
APPLICATION DETAILS

Application No:	21/0419/FUL
Location:	Land At Warelands Way Middlesbrough TS4 2JY
Proposal:	Erection of building to provide 3 storage units (Use Class B8 storage and distribution)
Applicant: Company Name:	Mr Majid Roaa Ltd
Agent: Company Name:	Mr Wardman WardmanBrown
Ward:	Longlands/Beechwood
Recommendation:	Approve with conditions

SUMMARY

The application seeks planning consent for the erection of 3 storage units (use class B8 storage and distribution) on land at Warelands Way within the Warelands Way Industrial Estate. The proposal includes the alteration to the existing private internal roundabout within the estate, the installation of four additional car parking spaces to the side of the building with the overall loss of four car parking spaces.

Following consultation there have been 3 letters of objection received from residents.

The objection comments are based on the highway access to the existing units, loss of existing car parking for existing units and resulting impact on businesses, intensification on existing parking resulting in congestion, construction work access issues and the lack of need for any more industrial units.

The proposal will provide three additional B8 storage and distribution units within an existing industrial estate. The design of the industrial units is considered to be consistent with the existing unit design with high quality materials. The nature of the proposal being B8 Storage and Distribution will result in no notable detrimental impact on the amenities of the neighbouring units.

The existing internal roundabout with the estate will be amended to square the northern section of the roundabout to enable access into the unit. This section of the highway and the roundabout are within private ownership and are not adopted.

The proposal will result in the overall loss of four car parking spaces as the proposal will include four additional spaces to the east of the proposed unit.

The site layout and associated highway and parking alterations have been designed to provide adequate highway access and parking provision for the proposed and the existing units within the Industrial Estate and raise no highway safety concerns.

The application is supported by a Design and Access Statement and a certificate B notice has been served.

The recommendation is for approval of the application subject to conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The site is located on land at Warelands Way within the Warelands Way Industrial Estate. The Industrial Estate is located to the south of the roundabout for Longlands Road and the A174 with the highway access into the industrial estate being from Hutton Road. The site itself is located immediately to the north of the internal roundabout within the estate on an area of hard standing which is currently allocated for car parking for the existing units. The site area itself is 460 square metres.

The proposal is for the erection of a single storey industrial unit which will provide three individual units, with a total internal floor space of 174 Square metres. The overall width of the building will be 27.4 metres with a depth of 6.8 metres. The eaves height on the front elevation will be 4 metres with the maximum height of the building being 5 metres at the rear.

The building will be a steel framed design with brickwork on the lower sections of the elevations and Kingspan dark green cladding on the upper sections. The unit will have a lean to roof design with each unit having an aluminium roller shutter door and single cream steel access doors on the front elevation with no windows/doors on the side or rear elevations.

The current internal roundabout with the estate will be amended to square the northern section of the roundabout to enable access into the unit. This section of the highway and the roundabout are within private ownership and are not adopted.

The proposal will result in the overall loss of four car parking spaces, with the proposal providing four new car parking spaces to the east of the proposed unit.

PLANNING HISTORY

Previous planning permission for the site include recent approval in 2019 under application 19/0633/FUL for three storage units under class B8 Storage and Distribution approved in December 2019. The application was approved with the only condition being the development should be in accordance with the submitted plans.

PLANNING POLICY

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:

CS4 – Sustainable Development

CS5 - Design

DC1- General Development

CS7- Economic Strategy

H1 - Spatial Strategy

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>

CONSULTATION AND PUBLICITY RESPONSES

Consultation letters were sent out to the adjacent units and a site notice was posted at the site. The comments are summarise below :-

Objection comments

- a. Impact on the existing businesses due to the proposed access arrangements off highway and generate issues in being able to locate the existing units
- b. Proposed units will protrude and obstruct the only highway access to Units I, J, K and L
- c. Extra vehicles the units will generate will make it hard to follow the visual line of the road, if not block it or reduce the access/egress in some way.
- d. Additional traffic will add to congestion and confusion within the estate where parking already at a premium.
- e. Parking impacts will prevent customers visiting the existing units and result in a negative impact on the existing businesses
- f. Construction of the units will block access to the rear units and issues with parking and deliveries to the rest of the estate – this should be considered.
- g. Just starting to make progress after the last 18 months and reduction in access for customers will have a detrimental impact on the recovery of the units.
- h. There are 50 units in Middlesbrough of 1000 square feet or below so these units are not filling a need in the area as there are units already available.

