

**PLANNING AND DEVELOPMENT COMMITTEE**

A meeting of the Planning and Development Committee was held on 20 May 2016.

**PRESENT:** Councillors J G Cole (Chair), J Blyth, P Cox, J Hobson, L Lewis (As Substitute for Bloundele), L McGloin, F McIntyre, P Purvis, A Shan and M Walters

**OFFICERS:** B Carr, P Clarke, A Hughes and E Vickers

**APOLOGIES FOR ABSENCE** Councillor S E Bloundele.

**DECLARATIONS OF INTERESTS**

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

**16/1 MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 8 APRIL 2016**

The minutes of the Planning and Development Committee meeting held on 8 April 2016 were taken as read and approved as a correct record.

**16/2 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/0141/16/P - Erection of 1no 3 storey (85 bed) residential care home with associated access, parking and landscaping; additional outline permission for 1no supported living accommodation block with associated access at Land to East of Junction of Strait Lane and Low Lane, Stainton, Middlesbrough for Swiftbuild Properties Ltd**

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 twenty four objections to the application had been received in addition to objections from England Lyle and Good (on behalf of Taylor Wimpey). The Community Council had submitted an objection, advising that they did not object to the principle of building a care home, but indicated that the design submitted was not in keeping with its surroundings. A letter had been received from Ward Planning (on behalf of Swiftbuild Properties) in response to the objections received, the details of which were included within the report. There were no objections to the application received from the statutory consultees.

A representative on behalf of Swiftbuild Properties elected to address the Committee in support of the application. Richard Burrows also elected to address the Committee in support of the application on behalf of the applicant.

A representative from England Lyle and Good addressed the Committee in objection to the application. The Chair of Stainton and Thornton Council and Councillor David Coupe elected to address the Committee in objection to the application.

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

**M/FP/0369/16/P - Change of use from (A4) to (D1) non residential institution as Asian worship/education centre at Samuelson Working Mens Club, Parliament Road, Middlesbrough for Mr W 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 Policy Framework and the Local Development Framework.

Neighbourhood consultations had taken place and a number of objections to the application had been received including a petition containing 34 signatures, the details of which were included within the report. There were no objections to the application received from the statutory consultees.

A resident addressed the Committee on behalf of a number of residents present at the meeting in objection to the application. The applicant addressed the Committee in support of the application.

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

**M/FP/0336/16/P - Variation of conditions 2 & 4 of M/FP/0737/14/P to replace house types at Land at rear of 57 Burlam Road, Middlesbrough for Mr Leon White**

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 six objections to the application had been received, the details of which were included within the report. A file note was circulated detailing a further objection to the application from the occupiers of 99 Thornfield Road. There were no objections to the application received from the statutory consultees.

An objector elected to address the Committee in opposition to the application.

**ORDERED** that the application be **Refused** for the reasons set out below: -

The variation of conditions 2 & 4 of M/FP/0737/14/P to replace house types is considered unsatisfactory because the proposed dormer windows on plot 1 and plot 4 would result in additional built form which would further impose on the adjoining residential occupiers to the detriment of their amenity and this would be in conflict with Policies DC1 (General Development, test c - amenity) and CS5 (Design, test c - standard of design) in the Councils 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  
CS5 - Design  
Urban Design Guide

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 variation of design to include dormer windows, together with the relationship between the buildings currently under construction. Having done so, Members considered that the variation of design would result in additional built form and mass which would impose upon the adjoining residents and result in domination of their properties by the additional development. This was considered excessive by Members and was duly refused.

Members suggested that Officers approach the applicant to discuss the possibility of moving the orientation of the house.

**M/FP/0413/16/P - Erection of 8no self-contained dwellings with associated boundary works (demolition of existing building) at 44 Westbourne Grove, Middlesbrough for Mrs Shabnam Khan.**

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 there were no objections to the application. There were no objections to the application received from the statutory consultees.

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

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

**M/FP/0346/16/P - Variation of Condition 2 of the approved application M/RES/0808/15/P to include alterations to the site layout, house types and garages at Site of Cleveland Police Headquarters, Ladgate Lane, Middlesbrough for Persimmon Homes 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.

As the proposed alterations to the application were all located within the site and did not affect any existing residents in the neighbouring properties, there was no requirement to consult residents. There were no objections to the application received from the statutory consultees.

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

**M/FP/0488/16/P - Erection of 5 storey building (comprising 109no units for 6 student residential accommodation) with car parking, boundary treatments and landscaping at Former Douglas House Site, Marton Road, Middlesbrough for Mr C Forbes**

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.

Consultations had taken place and there had been no objections received from residents or

any of the statutory consultees apart from the Environment Agency. The Committee was advised that the Council's Lead Local Flood Officer had confirmed support for the scheme and that the approach in the Flood Risk Assessment to make the development flood resilient was the most appropriate approach as the partially completed site with infrastructure broadly in place could not be otherwise obviate flood risk.

An objection had been received from a neighbouring business regarding concerns about the impact of refuse storage being on the Douglas Street side of the site. The developer of the site would be responsible for the management of the waste storage and collection arrangements and there was sufficient space within the site to allow for this and for it to be located at the rear of the development was not considered inappropriate and as such, this issue would not undermine the merit of the proposals.

Members commented on the colour of the finishing materials and it was suggested that a sample of the materials be submitted to the Committee for approval prior to construction of the building commencing.

**ORDERED** that the application be **Approved on Condition** for the reasons set out in the report subject to Condition No. 3 being amended to include the requirement for the developer to submit a sample of the building finishing materials to Committee prior to construction of the building commencing.

16/3 **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 No. 187 (29 September 1992).

16/4 **DEVELOPMENT MANAGEMENT - THE MIDDLESBROUGH WAY - VERBAL REPORT OF THE HEAD OF PLANNING**

The Head of Planning advised Members of the Committee of his intention to retire from the Council after forty three years of working in the Planning department.

Members were provided with a presentation which demonstrated the town's greatest planning achievements over the years including the transformation of Ironmasters; the transformation of the town centre and the transformation of Middlesbrough Railway Station. The authority had only had one planning maladministration case found against it in the whole of the Head of Planning's forty three years working at the authority.

The authority had also been invited to meet with the Planning Minister, Keith Hill in 2003, who complimented the authority for delivering a quality planning service in the area.

Members wished the Head of Planning best wishes for his retirement and thanked him for his excellent contribution to the work of the planning department over the past forty three years.