



Appeal Decision

Site visit made on 2 July 2025

by **P Storey BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5 August 2025

Appeal Ref: APP/W0734/W/25/3360074

Land off Stokesley Road, Nunthorpe, Middlesbrough

Grid Ref Easting: 453763; Grid Ref Northing: 514247

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Thornfield Gospel Hall Trust against the decision of Middlesbrough Council.
 - The application Ref is 24/0190/MAJ.
 - The development proposed is gospel hall with ancillary car parking and landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would have an acceptable effect on the character and appearance of the area; and
 - whether the proposed development would lead to harmful effects on highway safety or the function of the public highway.

Reasons

Character and appearance

3. The appeal site is a vacant parcel of land adjacent to Poole Roundabout and bound by Stokesley Road and the A1043. It lies at the southern edge of 'Nunthorpe Grange', which is allocated to provide a residential-led extension to the existing community of Nunthorpe. The site sits between the planned development area and open countryside to the south. The site is partially screened by hedgerows and trees to the south and west, although this screening is seasonal and may be limited in effectiveness during winter months. The site is fully exposed to views from the adjacent medical centre and development land to the north.
4. The proposed Gospel Hall would serve the Plymouth Brethren, a Christian group with an established local congregation currently based at premises on Gypsy Lane in Nunthorpe. The development is intended to accommodate the needs of the growing congregation, as their existing facility is reportedly no longer sufficient in size or suitability to meet their requirements.
5. Policy H29 of the Middlesbrough Housing Local Plan, Housing Core Strategy and Housing Development Plan Document, adopted November 2014 (the HLP) relates to land at Nunthorpe, south of Guisborough Road, which includes the appeal site.

The policy seeks to deliver residential-led development of up to 250 dwellings, with the design process expected to take account of the topography, features and views of the site.

6. Alongside Policy CS5 of the Middlesbrough Local Development Framework Core Strategy, adopted February 2008 (the CS), these policies collectively promote a design-led approach to development. Policy CS5 specifically requires all development proposals to demonstrate a high standard of design in terms of layout, form, and contribution to the character and appearance of the area.
7. Whilst the Nunthorpe Grange Design Code, adopted 2019 (the DC), and the guidance in the Nunthorpe Design Statement Supplementary Planning Document, adopted September 2011 (the NDS) are not a formal part of the development plan, they are a material consideration in the determination of planning applications and are key to delivering the objectives of the development plan. The DC and NDS provide detailed guidance on layout, connectivity, landscape integration, architectural detailing, and public realm design, thereby ensuring that development proposals align with the strategic vision and policy requirements for the area.
8. The proposed Gospel Hall would have a substantial footprint, a prominent dual-ridged roof, and a large car park. Collectively, the development would introduce a visually dominant and utilitarian structure into a location identified in the DC as a key gateway. The building's scale, massing, and lack of architectural articulation would result in a stark and incongruous form, particularly when viewed in the context of the surrounding and emerging residential character.
9. The DC and NDS both emphasise the importance of contextual design that reflects the local vernacular and landscape setting, to minimise the visual impact of roads and parking, to create a welcoming, green, and pedestrian-friendly environment, and for development to include high-quality materials and architectural detailing. Whilst the principle of a community use is not precluded by the DC, the NDS or the development plan, the proposal fails to meet the high design expectations set out by these provisions.
10. The appellant argues that the simple design reflects the religious ethos of the Plymouth Brethren and that landscaping will mitigate visual impacts. Whilst the DC does not preclude simplicity or contemporary design, it requires that all development, regardless of use, be of high quality and integrated into the wider vision for Nunthorpe Grange. The proposed building's blank elevations, minimal glazing, and industrial appearance do not reflect the high-quality, contemporary, and contextually sensitive development envisaged for this location.
11. Nearby existing development includes residential development, the health centre, and a pub/restaurant on the opposite side of the Poole Roundabout, which collectively incorporate varied materials, glazing and articulated form. In contrast, the proposed Gospel Hall would appear as an isolated and institutional structure.
12. Although the facility would not be in daily use, the appellant has indicated that it would be used regularly for a range of meetings and gatherings. I accept that the building would serve an active and growing congregation, and that its use would be meaningful to those attending. However, in the context of the wider Nunthorpe Grange development, which is intended to foster a vibrant, residential-led community with active frontage and public realm, the limited frequency of use does not justify the scale, layout, and utilitarian design of the building and its extensive

car park. The intermittent nature of activity on the site would result in long periods where the building and car park appear inactive, which would detract from the character and appearance of the area and undermine the design-led principles set out in the development plan and supporting guidance. Whilst landscaping is proposed to screen the development, this would take time to establish and may be seasonal, and I am not persuaded it would be sufficient to mitigate the development's adverse visual effects.

13. For the reasons given above, I conclude that the proposed development would harm the existing and planned character and appearance of the area. It would fail to accord with CS Policies DC1, CS4 and CS5, HLP Policy H29, as well as the provisions of the DC and NDS. Collectively, these policies and guidance seek to ensure development delivers high quality design that respects the character of the surrounding area and is of an appropriate scale and density for its location. It would also conflict with the relevant provisions of the National Planning Policy Framework (the Framework), which have similar aims.

