

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on 16 June 2017.

PRESENT: Councillors Councillors M Walters (Chair), S E Bloundele (Vice-Chair), J Brunton, S Dean, J Hobson, J McGee and L McGloin and F McIntyre

PRESENT AS OBSERVERS: Councillor T Higgins

OFFICERS: A Glossop, M Lawton and G Moore

APOLOGIES FOR ABSENCE Councillor J Blyth.

DECLARATIONS OF INTERESTS

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

17/1 MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 26 MAY 2017

The minutes of the Planning and Development Committee meeting held on 26 May 2017 were taken as read and approved as a correct record.

17/2 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 Manager reported thereon.

17/0229/COU Change of use of land to residential curtilage and erection of boundary wall and gates to front at 35 Hutton Road, Middlesbrough, TS4 2LG for Mrs M Brancati

The Development Control 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 Manager explained that planning permission was sought for the incorporation of a short section of highway into residential curtilage and erection of 1.3m high boundary wall with 1.6m high pillars and gates to front.

An update report was circulated to Members that provided further detail in respect of the condition pertaining to the footway re-construction works.

The committee was advised that the area of highway was not owned by the applicant but by a third party and it originally provided access to playing fields to the rear of properties on Hutton Road. However, the playing fields had been subject of various planning approvals for residential development where the access was taken from a different point to the north east and so the carriage way was no longer required as a means of access.

Members were advised that the land was not owned by the Council, neither was it an adopted highway, therefore the Council was obliged to consider the application. As such, it was considered that a public right of access had been established and so a Highway Stopping Up Order would be required in the event that planning permission was granted. The land had been used as a highway for a number of years and so the merits of stopping up the rights of access would be considered under highways legislation.

The committee heard that the outcome of the application would have no bearing on the outcome of any future application for the stopping up of the highway, nor did it imply the right to erect the wall or use the land for residential purposes until other necessary legislation had been complied with.

The Development Control Manager advised that the proposal was considered to be a suitable development that would have minimal impact on the character of the area. It was also added that the proposal was an acceptable form of development fully in accordance with National and Local policy and was therefore recommended for approval.

Neighbourhood consultations had taken place and 8 objections to the proposal had been received from local residents. A Ward Councillor had also submitted objections. There had been no objections received to the application from the statutory consultees.

A Ward Councillor spoke in objection to the application.

In respect of one of the issues raised by the Ward Councillor, the Development Control Manager explained that the costs of all works associated with the change of use, such as the disconnection of the existing lighting column and the footway re-construction works, would be the responsibility of the applicant.

A discussion ensued regarding concerns with parking, highway safety and the loss of highway in respect of turning provision.

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

In the opinion of the Local Planning Authority, the proposed wall and gates to the front of the site along with the change of use of the land with access to the rear garages remaining, would appear out of keeping with the character of the area contrary to Local Plan Policy and the guidance contained within the National Planning Policy Framework. Furthermore, the proposal would prevent the parking of vehicles within this area and would intensify parking within the wider street, in an area where the street is heavily relied upon to provide parking for residents.

17/0250/FUL Conversion of dwellinghouse into 2no flats at 45 Chippenham Road, Middlesbrough, TS4 3PH for We Buy Any House

The Development Control 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 Manager advised that planning permission was sought for conversion of an end terrace dwelling into two self-contained flats. The proposal included only minimal alterations to the exterior of the property with access to the flats taken from the existing front door.

Neighbourhood consultations had taken place and 10 objections to the proposal had been received from local residents. Concerns related to lack of parking, change to character of the area and the possible type of future tenant of the flats. There had been no objections received to the application from the statutory consultees.

The Development Control Manager advised that the proposal had been assessed against local policy and guidance and it was considered that the conversion to flats would be in keeping with the residential nature of the surrounding area and would not have an adverse impact on the character of the area, amenity of nearby residents or matters of highway safety. All other issues raised had been considered but did not justify refusal of planning permission.

The committee was advised that the proposal was considered to be an acceptable form of development fully in accordance with National and Local policy and was therefore recommended for approval.

A discussion ensued and concerns were raised in respect of the lack of parking provision in the area, the potential increase of on-street parking, the impact on the character of the area and the size of the development.

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

In the opinion of the Local Planning Authority, the property has been built as a small family home and is of insufficient size to reasonably provide for future residents and provision of this small property type would be out of keeping with the character of properties throughout the wider area. Furthermore, the proposal would result in 2 separate occupiers of the property for up to 4 adults which is considered would lead to an increased parking demand in an area where there is already significant demands on the existing highway to be used for parking, all of which is considered to be contrary to both the Local Development Plan and the National Planning Policy Framework (para. 17 & 58) which requires new housing development to be of a high quality, provide a good level of amenity for future occupants and to function well and add to the overall quality of an area.

17/3

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).

Queries were raised in respect of the Council's Scheme of Delegation. The Development Control Planning Manager explained that, at present, if three or more objections were received to a planning application, the application was referred to the Planning and Development Committee for consideration. It was also advised that during the time that an application was being processed, a Member could submit a request, to the Chair or Vice-Chair, for an application to be considered by the Planning or Development Committee.

NOTED