Objection comments received from the following addresses:-

1. Unit L, Warelands Way
2. Unit K, Warelands Way
3. Neil Sullivan, 2 Deal Road, Billingham

Public Responses

Number of original neighbour consultations	10
Total numbers of comments received	4
Total number of objections	4
Total number of support	0
Total number of representations	0

MBC Highways

The scheme will not have a material impact on the operation of the highway network compared to current levels. The extent of adopted highway stops at Hutton Road, with Warelands Road not forming any part of adopted highway other than at the junction with Hutton Road. As a result the parking arrangement and how that operates all falls within private ownership. Also the area in question seems to have been operating as an informal storage facility for a number of years with containers currently located in this area.

MBC Environmental Protection

No comments

MBC Waste officer

No comments

Northern Gas Networks (in summary)

No objections to these proposals, however there maybe 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 the works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

Cleveland Police Architectural Liaison Officer

Applicant is encouraged to contact me for any advice, guidance I can offer in relation to designing out opportunities for crime and disorder to occur. Full information is available within the SBD Commercial Guide at www.securedbydesign.com

PLANNING CONSIDERATION AND ASSESSMENT

Policy Context

1. Policy H1 (Spatial Strategy) sets out that all new employment development should be focused in North Middlesbrough, Riverside Park, Middlesbrough Town Centre, Middlehaven and the East Middlesbrough Business Action Zone whilst ensuring the employment needs of the local communities are met. Proposals outside of these locations, which include the application site, should be sited within the urban area where they are accessible to the community they serve and satisfy the sustainability requirements set out in Core Strategy Policy CS4.
2. Policy CS4 (Sustainable Development) requires all development to contribute to achieving sustainable development, including achieving sustainable economic development, making the most efficient use of land with priority being given to development on previously developed land and developing high quality design that improves the quality of the landscape.
3. Policy CS7 (Economic Strategy) requires a sequential assessment to be applied for any economic development which is located outside of the identified strategic locations set out within the policy.
4. Policies DC1 (General Development) and CS5 (Design) seek to ensure a high quality sustainable development; ensure amenity of the nearby residents and that the character of the area and highway safety are not adversely affected by the development. Policy CS5 requires a high quality of design in terms of form, layout and contribution to the character and appearance of the area.
5. The main considerations with this proposal are the principle of the development, character and appearance of the street scene and site layout and design, amenity, highways, flood risk and any other residual matters.

Principle of the Development

6. The principle of a new industrial storage unit has already been established through the previous planning permission for the site which was approved in 2019, application 19/0633/FUL. The polices which were considered and applied to that application still remain relevant policies to be considered now with no changes in Planning Policy since the 2019 approval was granted.

7. Policies DC1, CS4 and CS5 seek to ensure that all new development is a high quality sustainable development. The application site is an unallocated site but is positioned within an established industrial estate. The site itself is located within an urban area which is within walking distance to main bus routes, local services and residential along Longland Road and is considered to be highly accessible to the local community. The site is considered to be within a sustainable location and therefore satisfies the criteria set out in Policies H1 and CS4.
8. Whilst Core Strategy Policy CS7 would technically require a sequential test to be provided for the site. Given the extant planning permission which was approved in 2019 and the location of the proposed building within the Industrial Estate a sequential test is not considered necessary for this proposal.
9. The site layout places the proposed building to the north of the existing highway with car parking located on either side of the units. The overall scale of the building is considered to be in comparison to the existing units within the industrial estate. With the alterations required to the car parking and the internal roundabout not compromising the existing character and appearance of this section of the industrial estate.
10. It is considered that the development meets the requirements of Policies H1, DC1, CS4, and CS5.

