site.
42. Paragraph 110 of the NPPF sets out the following criteria for assessing sites within the development plan or specific applications to ensure that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
  - b) safe and suitable access to the site can be achieved for all users;
  - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
  - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree
43. NPPF Paragraph 111 comments that development should '**... only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road networks would be severe.**'
44. Paragraph 112 of the NPPF comments that applications for development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;**
  - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;**
  - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;**
  - d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and**
  - e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.**
45. The National Design Guide (January 2021) identifies ten interlinked characteristics to consider in relation to achieving sustainable and well-designed development. One of the characteristics is 'Movement' (paragraphs 75-89). Patterns of movement for people is considered integral to well-designed places to include walking, cycling, safe access to facilities, employment and servicing, parking and convenience of public transport.
46. The Institute of Highways & Transportation published a technical guidance 'Providing Journeys on Foot' (2000) to encourage Local Authorities to take an integrated and

strategic approach to encourage walking as a travel mode through developments with guidance on how to plan, implement and monitor walking measures as part of the wider, integrated transport strategy.

47. To support more people travelling by cycle or foot through development, the government introduced the Local Transport Note LTN 1/20 Cycle Infrastructure Design (July 2020) which provides guidance and good practice for the design of cycle infrastructure. The aim is to support more people travelling by cycle or foot and ensure routes and networks include five core design principles namely to be coherent, direct, safe, comfortable and attractive.

### **Highways Assessment**

48. Development proposals have been tested within the authority's strategic Aimsun model in order to understand what the potential impact on the highway network could be. As is a standard approach when assessing retail development it is agreed that not all trips associated with the development will be new to the network and development traffic will be made up of;

- New trips – trips that are new to the network (20%).
- Pass-by trips – trips already passing the site and call in as part of another journey (40%).
- Diverted trips – trips already on the adjacent network but change route to call in as part of another journey (40%).

This approach is a nationally recognised approach and the proportions for each type of journey are consistent with other retail schemes.

49. The Aimsun assessment has therefore tested the impact of development traffic for this proposal on the above basis in the 2025 and 2030 future year scenarios.

The table below sets out the level of traffic generated by the proposals;

	<b>AM</b>	<b>PM</b>
New	13	31
Pass-By	27	62
Diverted	27	62
<b>TOTAL</b>	<b>66</b>	<b>156</b>

In summary the Aimsun modelling demonstrates that the traffic generated by the development will not have a material impact in terms of the operational capacity of the network.

50. Whilst not impacting on the operational capacity of the highway network, the development will, as can be seen in the figures above, generate high levels of traffic at the site entrances and the immediate environs of the site. The number of vehicle movements occurring within a concentrated area, when assessed in conjunction with other sustainability and layout issues will contribute to detrimental impacts as set out in the following sections.

### **Pedestrian/Cycle Accessibility**

51. The proposed development by combination of its land use and location is such that it has the potential if designed and approached in an appropriate way, to ensure a significant number of trips could be made by sustainable travel. The site is located within a residential area with a significant number of properties falling within a 5 minute or 10 minute walking/cycling catchment. A number of bus stops are located within 400m (a 5 minute walk) of the site and are served by various frequent services. However, the approach taken

to developing the site in terms of proposed design and layout of the site together with proposed access arrangements and lack of suitable infrastructure arrangements do not seek to tap into this potential. As submitted the development proposals have taken a default standardised approach centred around car-based travel and as such do not support, prioritise nor incentivise sustainable travel.

52. Pedestrian and cycle routes are not direct between the adjacent highway and store entrance. Routes into the store for these users are squeezed between rows of parked cars and do not lead via convenient, direct, high-quality routes to the main entrance. Whilst not shown on the submitted plans the areas around the main entrance to these stores are normally used for ancillary sales of promotional/seasonal goods, which introduces further clutter and visual obstructions to clear direct routes.
53. A number of car spaces have been placed within the immediate environs of the main store entrance and internal crossing points resulting in vehicles manoeuvring against/over these crossings whilst again reinforcing that the layout has been designed first and foremost around vehicular accessibility and the needs of vehicles.
54. A new vehicular access is proposed onto Green Lane which has been designed around the requirements of vehicles and articulated vehicle swept paths. The access consist of an overall width of 21 metres broken down as a 10 metre entry width, 2 metre refuge and 9 metre exit width with large kerb radii. The creation of the access results in a new junction of significant size and width which will be used by high volumes of traffic that pedestrians have to negotiate, including pedestrians/the general public not associated with the store. The pedestrian refuge is 2 metres wide, which is considered the bare minimum required width for pedestrians and is not sufficient to accommodate cyclists. Pedestrians will have to cross in two stages, waiting for gaps in traffic on an island that is of minimal width. Given the limited width these pedestrians will be waiting in close proximity to traffic, including articulated HGV's. The combination of traffic flows, crossing distances, large kerb radii and minimum width refuge results in an extremely hostile environment particularly for vulnerable highway users such as blind/partially sighted, those with mobility issues or parents with young children.
55. Just west of the site is Green Lane Primary School. Green Lane during school peak periods is extremely busy with on-street parking and is used by parents and pupils walking to/from school. The introduction of this new junction with high volumes of traffic will present a safety hazard for these pedestrians and others.
56. The existing vehicular access onto Roman Road is to be widened to 7m this adding a further large busy junction that pedestrians must negotiate. The same situation will be seen as per the access to Green Lane and the individual and cumulative impact of these access is to create additional severance within existing footways to the detriment of pedestrians in residential areas. To summarise the development proposals introduce two large access junctions to serve the site which are designed around the car to accommodate high levels of constant traffic to the detriment of pedestrians and cyclists who become secondary to traffic.
57. Notwithstanding the impact that these access points will have on pedestrians/cyclists not associated with the store, the internal layout also does not provide connections to these junctions. As such store customers arriving by non-car modes will have to either negotiate these junctions to access the separate footpath link into the site or, as will be more likely, they will follow the natural desire line which is to walk into the site at the vehicular entrance and then through the car park and associated aisles.
58. It is unclear from the submitted plans what, if any works, are proposed to the existing footway along the site frontage. Previous plans detailed the provision of a section of shared pedestrian /cycle route but this is now not annotated nor referenced. Officers acknowledge

that they raised concerns regarding the provision of a shared route along here but this was on the basis that it was designed in isolation with no assessment/consideration of how such a facility would connect into adjacent infrastructure. A similar approach has been taken to sustainable travel in the current proposals in that infrastructure has been provided but seemingly on a haphazard basis that does not consider the need nor quality of facilities.

59. Pedestrian refuges have also been proposed on Roman Road at its junction with Green Lane and Green Lane just West of the junction with Roman Road. As per the pedestrian refuge to the Green Lane store junction, these refuges are of minimal width and do not accommodate cyclists. No vehicular swept paths have been provided to demonstrate whether vehicles could successfully and safely negotiate the proposed works, particularly the junction of Roman Road/Green Lane. As such there is no guarantee that these features, which seek to overcome other issues with the scheme, could actually be delivered.
60. Whilst cycle parking facilities within the scheme have been provided no infrastructure has been proposed to facilitate access by this mode, the design does not encourage it and in the case of the refuges prevents it. Whilst cyclists can park their cycles at the store it would be far more unattractive and challenging to access it.

#### Vehicle Accessibility

61. Access to the proposed development is proposed to be taken from both Roman Road and Green Lane. The access onto Roman Road is an existing access which is proposed to be widened to 7m to facilitate the necessary vehicular movements.
62. The access to Green Lane is a new vehicular access which does not currently exist and involves the formation of a new kerbed junction as described previously. Green Lane in the vicinity of the access will be relined in order to provide a right turn ghost island. The principle of a new access to Green Lane is not supported by the Highway Authority and this has been relayed to the applicants repeatedly from the pre-application stage, predominantly for the following reasons;
- The creation of the new junction onto Green Lane and associated right turn island effectively introduces a third lane of traffic and removes the potential for suitable pedestrian /cycle crossing points to be provided
  - Hinders the authority's strategic objective to deliver cycle infrastructure along this main corridor (the reallocation of road space to provide the right turn ghost island will prevent this road space being used to introduce cycle lanes), as identified within the Council's Integrated Transport Strategy.
  - The change in nature of Green Lane from two lanes of traffic to three increases the severance created by the road.
63. In addition to the concerns of the Authority an independent Road Safety Audit has also highlighted deficiencies and concerns with the proposed layout including;
- Lane overrun by delivery vehicles accessing/egressing the new junction may result in sideswipe or head on type collisions.
  - Use of the right turn ghost island by residents using the facility as a holding area when entering numerous private drives on Green Lane.

#### Highway Safety

64. The junction of Green Lane/Roman Road/Thackeray Grove is a poor junction in terms of safety due to its poor alignment, opposing arms and high traffic volumes along Green Lane. The junction is an unsignalised off-set crossroads with the priority flow being along Green Lane. This situation is reflected in the accident records which show that the junction has a poor accident history.
65. Using Stats19 Accident Records within a 200m distance of the junction of Green Lane/Roman Road there have been a total of 8 accidents within the last 5 years. Accidents were predominantly clustered between the junctions of Green Lane/Roman Road and Green Lane/Tollesby Road. Generally speaking the accidents involved vehicles either turning from a side road into Green Lane or turning from Green Lane into a side road. This pattern tends to indicate that mainline flows are such that motorists get frustrated or take additional risks leading to an increased number of accidents. Of the 8 accidents, 3 involved pedestrians/cyclists including at the Zebra crossing to the east of the site. Accidents at the Zebra crossing are consistent with reports the council receive regarding vehicles failing to stop at the Zebra and additional works that have been undertaken to try to minimise these occurrences.
66. When assessing the accident statistics it must be borne in mind that the Stats19 system only records injury accidents, damage only accidents are not recorded as generally they are not attended by the police. As a Highway Authority, officers are aware that this junction is a tricky/awkward junction to negotiate and as such the actual number of collisions or near miss events are likely to be significantly higher. This view is further supported by concerns regularly received by Ward councillors regarding the junction. In addition, speeds and accident rates are high hence being placed within the Police Enforcement top ten list.
67. The authority works with a company which uses Artificial Intelligence together with environmental input data (traffic flows, geometries, rainfall etc) to determine accident risk and probability. This is a similar approach used by the insurance industry. Using this software the risk rating of the highway network is derived and can be broken down to either links or junctions. This software has identified that the junction of Green Lane/Roman Road is a significant risk location and a higher risk location than other benchmarked locations. Data extracted from the software supports both the accident statistics and local knowledge of the operation of this part of the network.
68. The development proposal will lead to increased volumes of traffic, turning movements and pedestrian and cycle activity around the immediate environs of the site. This increase will further increase both the risk and frequency of accidents, particularly taking into account the lack of high-quality sustainable travel infrastructure.
69. The latest revised plans have sought to address these concerns by proposing to close Thackeray Grove thus creating a simple 3 arm priority T junction of Green Lane/Roman Road. In addition, the applicants have offered a small contribution towards the signalisation of this new junction arrangement with the expectation that the authority funds the majority of the signalisation scheme. Given the concerns around the design of the site and proposed pedestrian refuges it is considered that the signalisation of the junction is a necessary part of the development proposals to overcome a number of differing issues. A signalised junction with pedestrian/cycle facilities will manage the competing demands more efficiently/safely and provide improved pedestrian/cycle facilities to the new store. This, together with other design suggestions made to the applicants would have resolved many of the issues now being raised.
70. Furthermore the proposed closure of Thackeray Grove does not propose/provide any turning facilities on Thackeray Grove i.e a turning head at the end. Given the length of road and number of properties between the junction of The Prospect and the proposed closure point (circa 130m) the lack of turning facilities would be detrimental to servicing



(refuse collection) and highway safety (vehicles having to reverse excessive distances/damage to infrastructure). Officers believe that turning facilities could potentially be provided within the highway envelope but no details have been provided and no works have been proposed. As presented there are concerns therefore that the proposed closure would not deliver the closure to a suitable standard for the long term functioning of that road.

### Servicing

71. HGV's servicing the site must undertake multi-point manoeuvres within the main car park in the main access aisle. This is a less than desirable solution in terms of safety as articulated HGV's are manoeuvring within bellmouths of junctions, where pedestrians are likely to be walking and adjacent to Parent & Child spaces. The longer the delivery process takes due to other traffic within the internal layout or delivery drivers being cautious due to the safety implications the greater the impact in terms of internal congestion and blocking back onto the highway network.
72. Concerns are raised with the internal layout and the potential for vehicles waiting or caught in internal congestion to start blocking back out on the public highway. Examples of this include;
- Servicing traffic manoeuvring within the main car park aisle which when occurring (at least twice per day) will obstruct the main aisle and access to a number of parking spaces.
  - Due to high East/West flows on Green Lane and the provision of a right turn island traffic leaving the site may struggle to find gaps or left turning traffic will be blocked by a right turning vehicle. Limited stacking space within the site results in queuing blocking the internal layout and car parking.
  - The access onto Roman Road has a 90deg bend immediately on entry/exit with car spaces in this location. Vehicles manoeuvring into/out of these spaces coupled with the alignment will detrimentally affect the ability of traffic to smoothly enter and leave the site. This alignment will also result in a small number of vehicles queuing to leave the site quickly having a detrimental impact on the internal layout.

### Parking

73. When assessing the scheme against the Tees Valley Highway Design Guide the development requires 136 car spaces, 91 are proposed. A car parking accumulation survey has now been supplied and has demonstrated that the peak accumulation of the car parking is 55% on a weekday store peak and 66% on a weekend store peak period. Generally this is a peak accumulation demand of 62 spaces out of 91 proposed. The parking accumulation also demonstrates that the car park only exceeds 50% occupancy for a 3 hour period on a weekday and a 6 hour period on a weekend. Outside of these peaks there will be much greater areas of unused parking.
74. As described elsewhere in the report and by the applicant the site could be considered to be in a sustainable location. In line with local and national best practice and policies this type of local facility should be designed in such a way as to actively promote active travel and reduce dependence on the private car. The level of car parking, as demonstrated by the applicants own evidence, is in excess of what is required and further demonstrates that the site has been designed primarily around access by the private car.
75. Green Lane is extensively used by parents dropping off/picking up children to the adjacent Green Lane Primary School and parking can be seen occurring along long lengths of Green Lane during school drop off and pick up periods. Without suitable active management there is a real risk that large amounts of the car park are taken up by these parking demands. The applicants have now confirmed that they would be happy to allow

school drop off and pick up parking within the site. Such parking occurs outside of the peak periods of operation of the store and as such would not be detrimental to the car park capacity. Such an approach is welcomed but it is unclear as to how this could be formalised or secured in perpetuity.

76. There are a number of factors in assessing what is an appropriate level of car parking including the design of the site and infrastructure in place to support and encourage active (non-car) travel. Within development proposals the approach to this is poor with high levels of car parking (an evidenced over provision against demonstrated demand) and poor active travel infrastructure that is often designed in after the needs of vehicular traffic. As such there is little incentive or encouragement to arrive by non-car modes thus further increasing dependence on the private car and associated demand/number of parking spaces required.
77. It is the view of the Highway Authority that development proposals cannot be supported for the reasons as set out in this report. As such the recommendation is that the application be refused on the grounds of Highway Safety and Sustainability.

### **Social Sustainability**

78. The social sustainability objective set out in paragraph 8 of the NPPF relates to supporting '**...strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being'**.

### **Design/Layout – Local and National Policy Guidance**

79. Core Strategy Policy CS5 (Design) requires all development to provide a high quality of design in terms of layout, form and to contribute to the character and appearance of the area.
80. Core Strategy policy CS5 (c) requires development to '**.. secure a high standard of design for all development, ensuring that it is well integrated with the immediate and wider context'** with policy CS5 (f) requiring new development to '**... enhance both the built and natural environments**
81. Core Strategy Policy DC1 (b) requires as a minimum 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 a high quality**
82. The Council's Urban Design Supplementary Planning Document (UDSPD) Section 6 sets out design guidance on retail developments
83. Section 6.1 of the UDSPD references that '**.. the desire to achieve a cohesive or corporate look to a development can often lead to compromises to the fine grain of an area, especially for larger scale buildings. It is essential that all development is appropriate to it's location; this is especially critical where it abuts an existing property to where it forms part of a wider streetscape. Particular attention should be paid to storey heights, number, size and proportion of openings, positioning of entrances and materials**

84. Section 6.11 of the UDSPD sets out that ‘ ***..Large retail and industrial buildings can sometimes look like large utilitarian buildings of little architectural merit. While functional requirements are important, the use of appropriate materials and breaking up the scale, massing and roof of the building can reduce the impact of such buildings***
85. In terms of materials, section 7.17 of the UDSPD recognises that external materials have a major impact on the building design with brick, concrete and slate roof tiles being the prevalent material in Middlesbrough with timber cladding and render being welcomed where appropriate
86. Chapter 12 of the NPPF – ‘Achieving Well- designed Places’ paragraph 126 establishes that ‘***The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good Design is a key aspect of sustainable development, creates better places in which to live and work and helps makes development acceptable to communities’***
87. With paragraph 128 of the NPPF setting out design expectations should be in accordance with the principles set out within the National Design Guide (2021) and the National Model Design Code, and which reflect local character and design preferences.
88. Paragraph 130 of the NPPF requires planning decisions to ensure developments will :-
- a. function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;***
  - b. are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;***
  - c. are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);***
  - d. establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;***
  - e. optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and***
  - f. create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users***
  - g. and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.***
89. NPPF Paragraph 131 notes the importance of trees in terms of the contribution to the character and quality of the urban environment and that opportunities should be taken to incorporate trees within developments.
90. NPPF Paragraph 134 sets out that development that is not well designed should be refused especially where it fails to reflect local design policies and government guidance on design, contained within the National Design Guide and Model Design Code.
91. Paragraph 134 of the NPPF comments that significant weight should be given to development which reflect local design guidance and supplementary planning documents or which are an outstanding or innovative design which promotes high levels of sustainability, or helps raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surrounding.

92. The National Design Guide (NDG) establishes ten key characteristics the government consider contribute to a well-designed development, reflecting the NPPF guidance. Including the development context, identity, built form, movement, nature public spaces, uses, homes & building, resources and lifespan. The ten key characteristics set out within the NDG have been used to assess this development.

### **Design/ Layout Assessment**

#### **Context**

93. The application site is located within a residential area with the eastern and south-eastern boundaries of the site adjoining the Linthorpe Conservation area. The site itself has two active frontages facing towards Green Lane and Roman Road. Following the demolition of the former college buildings on the site there are open views into and across the site.

94. The streetscape along Roman Road and Green Lane is characterised by established trees either within the front gardens or within the highway grass verges. The residential properties within the immediate area along Green Lane, Harrow Road and Roman Road have an established linear front building line and are set back from the main highway. The properties along Green Lane are predominantly detached and semi-detached properties with the properties to the north along Harrow Lane begin semi-detached with the rear gardens adjoining the application site. To the east along Roman Road are semi-detached villa style properties sited within the Linthorpe Conservation area. The building materials within the vicinity are traditional red brick with slate and terracotta roof tiles.

95. The commercial buildings within the vicinity of the site are primarily educational buildings or recreational facilities such as Green Lane Primary School to the south-west and Mill Hill Recreation Ground and Acklam Park. With a small-scale local centre located approximately 400 metres to the north on Roman Road.

