



Middlesbrough Development Corporation Board

Date: Wednesday 20th September 2023 at 10am

Venue: Mandela Room, Middlesbrough Town Hall, Albert Road, Middlesbrough, TS1 2QJ

Membership:

Mayor Ben Houchen (Tees Valley Mayor)

Paul Booth (Independent Member)

Mayor Chris Cooke (Middlesbrough Mayor)

Cllr Mieka Smiles (Independent Member)

Idrees Rashid (Independent Member)

Steve Turner (Independent Member)

Associate Membership:

Julie Gilhespie (Group Chief Executive TVCA)

Clive Heaphy (Chief Executive, Middlesbrough Council)

Independent Advisor:

Mark Webster (Chief Constable, Cleveland Police)

AGENDA

- 1. Chairs Welcome & Apologies for Absence**
- 2. Declarations of Interest**
Attached
- 3. Minutes of Previous Meeting**
Attached
- 4. Chairs Update**
Verbal
- 5. Chief Executives Update**
Verbal
- 6. Update on Planning Services for Middlesbrough Development Corporation**
Attached
- 7. Appointment of Head of Planning and Planning Scheme of Delegation**
Attached
- 8. Middlesbrough Development Corporation DRAFT Design Code**
Attached
- 9. Opt in to PSAA for External Services**
Attached
Under the terms of paragraph 3 of schedule 12a Local Government Act 1972, this item is not for publication
- 10. Investment Proposal A**
Verbal Update
Under the terms of paragraph 3 of schedule 12a Local Government Act 1972, this is not for publication
- 11. Investment Proposal B**
Verbal Update
Under the terms of paragraph 3 of schedule 12a Local Government Act 1972, this is not for publication
- 12. Date and Time of Next Meeting**
Wednesday 25th October 2023 at 1pm
TBC



Middlesbrough Development Corporation Board

Declaration Of Interest Procedure

1. The purpose of this note is to provide advice and guidance to all members of the Development Corporation Board and Audit & Governance Committee on the procedure for declaring interests. The procedure is set out in full in the Development Corporation's Constitution under the "Code of Conduct for Members" (Appendix II).

Personal Interests

2. The Code of Conduct sets out in full, the principles on the general conduct of members in their capacity at the Development Corporation. As a general principle, members should act impartially and should not use their position at the Development Corporation to further their personal or private interests.
3. There are two types of personal interests covered by the Constitution:
 - a. "disclosable pecuniary interests". In general, a disclosable pecuniary interest will involve any financial interests, such as paid employment or membership of a body, interests in contracts, or ownership of land or shares. Members have a pecuniary interest in a matter where there is a reasonable likelihood or expectation that the business to be considered will affect your well-being or financial position, or the well-being or financial position of the following persons:
 - i. a member of your family;
 - ii. any person with whom you have a close association;
 - iii. in relation to a) and b) above, their employer, any firm in which they are a partner, or a company of which they are a director;
 - iv. any person or body in whom persons described in a) and b) above have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - v. any body as described in paragraph 3 b) i) and ii) below.
 - b. Any other personal interests. You have a personal interest in any business of the Development Corporation where it relates to or is likely to affect:
 - i. any body of which you are a member (or in a position of general control or management) and to which you are appointed or nominated by the Development Corporation;
 - ii. any body which:
 - exercises functions of a public nature;
 - is directed to charitable purposes;
 - one of whose principle purposes includes influencing public opinion or policy (including any political party or trade union) of which you are a member (or in a position of general control or management).

Declarations of interest relating to the Councils' commercial role

4. Financial relationships between the Development Corporation and individual councils do not in themselves create a conflict of interest for Council Leaders who are also Development Corporation Board members. Nor is it a conflict of interest if the Development Corporation supports activities within a council boundary. Nevertheless, there are specific circumstances where the Board may consider entering into direct contractual arrangements with a council, for example in relation to a particular commercial investment project, or in which that council is a co-funder. In these circumstances a non-pecuniary declaration of interest should be made by the Council Leader or their substitute.

Procedures for Declaring Interests

5. In line with the Code of Conduct, members are required to adhere to the following procedures for declaring interests:

Register of Interests

6. Each member is required to complete a register of interests form with their personal interests, within 28 days of their appointment to the Development Corporation. If no declaration is received from elected members within 28 days the matter may be referred to the Head of Paid Service of your local authority and Leader of the political group you represent on your council for action. If a Declaration is not submitted within an appropriate timescale you may be prevented from attending committee meetings. Details of any personal interests registered will be published on the Development Corporation's website, with the full register available at the Development Corporation's offices for public inspection. The form will be updated on an annual basis but it is the responsibility of each member to notify the Monitoring Officer of any changes to the register throughout the year. Notification of a change must be made to the Monitoring Officer within 28 days of becoming aware of that change.

Declaration of Interests at Meetings

7. The Development Corporation will include a standing item at the start of each statutory meeting for declaration of interests. Where members are aware that any of their personal interests are relevant to an item of business being considered at a meeting they are attending, they must declare that interest either during the standing item on the agenda, at the start of the consideration of the item of business, or when the interest becomes apparent, if later.
8. Where members consider that their interest could be considered by the public as so significant that it is likely to prejudice the members' judgement then they may not participate in any discussion and voting on the matter at the meeting, but may attend the meeting to make representations, answer questions or give evidence relating to the business, before it is discussed and voted upon.
9. If the interest is a disclosable pecuniary interest (as summarised in paragraph 3a) then the member must leave the meeting room during discussion and voting on the item of business, but may make representations, give evidence and answer questions before

leaving the meeting room. Failure to comply with the requirements in relation to disclosable pecuniary interests is a criminal offence.

Sensitive Information

Members can seek the advice of the monitoring officer if they consider that the disclosure of their personal interests contains sensitive



MIDDLESBROUGH DEVELOPMENT CORPORATION BOARD

19th July 2023 10am

Teesside Airport Business Suite, Teesside International Airport,
Darlington DL2 1NJ

These minutes are in draft form until approved at the next Board meeting and are therefore subject to amendments.

<u>ATTENDEES</u>	
<u>Members</u>	
Mayor Ben Houchen (Chair)	Tees Valley Mayor
Mayor Chris Cooke	Middlesbrough Mayor (Elected Member of Middlesbrough Council)
Idrees Rashid	Independent Member
Mieka Smiles	Independent Member
Steve Turner	Independent Member
Paul Booth	Independent Member
<u>Associate Members</u>	
Julie Gilhespie	Associate Member
Clive Heaphy	Associate Member
<u>Officers in Attendance</u>	
Gary Macdonald	Group Director of Finance & Resources
Emma Simson	Interim Chief Legal Officer (Monitoring Officer)
Sarah Brackenborough	Head of Operations
Victoria Pescod	In House Lawyer
Charlie Kemp	Head of Creative Place
<u>Apologies</u>	
Mark Webster	Independent Advisor
Sarah Walker	Head of Investment Development
MDC Middlesbrough Development Corporation	

<p>MDC 01/23</p>	<p>CHAIRS WELCOME & APOLOGIES FOR ABSENCE</p> <p>The Chair welcomed Members to the Middlesbrough Development Corporation Board meeting.</p> <p>Apologies for absence were submitted as detailed above.</p>
<p>MDC 02/23</p>	<p>DECLARATIONS OF INTEREST</p> <p>There were no interests declared.</p>
<p>MDC 03/23</p>	<p>MINUTES OF PREVIOUS MEETING</p> <p>The Minutes of the previous meeting of 22nd March 2023 were agreed as a true record.</p> <p>CC commented that initials should be included in minutes when comments are made. MS agreed that it would be helpful to have a note of who made comments. The Chair noted this.</p> <p>RESOLVED that:- The Minutes of the previous meeting of 22nd March 2023 were agreed as a true record.</p>
<p>MDC 04/23</p>	<p>CHAIR'S UPDATE</p> <p>The Chair provided a verbal update.</p> <p>RESOLVED that:- Members noted the Chair's update.</p>
<p>MDC 05/23</p>	<p>GOVERNANCE & APPOINTMENTS</p> <p>The Board were provided with a Governance & Appointments update. ES explained that any complaints lodged against the Chief Constable will be dealt with through the Independent Office for Police Conduct (IOPC) rather than by the Board. ES also outlined minor amendments to the scheme of delegation, and that the Middlesbrough Development Corporation seal requires approval.</p> <p>RESOLVED that:- the Board approved the Middlesbrough Development Corporation seal.</p>
<p>MDC 06/23</p>	<p>INVESTMENT ZONE UPDATE</p> <p>The Board were provided with a verbal update.</p> <p>MS asked whether there will be one investment zone that includes MDC and HDC. JG confirmed that yes there will be one Tees Valley</p>

	<p>investment zone, and that Hartlepool is likely to include a focus on technological investment.</p> <p>IR asked to clarify the role of the university within the investment zone. JG clarified that the university's support of the investment zone will be sought from the government due the technological focus within the investment zone and the need for this to be research led.</p> <p>CC asked why the university doesn't have a board place given their expected involvement. BH confirmed that, at the time, PB was put forward as the representative of Teesside University but had since stood down from his position of Vice Chair at the University.</p> <p>RESOLVED that:- the Board noted the verbal update.</p>
<p>MDC 07/23</p>	<p>MIDDLESBROUGH DEVELOPMENT CORPORATION MASTERPLAN</p> <p>The Board were asked to approve the Masterplan.</p> <p>CC queried whether Arup had visited Middlesbrough as some of the images used in the Masterplan are out of date having been taken from Google Maps. CC also commented that some of the Masterplan images have demolished listed buildings. ST commented that it is common to use Google Maps in consultation exercises and that the final Masterplan will be different to the version that is approved today.</p> <p>CC said that there should be a consultation in addition to these meetings for decisions e.g. pedestrianising roads. It was confirmed that Arup have visited Middlesbrough and it must be remembered the Masterplan will set the framework for the plans, but will change. The Chair reminded the meeting that the Masterplan had been publicly consulted on and therefore now provides the framework for each planning application. Each individual planning application to the MDC is also subject to statutory public consultation.</p> <p>PB commented that the current Masterplan must be contextualised to the wider public and it must be made clear that more detail is required. The Chair agreed and added that the Masterplan is aspirational and the tone should be that this is the start of the process and updates to the Masterplan are to be expected.</p> <p>CC said the document refers to the Head of Planning and asked who has been appointed in this role. JG confirmed that MDC has signed a transition agreement with the Council for the delivery of the planning</p>

service until mid-September. Once this lapses Lichfields will undertake planning services on behalf of MDC. ES said that any planning applications that are live on 23rd September 2023 will be completed by Middlesbrough Council and any new applications from then on will be within the Board.

IR said that the Masterplan is ambitious and how that is communicated is important to get residents on board. The Chair warned against communication potentially rousing cynicism until the Masterplan is closer to delivery.

RESOLVED that:- the Board approved the Masterplan.

MDC 08/23

GRESHAM UPDATE

A verbal update was provided to Members.

PB asked whether a scope of work was outlined. JG replied that an exemplar scheme was designed and one of the reasons it is competitive is that the viability of each developer’s design will be different. PB expressed that the look and feel of the design needs to be welcoming as the Gresham site is the entrance to the town.

CC asked whether it’s possible to have sight of the schemes as they are currently half brownfield and half residential. JG said that only the commercial is included as part of this scheme. CC asked whether social value is included procurement processes. The Chair and ES confirmed that social value is included, that there is a dedicated TVCA officer who manages this, and that contractors are held accountable for their social value bids.

IR suggested that future MDC procurement opportunities are advertised. ES said that procurements are advertised on the procurement portal which is where contractors would look, however a link on the MDC webpage to direct potential partners to the procurement portal is possible. The Chair also noted that as part of the procurement process local businesses are advertised for partners to use as part of the construction process, however the difficulty lies in making local businesses aware that the opportunities are available and also that it can be unviable for local businesses to undertake the work. PB said that development opportunities through training organisations to recognise where skills shortages could combat this.

CH said local skills enhancement is necessary. The Chair explained that the Skills Academy has been a pilot for this and will help to expand local skill base. CH also asked whether the balance of social

	<p>value will be known. ES said that this will come to the Board and is publicly accessible on the procurement portal.</p> <p>RESOLVED that:- the Board noted the Gresham update.</p>
	<p><i>THE CHAIR PROPOSED A MOTION TO EXCLUDE THE PRESS & PUBLIC FROM THE FOLLOWING CONFIDENTIAL ITEM UNDER THE TERMS OF PARAGRAPH 3 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972</i></p> <p><i>This was agreed by Paul Booth and seconded by Idrees Rashid.</i></p>
AOB	<p>CC asked whether future meetings can take place in Middlesbrough. The Chair said that the intention was always to hold the meetings in Middlesbrough and the first Board meeting had taken place in the Town Hall. However MDC had not been able to access a room since holding the first meeting.</p>
	<p>DATE OF NEXT MEETING: Wednesday 30th August at 10am</p>

UPDATE ON PLANNING SERVICES

SUMMARY

Planning Powers were conferred on to Middlesbrough Development Corporation (MDC) on 1 June 2023 giving MDC the power to determine planning applications within the redline boundary. Nathaniel Lichfield & Partners (Lichfields) has been procured to provide day to day planning services for MDC. The purpose of this report is to provide an update on the delivery of planning services by MDC since planning powers were transferred on 1st June 2023.

RECOMMENDATIONS

It is recommended that the Middlesbrough Development Corporation Board note the content of this report.

DETAIL

Transition Agreement for the Delivery of Planning Services

1. Responsibility for the determination of planning applications within the boundary lies with MDC, however a transition agreement was reached with Middlesbrough Council, whereby it temporarily delivered the planning function on behalf of MDC. The transition agreement for the delivery of planning services on behalf of MDC, by the Council, expired on 8 September 2023.
2. It was agreed, as part of the transition arrangements, that Middlesbrough Council would retain and bring to a conclusion, any applications it is dealing with under the transition agreement at that date, but then, as detailed at Agenda Item 7 at this meeting, it is proposed that all new, day to day planning activities will be the responsibility of MDC, through its proposed arrangement for planning services with Lichfields.

3. This report provides a full update on the delivery of planning services by MDC since planning powers were transferred on 1st June 2023.

