

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on Thursday 6 June 2024.

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

ALSO IN ATTENDANCE: Councillor Tom Livingstone, S Whatmore, S Longstaff and Mrs Chisholm

OFFICERS: P Clarke, C Cunningham, A Glossop, J McNally, S Pearman and S Thompson

APOLOGIES FOR ABSENCE: I Morrish, J Ryles and D Branson

23/44 **DECLARATIONS OF INTEREST**

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

23/45 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 11 APRIL 2024**

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

23/46 **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.

21/0304/RES, Erection of 55 bed hotel and spa with ancillary works adjacent to Acklam Hall

Members were advised that the application sought reserved matters consent for the erection of a 55 bed hotel (including a spa located at a basement level) to the east of Acklam Hall in the location of the eastern courtyard which had previously occupied the site.

The principle of a development in this location had been agreed as part of the 2012 hybrid application which gave outline consent for an extension to the Hall in the location of this proposed development.

The hybrid application was for 56no. dwellings, doctors surgery and parking, outline nursing home, works to Hall including extension and restoration and landscaping. Members were advised that the housing and doctors surgery (Tees Valley Hospital) had been completed.

The development included three storeys (two floors above ground and a basement). The proposed development included a car park to the south of the hotel and the retention of the existing car park to the south of Acklam Hall.

The application site was located on the Acklam Hall estate to the north of Hall Drive within the Acklam Hall Conservation Area. Acklam Hall was Middlesbrough's only grade I listed building. Within the wider site there were residential dwellings located to the east and west of Acklam Hall, separated from the Hall by a formal landscaped garden to the west and an area of grassed open space to the east. To the immediate northwest of the Hall sits St Mary's Church and to the northeast is the Tees Valley Hospital which sits directly north of the residential dwellings which are to the east of the Hall. To the south was an area of open space separating the site from Hall Drive, the Avenue of Trees and residential estates. To the north is an area of open space.

Members heard that during the application process, in response to consultee and officer

comments, a revised scheme was submitted. Whilst improvements were made in relation to the scale of the development (increasing the separation distance to the existing residential properties) and the design of the building. The changes did not go far enough to remove the concerns raised by Historic England, the Conservation Officer, or the planning authority.

The development was considered to result in harm to the significance of the heritage asset, namely Acklam Hall, a grade I listed building and its setting, and the Acklam Conservation area. The proposed development lacked subservience and would dominate views of the hall by virtue of its design and appearance. The scale and massing, whilst in broad accordance with the outline consent, appear incongruous as a result of the bulky design. The excessive levels of parking detract from the setting of the Hall and harm the visual appearance of the area. On balance, the economic and public benefits of the development were not considered to outweigh the harm caused to the heritage assets.

Following a consultation exercise resident's objections were received from 36 properties and one letter of support was received. A further 7 letters of objection had been received and were circulated to Members of the committee in addition to those objections it was advised that importantly objections had been received from Historic England.

Some of the comments are summarised below.

- Contrary to Local Plan
- Acklam Hall is becoming beleaguered by human activity that will spoil its historic setting;
- The relationship with the immediate surroundings;
- Size/scale too large;
- Should be single storey not two storey;
- How is it going to function;
- Design is not appropriate, does not sit comfortably with Acklam Hall;
- Out of keeping with the character of the area;
- Not sympathetic to the listed building or conservation area;
- Too much development on the site;
- Use not appropriate/not needed;
- Budget hotel not appropriate in this location;
- Says hotel but no reception, lounge, restaurant and bar;
- Should be left as recreational area for the community;
- Does not sit well with the church;
- Increase in antisocial behaviour from hotel and footpath to rear of houses;
- Loss of privacy to residents and patients in the hospital;
- Should face into courtyard to reduce impact on neighbours;
- Separation distances are to first floor of houses, they do not take into account single storey offshoots, extensions and garages;
- Residents have to abide by strict restrictions to extend, so should the Hall;
- Loss of views of listed building;
- Site is a route through the site for pedestrians including school children;
- Loss of trees;
- Loss of open space;
- Wear and tear on grounds;

Some of the comments received in support of the application are summarised as follows:

- When purchasing our house next to the Hall we were told there was plans for a hotel and spa and a small local private hospital;
- The design is innovative and of a high quality and compliments the Hall excellently and is in line with the design of the newly built hospital.
- It will enhance the appearance as you drive up and is far better than the school buildings that were there.
- Position, design and boundary walls/hedging should not cause excessive Noise, pollution or damage to the existing grounds or wildlife due to it presently being just barren land.
- Space between the hotel and residents high rear walls will hopefully give the residents the privacy they require.
- Car park will be screened and a small hotel development vehicle movement would not be excessive.

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- There are problems with traffic on Hall Drive with local football clubs but this is only once a week. Hotel traffic will not increase this as it is at different times (unlike housing at St David's Way)

Objections had been received from Historic England and the Conservation Officer in this regard. The revised details also failed to respond to the issues raised by the Local Highway Authority in relation to excessive parking provision, and failed to provide any mitigation in relation to nutrient neutrality. This resulted in objections from the Local Highway Authority and Natural England respectively.

Members were advised that the proposed development was considered to be in conflict with local plan policies CS4, CS5 and DC1, and paragraphs 114, 116, 135, 203, 205, 206, 208 and 212 of the NPPF. As a result the application was recommended for refusal.

The Head of Planning stated that there were four issues for members to consider as part of the application.