96. The site layout shows the main commercial retail unit set back towards the northern boundary with Harrow Road with the main car park area to the front of the site. The location of the main building directly conflicts with the established front building lines of the residential properties fronting both Green Lane and those to the north on Roman Road with the large expanse of hard standing for the car park being an anomaly within this residential area.

97. The commercial nature of the site requires a service yard provision. The site layout shows the service yard access located to the side of the building which given the orientation of the building within the site will be visually highly prominent from the wider views along Green Lane and the site entrance, rather than being screened to the rear. The service yard area will be particularly prominent given a 3-metre-high acoustic fence is proposed for noise mitigation measures to the west of the service yard which is annotated on the site layout plan, but not shown on the elevation drawings. There is a historic brick wall along the western boundary of the site but in general timber boundary fences of this height are an anomaly within this residential area of Linthorpe

98. The site layout with the building to the rear and level of hard standing to the front appears to have been based around vehicular access to the site and not to enable either pedestrian or cycle accessibility or moveability within the site which is a criteria and characteristic set out within the National Design Guide. The pedestrian links into the site are limited to two main footways which both cross the main internal vehicle circulation route within the car park.

99. The revised plans relocating the two footpaths has still not alleviated the concerns regarding pedestrian accessibility. Both footpaths are positioned directly in between car parking spaces before requiring pedestrians to cross the only internal vehicle circulation route into and out of the site, providing an unattractive footpath link. There are concerns with regards to the restricted width to the front of the store where both footpaths are directed given Lidl's model of providing trolley with produce on the hard standing space to the front of the main entrance.
100. The site layout provides two pedestrian crossing areas to the north and south of the vehicle entrance off Roman Road to facilitate access to the main pedestrian footpath link into the site. In reality pedestrians are likely to utilise the quickest and most direct route into the store which would be by using the vehicle access off Roman Road bringing pedestrians into conflict with car movements within the site.
101. The site plan shows car parking spaces, including the electric charging spaces towards the western boundary of the site with no footpath links to the store frontage. Given the location of these spaces towards the main site entrance this design will bring pedestrians in conflict with vehicles including the HGV service vehicles. The site layout design shows no segregation between the service area and the general car park meaning the delivery HGV's would be utilising the same circulation areas as car borne customers, pedestrians and cyclists. HGV manoeuvres will directly conflict with the car parking spaces, including the parent and child spaces and the main vehicle entrance, providing not only highway safety concerns but an unattractive environment for pedestrians and car borne users of the store. A similar design where vehicles/pedestrians have conflict in movement was noted by the Inspector in the recent Appeal Decision for Low Lane, Middlesbrough (APP/W0734/W/22/3313867) paragraph 35 for a mixed retail development :-
- ' .... the servicing of the proposed buildings seems to me to be inadequately considered. There is no segregation between most servicing and the general parking and circulation area. There would be significant risk of service vehicles being hindered by drive through and other traffic. Service vehicles would in themselves be using most of the same area used by car borne customers, pedestrians and cyclists. The risk of accidents, inconvenience and delay cannot be ignored when large vehicles and all other forms of traffic on site are in conflict'***
102. The concerns raised with regards to the pedestrian and cycle access resulted in the footpath around the store being increased in width at certain points from 1.8 metres to 2 metres along with the provision of two separate cycle shelters around the car park perimeter. The relocation of the cycle parking has improved accessibility to the cycle spaces but has resulted in the two additional areas of hardstanding (100 square metres) and the loss of further landscaping in two visually prominent positions.
103. The location and layout of the parking bays forward of the main building between Green Lane and Roman Road will have a dominating visual impact on the appearance of the site from the wider area. No landscaping is shown as being provided in between the parking spaces or towards the front of the building itself which would assist in reducing the appearance of the hardstanding areas. The electrical charging car parking spaces and associated signage required for the charging points have been positioned towards the main site entrance off Green Lane and will be highly visible. Despite there being some landscaping provided along the main highway frontages the fundamental site layout design with the hard standing to the front, main building to the rear on such a prominent corner

plot within this residential area is considered to have a dominant and negative impact on the residential character of the street scene.

104. The design of the building is a standard rectangular design with a lean-to roof that extends across the full length of the building with only the entrance canopy and service bay providing a lower flat roof design. The rectangular design of the building with the continuous lean-to roof design is considered a stark contrast to the existing roofscape of the area, which is formed by individual residential properties.

105. The building would extend approximately 78 metres along the northern boundary of the site with a width of 28 metres. The eaves height of the building towards Harrow Road boundary would be 5.2 metres increasing to 6.8 metres towards Green Lane. Despite the building being single storey the lowest eaves height along Harrow Road would be higher than a standard eaves of a two-storey residential property, which is 4.7 metres. Despite the building being shown as a single storey structure, the overall height, mass and scale of the footprint of the building and service yard area is considered to be significant and out of character with the existing scale and proportions of the residential properties within the immediate vicinity.

106. In a recent appeal hearing decision the Planning Inspector commented on the scale and design of a similar Lidl Store proposal at Low Lane in Middlesbrough (appeal APP/W0734/W/22/3313867) where residential properties formed part of the backdrop to the site. Concluding :-

***'...the housing is not in the form of larger rectangular structures as 2 of the building here are. In addition the houses are, individually of a smaller scale and have a very different visual impact.'***

107. The south elevation has been designed with a blank elevation wall along the full length of the building which would face towards the residents of Harrow Road. Only a single fire door with no other openings or architectural details/ design features on this north elevation which could be considered to have a positive impact on the visual appearance of this elevation. Similarly, the south elevation design has a predominantly blank elevation wall with only a small section of glazing provided toward the main corner entrance. The building design is a standard format for the intended occupiers, with no specific architectural design details having been included to ensure the design would have a positive impact on the street scene or the surrounding Conservation area.

108. Concerns raised during pre-application discussions on the negative impact of the design and materials on the character of the street scene and the conservation areas resulted in a change in materials for the application, but no significant design alterations. The proposed materials include metal curtain walling, metal panels, fair faced brick work and coloured render. The fair faced brickwork is a standard material in Linthorpe. The stack bond brickwork design proposed is not a common brickwork design within the area. The extent of render proposed on the rear elevation and service yard area is not in keeping with the level of render utilised within the surrounding buildings which is generally limited to smaller sections of the first floors of the properties. The design, materials and overall appearance of the building would be an anomaly within the street scene.

109. The boundary treatment plans included the retention of existing hedgerows along Roman Road and Green Lane, sections of low-lying brick walls with weathered coping stones and square capped piers along Green Lane which are considered to fit in with the existing boundary treatments within the street scene. The revised site layout plan has

altered the width of the vehicle accesses off Roman Road and Green Lane and has not been reflected within a revised boundary treatment plan.

110. Furthermore, the submitted boundary plan provides two sections of 2 metres high paladin security fencing and gates to the sides of the main building. The paladin design is a commercial fencing design which is generally suitable for commercial units in retail or industrial parks and school perimeters but is not generally found within residential areas, particularly those adjacent to conservation areas. Notwithstanding the lack of an accurate boundary treatments plan being submitted and an inappropriate fence type being proposed for part of the site, the specific boundary treatments could, should the application be approved, be dealt with through the inclusion of a suitably worded condition requiring these details to be provided and agreed in writing with the LPA in advance of commencement on site.
111. Advertisement consent will be required for any additional signage required for the development. The precise design and location of the signage would be considered as part of the advertisement consent. Although this will be a separate application, based on previous Lidl stores and as shown on the External Works GA plan (5282-MP-00-ZZ-DR-S-010-S2-P02 dated 1<sup>st</sup> September 2023) this will involve a totem pole sign along the perimeter of the site in addition to the building signage. The visual impact of the additional signage within the site layout contributes further to the commercial appearance of the development within the context of the existing residential street scene.
112. The Design and Access Statement provides justification for the scale of the proposal based on the existing scale and mass of the college buildings which were on the site and that the smaller scale development will significantly improve the visual amenity of the neighbouring users.
113. The previous use of the site was an educational college prior to the demolition of the buildings. The layout of the college buildings reflected the existing front building line along Green Lane and Roman Road with a large, landscaped area including trees situated between the highway and the college building, which differs from the current proposal. The footprint of the college buildings extended across the large proportion of the site with a varying roof height of single storey and two and three storey buildings. Two individual highway accesses were provided off Roman Road to the car park located to the rear north-west corner of the site with no highway access points from Green Lane.
114. Notwithstanding the differences in the site layout and design of the former college site and the current proposal, the former college building has now been demolished along with the removal of several trees to provide a vacant site, which affords more open views across the site of the surrounding residential properties. It is in the context of the current vacant site which this application is being assessed in terms of the site layout, design and materials.
115. The proposed standard commercial building design is in stark contrast to the scale and individual nature and architectural design of the surrounding detached and semi-detached residential properties. The prominent corner site location, position of the building within the site, scale and massing of the building, materials and level of hard standing provided to the front of the site is considered to have an unacceptable harmful visual impact on the existing residential character of the area and is considered to be unattractive to anyone other than people with private cars.

116. The proposal is considered to be contrary to Core Strategy Policies CS5 (c&f), DC1(b), NPPF Paragraphs 128 and 130, Section 6 of the UDSPD and the guidance set out within the National Design Guide in relation to context, identity and built form.

### **Amenity – Local and National Policy Guidance**

117. Core Strategy DC1 (c) requires all new development to ensure the effect upon the surrounding environment and amenities of occupiers of nearby properties is kept to a minimum both during and after completion.

118. Core Strategy CS5 (e) requires the creation of a safe and attractive environment, at all times of the day and night, where crime and disorder, or fear of crime, does not undermine quality of life or community cohesion by incorporating the aims and objectives of both 'Secured by Design' and 'Designing Out Crime' concepts into development layouts.

119. NPPF Paragraph 130 (f) requires planning decisions to ensure developments will '..... **create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.**'

120. NPPF Paragraph 174 (e) requires planning policies and decisions to contribute to and enhance the natural and local environment by :-

**'....preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans'** ;

121. NPPF Paragraph 185 establishes that :-

**'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:**

**a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;**

**b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and**

**c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'**

122. The National Planning Practice Guidance (NPPG) - Noise states that noise needs to be considered when new developments may create additional noise and should be considered in the context of the wider characteristics of a development proposal, its likely users and its surroundings as these can have an important effect on whether noise is likely to pose a concern.

### **Amenity Assessment**

123. Residential boundaries adjoin the northern and western boundaries of the site and are located across Green Lane to the south and Roman Road to the east. The site layout



provides the service delivery area and the main plant and machinery area to the north-west corner of the site, alongside the boundaries with the residential properties on Harrow Road and Green Lane.

124. A Noise Impact Assessment (9399/FD) has been submitted in support of the application in relation to activities from the food store, specifically plant and delivery noise. Two noise monitors were placed within the site towards the eastern and northern boundaries between the 17<sup>th</sup> and 20<sup>th</sup> December 2021.
125. The proposed plant for the store will be sited above the delivery bay in an enclosed area installed behind a parapet wall with acoustic louvre vents which will be placed on the rear elevation of the building facing towards the residential properties on Harrow Road. The Noise Assessment established the current background noises on Harrow Road as 34dB and Green Lane as 38dB. The Noise Assessment concluded that the increase in existing background level noise from the installation of the plant and machinery in a worst-case scenario would be 3dB for residents at Harrow Road and 2db increase for the residents on Green Lane.
126. The Noise Impact Assessment used British Standard 8233:2014 to assess the guidance noise levels considered acceptable for residential properties. A figure of 35dB within living rooms during the daytime and 30dB during the evening is considered acceptable. The internal level is approximately 15 dB quieter than the external noise levels allowing for the attenuation of a partially opened windows. The predicted internal noise levels for Harrow Road and 22dB and for Green Lane 25dB which falls within the BS8233 criteria.
127. The site layout includes the relocation of a sub-station to alongside the western boundary with a residential property at 5 Green Lane. The Noise Impact Assessment report includes no assessment of the potential noise levels from the electricity substation to enable a full assessment of the impact of the substation on the amenity of the neighbouring properties.
128. Alongside the plant and machinery noise levels, the nature of the proposed retail operation will result in an increase in the overall background noise levels as a result of cars accessing, manoeuvring within the site and opening of car doors etc alongside general noise from users of the facility. Whilst some level of noise would be prevalent from the former educational use of the site this was limited to term times only and daytime periods only, generally 8am to 6pm. The proposed retail use would result in an increase in the daily hours of use by members of the public and for servicing purposes.
129. No details have been provided of the operating hours of the store but the standard Lidl opening hours are 8am to 10pm Monday to Saturday, 10am to 4pm Sunday and 8am to 8pm on bank holidays. The electric charging point facility located alongside the residential boundary with 5 Green Lane will be available for use 24 hours a day. The operation hours of the store and vehicle charging points will resulting in an increase in the hours of use of the site by members of the public and for servicing purposes.
130. The Council's Environmental Protection Team have requested a condition to limit the hours of deliveries and collections should the application be approved. With regards to the noise assessment, no issues were raised with in connection to the assessment of the plant and machinery above the delivery area which was included within the Noise Assessment. However, as no assessment has been provided for the noise levels of the electricity substation sites alongside the residential property a noise assessment of the substation

and any mitigation measures is required to ensure the amenity of the occupants of the neighbouring properties.

131. The service yard and side and rear elevation of the building would be within 5.5 metres of the northern boundary and rear garden areas of the residential properties on Harrow Road and 125 Roman Road and 7.5 metres from the rear gardens of 5 Green Lane and 21 Harrow Road on the western boundary. The Harrow Road properties are semi-detached with several having rear extensions. The main rear elevations of the properties on Harrow Road are located approximately 14 metres from the building, with this distance reduced to approximately 10 metres where properties have extended to the rear.
132. The rear elevation of the building will extend along the full width of the garden boundaries of 125 Roman Road and 1-13 (odds) Harrow Road. The height of the north elevation towards Harrow Road is 5.2 metres with the sloping roof height increasing to 6.8 metres towards Green Lane. The height, proximity and projection length of 78 metres along the northern boundary with Harrow Road is considered to have an oppressive and overbearing impact on the occupants of 1- 13 (odds) Harrow Road and would result in the loss of outlook from these properties. The revised site layout plan shows additional silver birch and rowan trees to be placed between the proposed building and the rear garden fence line of the properties along Harrow Road. The overall length, height and proximity of the building to the rear boundaries on Harrow Road means the additional trees will not remove the overbearing impact the building structure will have on the neighbours to the north along Harrow Road and 125 Roman Road.
133. The applicant has referenced the scale of the former College buildings within the site as justification in terms of the impact on the amenity of the neighbouring properties. The design of the former college buildings had a stepped roof height which did not extend along the full northern boundary with Harrow Road. Furthermore, the college buildings have been demolished so the application is being considered on the impact of the development on the neighbours from the current vacant site.
134. The east and south elevations of the building include curtain wall glazing panels with the remaining elevations being blank elevations with fire door accesses. The glazing panel areas are set back from the highway and the neighbouring properties along Roman Road and Green Lane with some limited screening provided by existing landscaping within the site. The location of the building within the site and the design of the building will ensure there is no impact in terms of potential loss of privacy.
135. The Daylight and Sunlight Report (August 2023) notes all neighbouring windows pass the relevant BRE daylight and direct sunlight tests with some windows experiencing an improvement. Further commenting the development passes the BRE overshadowing to gardens and open spaces test. The Daylight and Sunlight report concludes that the development will have a low impact on the light received by the neighbouring properties and sufficiently safeguards the daylight and sunlight amenity of the neighbours.
136. The Daylight and Sunlight assessment is based on a comparison of the 'before' and 'after' the proposed development in terms of the impact of light on existing neighbouring windows and shading to the garden areas. The Daylight and Sunlight Assessment was undertaken on the 29<sup>th</sup> July 2023 after the demolition of the building. However, the 'before' figures within the assessment are based on the existing site plan when the previous Art college was in situ and not the current cleared site. Given the length of time since the building was demolished, the conclusions within the assessment based on the site when the college building was in situ is given limited weight.

137. Despite the 'before' figure being when the college building was in situ, the daylight calculations show a loss in the total winter and sunlight hours to each of the first-floor windows at 1-15 Harrow Road and 123 and 125 Roman Road and to the ground floor windows at 1, 3, 21 Harrow Road and 123 and 125 Roman Road.
138. The BRE guidance sets out that for new development not to have a noticeable impact in terms of loss of light to the garden areas they should receive over 2 hours of sunlight for 50% of the garden area on the 21<sup>st</sup> of March and should receive not less than 0.8 % of the former sunlight to the area before the development. The modelling within the Daylight and Sunlight report shows only 7 Harrow Road as falling below the 50% garden area.
139. In terms of potential tree shading, the Daylight and Sunlight Assessment comments this has not been undertaken as '**BRE guidance states it is usual to ignore the effects of existing trees**'. Whilst there are no existing trees along the boundary with Harrow Road the revised plans include the planting of five Silver Birch and three Rowan Trees of a height of 3- 3.5 metres within 2.1 metres of the boundary. The silver birch trees can be expected to reach a height of 15-25 metres with a canopy of 4 metres and rowan trees can be expected to reach a height of up to 15 metres and canopy of between 4-8 metres. It is noted that the BRE guidance does identify assessments of trees is usually limited to planting of dense rows of evergreens as properties can benefit from dappled shade. However in this specific instance consideration has been given to the proximity of the trees, size of the gardens on Harrow Road and the existing shading already experienced within the neighbouring garden areas which means shade from any additional trees will further impact the levels of light received to the garden areas along Harrow and Roman Road.
140. The east and south elevations of the building include curtain wall glazing panels with the remaining elevations being blank elevations with fire door accesses. The glazing panel areas are set back from the highway and the neighbouring properties along Roman Road and Green Lane with some limited screening provided by existing landscaping within the site. The location of the building within the site and the design of the building will ensure there is no impact in terms of potential loss of privacy.
141. The lighting plan details the locations of the external lighting on the building and the lighting columns within the car park with details of the levels of light spillage. The Environmental Protection Team have no objections to the light details provided. Any additional internally illuminated advertisements would be subject to a separate advertisement application.
142. Cleveland Police have been consulted on the proposal and have raised no objections and advised the applicant contact them for further advice to design out opportunities for crime and disorder.

### **Flood Risk – National and Local Policies**

143. Core Strategy Policy CS4 requires all development to contribute to achieving sustainable development principles with criteria (m) ensuring '**.... inappropriate development is not carried out in the floodplain and that sustainable methods of surface drainage are used. This should include the incorporation of Sustainable Drainage Systems in new developments to mitigate against localised flooding, promote water conservation and help protect water quality**'.
144. The NPPF Paragraphs 153 to 158 provides guidance for development plans to take a proactive approach to mitigating and adapting to climate change and to take into account

the long-term implications for flood risk and to support appropriate mitigation measures or make provision for future relocation of vulnerable development and infrastructure.

145. NPPF Paragraphs 159 to 169 provides guidance for planning and flood risk, all plans should apply a sequential, risk-based approach to the location of development taking into account current and future impacts of climate change; to ensure that flood risk is not increased elsewhere due to the development; and to incorporate sustainable drainage systems.
146. NPPG Flood Risk and Coastal Change, Paragraph 020, outlines that the objectives of a Flood Risk Assessment is to establish whether a proposed development is likely to be affected by current or future flooding from any source; whether it will increase flood risk elsewhere; whether the measures proposed to deal with these effects and risks are appropriate; whether the evidence for the local planning authority to apply (if necessary) the Sequential Test; and whether the development will be safe and pass the Exception Test, if applicable.