Transferred Applications

4. On 1st June 2023 there were thirty-eight planning applications within the MDC boundary. These applications were originally submitted to Middlesbrough Council (MBC) and so were transferred across to MDC, but have been progressed by Middlesbrough Council under the agreement referred to above. One of the applications has been closed due to it being invalid and the applicant not responding to requests for further information.
5. MBC has assigned all thirty-seven valid applications to Middlesbrough Council Case Officers. Eight applications have been approved, two have been withdrawn. The neighbour notification and statutory consultee consultation exercise for the remaining twenty-seven applications is complete and a decision is anticipated to be made soon. This should not require any involvement from the MDC Planning Board.
6. MBC have indicated that five of the transferred applications may be refused due to issues with design and amenity.

New Applications

7. In the period between 1st June and 8th September 2023, fourteen applications have been received by MDC, all of which have been passed to MBC to consider. The neighbour notification and statutory consultee consultation exercise for these applications has commenced for all but four of these applications and will end by 22nd September.
8. MBC will be able to determine all of these applications under the transitional arrangements as they were passed over before the 8th September. At this stage, MDC Board involvement is anticipated for two applications as they were submitted by a member of staff at MBC.
9. A number of the applications relate to the discharge of conditions on existing planning consents. The others relate to the creation of student accommodation, HMOs (housing in multiple occupation), residential, retail units, bar, restaurant and other commercial uses as well as new shop fronts, signage and digital screens.
10. Since the expiration of the transition agreement with the Council on 8 September 2023, one non-material amendment application has been received by MDC. This application will be dealt with by Lichfields, as provider of the day to day planning service for MDC.

FINANCIAL IMPLICATIONS

11. It is expected that it will cost MDC around £1m per annum to run the planning function and these costs will be covered through the fees collected for planning applications. It should be noted that the higher planning fees for larger developments are required to cover the costs of lower revenue generating, higher volume, smaller applications. The expectation is the position would be neutral. This position would be reviewed annually through the budget and the Board is reminded that it may seek a financial update at any interim point.

LEGAL IMPLICATIONS

12. Planning Powers were conferred on to MDC on 1 June 2023 giving MDC the power to determine planning applications within the redline boundary. As outlined above, MDC has a transition agreement in place with MBC for the delivery of the planning service. This agreement lapsed on 8 September 2023. To ensure compliance with statutory requirements, Lichfields has been procured to provide day to day planning services for MDC.

RISK ASSESSMENT

13. MDC has procured Lichfields to run the day-to-day planning services for the Development Corporation. The planning function will be overseen by the Head of Planning. Therefore, the subject matter of this report is categorised as low risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

CONSULTATION & COMMUNICATION

14. The subject of this report is a matter for MDC Board information only therefore no additional consultation and communication has been undertaken.

EQUALITY & DIVERSITY

15. This report does not impact on groups of people with protected characteristics.

Name of Contact Officer: Julie Gilhespie
Post Title: Group Chief Executive Officer
Email Address: julie.gilhespie@teesvalley-ca.gov.uk

APPOINTMENT OF HEAD OF PLANNING

SUMMARY

The purpose of this report is to seek confirmation of the appointment of the Head of Planning of Middlesbrough Development Corporation (MDC).

RECOMMENDATIONS

It is recommended that the Board:

- (1) confirms the appointment of Helen Kemp as the Head of Planning for Middlesbrough Development Corporation; and
- (2) confirms the appointment of Lichfields to deliver the day to day planning services for MDC.

DETAIL

Head of Planning

1. Pursuant to the Middlesbrough Development Corporation (Functions) Order 2023, MDC is responsible for determining planning applications within the redline boundary of the Development Corporation area. This report seeks confirmation from MDC Board of the appointment of a Head of Planning who will be responsible for the provision of its planning function. The Head of Planning will discharge this responsibility by outsourcing the day-to-day planning function for services to Nathaniel Litchfield & Partners ('Lichfields'). The Board will recall that a transition agreement was reached with Middlesbrough Council whereby it temporarily delivered the planning function on behalf of MDC until 8 September 2023, after which, it is proposed that the service will be delivered in its entirety by Lichfields.
2. The Head of Planning for MDC is responsible for:

- Ensuring the provision of an adequate planning function.
 - Signing off decisions in accordance with the Scheme of Delegation (Appendix 1), having sought appropriate advice.
 - Advising and reporting to the MDC Board, having sought appropriate advice.
 - Dealing with complaints regarding the planning service delivered by MDC.
 - Authorising the taking of Enforcement Action where it is expedient and in the public interest to do so.
3. Helen Kemp, Business Solutions Director at Tees Valley Combined Authority, is recommended to the Board as the Head of Planning for MDC.
 4. Helen was previously the Director of Economy and Planning for Hambleton District Council, which included Planning, Building Control, Strategic Housing and Homelessness services. During this time the planning service was realigned to improve customer service and a Local Plan was developed to support the authority's economic growth ambitions.
 5. The principle of appointing TVCA Group Directors to undertake required statutory roles is well established, with the Group Chief Executive and the Group Director of Finance and Resources both fulfilling the statutory roles of Chief Executive and Section 73 Officer roles for MDC.

Scheme of Delegation

6. Planning powers were conferred on to MDC on 1 June 2023 giving MDC the power to determine planning applications within the redline boundary of the Development Corporation area. The Scheme of Delegation attached at Appendix 1 was approved by the Board at their meeting on 19 July 2023.
7. The Scheme of Delegation sets out the criteria for those applications that the Board has delegated to the Head of Planning for determination on behalf of the Development Corporation and those which will be reserved for determination by the Board.
8. In line with the scheme of delegations for Local Authorities, the Scheme of Delegation sees the responsibility for the determination of the majority of applications delegated to the Head of Planning, with determination by the Board to be reserved for applications made by a MDC decision maker and those with 5 or more objections from different households.

FINANCIAL IMPLICATIONS

9. It is expected that it will cost MDC around £1m per annum to run the planning function and these costs will be covered through the fees collected for planning applications. It should be noted that planning fees are variable meaning the cost of larger applications are required to cover the volume of smaller, lower revenue generating applications, and therefore any surplus

would be held to cover costs. It is the expectation is the position would be neutral. This position will be reviewed by the Board annually through the budget, but interim updates on the financial position may be requested by Board Members at any time.

LEGAL IMPLICATIONS

10. Planning Powers were conferred on to MDC on 1 June 2023 giving MDC the power to determine planning applications within the redline boundary. To ensure compliance with statutory requirements, MDC must appoint a Head of Planning to oversee and be responsible for the planning function.
11. In addition to the above, Lichfields has been procured to provide day to day planning services for MDC. A transition agreement was reached with Middlesbrough Council whereby it temporarily delivered the planning function on behalf of MDC until 8 September 2023, after which, the service will be delivered in its entirety by Lichfields.
12. The Scheme of Delegation (Appendix 1) for the determination of planning applications, approved by the Board on 19 July 2023, is attached for information.
13. The Board should note that it may review the Planning Scheme of Delegation from time to time.

RISK ASSESSMENT

14. MDC has procured Lichfields to run the day-to-day planning services for the Development Corporation. The planning function will be overseen by the Head of Planning. Therefore, the subject matter of this report is categorised as low risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

CONSULTATION & COMMUNICATION

15. The subject of this report is a matter for MDC Board confirmation, therefore no additional consultation and communication has been undertaken.

EQUALITY & DIVERSITY

16. This report does not impact on groups of people with protected characteristics.

Name of Contact Officer: Julie Gilhespie
Post Title: Group Chief Executive Officer
Email Address: julie.gilhespie@teesvalley-ca.gov.uk

Scheme of Delegation

The Table below sets of the scheme of delegation for Middlesbrough Mayoral Development Corporation for functions relating to town and country planning and development control within the Mayoral Development Areas.

In respect of those powers that are shown shaded in the Table, the Board of Middlesbrough Mayoral Development Corporation will be the body exercising the functions in all or certain occasions.

Power	Delegation
Power to determine applications for planning permission	Head of Planning of Middlesbrough Mayoral Development Corporation. Matters which must be referred to the Board of Middlesbrough Mayoral Development Corporation: Any application which has received more than five material planning objections from separate addresses. Any application with an Officer recommendation to approve which is significantly contrary to current planning policy.
Power to defend planning appeals	Head of Planning of Middlesbrough Mayoral Development Corporation
Power to determine applications to develop land without compliance with conditions previously attached	Head of Planning of Middlesbrough Mayoral Development Corporation, unless more than five material planning objections from separate addresses have been received in which case Board of Middlesbrough Mayoral Development Corporation
Power to grant retrospective planning permission for development already carried out	Head of Planning of Middlesbrough Mayoral Development Corporation, unless more than five material planning objections from separate addresses have been received in which case Board of Middlesbrough Mayoral Development Corporation
Power to decline to determine applications for planning permission	Head of Planning of Middlesbrough Mayoral Development Corporation.
Duties relating to the making of determinations of planning applications	Head of Planning of Middlesbrough Mayoral Development Corporation.
Power to determine applications for planning	Board of Middlesbrough Mayoral Development

permission made by a local authority/Mayoral Development Corporation, alone or jointly with another person	Corporation
Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights	Head of Planning of Middlesbrough Mayoral Development Corporation.
Power to enter into agreement regulating development or use of land. (S.106 TCP Act 1990)	Head of Planning of Middlesbrough Mayoral Development Corporation.
Power to issue a certificate of existing or proposed lawful use or development	Head of Planning of Middlesbrough Mayoral Development Corporation.
Power to serve a completion notice. (S.94 TCP Act 1990)	Head of Planning of Middlesbrough Mayoral Development Corporation.
Power to grant consent for the display of advertisements	Head of Planning of Middlesbrough Mayoral Development Corporation, unless more than five material planning objections from separate addresses have been received in which case Board of Middlesbrough Mayoral Development Corporation.
Power to authorise entry onto land. (S196A TCP Act 1990)	Head of Planning of Middlesbrough Mayoral Development Corporation.
Power to require the discontinuance of a use of land.	Head of Planning of Middlesbrough Mayoral Development Corporation.
Power to serve a planning contravention notice, breach of condition notice or stop notice	Head of Planning of Middlesbrough Mayoral Development Corporation.
Power to issue an enforcement notice	Head of Planning of Middlesbrough Mayoral Development Corporation.
Power to apply for an	Head of Planning of Middlesbrough Mayoral Development

injunction restraining a breach of planning control	Corporation.
Power to defend appeals against Enforcement Notices	Head of Planning of Middlesbrough Mayoral Development Corporation.
Power to determine applications for hazardous substances consent, and related powers	Board of Middlesbrough Mayoral Development Corporation.
Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject.	Head of Planning Middlesbrough Mayoral Development Corporation.
Power to require proper maintenance of land. (S.215 TCP Act 1990)	Head of Planning of Middlesbrough Mayoral Development Corporation.
Power to determine application for listed building consent, and related powers	Head of Planning of Middlesbrough Mayoral Development Corporation, unless more than five material planning objections from separate addresses have been received in which case Board of Middlesbrough Mayoral Development Corporation.
Power to serve a building preservation notice, and related powers	Head of Planning of Middlesbrough Mayoral Development Corporation.
Power to issue enforcement notice in relation to demolition of unlisted building in conservation area	Head of Planning of Middlesbrough Mayoral Development Corporation.
Powers to acquire a listed building in need of repair and to serve a repairs notice	Head of Planning of Middlesbrough Mayoral Development Corporation.
Power to apply for an injunction in relation to an	Head of Planning of Middlesbrough Mayoral Development Corporation.

unlisted listed building	
Power to authorise stopping up, diversion, or creation Orders in respect of Public Rights of Way, following the statutory advertising period	Head of Planning of Middlesbrough Mayoral Development Corporation.
Power to execute urgent works. (S.54 Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.	Head of Planning of Middlesbrough Mayoral Development Corporation.
Powers relating to the preservation of trees and protection of important hedgerows	Head of Planning of Middlesbrough Mayoral Development Corporation.

Glossary

Material Planning Consideration - A material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission). The Development Corporation must have regard to all material considerations when making a decision and these include, but are not limited to, the following:

How the application complies with national, local planning policies, neighbourhood plans and guidance;

Whether there are any other issues or planning constraints affecting the site, such as flood risk, contaminated land, conservation areas, listed buildings etc;

How the development fits in with its surroundings;

Design and appearance;

Scale;

Materials;

Access;

Traffic generation;

Use/activity to be carried out;

Nuisance eg noise;

Contribution to any significant local, national or international objective;

Previous appeal decisions;

Compliance with Central Government's National Planning Policy Framework;

Central Government's planning circulars eg affordable housing, planning gain, and the historic environment.

Non-Material Planning Consideration - The following are examples of issues that the Development Corporation cannot give weight to when making a planning decision:

Personal circumstances of the applicant;

Private rights and covenants;

Boundary disputes/ownership matters;

Other legislation such as the Party Wall Act;

Protection of a view;

Property values/financial loss.

The amount of opposition or support for a scheme does not in itself constitute a reason for either granting or refusing planning permission.

Material Planning Objection – An objection based on a material planning consideration.

Outline Planning Application - Outline planning applications are used to gain an understanding as to whether the nature of a development is acceptable, this can help ensure viability up front as some detailed technical work can be carried out at a later stage. Specific details known as 'reserved matters' can then be confirmed later. Allowing for planning permission to be granted subject to the condition that reserved matters are approved before development begins.

Reserved matters: Matters which (those which can be withheld under outline planning permission) can include:

Appearance- aspects of a building or place which affect the way it looks, including the exterior of the development;

Means of access- covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site;

Landscaping - the improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen;

Layout- includes buildings, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development; and

Scale- includes information on the size of the development, including the height, width and length of each proposed building.

Full Application – A detailed planning application supported by a range of technical reports and detailed plans. All matters and material considerations must be satisfied before a decision is made.

Advert Application – An application seeking consent to display an advert. A decision must only take into account public safety and amenity, e.g. impact of illumination on dwellings/road users, proliferation of adverts within an area, distractions to road users etc.

Listed Building Consent – An application required for all works of demolition, alteration or extension to a listed building that affect its character as a building of special architectural or historic interest.

Hazardous Substances Consent – Application to store or use hazardous substances at or above defined limits. This relates, but is not limited, to explosives, flammable aerosols/gases/liquids, self-reactive substances/mixtures/organic peroxides etc.



