

**PLANNING AND DEVELOPMENT COMMITTEE**

A meeting of the Planning and Development Committee was held on 6 October 2017.

**PRESENT:** Councillors S E Bloundele, J Brunton, S Dean, J Hobson, J McGee, L McGloin, F McIntyre, V Walkington, M Walters and T Higgins(As Substitute)

**ALSO IN ATTENDANCE:** S Dodds, H Emms, E Hasler

**OFFICERS:** A Glossop, M Lawton, J McNally, S Pearman,

**APOLOGIES FOR ABSENCE** Councillor J Blyth.

**DECLARATIONS OF INTERESTS**

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

**17/14 MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 8 SEPTEMBER 2017**

The minutes of the Planning and Development Committee held on 8 September 2017 were taken as read and approved as a correct record.

A question was asked by the Chair regarding planning application 17/0256/FUL and the demolition of the existing Brambles Farm Hotel building as to whether the applicant had confirmed if a board representing the Historical Interpretation of the site would be erected, the Development Control Manager stated that he had not heard anything back from the applicant relating to this matter.

**17/15 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.

**17/0252/FUL Conversion of existing dwelling into 2no flats and erection of new 1 bed apartment to side at 1 Gretton Avenue, Middlesbrough, TS4 3QT 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 the application sought planning permission for conversion of an end terrace dwelling into two, one bedroom, self-contained flats and the erection of a two storey extension to the side to provide an additional one bedroom dwelling.

Neighbourhood consultations had taken place with 9 neighbours, no objections were received.

The main considerations are the principle of the use, loss of family housing, design of the proposed extension, impact on the amenity of nearby residents and provision of adequate parking facilities for future occupants of the flats.

The Development Control Manager advised that the proposal had been assessed against local policy and guidance and it is considered that the development will be in keeping with the residential nature of the surrounding area and will result in a choice of affordable homes and will not have an adverse impact on the character of the area. The proposal will not have any

significant impact on the amenity of nearby residents and adequate parking facilities are to be provided within the site, thereby preventing any significant impact on matters of highway safety. All other issues raised have been considered but did not justify refusal of planning permission.

In view of the above, the proposal is considered to be an acceptable form of development fully in accordance with National and Local policy and is therefore recommended for approval.

A discussion ensued on the size of the accommodation that would be provided if the property was split into three flats, Members felt that they would be extremely small and overcrowded. Concerns were also raised that the property only had one access and exit point at the front of the building meaning only one means of escape in an emergency.

**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. Provision of such small property types would be out of keeping with the character of properties throughout the wider area, 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.

**17/0277/FUL - Erection of 7 storey student accommodation building comprising 337 student studios ( Class C3) and ancillary space (Retail - A1, Cafe- A3 and takeaway - A5) at 1-29 Station Street, Middlesbrough, TS1 1SR for Mr Mehli**

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.

Members heard that planning permission was sought for the erection of a seven storey building comprising retail units (a1 retail / a3 cafe) resident leisure facilities, management uses and plant on the ground floor, and 337 student studios on the remaining floors.

The application site has no specific policy allocation for it within the Local Plan and is currently occupied by commercial vehicle repairs uses and a car park.

It is considered that the proposed development will provide high quality student accommodation within a sustainable town centre location. The mix of uses on the ground floor will provide an attractive active frontage facing Station Street. The uses are ancillary to the residential development and will not detract from the vitality and viability of the town centre.

The development will not result in any significant detrimental impact to the amenities of existing residents or the highway network. The development meets the requirements of the relevant national planning policies detailed within the NPPF and Local Plan Policies, specifically CS4, CS5, CS8, CS13, H11 and DC1. The Development Control Manager recommended approval of the application subject to conditions.

Following a consultation exercise no objections were received from local residents or other consultees. The Principal Planning Officer informed the Committee that the Railway Heritage Trust has raised concerns over the height of the building as it is in such close proximity to the train station and the Trust asked for Members to take this into consideration.

The Principal Planning Officer stated that the proposed development is considered to be appropriate for both the application site itself and within the surrounding area, in that the proposal is in accordance with national and local planning policy guidance.