### **Flood Risk Assessment**

147. The application site is located within Flood Zone 1 which is considered to have a low probability of flooding with land having a less than 1 in 1000 annual probability of river or sea flooding. Annex 3 of the NPPF which is referenced within paragraph 163 establishes flood risk vulnerability classifications for developments, with a retail proposal being classed as 'Less Vulnerable' development and not requiring exception or a sequential test.
148. The application is supported by a Flood Risk Assessment and surface and foul water drainage plans that establishes the Surface Water from the site is proposed to be managed through an attenuation tank underneath the car park.
149. The Drainage Design Review (July 2023) sets out the discharge rates will be restricted to greenfield run off rates and will see a reduction in the existing flow rates from 63.9l/s to a total flow rate of 8.6l/s. However, these figures do not correspond with the figures set within the Surface Water Drainage plan. Furthermore, the proposed site levels show the site falls away from the building in several places to the boundary with no specific details provided as to the capture of any surface water.
150. Information has been provided that flooding from the 1 in 100 year +40% climate change will be contained on site and flooding events greater than 1 in 116 year +40% climate change will see exceedance routes via the site access off Roman Road.
151. The Local Lead Flood Authority has commented that they have no objections in principle to the drainage layout subject to pre-commencement conditions that the proposed surface water drainage will be in accordance with the principles set out within the FRA (December 2021) and further details of the surface water drainage management are provided.
152. Northumbrian Water commented on the initial proposal that insufficient information had been provided for the disposal of foul and surface water to assess the capacity to treat the flows from the development and require these details to be conditioned and approved prior to commencement of the development. No additional comments have been provided on the revised information.

## Environmental Sustainability, including Ecology and Biodiversity- Local and National Policy

### Environmental Sustainability

153. The environmental sustainability objective set out in paragraph 8 (c) of the NPPF relates '**... to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.**

### Historic environment- Local and National Policy Guidance

154. Core Strategy Policy CS4(k) requires all development to '**... protect and enhance Middlesbrough's historic heritage and townscape character**' with policy CS5 (h) requiring '**... the preservation or enhancement of the character or appearance of conservation areas and other areas of special interest and character**'.

155. NPPF Paragraph 197 (criteria c) requires local planning authorities to take account of the '**..desirability of new development making a positive contribution to local character and distinctiveness**'.

156. NPPF Paragraph 200 establishes any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.

157. NPPF Paragraph 202 sets out that '**Where development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum use**'.

158. The National Design Guide (NDG) section C2 references the importance of 'Identity' and understanding the history and heritage of the site, its surroundings and wider area, significance and settings of heritage assets and other specific features that merit conserving and enhancing and the local vernacular, including historical building typologies such as terraced house, mews, villas and the treatment of facades, characteristic materials and details.

### Historic Environment Assessment

159. The Linthorpe Conservation area boundary is immediately alongside the eastern and south-eastern boundary of the application site (Appendix 5). The Linthorpe Conservation area boundary along Roman Road was altered in 2006 to include the triangular area of landscaping at the junction of Roman Road and Green Lane. The conservation area is subject to an Article 4 (2) directive introduced in 2010. The proximity of the development site to the conservation area means the impact on the setting and appearance of the conservation area is a material consideration.

160. The significance of the conservation area lies within its village origins and high quality suburbs with area of planned architectural consistence. Section 7 of the Linthorpe Conservation Appraisal and Management Plan comments that the character of the Conservation area is due to the '**overall consistency of the buildings and the definition of the external spaces around them**'.

161. The Linthorpe Conservation Appraisal and Management Plan references the buildings along Roman Road as being set back from the street, with the exception being the properties within the Roman Road centre. The properties to the east and north along Roman Road and Westwood Avenue date from between 1895 and 1915 comprising of two-storey villa pairs with attic spaces with brick walls, slate roof tiles, decorative fascia board, dormer windows and balconies with decorative railings. The front gardens have mature trees which partially screen views of the properties from the main highway.
162. The Appraisal and Management Plan references the mature trees along Roman Road and the significant group of trees to the west of the junction of Roman Road and Green Lane as framing views into the Conservation area.
163. Pre-application advice was provided raising significant issues with the impact the site layout, design of the main building and standard materials proposed by the end occupier Lidl would have on the surrounding historic environment. The revised plans altered only the materials for the development, by removing the timber cladding and providing red brickwork with no fundamental alteration to the site layout or overall building design.
164. The Heritage statement in support of the application comments the scale and design of this development is an improvement on the former college site and will have a positive contribution to the conservation area in terms of materials and scale that will reinstate the dominance of the residential character of the conservation area.
165. The application site was agricultural land in the 19<sup>th</sup> Century and with the development of Linthorpe became the site of a large residential dwelling 'Ashgate' prior to the college buildings being constructed in the 1970's. Given the previous buildings on the site there is a low probability of there being any archaeological items of importance within the site.
166. The former college building was a 1960's design, including curtain wall apertures and flat roof design which was not typical of the age or form of development within Linthorpe. The former college buildings have been demolished and consideration can now solely be given to the impact of this development on the character and appearance of the conservation area.
167. The proposed site layout with the main building being set back from the highway to the rear of the plot with parking to the front of the site is an anomaly to the current layout of the buildings within the conservation area that are positioned towards the front boundaries with active street frontages. The level of landscaping provided along Roman Road and Green Lane will not fundamentally screen the scale of the proposed car parking or alter the fundamental issue in terms of positioning the car parking to the front of the site and the building towards the rear of the site.
168. The proposed design of the unit is modern with curtain walling and a flat roof and is a standard rectangular structure, which is architecturally uninspiring given the location of the site. The materials will be metal windows/doors, facing red brick work and coloured render. Whilst the use of red brickwork is the predominant masonry found in Linthorpe the building design does not respond positively to the development typical within the Conservation area.
169. An Inspector within a recent appeal decision for a Lidl store within the Wye Valley area of outstanding beauty (APP/W1850/W/20/3244253) commented on the appearance and materials for the building noting '**.. the proposed store falls short of what might be expected in this locality**' and '**.. despite explaining the design proposed, and**

***pointing out the changes to external cladding, the proposed store remains close to what might be deemed a typical company product. It is essentially a rectangular box with an almost flat roof profile using a limited palette of materials.’ Concluding ‘.. the design is commonplace and bland in form, detailing and materials.’*** Whilst this site is not within an area of outstanding beauty, the principle regarding the change in materials to justify a poor overall standard building design is considered to be applicable to this site and the impact on the setting of the conservation area.

170. A new vehicular access is proposed off Green Lane, outside the Conservation Area, at the furthest point from the corner with Roman Road with the college Roman Road. The proposed access is to be doubled in width. In terms of forms of access in Linthorpe and the length of the street frontage, this is considered to have a negative impact on Linthorpe Conservation Area. The proposed retention of the triangular area of trees on the corner of Roman Road and Green Lane is positive, however several trees have been removed from the site already.
171. The Council’s Conservation Officer is of the opinion the proposed building does not respond to the best of development typical of the conservation area and is not considered to be good design in this context and therefore the impact on Linthorpe Conservation Area and its setting would be negative and harmful.
172. In assessing the impact of this commercial retail development, consideration has been given to the existing retail units within the Linthorpe Conservation to the north of the application site on Roman Road. Each of the commercial units within the Roman Road local centre are smaller in scale to the proposed development with the Tesco store reusing an existing Victorian building. Furthermore, the active use by Tesco of this existing building is considered a positive contribution to the appearance of the conservation area.
173. Further supporting information submitted by Rapleys (1<sup>st</sup> September 2023) sets out examples of four large sites within the conservation area which in their opinion have similar layouts to the proposal.
174. Each of the four examples were built prior to current Local Plan policies and the NPPF. Two of the sites, the Masonic Hall at 62 Roman Road and the Dorman Long United Athletic Club on Oxford Road are specifically mentioned within the Linthorpe Conservation Appraisal & Management Plan (paragraphs 11.08 and 11.09 and on Map 9) as having a negative impact on the conservation area. The negative impact is derived from the flat roof, scale and design of the Masonic Hall and the large and overbearing Dorman Long United Athletic Club building, with both buildings being considered not in keeping with the Conservation area.
175. The remaining two examples are the Cambridge Medical Group at 10A Oxford Road which formed part of the historic Carter Bequest Hospital building, built between 1915-1929 and the Linthorpe Hotel built post 1945. The site layout for both buildings are in line with the established building line of the neighbouring properties with their architectural design and materials fitting in with the surrounding residential properties. Each of the four examples provided are considered to differ from the current site layout and design of the Lidl proposal. The examples provided at infill, non-traditional development that make a negative contribution to the significance of the Conservation Area and would fail to comply with current policy.
176. The proposed development would not result in sustainable development or high-quality design, contrary to Policies CS4 (k) and CS5 (h) of the Core Strategy, paragraphs 11 and 134 of the 2023 NPPF and the principles set out within the National Design Guide in

relation to Context. The poor design, along with the poor layout and materials would result in development that would not make a positive contribution to local character and distinctiveness, contrary to paragraph 197 of the NPPF. Consequently this would result in less than substantial harm not acknowledged or justified in a clear and convincing justification manner by the application and its supporting documents, to the setting, which contributes to the significance of Linthorpe Conservation Area, contrary to paragraphs 200 and 202 of the NPPF.

### **Biodiversity, Ecology, Landscaping – Local and National policies**

177. Core Strategy CS4 (j) requires 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.***’
178. Core Strategy Policy CS5 (f) requires all new development to ensure a quality of new development that enhances both the built and natural environments.
179. The NPPF Paragraph 8(c) sets out three objectives in terms of achieving sustainable development which includes an environmental objective with the aim ‘..***to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy***’.
180. Paragraph 130 (b) of the NPPF aims to ensure all planning decisions are visually attractive as a result of good architecture, layout and effective landscaping with Paragraph 131 recognising the important contribution trees provide to the character and quality of urban environments and can also help mitigate and adapt to climate change. Paragraph 131 requires planning decisions to ensure opportunities are taken to incorporate trees elsewhere in developments, ensure existing trees are retained wherever possible and appropriate measures are in place to secure the long-term maintenance of newly planted trees.
181. Paragraph 174 of the Framework seeks to enhance the local and natural environment by amongst other things providing net gains for biodiversity.
182. NPPF Paragraph 180 (a) establishes that planning permission should be refused where there is significant harm to biodiversity from the development and this cannot be adequately mitigated or compensated.
183. NPPF paragraph 180 (d) sets out that developments which primarily support biodiversity should be supported alongside applications where opportunities exist to improve biodiversity in an around development sites and these have been integrated as part of the design, especially to secure biodiversity net gains.
184. The National Design Guide (NDG) references within paragraphs 90 and 91 the importance nature provides to the quality of place, people’s quality of life and is a crucial component of well-designed places. The NDG references that natural features such as landscaping and trees should be integrated within development to support and enhance biodiversity, alongside providing attractive places for individuals and to promote well-being and social inclusion

### **Biodiversity, Ecology, Landscaping - Assessment**



185. There are five trees within the site which are subject to a Tree Preservation Order (TPO 82) located towards the southern boundary of the site fronting Green Lane. The TPO's relate to a Black Poplar, Silver Birch, Horse Chestnut, Austrian Pine and a Sycamore.
186. The Arboricultural Report concluded that there were 14 individual trees and 3 groups of trees/shrubs within the site. The report categorised the trees according to amenity values with 8 trees and groups within 'C' Category (moderate), 7 trees within 'B' Category (high) and 1 within U category (low).
187. The Arboricultural Impact Assessment sets out that a section of the eastern beech hedge on the Green Lane boundary will be removed along with a pear tree (T12) on the western boundary as part of the development. No other trees were to be removed to enable the development according to the Arboricultural reports completed on behalf of the applicant in July 2022, with the proposal providing opportunities for additional tree planting.
188. Prior to the submission of the application, the owners removed several trees from within the site without permission resulting in the Forestry Commission serving a restocking notice on the owners. The restocking notice requires a minimum of 20 trees to be planting across two separate areas along the western boundary and the southern/eastern boundary. The Restocking Notice sets out the tree species and the replanting to take place before the 30<sup>th</sup> June 2024 with a 10-year period from being planted to be protected and replaced should they die.
189. The revised landscaping plan shows 21 trees to be planted within the two areas identified within the Forestry Commission restocking notice, However, the proposed tree species do not correlate with the restocking notice requirements with a Japanese rowan and a Hornbeam tree not being provided in the southern/eastern boundary area and a red maple and two small leaved lime trees being provided instead. The current landscape design currently fails to accord with the Forestry Commission Restocking Notice requirements with no confirmation provided that the Forestry Commission agree to the proposed replacement tree planting species.
190. The NPPF requires development to provide 'no net loss to biodiversity' and to provide 'opportunities for biodiversity net gain' through providing enhanced opportunities for nesting bird, roosting bats and landscape planting.
191. The Ecological Impact Assessment included a desk survey and field survey of the site and was completed in June 2022 after the removal of several trees within the site and prior to the demolition of the existing college building. The survey concluded that there was no evidence of bats within mature trees within the site, however noted that the demolition of the building fell within a separate prior notification approval. The location of the lighting columns within the site and levels of lighting provided would ensure minimum light overspill should bats occupy the site in the future.
192. There were no waterbodies within 500 metres which provided any potential for breeding or any recorded Great Crested Newts within 2km of the site within the last 10 years. The Ecological Impact Assessment concluded the development would have no 'net loss to biodiversity'. However, alongside the landscaping proposed further mitigation measures were required to ensure there was a biodiversity net gain from the development. Mitigation measurements required included native species planting, installation of bird and bat boxes and deadwood hibernation areas.

193. The landscaping plans and the elevation plans for the development include no bird or bat boxes to improve biodiversity and whilst it would be beneficial to include them as part of the initial building design these boxes could be conditioned. Despite the survey being completed after the removal of several trees within the site, the replacement trees and the landscaping provided will ensure there is no net loss to biodiversity and a slight improvement following the inclusion of the bat and bird boxes.

194. The Energy and Sustainability Statement (August 2022) sets out how the building design will contribute towards mitigating and adapting to climate change and reduce the carbon emissions and energy consumption from the development, via utilising natural daylight and enhanced fabric efficiencies. Resulting in the design of the building incorporating air source heat pumps and photovoltaic panels.

#### Gas Pipelines

195. Northern Gas Network have raised an objection to the revised plans on the grounds that the protection given to their plant would be diminished by the proposed works given there are specific distances to be adhered to for individual pipelines. Additional details have been provided by the applicant and Northern Gas have been reconsulted but have yet to remove the objection. Whilst noted, the presence of a gas pipeline does not unduly affect the planning considerations of the application. Should the application be approved, and it be unable to be built due to the presence of a pipeline, or should an approved scheme require the diversion of a pipeline, this is considered to be a private matter between the pipeline operator and the site operator. In this instance, an informative is attached to the recommendation to make the applicant aware of the need to engage with Northern Gas Networks on this matter.

#### Residual Issues

196. Objection comments relate to the extent of the consultation and the statutory time frame for response on the proposal, the fact site notices were removed and the lack of consultation on the demolition. Extensive consultation in the form of letters, site and press notices has been undertaken on the original and revised scheme with the time frame for comments being until the determination of the application.

197. Comments have been received that there is no point objecting as decision is a foregone conclusion and brown envelopes involved. This is not the case as the decision is based solely on material planning considerations following assessment of the development.

198. Comments have been made that Lidl have sent out 1000 letters asking if neighbours would shop in the store and mostly to residents over 1/2 a mile away and not those immediately affected. Any marketing consultation undertaken by Lidl is not a material planning consideration.

199. Objections have been received with regards to the demolition works and vibrations and long-term impacts on the neighbouring houses. The demolition was a separate planning application and is not a material consideration as part of this proposal.

200. A number of non-material planning considerations were raised by objectors in relation to matters such as devaluation of properties, reduced council tax, vermin and anti-social behaviour however, as these are non-material planning matters, they are unable to be afforded weight in reaching a decision.

## RECOMMENDATIONS AND CONDITIONS

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### Refuse for the following reasons

1. Design/layout

In the opinion of the Local Planning Authority, the building position and scale and the layout and extent of car park does not represent a suitable or appropriate response in terms of the built form, layout and the resulting built environment would fail to maintain or enhance the character and appearance of the locality and the adjacent Linthorpe Conservation Area, contrary to Core Strategy Polices CS4 (k), CS5(c & f) and DC1 (b), and the aims and objectives of the NPPF paragraphs 128, 130, 134, 197, 200 and 202 and the Urban Design Supplementary Planning Guidance and the National Design Guide (Context, Identity and Built Form).

2. Highways and Sustainable Accessibility

In the opinion of the Local Planning Authority, the proposal has failed to adequately address and demonstrate the impact of the development on the highway network in terms of safety and access/servicing arrangements and fails to demonstrate or accommodate alternative modes of transport to and from the site, particularly movements by pedestrians and cyclists, as necessary to achieve sustainability in terms of access for users. The proposal is therefore contrary to Core Strategy Policies CS4 (g), CS17, CS18, and CS19, the NPPF paragraphs 110,111,112 and 134 and the National Design Guide (Movement), Providing Journeys on Foot and the Local Transport Note LTN 1/20 (Cycle Infrastructure Design).

3. Amenity

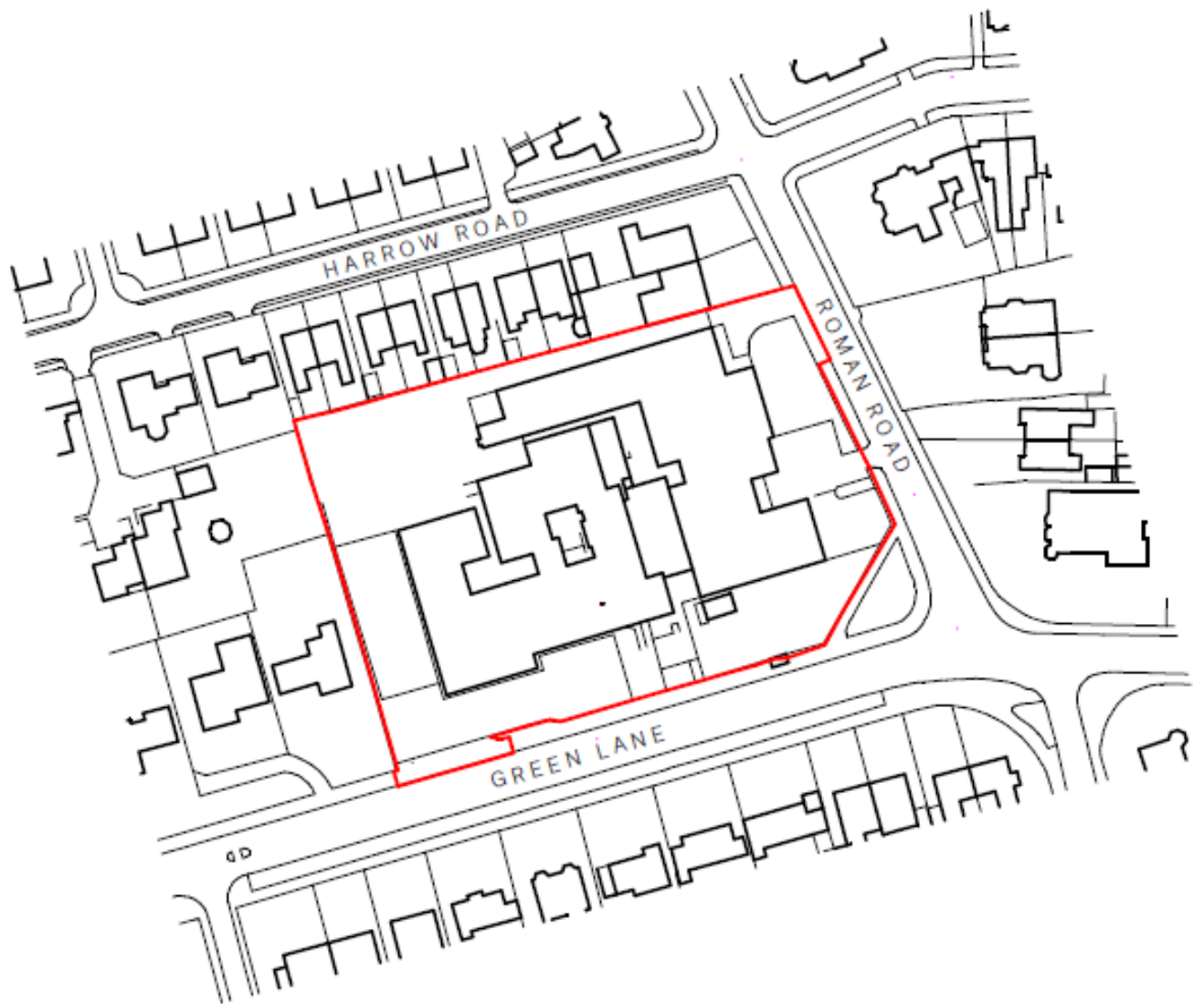
In the opinion of the Local Planning Authority, the scale, mass and positioning of the proposed building would have an overbearing impact on surrounding residential properties and significantly affect outlook. Furthermore, the noise assessment provided does not adequately assess the potential noise associated with the proposed substation to ensure the levels of noise will not be adversely detrimental on residential amenity. The proposal is considered to be contrary to Core Strategy policies DC1 (c) and the NPPF paragraphs 130 (m) and paragraph 185 (b).

