

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on Thursday 5 September 2024.

PRESENT: Councillors J Rostron (Chair), I Blades (Vice-Chair), D Coupe, M McClintock, J Ryles, G Wilson, J Thompson and D Branson

PRESENT BY INVITATION: Councillor M Smiles

ALSO IN ATTENDANCE: S Barker, O Monck, G Oleary, J Rathmell, A Walker

OFFICERS: P Clarke, C Cunningham, J McNally, S Thompson and P Wilson

APOLOGIES FOR ABSENCE: Councillors I Morrish, A Glossop and J McTigue

24/14 **DECLARATIONS OF INTEREST**

Name of Councillor	Type of Interest	Item/Nature of Interest
Councillor M McClintock	Non-Pecuniary	Agenda Item 4, Item 1, Ward Councillor
Councillor Ian Blades	Non-Pecuniary	Agenda Item 4, Item 3, Ward Councillor
Councillor Graham Wilson	Non-Pecuniary	Agenda Item 4, Item 3, Ward Councillor

24/15 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 11 JULY 2024**

The minutes of the meeting of the Planning and Development Committee held on 11 July 2024 were submitted and approved as a correct record.

24/16 **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.

24/0190/MAJ, land off Stokesley Road, Nunthorpe, Middlesbrough, construction of gospel hall with associated car parking and landscaping.

Members were advised that planning permission was sought for the construction of a gospel hall with associated car parking area and landscaping on the land at the southern end of the allocated Nunthorpe Grange housing site.

Members heard that following a consultation exercise, objections and other representations were received from 120 addresses, as well as the Nunthorpe Parish Council and a Ward Councillor. The Head of Planning advised that since the publication of the report 147 letters of support had been received.

The Head of Planning stated that there were 3 areas for the Members to consider principle of development, design and highways.

In relation to the principle of development members were advised that the application site was located in south Middlesbrough and related to an area of land identified as part of the wider 'Land at Nunthorpe, south of Guisborough Road' housing allocation. Policies H1, H10, H11, H29 and H31 collectively allocated the site for residential development and were relevant to this application. As the proposed development regards the construction of a place of worship, it was considered to represent a departure from the adopted Development Plan although the

use is acceptable but would need to achieve a high-quality design as the site is in a key prominent location local development should reflect this.

Members were informed that Paragraph 135 of the National Planning Policy Framework stated that *'planning decisions should ensure that developments would function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate landscaping; are sympathetic to local character, including the surrounding built environment and landscape setting; and, establish a strong sense of place, using building types and materials to create attractive and distinctive places to visit'*. Members were advised that officers did not feel that the quality of the design was of a quality expected in this location and that the quality was not sufficient to justify approval.

In terms of highways Members were advised that there would be a high level of usage every third Sunday of the month the increased usage would be localised and would potentially be for 10-15 minutes before and after each service it was advised that this would be on the margins of acceptability. No restrictions would be in place so impacts could be outside of these times it was advised that whilst restrictions could be placed these would not be considered acceptable in terms of planning and would fail to meet the required tests.

The development proposals indicated that a total of 284 car spaces were proposed consisting of 163 hard surfaced spaces plus 121 Grasscrete spaces. It was advised that a typical Interchange Meeting currently attracted 800 worshippers and based upon the car occupancy levels provided (3.4 people per car), the parking demand from these meetings would be 235 vehicles. Should the building be operated to its full capacity of 984 worshippers, the parking demand would be 289 spaces.

In order to address concerns over the intensity of use of the site, a car parking management strategy has been submitted to support the application. This management strategy involved the use of wardens (10 indicated) to direct arriving vehicles in order to fill the car park in a set routine in order to ensure maximum efficiency. A similar plan was proposed to ensure that the car park empties in an efficient manner.

Members were advised that it had been demonstrated using modelling, that the impact on the adjacent highway was critically dependent on the implementation and ongoing use of access and parking management which were highly controlling and restrictive. The modelling had also demonstrated a delay as small as 1 second per vehicle arriving at or exiting the car park resulted in a much greater impact on the adjacent highway. Should there be any slight change to access and operation of the carpark resulting in each vehicle only being delayed by 1 second, there would be a disproportionate impact on the adjacent network. Such an approach would require a very high level of ongoing control with very small margins for error.

In terms of design Members were advised that both the design of the gospel hall building and the general layout of the site had been assessed as being of a poor quality. The materials palette of the main hall building was deemed to reflect the local context and in line with the materials considered to be acceptable in the Nunthorpe Grange Design Code, they were unable to mask the sheer scale and mass of the building. The design featured very little relief or break in the elevations, which gave the building a very functional appearance that detracted from the visual amenity of the area and was not sympathetic to the local character of the surrounding environment and failed to meet the design aspirations for Nunthorpe Grange.

A Member queried if meetings had taken place with the applicant to discuss changes in the design, location and access of the carpark, it was advised that meetings had taken place but no substantial or significant changes to the application had been submitted that addressed the concerns expressed by officers.

