

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on 23 January 2015.

PRESENT: Councillors Cole, (Chair), J Hobson, P Khan, McIntyre, P Purvis and Sanderson

OFFICERS: A Hughes, S Lightwing and E Vickers

APOLOGIES FOR ABSENCE were submitted on behalf of Councillors Brunton, Clark, Cox and N J Walker.

DECLARATIONS OF INTERESTS

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

14/30 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 19 DECEMBER 2014**

The minutes of the Planning and Development Committee held on 19 December 2014 were taken as read and approved as a true record.

14/31 **SCHEDULE OF THE REMAINING PLANNING APPLICATIONS TO BE CONSIDERED BY COMMITTEE**

The Head of Planning submitted plans deposited as applications to develop land under the Town and Country Planning Act 1980 and the Head of Planning 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/OUT/0937/14/P - Outline permission for the erection of a 4 storey 66 No bed student accommodation with public house at ground floor to front (demolition of existing building) at Springfield Hotel (former Laurel), 113 Borough Road, Middlesbrough for Prosper Estates

The Head of Planning 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 Framework, the Local Development Framework and the Housing Local Plan.

Neighbourhood consultations had taken place and two objections had been received; from a resident and from the Middlehaven Community Council, the details of which were contained in the report. There were no objections to the application received from statutory consultees.

The Ward Councillor spoke in support of the application.

ORDERED that the application be **Approved on Condition** subject to the conditions contained in the report, and the following additional conditions:

1. An occupiers Tenancy Agreement shall be submitted to and approved in writing by the Local Planning Authority, wherein occupiers shall be instructed not to keep or use a private car and that the Tenancy Agreement shall be kept in place and enforced by the landlords at all times during occupation.

2. The reserved matters application shall provide details of the secure cycle storage area with facility to store at least 15 bicycles.
3. The reserved matters application shall provide details and samples of any facing or roofing materials to be used in the construction of the external surfaces of the development hereby approved.

M/FP/1244/14/P - Conversion of existing building to create 4 no units of retail (A1), office (A2), restaurant/cafe (A3) or office (B1) use on ground floor, and further creation of 10 no self-contained apartments on the upper floors. Conservation consent for the repair and restoration of exterior and demolition of outbuildings and garages at rear for Jomast Developments

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 Framework, the Local Development Framework and the Housing Local Plan.

Neighbourhood consultations had taken place and no objections had been received. There were no objections to the application received from statutory consultees. Environmental Health had required conditions 6, 7, and 8, as detailed in the report.

The Ward Councillor spoke in support of the application.

ORDERED that the application be **Approved on Condition** subject to the conditions contained in the report, and the following additional condition:

1. The development shall only be carried out using finishing materials of which samples have been submitted to and approved by the local planning authority prior to commencement of the development.

M/FP/1181/14/P - Erection of 6 no dwellings with enclosed communal area to include existing war memorial and associated landscaping, access and parking for Mr D McGlynn

The Head of Planning 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 Framework, the Local Development Framework and the Housing Local Plan.

Neighbourhood consultations had taken place and no objections had been received. There were no objections to the application received from statutory consultees.

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

M/FP/1229/14/P - Retrospective change of use to cafe (A3)/hot food takeaway (A5) for Miss T Cook

The Head of Planning 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 Framework, the Local Development Framework and the Housing Local Plan.

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

A resident elected to address the Committee and highlighted a concern in relation to the location of the ventilation and fume extraction system.

ORDERED that the application be **Approved on Condition** subject to the conditions contained in the report, and the following additional conditions:

1. The hours of operation of the use hereby approved shall be limited to 09:00 - 22:00 hours on Monday to Thursday, 09:00 - 23:00 hours on Friday and Saturday and 10:00 - 21:00 Sunday and Bank Holidays.
2. The operators of the use hereby approved are required to keep an accurate log of any noise complaints received for the inspection of the Local Authority in the event of a formal noise complaint investigation. Thereafter, should a statutory noise nuisance be identified the operators are required to submit a noise mitigation scheme in writing to the Local Planning Authority, and thereafter implemented in accordance with the approved scheme.

Subsequent to the Committee's decision to impose a condition to require officers to agree a ventilation system, the Environmental Health Officer advised that the present system was satisfactory. If, in the event that the ventilation system continues to give rise to odour nuisance, then separate intervention by officers will assist the proprietor to install improved ventilation equipment.

M/FP/1266/14/P - Erection of food production facility with associated car parking and service yard at Land at Barton Road, Middlesbrough for Mr J Stoddart

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 Framework, the Local Development Framework and the Housing Local Plan.

Neighbourhood consultations had taken place and no objections had been received. There were no objections to the application received from statutory consultees.

ORDERED that the application be **Approved on Condition** subject to the conditions contained in the report. Conditions 3 and 4 to be removed from the report and replaced with a new condition that a programme of works for landscaping was provided as follows:

The approved landscaping plan shall be completed in accordance with the following:

- a) All hard and soft landscaping works shall be completed in full accordance with the approved scheme, within the first planting season following completion of the development hereby approved, or in accordance with a programme agreed with the Local Planning Authority;
- b) All trees, shrubs and hedge plants supplied shall comply with the requirements of British Standard-3936, specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces);
- c) All new tree planting shall be positioned in accordance with the requirements of Table 3 of British Standard BS5837: 2005 Trees in relation to construction: recommendation;
- d) Any trees, shrub or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

M/LBC/1281/14/P - Listed building consent for the relocation of Middlesbrough Register

Office to include internal and external restoration and refurbishment works at the Town Hall, Albert Road, Middlesbrough for Mrs J Hedgley

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 Framework, the Local Development Framework and the Housing Local Plan.

Neighbourhood consultations had taken place and no objections had been received. There were no objections to the application received from statutory consultees.

The Town Hall was a Grade II listed building belonging to Middlesbrough Council and therefore approval for the application had to be granted by the Secretary of State.

ORDERED that the application be **Endorsed**, subject to the conditions contained in the report, and referred to the Secretary of State for approval.

14/32 APPLICATIONS APPROVED BY THE HEAD OF PLANNING

The Head of Planning 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**14/33 ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED**

The Head of Planning updated Members in relation to a marginal change to a planning application by Sainsburys, previously approved by the Committee. The application had required an urgent decision and had been approved in consultation with the Chair and Vice Chair and in accordance with the delegated authority granted to the Head of Planning.