### Informative

#### Northern Gas

The applicant must contact Northern Gas Networks directly to discuss requirements in detail due to the presence of gas pipelines in the area that may be at risk during construction works. Any diversionary works required will be fully chargeable.

Appendix 1 - Site Location Plan



## Appendix 2 – Objector addresses (Individual comments received)

386 Acklam Road	22 Green Lane x 2	11A Orchard Road
23 Arlington Road	24 Green Lane	3 Oriel Close
1 Aspen Drive	25 Green Lane	13 Philips Avenue
23 Arlington Road x 2	28 Green Lane	3 Ravenscroft Avenue
40 Beechgrove Road	30 Green Lane	7 Ravenscroft Avenue x 2
17 Brairdale Avenue	93 Green Lane	3 Reigate Avenue
19 Brairdale Avenue x 2	104 Green Lane	7 Reigate Avenue
18 Branksome Avenue x 2	121 Green Lane	56 Roman Road x 2
46 Cambridge Road x 2	123 Green Lane	125 Roman Road x 2
54 Cambridge Road	5 Greenwood Avenue x 2	72 St Marys Walk
67 Cambridge Road	9 Greenwood Avenue x 2	1 Tollesby Road
19 Cherryfield Drive	1 Harrow Road	4 Tollesby Road x 2
23 Church Drive	9 Harrow Road x 2	12 Tollesby Road
43 Church Drive	11 Harrow Road	2 Thackeray Grove
4 Claude Avenue	15 Harrow Road x 2	7 Thackeray Grove x 2
5 Claude Avenue x 2	17 Harrow Road	8 Thackeray Grove
6 Claude Avenue x 2	26 Harrow Road	12 Thackeray Grove
7 Claude Avenue	101 Harrow Road	14 Thackeray Grove
9 Claude Avenue x 2	4 Kingston Avenue	19 Thackeray Grove
19 Claude Avenue	6 Kingston Avenue x 2	20 Thackeray Grove
5 Cleveland Avenue	8 Kingston Avenue x 3	21 Thackeray Grove
7 Cleveland Avenue x 2	11 Kingston Avenue	23 Thackeray Grove
12 Cowley Road	13 Kingston Avenue x 2	1 The Prospect
27 Eastbourne Road	14 Kingston Avenue	2 The Prospect x 2
3 Eton Road	17 Kingston Avenue x 2	1A Walton Avenue
14 Emerson Avenue x 2	139 Lambton Road	2 Walton Avenue x 2
15 Emerson Avenue x 2	82 The Avenue	3 Walton Avenue
20 Glaisdale Avenue	10 Mayberry Grove	4 Walton Avenue
11 Green Lane	9 Newham Avenue	5 Walton Avenue
20 Green Lane x 2	25 Newham Avenue	8 Walton Avenue

9 Walton Avenue  
10 Walton Avenue x 3  
11 Walton Avenue x 2  
12 Walton Avenue x 2  
14 Walton Avenue  
16 Walton Avenue  
17 Walton Avenue  
19 Walton Avenue x 2  
22 Walton Avenue x 2  
23 Walton Avenue  
24 Walton Avenue  
25 Walton Avenue x 2  
27 Walton Avenue  
29 Walton Avenue  
31 Walton Avenue x 2  
7 Westwood Avenue  
24 Westwood Avenue  
25 Westwood Avenue  
28 Westwood Avenue  
30 Westwood Avenue x 2  
40 Westwood Avenue  
46 Westwood Avenue  
112 Wicklow Street  
19 Willows Road  
8 Wycherley Avenue

## Appendix 2 – Objector addresses (Pro-formas received)

11 Addison Road	35 Birchgate Road x 2	13 Cornfield Road
6 Arlington Road Tollesby	19 Brairvale Avenue	2 Daleston Avenue
10 Arlington Road	22 Broadgate Road	6 Daleston Avenue x 2
26 Arlington Road	25 Broadgate Road	7 Daleston Avenue
38 Arlington Road x 2	3 Cambridge Road	2 Easby Avenue
39 Arlington Road	6 Cambridge Road	4 Edinburgh Avenue x 2
50 Arlington Road x 2	47 Cambridge Road	4 Emerson Avenue
12 Barker Road	48 Cambridge Road	30 Emerson Avenue
27 Barker Road	70 Cambridge Road	37 Emerson Avenue x 5
37 Barker Road	81 Cambridge Road	50 Emerson Avenue
44 Barker Road	91 Cambridge Road x 2	50 Emerson Avenue
45 Barker Road	109 Cambridge Road	64 Emerson Avenue x 2
40 Barker Road x 2	116 Cambridge Road	65 Emerson Avenue x 2
52 Barker Road	123 Cambridge Road	68 Emerson Avenue x 2
67 Barker Road x 2	133 Cambridge Road	3 Eton Road x 2
68 Barker Road	24 Cherryfield Drive x 2	14 Green Lane
71 Barker Road	37 Cherryfield Drive	26 Green Lane
5 Bayberry Mews, Green Lane	56 Cherryfield Drive x 2	28 Green Lane x 2
2 Beech Grove Road	4 Claude Avenue	30 Green Lane
30 Beech Grove Road	5 Claude Avenue x 2	35 Green Lane
34 Beech Grove Road x 2	13 Claude Avenue	37 Green Lane
36 Beech Grove Road	15 Claude Avenue x 2	75 Green Lane x 2
38 Beech Grove Road x 2	8 Claude Avenue	91 Green Lane
50 Beech Grove Road	19 Claude Avenue	104 Green Lane
57 Beech Grove Road	25 Claude Avenue	115 Green Lane
6 Bentinck Avenue	31 Claude Avenue	121 Green Lane x 2
8 Bentinck Avenue	1 Cleveland Avenue	125 Green Lane
41 Bentinck Avenue x 2	2 Cleveland Avenue	3 Greenwood Avenue
43 Bentinck Avenue	5 Cleveland Avenue	3 Harrow Road
53 Bentinck Avenue	7 Cleveland Avenue x 2	7 Harrow Road

8 Harrow Road	16 Oriel Close	78 St Marys Walk x 2
12 Harrow Road x 2	22 Oriel Close	53 Thames Road, Redcar
14 Harrow Road	11A Orchard Road	The Avenue
28 Harrow Road x 4	27 Oxford Road	78 The Avenue
34 Harrow Road	39 Patey Court, Linthorpe	88 The Avenue
36A Harrow Road	177 Piper Knowle Road Stockton	12 The Crescent x 2
38 Harrow Road x 2	6 Phillips Avenue	2 Thornfield Grove x 2
47 Harrow Road	13 Phillips Avenue	3 Thornfield Grove x 2
57 Harrow Road	17 Phillips Avenue x 2	18 Thornfield Grove
65 Harrow Road x 2	18 Phillips Avenue	20 Thornfield Grove x 2
1 Hawnby Road	23 Phillips Avenue x 2	21 Thornfield Grove x 2
8 Hawnby Road	6 Ravenscroft Avenue	32A Thornfield Grove
Kingston Avenue	7 Ravenscroft Avenue x 2	30 Thornfield Road x 2
5 Kingston Avenue	18 Ravenscroft Avenue	47 Thornfield Road
6 Kingston Avenue x 2	56 Ravenscroft Avenue	77 Thornfield Road
12 Kingston Avenue	30 Ravenscroft Avenue x 3	1 Tollesby Road
20 Manston Road , Yarm	8 The Old College, Roman Road	3 Tollesby Road
1 Mayberry Grove	56 Roman Road x 2	16 Tollesby Road x 2
2 Mayberry Grove x 2	79 Roman Road	36 Trueman Court, Green Lane
4 Mayberry Grove	81 Roman Road x 2	7 Quebec Road
6 Mayberry Grove x 2	109 Roman Road x 2	34 Queens Park Road Spennymoor
15 Mayberry Grove x 2	111 Roman Road x 2	3 Underwood Court Green Lane
5 Newham Avenue x 2	117 Roman Road x 2	9 Underwood Court, Green Lane
24 Newham Avenue	10 Stanhope Grove	3 Walton Avenue
36 Newham Avenue x 2	11 Stanhope Grove x 2	8 Walton Avenue x 2
50 Newham Avenue x 2	14 Stanhope Grove Acklam	5 Weardale Grove
31 North Drive, Spennymoor	30 Stanhope Road	6 Weardale Grove x 2
10 Northgate Road x 2	40 Stanhope Grove x 2	15 Westbeck Gardens x 2
3 Orchard Road	52 Stanhope Grove x 2	174 Wandle Road Morden Surrey
7 Orchard Road	46 St Marys Walk	
20 Orchard Road	68 St Marys Walk	
23 Orchard Road		



6 Westbeck Gardens  
16 Westbeck Gardens  
26 Westbeck Gardens  
80 Westbourne Road  
7 Westwood Avenue x 2  
11 Westwood Avenue  
13 Westwood Avenue x 2  
16 Westwood Avenue  
21 Westwood Avenue x 2  
27 Westwood Avenue x 2  
34 Westwood Avenue x 2  
42 Westwood Avenue  
48 Westwood Avenue x 2

### Appendix 3 – Support addresses (Individual received)

100 Acklam Road	35 Harrow Road x 2	21 Thornfield Grove
29 Arlington Road	63 Harrow Road	32 Thornfield Grove
25 Aysgarth Road x 2	25 Hatfield Avenue	22 Trueman Court
24 Balfour Terrace	15 Hambledon Road	67 Queens Road
6 Beech Grove	98 Hambledon Road	67 Queens Road
15 Belle Vue	42 Hesleden Avenue	
26 Birchgate	19 Larick Court	
29 Birchgate	6 Linden Grove	
31 Birchgate x 2	42 Linden Grove	
141 Cambridge Road	7 Levisham	
96 Coniston Grove	18 Limes Road	
110 Coniston Grove	58 Lambeth Road	
5 Coxwold Close	5 Lunedale Avenue	
5 Cowley Road	15 Lunedale Avenue	
53 Emerson Avenue	18 Lunedale Avenue	
58 Emerson Avenue	55 Lunedale Avenue	
63 Emerson Avenue x 2	43 Marton Burn Road	
14 Ennerdale Avenue	1 Newham Avenue	
15 Farndale Crescent x 2	38 Newham Avenue x 2	
27 Glaisdale Avenue	149 Oxford Road	
47 Glaisdale Avenue	14 Rochester Road	
40 Glendale Road	33 Ruskin Avenue	
49 Glendale Road	20 Seamer Close	
69 Glendale Road	15 Sledmere Drive	
73 Glendale Road x 2	89 Southwell Road	
19 Greatham Close	18 Staindrop Avenue x 2	
6 Greenwood Avenue	49 Stanhope Grove	
14 Green Lane	11 Sydney Close	
107 Green Lane	31 The Holgate	
4 Hadnell Close	4 Thackeray Grove	

## Appendix 3 – Support addresses (Pro-formas received)

8 Abbotsford Road x 2	8 Beech Grove Road	1 Levick Court, Cambridge Road
15 Abdale Avenue	51 Beech Grove Road	28 Cambridge Road
4 Acklam Road	57 Beech Grove Road	97 Cambridge Road x 2
35 Acklam Road	1 Beeford Drive x 2	8 Trinity, Cambridge Square
100 Acklam Road	8 Beeford Drive x 2	23 Camsell Court
139 Acklam Road	22 Belvedere Road	7 Carnaby Walk
141 Acklam Road	14 Belle Vue Grove	10 Castleton Avenue
164 Acklam Road	29 Belle Vue x 2	30 Castleton Avenue
167 Acklam Road	37 Belle Vue	3 Cassop Grove x 2
189 Acklam Road	7 Benton Road	16 Cassop Grove
207 Acklam Road	28 Benton Road	22 Cassop Grove
214 Acklam Road x 2	2 Bentinck Avenue	18 Cavendish Road
521 Acklam Road x 2	11 Bentinck Avenue x 2	48 Cawood Drive
26 Adcott Road	19 Bentinck Avenue x 2	15 Chadburn Green
46 Adcott Road	27 Bentinck Avenue x 2	22 Chadburn Green x 2
23 Addison Road x 2	31 Bentinck Avenue x 2	35 Chalford Oaks
37 Addison Road	20 Berner Street	14 Cheltenham Close x 2
5 Ambleside Grove, Acklam x 2	38 Berner Street	2 Cherryfield Drive x 2
43 Arlington Road	5 Biggin Close	54 Cherryfield Drive
5 Askern Drive x 2	23 Birchgate Road x 3	75 Cherryfield Drive x 2
9 Askern Drive x 2	5 Briardene Avenue x 2	13 Chester Street
Ayresome Street x 2	9 Brairdene Avenue	21 Church Drive
33 Aysgarth Road	26 Brairdene Avenue x 2	86 Church Lane
24 Balfour Terrace	18 Branksome Avenue x 2	17 Claude Avenue
74 Barker Road x 2	18 Branksome Avenue	11 Clive Road
12 Banbury Grove	1 Britain Avenue	54 Cherryfield Drive
185 Barnabas Road	1 Brompton Road	67 Clive Road
1 Baysdale Walk	80 Bruce Avenue x 2	79 Collin Avenue
11 Baysdale Walk	43 Buttermere Avenue x 2	10 Cornsay Close Acklam
6 Beech Grove Road	Cambridge Avenue x 2	58 Coniston Grove x 2

96 Coniston Grove	1 Easson Street	80 Glendale Road x 2
98 Coniston Grove	8 Elderwood Court Grovehill	82 Glendale Road
103 Coniston Grove	4 Ellerton Close	99 Glendale Road
105 Coniston Grove x 2	10 Ellerton Close x 2	3 Glenfield Road
76 Costa Street	2 Elwick Avenue x 2	10 Grasmere Avenue
36 Croft Avenue	23 Elwick Avenue	79 Grassington Road, Beechwood
45 Croft Avenue	10 Embleton Avenue	66 Gresham Road
29 Cranford Gardens	44 Emerson Avenue x 2	25 Green Lane
56 Cumberland Road	63 Emerson Avenue	31 Green Lane
73 Cumberland Road x 2	73 Emerson Avenue x 2	121 Green Lane x 2
85 Cumberland Road	8 Endsleigh Drive x 2	43 Greenlands Avenue, Whinney Banks
12 Daleston Avenue x 2	56 Endsleigh Drive	35 Grosvenor Road x 2
15 Daleston Avenue x 2	14 Ennerdale Avenue	4 Hadnall Close
9 Derwentwater Avenue x 2	Eton Road	16 Hadleigh Crescent
29 Derwentwater Avenue	15 Evergreen Walk x 2	14 Hatfield Avenue x 2
47 Devonshire Road x 2	7 Fairfield Road x 2	24 Hatfield Avenue
50 Devonshire Road	20 Fairfield Avenue x 2	25 Hatfield Avenue
65 Devonshire Road x 2	4 Fakenham Avenue x 2	62 Hall Drive
12 Dinsdale Avenue	7 Fane Grove x 2	68 Hall Drive x 2
21 Dinsdale Avenue	9 Fane Grove x 2	55 Hambleton Road
74 Dorman Gardens	13 Farley Drive x 2	92 Hambleton Road
4 Dorset Close	12 Farndale Crescent	102 Hambleton Road
7 Dorset Close	4 Florida Gardens x 2	112 Hambleton Road x 2
8 Dorset Close x 2	15 Fountains Drive	15 Harrogate Crescent
16 Duxford Road	24 Fountains Drive	21 Harrow Road x 2
5 Dresser Lane	33 Glaisdale Avenue	27 Harrow Road
26 Duffton Road	41 Glaisdale Avenue	78 Harrow Road
2 Eastgate Road	47 Glaisdale Avenue	3 Hatfield Avenue x 2
12 Easby Avenue	40 Glendale Road	10 Hatfield Avenue x 2
22 Easby Avenue	58 Glendale Road	14 Hatfield Avenue
42 Easby Avenue	66 Glendale Road	24 Hatfield Avenue
3 Eastbourne Road	69 Glendale Road	

5 Haxby Close	32 Lerwick Crescent x 2	33 Mulgrave Road
7 Hawnby Road	39 Levick Crescent	41 Mulgrave Road
6 Haymore Street	3 Lexden Avenue	45 Mulgrave Road
45 Haymore Street x 2	1 Linden Grove	5 Nesham Avenue
1 Hebron Road	20 Linden Grove	15 Newham Avenue x 2
12 Henley Road x 2	42 Linden Grove	16 Newham Avenue x 3
15 Henley Road x 2	7a Limes Road	25 Newham Avenue
21 Henley Road x 2	14 Lichfield Road x 2	12 Northgate Road
5 Hereford Close x 2	3 Levisham Close, Tollesby	12 Norwich Road
20 Hereford Close	9 Lodore Grove x 2	17 Norwich Road
33 Heythrop Drive	22 Lodore Grove	18 Norwich Road
92 Heythrop Drive x 2	5 Lunedale Avenue	15 Oakworth Green
161 Heythrop Drive	15 Lunedale Avenue	33 Oldford Crescent
39 Highbury Avenue x 2	18 Lunedale Avenue	49 Oldford Crescent
13 Hollyhurst Avenue	39 Lunedale Avenue x 2	12 Oliver Street
21 Holyrood Court	5 Lynwood Avenue	15 Oriel Close
56 Holmwood Avenue x 2	12 Lynwood Avenue	17 Oriel Close
18 Hoylake Road Saltersgill	9 Mandale Road x 2	19 Oriel Close
1 Kader Avenue	42 Mandale Road	15 Orchard Road
85 Kader Avenue	61 Mandale Road x	207 Orchard Road
16 Keith Road x 2	97 Mandale Road x 2	27 Osborne Road x 2
22 Keswick Grove x 2	2 Manton Avenue	East Kirby Lodge, Oxford Road
9 Kirkdale Way, Acklam	45 Marton Burn Road	9 Oxford Road
50 Lancaster Road	2 Marton Avenue	15 Oxford Road
20 Lambeth Road	270 Marton Road	16 Oxford Road
22 Lambeth Road	354 Marton Road	19 Oxford Road x 2
58 Lambeth Road	545 Marton Road x 2	26 Oxford Road x 2
139 Lambton Road x 2	573 Marton Road	112 Oxford Road x 2
2 Leinster Road	649 Marton Road	123A Oxford Road
3 Ledden Avenue	4 Mill Hill	149 Oxford Road
12 Leeming Road	4 Mosswood Crescent	6 Pannell Avenue x 2
29 Lerwick Crescent x 2	20 Mulgrave Road	32 Pannell Avenue