- Principle of development
- Design – impact on the listed building
- Transport issues and location of the car park
- Nutrient Neutrality

The Head of Planning advised that the principle of development had been established.

It was advised that in relation to the issue of transport and parking, approval had been granted for a car park in front of the extension and the removal of the car park in front of the hall as part of the original permission however it was advised that this had changed in this application and it was introducing an additional car park which was over and above what was in the original application that had been approved.

Members were advised of two transport issues associated with the application the transport assessment had been carried out based on the original application and a new assessment had not been completed and also what was the need for an additional carpark the demand and need had not been identified in the application.

Design issues included that the car parking remains to the front of the Hall whilst a new car park is proposed to the front of the hotel extension. Restricting the car parking to the new area would help in creating a sense of dignity to the front of the house, that historically would have been the case, as well as improving the historic view, to and from the treelined avenue to the south. As proposed the distracting clutter of carparking is worsened. The original proposal was greener and had more landscaping than what is currently being proposed.

Members were advised that while it was considered that, the revised scheme was an improvement over the original proposal it failed to meet the high quality requirements for a building in the location proposed located immediately adjacent to the Hall, and part of the landscape setting and views of high significance from the south of the Hall. The use of design features including the bay windowed rooms, historic gables and semi-blind row of tall 'carriage' arches resulted in an uncoordinated, mismatched development with references that do not work well together. The proposed hotel would be conspicuous in its appearance in relation to the Hall rather than harmonious with it.

Members were asked to consider what the public benefit associated with the proposal and does it outweigh the concerns. As part of the outline permission development was granted in this general location to support the long term viability of the Hall as part of this the developer had submitted information to support this but it is the officers view that the information provided does not outweigh the public benefit for the harm that would be caused by this proposal. It had not been demonstrated why a hotel of this size and scale is required.

It was advised that nutrient neutrality impact would need to be addressed by the applicant who would need to provide their own source of mitigation which had not been provided to date.

Members were advised that it was recommended to refuse the application for the detailed reasons set out in the report.

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

- Disappointed that the recommendation was to refuse the hotel and spa would be of a high quality
- Full approval had been granted previously
- Restoration of the Hall had been completed and included a restaurant and offices
- The extension of the Hall was essential for its long term viability
- The Hall was currently not attracting enough people to events including weddings the benefit of opening the hotel and spa would support this
- It would bring economic benefits to Middlesbrough
- Contribute to the local/regional economy
- The nutrient neutrality scheme had come to light after the outline submission and the developers were looking at private schemes
- Could the application be deferred to enable work with council officers

A resident spoke in objection to the application the following issues were raised:

- Have been living with the application for 3 years
- Residents appreciate that the Hall needs to be financially viable
- Proposal is big, ugly and inappropriate
- It looks like a motel with a carpark
- Land by the tree is higher than the present carpark
- The design is not fitting to a Grade I listed building
- Too many bedrooms in the hotel.

The local Ward Councillor also spoke in objection to the application and raised the following concerns:

- Traffic issues already on Hall Drive, busy road with school traffic and a bus route
- The design is conspicuous, eyes are drawn to the extension and not the Hall

In response to the request that the application be deferred the Ward Councillor stated that residents had been living with uncertainty for 3 years and refusing this request would be the correct decision.

Members debated the application and were in agreement that the design of the application was not complimentary and was out of character members felt that the extension distracted from the Hall.

ORDERED: that the application be refused for reasons detailed in the committee report.
24/0040/FUL, 2, Helmsley Close, Middlesbrough, TS5 7LP, two storey extension to side, part rear two storey extension and part single storey extension to rear (Demolition of existing garage)

Members heard that the application sought planning approval for a two storey extension to the side of a semi detached dwelling along with a part single and part two storey extension to the rear. Works included the demolition of the existing garage.

Members were advised that following objections from neighbours revised plans were submitted to break up the mass of the extension along the side and reposition the two storey element at the rear to move it away from the immediate shared boundary.

Three objections had been raised from residents with regards to the extensions scale, design and impacts on privacy and amenity.

The Development Control Manager advised that the revised extensions were of an appropriate size and scale relative to the existing house and plot size and would be sufficiently in keeping with the host property and without any significant impact on the amenities associated with neighbouring properties.

Members heard that the two-storey rear extension was slightly unusual being central to the rear elevation but on balance the development was considered to be in accordance with Local

Plan Policies DC1 and CS5 and the requirements of the Urban Design SPD.

A resident spoke in objection to the application and raised the following concerns:

- Two storey extension significantly protrudes the boundary line
- Not in keeping with surrounding properties
- Detrimental effect on rear garden
- Impact on property outlook which in turn would effect my mental and physical health
- Increased level of noise
- Impact on car parking

The Ward Councillor also spoke in objection to the application and raised the following concerns:

- Issue with the 2 storey rear extension as not in keeping with the area
- No objection to the single storey extension as this is within keeping of the character in the local area
- Property would overlook bungalows on Sledmere
- Looks like over-development
- The area consists of small bungalows and semi-detached houses
- It would be larger than neighbouring properties
- Smaller extensions had previously been refused in the Acklam area

Members debated the application and felt that the scale of the extension was overbearing and it would have a detrimental impact on the Streetscene. All members were in agreement that the size of the extension was disproportionate. Members however considered a reduction in scale could be reasonably achieved.

ORDERED: that the application be deferred to allow the applicant to consider reducing the scale of the proposal.

23/47

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

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PLANNING APPEALS

None

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

None