

**PLANNING AND DEVELOPMENT COMMITTEE**

A meeting of the Planning and Development Committee was held on 10 April 2015.

**PRESENT:** Councillors Cole, (Chair), Brunton, Clark, Cox, J Hobson, Junier (as substitute for P Khan), McIntyre, P Purvis and Sanderson

**OFFICERS:** A Hughes, S Lightwing and E Vickers

**APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors P Khan and N J Walker.

**DECLARATIONS OF INTERESTS**

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

**1 MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 2 MARCH 2015**

The minutes of the meeting of the Planning and Development Committee held on 2 March 2015 were taken as read and approved as a true record.

**2 SCHEDULE OF THE REMAINING PLANNING APPLICATIONS TO BE CONSIDERED BY COMMITTEE****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/FP/0277/14/P - Erection of 5 storey building to accommodate supported residential development with training facility/office at ground floor and 20 No self-contained flats on upper floors (demolition of existing building) at 32-24 Grange Road, Middlesbrough, for Mr Dominic Beha**

Full details of the planning application, planning history and 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 Plan.

Neighbourhood consultations had taken place and no comments were forthcoming to date. However, the closing date for comments was 14 April 2015. There were no objections to the application received from statutory consultees although Environmental Health had suggested a condition to deal with the need to insulate the building from traffic noise.

The Ward Councillor spoke in support of the application.

**ORDERED** that the application be **Approved on Condition** for the reasons set out in the report, subject to final approval from the Chair following the closing date for consultation.

**M/FP/1059/14/P - Erection of 1 no dwelling with associated access, parking and boundary treatments on land adjacent to 4 Evergreen Way, Marton In Cleveland, Middlesbrough for Mr D Plummer**

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 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 representations had been received from the occupiers of 38 Evergreen Way, 38 and 40 Shandon Park and Gentoo Homes Limited, objecting to the application, the details of which were contained in the report. One letter of support for the proposed development was received from 3 Evergreen Way and was summarised in the report. There had been no objections received from the statutory consultees.

The applicant's representative addressed the Committee in support of the application. The Ward Councillor and a resident addressed the Committee in objection to the application.

The Head of Planning advised that Covenants were not a material planning consideration.

**ORDERED** that the application be **Refused** for the following reasons:

The proposed development is considered unacceptable and if implemented would appear excessive in relation to the plot size. This, together with the contrived design, would result in a development in conflict with policies DC1 (test b - layout/design and test c - amenities of nearby occupiers) and CS5 (test c - standard of design/integration in the wider context) of the Council's Development Plan.

#### INFORMATIVE

Planning permission was refused for the development because it was not in accordance with Section 38(6) of the Planning & Compulsory Purchase Act 2004 or the policies of the Middlesbrough Development Plan set out below or all material considerations, including Supplementary Planning Documents (SPD) and the particular circumstances summarised below:-

DC1 - General Development  
CS4 - Sustainable Development  
CS5 - Design  
H11 - Housing Strategy

In reaching this decision the Planning and Development Committee were mindful of the particular circumstances of this application, namely that having carried out a Committee site visit, Members were fully conversant with the details of the proposed development and that having examined the setting out of the proposed position of the dwelling on the site, it was considered unacceptable. This was by reason of the excessive form of the development in relation to the available site area, which would appear cramped, have a contrived design and be detrimental to the living conditions of nearby occupiers if it was to be constructed as shown. The application was, therefore, refused.

#### **M/OUT/0079/15/P - Outline application for 5 no detached dwellings with associated access on land adjacent to Ford Close Riding Centre, Brass Castle Lane, Middlesbrough for Ford Close Riding Centre**

Full details of the planning application, planning history and 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 Plan.

Neighbourhood consultations had taken place and no objections had been received. An objection had been received from Councillor B Thompson, the details of which were contained in the submitted report.

There were no objections from statutory consultees although Highways proposed conditions on the following: temporary car parking, surface water drainage, surface water discharge, SuDS design and full details of the adoptable highway design.

The applicant's agent addressed the Committee in support of the application. Councillor C Hobson, Ward Councillor, spoke in objection to the application.

**ORDERED** that the application be **Refused** for the following reasons:

The application is considered unacceptable having regard to the likely traffic generation from the proposed development, which would utilise the single point of access to the development. This is unsatisfactory and in a hazardous position on a narrow lane which already carries unacceptable levels of traffic volume. The development would exacerbate issues of highway safety and would be in conflict with Policy DC1 (test d) of the Council's Development Plan.