1 Parkdale Way x 2	Apartment 17 The old College Roman Road	Springvale terrace
6 Parkfield Avenue	19 The old College, Roman Road	25 Springvale Terrace x 2
24 Parkfield Avenue	2 Roman Road x 2	18 St Barnabas Road
27 Parkfield Avenue	27 Roman Road	18 Staindrop Drive
29 Parkfield Avenue	3 Rosedale Avenue	46 Staindrop Drive
30 Parkfield Avenue	5 Rosedale Avenue	50 Staindrop Drive
41 Parkfield Avenue	4 Rushleigh Avenue	62 Staindrop Drive x 2
7 Park Road South	33 Ruskin Avenue	18 Stanhope Grove x 2
31 Park Road South	46 Ruskin Avenue x 2	3 St Francis Close
71 Park Road South	119 Ruskin Avenue	7 St Francis Close, Acklam Green
19 Pemberton Crescent	26 Saltersgill Close	1A St Margarets Grove
Flat 8, 49 Robertswood, park Road South	2 Saltwells Road	Mill Hill St Marys Walk
189 Park Road South x 2	8 Sandford Close	10 St Marys Walk
40 Preen Drive	22 Samaria Gardens x 2	30 St Marys Walk
8 Raby Court	7 Sanctuary Close	36 St Marys Walk
70 Ravenscroft Avenue	1 Seamer Close x 2	3 Stoneyhurst Avenue
38 Ridley Avenue	7 Seamer Close	5 Studley Road
27 Rochester Road	8 Seamer Close	4 Suffolk Road
35 Rochester Road	16 Seamer Close x 3	9 Suffolk Road
14 Rockcliffe Road x 2	19 Seamer Close	34 Studley Road
58 Rockcliffe Road	25 Shelley Road x 2	9 Sunley Avenue
35 Rockcliffe Road	56 Shelley Road	45 Sutton Way, Saltersgill
63 Rockcliffe Road	15 Sledmere Drive	28 Sycamore Road
106 Rockcliffe Road	25 Sledmere Drive x 2	11 Sydney Close
116 Rockcliffe Road x 2	2 Southwell Squire	14 Tavistock Street
1 Rockingham Court	48 Southwell Road x 2	14 The Avenue x 2
18 Rockingham Court	49 Southwell Road	109 The Avenue x 2
Icon hair Salon, Roman Road	Southwell Road	110 The Avenue x 2
Apartment 2 The Old College Roman Road	10 Speeton Avenue	116 The Avenue
Apartment 6, The Old College, Roman Road	12 Speeton Avenue	15 The Crescent
	48 Speeton Avenue x 2	3 The Prospect x 2
		14 Thirlmere Avenue

9 Trantor Road	42 Westbourne Road
Trimdon Avenue	14 Westerham Grove
Flat 3 Airedale House 11	Beechwood
The Crescent	30 Westminster Road
8A Thornfield Grove	98 Westminster Road x 2
43 Thornfield Grove	118 Westminster Road x 2
11 Thornberry Court,	11 Wimbledon Court
Thornfield Road	15 Wimbledon Court
21 Tollesby Road x 2	36 Winchester Road x 2
37 Tollesby Road x 2	Flat 8, 13 Windsor Road
41 Tollesby Road	8 Woodland Green x 2
51 Tollesby Road x 2	34 Worcester Street
55 Tollesby Road	56 Worcester Street x 2
9 Troon Close, Saltersgill	19 Wroxtton Close x 2
17 Trueman Court	22 Wycherley Avenue
31 Ullswater Avenue x 2	21 York Road x 2
46 Ullswater Avenue x 2	25 York Road x 2
57 Ullswater Avenue x 2	107 York Road
83 Ullswater Avenue x 2	
5 Underwood Court	
56 Valley Road	
3 Ventor Road	
47 Ventor Road	
60 Ventnor Road x 2	
9 Walton Avenue	
27 Walworth Grove	
65 Warwick Street x 2	
5 Waymar Close x 2	
2 Westbeck Gardens x 2	
5 Westbeck Gardens x 2	
27 Westbeck Gardens	
30 Westbeck Gardens	
3 Westbourne Road	

## Appendix 3 – Support addresses (Petition received)

515 Acklam Road x 3	2 Sledmere Drive
17 Allington Road	19 Sledmere Drive
10 Auckland Avenue	27 Sledmere Drive
3 Branksome Avenue	29 Sledmere Drive
22 Benton Road x 2	10 St Marys Walk
1, 3, 4, 5 and 7 Carnaby Walk	33 Tollesby Road
3 Carnaby Walk	11 Trueman Court
4 Carnaby Walk	2 Muston Close
5 Carnaby Walk	8 Muston Close
7 Carnaby Walk	10 Muston Close
10 Castleton Avenue	11 Muston Close x 2
46 Cawood Drive	15 Muston Close x 2
39 Daleville Close	1 Swainby Close
8 Darnbrook	57 Tollesby Road
2 Draycott Avenue x 2	17 Trueman Court, Green Lane
10 Ellerton Close	20 Trueman Court, Green Lane
9 Ennerdale Avenue	21 Trueman Court, Green Lane
15 Fountains Drive	Ullswater Avenue, Acklam
14 Glenfield Avenue	11 Willows Road
22A Harkins Lane	32 Winchester Road
6 Highbury Avenue x 2	
9 Lynwood Avenue	
42 Ravenscroft Avenue x 2	
5 Mosswood Crescent Acklam	
7 Portrush Close x 2	
5 Rievaulx Drive	
7 Rievaulx Drive	
17 Rydall Avenue	
21 Sandy Flatts, Acklam	



## Appendix 4 – Representation addresses

25 Briarvale Avenue

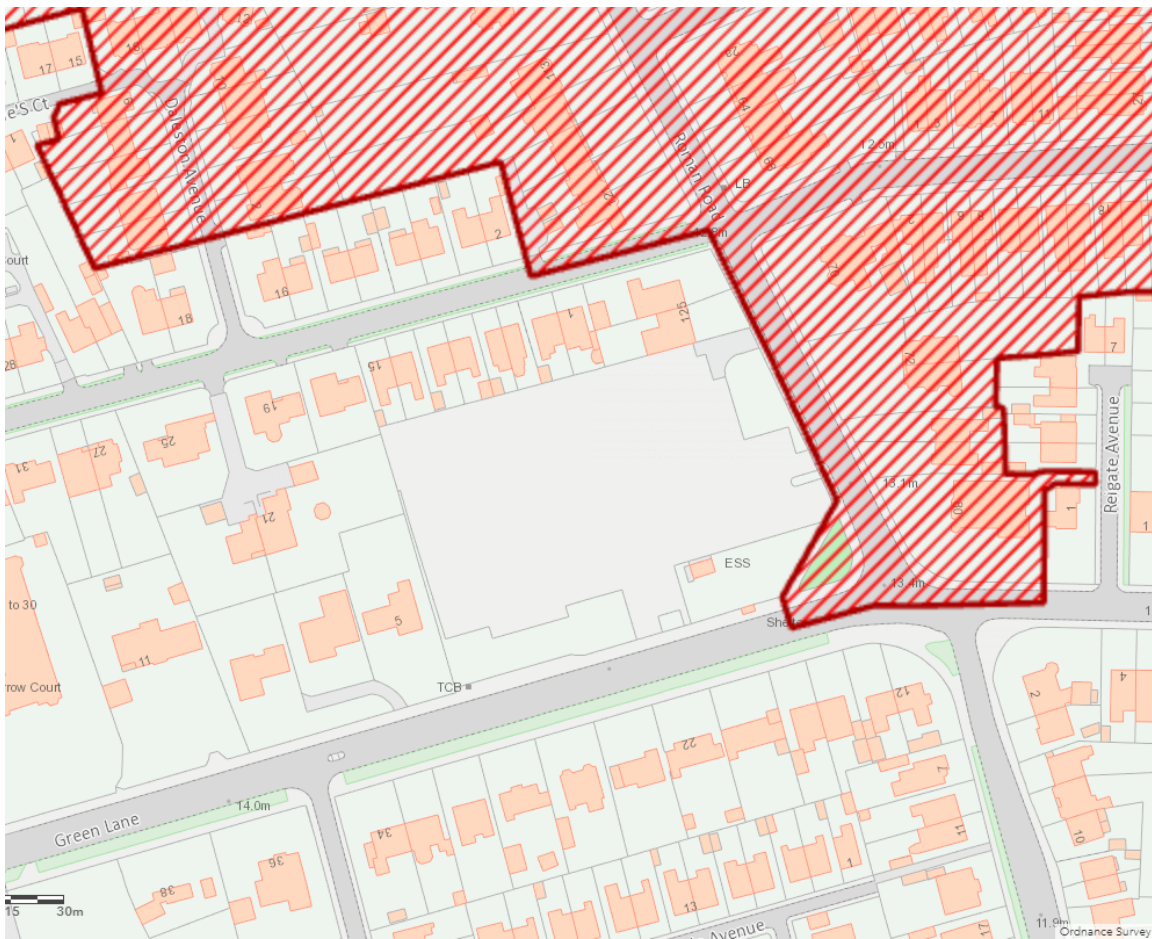
34 Green Lane

6 Tollesby Road

7 Walton Avenue

Co-operative Group Bridge  
Street, Spinningfields,  
Manchester

## Appendix 5 – Linthorpe Conservation Area Boundary



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**APPLICATION DETAILS**

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<b>Application No:</b>	23/0308/COU
<b>Location:</b>	Land to rear of, North Ormesby Institute, Middlesbrough
<b>Proposal:</b>	Change of use of part rear car park to hand car wash (Sui Generis) including canopy and portacabin for staff use
<b>Applicant:</b>	Amir Ahmadi
<b>Agent:</b>	Lee Wardman
<b>Ward:</b>	Park End/Beckfield
<b>Recommendation:</b>	Approve with conditions

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**SUMMARY**

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Permission is sought for the change of use of land to the rear of the North Ormesby Institute to be used as a hand car wash (sui generis), the erection of a canopy and a portacabin for staff use.

Following a consultation exercise objections were received from 4 properties. The objections related to noise, privacy, scale, design and appearance, traffic matters and flood risk, drainage matters.

The proposed use is considered to be a suitable sustainable use for the site. It is in a mixed use location on an existing commercial site with good links to existing transport networks. The separation distance to neighbouring residential properties, the scale and design of the proposed structures, their location on the site, and the proposed operating hours, reduces the impact on the residential properties as a result the impact is minimal and will not be significantly detrimental to the amenity of residents. The development is considered to be in accordance with the requirements of Policies DC1, CS4 and CS5. The recommendation is for approval with conditions.

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**SITE AND SURROUNDINGS AND PROPOSED WORKS**

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The application site is located to the rear of the North Ormesby Institute (which is a social club) to the west of Ormesby Road opposite the junction with Balmoral Road. The area to the rear is currently used as a car park. The application site is located immediately adjacent to the building. To the east is the North Ormesby Institute, to the north are residential dwellings separated from the site by an area of open space. To the south is a building comprising a number of retail uses including Asda and Iceland with associated car parking. To the west the wider car park separates the site from an area of open space and some residential dwellings.

Permission is sought to change the use of part of the site to a hand car wash. The use will include the erection of a canopy, a portacabin for staff use and the use of one of the store units to the rear of the North Ormesby Institute for storage of equipment. Part of the existing enclosed yard will also be used for waste storage.

Works have commenced on site including works to install a drainage system and to erect the canopy, the use did not commence. Following contact from the Planning Authority advising that work should stop until the application has been considered work on site stopped.

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## PLANNING HISTORY

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No relevant planning history.

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## PLANNING POLICY

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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:

DC1 - General Development, CS5 - Design, CS4 - Sustainable Development

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

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## CONSULTATION AND PUBLICITY RESPONSES

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Following a consultation exercise 34 neighbouring properties were consulted. One resident contacted the Planning Officer to confirm the access to the site and then confirmed that they had no objections to the development. Four objections were received from residents. The objections are summarised below.

Resident Objections:

1. Increase in traffic on Ormesby Road;
2. Persons using the club parking on the road not in the car park;
3. Noise disturbance from equipment and vehicles;
4. Privacy;
5. Eyesore;
6. Scale of development;
7. Lack of information;
8. Inadequate drainage details and information relating to disposal of chemicals/cleaning agents used;
9. Use of water and climate change;
10. Increase risk of flooding;
11. Aerosol vapours; and,

12. Antisocial hours of work/opening times.

Received From:

1. 1 Sylvan Walk;
2. 2 Sylvan Walk;
3. 3 Sylvan Walk; and,
4. 2A Lealholm Crescent.

Planning Policy - MBC

In accordance with Policy CS4, the development would see the use of previously developed land in an accessible location. The principle of the development is acceptable.

Environmental Health - MBC

Need to consider the noise from pressure washers on surrounding dwellings and businesses. Not EHTS issue but a trade effluent consent from Northumbrian water may be required. No objection raised.

Waste Policy – MBC

No Comment

Highways - MBC

No response

Local Flood Authority – MBC

No response

Ward Councillors - MBC

No response

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**PLANNING CONSIDERATION AND ASSESSMENT**

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1. During the application process, following comments from consultees and the Local Planning Authority, revised details were submitted. The revised scheme replaced a caravan with a portacabin for the staff facilities and included details of the proposed canopy.
2. The revised scheme is the subject of this report.

Principle of Development

3. The application site has no local plan allocations. As the application is for part change of use to hand car wash the above policies will apply. Policy CS4 requires all development to achieve sustainable development. This includes contributing to sustainable economic development to support efficient, competitive and innovative business, commercial and industrial sectors; making the most use of efficient land, with priority being given to previously developed land, and being located so that services and facilities are accessible on foot, bicycle, or by public transport.
4. In accordance with Policy CS4, the development would see the use of previously developed land in an accessible location. The development is therefore acceptable in principle.

### Design and Appearance/Streetscene

5. The site is located to the rear of the existing club building in an area that has a large amount of space for parking and servicing of the building. There is a high palisade fence that runs around the boundary of the site with areas of landscaping including trees and bushes both in the application site and immediately outside the boundary. These pockets of landscaping both partially screen and soften the appearance of the site. To the east of the site the landscaping is sparser however the green areas still continue to provide a buffer between the building and the site.
6. The proposed canopy will retain clear views under it to the rear of the building, and the canopy itself will be viewed with the building as the immediate backdrop. It is relatively shallow in its pitch and will not be overly dominant in its appearance due to its scale, its orientation on site and position set back from the front elevation of the nearby residential properties by over 40m.
7. The proposed portacabin, to provide space for the staff, will be located adjacent to the building and the existing fenced compound within the site. Existing structures on the site and landscaping around the site will significantly reduce the visual impact of the portacabin when viewed from neighbouring properties. The portacabin itself is typical in its scale and design and will not be out of keeping with the existing rear/service area and the appearance of the back of the existing club building.
8. The proposed structures are considered to be in accordance with the requirements of Local Plan Policy CS5 and will not adversely impact the streetscene or dominate views from neighbouring properties.

### Amenity

9. A number of residential dwellings front the site at a separation distance of over 40m. Existing trees and bushes are located in some areas around the boundaries of the site.
10. The use of the site as a hand car wash will result in some noise from the equipment used including the pressure washer. Environmental Health have been consulted on this application and have not raised any objections to the proposed development. Nor have they requested any specific conditions be placed on the application should it be approved. The noise from the pressure washer and other equipment will have some impact on the residential properties however the separation distance between the proposed car wash and the properties is significant and will reduce the impact of any noise. The site is a large car park and service yard associated with the social club. It is likely that it will already generate some noise from vehicles on the site. Vehicles entering and leaving the site to use the car wash will be no different from its existing use.
11. The submitted details propose opening hours between 9am to 6pm on Mondays to Saturdays and 10am to 5pm on Sundays and Bank Holidays. These hours are standard day time hours for a use such as a car wash. The hours are not during quieter times of the day such as early mornings or late in the evening and they are not considered to be antisocial hours as stated in one of the objections. As a result there will not be any increased noise as a result of the use taking place at unacceptable times of the day.

12. Comments relating to existing noise issues associated with the use of the social club on an evening and during the night are not material to this planning application. The use of the car wash will be operating during the daytime. Noise nuisance from the club is dealt with under separate Environmental Health legislation.
13. Comments have been received in relation to vapours from the use. Whilst there may be some vapours from the spray they are not likely to reach the residential properties, or even the public footpaths which are located between the houses and the site, due to the significant separation distances.
14. Objections have been received in relation to an impact on the privacy of residents. The site is currently a car park that can be accessed by persons using the club. The proposed use will not alter this. It should also be noted that there are adopted public footpaths located between the site and the residential properties that allow persons to walk past and see into the residential properties at any time. As a result the impact of the proposed development in relation to the privacy of residents is no greater than the impact of the current use of the site. And any persons on the site are further away from the residential properties than any persons who use the public footpaths right outside the residential properties. There is no impact on the rear of properties that benefit from being much more private than the front of properties.
15. The development is considered to be in accordance with the requirements of Local Plan Policy DC1 in relation to the impact on the amenity of neighbouring properties.

#### Flood Risk and Drainage

16. Drainage has been clearly shown in the submitted details and includes the use of a sump separator specifically designed for hand car wash bays. The sump separator stores water and separates silt and dirt from the water before it enters the foul drainage system. The applicant may also need to seek a trade effluent consent from Northumbrian Water. This is separate to the planning process.
17. The development will not result in an increase risk of flooding and suitable controls are proposed to prevent pollution of the water systems. The development is considered to be in accordance with the requirements of Local Plan Policies DC1 and CS4.

#### Highways

18. The site is located within a large car park at the rear of the existing social club. The car park provides ample space for parking and the use of part of the site for a car wash will not result in an unsuitable level of parking for the club. One objection has been received in relation to existing parking issues in the surrounding area stating that people who use the club do not park in the car park, they park on the surrounding streets. When assessing the application we have to consider the provision at the site. As stated the car park is very large and is more than adequate for the size of the existing club. If people are choose to park elsewhere the is outside of planning control. When the planning officer visited the site there was a good level of managed on street parking available along Ormesby Road and no restrictions in place to ensure that only residents park there. Given that any visitors to the car wash will be using the car park to the rear of the site, as they will need to bring there cars onto the site to get washed. The proposed development will not result in an increase



in vehicles parking on the surrounding streets. Any increase of traffic to the site will not be significant to the overall safety and capacity of Ormesby Road.