The relevant policies and guidance is contained within the following documents: - National Planning Policy Framework 2012 - Middlesbrough Local Development Framework (LDF) - Core Strategy (2008); Regeneration DPD and Proposal Map (2009) - Middlesbrough Housing Local Plan, Housing Core Strategy and Housing Development Plan Document (2014).

In particular, the proposal meets the national planning policy framework and guidance, in that the proposal is for a student development that would not be out of scale and character within the surrounding area, and would not be detrimental to the local and residential amenities of the area. Issues of principle regarding development, the layout and design of the scheme and the generation of traffic, had been considered fully, and are not considered, on balance, to give rise to any inappropriate or undue affects. Accordingly, the Local Planning Authority considers that there are no material planning considerations that would override the general assumption that development be approved unless other material factors determine otherwise.

A discussion ensued with members regarding the living wall and living roof, the agent for the developer confirmed that it would be an actual living green roof/wall with sustainable draining.

Members also raised concern over car parking, the agent confirmed that conditions of the tenancy agreement included that a student would not bring a car with them, there will be sufficient cycle space provided as part of the development and cycle hire will also be available to residents. The agent also stated that when students move into the accommodation they will be given a 15-20 minute slot for drop off this has been written into the management plan and they will work in conjunction with the Highways Department to implement this.

The Principal Planning Officer advised of the need for an additional informative relating to the discouragement of parking and this was accepted by members.

**Ordered** that the application be **Approved on Condition** for the reasons set out in the report and subject to the additional informative.

**17/0432/FUL - Change of use of first and second floors into HMO accommodation consisting of six pods with a total of twenty beds at 47-49 Linthorpe Road, Middlesbrough, TS1 5BS for 2020 Group UK**

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.

Members heard that planning permission was sought for change of use of first and second floors into HMO accommodation consisting of six pods with a total of twenty beds.

Objections had been received from Central Ward Councillors who considered the use to be unsuitable in this location on grounds that it would be harmful to the economic vitality of the town centre, potentially increasing anti-social behaviour and that access for the residential property should be considered from the rear of the site.

Whilst the concerns raised by the Ward Councillors have been acknowledged, the Development Control Manager advised that officer's views were that the proposed conversion will not be harmful to the vitality and viability of the town centre owing to the proposals being for the upper floors only and not affecting the ground floor uses. It is considered that the use of the existing entranceway, which is set back from the main shop frontage, would neither adversely affect the commercial character of Linthorpe Road nor increase anti-social behaviour. Access from the rear of the site is not considered to be suitable as it does not provide a safe and attractive environment for future occupiers.

Overall, it is considered that the proposed development is in accordance with both local and national planning policies, the issues raised have been considered and addressed.

A discussion ensued on the size of the pods and the amount of people living in such a small space. Concerns were also raised over the lack of natural daylight in the communal areas. The agent was elected to address the Committee in support of the application.

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

In the opinion of the Local Planning Authority, the proposed scheme would not provide a high quality of living accommodation and is considered to be located in a position which would not align with the councils aspirations for town centre living, being 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.

#### 17/16 **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).

AGREED:

- œ That the content of the report be noted.

The Development Control Manager informed the Committee that the appeal regarding 434 Marton Road a former butchers being turned into a takeaway had not been won. The comments from the Inspector included:

- It would not unduly affect balance
- Enough retail
- More active frontage
- Lunchtime opening hours
- Parking - people will be coming and going and not unduly parking
- Double yellow lines were acknowledged

Members expressed their concerns over parking and the potential of an accident happening due to takeaways on both sides of the road. It was suggested that when an appeal was taking place a bigger case would need to be built including site visits at night, photographs and surveys.

The Development Control Manager informed the Committee that the Local Authority have targets on appeals, the Local Authority are judged on quality of decision making and success on appeal. It was agreed that the Development Control Manager would report on success rates on a six monthly basis.

It was agreed that the Development Control Manager devise a schedule of progressional training sessions for Members rather than on an ad-hoc basis.

Members suggested that there should be a collective response on turning small semi-detached houses into flats. The Development Control Manager stated that the Interim Policy has not yet been received however it is expected within one month and will be brought to the Committee for comment.

It was agreed by Members that future site visits will commence at 10am rather than 10.50am.