

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on 17 October 2014.

PRESENT: Councillors J G Cole (Chair), G B Clark, P Cox, J Hobson, P Khan, F McIntyre, P Purvis, B Thompson (substitute for Councillor P Sanderson) and N J Walker

OFFICERS: B Carr, A Hughes, E Vickers

APOLOGIES FOR ABSENCE Councillor J Brunton, Councillor P Sanderson.

DECLARATIONS OF INTERESTS

There were no Declarations of Interest made at this point of the meeting.

1 MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 15 AUGUST 2014

The minutes of the Planning and Development Committee held on 15 August 2014 were taken as read and approved as a true record.

2 SCHEDULE OF THE REMAINING PLANNING APPLICATIONS TO BE CONSIDERED BY COMMITTEE

The Head of Development submitted plans deposited as applications to develop land under the Town and Country Planning Act 1980 and the Head of Development reported thereon.

SUSPENSION OF COUNCIL PROCEDURE RULE NO 10 - ORDER OF BUSINESS

ORDERED that, in accordance with Council Procedure Rule No 10, the Committee agreed to vary the order of business.

ORDERED that the following applications be determined as shown:

M/GRG/1033/14/P - Conversion of former offices (A2) to drop in clinic and advice centre (D1) on ground floor and first floors at 48 Albert Road, Middlesbrough for Middlesbrough Public Health

Full details of the planning application, planning history and the plan status were outlined in the report. The report contained a detailed analysis of the application and analysed relevant policies from the National Planning Policy Framework and the Local Development Framework.

The adjoining property holders and the statutory consultees had been consulted with regard to the application and to date, no objections had been received however the closing date for the submission of representations was 27 October 2014.

The applicant's agent elected to address the Committee and spoke in support of the application. He advised that detailed plans for all the necessary safeguards in respect of residents and neighbouring properties had been put in place. The Ward Councillor for Middlehaven Ward spoke in support of the application.

The Head of Development advised that the application had been brought to Committee because of the tight timescales involved. The proposal was funded by the Government and the funding arrangements for the proposed use demanded that work on the premises was to be completed by November. The report sought endorsement for the application from the Committee and approval for the Chair and Vice Chair of the Committee to approve the application once the deadline for representations had closed.

ORDERED that Members be '**Minded to Approve**' the application, and that the application be **Endorsed** for the reasons as set out in the report and that the Chair and Vice Chair of the Planning and Development Committee be authorised to approve the application, once the deadline for representations had closed.

M/FP/0864/14/P - Erection of 1 no dormer bungalow at 9 Oakfield Gardens, Ormesby, Middlesbrough for Mr D Richardson

Full details of the planning application, planning history and the plan status were outlined in the report. The report contained a detailed analysis of the application and analysed relevant policies from the National Planning Policy Framework and the Local Development Framework.

Neighbourhood consultations had taken place and objections to the application had been received from the occupiers of 1,2,3, 5,6,8,10,12 Oakfield Gardens, the details of which were contained in the report. There were no objections received from the statutory consultees however the Waste Policy and Highways department had suggested issues which would need to be dealt with by way of conditions if the application was to be approved.

A representative on behalf of the applicant elected to address the Committee in support of the application. The objectors present at the meeting, elected a representative to address the Committee in objection to the application.

ORDERED that the application be **Refused** for the reasons set out in the report.

M/OUT/0135/14/P - Outline residential development comprising 3 no. apartment blocks (28 apartments in total) with associated access and parking at Land to rear of 50 - 60 Hutton Road, Middlesbrough for Ayresome Developments

The Head of Development advised that the above application had been identified as requiring a site visit by Members of the Planning and Development Committee. Accordingly a site visit had been held on the morning prior to the meeting.

Full details of the planning application, planning history and the plan status were outlined in the report. The report contained a detailed analysis of the application and analysed relevant policies from the National Planning Policy Framework and the Local Development Framework.

Neighbourhood consultations had taken place and 18 objections to the application had been received from the occupiers of residences in Hutton Road, the details of which were contained in the report. There were no objections received from the statutory consultees however the Council's Highways department and Environmental Health department and Northumbrian Water had suggested issues which would need to be dealt with by way of conditions if the application was to be approved.

A representative on behalf of the applicant elected to address the Committee in support of the application.

ORDERED that the application be **Approved on Condition** subject to the conditions contained in the report.

M/FP/0629/14/P - Residential development comprising 4 no. self-contained flats and 2 no. bungalows with associated access, car parking and boundary treatments at Land at Grassington Road, Middlesbrough for Mr C Brass

The Head of Development advised that the above application had been identified as requiring a site visit by Members of the Planning and Development Committee. Accordingly a site visit had been held on the morning prior to the meeting.

Full details of the planning application, planning history and the plan status were outlined in the report. The report contained a detailed analysis of the application and analysed relevant policies from the National Planning Policy Framework and the Local Development Framework.