19. The proposed plans show a one way system with cars entering through the existing access to the south of the club building, using the car wash and leaving through the access to the north. Whilst there is evidence of an existing access to the north works will be required to open this space up and clear weeds and debris. This may result in the removal of a number of trees to the north of the site that sit just within the boundary of the site. The access to the north is also very narrow with a pinch point of approximately 2m in width. Whilst the use of the one way system is acceptable in planning terms it may not be feasible on site due to the narrow nature of the northern access.
20. The access to the south currently serves as the entrance and exit to the car park. Whilst it is not wide enough for two lanes it is open with clear views down the access allowing cars to clearly see if the access is clear. There is ample space at either end of the access road for cars to wait for a vehicle coming in the opposite direction to clear the access road before they use it. As a result it is the planning view that the existing access to the south is also capable of serving the car wash as an entrance and exit without the need to use the access to the north.
21. The proposed development is considered to be in accordance with the requirements of policy DC1 in relation to the use, capacity and safety of the local highway network.

#### Other Matters

22. Concerns have been raised regarding the lack of information detailed within the consultation letter regarding the use of the car wash in relation to the number of staff, scale and the use of the caravan. However, the consultation letter is merely to advise people that the application has been submitted. The details of the application are available online to view. The consultation letter sets out where to view the details. This information is not put in the consultation letter as standard. The application states that there will be two staff and the caravan, which has now been changed to a portacabin is for an office and staff facilities.
23. With regards to the works that have been carried out on site. Planning legislation allows for applications to be submitted retrospectively. Residents had complained about work on site to Environmental Health, not the Local Planning Authority. Once the LPA were made aware the agent was contacted and advised that work should stop until the application seeking permission had been considered, and that if the works carried on they were at their own risk. When the planning officer carried out a site visit it was clear that whilst work had commenced on site, it had stopped following contact with the PA. Whilst it may be frustrating to residents that work has taken place without consent this is not a reason to refuse the application. If permission is not approved it will be necessary for the unauthorised works to be removed.
24. Concerns have been raised in relation to antisocial behaviour. The site is an enclosed secure site with palisade fencing around the site. The equipment will be locked in the existing storage room at the rear of the club. There is no indication that the use of the site will result in an increase in antisocial behaviour.

25. A number of the comments received are not material planning considerations, as a result they will not be considered as part of the analysis of this application. Such comments include: noise and disturbance from the construction works (this is dealt with through other legislation outside planning control); lack of ability to sleep during the day; any contact/discussions residents have had with the applicant or the club; the assumption that the opening hours for the car wash will not be kept; how often and where the toilet will be disposed of.

### Conclusion

26. The proposed use is considered to be a suitable sustainable use for the site. It is in a mixed use location on an existing commercial site with good links to existing transport networks. The separation distance to neighbouring residential properties, the scale and design of the proposed structures, their location on the site, and the proposed operating hours, reduces the impact on the residential properties as a result the impact is minimal and will not be significantly detrimental to the amenity of residents. The development is considered to be in accordance with the requirements of Policies DC1, CS4 and CS5. The recommendation is for approval with conditions.

27. In order to ensure the impact of the development on amenities and the appearance of the streetscene are kept to a minimum, conditions will be used to restrict the opening hours and delivery/collection times to those stated in the amenity section of this report. It is also considered to be necessary to impose a condition relating to the type of car washing taking place on the site i.e. hand washing using a hand-held pressure washer. This will require any changes to the type of washing to be assessed through a further submission and allow assessment in terms of their impact on the amenity of residents, or their visual impact on the area to ensure that unacceptable impacts do not occur.

28. The recommendation is for approval subject to relevant conditions.

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## RECOMMENDATIONS AND CONDITIONS

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Approve subject to the following conditions

1. Time Limit

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

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Approved Plans

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

- a) Location Plan, drawing no. L023011-001;
- b) Proposed Site Plan, drawing no. L023011-003 rev. B;
- c) Proposed Welfare Building, drawing no. L023011-004;
- d) Proposed Canopy, drawing no. L023011-005; and,
- e) Morclean Car Valeting Wash By Sump Separators SS Details, received 30th

May 2023.

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

3. Hours of Opening/Use

The use shall not operate outside the hours 9am to 5pm Monday to Saturday and 10am to 5pm Sunday and Bank Holidays.

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

4. Deliveries and Collections

Deliveries and collections to the rear of the premises including waste collection must be restricted to between the hours of 9am to 5pm Monday to Saturday and 10am to 5pm Sunday and Bank Holidays.

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

5. Hand Car Wash

The approved use is for a hand car wash by handheld pressure washer. Any changes to the method of washing must be submitted to and approved in writing by the Local Planning Authority prior to such changes being implemented on site.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based, to protect the visual amenity of the area and in the interests of resident's amenity having regard for policies CS4, CS5, DC1 and section 12 of the NPPF.

### **Reason for Approval**

This application is satisfactory in that the design of the proposed change of use of part rear car park to hand car wash (Sui Generis) including canopy and portacabin for staff use accords with the principles of the National Planning Policy Framework (NPPF) and, where appropriate, the Council has worked with the applicant in a positive and proactive way in line with the NPPF. In addition the change of use of part rear car park to hand car wash (Sui Generis) including canopy and portacabin for staff use accords with the local policy requirements (Policies DC1, CS4 and CS5 of the Council's Local Development Framework).

In particular the change of use of part rear car park to hand car wash (Sui Generis) including canopy and portacabin for staff use is designed so that their appearance is complementary to the existing use of the site and so that they will not have a detrimental impact on the amenity of any adjoining or nearby resident. The change of use of part rear car park to hand car wash (Sui Generis) including canopy and portacabin for staff use will not prejudice the character and appearance of the area and will not significantly affect any landscaping nor prevent adequate and safe access to the site.

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

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**INFORMATIVES**

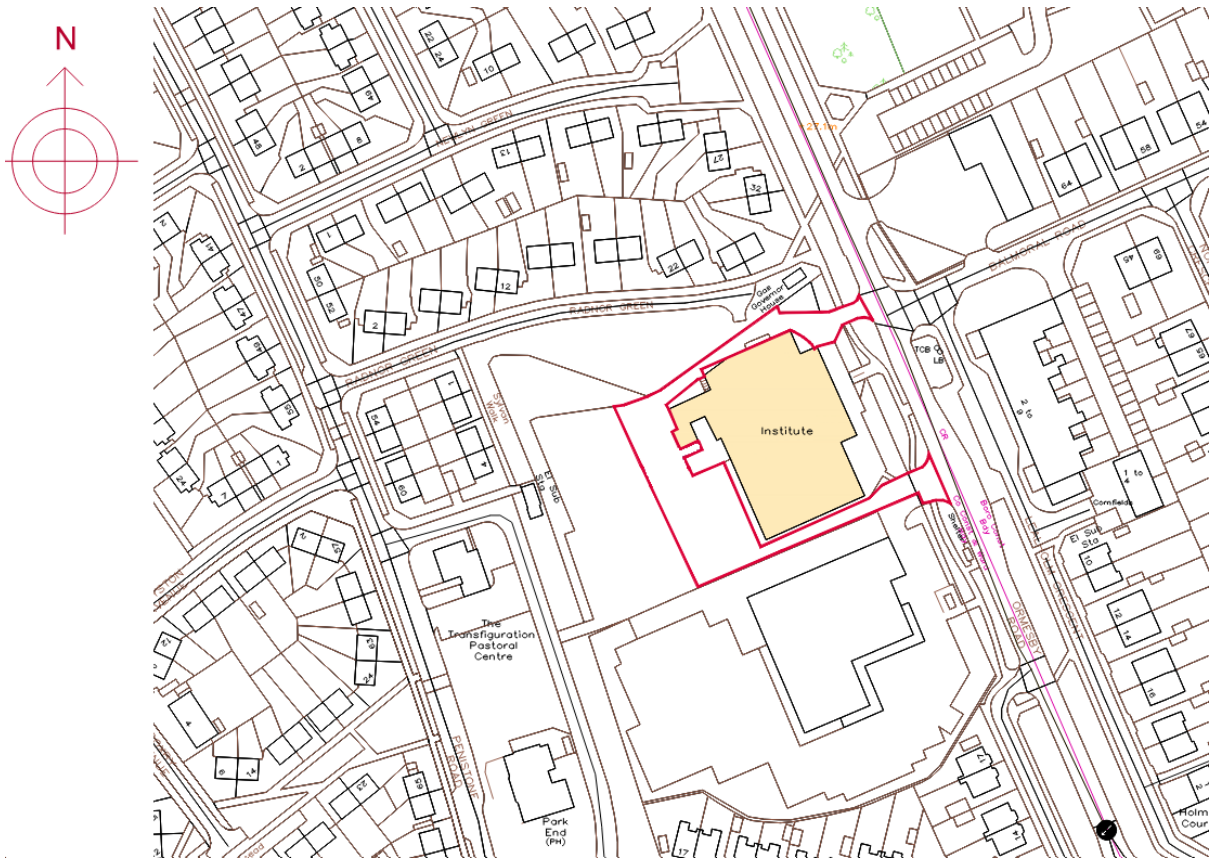
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- **Discharge of Condition Fee**  
Under the Town & Country Planning (Fees for Applications and Deemed Applications)(Amendment)(England) Regulations 2018, the Council must charge a fee for the discharge of conditions. Information relating to current 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.
- **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.
- **Construction Noise**  
The applicant should be aware that noise from construction work and deliveries to the site may have an impact upon local residential premises. The applicant may if they wish to apply for a prior consent under the Control of Pollution Act 1974 Section 61 with regard to working hours at the site. The applicant can contact the authorities Environmental Protection service for more details regarding the prior consent process. The hours that are recommended in the Control of Pollution Act for noisy working are 8am-6pm Mon-Fri, 8am-1pm Saturday and no working Sundays and Bank holidays.

Case Officer: Shelly Pearman

Committee Date:

Location Plan



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## Agenda Item 6

Planning Ref Decision Date Decision

<b>23/0270/TCA</b>	<b>07-Jul-2023</b>	<b>Approve</b>
Company / Surname	<b>Nurture Landscapes</b>	
Proposal	<b>Felling and removal of line of Conifer trees to rear (adjacent No.15 The Crescen</b>	
Address	<b>13 The Crescent, Middlesbrough, TS5 6SG</b>	
<b>23/0327/PNH</b>	<b>11-Jul-2023</b>	<b>Prior Notification Not Required/No Obj</b>
Company / Surname	<b>Francis Kershaw</b>	
Proposal	<b>Single storey extension to rear Length =6m x height =4m x height to eaves =3m</b>	
Address	<b>18, Prestwick Close, Middlesbrough</b>	
<b>21/1058/FUL</b>	<b>12-Jul-2023</b>	<b>Refused</b>
Company / Surname	<b>Mr Mousa</b>	
Proposal	<b>Proposed construction of 1no detached dwelling within the curtilage of 63 The Gr</b>	
Address	<b>63, The Grove, Middlesbrough, TS7 8AL</b>	
<b>22/0613/OUT</b>	<b>12-Jul-2023</b>	<b>Refused</b>
Company / Surname	<b>Bell</b>	
Proposal	<b>Construction of a single dwelling.</b>	
Address	<b>41 Lunedale Avenue</b>	
<b>23/0101/FUL</b>	<b>12-Jul-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Nicholas Postgate Catholic Academy Trust</b>	
Proposal	<b>Installation of modular building to accommodate toilet block</b>	
Address	<b>TRINITY CATHOLIC COLLEGE, Saltersgill Avenue, Middlesbrough, TS4 3JW</b>	
<b>23/0125/ADV</b>	<b>12-Jul-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Lookers</b>	
Proposal	<b>Consent to display an Advertisement</b>	
Address	<b>Jennings Of Middlesbrough, South Bank Road, Middlesbrough, TS3 8AX</b>	
<b>23/0126/FUL</b>	<b>12-Jul-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Lookers</b>	
Proposal	<b>Reconfiguration of the existing parking and display areas, the addition of publi</b>	
Address	<b>Jennings Of Middlesbrough, South Bank Road, Middlesbrough, TS3 8AX</b>	
<b>23/0275/PNO</b>	<b>12-Jul-2023</b>	<b>Prior Notification Not Required/No Obj</b>
Company / Surname	<b>Academies Enterprise Trust</b>	
Proposal	<b>Prior notification for the installation of 60No Photovoltaic solar panels to fla</b>	
Address	<b>Caldicotes Primary Academy, Spencerfield Crescent, Middlesbrough, TS3 9HD</b>	
<b>23/0094/MAJ</b>	<b>12-Jul-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>SEBASTIAN KNIGHT LTD</b>	
Proposal	<b>Erection of building to include 17no assisted living residential Units (selfcont</b>	
Address	<b>242, Marton Road, Middlesbrough, TS4 2EZ</b>	
<b>23/0315/FUL</b>	<b>12-Jul-2023</b>	<b>Refused</b>
Company / Surname	<b>CARL COLMER</b>	
Proposal	<b>Proposed first floor side extension</b>	
Address	<b>14 Southdean Drive</b>	
<b>23/0331/FUL</b>	<b>17-Jul-2023</b>	<b>Refused</b>
Company / Surname	<b>Giles Greenwood</b>	
Proposal	<b>First floor side extension</b>	
Address	<b>31, Woodvale, Middlesbrough, TS8 0SH</b>	
<b>23/0336/FUL</b>	<b>17-Jul-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>STEPHEN RENNIE</b>	
Proposal	<b>SINGLE STOREY REAR EXTENSION</b>	
Address	<b>138, Low Lane, Middlesbrough, TS5 8EE</b>	
<b>22/0638/MAJ</b>	<b>18-Jul-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Mr Asghar Zaman</b>	
Proposal	<b>Erection of 18no. industrial units with associated access improvement and soft l</b>	
Address	<b>HAMILTON HOUSE, Sotherby Road, Middlesbrough, TS3 8BT</b>	
<b>23/0177/COU</b>	<b>18-Jul-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Enterprise-rent-a-car</b>	
Proposal	<b>Retrospective change of use to vehicle rental/sales and vehicle repairs (Sui-Gen</b>	
Address	<b>Enterprise-rent-a-car, South Bank Road, Middlesbrough, TS3 8AB</b>	
<b>23/0183/FUL</b>	<b>18-Jul-2023</b>	<b>Refused</b>
Company / Surname	<b>Mr Josh Macfadzean</b>	
Proposal	<b>Change of use of public open space to private garden including 2m high timber fe</b>	
Address	<b>247 Eagle Park, Middlesbrough, TS8 9QT</b>	
<b>23/0316/FUL</b>	<b>18-Jul-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Chisholm</b>	
Proposal	<b>Proposed timber garden summerhouse to rear garden of property</b>	
Address	<b>3 , Hustlers Way, Middlesbrough, Middlesbrough, TS5 7DT</b>	
<b>23/0340/FUL</b>	<b>18-Jul-2023</b>	<b>Approve with Conditions</b>

Company / Surname	Emma Lee	
Proposal Address	Demolition of existing garage and construction of single storey extension to gab 2 Topcroft Close	
<b>22/0761/FUL</b>	19-Jul-2023	Refused
Company / Surname	Dipak Patel	
Proposal Address	The erection of a single storey pitched roof extension to form a secure storage 122 Lingfield Ash, Middlesbrough, TS8 0SU	
<b>23/0298/FUL</b>	19-Jul-2023	Refused
Company / Surname	Mr Rashid Mahmood	
Proposal Address	First floor only extension to rear, flat roof dormer to rear 74, Heythrop Drive, Middlesbrough, TS5 8QN	
<b>23/0302/FUL</b>	19-Jul-2023	Approve with Conditions
Company / Surname	Mr C Pinder	
Proposal Address	First floor extension to rear 6, Downside Road, Middlesbrough, TS5 4QS	
<b>23/0342/FUL</b>	19-Jul-2023	Approve with Conditions
Company / Surname	Carl Jennison	
Proposal Address	Dormer window to front elevation and single storey extension to rear 36, Tollesby Bridge, Middlesbrough, TS8 0SD	
<b>23/0341/FUL</b>	19-Jul-2023	Approve with Conditions
Company / Surname	Andrew & Joanne Bullock & Hesse	
Proposal Address	Part two storey and part single storey extension to rear 635, Marton Road, Middlesbrough, TS4 3SE	
<b>23/0239/FUL</b>	20-Jul-2023	Approve with Conditions
Company / Surname	Virgin Media Ltd	
Proposal Address	Installation of 5no. condenser units (3no existing units to be relocated) to the Unit 9, Murdock Road	
<b>23/0256/ADV</b>	20-Jul-2023	Approve with Conditions
Company / Surname	TJ Morris ltd	
Proposal Address	3No internally illuminated Fascia, 2No internally illuminated hanging signs (dou Units C&D Gateway Retail Park, Middlesbrough, TS3 6AT	
<b>23/0265/ADV</b>	20-Jul-2023	Approve with Conditions
Company / Surname	Mr Andy Horwood	
Proposal Address	Advertisement consent for 1No internally illuminated projecting sign, 4No window Tesco Express,	
<b>23/0313/FUL</b>	21-Jul-2023	Approve with Conditions
Company / Surname	Mr Jason Richardson	
Proposal Address	Single storey extension to rear (Demolition of existing conservatory) 39, The Birches, Middlesbrough, TS8 0UA	
<b>23/0325/FUL</b>	21-Jul-2023	Approve with Conditions
Company / Surname	David McGee	
Proposal Address	First floor extension above existing side single storey extension. 376, Acklam Road, Middlesbrough, TS5 8BA	
<b>23/0332/TPO</b>	25-Jul-2023	Approve
Company / Surname	Jab Bashir	
Proposal Address	32 The Avenue Linthorpe Middlesbrough TS5 6PD Connifer Tree at front Gate of pro 32 The Avenue, Middlesbrough, TS5 6PD	
<b>23/0017/FUL</b>	26-Jul-2023	Approve with Conditions
Company / Surname	Ramsay Healthcare Limited	
Proposal Address	Proposed car park extension to the north of the existing car park serving Tees V TEES VALLEY HOSPITAL, Church Lane, MIDDLESBROUGH, TS5 7BH	
<b>23/0204/FUL</b>	26-Jul-2023	Approve with Conditions
Company / Surname	Paul Smithyman	
Proposal Address	First floor only extension at rear, and alterations to front 39 Connaught Road,	
<b>23/0184/FUL</b>	27-Jul-2023	Refused
Company / Surname	REBECCA SMALL	
Proposal Address	Two storey extension at rear (demolition of existing extension and reduction in 11, Cedar Drive, Middlesbrough, TS8 9BY	
<b>23/0278/COU</b>	27-Jul-2023	Approve with Conditions
Company / Surname	c/o sjd Architects Ltd	
Proposal Address	Change of use from betting shop (sui generis) to beauty salon E(c)(iii) Unit 2, Marton Estate Square, Stokesley Road, Middlesbrough, TS7 8DU	
<b>23/0361/FUL</b>	27-Jul-2023	Approve with Conditions
Company / Surname	TIMMY ELLIS	
Proposal Address	PROPOSED FIRST STOREY BOX WINDOW EXTENSION TO SIDE 45 Coniston Grove	
<b>23/0362/FUL</b>	27-Jul-2023	Approve with Conditions
Company / Surname	Elizabeth Tyerman	