AGENDA ITEM 8

REPORT TO THE MDC BOARD

20th SEPTEMBER 2023

REPORT OF THE CHIEF EXECUTIVE

MIDDLESBROUGH DEVELOPMENT CORPORATION DRAFT DESIGN CODE

SUMMARY

The purpose of this report is to seek Board approval of the draft Middlesbrough Development Corporation (MDC) Design Code for publication for a period of public consultation.

RECOMMENDATIONS

It is recommended that the Middlesbrough Development Corporation Board approves the publication of the draft MDC Design Code for a period of public consultation.

DETAIL

Background

1. The Middlesbrough Development Corporation (MDC) was confirmed into statute on 27 February 2023. In line with requirements for the establishment of a Mayoral Development Corporation area, a period of public consultation was held on the proposal to establish MDC between July and August 2022. The consultation focused on inviting comment from all interested parties on the proposal to establish an area and the intention to take all powers available to MDC, including planning powers.
2. The Masterplan for MDC was approved by the Board on 19 July 2023. It sets out how MDC intends to accelerate the regeneration of Middlesbrough. The masterplan was developed by ARUP, on behalf of MDC, who engaged with stakeholders including the Council, businesses, learning providers, transport providers and the voluntary and community sector.

MDC Draft Design Code

3. Planning powers were conferred on to MDC on 1 June 2023. This gives MDC the powers to determine planning applications within the redline boundary area. Notwithstanding this, the Local Plan making powers remain with Middlesbrough Council and any development within the MDC redline boundary area must be in line with the Local Plan, unless material considerations indicate otherwise.
4. Nathaniel Lichfield & Partners (Lichfields) has been appointed to deliver the planning service on behalf of MDC and has developed a draft Design Code for the MDC area (Appendix 1). The Design Code will sit as a supplementary document to the MDC masterplan. It is a delivery tool intended to proactively plan for better design, investing resources upfront to help streamline later processes. It is distinct from detailed design guidance, comprising a set of written and graphic rules that establish with precision the two- and three-dimensional design elements of a particular development or area.
5. A Design Code can influence design quality in two main ways. First, they provide a 'safety net' below which quality must not fall. They do this by providing the quality thresholds against which the quality of proposals can be judged. These should be comprehensive and provide a clarity for objective assessments to be made. Second, design codes can establish a 'springboard to excellence' by focusing creativity and inspiring those who design against them to strive for better design than they would otherwise do.
6. To be effective a Design Code needs to be based upon a specific design vision for a site or an area. As detailed above, the Board has approved a masterplan for the MDC area which sets out the aims and ambitions for MDC, along with high level details on the key projects to be delivered. The Design Code will be a delivery document to facilitate the delivery of the masterplan objectives, informed by the strategic policy and guidance context. The Design Code will thereafter be used by MDC in the achievement of its development management functions. It will be a material consideration in the determination of planning applications within the MDC area.

Public Consultation on the Draft Design Code

7. This report seeks Board approval to publish the draft Design Code for a period of public consultation. Subject to this approval, and any initial comments from the Board on the draft document, the Design Code will be published on the MDC webpage on 21 September 2023 and interested parties will be able to submit their comments on the draft document until midnight on Sunday 15 October 2023.
8. The Board will be provided with a summary of comments received on the draft Design Code, along with the final Design Code for approval, at their meeting on 25 October 2023.

FINANCIAL IMPLICATIONS

9. The purpose of this report is to seek Board approval to publish the draft design Code for a period of public consultation. There are no direct financial implications arising from this report.

LEGAL IMPLICATIONS

10. Planning Powers were conferred on to MDC on 1 June 2023 giving MDC the power to determine planning applications within the redline boundary. Local Plan making powers still sit with the Council and any development within the MDC redline boundary area must be in line with the Local Plan unless material considerations indicate otherwise. The Design Code will be a supporting document of the MDC masterplan.

RISK ASSESSMENT

11. MDC has procured Lichfields to develop a Design Code for the MDC area. The subject matter of this report is categorised as low risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

CONSULTATION & COMMUNICATION

12. This report seeks Board approval to publish the draft Design Code for a period of public consultation. Subject to this approval, and any initial comments from the Board on the draft document, the Design Code will be published on the MDC webpage on 21 September 2023 and interested parties will be able to submit their comments on the draft document until midnight on 15 October 2023.
13. The Board will be provided with a summary of comments received on the draft Design Code, along with the final Design Code for approval, at their meeting on 25 October 2023.

EQUALITY & DIVERSITY

14. This report does not impact on groups of people with protected characteristics. The Design Code has been prepared following guidance in the National Model Design Code to ensure the creation of safe, inclusive and accessible communities.

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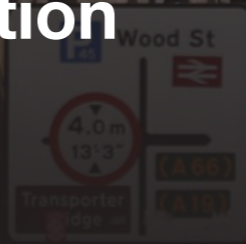
MDC

Middlesbrough
Development
Corporation

LICHFIELDS

Ryder

**Middlesbrough Development Corporation
Design Code**



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Introduction

Introduction

The Middlesbrough Development Corporation ('MDC') is a statutory body created to drive forward the regeneration of Middlesbrough. Chaired by the Tees Valley Mayor, the MDC includes representatives from both the public and private sector who will be responsible for overseeing the transformation of Middlesbrough into a 21st century town where people choose to live, work and visit.

The purpose of this Design Code is to support the MDC in exercising its planning functions, particularly in respect of the determination of certain planning applications. It is intended to aid in the delivery of investment and provide greater support for new development in the area by providing guidance and principles that will give developers and investors a clearer understanding of the type and nature of development that will be supported by the MDC through the planning process. This Design Code should be read in conjunction with the MDC Masterplan, which further supports the transformation of Middlesbrough and seeks to drive the continuing investment in projects, programmes and development activities.

The primary intention of this Design Code is to enhance the quality of place and improve the social, economic and environmental well-being of the MDC area through clear design guidance. It provides a specific steer on the form of development which will be encouraged and supported by the MDC, with an overarching view of delivering healthy, safe, green and distinctive development.

By adopting a collaborative working approach, this Design Code has been prepared in discussion with key stakeholders including Cleveland Police. It has been prepared in accordance with the National Model Design Code, which provides detailed guidance on the production of design codes, guides and policies to promote successful design.

This Design Code has been prepared by Lichfields and Ryder Architecture.

Lichfields is the UK's pre-eminent town planning consultancy and has been at the forefront of planning and development since the company was founded in 1962.

Ryder Architecture was established in Newcastle upon Tyne in 1953, and now has a team of over 300 passionate people in Newcastle, London, Glasgow, Liverpool, Manchester, Hong Kong, Vancouver, and Amsterdam, reinforced by global connectivity through the Ryder Alliance. It delivers pioneering architectural and design services across a diverse portfolio of sectors. Its goal is simple – 'to improve the quality of the world around us and, in doing so, improve people's lives.'

Scope of Code

This Design Code has been prepared in accordance with guidance set out within the National Model Design Code, published in June 2021. The National Model Design Code forms part of the Government's planning practice guidance, setting out design considerations which local planning authorities will be expected to take into account when developing local design codes.

This Design Code provides over-arching principles to guide decisions as to new development in the area. It then provides more locational-specific principles and recommendations for development proposals in specific focus areas with identified shared characteristics and ambition.

The document does not seek to stymie innovation and new-thinking, therefore it is not unnecessarily prescriptive. It serves to provide a roadmap for guiding developers and investors to quick and successful outcomes. A Masterplan has already been prepared for the MDC area centred around a series of focus areas which each have different stakeholders and contributors, different timescales and create different benefits individually and collectively.

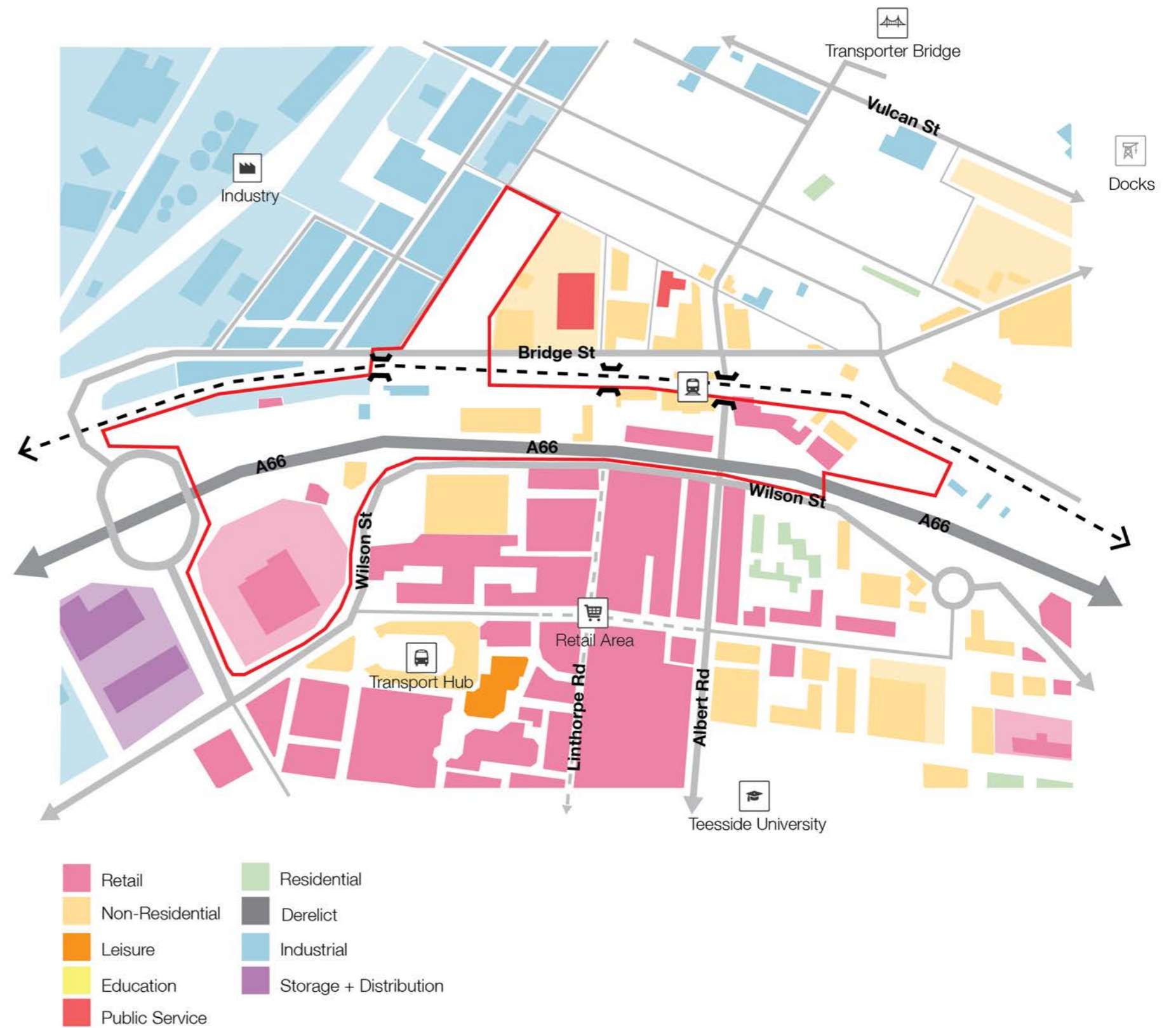
In line with the guidance provided within the National Model Design Code, a character assessment has been conducted for each of the focus areas identified as part of the overall masterplan. The character assessment identifies the geographic context of the site to establish specific area types, with focus on network and movement, boundaries, environmental, and land use.

Design codes have then been developed for each focus area, building on the masterplan vision and individual character assessments. Each of the design codes establishes five principles in line with the National Model Design Code; nature, built form, identity, public space, and use. This is followed by a series of key recommendations, both for and against, for each focus area, with design parameters and a suggested material and identity palette.

Analysis

Character Assessment Station Quarter

Station Quarter is an important gateway site focused along a corridor from Exchange Square, the Station Gateway, Zetland Road and Marsh Road. Through the site runs the A66 which severs the connection between the town centre and dock area despite the road being elevated. This disconnect is reinforced by the railway which runs parallel to the A66. The site includes important thoroughfares which bridge these boundaries, notably via Albert Road which is accessible to vehicular traffic. The site includes the historic quarter which is directly accessed from the railway station, also within the site boundary. The west of the site is more disjointed than the east. Towards the west are industrial units, car parks and a large retail unit with surface parking. Overall, the area has a good opportunity to be re-purposed and increase footfall and safety to create a better link between Middlehaven and the rest of the town.



Network

The Station Quarter area is well served by the existing national rail link to the north, connecting to Middlesbrough station which provides regular connections to the north east and wider United Kingdom. Middlesbrough Bus Station also sits adjacent to the site boundary, establishing the Station Quarter as a key transport node for the town centre. The A66 forms the southern border of the site; whilst providing good vehicular transport links, it does discourage pedestrian access through the site north to Middlehaven and south to the town centre. The primary route through the site is via Zetland Road, Station Street, and Marsh Road. Pedestrian access is provided along most of these roads which are dual lane single carriageways.

Boundaries

The site is bound to the north by both Bridge Street West, which marks the beginning of the wider Middlehaven site, and the national rail network line. To the east, the site terminates at the historic Exchange Square, which in turn wraps beneath the A66 motorway to the southern edge of the site. The site is bounded on the west by the Hartington Interchange roundabout, which provides vehicular access to the A66 itself.

Environmental

Biodiversity and general greening is limited across the site due its typology as a key urban transport node and build up of existing development. There is limited structured planting to Exchange Square, with an informal tree line directly to the north and south of the existing Zetland Multi Storey Car Park. There is a more significant cluster of tree planting along a sloped grassed embankment to the west of the site, south of Marsh Road, which provides a visual and acoustic buffer to the A66.