Character and Appearance, Site layout and Design

11. The National Planning Policy Framework (NPPF) paragraph 126 emphasises the requirement for the creation of high quality, beautiful and sustainable buildings and places with good design being a key aspect in providing sustainable development and in the creation of better places in which to work and live. Paragraph 130 of the NPPF comments that decisions should ensure that development will function well and add to the overall quality of the area, not just for the short term for the lifetime of the development.
12. Policy DC1 comments 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 high quality with Policies CS4 and CS5 commenting that new development should 'enhance both the built and natural environment'.
13. The site is located within the existing Warelands Way Industrial Estate. The estate has a single vehicular access off Hutton Road with three blocks of units set out in a courtyard style arrangement with parking and turning areas located to the front of the units. The units are single storey with either lean to roof designs or low pitched roof warehouse style buildings. The buildings have brickwork on the lower sections of the elevations with cladding on the upper sections.
14. The application site is located centrally within the industrial estate and will be located on an area of existing hard standing car park spaces immediately to the south of one of the larger units A and B Warelands Way. Although a standalone building the positioning of the building to the south of an existing building with the frontage facing the central turning circle and parking areas is considered to fit in with the current site layout and design of the industrial estate.
15. The overall scale of the units is considered to be comparable to the existing units within the estate. The lean to roof design and the overall height of the proposed building is considered to be acceptable given the scale and height of the surrounding

units. The materials for the proposed building are considered to be high quality with the mixture of brickwork and cladding fitting in with the existing design of the buildings within the industrial estate. A materials condition will be placed on the application in terms of the materials.

16. Since the 2019 approval for a storage building on the site the overall location of the building within the application site has been altered due to the erection of a boundary fence by a neighbouring unit. The location of the building has been positioned 1 metre further from the existing building to the north at units A and B Warelands Way. The relocation of the building within the application site is considered not to have any significant impact in terms of the existing layout of the estate.
17. The proposed dwellings are considered to be a high quality design in accordance with the requirements of the NPPF and Policies DC1, CS4 and CS5 in this regard.

Amenity

18. Core Strategy Policy DC1 comments that all new development should consider the effects on the surrounding environment and amenities of the occupiers of nearby properties during and after completion.
19. The proposed building will be located within the existing industrial estate. The central location of the application site and the intended storage and distribution use for all three units, means the proposal will have no impact in terms of noise on the nearby residential properties located along Hutton Road.
20. The surrounding buildings within the industrial estate are all commercial units. The building will be located approximately 2 metres from the rear elevation of Units A and B Warelands Way. The front elevation of the building will face towards the highway and towards the front side/elevations of the commercial units to the south with a minimum of 12 metres remaining.
21. Given the building will be a storage and distribution use and is located within an existing industrial estate with commercial units, the proposal is considered not to have any significant impact on the amenity of the occupants of the neighbouring units and accords with the requirements of Policy DC1.

Highways

22. The proposed industrial building will be located on an area of existing hard standing which provides parking facilities for the existing units within the Industrial Estate. The proposal will include an additional four car parking space to the east side of the building so the overall loss of parking spaces will be four.
23. The highway works will include the squaring of the northern section of the existing internal roundabout to enable access into the proposed building and to ensure the highway access remains for the existing units.
24. The car parking area where the proposed building is to be located and the internal roundabout are within private ownership and do not form part of the adopted highway. With the adopted highway ending at the junction between Hutton Road and the entrance to Warelands Way.
25. Objection comments have been received that the proposed building will impact on the current highway access and parking arrangements to the existing units within the industrial estate, particularly to Units I, J, K and L located on the south side of the

industrial estate as this highway is their only highway access. The Highway Engineers have assessed the location of the building and the highway alterations in their opinion the proposal will not have a material impact on the operation of the existing highway network.

