

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on 4 May 2018.

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

OFFICERS: J Bell, P Clarke, R Farnham, A Glossop, J McNally, D Murray, S Pearman, S Thompson,

APOLOGIES FOR ABSENCE Councillor J Brunton Dobson.

DECLARATIONS OF INTERESTS

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

17/46 **MINUTES OF THE PLANNING AND DEVELOPMENT COMMITTEE - 6 APRIL 2018**

The minutes of the Planning and Development Committee held on 6 April 2018 were taken as read and approved as a correct record.

17/47 **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:

18/0122/FUL, Land Off Riverside Park Road, Riverside Park West, Middlesbrough, Anaerobic Digestion Plant facility with associated works, including buildings, apparatus, hardstanding and access for Ener-G Riverside Park Biogas Ltd.

The Development Control Manager advised that a site visit had been held on the morning prior to the meeting at an Anaerobic Digestion Plant in Hartlepool.

The Development Control Manager advised the Committee that the application sought planning permission for the erection of an anaerobic digester power plant and associated works on land between the River Tees and Riverside Park Road.

The Planning and Development Committee were advised that the site is located within a highly industrial area and, despite not being categorised within a B1, B2 or B8 use class, the operations associated with the anaerobic digester plant would be considered compatible with the general employment and enterprise character of the Riverside Park Industrial Estate.

The Development Control Manager informed the Committee Members of the Anaerobic Digester Processes and site operations. Members heard that Anaerobic Digester facilities are primarily used as a source of renewable energy. The process would produce a biogas (methane), that would be used as energy or fed into the power grid. The digestate that is also produced could be used as a fertiliser. Members were advised that organic material would be transported to the site in HGV's and tankers. The organic material would be put into a large round tank with a roof and fermented within the sealed vessel to produce the gas.

It was advised that the solid material would be tipped into dedicated bays in the main reception building prior to being processed through the plant. The doors of the reception building would be kept closed at all times other than HGV's entering and leaving. The liquid material would be pumped straight into the reception tanks.

Members were advised that a consultation had taken place and a site notice had also been

displayed along Riverside Park Road close to the site of the proposed access. Following the consultation period, two letters of objection had been received and a letter of petition had been received from the residents of Metz Bridge objecting to the proposed development. An addendum to the original report was tabled at the meeting detailing a late objection from Duranta Teesside Ltd.

Members heard that the main points raised during the consultation process were primarily in relation to the Environmental Health matters of odour, air quality and noise. Assessments relevant to these had been submitted in support of the application, which had been fully considered by the respective technical services, and these had informed officers that the development would not have an unacceptable impact on any nearby occupier. Officers felt that the proposals would neither detrimentally affect the living conditions of the residents at Metz Bridge nor compromise the successful delivery of the Tees Advanced Manufacturing Park.

Two objectors spoke in opposition to the application. The objections included:

- Noise
- Odours
- Traffic flows
- Families/children crossing roads
- Eyesore
- Impact of residents living at Metz Bridge
- Better brownfield sites

The Agent for the application stated that he understood the concerns over noise and odour, he advised that odour from the site would be very low key and would be virtually odourless. The agent advised that there would be a total of 16 vehicle movements per day over a 12 hour period.

A Member raised a concern over the delivery of raw products being delivered to the site and queried if the doors to the building reclose when the waste is delivered. It was advised that the doors would close and that air moves into the reception building and not out. A member also confirmed the traffic movements for the site.

A Member queried if there could be a risk of explosion from the site. The Development Control Manager stated that the gas produced on site was all stored as low pressure gas and that the HSE were satisfied that this would not be a risk.

The Development Control Manager informed the Committee that the application was considered to be an acceptable form of development, fully in accordance with the relevant policy guidance and there were no material considerations which would indicate that the development should be refused.

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

18/0060/FUL, Residential development comprising 238 dwellinghouses with associated access and landscaping at Grey Towers, Nunthorpe, TS7 0PW

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 submitted 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 informed the Committee that permission was sought for the erection of 238 dwellings on the Grey Towers housing development site. The site currently

had full permission for 185 dwellings of which 92 had been built, a further 110 had outline consent (295 total). This application for 238 dwellings increases the number of dwellings on the wider site by 116 to 411 as the current proposal also seeks a re-plan of the approved but not built plots.