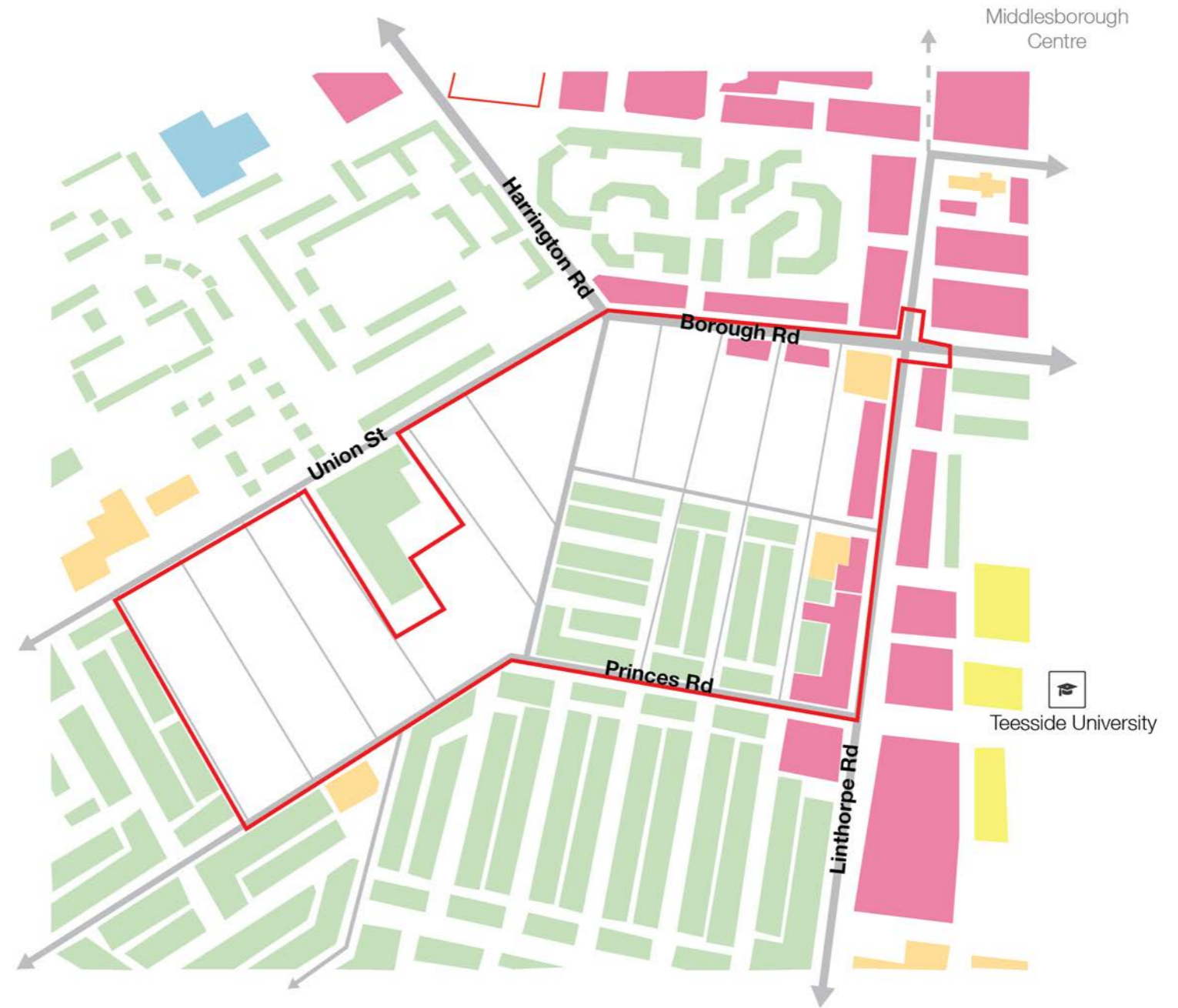
Land use

The site is anchored by the train station at its core, with a number of commercial and leisure use buildings adjacent such as bars. A number of buildings of historic interest along Exchange Square predominantly serve as office space, whilst the square itself provides communal open space. There are additional clusters of high quality historic buildings along Zetland Road, some vacant. The west of the site is dominated by the Zetland Multi Storey Car Park, light industrial and storage units, and surface car parking. The Auxiliary, an artist led studio, exhibition, and workshop space established in 2018, sits between the station and the pedestrian route leading to the Northern School of Art building.



Character Assessment Gresham

Gresham is located near the town centre, south west of the town. Gresham was a predominantly residential area, comprising of two storey terraced homes which were of low quality and falling into disrepair. Consequently, the majority of the terraces on the site have been demolished and the site is now vacant for development. To the east and north of the site is Linthorpe Road and Borough road respectively. These roads are established high streets which can serve the area of Gresham and provide direct access to different areas of the town centre.



- | | |
|--|---|
| Retail | Residential |
| Non-Residential | Derelict |
| Leisure | Industrial |
| Education | Storage + Distribution |
| Public Service | |

Network

Gresham is primarily served by vehicular access via Hartington Road, linking the site to the A66, and Linthorpe Road, connecting to the town centre, Teesside University campus and south Middlesbrough. It sits within a once busy street network of originally terraced residential roads. There are a number of bus routes along Linthorpe Road and Union Street providing access to public transport links to the wider town.

Boundaries

The Gresham site is bounded to the north via Union Street and Borough Road, on a key intersection with Linthorpe Road to the east which provides further access to the Teesside University campus. Garnet Street and Princes Road to the south mark the beginning of a dense cluster of terraced residential buildings, the type of which Gresham previously incorporated. To the west of the site is Waverley Street.

Environmental

The site is very limited in its current provision of greenery or areas rich in biodiversity. The remaining plots, demarcating the demolished residential units, have mostly been left as vacant with informal, low quality grass land.

Land use

The current site is mostly vacant, with the exception of the residential Union Village development to the west of Gresham, and the Parkville Care Centre which sits in the centre of the site. The prevailing surrounding land use is residential, supplemented by commercial and leisure uses along Linthorpe Road. The now vacant Crown, a locally listed building, sits on the corner of Linthorpe Road and Borough Road, was once a cinema and pub, and provides commercial development opportunities.



Character Assessment

A Town Centre Neighbourhood

The Town Centre Neighbourhood is defined by the A66 to the north and Borough Road to the south. Albert Road passes through the centre of the site, travelling north-south and providing a direct connection through to Middlehaven and the Transporter Bridge. The town centre is predominately retail, with dedicated pedestrianised streets for the retail core, and supplementary commercial and leisure uses. The site is well connected regionally through the railway station located to the north. There is also a transport hub for buses towards the west of the site, acting as a significant access point for visitors to the town. Additionally, there are large multi-storey car parks for visitors with vehicles. Throughout the site, there are a number of large multi unit shopping centres which form significant blocks in the town.



- | | |
|--|---|
| Retail | Residential |
| Non-Residential | Derelict |
| Leisure | Industrial |
| Education | Storage + Distribution |
| Public Service | |

Network

The Town Centre Neighbourhood forms the nucleus of the current heart of Middlesbrough. It is served by the majority of Middlesbrough's primary road networks, including the A66 to the north, Albert Road and Linthorpe Road through its centre, and Borough Road and Newport Road as key east to west links. It is located on the periphery of the Station Quarter, benefiting from the same great transport links. There are two primary pedestrian only zones along Linthorpe Road and Newport Road, forming the centre of retail activity in the town.

Boundaries

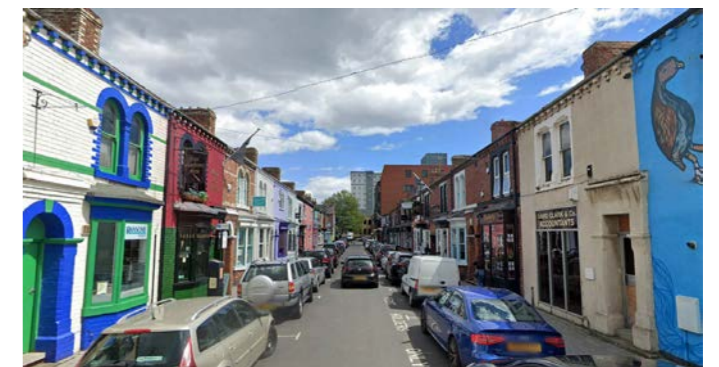
The site is bounded by the Station Quarter and A66 to the north, extending to Marton Road to the east which connects the town centre to the eastern suburbs of Middlesbrough and the James Cook University Hospital campus. The sites southern boundary sits along Borough Road and the Teesside University campus, forming a key threshold for students and local residents. Finally, the Town Centre Neighbourhood is bounded on the west by Gresham and Hartington Road, leading back towards the Station Quarter.

Environmental

As a primary urban centre, there are limited but deliberate pockets of green space. The most prominent of these is Centre Square, providing well landscaped green space to the east with tree planting and a small lake to the east. The site is then limited to isolated areas of street greening, such as that along the pedestrianised portions of Newport Road and Linthorpe Road.

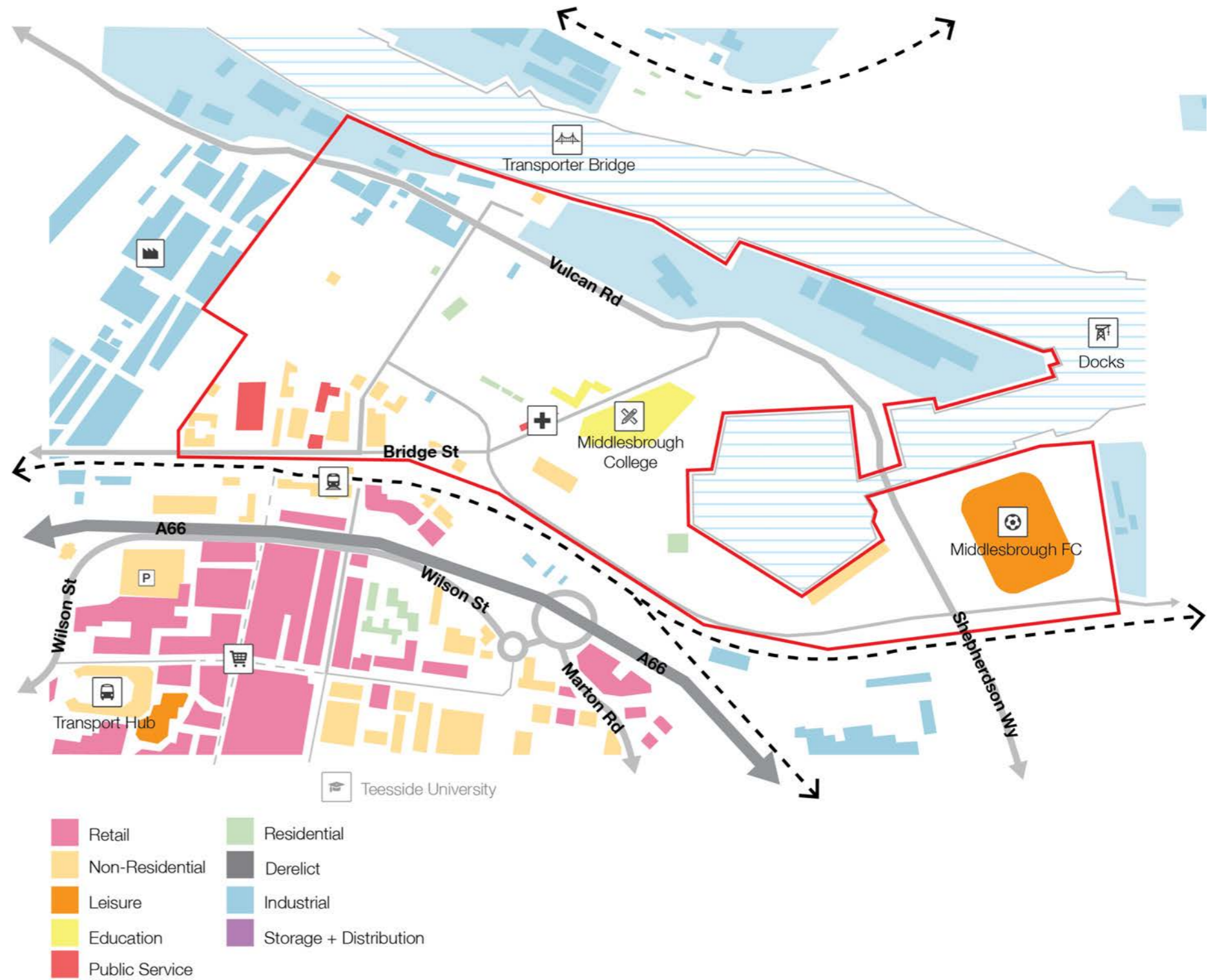
Land use

The Town Centre Neighbourhood represents a diverse mixed use collection of land uses. The historic and current primary function of the site is retail, although there are pockets of commercial office, civic uses and cultural venues complemented by general leisure uses such as bars and restaurants anchored by revitalised, lively areas such as Baker and Bedford Street and the primary shopping centres; the Cleveland Centre, the Hill Street Centre and Captain Cook Square.



Character Assessment Middlehaven

Middlehaven is situated north of Middlesbrough town centre. The area is defined by the railway line to the south and the River Tees to the north. Currently, the majority of the site is vacant. There is a cluster of offices situated at the south of the site nearby the station. In the centre of the site is Middlesbrough College, whilst further to the east is the Riverside Stadium, an important local landmark and home of Middlesbrough Football Club. The north of the site along the riverbank is dedicated to a mixture of industrial uses. The site has limited access to the rest of the town due to the boundary formed by the railway and A66. The most notable connection to the town centre is via Albert Road which connects to Bridge Street.



Network

Middlehaven is primarily served by both the central rail station and A66 to the south of the site. The Transporter Bridge, a prominent national icon, has been closed since 2019, but previously provided access to the north bank of the River Tees. The primary vehicular entry points to Middlehaven are via the new Middlesbrough Dock Bridge, adjacent to the Riverside Stadium, via the A66 to the east, North Road to the west and Albert Road to the south. Pedestrians can access the site via underpasses from the south of the rail line.

Boundaries

The site is bounded to the north exclusively by the River Tees, forming the natural boundary to the town of Middlesbrough. To the east is the Riverside Stadium, home of Middlesbrough Football Club, which is bordered by light industry and storage and distribution units. The south border of the site is formed by the rail line, skirted by Bridge Street West and Windward Way. The western edge of the site is marked by a series of light industrial units bordered by Stockton Street.

Environmental

There are large tracts of green space within the heart of Middlehaven, although some of these sites are currently under development. There is an established cluster of tree planting to the centre of the site adjacent to Durham Street, which also borders a new soft landscaped park leading to the Transporter Bridge. The River Tees is a significant environmental asset, which in turn leads to the Middlehaven Docks at the centre of the site.

