

**PLANNING AND DEVELOPMENT COMMITTEE**

A meeting of the Planning and Development Committee was held on 8 June 2018.

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

**OFFICERS:** A Glossop, J McNally, S Pearman, B Roberts, S Thompson

**APOLOGIES FOR ABSENCE** Councillor M Saunders.

**DECLARATIONS OF INTERESTS**

<b>Name of Member</b>	<b>Type of Interest</b>	<b>Item/Nature of Interest</b>
Councillor S Bloundele	Non Pecuniary	Agenda Item 5 Item 2

18/1 **MINUTES OF THE PLANNING AND DEVELOPMENT COMMITTEE - 4 MAY 2018**

The minutes of the Planning and Development Committee held on 4 May 2018 were taken as read and approved as a correct record.

18/2 **MINUTES OF THE PLANNING AND DEVELOPMENT COMMITTEE - 16 MAY 2018**

The minutes of the Planning and Development Committee held on 16 May 2018 were taken as read and approved as a correct record.

18/3 **SCHEDULE OF REMAINING PLANNING APPLICATIONS TO BE CONSIDERED BY THE 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:

**18/0247/FUL, Former Sports Ground, Hutton Road, Middlesbrough, TS4 2LG, erection of 86no. 2, 3 and 4 bedroom two-storey dwellings with associated works from Gleeson Regeneration Ltd.**

The Head of Planning informed the Committee that the application is a revised application for the erection of 86 dwellinghouses on the site of the former sports ground, Hutton Road. The revised application had been submitted following the Committee's decision to refuse planning permission for a similar application at its meeting in March 2018 owing to the likely adverse highways implications associated with the traffic generated by the 86 proposed dwellinghouses

The Head of Planning provided strategic context, the Committee heard that the application was aligned with the Council's strategic priorities including:

- Mayor's Vision
- Investment Prospectus
- Strategic Economic Plan
- Housing Strategy
- Affordable Housing Strategy

The Committee was advised that the application met the housing needs of the population and would provide good quality, affordable family housing within limits of development as detailed in the H11 Housing Strategy.

The Development Control Manager advised the Committee that the application site was located in a residential area and despite not being specifically allocated for housing in the

adopted local plan, residential use of this site had been firmly established through a number of previous planning permissions. The Committee heard that the most recent planning permission for outline approval was in 2010. The Development Control Manager stated that since this time there had been no fundamental changes in local or national planning guidance, and consequently, the development of the site for residential purposes was still to be considered acceptable.

The Committee heard that 162 properties had been notified of the proposed development. 20 letters of objection had been received and a petition with approximately 225 signatures had been received from local residents.

Objections received included:

- Excessive volume of traffic along Hutton Road
- Only one entrance to site
- Proposed bollards and speed bumps do not alter reason why the application should be refused - safety and access
- Highways safety concerns from speeding road users
- Increased air pollution
- Roads are in a poor state of repair from overuse
- Noise pollution
- Invasion of privacy
- Site is contaminated from its previous uses

The Highways Officer informed the Committee that a transport assessment had been carried out and met national guidance. The Committee heard that in terms of traffic generation, based on the nationally recognised TRICS database, a residential development of this size could be expected to generate in the region of 49 and 54 vehicular movements during the am/pm peak. The level of traffic would equate to less than one additional vehicle movement during the peak network hours. The traffic generated by the proposed development was not judged to have a material impact on the free flow of traffic or operation of adjacent junctions. The operation of the junction of Hutton Road and Longlands Road had been assessed using industry standard software with recently undertaken traffic survey data. This modelling had demonstrated that the traffic generated by the proposed development would not have a material impact on the free flow of traffic or operation of adjacent junctions.

The Committee heard that access to the site was from the A172 Longlands Road via Hutton Road. A detection loop existed on Longlands Road/Hutton Road junction, which turned the adjacent signalised pedestrian crossing on Longlands Road to red should three or more cars be waiting for more than 15 seconds. This function enabled traffic to leave Hutton Road by creating breaks in the flows of Longlands Road. To further assist vehicles turning out of Hutton Road, it is proposed to reline the carriageway to provide a dedicated left and right turn lane. This will minimise the risk of right turning vehicles delaying left turning vehicles when exiting Hutton Road. The existing box junction markings on Longlands Road would be repainted and made clearer to keep the junction area clear.

The Committee were advised that in terms of the junction of Hutton Road and the site access, visibility was in accordance with the national guidance. As part of the highways improvement works, bollards are proposed within the adjacent verge to prevent on-street parking obstructing visibility at the site access. Speed cushions are also proposed to the north and south of the site access to ensure speeds along the site frontage on Hutton Road are restricted to 20mph or less. A vehicle swept path analysis has demonstrated that the proposed access is suitable in terms of design and width to serve the level of development proposed. An accident history for the stretch of highway adjacent to the site access had also been investigated, and this had demonstrated that there were no accident patterns or clusters of accidents that could be exacerbated by the proposed residential development.

