
PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on 3 June 2005

The meeting commenced at 9.30 a.m.; adjourned at 12.30 p.m. and re-convened at 1.30 p.m.

PRESENT: at 9.30 a.m. Councillor McPartland (Chair), Councillors Ferrier, McIntyre, McTigue, Mrs B Thompson and K Walker.

OFFICIALS: V Flynn, A Hughes, B Roberts, E Vickers and H Williams.

****DECLARATIONS OF INTEREST** – Councillor B Thompson – M/OUT/0557/05/P – St Luke’s Hospital

****APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Brunton and Sanderson

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PRESENT: at 1.30 p.m. Councillor McPartland (Chair), Councillors Bloundele, Brunton, Ferrier, McIntyre, McTigue, Mrs B Thompson and K Walker.

OFFICIALS: M Cooper, A Hughes, B Roberts, E Vickers and H Williams.

****ALSO IN ATTENDANCE:** Councillor Elder (re M/OUT/0578/05/P)

****DECLARATIONS OF INTEREST** – Councillor Brunton – M/GRG/0851/05/P, M/GRG/0852/05/P and M/GRG/1033/05/P

****APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Ismail and Sanderson

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****MINUTES**

The Minutes of the meeting held on 13 May 2005 were submitted and approved as a true record.

NOTED

PLANS

The Head of Planning and Regeneration submitted plans deposited as applications to develop land under the Town and Country Planning Act 1990 and the Head of Development Control reported thereon.

M/FP/0353/05/P – Extension to existing garage to form enlarged garage and carport at 33 Cambridge Road, Linthorpe for Mr R Hameed

The Head of Planning and Regeneration advised Members that this application had been deferred at the last meeting pending a site visit. Accordingly a site visit had been held the day prior to the meeting.

Details of the plan status and planning history were outlined in the report.

Full details of the proposal were included in the report.

Neighbourhood consultations have taken place and an objection to the proposal as originally submitted was received from Miller Homes who were developing the former Oxford Garage site immediately to the north of the application site. Miller's original objections were based on the size and close proximity of the proposed extension, which would be detrimental to the amenities of the occupiers of plots 46-57. They were also concerned about the potential noise from the workshop and felt that the site would be subject to a change of use from residential to business/ commercial

uses. Miller Homes had been forwarded a copy of the revised proposal and their further comments were reported at the meeting.

A detailed analysis of the application, with particular reference to Policy 41 of the Middlesbrough Local Plan, was included in the report.

The applicant and agent were present and the applicant elected to address the committee.

Approved on condition that:- (i) the development shall only be carried out using finishing materials of which samples have been submitted to and approved by the Local Planning Authority prior to commencement of the development; (ii) the development as hereby approved shall be carried out in complete accordance with the revised Drawing No. 0460/010 Revision B received on 19 May 2005 and shall relate to no other plans; (iii) in addition to the plans approved under condition ii, the development shall include architectural detailing and finishes in accordance with the scheme to be submitted and approved in writing by the Local Planning Authority. Thereafter, the development shall only be implemented in accordance with the agreed details; (iv) the garage and carport hereby approved shall at all times be used only for purposes incidental to the enjoyment of the dwellinghouse as such by the occupiers and shall not be used for commercial or business purposes. (Reasons as detailed in the report).

M/FP/0431/05/P – Change of use to A2 (Financial and Professional Services) at 116 Linthorpe Road for Mr B Carvell

Details of the plan status and planning history were outlined in the report.

Members were advised that this application was deferred at the Committee meeting on the 22 April 2005 to allow for further discussions with the applicant with a view to the submission of any further supporting information that they could provide. As a result, a more detailed supporting statement had been submitted by the agent and this was referred to in the revised analysis section included in this report. The proposal related to the change of use of a vacant ground floor property, formerly Callers Pegasus Travel Agency into an office use within Use Class A2 (Financial and Professional Services).

A detailed analysis of the application, with particular reference to Policies E1, SA11, SPG2 and PPS6 was included in the report.

Approved on condition that a scheme for the storage and removal of refuse from the site shall be submitted to and approved by the Local Planning Authority in writing and implemented before the use hereby approved commences. (Reason: To ensure a satisfactory form of development).

