

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on 4 March 2016.

PRESENT: Councillors Cole, (Chair), Bloundele, Coupe (as substitute for J Hobson), Cox, Higgins, McGloin, McIntyre, P Purvis and Walters

OFFICERS: A Bolton, L Chambers, S Lightwing, E Vickers

APOLOGIES FOR ABSENCE were submitted on behalf of Councillors J Hobson and Shan.

DECLARATIONS OF INTERESTS

There were no declarations of interest at this point of the meeting.

15/29 MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 5 FEBRUARY 2016

The minutes of the Planning and Development Committee meeting held on 5 February 2016 were taken as read and agreed as a correct record.

15/30 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/FP/1445/15/P - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A THREE STOREY BUILDING, COMPRISING A CONVENIENCE STORE (A1) AND TWO GROUND FLOOR UNITS (EACH FOR USE EITHER AS A SHOP (A1), OFFICE (A2), CAFE (A3) OR HOT FOOD SHOP (A5), WITH 21 NO. FLATS AT 1ST AND 2ND FLOOR LEVELS AND ASSOCIATED WORKS INCLUDING 36 NO. CAR PARKING SPACES AT NEWBRIDGE COURT, OFF RIEVAULX DRIVE, TOLLESBY, MIDDLESBROUGH FOR JOMAST DEVELOPMENTS LIMITED

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 Policy Framework and the Local Development Framework.

Neighbourhood consultations had taken place and three objections had been received. There had been no objections received to the application from statutory consultees. Acklam Community Council had submitted a letter of support for the development.

The Agent elected to address the Committee in support of the application. A resident spoke in objection to the application.

ORDERED that the application be Approved on Condition for the reasons set out in the report. Conditions 12 and 13 were amended to read as follows:

Condition 12:

The hours of use of the commercial units shall be restricted to between 6.00 am and 11.00 pm

Monday to Sunday including Bank Holidays.

Condition 13:

With the exception of deliveries of newspapers/magazines, deliveries and collections to the commercial premises must be kept between the hours of 7.00 am and 7.00 pm Monday to Saturday and between the hours of 8.30 am and 6.00 pm Sunday and Bank Holidays.

M/FP/0046/16/P - ERECTION OF 1 NO. DORMER BUNGALOW AT LAND BETWEEN OAKFIELD HOUSE AND 1 OAKFIELD GARDENS, ORMESBY ROAD, MIDDLESBROUGH FOR MR C DAGGETT

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 four objections had been received. Two Ward Councillors had also submitted objections to the application.

An objector spoke in objection to the application.

ORDERED that the application be **Deferred** to allow a site visit to take place.

M/OUT/0017/16/P - OUTLINE PLANNING PERMISSION FOR 6 NO. DETACHED DWELLINGS WITH ASSOCIATED ACCESS AT MIDDLESBROUGH GOLF CLUB, BRASS CASTLE LANE, MIDDLESBROUGH FOR MIDDLESBROUGH GOLF CLUB

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 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 one letter of support had been received from the Golf Club Captain. One objection to the application had been received from the Parish Council. Northumbrian Water, Environmental Health and Highways had commented and the application and suggested conditions.

Members were advised that the application site was located beyond the Limits to Urban Development and designated as Primary Open Space on the Local Plan Proposals Map. A detailed analysis of the relevant policies was contained in the submitted report.

The Applicant's Agent elected to address the Committee in support of the application. The Chairman of Middlesbrough Golf Club also addressed the Committee in support of the application.

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

1. The proposed development is unsatisfactory as it would conflict with the policies in the Council's Local Plan by reasons of:-

Policy H1 (Spatial Strategy) - beyond the urban area,
Policy CS4 (Sustainable Development) - protection of landscape character,
Policy CS5 (Design) - integration with the wider context,
Policy DC1 (General Development) - effect on the surrounding environment,
Policy E7 (Primary Open Space) - safeguards primary open space,
Policy E20 (Limit to Development) - beyond the limit,
Policy E22 (New housing in the countryside) - only allows new dwellings in such locations for agriculture/forestry.

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 P KAHLON

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 Policy Framework and the Local Development Framework.

Neighbourhood consultations had taken place and eight letters of support had been received. Following consultation with statutory consultees, objections were received from Urban Policy, the Conservation Officer and Historic England.

The Applicant's Agent elected to address the Committee and spoke in support of the application. A resident also address the Committee in support of the application.

ORDERED that the Committee was **Minded to Approve** the application and refer it to Historic England.

M/FP/0014/16/P - CHANGE OF USE FROM STOREROOM TO 1 NO. SELF CONTAINED LIVING ACCOMMODATION AT REAR OF 2 OLIVER STREET, MIDDLESBROUGH FOR MR T WILKINSON

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 Policy Framework and the Local Development Framework.

Neighbourhood consultations had taken place and one objection had been received.

The Council Highways Services recommended that the application be refused owing to the following reason: The proposed conversion of the property into a residential unit where there are no parking facilities on site would be likely to give rise to the on street parking of additional cars attracted to the premises to the detriment of road safety and traffic flow and being a source of nuisance to residents.

The Applicant elected to address the Committee and spoke in support of the application.

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

M/FP/0995/15/P - TWO STOREY EXTENSION TO SIDE AND REAR, SINGLE STOREY EXTENSION AT REAR, DORMER WINDOW AT REAR AND DETACHED GARAGE AT REAR AT 83 THE OVAL, MIDDLESBROUGH FOR MR NAHEEM

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 Policy Framework and the Local Development Framework.

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

The Applicant elected to address the committee and spoke in support of the application.

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

1. The proposed development is considered unsatisfactory as the extension is felt to be excessive in relation to the plot size and location within the street scene and would, therefore, be detrimental to the visual amenities of the locality. The proposal is in conflict with Policy DC1 (test b and c).

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

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 how it would relate to the street scene and the locality in general.

Having done so, Members determined that the proposed development was unsatisfactory as they considered it was too large in relation to the plot size and would be a prominent and dominating feature in the locality, which would be to the detriment of the visual amenity of the area.

M/FP/1502/15/P - SINGLE STOREY EXTENSION AT SIDE AT 37 EMMERSON AVENUE, MIDDLESBROUGH FOR MR T USMAN

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 three objections 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.

15/31 **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 appeal:-

Appeal Ref: APP/W0734/W/15/3130798 - Community Centre, Stainsby Road, Middlesbrough (M/FP/0599/15/P) - Appeal Dismissed.

A copy of the decision notice in respect of the above appeal was attached at Appendix A to the report for Members' information.

ORDERED that the report and its contents be noted.

15/32 **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 No 187 (29 September 1992).

NOTED