The agent for the application addressed the committee and raised the following points:

The gospel hall would be home to a large congregation of Plymouth Brethren, who currently have a hall on Gypsy Lane, the congregation is growing that requires a larger hall to enable them to worship together. Members heard that the Plymouth Brethren do not worship in a loud manner, there is no symbolism and they are a Christian faith group. The halls of the Plymouth Brethren are designed not to stand out and have a low visual impact. The proposed hall would have new planting, hedgerows, water features, trees and natural clay pantiles.

In terms of car parking the Brethren are aware of the car parking that would be required and how they would manage the impact. It was advised that a video had been submitted to the planning department showing how they manage parking at a hall near to Leeds Bradford Airport. The Brethren feel that it is not an honest approach to reduce carparking in the application. Members also heard that a dozen car parking spaces would be provided for the local community to use.

A Member queried if discussions had taken place to see if a slip road to the proposed site could come off the bypass it was advised by the applicant that they had not considered this an option.

A Member stated that Nunthorpe needed a large venue like this the Member queried if there was potential for the community to use the hall, it was advised that the proposed layout of the hall was not a flexible space so community use would not be a practical option and would not be able to be used in this capacity. The hall was a place of worship with a capacity of 900 fixed seats.

Members were concerned that 120 residents had objected to the application, in regard to the 140 letters of support that had been received a Member pointed out that the Plymouth Brethren were established in Nunthorpe but only a third of them lived in Middlesbrough so the majority of support was from people who did not reside in the area and would be travelling from outside of Middlesbrough to attend the place of worship. A suggestion was made, hypothetically that the potential park and ride at Nunthorpe train station could be used once in place.

Members also raised concerns that the proposed building did not have windows, the agent advised that false windows could have been included in the application had it been raised by the Planning Department.

Members heard from two Nunthorpe Parish Councillors who raised the following objections to the application:

- Highways and pedestrian safety
- Dis-satisfaction that the site will not be accessible to the whole of the Nunthorpe Community
- Size, scale and appearance of the building
- Looks like a commercial warehouse
- The site is not earmarked as a place of worship in the Nunthorpe Plan
- Unacceptable impact on highways safety, large number of vehicles accessing the site, lack of pedestrian crossings and single pavements
- Leaves will drop from the screening trees
- Needs to add value to the local community
- No material changes had been made

The Ward Councillor for Nunthorpe raised the following concerns:

- Not agreed to have a place of worship on this site
- Scale of proposal is too large
- Not in keeping with the local area
- Not sympathetic
- No windows in the building, is this not a safety issue
- 800 attendees this exceeds a small community church
- Speeding already in the area
- Impact on the Marton crawl
- Other members of the community unable to use the facility
- Known flooding on this site

The Head of Planning advised that safety in relation to windows was not a planning consideration it would be a buildings regulation issue.

Members debated the application and felt that the proposed location was unsuitable and the key issue in relation to the application was increased traffic and the impact on the highways.

ORDERED: that the application be refused for reasons detailed in the committee report.

24/0216/FUL, 36 Nuneaton Drive, Middlesbrough, TS8 9PR, Single storey extension to rear and single storey workshop extension to side and rear of existing garage

Members were advised that the application sought approval for a rear extension to the property and an extension to the existing garage.

The application site was an established residential area close to Hemlington Lake. The application property itself sat adjacent to the turning head of the cul-de-sac of Nuneaton Drive. Dwellings were predominantly single storey and detached of traditional appearance however some two-storey properties were evident. Dwellings were set-back from the road but plot sizes differed, with the application dwelling having a larger sized plot compared to other properties on Nuneaton Drive. The rear of the site backs onto Newquay Close, a cul-de-sac which contained detached and semi-detached two-storey dwellings.

The proposed application sought to erect a rear extension to the property forming a bedroom and lounge/diner area, and to extend the existing garage.

The Head of Planning advised that following the consultee exercise, objections were received from nearby residential properties. Concerns had been raised with regards to overbearing, overlooking and noise from the development. The scheme had been amended during the application process in order to lower the extension from the main ridge of the dwelling and it is noted that this also inset the built form from the side elevations.

Members were advised that taking into account all material considerations, it was considered that the proposed extensions and alterations to the property would not harmfully dominate the host property or wider street scene and would also have no significant detrimental impact on adjacent properties. The impact would not be so significant as to warrant refusal of the scheme. As such the scheme was able to accord with relevant Local Plan Policies CS5 and DC1.

A Member queried why the application had come to committee the Member was advised that because 3 objections had been received it had reached the threshold to be heard at Planning and Development Committee. The Head of Planning confirmed that the garage would not be used as a commercial workshop which had been one of the concerns raised in objection this had been confirmed by the agent.

The applicant addressed the committee and informed them that he had lived in Nuneaton Drive for over 30 years he had recently been diagnosed with cancer and due to his condition now required his own bathroom and bedroom so had purchased this property. The applicant assured the committee that the garage would only be used as a garage and not a workshop.