Land use

There are isolated pockets of development across the site which is symptomatic of many years of master planning, including the Riverside Stadium, Middlesbrough College and the Boho cluster of offices and civic buildings. Pockets of residential development are also established on site, including the Community in a Cube (CIAC) building and new homes along Pioneering Way. The remainder of the site is dominated by vacant development plots and industrial units to the riverbank and western site boundary. A number of prominent historic and contemporary structures reside within the Middlehaven area, including the Transporter Bridge, Temenos, Middlesbrough Hydraulic Clock Tower and the Old Town Hall.



Vision

Vision

Developed in collaboration with key stakeholders and partners, the masterplan for Middlesbrough is underpinned by four core objectives to drive the MDC's role in the transformation of the town:

- Build 1,500 new homes – Deliver new town centre neighbourhoods, providing people with a greater choice and quality of housing.
- Attract up to 4,000 new jobs – Attract more diverse and higher value jobs to build a thriving regional hub.
- Create a Middlesbrough to be proud of – Attracting people to our town through the creation of better streets, spaces, and places where people want to spend time.
- Put skills and learning at the heart of the town – As a modern university town, Middlesbrough will be a centre of skills and education that provides generations the opportunity to gain the skills they need to get the job they want.

The MDC Design Code has been prepared in response to this general vision. Its role is to ensure that all development within the MDC area is designed in such a way as to capture the specific requirements of the place and thus deliver high quality outcomes in a coherent manner. It will do this by providing clear design instruction and guidance which can be used as a basis for both drawing up and assessing development proposals.

By having regard to the principles set out in this Design Code, it is expected that proposals for development will be efficiently managed through the planning determination process, accelerating the development and regeneration of Middlesbrough.



Coding Plan

The coding plan shows the area types and development sites for the design code study area.

1. Gresham

A new mixed-use development for the town, supporting the growth of the university and creating local facilities for the existing community.

2. A Town Centre Neighbourhood

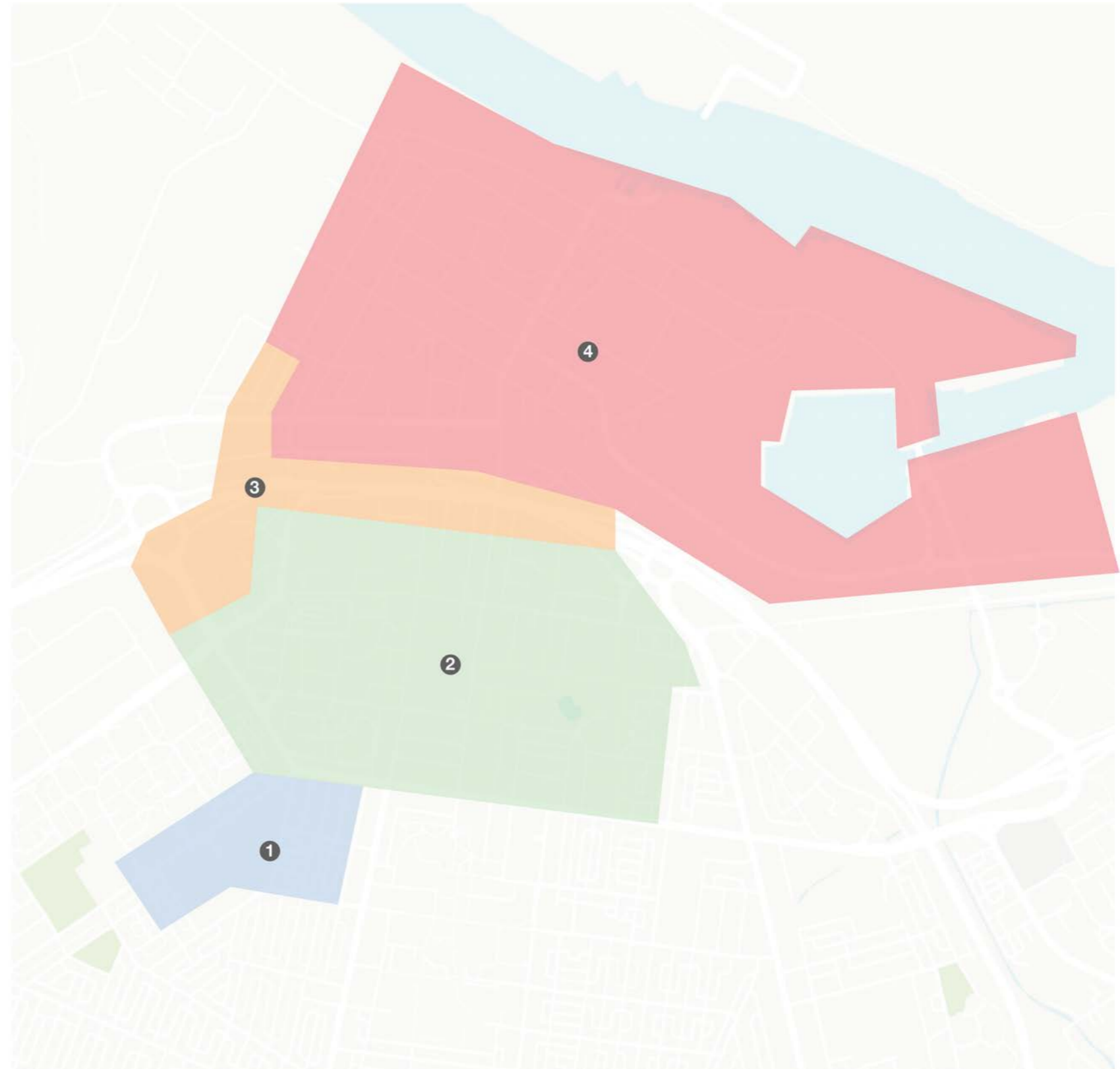
A commercial heart for the town with a regenerated urban park, new multi- generational living, business space and services. Incorporating a new western gateway connecting the town centre, anchored by the Northern School of Art.

3. Station Quarter

A new mixed-use creative and cultural quarter for the town in an urban park setting – using improved public realm to better connect the town centre, station and Middlehaven. A new gateway linking the station to Exchange Square, Marsh Road and Wilson Street.

4. Middlehaven

New town centre living in a first rate sustainable community, as well as a mixed use internationally recognised cultural and entertainment destination anchored around the waterfront.



Design Code

General Principles

Development Principle MDC1: General Strategies

The MDC will seek to achieve the redevelopment of the Middlesbrough Masterplan area in order to support business, deliver connected green spaces and promote a digitally connected town in accordance with the following Cross Cutting Strategies as set out in the Masterplan:

1. People & Skills: ensuring every business has access to the skills they need, including workforce development and skills support and that every resident can access a good and progressive job and are aware of careers opportunities and the route to achieve them.
2. Grey to Green: supporting the town's move to net zero and improving the overall look and feel of the Masterplan area by unlocking the delivery of up to 2.5 hectares of open space in the town and improving green links between key open spaces;
3. Digital: aspiring to become the UK's first truly Smart region by 2032, underpinned by world-leading digital infrastructure and innovative technologies by working with partners and key stakeholders to meet the needs of businesses and communities.

The above strategies are defined in the Masterplan to inform the development of the identified Focus Areas. The MDC will encourage and support development which can demonstrate a contribution to the delivery of the above strategies where possible or appropriate.



Development Principle MDC2: Land Assembly and Delivery

The MDC will proactively work with applicants, landowners and key stakeholders within the Middlesbrough Masterplan area to promote and achieve the comprehensive development of land in appropriate locations.

A comprehensive approach to development will be adopted by the MDC, who will negotiate with landowners accordingly in order to assemble land in areas of interest. Where necessary, the MDC will seek to use powers to compulsorily acquire land in key areas in order to deliver comprehensive development and achieve the overall vision of the Masterplan.

Applicants and potential investors are encouraged to engage in early pre-application discussions with the MDC prior to the submission of a planning application to identify the locations and instances where a comprehensive approach to redevelopment will be sought. Early discussions between applicants and the MDC will help align aspirations and improve the effectiveness of the planning process, with the view of delivering appropriate development in an efficient manner.



Development Principle MDC3: Movement and Connectivity

The MDC will support development which helps promote, enhance or reinforce pedestrian movement and connectivity throughout the Masterplan area. Active travel routes will be promoted through a strategic network of movement, with a view of reducing vehicular traffic in core areas to improve ease of movement.

In particular, in accordance with the Masterplan, the MDC will encourage proposals which look to develop opportunities that:

1. Deliver safer and attractive crossings including movement under the A66, between Boho, St Hilda's and Middlehaven to the retail centre;
2. Improve the quality of public realm and linkages between the educational institutions throughout the town;
3. Improve connectivity between the Riverside Stadium, Middlehaven and the town centre;
4. Improve the visitor gateways of Wilson Street, Albert Road, Newport Road and Borough Road, by better facilitating movement.

Development which can demonstrate a contribution to any of the key areas of improvement set out above will be supported by the MDC.



Development Principle MDC4: Secured by Design

In accordance with the requirements of Secured by Design, the MDC will encourage applicants to incorporate effective crime prevention measures into their development proposal where appropriate. Development which embraces the core principles of Secured by Design and strives to improve the security of buildings and their immediate surroundings will be supported by the MDC.

Context

The Department for Levelling Up, Housing and Communities has acknowledged the importance of the police advice delivered over the past 30 years; specifically in the form of the Secured by Design (SBD) initiative. References within the National Planning Policy Framework (NPPF) and the accompanying National Planning Practice Guidance (NPPG) have sought to reinforce the need for and importance of a safe and secure external environment and to this end there are specific references to police service advice and the Police.uk website (<https://www.police.uk/>) in particular.

SBD has produced a series of authoritative Design Guides <https://www.securedbydesign.com/guidance/design-guides> to assist the building, design and construction industry to incorporate security into developments to comply with the Building Regulations and meet the requirements of SBD. These guides cover a range of building sectors, including residential, education, health, transport and commercial. They are periodically updated to keep pace with changing patterns of criminal behaviour and advances in building design and new technology. For that reason, rather than including specific design recommendations within this document, the MDC will require applicants to provide evidence that the requirements of the latest SBD guidance have been fully considered and implemented as part of any development proposal in order to help deliver safe places to live, work, shop and visit in Middlesbrough.



Constructing well designed places, buildings and communities that promote both sustainable communities and health and wellbeing is an objective that Secured by Design widely supports; however, it is imperative that they must also be safe, secure, and accessible. Mitigating the opportunities for crime is not only about reducing and preventing injury and crime, but it is also about building strong, cohesive, vibrant and participatory communities.

Implementation

The MDC will expect developers to liaise with Cleveland Police Designing Out Crime Officers (DOCOC@cleveland.police.uk) at an early stage in the development of any design proposals to ensure that SBD guidance is incorporated from the outset and integrated into the design of the building. This will help shape better designed and more secure buildings.

The need to be mindful of security should extend beyond the planning process and be a key consideration in the sourcing and specification of construction materials and security products. The MDC encourages the use of security products which have been accredited by Secured by Design. This includes over 7000 individual attack resistant crime prevention products including doors, windows, external storage, bicycle and motorcycle security, locks and hardware, alarms, CCTV, perimeter security products and many others.

Secured by Design CRIME PREVENTION GUIDES

Secured by Design is the national police crime prevention initiative



Secured by Design



Official Police Security Initiative

Development Principle MDC5: Natural Environment Protection and Enhancement

In partnership with key stakeholders, the MDC will seek to protect and, where appropriate, enhance designated and non-designated sites of biodiversity and geodiversity value and interest within the Masterplan area. The MDC will encourage applicants to identify and pursue opportunities to protect and enhance priority habitats, priority species and ecological networks; and will support development proposals which can demonstrate measurable net gains in biodiversity.



Development Principle MDC6: Historic Environment

In partnership with key stakeholders, the MDC will encourage applicants to pursue opportunities to complement, enhance or repurpose heritage assets where suitable in order to promote Middlesbrough's heritage. The appropriate regeneration of key and underutilised listed buildings will be supported, with a view of securing the long-term conservation of assets at risk and to catalyse further redevelopment of the town.

Development which seeks to enhance the significance or setting of heritage assets as appropriate will also be supported, with a view of creating a sense of place and civic pride for Middlesbrough.



Development Principle MDC7: Sustainability

The MDC will support development which actively seeks to minimise its CO2 and equivalent emissions impact through the incorporation of sustainable design measures where appropriate. Applicants will be encouraged to integrate renewable and low carbon energy solutions into a development proposal where possible in order to function effectively and address the impacts of climate change.



Development Principle MDC8: Design Parameters

Development which meets each of the Design Parameters for each of the focus areas set out in the following section of this Design Code will be supported by the MDC. Those Design Parameters set out standards that would be appropriate for most instances including for density, building height, plot ratios and active frontages.



Station Quarter

A new mixed-use creative and cultural quarter for the town in an urban park setting – using improved public realm to better connect the town centre, station and Middlehaven. A new gateway linking the station to Exchange Square, Marsh Road and Wilson Street.

Context

The Station Quarter context is driven primarily by Middlesbrough rail station, surrounding historic buildings to Exchange Square and Zetland Road, and the strong urban, high quality character of the square itself.

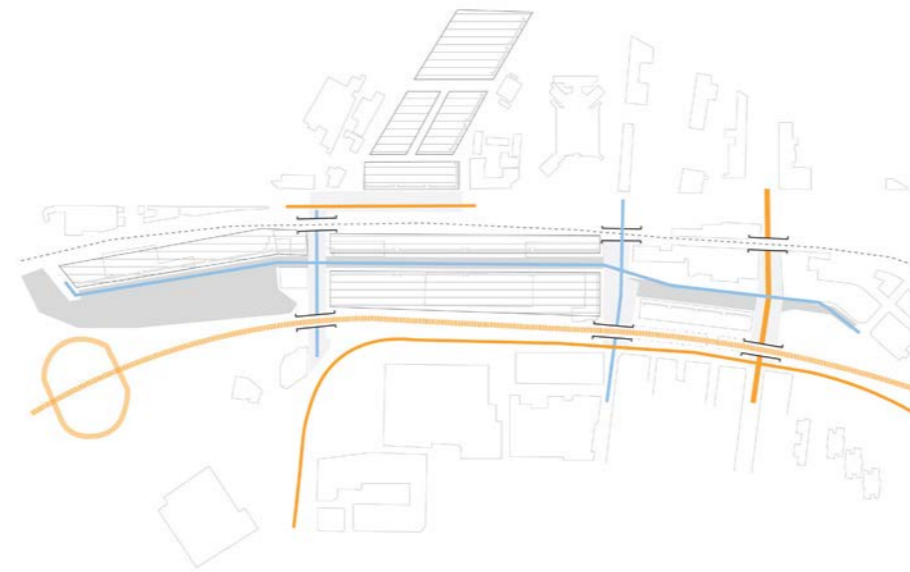
Conversely, there is a strong character enforced by the rail network and A66 overpass itself, establishing an industrially flavoured rail arch typology complemented by the light industrial shed units throughout the site.