Neighbourhood consultations had taken place and 2 objections to the application had been received from the occupiers of 79 Grassington Road and a resident of Oakworth Green, the details of which were contained in the report. There were no objections received from the statutory consultees however the Council's Highways department and Environmental Health

department had suggested issues which would need to be dealt with by way of conditions if the application was to be approved.

The applicant's agent elected to address the Committee in support of the application.

ORDERED that the application be **Approved on Condition** subject to the conditions contained in the report.

M/FP/0669/14/P - Part two storey/part single storey extension at side/rear, conversion of garage to habitable room and loft conversion at 26 Astbury, Marton-in-Cleveland, Middlesbrough for Mr R Brown

Full details of the planning application, planning history and the plan status were outlined in the report. The report contained a detailed analysis of the application and analysed relevant policies from the National Planning Policy Framework and the Local Development Framework.

Neighbourhood consultations had taken place and 1 objection to the application had been received from the occupier of 44 Fearnhead, the details of which were contained in the report. There were no objections received from the statutory consultees.

The applicant elected to address the Committee in support of the application.

ORDERED that the application be **Approved on Condition** subject to the conditions contained in the report.

M/FP/0819/14/P - Erection of 1 no. bungalow at 30 Faverdale Avenue, Acklam, Middlesbrough for Mr M Robinson

The Head of Development advised that the above application had been identified as requiring a site visit by Members of the Planning and Development Committee. Accordingly a site visit had been held on the morning prior to the meeting.

Full details of the planning application, planning history and the plan status were outlined in the report. The report contained a detailed analysis of the application and analysed relevant policies from the National Planning Policy Framework and the Local Development Framework.

Neighbourhood consultations had taken place and objections to the application had been received from the occupiers of 19,21,26 and 28 Faverdale Avenue and 72 Hesleden Avenue, the details of which were contained in the report. There were no objections received from the statutory consultees however the Council's Highways department, Waste Policy department and Environmental Health department had suggested issues which would need to be dealt with by way of conditions if the application was to be approved.

The applicant elected to address the Committee in support of the application.

ORDERED that the application be **Approved on Condition** subject to the conditions contained in the report.

M/FP/0821/14/P - Deletion of previous condition 10 (deliveries only between 8am to 7pm Mon-Sat, 9.30am to 6.30pm, Sunday and not bank holidays/public holidays) and replacement with 'No deliveries shall be taken or despatched from the premises outside the hours of 8.00am to 7.00pm, Monday to Saturday and 10.00am to 6.30pm on Sundays, Bank Holidays or public holidays' at Land at Grey Towers Farm, Nunthorpe, Middlesbrough for Mitchells and Butler Leisure Ltd

Full details of the planning application, planning history and the plan status were outlined in the report. The report contained a detailed analysis of the application and analysed relevant policies from the National Planning Policy Framework and the Local Development Framework.

Neighbourhood consultations had taken place and objections to the application had been received from the occupiers of 33 Collingham Drive and Nunthorpe Parish Council, the details

of which were contained in the report. The Ward Councillors had advised that they were supporting resident's objections to the proposal. There were no objections received from the statutory consultees.

The applicant's agent elected to address the Committee in support of the application and to clarify a number of issues.

ORDERED that the application be **Approved on Condition** that condition 11 in the report be substituted with the following condition:

No deliveries shall be taken or despatched from the premises outside the hours of 8:00am to 7:00pm Monday to Saturday, 10:30am to 6:30pm Sundays, Bank Holidays and Public Holidays.

The delivery hours hereby approved are for a 6 month temporary period only. This temporary consent shall only commence when the Local Planning Authority has been formally notified in writing of the date of commencement and shall cease 6 months from that date unless renewal of this consent is sought and granted.

M/FP/0822/14/P - Deletion of previous condition 11 (opening hours only between 11am to 11pm Monday-Sunday, bank holidays/public holidays) and replacement with 'The use hereby approved shall not be open to customers outside the hours of 11.00am to 00.30am, Monday to Sunday, bank holidays/public holidays' at Land at Grey Towers Farm, Nunthorpe, Middlesbrough for Mitchells and Butler Leisure Ltd

Full details of the planning application, planning history and the plan status were outlined in the report. The report contained a detailed analysis of the application and analysed relevant policies from the National Planning Policy Framework and the Local Development Framework.

Neighbourhood consultations had taken place and objections to the application had been received from the occupiers of 33 Collingham Drive, 14 Cockershill Close and Nunthorpe Parish Council, the details of which were contained in the report. The Ward Councillors had advised that they were supporting resident's objections to the proposal. There were no objections received from the statutory consultees.

The applicant's agent elected to address the Committee in support of the application and to clarify a number of issues.

ORDERED that the application be **Approved on Condition** that condition 12 in the report be substituted with the following condition:

The use hereby approved shall not be open to customers outside the hours of 11:00am to 00:30am Monday to Sunday, Bank Holidays and Public Holidays

The opening hours hereby approved are for a 6 month temporary period only. This temporary consent shall only commence when the Local Planning Authority has been formally notified in writing of the date of commencement and shall cease 6 months from that date unless renewal of this consent is sought and granted

M/ADV/0834/14/P - 1 no. non-illuminated advertising board at Corner of Warelands Way/Hutton Road, Longlands, Middlesbrough for Mr L Corner

The Head of Development advised that the above application had been identified as requiring a site visit by Members of the Planning and Development Committee. Accordingly a site visit had been held on the morning prior to the meeting.