Three Ward Councillors spoke in objection to the application. The objections included:

- Residents were still unhappy with the revised proposals
- Needs more than 1 access

- Too much traffic already
- Roads used as a cut through
- Far too many cars as it is
- Problems already exist
- Roads are already gridlocked
- Drivers don't abide by rules
- Ambulances have been stuck in traffic

A spokesman and two residents spoke in objection to the application. The objections included:

- Lack of access
- Entrance/Exit Hutton Road
- Outline planning already refused
- 1982 appeal decision
- No positive changes to traffic use in the area
- Increase in danger to pedestrians
- No provision for access to the green open space area by pedestrians
- Access for emergency services vehicles
- Loss of privacy
- Noise disturbance and nuisance
- Decrease in property value
- Refuse collectors would not be able to enter estate

The Development Control Manager informed the Committee that there is no policy requirement for the development to have a 2nd access. The 1982 appeal decision was dated and was considered at a time when transport policies and practices were different in respect to housing developments. This proposal had been considered against current practices and standards and was considered to meet those requirements.

The Development Control Manager reiterated that the scheme would result in a negligible amount of traffic in the local area at peak times, with smaller numbers spread over the course of the day.

The Committee were advised that the access into the site was suitable in terms of geometry, capacity and safety to service the development proposed including access for emergency vehicles.

The Development Control Manager stated that the package of off-site works proposed would both further mitigate the impact of the development and also offer wider benefit to all highway users including speed restraint measures and an improvement to the free flow of traffic at the Hutton Road/Longlands Road junction.

The Committee were advised that in relation to properties being overlooked the proposed layout met normal expectations for distancing between properties.

The Development Control Manager informed the Committee that an Environmental Assessment had been carried out on the site and had been found acceptable.

Committee Members discussed various matters and sought clarifications on points including the matter of a 2nd access not being required and privacy.

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

**18/0027/FUL, 15 Keilder Rise, Middlesbrough, TS8 9HN, Retrospective application for the erection of a fence for Ms S Casson**

The Planning Officer advised that a site visit had been held on the morning prior to the meeting.

The Planning Officer advised the Committee that retrospective planning permission was sought for the erection of a 0.8 metre high steel fence to the front and side garden area. The fence design consisted of horizontal black steel bars. The section of fence along the side of the front garden projects 7.8 metres from the front of the applicant's property to the pavement and the front section of fence is 4.1 metres in length, running parallel to the pavement.

The Committee heard that although the application site was an 'open plan' estate, this did not automatically mean that any boundary enclosure would be inappropriate. There was a requirement to consider the relevance of the open plan character of the area, and the design and appearance of the railings and their associated impact on that character. It was advised that the two properties on either side of the entrance to Keilder Rise at No 7 and No 39 have extended their gardens and erected a 0.6 metre high fence and hedge along the front and side of their extended gardens which was granted planning permission in 1989 and 1991.

The Committee was advised that although there were no similar designed fences within the immediate area along the front and side of the front gardens, the views available due to the open design of the railings and their limited height resulted in the street remaining to have an open aspect, and therefore not having a significant detrimental impact on the open character and appearance of this section of the cul-de-sac.

Objection comments had been received that the railings caused issues in terms of parking and created issues in terms of emergency vehicle access. The proposal fencing is located around the perimeter of the applicant's front garden area and did not impact on the current parking provision for the property or the highway access within the cul-de-sac.

A spokesman on behalf of the applicant informed the Committee that 11 letters of support had been received from people in the surrounding area. The fence had been erected to stop trespass on the applicants property by children using the garden to run across and ride bikes across, it was heard that the applicant's car had previously been damaged whilst parked on the drive.

Committee members discussed the proposal and recognised the limited impact of the railings.

**ORDERED** that the **Application be Approved**

**18/0160/FUL, 200A Guisborough Road, Middlesbrough, TS7 OJG, Raising of the existing building roof height to include 3 roof lights on the front elevation and two dormer windows and two roof lights to rear, extension to the front and rear of the garage and provision of first floor extension above the garage to include three dormer windows and external staircase, single storey extension to rear and alterations to existing windows for Mr & Mrs Williamson**

The Development Control Manager advised that a site visit had been held on the morning prior to the meeting.

The Committee heard that the application sought permission for the raising of the roof height of the dwelling, constructing two dormer windows on the rear roof slope, erecting a single storey rear extension, an extension to the existing garage and pitched roof as well as additional roof lights and alterations to existing windows in the front elevation of the dwelling.

Following the consultation exercise three objections had been received relating to the loss of privacy, loss of trees and bird nesting sites, negative impact on the character and appearance of the street scene, increase in footprint, loss of light, the suggestion that the works are contrary to Middlesbrough Urban Design Statement and Supplementary Planning Documents and the potential of a commercial use at the site.

The Committee were advised that the property is a relatively large dwelling set within extensive grounds. The proposed extent of development had been reduced since the initial submission to lessen the scale of the amendments and additions to the garage. The proposed works were considered to be of a nature and scale commensurate with a dwelling of this scale and were considered to not unduly affect the privacy or amenity associated with surrounding

properties given their position and orientation.

Members discussed the proposals and noted that the site visit had allayed some concerns over the proposed increase to the roof height.