Movement

Encourage safer connectivity to the Wilson Street crossing points (M1), making use of street lighting and artwork in keeping with the emerging creative character of the site.

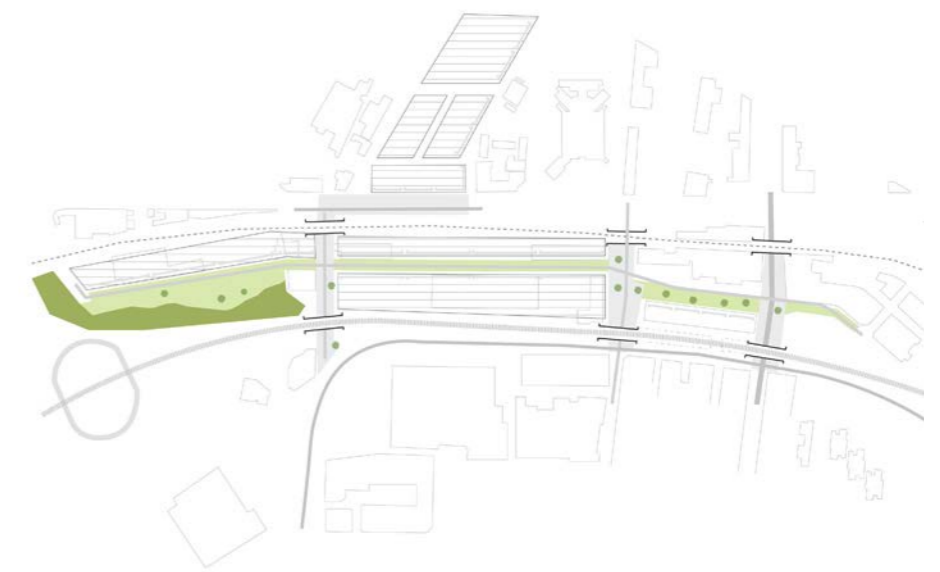
Encourage vibrant and active pedestrian friendly movement east-west (M2) from the station interrupted only for service access, connecting Exchange Square and the emerging heritage quarter with new developments to the west of the site, the Auxiliary, and the Northern School of Art.



Nature

Focus on opportunities to develop a new key green anchor to the west of the site, supported by the existing green infrastructure adjacent to the A66 (N1).

Encourage high quality street greening along a new pedestrian centric Station Street, and further improvements to Exchange Square with selective planting zones to encourage more green space. Utilise new green anchor for sustainable drainage opportunities where possible and enhance local biodiversity.



Built Form

New development to be informed by lower rise, medium density built form along Station Street (B1), one to three storeys typically, promoting strong active frontages. Opportunities for additional height along the southern edge of the site which flanks the A66, up to six storeys typically (B2).

New development and public realm enhancements to consider arrangement, heights, and form of buildings along Zetland Road and Exchange Square, as well as industrial vernacular of units to Station Street and the western edge of the site. Opportunity to create a gateway element to the junction of Linthorpe Road and Zetland Road, acting as a marker for the station, Middlehaven and the Station Quarter itself, complemented by high quality public space.



Public Space

Opportunity to develop a linear public space along Station Street itself, promoting pedestrian priority and encouraging active exploration with the use of high quality materials and selective planting in keeping with the emerging character of the focus area.

Enhance the existing provision of public space to Exchange Square to further promote the area as a new heritage quarter destination for the town. Key focus on the development of a new park to the west of the site for community use.



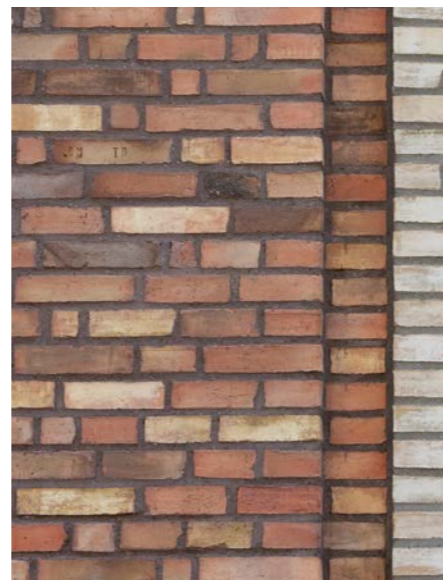
Use

Focus on creative cultural and workspace areas anchored by the Auxiliary and Northern School of Art, with complementary leisure and commercial uses to encourage the development of a vibrant arts focussed quarter and supports small and medium enterprises. Additional live-work and primary residential uses to be considered to the south of the site, fostering a new community tied to the emerging creative quarter.








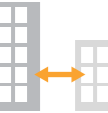





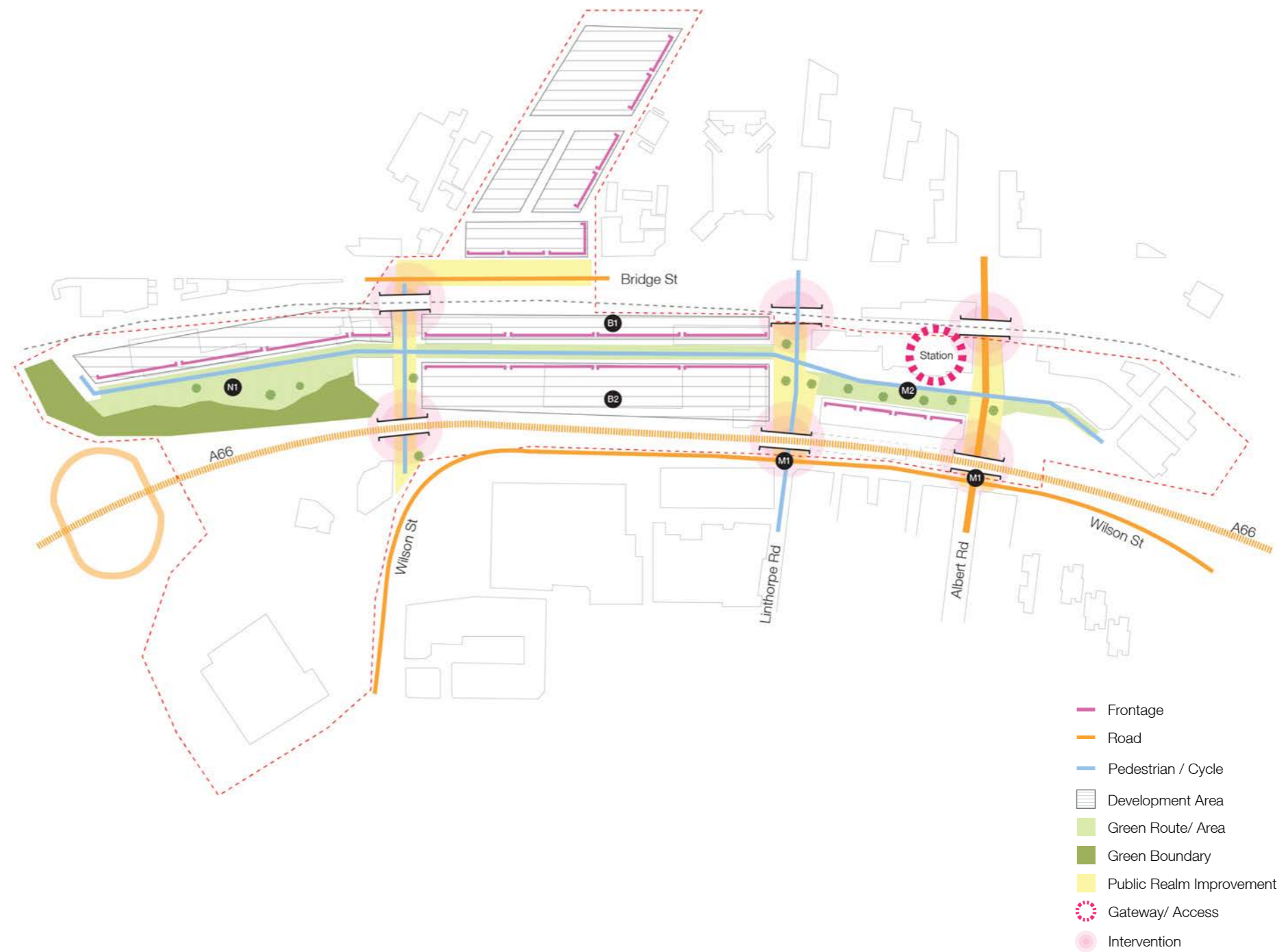
Identity and Materials

New characteristic as a vibrant and dynamic arts centric quarter, complemented by the previously dominant industrial nature of the site. Contrasting use of traditional industrial vernacular and high quality, robust materials is encouraged to reflect the high quality heritage assets on site alongside the existing light industrial context, taking inspiration from Exchange Square and Middlesbrough train station as well as the rail line and adjacent environment. Use of colour, street art, and lighting is all encouraged to promote a vibrant and active environment.



Design Parameters

-  **Area Type:** Local Centre
-  **Density:** Medium
-  **Storey Heights:** Medium / High (4-8 Storeys)
-  **Plot Ratio:** Medium (1.0)
-  **Building Line:** Medium / High (40->60%)
-  **Active Frontage:** High
-  **Street Set Back:** Tight / Medium (0-3m)
-  **Street Widths:** Medium
-  **Open Space Focus:** Pocket parks / Communal gathering space / Nature space
-  **Car Parking Provision:** On street / Off street
-  **SuDS Focus:** Swales and planting / Permeable surfacing / Green roofs



✓ We recommend...

- Medium densities appropriate to the existing site uses
- Active frontages and a prioritisation of pedestrian access along Station Street with opportunities for street greening and high quality hard landscaping
- Enhanced pedestrian access along a primary east-west corridor through the site
- Up to six storeys for new developments to the A66/south boundary and west of the site, smaller storey heights typically to the remainder
- Consideration to the quality, character, and massing of the numerous heritage assets within the site, including views toward such structures
- Key interventions to Wilson Street crossing points utilising lighting and street art

✗ We recommend that you avoid...

- Overly low or high density development
- Taller buildings to the north and east of the site
- Development which harms the heritage and quality of existing assets on site
- Inward looking development or vehicle centric development to the site generally

Gresham

A new mixed-use development for the town, supporting the growth of the university and creating local facilities for the existing community.

Context

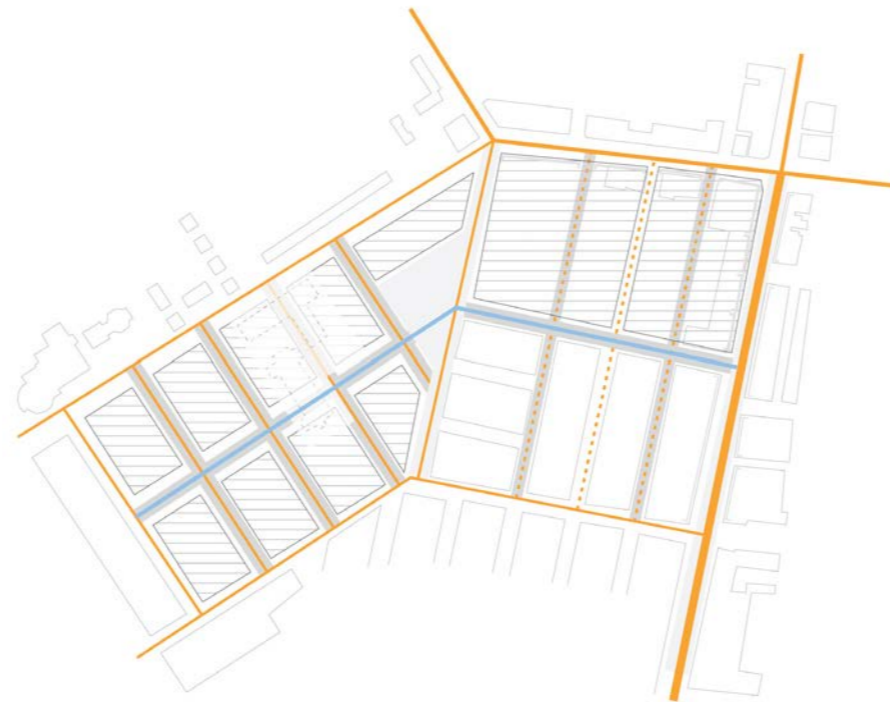
The Gresham context is driven primarily by its dominant residential character, comprising mostly of two storey, red brick terraced housing with rear access lanes yards. There is an emerging character of higher quality new build housing to the west of the site which mostly takes reference from the historic and existing housing stock on site. This typology breaks down as you move towards Linthorpe Road, with a greater variety of building heights and façade treatments to reflect the wider mix of uses.



Movement

Encourage a key pedestrian link through the centre of the site (M1), linking Linthorpe Road with Waverley Street, a new public landscape space to the heart of the site, and any new development within the focus area itself.