26. The proposal will result in the overall loss of four existing car parking spaces. The highway engineers have commented that as this area is under private ownership the current and any existing parking provision within the site is dependent on the owners of the site. Warelands way will still have the ability to operate as a highway within the site and although relatively constrained, given the provision of the existing containers on the site, will not unduly affect parking provision within the site.
27. Objection comments have been received regarding the potential for the construction of the building to obstruct access to the existing units. This is not a material planning consideration which can be assessed and is a civil issue between the applicant and the existing occupants of the industrial estate.

Flood Risk

28. Core Strategy CS5 sets out that all new development should provide 'sustainable methods of surface drainage' to 'mitigate against localised flooding, promote water conservation and help protect water quality'.
29. Northumbrian Water have been consulted on the proposal and provide no comments.
30. The existing car park spaces which form the site will drain into existing drainage and so this proposed building, will cover the same area and will result in the same amount of water needing to enter the existing drains. As such, capacity or ability to drain the proposed buildings in terms of surface water is considered to be no different to the current situation. The proposed drainage is indicated as being provided through soakaway methods and a condition is recommended to ensure the drainage for the site is submitted and agreed with the Local Planning Authority prior to being implemented on site. Furthermore, an informative is recommended advising the applicant to develop their surface water drainage solutions in line with the guidance from Northumbrian Water and should contact Northumbrian Water prior to commencement of the development to confirm the exact location of any of the water mains within the area.

Residual Matters

31. Objection comments have been made that there is no requirement for the units as there are 50 units of 1000 square metres within the area. These comments are noted but is not a material planning consideration which can be considered in that the proposed development is not being considered appropriate based on an excess of industrial units elsewhere.
32. Objection comments have been received that the proposal will result in a reduced access to customers that are just making progress after the last 18 months and will have a detrimental impact on the recovery of the units. In light of the comments from the highway officers in relation to the proposal not impacting on the current highway access the proposal is not considered to have a detrimental impact on the existing business recovery.

RECOMMENDATIONS AND CONDITIONS

Approve with 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: 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 in accordance with the following approved plans

- a. Location plan drawing L019050A-001 dated 18th August 2021
- b. Block plan drawing L019050A-002 dated 20th August 2021
- c. Proposed elevation drawing L019050A- 004 dated 2nd June 2021
- d. Proposed floor plan drawing L019050A0 003 dated 2nd June 2021

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

3. Materials

Prior to the construction of the external elevations of the building hereby approved samples of the external finishing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of the visual amenities of the area having regard for policies DC1, CS4 and CS5 of the Local Plan and section 12 of the NPPF.

4. Foul and surface Water Drainage

Prior to any commencement of development hereby approved a scheme of foul and surface water drainage shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved scheme.

Reason: In order to ensure adequate drainage is provided at the site.

REASON FOR APPROVAL

This application is satisfactory in that the design of the proposed building for storage and distribution purposed (B8 use) accords with the principles of the National Planning Policy Framework (NPPF) and the local policy requirements (Policies DC1, CS4, CS5, CS7 and H1 of the Council's Local Development Framework).

In particular, the erection of the storage and distribution building will not prejudice the character and function of the Warelands Way Industrial Estate and the design and appearance of the building complements the existing industrial and business environment. The building use as storage and distribution purposes will not be detrimental to any adjoining or surrounding premises, and the traffic generated and noise associated with the proposal will not be of a level likely to result in an unacceptable impact on nearby premises.

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.

INFORMATIVES

Northern Gas Networks

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. The promoter of these works should contact Northern Gas Networks directly on 0800 040 776 (option 5) to discuss the requirements in detail. Should diversionary works be required these will be fully chargeable.