Highway safety and functionality

14. A submitted Transport Statement and Travel Plan (TSTP) has assessed the proposed development's potential impact on highway safety and the surrounding road network. The Council's officer report and appeal statement raise concerns about the intensity of vehicle movements associated with large gatherings, particularly interchange meetings, and the adequacy of parking provision. However, the TSTP states that the proposed Gospel Hall would operate predominantly outside of weekday peak hours, with all scheduled meetings and occasional events taking place during off-peak periods. This significantly reduces the potential for conflict with general traffic flows.
15. The development includes a total of 284 on-site parking spaces, which exceeds the TSTP's maximum anticipated demand of 235 vehicles during interchange meetings and allows for future growth. The car park layout has been designed to accommodate efficient circulation, with wider bays and dedicated zones for late arrivals. A proposed access and parking management strategy includes the use of parking attendants to manage arrivals and departures, and to ensure vehicles promptly leave the public highway, minimising the risk of congestion or obstruction.
16. The TSTP includes a review of personal injury collision data, which revealed no patterns of concern or inherent safety issues in the local highway network. Visibility splays at the site access exceed minimum standards, and swept path analysis confirms that emergency and service vehicles could safely access and manoeuvre within the site.
17. The Local Highway Authority (LHA), in its consultation response, acknowledged that its recommendation was finely balanced, but ultimately concluded that the development could be considered acceptable, subject to a number of elements being secured by condition to ensure ongoing control and management. These include the implementation of a Construction Traffic Management Plan, a Travel Plan, and measures to manage parking and access during peak periods. In the context of Paragraph 116 of the Framework, which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the

road network, following mitigation, would be severe, the LHA's views carry significant weight.

18. The TSTP outlines a strategy to maintain high car occupancy rates (currently averaging 3.4 persons per vehicle), promote walking for local members, and implement a special events management plan to ensure smooth operation during peak times. These measures align with the aims of CS Policies DC1, CS4, and CS18, which collectively seek to ensure safe, accessible, and sustainable development that does not adversely affect the operation of the highway network.
19. For the reasons given above, I conclude that the proposed development would not lead to harmful effects on highway safety or the function of the public highway. In respect of this issue, the proposal would therefore accord with Policies DC1, CS4, and CS18 of the CS, and the relevant provisions of the Framework.

Other Matters

20. A substantial number of representations were received in support of the proposed development, many from members of the Plymouth Brethren Christian Church. These comments highlight the Church's longstanding presence in Middlesbrough and its positive contribution to the local community, including charitable and outreach work. Supporters emphasised the inadequacy of the existing Gospel Hall on Gypsy Lane, citing insufficient seating and parking, and concerns for the safety and accessibility of elderly and disabled attendees. The proposed hall is viewed as a necessary and proportionate response to the congregation's growth, offering improved facilities and a safer, more inclusive environment. The relocation of the hall to the edge of Nunthorpe, closer to the strategic road network, is also seen as beneficial in reducing traffic through residential streets and alleviating congestion, particularly when hosting larger interchange meetings involving members from other congregations such as Leeds and Harrogate.
21. The appellant has drawn attention to the Framework's support for places of worship, particularly in terms of encouraging the retention and development of accessible community facilities. The appellant also contends that the proposed development has been designed to consider public safety in locations where large numbers of people congregate, and I broadly accept this position based on my findings on the main issue of highway safety and functionality.
22. The appellant also refers to the history of engagement with the Council, including meetings and correspondence over a ten-year period. It is stated that the site was provisionally sold by the Council to the Plymouth Brethren for the express purpose of constructing a new Gospel Hall. However, the minutes of meetings provided by the appellant appear to relate to a different site at Nunthorpe Grange Farm, Church Lane, which is located on the opposite side of the A1043 from the appeal site. Although these minutes indicate that senior officers were involved in discussions regarding the appellant's plans, they do not provide conclusive evidence of formal agreement specific to the appeal site.
23. Attention has been drawn to the Council's own proposals for a community building, which have been approved under a separate planning application. Although there may be some similarities between the two developments, each must be assessed on its individual merits, taking into account the specific planning considerations relevant to that proposal. In this case, my conclusions on the main issues reflect the specific considerations of the appeal scheme, particularly in relation to the

character and appearance of the area. Accordingly, the existence or approval of the community building does not alter my findings, nor does it justify a departure from the conclusions I have reached.

24. In relation to the Public Sector Equality Duty (PSED), the appellant argues that the Council failed to give due regard to the religious needs of the Plymouth Brethren, as required under Section 149 of the Equality Act 2010. It is noted that the officer's report made no reference to the Equality Act or the PSED, and the appellant contends that this omission reflects a failure to properly consider the impact of the decision on persons with protected characteristics.
25. In considering the PSED, I have had due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between persons who share a protected characteristic and those who do not. I acknowledge the appellant's concern that the officer report did not explicitly reference the Equality Act 2010 or the PSED, and I have taken this into account in my assessment. The Courts have established that the duty must be discharged with substance, rigour, and an open mind, and not merely as a procedural formality.
26. In this case, I have carefully considered the religious needs of the Plymouth Brethren, the limitations of their existing facility, and the benefits that the proposed development would offer in terms of increased capacity, accessibility, safety, and community cohesion. I attach significant weight to these benefits in the planning balance. However, I also find that the harm caused to the character and appearance of the area, particularly due to the scale, design, and limited integration of the proposal within its emerging residential context, would outweigh these benefits. I am satisfied that this conclusion is proportionate and that the duty under Section 149 has been properly discharged.
27. Taken together, I have given substantial weight to the harm identified in respect of the character and appearance of the area, which conflicts with the development plan, the Framework and supporting guidance. I have given significant weight to the benefits of the proposal in providing improved facilities for a recognised religious and community group, particularly in light of the limitations of their existing premises and the engagement of the PSED. I have also given moderate weight to the wider community support for the proposal and the potential reduction in traffic through residential areas. The absence of harm in respect of highway safety and functionality is a neutral factor in the planning balance. Nevertheless, collectively, these considerations do not outweigh the conflict with the development plan.

Conclusion

28. Although I have identified no harm in respect of highway safety or functionality, the proposal would conflict with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with the plan. For the reasons given above, I therefore conclude that the appeal should be dismissed.

P Storey

INSPECTOR