

**PLANNING AND DEVELOPMENT COMMITTEE**

A meeting of the Planning and Development Committee was held on 3 March 2017.

**PRESENT:** Councillors Councillors S E Bloundele (Chair), J Blyth, P Cox, J Hobson, J McGee and L McGloin and M Walters

**ALSO IN ATTENDANCE:** N. Dalus, Councillor J Rostron, Councillor J Sharrocks and B. Stephenson.

**OFFICERS:** R. Farnham, A. Glossop and G. Moore.

**APOLOGIES FOR ABSENCE** Councillor F McIntyre and Councillor P Purvis..

**DECLARATIONS OF INTERESTS**

| <b>Name of Member</b> | <b>Type of Interest</b> | <b>Item/Nature of Interest</b>   |
|-----------------------|-------------------------|--|
| Councillor M. Walters | Non-Pecuniary           | Agenda Item 4, Item 4, planning application 17/0049/FUL - Councillor for Park Ward |

16/29 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 6 JANUARY 2017**

The minutes of the Planning and Development Committee meeting held on 6 January 2017 were taken as read and approved as a correct record.

16/30 **SCHEDULE OF 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 Development Control Planning Manager 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.

**16/5269/COU Change of use from shop (A1) to hot food takeaway (A5) at 2A Woodrow Avenue, Middlesbrough, TS7 8EZ for Mr M. Ali.**

Members were informed that the application had been deferred.

**17/0051/FPL Erection of bronze memorial statue and associated plinth and paving works at Dorman Museum Grounds, Linthorpe Road, Middlesbrough, TS5 6LA for Mr N. Dalus.**

The Development Control Planning Manager 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.

The Development Control Planning Manager advised the committee that the statue would be a life size representation of Mr Tom Dresser, a Victoria Cross recipient. The statue would be made of bronze and would be within a landscaped part of the Dorman Museum Grounds, adjacent to Linthorpe Road and in close proximity to the Cenotaph and the existing Stan Hollis VC Memorial. The committee was advised of the location plan, the proposed site plan and the general arrangement. Officers recommended that the application be approved subject to

conditions.

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 was elected to address the committee in support of the application.

In response to a Member's query regarding the location of the statue, the Development Control Planning Manager advised it was the intention that the statue would sit in line with that of the Stan Hollis VC Memorial. However, there could be restrictions due to the location of gas mains in the area.

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

**16/5411/FUL Residential development comprising 50no dwellings with associated access and landscaping at Land East of Trimdon Avenue, Middlesbrough, TS5 8SB for Mr B. Stephenson.**

The Development Control Planning Manager 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 10 objections had been received. The Trimdon Ward Community Council and a Ward Councillor had also submitted objections. There had been no objections received to the application from the statutory consultees.

The Applicant was elected to address the committee in support of the application. The Ward Councillor spoke in objection to the application.

In respect of the application, the Development Control Planning Manager provided Members with details of the site location plan, the aerial view of the site and the surroundings, access into the site, the proposed site layout and properties. Members were advised that Officers had concerns with the initial scheme, which portrayed an unsatisfactory layout with separation distances considered to be detrimental to the future residents and problematic parking provision. As the initial scheme would likely lead to on-street parking, revised drawings had been submitted to address these issues. Officers recommended that the application be approved subject to conditions.

A discussion ensued in respect of site access, the parking arrangements, and the number of cars and volume of traffic expected with a development of that size.

In response to points raised, the Principal Engineer advised that the predicted vehicular movements associated with the development was unlikely to have a detrimental impact on the operation of the surrounding highway network, from either a capacity or a road safety perspective.

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

**17/0023/FUL Retrospective application for outbuilding/pigeon loft within rear garden at 52 Coronation Green, Middlesbrough, TS3 0LT for Mr G. Mescus.**

The Development Control Planning Manager 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 6 objections had been received. There had been no objections received to the application from the statutory consultees.