Full details of the planning application, planning history and the plan status were outlined in the report. The report contained a detailed analysis of the application and analysed relevant policies from the National Planning Policy Framework and the Local Development Framework.

Neighbourhood consultations had taken place and an objection to the application had been

received from the occupier of a property at the rear of the application site, the details of which were contained in the report. There were no objections received from the statutory consultees.

ORDERED that the application be **Approved on Condition** subject to the conditions contained in the report.

M/FP/0851/14/P - Variation of condition 1 of M/RES/0655/12/P to increase the expiration date for works to commence to 17/09/2017 (a further two years) at 87-97 St Barnabas Road, Linthorpe, Middlesbrough for Mr K Greenfield

Full details of the planning application, planning history and the plan status were outlined in the report. The report contained a detailed analysis of the application and analysed relevant policies from the National Planning Policy Framework and the Local Development Framework.

Neighbourhood consultations had taken place and an objection to the application had been received in the form of a petition containing five signatures from the occupiers of properties located in St Barnabas Road, the details of which were contained in the report. There were no objections received from the statutory consultees.

ORDERED that the application be **Approved on Condition** subject to the conditions contained in the report.

M/FP/0917/14/P - Removal of condition 7 (to provide radar mitigation scheme) on planning permission M/FP/0849/08/P) at Middlesbrough Football Club, Riverside Stadium, Middlehaven Way, Middlesbrough for Mr P Millinder

ORDERED that the application be **Deferred**.

M/GRG/0774/14/P - 250m outdoor velodrome with associated car parking and landscaping at Prissick Base, Marton Road, Easterside, Middlesbrough for Willmott Dixon Construction Ltd

Full details of the planning application, planning history and the plan status were outlined in the report. The report contained a detailed analysis of the application and analysed relevant policies from the National Planning Policy Framework and the Local Development Framework.

Neighbourhood consultations had taken place and two representations in response to the application had been received which consisted of an enquiry from the occupier of 637 Marton Road and a letter in support of the application from the occupier of 2 Foxgloves, the details of which were contained in the report. A number of the statutory consultees had suggested issues which would need to be dealt with by way of conditions if the application was to be approved. A letter of support for the application had also been received from Cycling England.

The Head of Development advised that although Sport England supported the development in principle, they had objected to the application on the grounds of the loss of a playing field. The Council had responded to the objection from Sport England however they had not received a response to the Council's representations. The Committee was advised that if the issues could not be resolved, the application would have to be referred to the Secretary of State.

ORDERED that Members be **'Minded to Approve'** the application, and that the application be **Endorsed** pending resolution of the Sport England objection for the reasons as set out in the report. If the objection could not be resolved then the application to be referred to the Secretary of State.

3 **APPLICATIONS APPROVED BY THE HEAD OF DEVELOPMENT AND PLANNING**

The Head of Development submitted details of planning applications which had been approved to date in accordance with the delegated authority granted to him at Minute 187 (29 September 1992).

NOTED

4 PLANNING APPEAL

The Assistant Director Organisation and Governance submitted a report to advise Members of the findings of the Inspector appointed by the Secretary of State for Environment, Transport and the Regions, with regard to the following planning appeals:-

Appeal Ref: APP/W0734/D14/2219918 - 67 Oxford Road, Linthorpe, Middlesbrough, TS5 5DZ (M/FP/0152/14/P) - Appeal Dismissed

The Head of Development advised that as work had already been carried out in respect of the above application, the Council would commence enforcement proceedings.

Appeal Ref: APP/W0734/A14/2219853 - 33 Cheltenham Avenue, Marton-in-Cleveland, Middlesbrough, TS7 8LR (M/FP/0251/14/P) - Appeal Allowed and Planning Permission Granted

Copies of the decision notices in respect of the above appeals were attached at Appendix A and B to the report for Members' information.

ORDERED that the report and its contents be noted.

5 ANY OTHER BUSINESS - M/FP/1258/12/P FOR 138 BED HOTEL AT COOK HOUSE AND ENDEAVOUR HOUSE, 93-127 ALBERT ROAD, MIDDLESBROUGH, FOR MR R WILLIAMS

The Head of Development referred Members to application M/FP/1258/12/P for 138 bed hotel at Cook House and Endeavour House, 93-127 Albert Road, Middlesbrough, for Mr R Williams.

The architect had requested approval for a revision to the colour scheme for the flanking walls only in respect of the new hotel. Swatches of the revised colour scheme were submitted for Members' consideration.

ORDERED that the revised colour scheme for the flanking walls only in respect of application M/FP/1258/12/P for 138 bed hotel at Cook House and Endeavour House, 93-127 Albert Road, Middlesbrough be **Approved**.