Proposal Address	The conversion of the garage into a home office/study area. This will involve th 6, Beechfield, Middlesbrough, TS8 0TY	
<b>23/0368/FUL</b>	27-Jul-2023	Approve with Conditions
Company / Surname	Tariq Mahmood	
Proposal	Two storey extension to side	
Address	11, Cleveland Drive, Middlesbrough, TS7 8AE	
<b>23/0404/DIS</b>	27-Jul-2023	Full Discharge Conditions
Company / Surname	Bill Thomas Jordan	
Proposal	Portico to front, construction of a boundary wall and siting of a domestic outbu	
Address	14, Thornton Vale, Middlesbrough, TS8 9QP	
<b>23/0266/ADV</b>	28-Jul-2023	Approve with Conditions
Company / Surname	Teesside University	
Proposal	Installation of 3No non-illuminated fascia, and 6No window vinyls	
Address	Phoenix Building, Stephenson Street, Middlesbrough, Middlesbrough, TS1 3AG	
<b>23/0334/FUL</b>	28-Jul-2023	Approve with Conditions
Company / Surname	Amena Younis	
Proposal	Double storey rear extension	
Address	20, Appleton Road, Middlesbrough, TS5 5JE	
<b>23/0351/FUL</b>	28-Jul-2023	Approve with Conditions
Company / Surname	Mr & Mrs Nasr	
Proposal	Two storey extension	
Address	34, Chandlers Ridge, Middlesbrough, TS7 0JL	
<b>23/0365/FUL</b>	01-Aug-2023	Refused
Company / Surname	Naveed Ahmed	
Proposal	PROPOSED SINGLE STOREY REAR EXTENSION, TWO STOREY SIDE EXTENSION, AND REMOVAL OF	
Address	24, Lodore Grove, Middlesbrough, TS5 8PB	
<b>23/0371/PNH</b>	01-Aug-2023	Prior Notification Not Required/No Obj
Company / Surname	Mr Robert French	
Proposal	Single storey rear extension	
Address	98, Mandale Road, Middlesbrough, TS5 8AW	
<b>23/0299/SCON</b>	02-Aug-2023	No Objections
Company / Surname	Stockton Council	
Proposal	Reserved matters application for the layout, scale, appearance and landscaping f	
Address	Land South Of Green Lane,East Of Railway Line,West Of A67 Yarm,	
<b>23/0283/FUL</b>	07-Aug-2023	Approve with Conditions
Company / Surname	Lionweld Kennedy Group	
Proposal	construction of a new despatch office building. Engineering works to enlarge the	
Address	Lionweld Kennedy, Marsh Road, Middlesbrough, TS1 5JS	
<b>23/0306/FUL</b>	07-Aug-2023	Approve with Conditions
Company / Surname	Harkin Associates	
Proposal	Proposed erection of a 2.4m high security fence to form secure enclosure.	
Address	Sunnyside Academy, Manor Farm Way, Coulby Newham, Middlesbrough, TS8 0RJ	
<b>23/0376/FUL</b>	07-Aug-2023	Approve with Conditions
Company / Surname	Sean Catterick	
Proposal	Single storey front and rear extensions.	
Address	6, Lycium Close, Middlesbrough, TS7 8RS	
<b>22/0446/FUL</b>	08-Aug-2023	Approve with Conditions
Company / Surname	Andrew Allick	
Proposal	Construction of a two bedroom bungalow at 15 Portland Close.	
Address	15, Portland Close, Middlesbrough, TS7 8LD	
<b>23/0339/TPO</b>	09-Aug-2023	Approve
Company / Surname	Sharon Dixon	
Proposal	3 beech trees on front garden, one is right next to the drive. need pruning to r	
Address	385, Acklam Road, Middlesbrough, TS5 7HA	
<b>23/0366/TPO</b>	09-Aug-2023	Approve
Company / Surname	James Cook University Hospital	
Proposal	Removal of 1 no. Sycamore close to site entrance	
Address	JAMES COOK UNIVERSITY HOSPITAL, Marton Road, Middlesbrough, TS4 3BW	
<b>23/0387/TCA</b>	09-Aug-2023	Approve
Company / Surname	Mary-Rose Lees	
Proposal	Removal of 3no. Conifer trees in front garden	
Address	7, Thornfield Road, Middlesbrough, TS5 5LA	
<b>23/0300/FUL</b>	10-Aug-2023	Approve with Conditions
Company / Surname	Middlesbrough Council	
Proposal	Installation of 7 pieces of fitness and play equipment	
Address	Public park off Stockton Road / West Lane, Caistor Park, Middlesbrough, TS5 4AT	
<b>23/0426/DIS</b>	10-Aug-2023	Part Discharge Conditions
Company / Surname	Mr Wayne Spriggs	
Proposal	Discharge (partial) of condition 3	

<b>23/0353/TPO</b>	<b>11-Aug-2023</b>	<b>Approve</b>
Company / Surname	Mr Arthur Bailey	
Proposal	Fell 4no. Leylandii trees	
Address	131 Guisborough Road, Middlesbrough, TS7 0JE	
<b>23/0069/FUL</b>	<b>14-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Mr Nick Corrado	
Proposal	Construction of proposed substation and associated car parking	
Address	Land at Grove Hill, Middlesbrough	
<b>23/0248/FUL</b>	<b>14-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Mr Unos Hyderi	
Proposal	Replacement of 2No bay windows to front, installation of 2No roof lights to rear	
Address	57, Barker Road, Middlesbrough, TS5 5EW	
<b>23/0370/TELPN</b>	<b>15-Aug-2023</b>	<b>Prior Notification Refused</b>
Company / Surname	Cignal Infrastructure UK Limited	
Proposal	Proposed 15.0m Phase 8 Monopole and associated ancillary works.	
Address	Proposed telecommunications installation, Marton Burn Road, Grove Hill, Middlesbrough, TS4 2TF	
<b>22/0216/DIS</b>	<b>17-Aug-2023</b>	<b>Full Discharge Conditions</b>
Company / Surname	Mr Jack Atha	
Proposal	Discharge of condition on planning application	
Address	368-374, Linthorpe Road, Middlesbrough, TS5 6HF	
<b>22/0623/DIS</b>	<b>17-Aug-2023</b>	<b>Full Discharge Conditions</b>
Company / Surname	Mr Thomas Atha	
Proposal	Discharge of conditions 3 (Boundary treatments), 5 (Cycle store), 7 (Pick up & d	
Address	374, Linthorpe Road, Middlesbrough, TS5 6HA	
<b>23/0372/PNH</b>	<b>17-Aug-2023</b>	<b>Prior Notification Not Required/No Obj</b>
Company / Surname	Tariq Mahmood	
Proposal	Single storey extension to rear	
Address	11, Cleveland Drive, Middlesbrough, TS7 8AE	
<b>23/0375/FUL</b>	<b>17-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Welburn	
Proposal	Garage Conversion	
Address	53, Harvington Chase, Middlesbrough, TS8 0TR	
<b>23/5001/COU</b>	<b>17-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	2K Autos Garage Ltd	
Proposal	Existing Tyre Care Centre and Car Wash retained to include the use of Car Repair	
Address	92 Boundary Road, Middlesbrough, TS1 5AQ	
<b>23/5007/FUL</b>	<b>17-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Alex Pealing	
Proposal	Installation of new shopfront	
Address	51 - 53, BEAVERBROOKS, Linthorpe Road, Middlesbrough, TS1 5BS	
<b>23/5008/ADV</b>	<b>17-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Pealing Associates Limited	
Proposal	2No internally illuminated fascias, 1No internally illuminated projecting sign an	
Address	51 - 53, BEAVERBROOKS, Linthorpe Road, Middlesbrough, TS1 5BS	
<b>23/5009/ADV</b>	<b>17-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	NatWest Group	
Proposal	2no internally illuminated ATM surrounds, 1no internally illuminated projecting	
Address	Natwest Bank, Linthorpe Road, Middlesbrough, TS1 2JX	
<b>23/0382/PNH</b>	<b>17-Aug-2023</b>	<b>Prior Notification Not Required/No Obj</b>
Company / Surname	Mr & Mrs Dan Howitt	
Proposal	Single storey extension to rear (Eaves 2.66, Height 3.47m, Length 6.00m)	
Address	2, Newham Avenue, Middlesbrough, TS5 7PN	
<b>23/0386/PNH</b>	<b>17-Aug-2023</b>	<b>Prior Notification Not Required/No Obj</b>
Company / Surname	Mr Wayne Cowig	
Proposal	Single storey extension to rear (Eaves 2.60m, Height 3.23m, Length 4.00m)	
Address	7, Brigham Road, Middlesbrough, TS3 7DG	
<b>22/0640/DIS</b>	<b>22-Aug-2023</b>	<b>Full Discharge Conditions</b>
Company / Surname	Mr Tim Pearl	
Proposal	Discharge of condition 6 (Programme of archaeological works) on planning applicat	
Address	Tees Valley Hospital, Middlesbrough, TS5 7DX	
<b>23/0319/FUL</b>	<b>22-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Assura Medical Properties Ltd	
Proposal	Addition of perimeter fencing to extent of ground floor extension (Class A)	
Address	Unit 1 & 2, North Ormesby Health Village, Trinity Mews, Middlesbrough, TS3 6AL	
<b>23/0367/FUL</b>	<b>22-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Ms Mc Mahon	
Proposal	Single storey extension to side & rear	
Address	26, Wellspring Close, Middlesbrough, TS5 8RG	

<b>23/0381/FUL</b>	<b>22-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Andrew Parker	
Proposal	Loft conversion including dormers to rear and increase in ridge height	
Address	37, Grey Towers Drive, Middlesbrough, TS7 0LT	
<b>23/0388/FUL</b>	<b>22-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Mrs Imteaz Bagum	
Proposal	Single storey extension to rear including canopies to side and rear	
Address	1, Hastings Close, Middlesbrough, TS7 0AW	
<b>22/0176/FUL</b>	<b>23-Aug-2023</b>	<b>Withdrawn</b>
Company / Surname	Malik	
Proposal	Proposed single storey extension	
Address	97, Flat 2, Cumberland Road, Middlesbrough, TS5 6PP	
<b>23/0264/FUL</b>	<b>23-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Mr Leonard	
Proposal	Part single storey/part two storey extensions to side/rear	
Address	Quarry Hill, Old Stokesley Road, Middlesbrough, TS7 0PA	
<b>23/0401/FUL</b>	<b>23-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Briggs	
Proposal	conversion of garage and single story extension	
Address	56, Holt Close, Middlesbrough, Middlesbrough, TS5 8FG	
<b>23/0403/FUL</b>	<b>23-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Laura Thompson	
Proposal	Demolitions of existing rear conservatory and erection of single storey rear ext	
Address	2, Saxonfield, Middlesbrough, TS8 0SL	
<b>23/5005/LBC</b>	<b>23-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Network Rail (Infrastructure) Ltd	
Proposal	Re-submission of Listed Building Consent xxx-xxx (Construction of a new subway I	
Address	Travelines, Middlesbrough Railway Station, Zetland Road, Middlesbrough, TS1 1EG	
<b>23/5040/FUL</b>	<b>23-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Thirteen Group	
Proposal	New Metal Security Fencing and Gates of between 1.5m and 3m in height at various	
Address	Central Mews, Middlesbrough, TS1 1JZ	
<b>23/5041/PNO</b>	<b>23-Aug-2023</b>	<b>Prior Notification Not Required/No Obj</b>
Company / Surname	Student Property Investments Ltd	
Proposal	Prior approval for the installation of solar panels to rear flat roof	
Address	109 Linthorpe Road, Middlesbrough, TS1 5DH	
<b>23/0385/FUL</b>	<b>23-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Mr Derek Green	
Proposal	Single storey extension to rear (Demolition of existing conservatory)	
Address	11, Grey Towers Drive, Middlesbrough, TS7 0LS	
<b>23/0454/CLD</b>	<b>23-Aug-2023</b>	<b>Approve</b>
Company / Surname	Jonathan Waters	
Proposal	Loft Conversion	
Address	9, Gunnergate Lane, Middlesbrough, TS7 8HZ	
<b>23/0398/FUL</b>	<b>24-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	MAREEN HUSSAIN	
Proposal	proposed 2 storey side extension rear single storey extension	
Address	29 Church Lane,	
<b>23/5024/ADV</b>	<b>24-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Chris McCabe	
Proposal	1No internally illuminated LED Digital Screen	
Address	18 - 19, Captain Cook Square, MIDDLESBROUGH, TS1 5UB	
<b>23/5043/AMD</b>	<b>24-Aug-2023</b>	<b>Accepted</b>
Company / Surname	Mr Andrew Cain	
Proposal	Erection of office building (B1) with ground floor cafe/ food use (A3) and assoc	
Address	1, Centre Square, Middlesbrough, TS1 2BD	
<b>23/0389/FUL</b>	<b>24-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Mr Stephen Connors	
Proposal	Single storey car port to side	
Address	20, Mainsforth Drive, Middlesbrough, TS5 8JZ	
<b>22/0243/FUL</b>	<b>29-Aug-2023</b>	<b>Refuse and enforce</b>
Company / Surname	Mr Malik	
Proposal	Subdivision of Existing dwelling to create an additional dwelling	
Address	97, Flat 2, Cumberland Road, Middlesbrough, TS5 6PP	
<b>23/0031/FUL</b>	<b>29-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Jan Earl	
Proposal	Erection of 2no. containers for educational/training facility and storage	
Address	Lingfield Farm, Mount Pleasant Way, Middlesbrough, TS8 0XF	

<b>23/0395/FUL</b>	<b>29-Aug-2023</b>	<b>Refused</b>
Company / Surname	<b>BARBIR NOOR</b>	
Proposal	<b>PROPOSED SINGLE STOREY REAR EXTENSION (RESUBMISSION OF PREVIOUSLY APPROVED SCHEM</b>	
Address	<b>1, Acklam Hall Cottages, Church Lane, Middlesbrough, TS5 7DZ</b>	
<b>23/0402/FUL</b>	<b>29-Aug-2023</b>	<b>Refused</b>
Company / Surname	<b>A KHALIQ</b>	
Proposal	<b>PROPOSED DOUBLE STOREY SIDE EXTENSION AND PART SINGLE, PART FIRST STOREY REAR EX</b>	
Address	<b>16, Hutton Road, Middlesbrough, TS4 2LD</b>	
<b>23/0415/FUL</b>	<b>29-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Gemma Brice</b>	
Proposal	<b>Proposed single storey rear extension</b>	
Address	<b>39, The Covert, Middlesbrough, Middlesbrough, TS8 0WN</b>	
<b>23/0175/LBC</b>	<b>31-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>G and S Shaw</b>	
Proposal	<b>Listed building consent to existing walled gardens to create 6no individual smal</b>	
Address	<b>Nunthorpe Hall Farm, Hall Farm, Old Stokesley Road, Middlesbrough, TS7 0NP</b>	
<b>23/0356/VAR</b>	<b>31-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Mr Geogre Dixon</b>	
Proposal	<b>Variation of condition 2 (Approved plans) on planning application 23/0169/FUL</b>	
Address	<b>NUNTHORPE HALL, Old Stokesley Road, Middlesbrough, TS7 0NP</b>	
<b>23/0417/LBC</b>	<b>31-Aug-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Mr George Dixon</b>	
Proposal	<b>Alter the approved design with access doors</b>	
Address	<b>NUNTHORPE HALL, Old Stokesley Road, Middlesbrough, TS7 0NP</b>	
<b>20/0155/DIS</b>	<b>01-Sep-2023</b>	<b>Part Discharge Conditions</b>
Company / Surname	<b>Mr Geoff Hogg</b>	
Proposal	<b>Discharge of Condition 7 (Cycle Parking) and Condition 20 (Soft Landscaping Work</b>	
Address	<b>Unit 1</b>	
<b>23/0226/TPO</b>	<b>01-Sep-2023</b>	<b>Approve</b>
Company / Surname	<b>Mrs Susan Taylor</b>	
Proposal	<b>Removal of 2 Leylandii Trees at 2 Maltby Road and Thornton Road, and trimming of</b>	
Address	<b>2 Maltby Road, Middlesbrough, TS8 9BU</b>	
<b>23/0323/VAR</b>	<b>01-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Thirteen Group</b>	
Proposal	<b>Variation of condition 2 (Approved plans) on planning application 20/0289/FUL to</b>	
Address	<b>The site is bounded by Union Street (NW)</b>	
<b>23/5016/FUL</b>	<b>04-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>D Kale</b>	
Proposal	<b>Proposed Change of Use to Student Accommodation Comprising 36 No. Studios and Co</b>	
Address	<b>49-55 Grange Road, Middlesbrough, TS1 5AU</b>	
<b>22/0136/MAJ</b>	<b>05-Sep-2023</b>	<b>Refused</b>
Company / Surname	<b>JPL DEVELOPMENTS LTD</b>	
Proposal	<b>Erection of 45no. industrial units</b>	
Address	<b>Land Adjacent to, Simcox Court, Middlesbrough</b>	
<b>23/0293/FUL</b>	<b>05-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Carole Toner</b>	
Proposal	<b>Installation of a temporary (5 years) single storey Portakabin building</b>	
Address	<b>Discovery Special Academy, Sandy Flatts Lane, Brookfield, Middlesbrough, Hemlington, TS5 7YN</b>	
<b>23/0405/FUL</b>	<b>05-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>D Hawkins</b>	
Proposal	<b>Single story extension to side / rear and rendering of whole property</b>	
Address	<b>25 Canberra Road</b>	
<b>23/0430/FUL</b>	<b>05-Sep-2023</b>	<b>Refused</b>
Company / Surname	<b>Christine Kearney</b>	
Proposal	<b>Single storey front extension with internal alterations</b>	
Address	<b>15 Sandling Court</b>	
<b>23/0324/FUL</b>	<b>06-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>M GREGORY</b>	
Proposal	<b>Single storey offshoot to rear and erection of detached annexe (Demolition of ex</b>	
Address	<b>609, Marton Road, Middlesbrough, TS4 3SE</b>	
<b>23/0392/FUL</b>	<b>06-Sep-2023</b>	<b>Refused</b>
Company / Surname	<b>Mr &amp; Mrs Yeoh</b>	
Proposal	<b>Single storey extension to rear (Part demolition of existing rear offshoot)</b>	
Address	<b>5, Wycherley Avenue, Middlesbrough, TS5 5HH</b>	
<b>23/0432/FUL</b>	<b>06-Sep-2023</b>	<b>Refused</b>
Company / Surname	<b>Mr Gary Mullen</b>	
Proposal	<b>Single storey extension to front</b>	
Address	<b>73, Cedarwood Glade, Middlesbrough, TS8 9DL</b>	

