

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on 27 July 2018.

PRESENT: Councillors S E Bloundele, D J Branson, S Dean, J McGee, L McGloin, V Walkington and L Lewis(As Substitute)

OFFICERS: J Etherington, A Glossop, J McNally, P Wilson, S Thompson

APOLOGIES FOR ABSENCE Councillor J Hobson, Councillor F McIntyre, Councillor M Walters.

DECLARATIONS OF INTERESTS

There were no declarations of interest at this point in the meeting.

18/9 MINUTES OF THE PLANNING AND DEVELOPMENT COMMITTEE - 6 JULY 2018

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

18/10 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:

18/0184/FUL, Site Adjacent To Nunthorpe Bowling Club Nunthorpe, Middlesbrough TS7 0BQ, Erection of detached domestic garage for Mrs Susan Ford.

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

The Committee heard that planning approval was sought to erect a double, pitched roof garage on an area of land situated north of the Nunthorpe bowling green to the south of Railway Cottages in Nunthorpe which was accessed via a private access off Guisborough Road.

The Committee were advised that taking into consideration the location and scale of the garage and the separation distances from the nearby residential properties, it was considered that the proposal would not have a significant impact on the amenities of the neighbouring properties or on the character and appearance of the wider area or have any implications in terms of highway safety.

The garage would have a floor area measuring 6.9m x 5.2m and would have an eaves height of 2.5m and pitched roof with ridge height of 3.35m. The garage would be typical in its design and appearance, it would be constructed from brick and tile with two roller shutter doors to the front elevation. The Principal Development Control Officer advised that the main report did not include a condition to require matching materials for the garages use and that this was a necessary condition, confirming that the officer recommendation was therefore as per the main report subject to an additional materials condition.

The Committee heard that 8 objections had been received, the objections included:

- Concern that landowner does not live on the lane
- Landowner not likely to contribute to upkeep of the lane
- Increase in traffic
- Drainage
- Concerns garage will be rented out for business use

The applicant informed the Committee that she had been a previous home owner on the land which had subsequently been sold. The Committee heard that there were misconceptions that she had been involved with the building of a new property on this site, she informed the Committee that the property had been sold in December 2017 although she was still listed on the Land Registry although this issue was being resolved. The applicant stated that the new garage would enhance and tidy up the area.

A resident spoke in objection to the application, the objections included:

- Concerns over what the garage would be used for
- Would the garage be used as a business
- Landowner has no vested interest in the lane
- Storage of building materials

The Committee were advised that conditions would include the garage only being permitted for domestic use and the applicant is also aware that any materials must be stored entirely on their own land. If this is not the case, consent should be sought from adjacent landowners.

ORDERED that the application be **Approved** with conditions set out in the report.

18/0216/FUL, 103 Hall Drive Middlesbrough, TS5 7HX, Single storey front extensions and raising the front eaves height by 0.3 metres with four roof light, first floor extension above garage, single and two extensions to rear including balcony for Mr A Solomon

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

The Committee heard that the proposed development had been amended during the course of the application and now sought permission for single storey extensions to the front, raising the original front eaves height by 0.3 metres, the inclusion of four roof lights to the front roof slope and a first floor extension above the existing garage. The proposal included two-storey extensions to the rear and a single storey extension with walk on balcony.

The Committee heard that the proposed works were considered to be of a nature and scale commensurate with this dwelling whilst fitting in with the original character of the street scene and were considered to not unduly affect the privacy or amenity associated with surrounding properties given their position and orientation.

The Committee were advised that following consultation, six objections had been received. A resident spoke in objection to the application the objections included:

- Overdevelopment of the site
- Out of keeping with the character and appearance of the estate
- Privacy issues
- Noise impacts from the increase in number of residents
- Traffic/parking issues
- Scale of development means long term disruption during construction
- Drainage issues
- Sets a precedent
- Balcony would reduce privacy and potentially generate more noise

Committee Members raised concern over the size of the development and queried the Velux windows in the roof space as to whether it would imply further development. The Development Control Manager advised that the height of the remaining roof space would be insufficient to allow for the loft space to be occupied as rooms.

ORDERED that the application be **Approved** with conditions set out in the report.

18/0380/COU, 38 Stokesley Road Marton, Middlesbrough TS7 8DX, Change of use from Bank (A2) to Bar with ancillary food service (AA) and retrospective single storey rear extension and new shop front for Mr Anthony and Andrew Hynes

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

The Committee heard that planning permission was sought for the change of use of 38 Stokesley Road from a bank (A2) to a bar with ancillary food service (Use Class AA) and also sought retrospective permission for a single storey extension at the rear and new shop front.

