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**APPLICATION DETAILS**

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<b>Application No:</b>	<b>21/0058/FUL</b>
<b>Location:</b>	<b>Site of Old Southlands Centre, Ormesby Road, Middlesbrough</b>
<b>Proposal:</b>	<b>Erection of single storey community facility, comprising of a multi-use hall and 2 multi-purpose rooms with associated car park and external works</b>
<b>Applicant:</b>	<b>Environment and Commercial Services</b>
<b>Agent:</b>	<b>Design Services, Middlesbrough Council</b>
<b>Ward:</b>	<b>Park End/Beckfield</b>
<b>Recommendation:</b>	<b>Committee Delegate to Officers to determine after 16<sup>th</sup> April 2021 after considering all consultee responses.</b>

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**SUMMARY**

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The application seeks planning permission for the erection of a single storey community facility with associated works on the site of the former Southlands Centre.

The key considerations with the application relate to the design and arrangement of the proposals, the highways related issues such as vehicular movements and access to the site through an established residential area, and the implications including potential noise nuisance on surrounding properties.

Issues relating to the likely noise levels from activities at the proposed community facility have been raised as well as the implications of traffic movements on nearby properties have been raised, although the formal responses from technical consultees have not been received at the time of writing and can only be assessed at a later time. The report concludes that all the proposed building is of a sufficiently high quality and situated at a distance away from residential properties not to unduly harm their amenities.

Notwithstanding this, as the overall consultation phase does not expire until 16<sup>th</sup> April 2021, which is after the Planning Committee meeting, the recommendation is to delegate the decision to officers so that any material considerations can be assessed and a decision made and issued after the consultation period expires. The reasoning behind the timescales associated with this recommendation takes into account there being no committee within May and the gap between committees is therefore in excess of 8 weeks which makes for a difficult arrangement in relation to scheduling of works, should the scheme be approved.

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## SITE AND SURROUNDINGS AND PROPOSED WORKS

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The application site forms part of the grounds of the former Southlands Centre, being situated at the southern end of the site. To the south, the site is bounded by residential properties on Endeston Road and Hartland Grove. The north, west and east boundaries of the site are bounded by other parts of the former Southlands Centre.

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

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## PLANNING HISTORY

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18/0568/PNO

Demolition of Southlands Leisure Centre

Prior Notification Approved

13<sup>th</sup> September 2018

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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).

### 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:

CS1 – Spatial Strategy  
CS4 – Sustainable Development  
CS5 – Design  
CS14 – Leisure Development  
DC1 – General 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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Consultation with surrounding neighbours has been undertaken - and is still underway - and does not expire until the 6th April 2021. At the time of writing this report, no objections or other representations had been received. Any comments that may be received as part of the consultation of neighbouring properties shall be reported directly to Committee at the meeting on the 9th April.

Additionally to the letter-drop exercise, a site notice has also been displayed near to the site and the consultation phase associated with the site notice does not expire until 16th April 2021, a week after the Planning Committee meeting.

Consultation with various internal technical consultees and external/statutory authorities has been undertaken. Inclusive in this consultation are the Council's Highways, Planning Policy,

Environmental Health, Local Flooding Authority, Waste Policy services, as well as external consultees Sport England and Secured by Design. At the time of writing, no responses have been received although the expiry date for comments does not lapse until 6th April 2021. Any responses to the consultation exercise received during the consultation phase will be reported by way of an update report to committee.

## Public Responses

Number of original neighbour consultations	80
Total numbers of comments received	0
Total number of objections	0
Total number of support	0
Total number of representations	0

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## PLANNING CONSIDERATION AND ASSESSMENT

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1. The application before Members is a full application for planning permission for a new community facility on the site of the former Southlands Centre. The following considerations are based on the proposed scheme and the consultation responses received to date. As with consideration of all applications, whether or not comments of support, objection or general comment are received from others, it remains to be a requirement for the Local Planning Authority to consider a proposal against all material planning considerations. The considerations below represent a complete consideration of the proposal against relevant planning policy and an assessment of the impacts of the scheme on the surroundings, including neighbouring properties and their associated amenity and privacy although an update report will be provided to committee on any additional responses received prior to the committee date.
2. Whilst all matters known are considered in the report below, the overall expiry date for the consultation phase of the application does not expire until the 16th April 2021. As such, the application cannot be determined until that date and any comments received up until this date need to be considered in reaching a decision on this application. In view of this, the following considers all known matters and makes a recommendation although requests that the final decision be delegated to officers so that any additional comments received post committee can be considered and taken into account as appropriate.