The Development Control Planning Manager advised that this type of development would typically fall within Class E of the General Permitted Development Order and therefore would not require planning approval. However, due to the height of the building exceeding 2.5m it was not able to benefit from those permitted development rights and as such required retrospective planning approval.

Members heard that numerous comments had been made in respect of the potential noise, attraction of vermin and nuisance caused by pigeons. Members were advised that the keeping of pigeons did not in itself require planning permission and should therefore not materially affect the decision making of the application. The basis of the application was whether the outbuilding by virtue of its physical form would create a negative impact on the amenity of the neighbours. Officers recommended that the application be approved subject to conditions.

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

**17/0049/FUL Conversion of dwellinghouse into 2no self-contained flats at 3 Gorman Road, Middlesbrough, TS5 6ES for Mr S. Mehdi.**

The Development Control Planning Manager 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 4 objections had been received. A Ward Councillor had also submitted objections. There had been no objections received to the application from the statutory consultees.

The Ward Councillor spoke in objection to the application.

A discussion ensued regarding the potential transference of noise between properties, potential additional on-street parking and the impact on amenity of nearby residents. The Development Control Planning Manager advised that potential noise transference could be addressed through provision of adequate noise insulation measures and that parking requirements for the proposed flats would not be more than the requirement for housing. Officers recommended that the application be approved subject to conditions.

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

In the opinion of the Local Planning Authority, the proposed subdivision of the dwelling into flatted development would fail to enhance the best characteristics of Middlesbrough's built environment or demonstrate a high quality of layout design, thereby failing to positively contribute to, and be out of keeping with, the character of the immediate locality. Furthermore, the proposal would result in increased parking demand in a location where there was no off street parking provision and where there was already significant demand for on street parking, all being contrary to the guidance contained within Local Development Plan Policies CS5(a, c), H11 and DC1 and the NPPF (para. 17 and para. 58) which sought high quality, environment enhancing development which appropriately took account of an areas characteristics.

**16/31 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****16/32 ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.****PLANNING APPEALS**

The Development Control Planning Manager advised Members of the recent appeal decisions made by the Planning Inspectorate.

**Appeal Ref: APP/W0734/D/16/3163118 - 6 Mandale Road, Middlesbrough, TS5 8AB**

The appeal was made to the Planning Inspectorate by Mrs F Marouf against the decision of Middlesbrough Council.

**Appeal Decision**

The appeal be dismissed.

**Main Issues**

It was considered that the main issue was the effect of the proposal on the living conditions of neighbouring residents, with particular reference to light and outlook.

**Appeal Ref: APP/W0734/W/16/3157459 Middlesbrough Golf Club, Brass Castle Lane, Middlesbrough TS8 9EE**

The appeal was made by Middlesbrough Golf Club against the decision of Middlesbrough Council.

**Appeal Decision**

The appeal be dismissed.

**Main issues**

The main issues of the appeal were:

- the effect of the proposal on the character and appearance of the surrounding area; and
- whether or not the proposed development would constitute an appropriate location for housing, having regard to development plan policy and the National Planning Policy Framework.

**Appeal Ref: APP/W0734/W/16/3158620 Park End Clinic, Overdale Road, Middlesbrough TS3 7EA**

The appeal was made to the Planning Inspectorate by Mr H Singh against the decision of Middlesbrough Council.

**Appeal Decision**

The appeal be dismissed.

**Main Issue**

The main issue was the effect of the appeal proposal on the vitality and viability of the Penrith Road Local Centre.

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

A discussion ensued regarding those applications determined under delegated powers. The Development Control Planning Manager advised that during the time that an application was being processed, a Member could submit a request for an application to be considered by the

Planning or Development Committee. The committee was advised that a training session, on the use of the planning portal, would be delivered in due course.

**ADDITIONAL MEETING - 17 MARCH 2017**

Members were advised that an additional meeting of the Planning and Development Committee had been arranged to consider a single application. The meeting was scheduled to take place on Friday 17 March 2017 at 1.30 p.m. in the Mandela Room.

**NOTED**