The development is considered to be in accordance with the requirements of relevant policies DC1, CS4, CS5, Urban Design Guide and Nunthorpe Design SPD.

**ORDERED** that the **Application be Approved**

**16/5024/OUT, Acklam Iron And Steel Works Athletic Club Park Road South, Middlesbrough TS4 2RD, Outline residential development comprising upto 96no dwellinghouses and 28no apartments**

The Planning Officer informed the Committee that the application sought outline consent with some matters reserved for the erection of up to 96 dwelling houses and 28 apartments, with associated works on the site of the existing Acklam Iron and Steelworks Athletic Club. The Committee were advised that the application therefore only sought permission for the principle of development and the site access.

The Committee heard that the site was allocated for housing development in the Housing Local Plan although the application was a departure from the Housing Local Plan in that it proposed more dwellings than the site was allocated for, and the proposed scheme was not intending to retain a sports pitch at the site.

Following a consultation exercise one objection was received from a nearby resident. Concerns were raised by the Ward Councillor regarding the layout and flooding matters, and an objection had been received from Sport England relating to the loss of sports pitches/field.

The application was previously considered by Members (8th September 2017) who were minded to approve the scheme subject to conditions and a s106 agreement seeking a replacement sports provision (pitch's). The Committee were advised that since the previous Committee it had not been possible to find a suitable location for replacement sports provision and the emerging Playing Pitch Strategy (PPS) indicated a shortage of provision in the town. As a result the application was considered to be in conflict with Policies H33 and CS4 of the Local Development Plan and paragraph 74 of the NPPF.

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

(Councillor Bloundele left the meeting)

**18/0023/FUL, 473 Linthorpe Road, Middlesbrough, TS5 6HX, Conversion of 1st and 2nd floors to create 3no self-contained flats, single storey extension, dormer window and external staircase to rear for GP Designs Architectural Services.**

The Development Control Manager advised that a site visit had been held on the morning prior to the meeting.

The Committee heard that the application sought permission for the conversion of the 1st and 2nd floors of the building to 3 self-contained flats (2x1 bedroomed flat and 1x2 bedroom flat). The proposal included external works with the installation of an entrance door and roof light on the front elevation, the erection of a single storey rear extension and external staircase, the erection of a flat roofed dormer window and additional windows and door on the rear elevation. The ground floor unit will remain as a retail unit.

The Committee were advised that part of the application was retrospective with the dormer window on the rear and the roof light on the front elevation having been completed. Internally the staircases to the third floor has been installed.

Following a consultation exercise, no objections were received from residents or statutory consultees.

The development is considered to be an appropriate use for the area. It is consistent with the surrounding uses and would not have a significant impact on the amenities of the neighbouring properties, the character of the area and highway safety.

The development is considered to be in accordance with the requirements of relevant policies DC1, CS4, CS5, CS13, H11 and the Council's Interim Conversion Policy.

**ORDERED** that the **Application be Approved**

(Councillor Bloundele re-joined the meeting)

**18/0151/COU, 31-33 Roman Road, Middlesbrough, TS5 6DZ, Change of use from cafe (A3) and part conversion of chemist (A1) to bar (A4) for Mr Reuben Hanlon**

The Development Control Manager advised that a site visit had been held on the morning prior to the meeting.

The Development Control Manager advised the Committee that planning permission was sought for conversion of an existing cafe and part of the adjacent chemist shop (both Use Class A1) to be used as a bar (A4). No changes to the exterior of the frontage are proposed.

Three individual responses to the consultation exercise along with a 94 signature petition were received raising objections to the proposed change of use. Concerns related to lack of parking, contravention of existing parking regulations, likely noise, disturbance and anti-social behaviour and the lack of an outdoor smoking area.

The main issues relating to the proposal were the principle of the use in this location, its impact on the vitality and viability of the local centre and impact on nearby residents.

The proposal had been considered against local policy and guidance and it was considered that the proposed drinking establishment will not have a significant impact on the amenity of nearby residents, character of the area or matters of highway safety. It is also considered that the proposed use as bar is appropriate in this Local Centre location and will not undermine the vitality and viability of the centre, being in accordance with relevant policy on these matters.

A resident spoke in objection to the application. The objections included:

- Roads already congested
- Lack of car parking
- People using pavement to smoke
- Danger to residents on Rockcliffe Road from cars
- People parking on double yellow lines
- People using Rockcliffe Road to park their vehicles - home owners not able to park at their own address
- Linthorpe Primary School is in close proximity, children walking past people smoking
- Vehicles left overnight
- Streets become a rat run
- Already 6 drinking establishments within close proximity
- Noise
- Concerns over drink driving

A Member stated that the premises would not be a traditional pub/club the establishment would be a small micro pub for the local community. It was felt that people frequenting the premises would not use their vehicles to get there as they would be from the local area. The Member also advised that the pavement width outside these premises was twice the width as the pavement outside another micro pub in the area.

The Council's Solicitor confirmed the ability to enforce over parking on double yellow lines within the Highway.

Members discussed the scheme, querying the extent of use, and the smoking arrangements.

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

18/4      **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