

**PLANNING AND DEVELOPMENT COMMITTEE**

A meeting of the Planning and Development Committee was held on 12 January 2018.

**PRESENT:** Councillors S E Bloundele, J Blyth, S Dean, J Hobson, J McGee, L McGloin, F McIntyre, V Walkington and M Walters

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

**APOLOGIES FOR ABSENCE** Councillor J Brunton Dobson.

**DECLARATIONS OF INTERESTS**

Name of Member	Type of Interest	Item/Nature of Interest
Councillor J Blyth	Non Pecuniary	Item 3

17/27 **MINUTES OF THE PLANNING AND DEVELOPMENT COMMITTEE - 1 DECEMBER 2017**

The Minutes of the Planning and Development Committee held on 1 December 2017 were taken as read and approved as a correct record.

17/28 **SCHEDULE OF REMAINING PLANNING APPLICATIONS TO BE CONSIDERED BY COMMITTEE**

**SUSPENSION OF COUNCIL PROCEDURE RULE NO 6 - ORDER OF BUSINESS**

ORDERED that, in accordance with Council Procedure Rule No 6, the Committee agreed to vary the order of business.

ORDERED that the following applications be determined as shown:

**17/0842/FUL, Teesside University, Southfield Road, Middlesbrough TS1 3BX, refurbishment, extension, partial recladding and replacement of existing plant of the existing Student Centre building to accommodate teaching, learning and office space for Teesside University**

The Development Control Manager reported that planning permission was being sought on the proposed development to works to an existing university building including its recladding and partial re-glazing as well as the creation of a new entrance atrium.

The proposed works are part of the Universities wider masterplan to develop the Middlesbrough Campus which is centred around Southfield Road.

The Development Control Manager advised that It is considered that the proposed works will serve to re-define the existing appearance of the building and provide it with a greater prominence in the immediate area, adding positively to the quality and design of built form which has emerged within the campus over recent years.

Members were advised that the proposed works would not have any undue impacts on the operation and use of the wider area or associated buildings and would improve the visual relationship between the existing building and the nearby listed 'Waterhouse Building'.

Members were informed that there have been no objections raised against the application and in view of these matters, the application was recommended for approval with conditions.

The Development Control Manager advised that the key elements of the proposed works are to redefine the external appearance of the building by recladding its walls, improving energy efficiently and providing a dedicated glazed entrance to improve access to the building. Members were also advised that the underpass that currently runs underneath the building would be filled in.

A Member queried whether students had been consulted on the development, a representative of the University (Mr Darren Vipond) confirmed that approximately 600 people had been consulted including student groups, members of staff and the Local Authority and the response had been very positive.

The representative from the University informed the Committee that the development would create an entrance from the University to the Town Centre which would enable easier access to the Town Centre and rail and bus station.

Members stated that the proposal was a welcome design and would compliment what the Council is looking to achieve in the Albert Road area of the town.

**ORDERED** that the application be **Minded to Approve on Condition** for the reasons set out in the report.

**17/0470/FUL, Former Community Centre Loxley Road, Middlesbrough, conversion of former place of worship and community building to 2no retail units (A1) with external alterations and associated access and parking for Arifeen Property Development Ltd.**

The Development Control Manager advised the Committee that the application was considered at the Planning and Development Committee on the 1st December 2017. Members were minded to approve the application subject to changes to the servicing and delivery times and provision of details of the CCTV.

The planning permission being sought is for the conversion of a vacant church to two shopping units and comprises minor cosmetic changes to the exterior of the building, creation of three access points and provision of associated parking.

The Development Control Manager advised the Committee that the applicant had agreed to restrict servicing and delivery times to be between the following hours:

Single delivery prior to 8am (paper delivery) after which deliveries would be restricted to be between 8.00am and 3.00pm and 4.00pm to 6.00pm.

A plan showing the position of CCTV cameras had also been submitted along with the following details of the system:

A close circuit television system offering sufficient coverage of the store would be in operation during trading hours with all equipment being maintained in good working order. CCTV images would be retained for 30 days and made available to any of the Responsible Authorities upon reasonable request.

The Committee was advised that 16 x static HD CCTV cameras would cover the shop floor, warehouse, rear door, office(s) and external front of store.

The Development Control Manager advised the Committee that Anti Social Behaviour had previously been raised as a concern by local residents, the Development Control Manager stated that this would not be a consideration for material planning consent as it relates to the specific actions of a person which may or may not occur, however, advised that the general noise and disturbance of pedestrians/vehicles that the use would result in, would be a material planning consideration.