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

The Committee heard that following a consultation exercise objections had been received from residents of 10 properties, the objections included:

Enough licensed premises in the area;

- Will occupy footpath, undesirable walkthrough for children near school
- Health and safety
- Anti-social behaviour
- Smoking outside
- Close to adjoining properties
- Litter
- Increase pollution
- Loss of privacy
- Preferable to have a dead frontage than a bar
- Bin store/cellar too small, bins will be stored in service lane
- Residential area, bar is not appropriate use;
- Bi-fold doors will result in noise issues

The Committee were advised that the walkway was wide enough and a bar that was currently established in the parade provided chairs and tables and another business used A boards on the walkway.

The Agent for the applicant informed the Committee that the applicants had already established successful similar businesses in Middlesbrough The Artizan and Vine. It was advised that the unit would be sympathetically designed and improve the outlook and be an addition to the Local Centre amenities. The business would also create new jobs for local people and encourage more people to use the Local Centre.

A Ward Councillor spoke in objection to the application, the objections included:

- Gathering place for youths
- Increase in anti-social behaviour
- Already 2 off licenses, 3 takeaways, licensed restaurant and cafe bar
- 2 public houses within short walking distance
- Narrow walkway
- Existing problems with delivery drivers using Lauren Road and Gypsy Lane
- Rear extension will make it tight for deliveries
- Economic activity for any cost
- Chair/Vice Chair of Community Council and residents concerned that work had already commenced

Committee Members felt that the application was of very good design and that there was a demand for this type of business and that it would be uplifting to the area.

ORDERED that the application be **Approved** with conditions set out in the report.

18/0293/FUL, 26 Amesbury Crescent Middlesbrough, TS8 9HR, First floor extension to

side and rear for Mr and Mrs Hamilton

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 erection of a first floor extension to the side and rear of the dwelling.

The property is a semi-detached property located within a modern housing estate in Hemlington. Since the original submission the window located on the side elevation of the rear extension had been removed.

The Committee were advised that the first floor rear extension would be positioned directly above the existing kitchen extension and would have a width of 2.9 metres and would project 2.4 metres from the original rear elevation of the property. The rear extension would have a maximum pitched roof height of 5.5 metres which was 1.5 metres lower than the original roof height. The rear extension would have no windows on the side elevations with an obscurely glazed window on the rear elevation.

The side extension would be above the existing attached garage with a width of 2.6 metres to be in-line with the existing side elevation of the garage. The front elevation would be set back 0.8 metres from the original front elevation of the property. The side extension would have a pitched roof design with the ridgeline roof height being 6.9 metres which is 0.2 metres below the original ridgeline roof height. There would be no windows on the side elevation with a window to the front and roof canopy over the garage and front door.

Following a consultation exercise there have been three objections received relating to loss of privacy, loss of light, overbearing impact, loss of house value and future saleability, loss of skyline and the proposal being out of character with the street scene.

Committee Members raised some concern that there would be a very close gap if the neighbouring property decided to add an extension, the Development Control Manager advised the Committee that it was this planning application that needed to be considered at this moment in time and that there were no approved schemes for the development above the neighbours garage. This proposal therefore had to be considered on its own merits taking into account the current situation.

ORDERED that the application be **Approved** with conditions set out in the report.

18/0349/FUL, Vancouver House 55 Corporation Road, Middlesbrough TS1 1LT, Erection of 4 additional storeys and conversion from offices (B1) to 104no bed hotel (C1), 3no banqueting halls with associated kitchens (D2) a restaurant/cafe (A3) and 71no one, two and three bed apartments (C3) for Mr A Wahid.

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 planning consent for the erection of four additional storeys above the existing building, conversion of the existing offices (B1) to a 104 bedroomed hotel (C1) and 3 banqueting halls with associated kitchens and a restaurant/cafe (A3) and for 71 apartments. The main entrance to the hotel would be from Gurney Street with parking and service access located to the rear of the building. Seven retail units and two restaurants would be located on the ground floor. The additional four floors would be located above the existing building with a flat roof design and include a new vertically glazed corner feature.