Cleveland Police

Applicant is encouraged to contact me for any advice, guidance I can offer in relation to designing out opportunities for crime and disorder to occur. Full information is available within the SBD Commercial Guide at www.securedbydesign.com

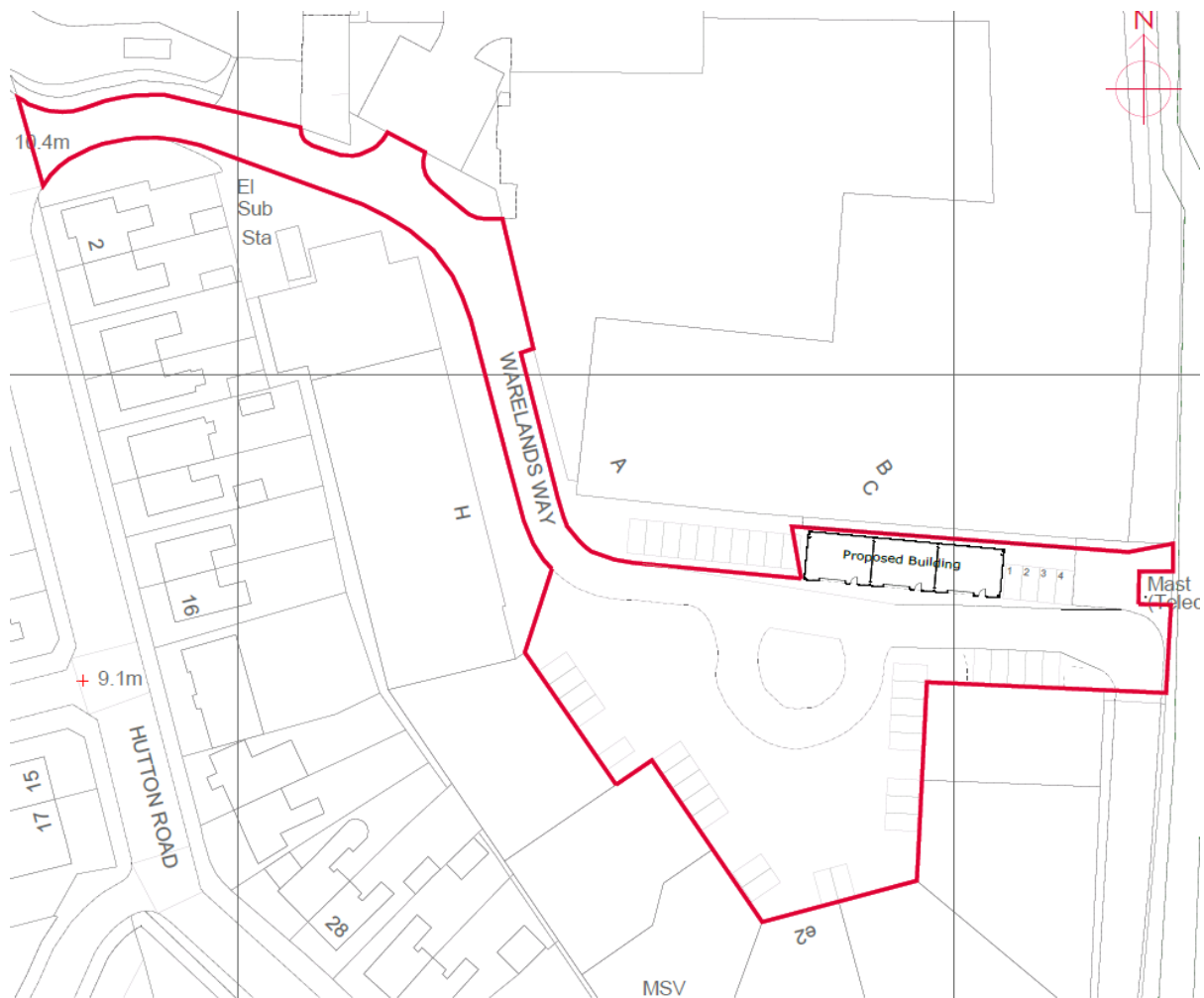
Northumbrian Water

The applicant is encouraged to contact Northumbrian Water prior to the commencement of the development to discuss the precise location of any water mains across the site and to develop a sustainable surface water management system for the building.