### Relevant National and Local Policies

3. National guidance relating to development for community facilities is contained within the National Planning Policy Framework (NPPF). Paragraph 20 of the NPPF states that the Councils strategic policies should 'make sufficient provision for leisure and community facilities' and that decisions should help provide community needs.
4. Section 8 of the NPPF makes clear the role of local authorities and outlines how they need to be '**promoting healthy and safe communities**'. The section advises that policies and decisions **should aim to achieve healthy, inclusive and safe places, as well as providing the social, recreational and cultural facilities and services the community needs**. Paragraph 91 states that authorities should **promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments and strong neighbourhood centres** amongst other things. The same paragraph also advises planning policies and decisions to aim for healthy, inclusive and safe places that are **safe and accessible, so that crime and disorder, and the fear of**

***crime, do not undermine the quality of life or community cohesion*** as well as to ***enable and support healthy lifestyles***. Paragraph 92 states that decisions should ***plan positively for the provision and use of community facilities and other local services to enhance the sustainability of communities and residential environments and guard against the unnecessary loss of valued facilities and services***.

5. The relevant policies in the Local Development Plan regarding this application are DC1 (General Development), CS4 (Sustainable Development), CS5 (Design) and CS14 (Leisure Development) of the Core Strategy (adopted 2008). In general terms, these policies seek to achieve high quality development that is situated in the right place and minimises the impact on neighbouring occupiers.
6. Policy DC1 seeks to ensure that the effect upon the surrounding environment and the amenities of occupiers of nearby properties will be minimal as a result of development. In terms of the design criteria of Policy CS5, proposals are required to contribute towards securing a high standard of design that is well integrated with the immediate and wider context. The policy also seeks to ensure a quality of new development that enhances the built and natural environment.
7. Policy CS4 requires all development to contribute to achieving sustainable development principles by creating inclusive communities; ensuring everyone has access to the health, education, jobs, shops, leisure and other community and cultural facilities that they need in their daily lives, promotes a healthier and safer community for all, ensuring development is located accessibly by foot, bicycle or by public transport; and makes the most efficient use of land with priority being given to development on previously developed land, in particular vacant and derelict sites and buildings.
8. Policy CS14 requires the Council to provide a wide and accessible choice of leisure facilities for the community and those that reinforce Middlesbrough's role at the heart of the Tees Valley city region.

#### Principle of Proposed Development

9. On the Council's adopted Proposals Map, the site is not allocated for any specific purpose. Notwithstanding this allocation, until recently the site was occupied by the Southlands Centre, which provided a three-storey office accommodation, business centre and leisure centre facilities.
10. In principle, the proposed development is considered to be in accordance with national guidance by providing social, recreational and cultural facilities and services that the local community can use and needs. It is recognised that the proposals, in some form, replace the facilities formerly accommodated at the site.
11. By providing a community leisure facility on previously-developed land (a vacant and derelict site) that is located accessibly by sustainable transport methods, the proposals are considered to meet the relevant sustainable development criteria of Policy CS4.

#### Design, Scale and Impacts on Surrounding Areas

12. Policies CS4 and CS5 collectively require development to demonstrate a high quality of design that enhances both the built and natural environments. As the proposed building has a contemporary design, it is considered to be in accordance with the principle of these policies. The chosen design and materials are considered to complement the surrounding residential environment. The external elevations will be finished with facing bricks at a low level with coloured render above, the pitched roof will be finished with composite metal. A condition is recommended that appropriate materials and colours are used in the finished appearance.

13. It is noted that the building design features measures to minimise potential crime and other unauthorised access to the facility, and the location of the building is relatively well positioned, with natural surveillance from the surrounding residential area, all of which are in line with the guidance of the NPPF.
14. Policy DC1 seeks to ensure that the effect upon the surrounding environment and the amenities of occupiers of nearby properties will be minimal as a result of development. The nearest properties to the south of the site, which are located on Hartland Grove, would be separated from the principal elevation of the facility by a distance of approximately 35 metres. For a development of this type and scale, it is considered that such a separation distance would be suitable and minimise the impacts of the scheme as a result of its presence and scale. A car park is proposed to be located between the front elevation of the building and the nearest houses and whilst this will bring some noise and disturbance, it is not anticipated that this would bring significant undue levels of noise and disturbance into the area and would therefore not be unduly detrimental to residential amenity. To minimise the visual impact of the appearance of a car park on the nearby residential properties, a condition for soft landscaping is recommended.
15. Officers from the Council's Environmental Health service have enquired with the applicant into the likely activities at the site, as some of the expected events may have implications on the nearest residents, potentially experiencing noise nuisance. A noise management plan or a noise assessment for the activities taking place has been requested, but at the time of writing, no further details have been provided. An update shall be provided prior to the meeting of the Committee detailing the comments of the Environmental Health service and any recommended conditions deemed necessary. The requirement in relation to this will be that adequate mitigation is provided within the building fabric to prevent undue noise exiting the building and adversely affecting residential amenity.