An objector to the application raised the following concerns:

- Issues if garage was to be used as a workshop
- Estate built on a beck/stream potential flooding
- Impact on privacy
- Windows look over fence
- Claustrophobic

The Head of Planning advised the Committee that the application met the guide separations guidelines, the site is in an area of mixed dwellings and would remain a bungalow.

ORDERED: that the application be approved subject to the conditions detailed in the report.

4/0226/MAJ, Site of former Southlands Centre, Ormesby Road, Middlesbrough, TS3 OBH, Erection of single storey community facility (F2(b) use class) (comprising changing facilities, multi-use hall and multi-purpose rooms), construction of access roads, associated car park, fencing and landscaping

*** Councillor Ian Blades and Councillor Graham Wilson recused themselves for this item*

The application sought planning permission for a single storey community facility and associated works on the site of the former Southlands Centre. Members were advised that similar applications had been submitted in 2021 and 2023 for a community facility and associated car park. The Head of Planning stated that the first application was withdrawn and the second application had been approved but not implemented.

Members were advised that the key considerations for the current application related to the design and arrangements of the proposals, the highways related issues such as vehicular movements and access to the site and the implications including potential noise nuisance on surrounding properties. The Head of Planning informed Members that the main issue to consider was the consideration of the requirements from Sports England and its objection to the scheme.

Members heard that the proposed building was of a high quality and situated at a distance away from residential properties not to unduly harm their amenities. Whilst the community centre building would be in the middle of the Green Wedge and Primary Open Space it had been designed in a way to minimise impact on the local area.

The Head of Planning advised that no objections had been submitted from local residents the only objection was from Sports England. In relation to the objection received from Sports England to the proposed layout with specific reference to the footpath connecting the site to the Unity City Academy and the ground conditions for the replacement playing field Members were advised that the footpath allowed greater accessibility and could even be considered as permitted development, whereas the issues of the ground conditions could be overcome by a suitable planning condition to enable this element to be deemed acceptable.

Members were advised that due to the continued objection from Sport England Members cannot approve the application but could give a recommendation of minded to approve, subject to its consideration by the Secretary of State.

Members were advised that the application site formed part of the grounds of the former Southlands Centre, as well as land to the north. Residential properties are situated along much of the southern boundary of the site, Middle Beck run along the eastern boundary, Ormesby Road is situated to the west, and the Unity City Academy is situated to the north.

Planning permission was sought for the construction of a new community centre facility comprising a single storey building to be used as a multi-function hall and multi-purpose rooms with associated car park and other works.

The community centre would be located to the north of the proposed new car parking area, which would have capacity for 72 vehicles (including 5 accessible spaces). A cycle store with 4 stands and bin store would be created adjacent to one another within the car park. Between the community centre building and the car park would be 2.4 metres high weld mesh fencing, which would also run alongside Ormesby Road and return across the site beyond the new eleven-a-side football pitch.

On the plot of the former Southlands Centre building would be a new playing field, which was proposed as a replacement playing field/pitches, and works would be carried out to improve the ground conditions to enable appropriate pitch standards.

In relation to highways issues Members were advised that the application had been supported by a Transport Statement and Travel Plan. The level of traffic generation was not significant and no further assessment of the operation of the network was required.

The level of car parking was considered to be acceptable. Turning and parking for coaches has been demonstrated as being acceptable. The application included ped/cycle links to the surrounding communities.

The Ward Councillor spoke in support of the application and raised the following.

- The local area needs a community centre
- All councillors had been involved in the consultation and had been fully supportive of the plans

- It is in an area of high deprivation
- Important facility for the residents of TS3 and surrounding areas

ORDERED: recommendation of minded to approve, subject to its consideration by the Secretary of State.

24/17 **APPLICATIONS APPROVED BY THE HEAD OF PLANNING**

The Head of Planning submitted details of planning applications which had been approved to date in accordance with the delegated authority granted to him at Minute 187 (29 September 1992).

NOTED

24/18 **PLANNING PERFORMANCE Q1 (APR-JUN) 2024/25**

The Head of Planning updated members on the performance of the Planning Service during the first quarter of 2024/25. The update outlined a number of key performance measures for the Planning Service, in particular focusing on those measures against which a Local Planning Authority's performance is measured against government targets.

Members were advised that the Service performed above national performance targets. Overall the number of planning applications submitted fell significantly following the creation of the Middlesbrough Development Corporation. During the last quarter this fell further with a decrease in 10% (from 87 to 76 applications) submitted over the previous quarter. This was also reflected in the continued decline in the number of applications determined during the period, but was to be expected given the decline in applications submitted.

There had been a significant increase in the performance of the service with regards to enforcement activity. The number of enforcement cases had remained at consistent levels over the last three quarters, with a marked increase in the closure of cases during the last quarter, and an increase in the number of enforcement notices being served. This had resulted in a 10% decrease in the number of outstanding cases. The level of outstanding cases remained at an unsustainable high level. Members were advised that the principal cause of enforcement complaints remained as unauthorised works for example works being undertaken without securing the necessary planning permissions.

24/19 **PLANNING REFORMS**

In agreement with the Chair this item was deferred to a future meeting of the Planning and Development Committee.

24/20 **ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**