<b>23/5042/FUL</b>	<b>07-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	RMB102 c/o CRM Residential	
Proposal	Removal of all combustible insulation together with brickwork, vertical cedar cl	
Address	CIAC, Windward Way, MIDDLESBROUGH, TS2 1AX	
<b>23/0419/DIS</b>	<b>07-Sep-2023</b>	<b>Full Discharge Conditions</b>
Company / Surname	P&L Developments	
Proposal	Discharge of conditions 14 (Fixed plant and Machinery) & 15 (Demolition of exist	
Address	ACKLAM IRON AND STEEL WORKS ATHLETIC CLUB, Park Road South, Middlesbrough, TS4 2RD	
<b>23/0439/PNH</b>	<b>07-Sep-2023</b>	<b>Prior Notification Not Required/No Obj</b>
Company / Surname	Peter & Gillian Mitchell	
Proposal	PROPOSED DEMOLITION OF EXISTING EXTENSION AND ERECTION OF SINGLE STOREY EXTENSIO	
Address	45, Minsterley Drive, Middlesbrough	
<b>23/0191/VAR</b>	<b>08-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	P&L Developments Ltd	
Proposal	Variation of Condition 12 and removal of Condition 16	
Address	Acklam Iron and Steel Works Athletic Club, Park Road South, Middlesbrough, TS4 2RD	
<b>23/0380/FUL</b>	<b>08-Sep-2023</b>	<b>Refused</b>
Company / Surname	Hussain	
Proposal	Proposed single storey rear extensions and rear second floor dormer roof extensi	
Address	23, Devonshire Road, Middlesbrough, TS5 6DL	
<b>23/0442/PNH</b>	<b>08-Sep-2023</b>	<b>Prior Notification Not Required/No Obj</b>
Company / Surname	Mr & Mrs Stuart & Bernice Coleman	
Proposal	Single storey extension to rear (Eaves 3.0m, Length 5.096m, Height 3.0m)	
Address	3, Holbeck Avenue, Middlesbrough, TS5 8DR	
<b>23/0444/FUL</b>	<b>11-Sep-2023</b>	<b>Refused</b>
Company / Surname	Bashdar Salih Hassan	
Proposal	Proposed 2 storey side extension to provide garage and additional living space	
Address	21 Minsterley Drive	
<b>23/0447/FUL</b>	<b>11-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Lawrence Ajekigbe	
Proposal	First floor front extension.	
Address	16, Cleveland Drive, Middlesbrough, TS7 8AE	
<b>23/5025/FUL</b>	<b>12-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Tarek Thoma	
Proposal	Alterations to restaurant unit, to include new shop front, single storey glazed	
Address	Unit 3a, Captain Cook Square, MIDDLESBROUGH, TS1 5UB	
<b>23/0451/PNH</b>	<b>12-Sep-2023</b>	<b>Prior Notification Not Required/No Obj</b>
Company / Surname	Mrs Margaret Nicholson	
Proposal	Single storey extension to rear (Height 3.25m, Length 6m, Eaves 2.25	
Address	12, Park Avenue North, Middlesbrough, TS3 0PE	
<b>23/0352/FUL</b>	<b>13-Sep-2023</b>	<b>Refused</b>
Company / Surname	Mahmood	
Proposal	Two storey extension to side, single/two storey extension to rear and installati	
Address	25, Stoneleigh Avenue, Middlesbrough, Middlesbrough, TS5 8AR	
<b>23/0429/FUL</b>	<b>14-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	SHARON	
Proposal	PROPOSED PORCH	
Address	22, Collingham Drive, Middlesbrough, TS7 0GB	
<b>23/0443/TELPN</b>	<b>14-Sep-2023</b>	<b>Prior Notification Not Required/No Obj</b>
Company / Surname	CK Hutchinson Networks (UK) Ltd	
Proposal	The installation of a 15m high slim-line monopole, supporting 6 no. antennas, 3	
Address	Pavement on Kings Road, opposite James S	
<b>23/0378/TELPN</b>	<b>15-Sep-2023</b>	<b>Prior Notification Not Required/No Obj</b>
Company / Surname	CK Hutchinson Networks (UK) Ltd	
Proposal	The installation of a 15m high slim-line monopole, supporting 6 no. antennas, 3	
Address	Newham Way, Coulby Newham, Middlesbrough	
<b>22/0400/ADV</b>	<b>18-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Miller Homes Teesside	
Proposal	3No Non-Illuminated Tri-boards, 1No Non-Illuminated Large Monolith Board, 11No N	
Address	Land off Marton Avenue, Middlesbrough	
<b>23/0411/AMD</b>	<b>18-Sep-2023</b>	<b>Approve</b>
Company / Surname	Jamie Edward Carr	
Proposal	Reserved matters application	
Address	Taylor Wimpey Elderwood Grove, Taylor Wimpey Elderwood Grove	
<b>23/0491/SCON</b>	<b>18-Sep-2023</b>	<b>No Objections</b>
Company / Surname	Stockton Council	
Proposal	Outline application with all matters reserved for the erection of industrial uni	
Address	Land North Of 4,Fleck Way,Teesside Industrial Estate,	

<b>21/0382/FUL</b>	<b>19-Sep-2023</b>	<b>Refused</b>
Company / Surname	Mr Robert Hadfield	
Proposal	Erection of 14 self contained residential units with associated vehicle access,	
Address	Land Adjacent Normanby Court, Linden Crescent, Middlesbrough, TS7 8JF	
<b>23/5020/FUL</b>	<b>19-Sep-2023</b>	<b>Refused</b>
Company / Surname	Linda Vecstaudza	
Proposal	Change of use to form dance studio and offices to first floor and 4no. appartmen	
Address	23, Newport Road, Middlesbrough, TS1 1LE	
<b>22/0173/FUL</b>	<b>20-Sep-2023</b>	<b>Refused</b>
Company / Surname	GPDESIGNS ARCHITECTURAL SERVICES	
Proposal	TWO STOREY NEW BEDROOM WING EXTENSION TO NURSING HOME	
Address	ELIZABETH HOUSE, 10, 10, Elizabeth Terrace, MIDDLESBROUGH, TS3 6HE	
<b>23/0294/FUL</b>	<b>21-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Craig Smith	
Proposal	Proposed detached triple garage with workshop above.	
Address	Netherby View, Ladgate Lane, Middlesbrough, TS5 7YZ	
<b>23/0350/ADV</b>	<b>21-Sep-2023</b>	<b>Refused</b>
Company / Surname	Wildstone Group Limited	
Proposal	Removal of existing paper and paste billboard and replacement with digital billb	
Address	92 Ayresome Street, Middlesbrough, TS1 4NJ	
<b>23/0393/FUL</b>	<b>25-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Joanne & Cameron Mclean	
Proposal	PROPOSED PART FIRST STOREY, PART TWO STOREY SIDE EXTENSION AND SINGLE STOREY REA	
Address	53 Woodlea	
<b>22/0273/COU</b>	<b>26-Sep-2023</b>	<b>Refused</b>
Company / Surname	Junaid Sheik	
Proposal	Conversion of ground floor shop and first floor residential to one bedroom groun	
Address	31 Gresham Road, Middlesbrough, TS1 4LU	
<b>23/0237/FUL</b>	<b>26-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Simon Smith	
Proposal	Single storey rear extension, external chimney and extension and alterations to	
Address	60 Sinderby Lane, Middlesbrough, Middlesbrough, TS7 0RP	
<b>23/5026/FUL</b>	<b>26-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Cinegogh	
Proposal	Alterations to frontage	
Address	Unit 9-10, Captain Cook Square, Middlesbrough, TS1 5UB	
<b>23/5030/FUL</b>	<b>27-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	PD Teesport Ltd	
Proposal	Installation of replacement CCTV cameras	
Address	17-27 Queens Square	
<b>23/5031/LBC</b>	<b>27-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	PD Teesport Ltd	
Proposal	Installation of replacement CCTV cameras	
Address	17-27 Queens Square	
<b>23/0197/FUL</b>	<b>28-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Andrew Wilkes	
Proposal	Single storey extension to existing warehouse building	
Address	1, Barton Road, Middlesbrough, TS2 1RX	
<b>23/0245/DIS</b>	<b>28-Sep-2023</b>	<b>Full Discharge Conditions</b>
Company / Surname	Darren Vipond	
Proposal	Discharge of conditions 4 (Details of soft landscaping), 8 (Surface Water Draina	
Address	Land at Barritt street, Middlesbrough, TS1 3BX	
<b>23/0314/FUL</b>	<b>28-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Teesside University	
Proposal	Re-cladding of external facades (South West and South West) of the Cook Building	
Address	Cook Building, Stephenson Street, Middlesbrough, Middlesbrough, TS1 3AG	
<b>23/0478/PNH</b>	<b>28-Sep-2023</b>	<b>Prior Notification Not Required/No Obj</b>
Company / Surname	Bara Almiaari	
Proposal	Proposed Single Storey brick built rear extension	
Address	12 Hereford Close	
<b>23/0357/FUL</b>	<b>29-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Lee Smith	
Proposal	Demolition of link building connecting Middlesbrough Tower and Constantine build	
Address	Middlesbrough Towers & Constantine Buildings, Southfield Road, Middlesbrough, TS1 3BX	
<b>23/0358/LBC</b>	<b>29-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Tte Printworks	
Proposal	Demolition of link building connecting Middlesbrough Tower and Constantine build	
Address	Middlesbrough Tower & Constantine Buildings, Southfield Road, Middlesbrough, TS1 3BX	

<b>23/5032/VAR</b>	<b>29-Sep-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Mr William Brand	
Proposal	Variation of condition 2 ( ) on planning application to	
Address	MIDDLESBROUGH RAILWAY STATION, Zetland Road, Middlesbrough, TS1 1EG	
<b>23/0379/VAR</b>	<b>02-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	c/o: Agent	
Proposal	Variation of conditions 1 & 3 to planning application 20/0034/FUL to alter	
Address	113, Borough Road, Middlesbrough, TS1 3AX	
<b>23/5021/ADV</b>	<b>02-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Mr Xhim Ishmali	
Proposal	1No internally illuminated fascia sign	
Address	32, Linthorpe Road, Middlesbrough, TS1 1RD	
<b>23/0223/MAJ</b>	<b>04-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	AV Dawson	
Proposal	Change of use to storage (Use Class B8), hardstanding and 2.4m high fencing/gate	
Address	Tees Amp Site, Riverside Park Road, Middlesbrough, TS2 1UT	
<b>23/0321/FUL</b>	<b>04-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	The Message Trust	
Proposal	Installation of portacabin for use as community grocery shop and associated stor	
Address	ST BARNABAS CHURCH, St Barnabas Road, Middlesbrough, TS5 6JR	
<b>23/0335/DIS</b>	<b>05-Oct-2023</b>	<b>Approve</b>
Company / Surname	Mr Mohammed Hanif	
Proposal	Discharge of conditions	
Address	16, The Crescent, Middlesbrough, TS5 6SQ	
<b>23/5037/DIS</b>	<b>09-Oct-2023</b>	<b>Full Discharge Conditions</b>
Company / Surname	Mr Michael Canavan	
Proposal	Discharge of condition 6 (Travel plan) on planning application 20/0764/FUL	
Address	Boho X, Lower Gosford Street, Middlesbrough	
<b>23/0490/TPO</b>	<b>09-Oct-2023</b>	<b>Approve</b>
Company / Surname	Mr Glenn Atkinson	
Proposal	Reduction works to Sycamore to provide clearance from house	
Address	16, Salcombe Close, Middlesbrough, TS8 9LZ	
<b>23/0301/FUL</b>	<b>10-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	James Cook University Hospital	
Proposal	Retrospective construction of modular unit for use as temporary emergency ambula	
Address	JAMES COOK UNIVERSITY HOSPITAL, Marton Road, Middlesbrough, TS4 3BW	
<b>23/5045/DIS</b>	<b>10-Oct-2023</b>	<b>Full Discharge Conditions</b>
Company / Surname	Mr Peter Bland	
Proposal	Discharge of conditions 3 (External Material Swatches) & 12 (Cycle parking) on p	
Address	Land Adjacent to STEM Building	
<b>23/0459/ADV</b>	<b>10-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Sarah Doone	
Proposal		
Address	Evans Halshaw	
<b>23/0460/FUL</b>	<b>10-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Michael Firman	
Proposal	We have a conservatory which currently has a Polycarbonate roof and we want to r	
Address	325, Eagle Park, Middlesbrough, TS8 9QR	
<b>23/0474/FUL</b>	<b>10-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	C/O Agent Associates	
Proposal	Single Storey Rear Extension to Form Garden Room	
Address	18, Cleveland Drive, Middlesbrough, TS7 8AE	
<b>23/0475/FUL</b>	<b>10-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	Mr Phil Fryett	
Proposal	Two storey extension to side	
Address	17, Farthingale Way, Middlesbrough, TS8 9RW	
<b>22/0660/COU</b>	<b>11-Oct-2023</b>	<b>Refused</b>
Company / Surname	Srikanth	
Proposal	PROPOSED CHANGE OF USE FROM DAY NURSERY [E(f)] TO HMO AN 11 BED HMO [SUI GENERIS	
Address	46, Southfield Road, Middlesbrough, TS1 3EU	
<b>23/0329/COU</b>	<b>11-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	N/A	
Proposal	Full planning application for the change of use of Unit C4 (Class F1) to Class E	
Address	Unit C4 & C5, Teesside Leisure Park, Aintree Oval, Stockton-on-Tees, Thornaby, TS17 7BU	
<b>23/0330/MAJ</b>	<b>11-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	The Mary Street Estate Limited	
Proposal	Full planning application for the change of use of Unit C2 from Sui Generis to C	
Address	Unit C2, Teesside Leisure Park, Aintree Oval, Stockton-on-Tees, Thornaby, TS17 7BU	

<b>21/1108/FUL</b>	<b>13-Oct-2023</b>	<b>Refused</b>
Company / Surname	<b>Muslim Federation Of Cleveland</b>	
Proposal	<b>Erection of 4 storey mosque and cultural centre with integral car park and assoc</b>	
Address	<b>9, Park Road North, Middlesbrough, TS1 3LF</b>	
<b>22/0174/COU</b>	<b>13-Oct-2023</b>	<b>Refused</b>
Company / Surname	<b>Anchor Hanover</b>	
Proposal	<b>conversion of the ground floor scheme managers office space into a 1-bed flat, t</b>	
Address	<b>21 Hanover Gardens, Middlesbrough, TS5 5QP</b>	
<b>23/0465/FUL</b>	<b>13-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Andrew Batkin</b>	
Proposal	<b>White rendered finish to applied front of property and side of garage</b>	
Address	<b>27 Runnymede, Middlesbrough, TS7 0QL</b>	
<b>23/0543/TCA</b>	<b>13-Oct-2023</b>	<b>No Objections</b>
Company / Surname	<b>Lisa Francis</b>	
Proposal	<b>Removal of 2no. Prunus and 1no. Laurel to front garden</b>	
Address	<b>54, Cambridge Road, Middlesbrough, TS5 5HG</b>	
<b>23/0473/TCA</b>	<b>13-Oct-2023</b>	<b>No Objections</b>
Company / Surname	<b>David Charlesworth</b>	
Proposal	<b>Removal or reducing height of 1no Pine tree, removal of self-seeding tree in fro</b>	
Address	<b>72, The Grove, Middlesbrough, TS7 8AJ</b>	
<b>22/0397/IPCON</b>	<b>16-Oct-2023</b>	<b>No Objections</b>
Company / Surname	<b>Planning inspectorate</b>	
Proposal	<b>Consultation</b>	
Address	<b>x</b>	
<b>23/0344/COU</b>	<b>16-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>The Mary Street Estate Limited</b>	
Proposal	<b>Full planning application for the change of use of Unit A2 and Unit A3 for Class</b>	
Address	<b>Units A2 and A3, Teesside Leisure Park, Aintree Oval, Stockton-on-Tees, Thornaby, TS17 7BU</b>	
<b>23/0383/TPO</b>	<b>16-Oct-2023</b>	<b>Refused</b>
Company / Surname	<b>Mr John Palmer</b>	
Proposal	<b>Fell 1no. Sycamore, 4no. Pine, 2no. Beech, 1no Horsechestnut, 2no. Poplar and 1n</b>	
Address	<b>24, Stokesley Road, Middlesbrough, TS7 0NA</b>	
<b>23/0469/FUL</b>	<b>16-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Daniel Johns</b>	
Proposal	<b>1st floor &amp; 2 Storey extension to the rear</b>	
Address	<b>6 , Park Wynd, Middlesbrough, Middlesbrough, TS4 3FB</b>	
<b>23/0489/FUL</b>	<b>16-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Dawn Wilcox</b>	
Proposal	<b>3 metre extension to kitchen at rear of property</b>	
Address	<b>28 Norfolk Crescent</b>	
<b>23/0492/FUL</b>	<b>16-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Specsavers Optical Stores UK</b>	
Proposal	<b>Proposed installation of 7 AC condenser units to rear elevation service yard</b>	
Address	<b>19b Parkway Centre, Dalby Way, Middlesbrough, Middlesbrough, TS8 0TJ</b>	
<b>23/0500/CLD</b>	<b>16-Oct-2023</b>	<b>Refused</b>
Company / Surname	<b>Robert Thompson</b>	
Proposal		
Address	<b>5, De Brus Park, MIDDLESBROUGH, TS8 9RZ</b>	
<b>23/0530/DIS</b>	<b>17-Oct-2023</b>	<b>Full Discharge Conditions</b>
Company / Surname	<b>Mr Christopher Snowdon</b>	
Proposal	<b>Discharge of condition 5 (Contaminated land investigation) on planning applicti</b>	
Address	<b>Cannon Park, Cannon Street, Middlesbrough, TS1 5AZ</b>	
<b>23/0480/VAR</b>	<b>20-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Teesside University</b>	
Proposal	<b>Single storey orangery extension to rear of existing library building, with asso</b>	
Address	<b>Teesside University Library, Teesside University, Tees Valley, Middlesbrough, TS1 3BX</b>	
<b>23/0502/FUL</b>	<b>20-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Mr Gary Mullen</b>	
Proposal	<b>Single storey extension to rear</b>	
Address	<b>73, Cedarwood Glade, Middlesbrough, TS8 9DL</b>	
<b>23/0504/PNH</b>	<b>23-Oct-2023</b>	<b>Prior Notification Not Required/No Obj</b>
Company / Surname	<b>M Zaman</b>	
Proposal	<b>PROPOSED SINGLE STOREY REAR EXTENSION</b>	
Address	<b>14, Croft Avenue, Middlesbrough, TS5 8AX</b>	
<b>21/1161/HCON</b>	<b>24-Oct-2023</b>	<b>No Objections</b>
Company / Surname	<b>Hambleton Council</b>	
Proposal	<b>Change of use of agricultural land for the creation of a thirteen unit holiday c</b>	
Address	<b>Newby Farm Newby North Yorkshire TS8 9DY</b>	



<b>23/5039/COU</b>	<b>24-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Victoria Bollands</b>	
Proposal	<b>The proposals include for the following: Change of use class from Class E to Cla</b>	
Address	<b>37-39, Grange Road, Middlesbrough, TS1 5AU</b>	
<b>23/5029/FUL</b>	<b>25-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Barclays Bank plc</b>	
Proposal	<b>The intention is to: â€œ Installation of 2no new air conditioning condensing uni</b>	
Address	<b>Barclays, 22 Corporation Road, Middlesbrough, TS1 1LJ</b>	
<b>23/5022/COU</b>	<b>25-Oct-2023</b>	<b>Approve with Conditions</b>
Company / Surname	<b>Mr David Doberman</b>	
Proposal	<b>Change of use from shop unit with Flat above to 6 bed HMO, to include 3 storey e</b>	
Address	<b>8 Borough Road, MIDDLESBROUGH, TS1 5DP</b>	
<b>23/0476/FUL</b>	<b>27-Oct-2023</b>	<b>Refused</b>
Company / Surname	<b>Mr M Hussain</b>	
Proposal	<b>Single storey extension to rear</b>	
Address	<b>3, Ingleby Road, Middlesbrough, TS4 2JU</b>	

Total Decisions	<b>70</b>	Total Approvals	<b>60</b>	Total Refusals	<b>10</b>
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