Members were advised that the application site is located within the Gurney Street triangle allocation which formed part of the Town Centre Central Sector of the Housing Local Plan proposal and was a mixed commercial and residential area. Both the core strategy policies and regeneration policies do not specifically allocate the site for a hotel use. However, the National Planning Policy Framework (NPPF) categorises hotel uses as a main town centre

use and given the location of the site, in principle, the proposed uses are considered to be appropriate at this site. The Committee Members were also advised that the Interim Policy on the size of the apartments would not be relevant to this application.

The Committee heard that 478 consultations had taken place with 8 objections received, objections included:

- Noise impact
- Loss of light to the residential flats to the rear
- Overshadowing impact
- Disruption during construction
- Disturbance created by additional footfall
- Increase in anti-social behaviour
- Parking issues from extra traffic
- Traffic congestion to front of Vancouver House
- No requirement as 2 hotels adjacent, Jurys Inn and Premier Inn
- Litter increase and vermin/rats
- Location of Tower Crane and safe area required
- Existing buildings create a wind tunnel effect will this be increased
- Possible asbestos in original building
- Competition from development to existing commercial use

The Planning Officer stated that the applicant had submitted a sunlight and daylight report and noise assessment in support of the application which had been fully assessed by Environmental Health officers who have advised that the development would not have an unacceptable impact or affect the living conditions of the nearby residential properties subject to the standard noise conditions being applied.

Members were advised that the proximity of the site to the two Grade II buildings opposite (Empire Theatre and Town Hall) had been considered within a Heritage Statement submitted in support of the proposal. Both Historic England and the Council's Conservation officer had raised no objection to the development considering it did not negatively affect the significance and setting of these two properties given the town centre location and the scale and design of surrounding buildings being so varied.

A Committee Member raised concerns over the lack of car parking it was advised that the development is consistent with city centre living and would have access to a range of facilities and good accessibility to public transport.

Concerns were also raised regarding the loss of sunlight to the flats at the rear of the development, the Development Control Manager advised Members that the sun rose in the East and set in the West, the flats would still benefit from sunlight in the morning and it would return later in the day the impact on the existing flats would be less in the summer months when the sun is higher in the sky. It was also advised that a lot of the properties benefited from windows on two sides.

Committee Members felt that the development was a very ambitious project that would bring employment, modern city living and vibrancy to the town.

ORDERED that the application be **Approved** with conditions set out in the report.

18/0386/FUL, Centre House Southfield Road, Middlesbrough TS1 3BX, Centre House Southfield Road Middlesbrough TS1 3BX for Mr D Vipond, Teesside University

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

The Committee were advised that the application sought planning consent for the erection of a three storey building to be located on the Centre House and Quadrangle car park area within the centre of the University campus. The building forms part of the university masterplan and

would expand the welfare and support for students within the campus through the provision of classrooms, meeting rooms and open space areas where student support services could be provided holistically. Centre House currently sits on the site and received prior notification for the demolition of the building in June 2018.

The Committee heard that the building would be a modern designed flat roofed three storey building. The height and scale of the proposed footprint of the building was considerably larger than the current Centre House building, however given the scale and modern design of the existing University buildings the overall height and design was considered to fit in with the surrounding street scape. The overall footprint of the building will be 1,200 square metres with the gross internal floor area being 2,900 m².

It was advised that the Council's Local Plan re-iterates the importance of investment in providing employment and regeneration opportunities within the Town Centre. The 'Spatial Vision' of the Local Plan specifically recognises the role of the expansion of the University by 2023 in providing a series of 'major new buildings'. Middlesbrough Investment Prospectus identifies the Universities expansion as an economic driver for Middlesbrough.

The Committee were advised that no objections had been received in relation to the application.

A representative from the University informed Members that the University wanted to be integrated within the town centre. The new facilities would help to improve employability skills for students and help to keep them in Middlesbrough post education.

The Committee Members commented that the University was promoting Middlesbrough in a positive way and moving Middlesbrough forward. It was felt that it would be an excellent development and enhance the University and provide crucial support to students.

ORDERED that the application be **Approved** with conditions set out in the report.

18/11

PLANNING APPEAL

The Development Control Manager provided a verbal update to Members to advise them of the findings of the Inspector appointed by the Secretary of State for Communities and Local Government, with regards to a planning appeal in relation to 48 Cawood Drive.

The Development Control Manager discussed the case and the merits of the Inspectors Decision and how the matter would be taken forward to gain compliance with the decisions and in relation to future decision making.

18/12

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