The Development Control Manager advised that the additional details are considered to reasonably clarify the points raised at Committee on the 1st December and would prevent significant disturbance and disruption to the amenity of local residents by limiting delivery hours as well as providing a deterrent to anti-social behaviour through the siting and operation of cameras.

A local resident spoke in objection to the application.

The objections included:

- CCTV would not curb anti-social behaviour
- Disruption to residents on Birkhall Road, Church Road and The Greenway had not been taken into consideration
- Noise when refuse collected
- No representatives from applicant had been present at meetings
- Claims that the building was vacant - inaccurate as the building is used to provide hot meals and shelter
- Lack of community building in local area
- Concern that residents had not been consulted

The Development Control Manager advised that consultation had taken place with residents, Environmental Health and Highways and all comments received had been taken on board. The Development Control Manager advised members that officers were not aware of the current ownership beyond the submission details and that ownership did not materially affect the recommendation. The Development Control Manager asked members to be aware of the objectors comments in their decision making although confirmed that consultation with neighbours had taken place as part of the application process.

Clarifications were sought from the objector addressing committee in relation to what the residents would seek to use the building for and in relation to existing off licence operations at Shelton Court and the use of the Thorntree Hub.

A Member queried why the CCTV would only be operational during trading hours, the Development Control Manager advised that if Members were minded a condition to extend the CCTV hours could be included.

A Member raised concern over the access gate for service vehicles and if a policy could be included to ensure the gate is locked at all times. The Development Control Manager advised that a condition could be included to ensure that the gate is used by service vehicles only and kept locked at all other times.

The Development Control Manager mentioned a typing error in the report referring to 4am rather than 4pm within the servicing hours condition.

**ORDERED** that the application be **Minded to Approve on Condition** for the reasons set out above and in the report and subject to the CCTV being operational 24 hours a day, there being a management plan in place for the operation of the service vehicle barrier and the amendment to the condition text relating to servicing hours to reflect the typing error referred to above.

**17/0560/FUL, 265 Cargo Fleet Lane Middlesbrough, TS3 8EX, erection of 1st Floor Extension and enclosed staircase to provide residential flat at first floor level for Mr H Singh.**

The Development Control Manager advised that planning permission was sought for the erection of a first floor extension above an existing store for a retail unit (A5 Hot Food) with enclosed external staircase, to form a two bedroom apartment.

The Committee were informed that following a consultation exercise, no objections were received from residents or statutory consultees.

The Development Control Manager advised that the development was considered to be an appropriate use for the area. It was consistent with the surrounding uses (retail with apartments above and residential) and would not have a significant impact on the amenities of the neighbouring properties, the character of the area, and highway safety.

The Development Control Manager stated that the proximity of the extension to existing 1st floor apartments was noted whilst at the committee site visit and that the Agent had confirmed that the eaves line of the proposed extension could be reduced and that the design could include a hip roof rather than a gable. The Development Control Manager confirmed that

these changes would reduce the mass, height and bulk of the proposed extension and that hip roofs were a feature of the wider street scene..

The Development Control Manager pointed out to the Committee that the Interim Policy on Conversions could not be considered as part of this planning application. A Member raised concern that the Interim Policy on Conversions setting out size/standards does not apply to all planning applications and asked for this to be looked at as a matter of urgency. The Development Control Manager stated that the Interim Policy on Conversions was currently out to consultation and issues raised can be incorporated.

A member requested the item be deferred to allow a revised plan showing the reduced eaves line and hip roof be presented back to committee. Other members indicated they were satisfied with the information presented and subject to the changes agreed to by the agent.

**ORDERED** that the application be **Minded to Approve on Condition** for the reasons set out in the report and subject to the plans being revised to lower the eaves line and provide hips to the roof design.

#### 17/29 **APPLICATIONS APPROVED BY THE HEAD OF PLANNING**

The Head of Planning submitted planning applications which had been approved to date in accordance with the delegated authority granted to him at Minute 187 (29 September 1992)

AGREED:

- That the content of the report be noted

#### 17/30 **PLANNING APPEALS**

The Development Control Manager submitted two reports to advise Members of the findings of the Inspector appointed by the Secretary for State for Communities and Local Government with regard to the following planning appeals:-

**Appeal Ref: APP/W0734/W/17/3181751, 2A Woodrow Avenue, Middlesbrough, TS7 8EZ, Appeal Refused**

**Appeal Ref: APP/W0734/D/17/3182822, 33 Malvern Drive, Middlesbrough, TS5 8JD, Appeal Refused**

A copy of the appeal decisions, in respect of the appeals were attached as appendices for Members information.

**ORDERED:**

- That the reports and the content be noted.