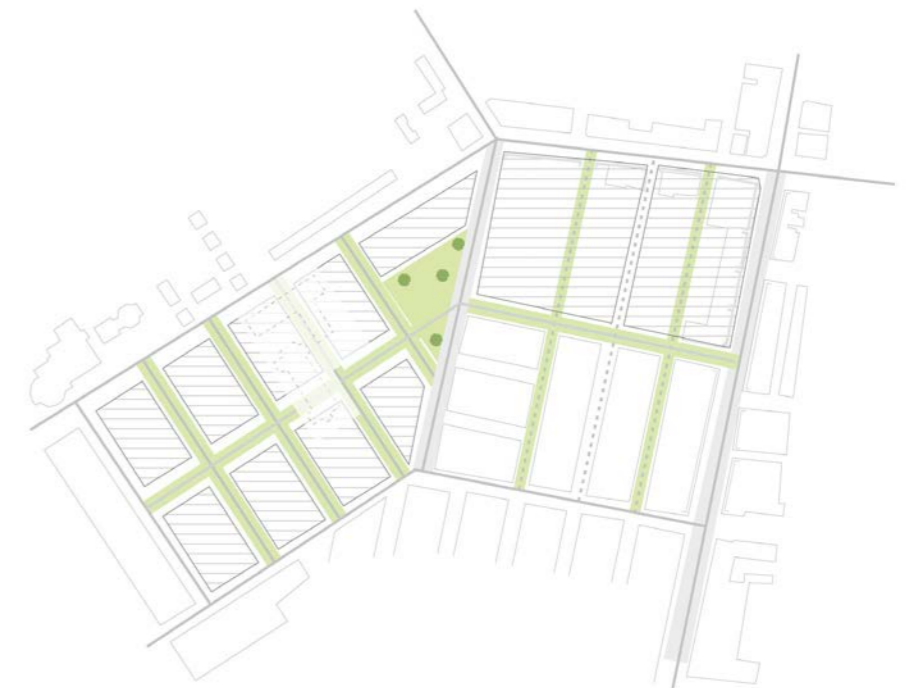
Establish secondary and tertiary links within the site but ensure safe and active movement where possible by avoiding dead ends and cul-de-sacs. Enhance the three primary access nodes on Linthorpe Road and Hartington Road.



Nature

Encourage street greening where possible with the introduction of traffic calming measures, providing additional space for landscaping, and ensuring Gresham remains a pedestrian centric zone. Opportunity for a central green heart space to enhance biodiversity, sustainable drainage and extent of planting (N1).

Encourage sustainable drainage strategies where possible, with new development to avoid hard standing, non-permeable surfaces.



Built Form

New development to be informed by the low rise, medium to high density of the surrounding site, two storeys typically but up to three storeys considered acceptable (B1). Opportunity for additional height to the eastern edge of the site, including along Linthorpe Road to contextualise against the taller buildings there and adjacent university campus, up to five storeys typically (B2). Active frontages encouraged to Borough Road and Linthorpe Road.

Public Space

Primary focus on the development of a key public space within the heart of the Gresham focus area itself, to provide green open space for residents and visitors, with opportunities for children's play space where possible. Opportunities to enhance the public space along Linthorpe Road, encouraging pedestrian links through the site, toward the university and north to the town centre.

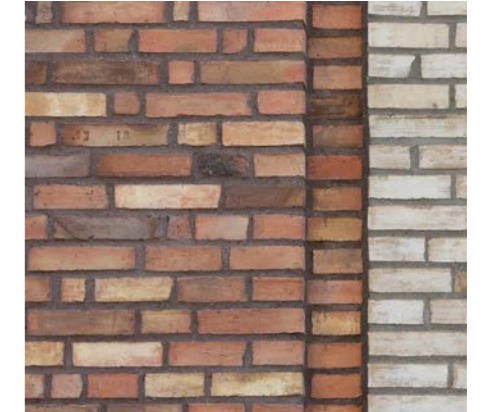
Use

Focus on the delivery of high quality new homes for Gresham, considering a number of unit sizes and tenures. Additional consideration for purpose built student accommodation to serve Teesside University, alongside commercial and leisure uses along Borough Road and Linthorpe Road, anchored by the redevelopment of the Crown Pub (U1). Additional opportunities to be considered include an expansion of the Teesside University campus into the west of the focus area, acting as a catalyst for the regeneration of Gresham and the wider area (U2).



Identity and Materials

Encouraged development of a high quality, contemporary residential quarter with references to the historic and current residential character of the site. Encouraged use of robust and high quality materials including brick and slate. Use of natural materials as complementary features to improved green space. High quality landscaping to green links to encourage pedestrian use. Larger non residential developments to tie in with the existing character of the site, with a consideration for complementary material palettes and architectural detailing.



Design Parameters



Area Type: Urban Neighbourhood



Density: Medium / High



Storey Heights: Low / Medium (1-5 Storeys)



Plot Ratio: Medium / High (1.0-2+)



Building Line: Low / Medium (<40-60%)



Active Frontage: Low / Medium



Street Set Back: Loose / Generous (3-6m+)



Street Widths: Narrow/ Medium



Open Space Focus: Activity space / Play space / Nature space



Car Parking Provision: On street / Off street



SuDS Focus: All suitable methods to be considered



✓ We recommend...

- Higher densities to maximise the opportunity for new housing on the site mirroring the tighter grain of the surrounding area
- Up to three storeys typically across the site, with up to five storeys towards Linthorpe Road
- Integration of a new central green space for community use
- A primary green pedestrian link providing an access route east-west through the site
- Use of materials and architectural details which complement the historic and existing site context
- Outward looking development to encourage passive surveillance over key pedestrian routes

✗ We recommend that you avoid...

- Low density large block massing
- Excessive areas of hard, non-permeable surfaces
- Storey heights above three storeys for any emerging residential development
- Restriction of pedestrian movement across site, including the use of dead ends or cul-de-sacs

A Town Centre Neighbourhood

A commercial heart for the town with a regenerated urban park, new multi- generational living, business space and services. Incorporating a new western gateway connecting the town centre, anchored by the Northern School of Art.

Context

The Town Centre Neighbourhood context is mostly characterised as a town centre urban hub. There are a vast number of typologies within this focus area, including heritage assets such as the Town Hall and the Middlesbrough Empire, large urban shopping centres such as the Cleveland Centre and Hill Street Centre, pedestrianised high street retail clusters along Corporation Road and Linthorpe Road and spread throughout the wider site, and isolated tall buildings such as the CNE.



Movement

Focus on the improvement of pedestrian movement along the primary access routes of Albert Road and Linthorpe Road (M1), with additional improvement to the east west link of Corporation Road which ties the entire town centre together (M2).

Opportunities for interventions at key gateway nodes such as the junction of Borough Road and Linthorpe Road (M2) and to the current transport hub incorporating Middlesbrough bus station. Consider opportunities to enhance through routes to Middlehaven and the Station Quarter with the use of public art and lighting to the existing underpasses.



Nature

Encourage street planting and biodiversity enhancements along the primary pedestrian routes where possible, linking the north of the town centre, Middlehaven and the Station Quarter with the heart of the Town Centre Neighbourhood at Centre Square.

Explore opportunities to introduce greenery to roof terraces to redeveloped shopping centres or at street level, implementing more green areas from existing grey space. Encourage more greening to Exchange Square and street greening to Albert Road to promote the development of a biodiversity corridor toward Centre Square (N1).



Built Form

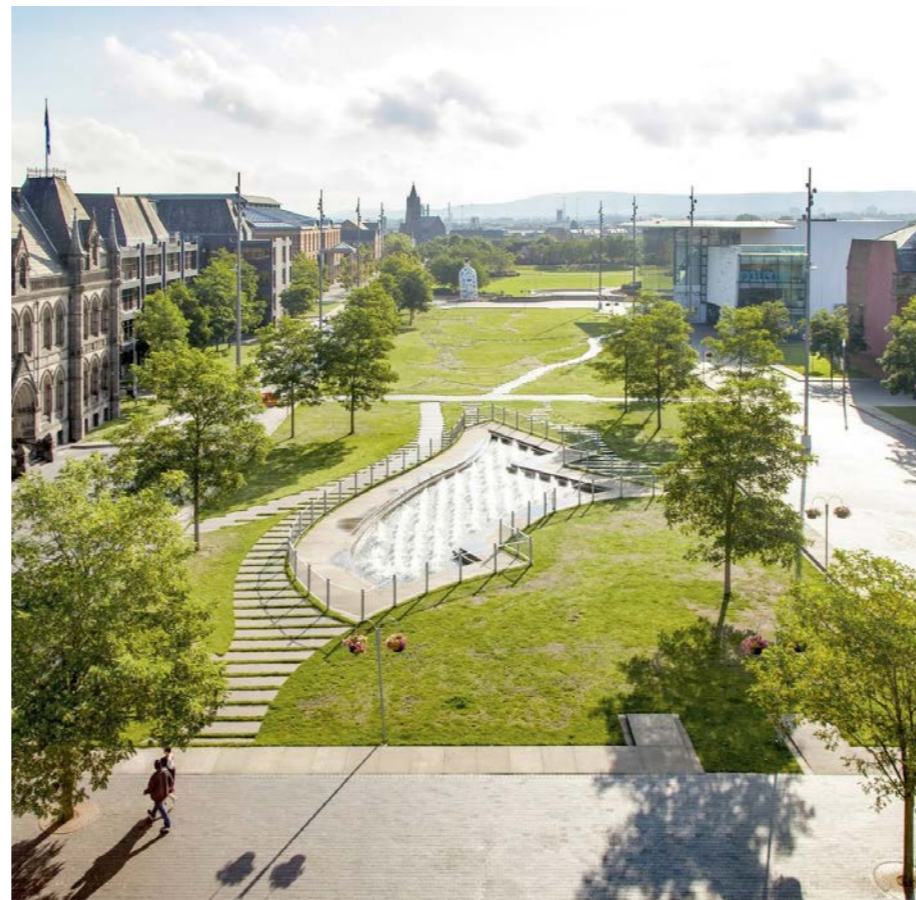
New development to be considerate of existing site context, including storey heights and densities. Opportunities for tall buildings to central nodes within the site, and north along the A66, where development opportunities exist, but typically consider up to five storeys across the site. New development and public realm enhancements to consider arrangement, heights and form of any heritage assets within the site, including the Town Hall and the Middlesbrough Empire.

Opportunities to consolidate the permeable nature of the wider Town Centre Neighbourhood including the Cleveland Centre, Hill Street Centre and Dundas Shopping Centre blocks, with outward looking active frontages (B1) encouraged to the primary periphery roads and inward looking service spaces pushed to the centre of the site with consideration for new centralised public spaces.



Public Space

Opportunities to enhance and consolidate existing key public spaces within the site including Exchange Square, Centre Square, and Captain Cook Square, with high quality pedestrian friendly streetscapes connecting the wider site and enhanced access and frontage to Middlesbrough bus station (P1). Consider additional opportunities for public square spaces in the town centre and the use of roof terraces for new communal gathering and recreational space.



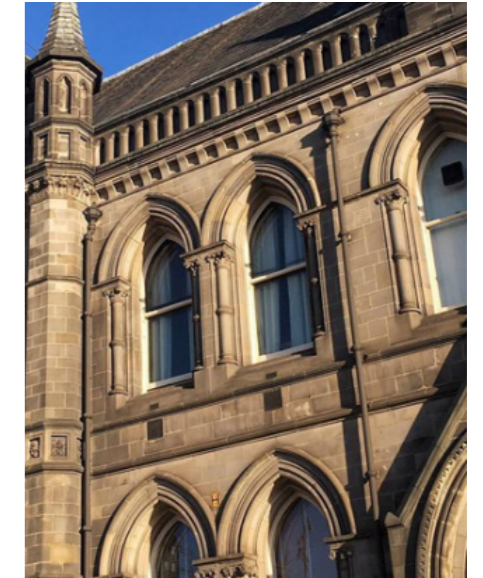
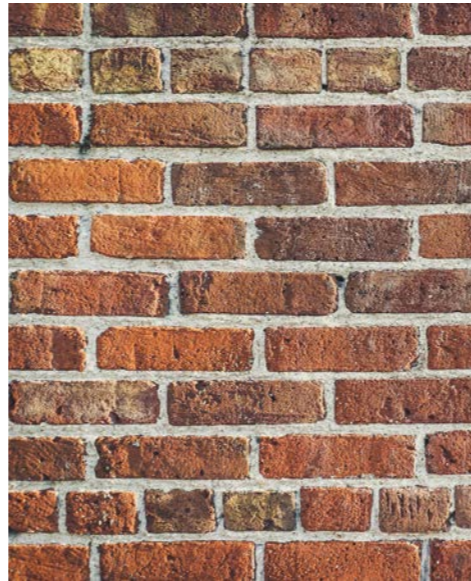
Use

Focus on the consolidation and rebalance of oversupplied retail uses into commercial, leisure and public space opportunities to enhance the daytime and evening economy of Middlesbrough, with rejuvenated retail opportunities where demand can be demonstrated. Consideration for residential uses to the site to promote a mixed-use town centre.








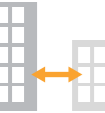





Identity and Materials

Enhance the current urban town centre character of the site with appropriate architectural responses which promote pedestrian activity and safety, utilising glazed street frontages on key routes through the site with high quality façade design which reflect the historic detailing found on a number of buildings in the town centre. Encourage high quality hard landscaping materials for public spaces and pedestrian streets and promote more opportunities for communal gathering with wider streetscapes and highly visible public spaces. Opportunities for high quality feature buildings as key nodes to the town centre.



Design Parameters

-  **Area Type:** Town Centre
-  **Density:** Medium/ High
-  **Storey Heights:** Medium / High (2-5 Storeys)
-  **Plot Ratio:** Medium / High (1.0-2.0)
-  **Building Line:** High (>60%)
-  **Active Frontage:** High
-  **Street Set Back:** Medium / Loose (3-6m)
-  **Street Widths:** Medium / Wide
-  **Open Space Focus:** Pocket parks / Communal gathering space
-  **Car Parking Provision:** Decked / MSCP
-  **SuDS Focus:** Swales and planting / Permeable surfacing / Green roofs



✓ We recommend...

- Positive outward looking development with highly activated façades and consistent building lines where possible
- Breaking up the existing medium density shopping centre blocks that dominate the site
- Consideration for commercial, leisure, and public space uses to rebalance the town centre
- Up to six storeys typically across the site, with consideration for taller buildings to key nodes which demonstrate considerably high quality design
- Enhancement and street greening of primary pedestrian routes and public spaces
- Use of decked or MSCP car parking to facilitate higher density development

✗ We recommend that you avoid...