The Development Control Manager advised that the proposed development would provide a good mix of dwelling types which were considered to be of high quality design in an attractive landscaped setting with an appropriate layout. The development would not result in a significant detrimental impact on the amenities of existing local residents. Strategic works to the highway network would mitigate against the impact of the development on the local highway network.

The Development Control Manager informed the Committee that the proposed development exceeded the number of properties for the Grey Towers site as detailed within the Housing Local Plan policy H28, the proposal would meet National Planning Policy Framework aims and objectives, regarding increasing and delivering a wide choice of high quality homes. In addition, the applicants had emphasised that the original high quality North Yorkshire village design ethos would be maintained and enhanced. There would also be additional developer contribution requirements, to mitigate against any impacts deriving from the proposal.

In regards to Highways the Committee heard from the Highways Officers who advised that for the purposes of assessing the impact on the highway network, the original Transport Assessment was based on 300 residential units and based upon this work a package of mitigation measures were identified together with a financial contribution to the cost of the works. This package was secured through the granting of planning consent and progress on the implementation of these works is currently underway.

The trip rates that were utilised for the initial application were acknowledged as being high at the time of consideration and agreed to represent a worst case scenario.

The subsequent surveys of the dwellings occupied on the development have been undertaken which confirmed that the original trip rate was overly robust and was not representative of the traffic being generated by the development.

The Committee was advised that the net difference between the originally accepted considerations and that now proposed was a decrease of 22 vehicles in the AM peak and an increase of 78 vehicles during the PM peak.

The Highways Officer stated that the PM increase represented a little over 1 additional vehicle per minute. This additional traffic had been assigned to the highway network based upon the previously agreed approach in the original Transport Assessment.

The Highways Officer advised that once the traffic is distributed across the highway network, as per the agreed approach, the impact over and above that previously considered at individual junctions diminished further to levels representing less than one vehicle per minute. When considering background traffic flows and daily fluctuations that can be seen in traffic levels these changes are not of a scale to necessitate further investigation nor mitigation.

Following a consultation exercise objections were received from 35 residents from 32 properties, the Parish Council and a Ward Councillor. The objections were detailed in the submitted report and included comments in relation to increase in traffic and congestion, inadequate local highway infrastructure, over development and appearance.

Two Ward Councillors spoke in opposition to the application. The objections included:

- Lack of social facilities
- Local primary and secondary school capacity
- Lack of places at local GP's and Dentists
- Traffic congestion
- Infrastructure
- Marton Road crawl

- Section 106 agreement

Three further objectors spoke in opposition to the application. The objections included:

- Traffic congestion
- Road accidents
- Lack of schools
- Lack of healthcare facilities
- Lack of leisure facilities
- Open spaces have loose chipping - preventing use for people with disabilities
- Loss of green space

The objectors also queried whether the application could be looked at following the conclusion of the investigation into the A19-River and coast to hills traffic investigation. Objectors also raised concerns over capacity at schools and the fact it was a change from the original submission.

A Member queried if the value of the Section 106 would increase. The Head of Planning informed the Committee that the Section 106 would be paid in two stages, the first stage is due to be paid when the 150th house is built. The Committee heard that a further £2.3 million had been identified as a further Section 106. The Head of Planning stated that the local primary school had not identified a need or asked for a further increase.

The application was moved and seconded to approve the application, a vote was taken in favour of the application (four) the Chair then adjourned the meeting to take legal advice during the adjournment two members of the committee left the meeting. The Chair then took the vote against the application (two) and abstentions (two). The Chair then indicated that due to the change in composition of the Committee during the voting process the Chair did not feel comfortable proceeding on that basis. The Chair proposed the item be deferred a vote was taken and unanimously supported deferral.

RESOLVED that the item be deferred to a subsequent meeting of the Committee

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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:

- That the content of the report be noted