#### Highways Related Matters

16. The proposed development is deemed to be a highly sustainable location being in recognised national walking distances of the nearest bus stops allowing easy access via public transport. Being situated within a highly residential area, it is considered that many trips to the site will be able to be made on foot although the provision of a 32 vehicle car park will provide for car-borne visitors.
17. The proposed vehicular access to the development would be via the southern entrance (through the residential housing estates), which had previously been closed off when the Southlands Centre was in operation, as all vehicular access/egress to the site was previously via the roundabout further north along Ormesby Road. Re-opening this vehicular access point from the south will inevitably increase vehicular movements through the established residential area and will affect residential amenity. The increase of traffic is likely to be so significant as to notably change the character of the area or noise levels already associated with traffic in the area and thereby would not have a notable undue impact on the living conditions of occupiers.

#### Conclusion

18. It is concluded that the proposed development would constitute a high quality, sustainable development, which will go towards enhancing the site of the former Southlands Centre, and provides community facilities and resources to meet anticipated demand. Moreover, the design and layout of the scheme are acceptable and generally in accordance with the relevant local and national policies given there will be only limited adverse impacts on the surrounding residential area.
19. There are no additional material planning considerations that officers are aware of at this stage, however, the overall consultation period for the application does not expire

until the 16<sup>th</sup> April 2021. As such, additional matters may need to be taken into account which need to be reflected in the scheme, its design or its layout.

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## RECOMMENDATIONS AND CONDITIONS

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**The application is recommended for approval with conditions, subject to final consideration of all matters raised as part of the consultation process, either as submitted or as modified to address any issues raised, and for the final decision to be delegated to the Head of Planning following the expiry of the consultation process.**

1. Time Limit

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

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

2. Approved Plans

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

- a) Red Line Site Boundary (A00)
- b) Site Location Plan (A01)
- c) Proposed Layout Plan (A02)
- d) Proposed Elevations (A03)
- e) Proposed External Works Plan (A12)
- f) Proposed Setting Out Plan (A06)
- g) External Works GA (SLCS-BGP-01-XX-DR-C-90.4-01110)

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

3. Samples of Materials

The development hereby approved shall only be carried out using finishing materials of which samples have been submitted to and approved by the Local Planning Authority.

Reason: To ensure the use of satisfactory materials.

4. Soft Landscaping

Prior to the occupation of any community facility hereby approved, a detailed scheme for tree planting and associated soft landscaping works (based on the indicative landscaping proposals on the approved External Works GA and Proposed Site Plan) shall be submitted to and approved in writing by the Local Planning Authority. The detailed scheme shall include details of the proposed trees to be planted, including their species, size and location. The tree planting and associated landscaping works shall take place during the first available planting season (October-March) following the completion of building works on the site. The Local Planning Authority shall be notified within two weeks of the landscape planting works.

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

5. Landscape Management Plan

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

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

6. Replacement Planting

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

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

## **REASON FOR APPROVAL**

The proposed single storey community facility with associated car park and other works is considered to be appropriate as it is in full accordance with national and local planning policies, statements and guidance.

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

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

Case Officer: Peter Wilson

Committee Date: 9<sup>th</sup> April 2021



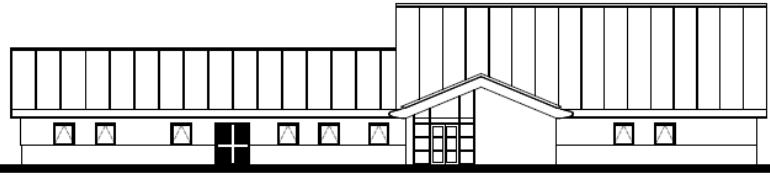
Appendix 1. Site Location



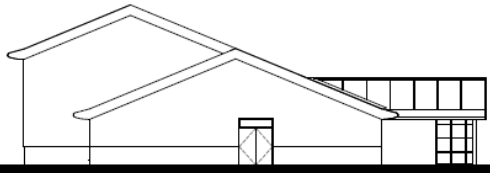
Appendix 2: Site Layout Plan



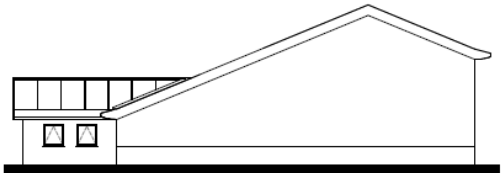
# Appendix 3: Building Elevations



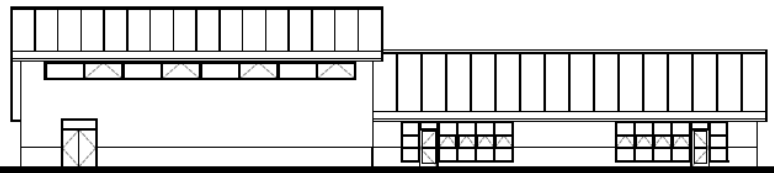
1 Proposed Elevation - 01  
1:100



2 Proposed Elevation - 02  
1:100



4 Proposed Elevation - 04  
1:100



3 Proposed Elevation - 03  
1:100

Revision	
Design Services J.A.S. & A.S. 210 Centre Wellington 01 477	Client The Southlands Centre Wellington Proposed Elevations