Case Officer: Debbie Moody

Committee Date: 19th November 2021

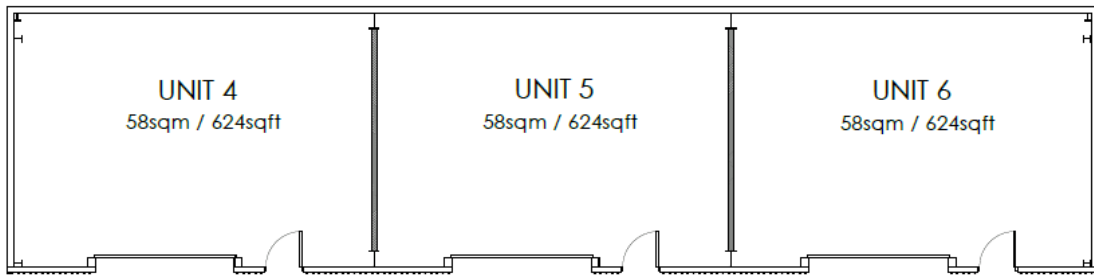
Appendix 1: Site Location Plan



Appendix 2: Proposed Site Plan

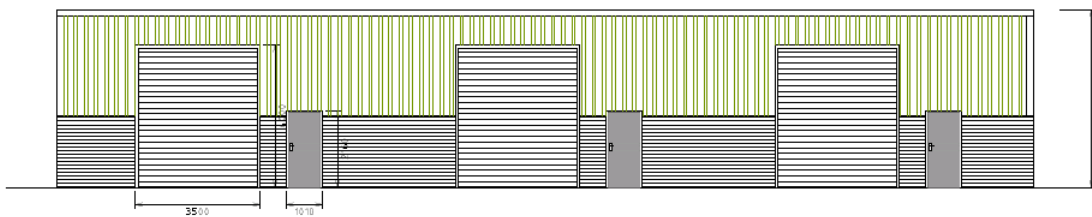


Appendix 3: Proposed Floor Plans

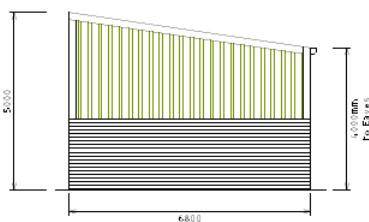


PROPOSED FLOOR PLAN

Appendix 4: Proposed Building Elevations



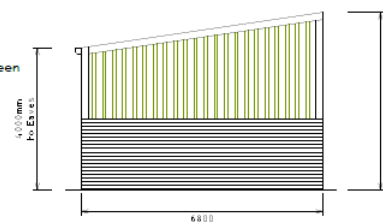
PROPOSED FRONT ELEVATION



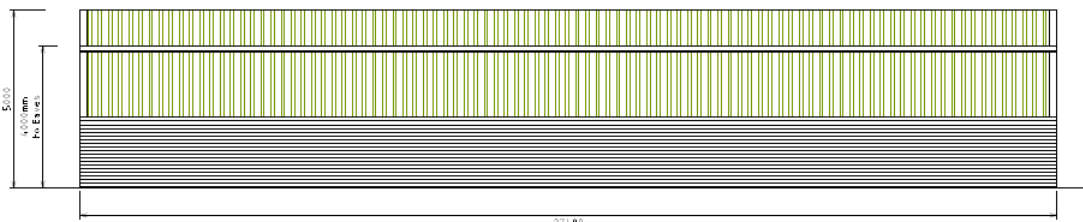
PROPOSED SIDE ELEVATION

Proposed Materials:

- Walls:** Lower - Brickwork
- Upper - Kingspan KS1000 FC, colour Dark Green
- Roof:** Kingspan KS1000 ZIP-P with Standing Seam Detail, colour Dark Green
- Roller Shutters:** Aluminium
- Personnel Doors:** Steel, colour Cream
- Gutters and Down Pipes:** Dark Green



PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION