

**PLANNING AND DEVELOPMENT COMMITTEE**

A meeting of the Planning and Development Committee was held on 31 March 2017.

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

**ALSO IN ATTENDANCE:** Ms L Adams, Mr S Barker, Mr S Chambers, Councillor D Coupe, Ms P Heath, Councillor C Hobson and Mr S Longstaff

**OFFICERS:** P Clarke, R Farnham, A Glossop, G Moore and P Wilson

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

1 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 3 MARCH 2017**

The minutes of the Planning and Development Committee meeting held on 3 March 2017 were taken as read and approved as a correct record.

2 **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.

**16/5068/OUT Outline application for the erection of snow and leisure centre (D2) with retail (A1) and restaurant (A3) facilities and associated car parking and landscaping at Land to South of Scotts Road, Middlesbrough for Cool Runnings (NE) Ltd**

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 that the application sought outline planning permission for an indoor snow and leisure centre. Therefore, consideration was only required in respect of the principle of the development with the detailed matters of the appearance, layout, scale, access and landscaping of the proposed development being 'reserved matters', which would be considered under a separate application(s).

Neighbourhood consultations had taken place and no objections had been received.

The committee was advised that the main points raised from the consultation process and statutory consultees were in relation to flood risk and heritage assets and these had been considered in detail. Following the submission of a revised Flood Risk Assessment, the Environment Agency and the Lead Local Flood Authority were now satisfied that flooding related matters could be adequately dealt with by conditions and further information being submitted at reserved matter stage. With regards to the scheme and its impacts on heritage assets, given the specific details of the appearance, scale and layout of the proposed development being matters which were reserved for consideration as part of a further application, a comprehensive appraisal of the impacts on the nearby heritage assets needed to be undertaken at that stage, which would be subject to further consultation. A condition was recommended to achieve that. Officers recommended that the application be approved subject to conditions.

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

A discussion ensued regarding the many benefits of the development to the town. The potential economic benefits were material planning considerations and weighed heavily in favour of the scheme.

**ORDERED** that the application be **Approved on Condition** for the reasons set out in the report plus an additional condition relating to air pollution.

**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**

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 74 objections had been received. The Marton West Community Council and a Ward Councillor had also submitted objections.

The Development Control Planning Manager advised that the use of the premises as a hot food takeaway would result in significant harm to the amenities of the nearby residential occupiers and would have a detrimental impact on the streetscene and the character of the area. Furthermore, at the time the application was submitted the proposed use had not passed the necessary sequential test as there was a vacant unit located within the nearby local centre. Officers recommended that the application be refused.

The Agent was elected to address the committee in support of the application. A resident and Ward Councillor spoke in objection to the application. The agent advised that additional information had been submitted to address concerns and that there was no longer a unit available within the nearby local centre. The agent passed round copies of an email dialogue with the agents of the empty premises within the local centre.

A discussion ensued regarding the appropriateness of the location due to the proximity to local residential dwellings and the potential impact of the scheme on the amenity of local residents and the area. The Development Control Planning Manager addressed the committee to advise that, if committee was minded to accept the comments of the applicant's agent in respect to the empty premises within the local centre as no longer being available, then consideration as to whether the reason for refusal relating to failure of the sequential test was still necessary, could be delegated to officers to investigate this claim. Notwithstanding this, the committee was advised by the Development Control Manager that the second reason for refusal would still remain and was sufficient in itself to justify refusal of the proposal. The committee did not seek any further confirmation.

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

**16/5335/OUT Outline application for the erection of 3no dwellings and associated works at Upper Farm Maltby Road Middlesbrough TS8 0AY for Lowcock Properties Ltd**

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 that the application sought outline consent for the erection of 3 residential dwellings and associated works on a site that currently consisted of agricultural buildings.

Neighbourhood consultations had taken place and 9 objections had been received. The Stainton and Thornton Parish Council and the Stainton and Thornton Community Council had also submitted objections. There had been no objections received to the application from the statutory consultees.

The Development Control Planning Manager advised that the proposed development would not result in a significant detrimental impact on the amenity of any nearby residents. The development would see the removal of damaged, unsightly buildings and had the ability through reserved matters submissions to gain their replacement with a high quality development which was sensitive to its surroundings that would integrate well into the agricultural setting and would improve the visual amenity of the area. The committee was further advised that although the site was outside of development limits, there was allocated and approved housing schemes within particular close proximity, an existing access to the application site and existing residential properties adjacent to the site, all of which added weight to supporting the scheme. Officers recommended that the application be approved subject to conditions.

The Agent was elected to address the committee in support of the application. A resident and Ward Councillor spoke in objection to the application.

A discussion ensued in respect of the agricultural setting and conflicts with Local Plan policies.

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

In the opinion of the Local Planning Authority, the proposed development would be out-with the established development limits for the area, thereby being contrary to the requirements of saved Policies E20 and E22 of the Middlesbrough Local Plan.

### 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).

**NOTED**

### 4 **MEMBER TRAINING SESSION - NEW WEB-BASED VIEWING SYSTEM FOR PLANNING APPLICATIONS**

Members of the Planning and Development Committee received a training session on the new web-based viewing system for planning applications.