INFORMATIVE

Planning permission was refused for the development because it was not in accordance with Section 38(6) of the Planning & Compulsory Purchase Act 2004 or the policies of the Middlesbrough Development Plan set out below or all material considerations, including Supplementary Planning Documents (SPD) and the particular circumstances summarised below:-

H1 - Spatial Strategy

H11 - Housing Strategy

CS4 - Sustainable Development

CS5 - Design

E20 - Limit to Development

E22 - New Housing in Countryside beyond the limit to Development or in Green Wedges

DC1 - General Development

In reaching this decision the Planning and Development Committee were mindful of the particular circumstances of this application, namely that having carried out a Committee site visit as part of the previous planning application on the site and having had photographs of the present appearance of Brass Castle Lane for consideration, Members were fully conversant with the site and the locality. Having done so, Members remained concerned about highway safety on Brass Castle Lane having regard to the volume of traffic, the location of the access point for the proposed development, the available visibility and the narrowness of the lane at this point. The likely traffic generation from the proposed development would exacerbate the unsatisfactory circumstances and thus, the application was unsatisfactory.

**M/FP/0049/15/P - Erection of 2 storey medical centre with pharmacy, and associated car parking, access, CCTV and landscaping/boundary treatments on land at Trimdon Avenue, Middlesbrough for One Medical**

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 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 one objection had been received from the occupiers of 67 Trimdon Avenue, the details of which were contained in the submitted report. Brookfield Community Council had no objections but had highlighted that onsite car parking might not be sufficient.

There were no objections from statutory consultees, however, Highways had made a comprehensive response to the consultation which were detailed in the submitted report and a condition with regard to monitoring car parking for a period of 12 months had been included.

The Applicant's representative and Agent spoke in support of the application.

**ORDERED** that the application be **Approved on Condition** for the reasons set out in the report.

**M/FP/0116/15/P - Erection of 1 no dwelling and widening of drive/access (demolition of existing dwelling) at 96 Gunnergate Lane, Middlesbrough for Mr and Mrs P Harrison**

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 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 had been received from the occupiers of 98, 99a and 101 Gunnergate Lane, Marton West Community Council and the Ward Councillor. Details of all responses were attached at Appendix A to the submitted report. There were no objections from statutory consultees.

The Applicant's Agent addressed the Committee and spoke in support of the application. The Ward Councillor addressed the Committee and objected to the application.

**ORDERED** that the application be **Approved on Condition** for the reasons set out in the report.

**M/FP/0137/15/P - Conversion of former furniture/carpets and home maintenance/DIY related warehouses to non-food retail/warehouse/office/factory outlet with building alterations including new elevations and roof, revised curtilage including provision of a car park, with associated boundary walls/fencing and service yard at Units 1 and 2 Cannon Park Close, Middlesbrough for Mr C Clinkard**

Full details of the planning application, planning history and 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 no responses had been received. There were no objections from statutory consultees.

**ORDERED** that the application be **Approved on Condition** for the reasons set out in the report.

**M/FP/0285/15/P - Change of use from education to mix use development, restaurant (A3), offices (B1), conference venue (D1), wedding/function room and other D2 uses, and ancillary deli and flower shop (A1) at Acklam Hall, Hall Drive, Acklam, Middlesbrough for Mr N Whittingham**

Full details of the planning application, planning history and 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 no responses had been received. There were no objections from statutory consultees.

**ORDERED** that the application be **Approved on Condition** for the reasons set out in the report.

**M/FP/1289/14/P - Erection of 83 No bed hotel with ancillary reception and bar/restaurant at ground floor, cycle shelter and landscaping. Alterations to existing car park to accommodate 22 No designated spaces and creation of service bay on land at Wilson Street, Middlesbrough for Mr A Hearld**

Full details of the planning application, planning history and 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 one objection was received from the Thistle Hotel, the details of which were included in the submitted report. There were no objections from statutory consultees.

**ORDERED** that the application be **Approved on Condition** for the reasons set out in the report.

3 **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).

4 **ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED**

**Grey Towers Park**

The Head of Planning gave a brief update in relation to the lake and surrounding trees which were owned by Grey Towers Park, a charitable organisation. The Parish Council had objected to works taking place particularly with regard to tree maintenance. Council Officers had been liaising with Grey Towers Park to ensure the works were carried out properly as the work required was extensive. Councillors were asked to note that work was ongoing and the Council had no intention of prosecuting at this time.

**NOTED**

**Next Meeting**

The Head of Planning informed Committee Members that due to a lack of business there was no requirement for a meeting of the Planning and Development Committee to be held on 1 May 2015.

**ORDERED** that the Planning and Development Committee scheduled to be held on 1 May 2015 was cancelled.

**Thanks**

The Chair, on behalf of the Committee, thanked Councillors Clark and Sanderson for their contributions and commitment to the Planning and Development Committee over many years.