

**PLANNING AND DEVELOPMENT COMMITTEE**

A meeting of the Planning and Development Committee was held on 4 December 2015.

**PRESENT:** Councillors Cole, (Chair), Bloundele, Cox, Higgins, Hobson, Lawton (as substitute), McIntyre, P Purvis and Shan

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

**APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors McGloin and Walters.

**DECLARATIONS OF INTERESTS**

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

**15/23 MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 6 NOVEMBER 2015**

The minutes of the Planning and Development Committee held on 6 November 2015 were taken as read and agreed as a correct record, subject to one minor amendment made at the meeting.

**15/24 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 1990 and the Head of Planning reported thereon.

**SUSPENSION OF COUNCIL PROCEDURE RULE NO 5 - ORDER OF BUSINESS**

**ORDERED** that, in accordance with Council Procedure Rule No 5, the Committee agreed to vary the order of business.

**ORDERED** that the following applications be determined as shown:

**M/FPL/0822/15/P - Listed building and planning for erection of 3 no dwellings with boundary treatments on former car park at Stainton Grange, Stainton Way, Middlesbrough for Mr Kahlon**

The Head of Planning advised that the applicant had requested that the above application was deferred.

**ORDERED** that the application was **DEFERRED**.

**M/FP/1232/15/P - Residential development comprising 172 No dwelling houses, associated access and landscaping works at land to the west of Strait Lane, Stainton, Middlesbrough for Taylor Wimpey**

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 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 6 letters of objection to the application had been received. An email objecting to the application had also been submitted by Stainton and Thornton Parish Council which was summarised in the submitted report. No objections to the application had been received from the statutory consultees.

The applicant addressed the Committee in support of the application. The Ward Councillor and two objectors also addressed the Committee, highlighting their concerns in respect of the application.

The Highways Engineer confirmed that the appropriate traffic assessments had been carried out and the proposed development would not have a detrimental impact and was acceptable in terms of the local highway network, highway safety and congestion.

**ORDERED** that the application be **Approved on Condition**, subject to Section 106 Agreement, for the reasons set out in the report.

**M/FP/1184/15/P - Extension to existing single storey garage, alterations to elevations at 22 Cotherstone Drive, Acklam, for Mrs A Dawson**

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 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.

The application site consisted of a semi-detached dwelling and a detached garage. A public footpath ran through the site between the dwelling and the garage. The proposed extension would result in the footpath being built upon.

Neighbourhood consultations had taken place and objections to the application had been received from 10 properties. A petition in support of the application with 19 signatures from 11 properties had been received and the lead petitioner had also submitted a separate letter of support. The Ward Councillor had also submitted comments in support of the application.

The applicant addressed the Committee and spoke in support of the application. Two objectors addressed the Committee in objection to the application.

The Highways Engineer highlighted that there had been an application in 2014 to close the footpath. A survey had been carried out and due to there being over 50% of respondents in favour of retaining the footpath it had not been closed. There had been no objections received to the application from the other statutory consultees.

**ORDERED** that the application be **Refused for the following reason**

The proposed development is considered unsatisfactory because the extension to the garage would be sited on the location of an existing public footpath. If constructed, the extension would therefore interfere with the network of pedestrian footpaths in the area and would thus be to the detriment of the general amenities in the area. All of this would be in conflict with the Policies DC1 (General Development) test c, general amenity, and test d, transportation infrastructure, in the Middlesbrough Development Plan.

**INFORMATIVE**

Planning permission was refused for the development because it was not in accordance with Section 38 (6) of the Planning and 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  
CS5 - Design

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 proposed development and the location of the

existing footpath. Members were also able to walk the length of the footpath, to enable them to understand the footpath linkages in the area and the role the footpath performed. Having done so, Members decided that the loss of the footpath would outweigh any benefits the garage extension may have and on balance, the general benefit of the footpath to the general amenity of the area should be maintained. The application was therefore refused.

**M/FP/1318/15/P - Erection of 1 no detached dwelling at 68a Southwood, Coulby Newham for Mr K Conway**

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 objections had been received. There had been no objections received to the application from the statutory consultees.

The applicant's agent addressed the Committee and spoke in support of the application.

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

**M/FP/1317/15/P - Erection of 1 no detached dwelling with detached garage at 69a Southwood, Coulby Newham for Mr K Conway**

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 2 letters of objection had been received, the details of which were summarised in the submitted report. There had been no objections received to the application from the statutory consultees.

The applicant's agent addressed the Committee and spoke in support of the application.

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

**M/FP/0930/15/P - 113 Borough Road - Demolition of existing public house and erection of 1 no 7 storey mixed use building, consisting of part ground floor (A1) commercial unit and 13 residential units (77 bed total) 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 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 letter of objection to the application had been received, the detail of which was contained within the report. There had been no objections received to the application from the statutory consultees.

The applicant's agent addressed the Committee and spoke in support of the application.

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

**M/FP/1170/15/P - Variation of Condition 1 of M/FP/0417/15/P to reduce number of supporting living units to 3 at 52 Church Lane, Acklam for Voyage Care**

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 letter of objection to the application had been received, the detail of which was contained within the report. There had been no objections received to the application from the statutory consultees.

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

15/25

**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**