- Inward looking development, blank façades, or extensive surface car parking open to the periphery of the site
- Service routes and loading areas compromising public access to the site and new development
- Low density, low height development to the centre of the town
- Excessive additional retail development

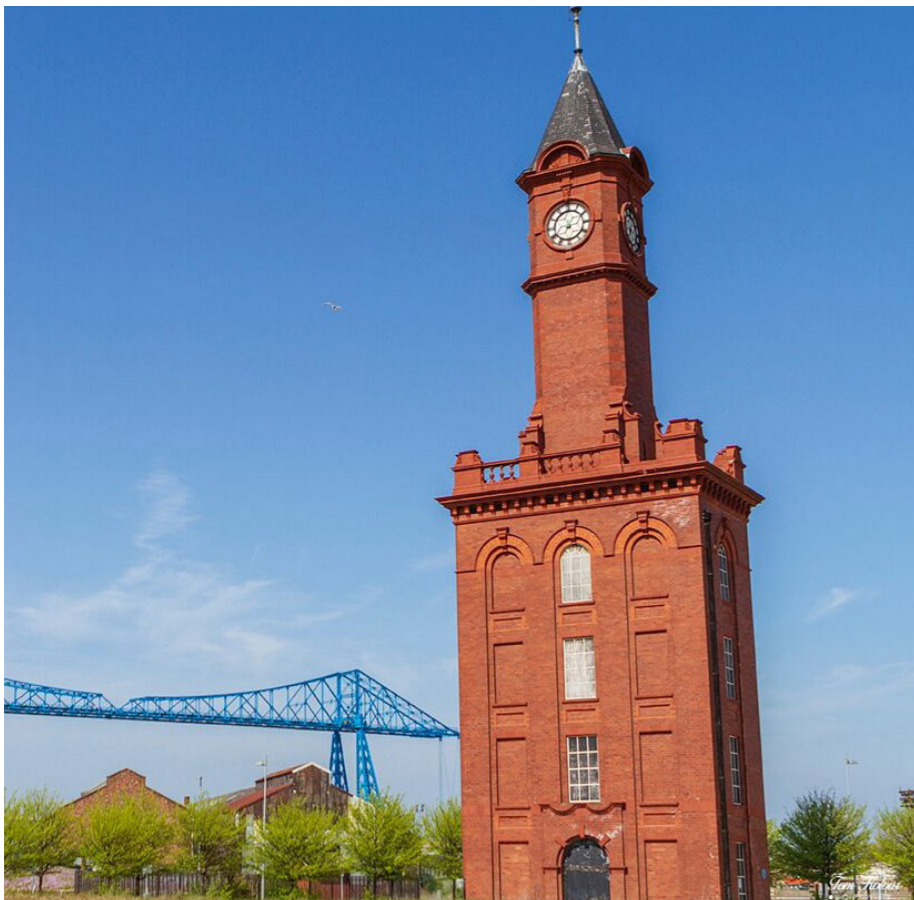
Middlehaven

New town centre living in an first rate sustainable community, as well as a mixed use internationally recognised cultural and entertainment destination anchored around the waterfront.

Context

The Middlehaven context is mostly characterised by its predominantly industrial past and iconic structures such as the Transporter Bridge, Temenos and Riverside Stadium, with remnants of the old St. Hilda's townscape expressed via a few remaining heritage assets including the Old Town Hall.

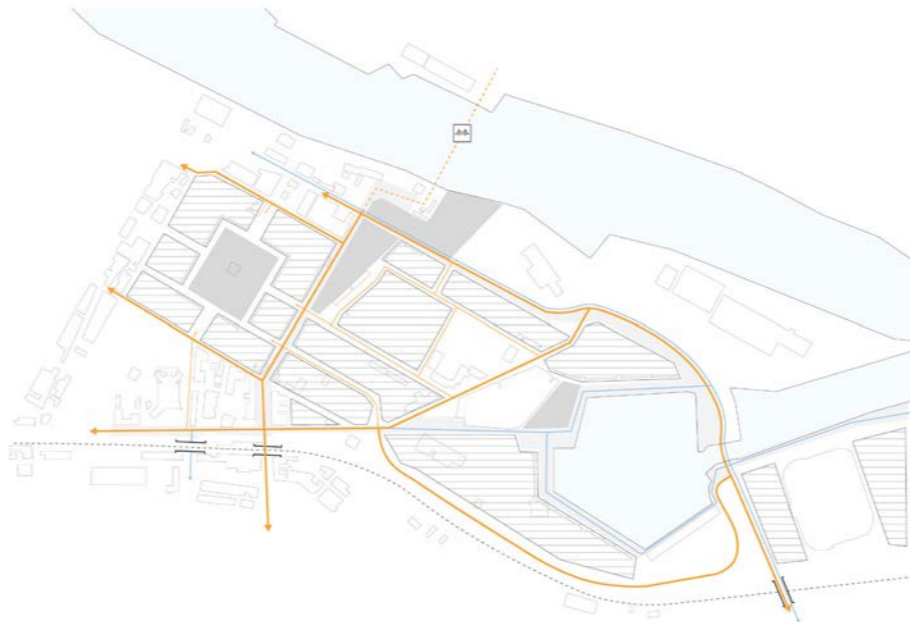
The area is also defined by its proximity to water; both the River Tees itself and the Middlehaven Docks. There are examples of emerging high quality public realm, including the pedestrian paths leading from the train station into the heart of Middlehaven, a cluster of areas around the docks, and emerging public space adjacent to Pioneering Way.



Movement

Encourage pedestrian and vehicular access from the town centre via Albert Road (M1), and further routes through Middlehaven leading north along Cleveland Street to the Transporter Bridge (M2), and east along Dock Street and Windward Way toward Middlesbrough College and the Riverside Stadium (M3).

Encourage pedestrian and cycle routes to the north of the site along the Teesdale Way (M4), connecting to the wider cycle network to the north of the River Tees and south towards the town centre. Encourage safe, active pedestrian focussed routes around the docks and along the river where possible.



Nature

Continue to provide high quality green space in association with new development across the site, including consideration for a new public green space anchored by the Old Town Hall and any new residential development in the St. Hilda's area (N1). Enhance the existing Middlehaven Park provision with additional high quality planting and increased biodiversity opportunities. Enhancements to the docks to further improve biodiversity and connection to the maritime context of the site.



Built Form

New development to be informed by existing site context, up to six storeys typically with additional height possible for high quality development to key central nodes within site to promote way finding. Higher densities and tighter street grain to secondary routes supported to promote higher quantum of residential development and mirror the historic street pattern of St. Hilda's, with active, outward facing frontages to any commercial or leisure developments on site. Consideration for high quality architectural detailing to any flagship development within the site to anchor the wider area.

Public Space

Improvements to existing public space along Middlehaven Docks and the River Tees (P1), with encouraged development of a primary public access route from the train station to the Transporter Bridge. Character of public space could take inspiration from the maritime and industrial character of the site.

Opportunities for new public space to the St. Hilda's residential development site providing safe, open, welcoming communal and play spaces for future residents and visitors (P2).

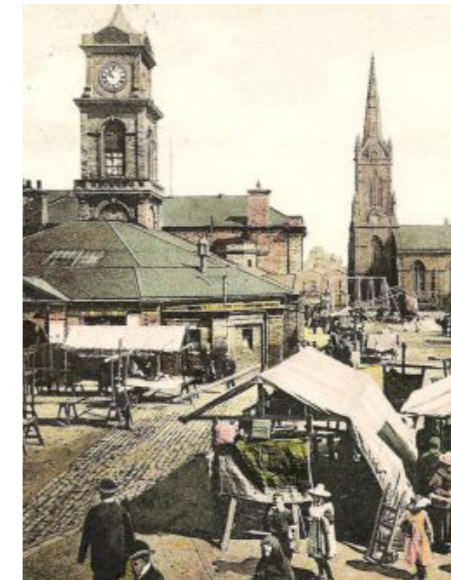
Use

Consideration for a new internationally recognised cultural or leisure attraction to anchor the site as a new entertainment destination in tandem with the Riverside Stadium (U1), with additional consideration for uses to the docks and River Tees. Additional uses to be considered include new residential and leisure development to the St. Hilda's area and along the Middlehaven Docks (U2), education uses to complement Middlesbrough College (U3) and the anticipated growing residential population within the site, and office and commercial uses to complement the dynamic and emerging Boho quarter to the south of the site (U4).



Identity and Materials

Enhance the historically rich industrial character of the site whilst acknowledging and celebrating the maritime context of Middlehaven. The identity of the site should be bold and ambitious and aspire toward the best quality waterfront urban environments across Europe in providing a new and exciting destination area for the town and wider North East. Use of colours and materials to reflect key heritage assets within the site, including the Transporter Bridge, Old Town Hall and Hydraulic Clock Tower.



Design Parameters



Area Type: Local Centre / Urban Neighbourhood



Density: Medium / High



Storey Heights: Low / Medium / High (1-6+ Storeys)



Plot Ratio: Medium (1.0)



Building Line: Medium / High (40->60%)



Active Frontage: Medium / High



Street Set Back: Medium / Loose (3-6m)



Street Widths: Medium



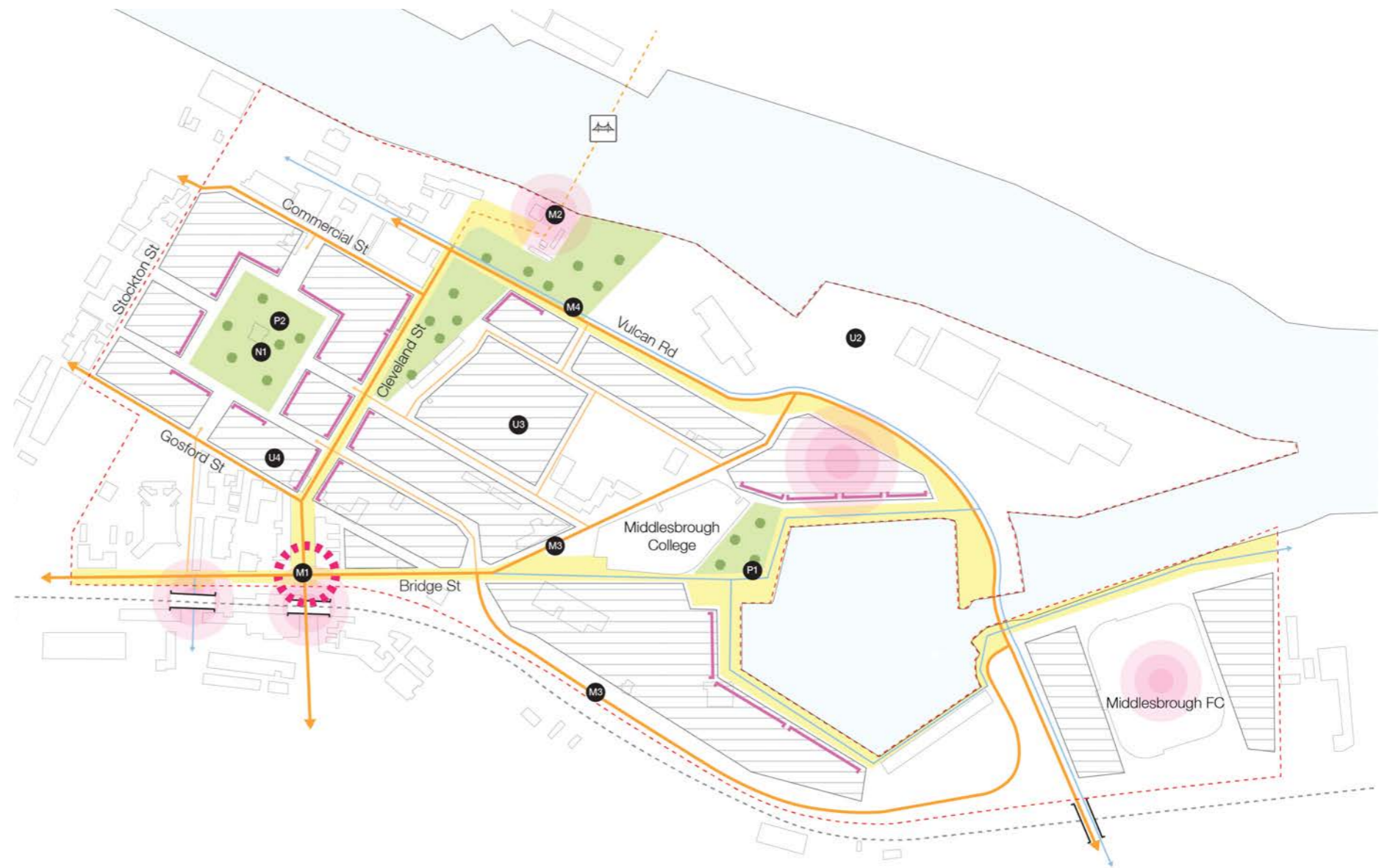
Open Space Focus: Pocket parks / Communal gathering space / Nature space / Play space / Activity space



Car Parking Provision: On street / Off street



SuDS Focus: All suitable methods to be considered



- Frontage
- Road
- Pedestrian / Cycle
- Development Area
- Green Route/ Area
- Green Boundary
- Public Realm Improvement
- Gateway/ Access
- Intervention

 **We recommend...**

- Medium to high density development to the west of the site, with lower densities promoting generous public space to waterfront areas
- Up to six storeys typically across the site, with consideration for taller buildings demonstrating high quality design and demand
- Encouraging high quality pedestrian links between the town centre, Riverside Stadium, Transporter Bridge and Middlehaven Docks, with safe, secure, and green access routes
- Encouraging better integration with the waterfront character of the site and a celebration of the rich industrial heritage of the Middlehaven focus area
- Mixed use development including cultural, leisure, residential, educational, and commercial uses
- A re-establishment of the historic St. Hilda's street grain where possible

 **We recommend that you avoid...**

- Excessively high density development to the waterfront or existing public spaces across the site
- Inward looking development, blank façades, or extensive surface car parking open to the periphery of the site
- Development which harms the rich heritage and quality of existing assets on site

Way Forward

This Design Code has been prepared in accordance with the National Model Design Code, published by the Ministry of Housing, Communities and Local Government in June 2021.

It will support the MDC in exercising its planning functions in the Development area of Middlesbrough. It is a material consideration in the determination of planning applications submitted within this area.

To discuss any aspect of this Design Code or for further information, please contact us at
MDCplanning@teesvalley-ca.gov.uk