M/FP/0447/05/P - Single-storey extension at rear of 4 Westbeck Gardens, Linthorpe for Mr Dixon

The Head of Planning and Regeneration advised Members that this application had been deferred at the last meeting pending a site visit. Accordingly a site visit had been held the day prior to the meeting.

Full details of the proposal were included in the report.

Neighbourhood consultations have taken place and a letter of objection has been received from the occupiers of the adjoining property at No. 2 Westbeck Gardens, on the grounds that Linthorpe was a conservation area. This proposal was unsuitable as the owner of no. 4 Westbeck Garden had built significantly already on this plot, often without planning permission, which resulted in an area more than 15% of the original building and more than 50% of the plot being built on, the proposed extension would overlook his patio dining area, blocking the sun from the east at breakfast-time and was also right next door to their patio doors, the rear looked like an allotment already, the owner has built a kitchen extension, garage, carport, greenhouse and workshop, all without planning permission except for the garage. The objector also added that last spring the owner of no. 4 had added the intrusive extension and porch at the front without planning permission. and therefore that there had been over-development of the property. The proposed extension will cover the access pit and cover for the sewage waste drain shared by both houses,

no other houses on the estate have been over-developed to the extent that this one had, the property was already suffering from drainage problems and that this proposed extension would not be in keeping with the rest of the neighbourhood.

A detailed analysis of the application was included in the report. Members were advised that any impact from the proposed conservatory would fall on the adjoining property at no. 2 Westbeck Gardens. This was located on the north-western side of the application property. However, it was felt that a tunnel effect would not be created.

Members were reminded that the objectioners had drawn attention to several issues including previous alterations and were advised that these will be addressed at a later date and enforcement action will be taken if necessary. However, drainage and house values were non-planning issues.

The applicant was present and elected to address the Committee. The objector was also present and also spoke at the meeting.

Deferred

M/FP/0509/05/P – Two-storey rear extension and detached garage and workshop at 93 Saltwells Road, Longlands for Mr P Greenwood

The Head of Planning and Regeneration advised Members that this application had been deferred at the last meeting pending a site visit. Accordingly a site visit had been held the day prior to the meeting.

Full details of the proposal were included in the report.

Neighbourhood consultations have taken place and objections received from the occupiers of nos. 7, 9 and 11 Saltwells Crescent and no. 91 Saltwells Road. Full details of their objections were included in the report.

A detailed analysis of the application was also included in the report.

The applicant and agent were present and the agent elected to address the committee.

Refused on the grounds that the scale and location of the proposed garage and two storey extension, when considered in conjunction, constitute over-development of the site, resulting in a loss of amenity for the adjacent residential occupiers, this being in conflict with Policy E1 General Development Policy and Policy HO14 Extensions to Houses, of the Middlesbrough Local Plan.

M/FP/0555/05/P – Erection of two retail units with associated car parking, servicing, landscaping and access on land at North Riding Infirmary, Newport Road for Aldi Stores Limited

Details of the plan status and planning history were outlined in the report.

Members were advised that this application had been submitted following discussions that officers after the refusal in October 2004 are very broadly similar, previous proposal for the North Riding Infirmary site. This current application was for an amended proposal in terms of a proposed scale and design of the building but which retained the basic site layout, parking provision and access details that were part of the previous proposal. Full details of the proposal were included in the report. The developers had produced a computer-generated impression of the proposed development and a letter and drawing of a proposed portico entrance, and these were distributed to members at the meeting.

Neighbourhood consultations have taken place and the application had been advertised in the local press and by Site Notice as a Major Development in accordance with Circular 15/92. Comments had been received from several members of the public and the details of these were included in the report. A letter was presented to committee, from the Editor of the Evening Gazette, objecting on behalf of the many readers who had registered their objections to the

development with the local newspaper. Representations from Ward Councillors and Community Councils were included in the report including comments from Barry Coppinger, Longlands and Marton Grove Community Council, Middlehaven Community Council, Park Ward Community Council and Thorntree Community Council, the full details of which were included in the report. Comments from Transportation, Community Protection, Streetscene Services, Middlesbrough Town Centre Company, Environment Agency and Northumbrian Water were also included in the report.

A detailed analysis was also included in the report and addressed the following issues: The principles of retail proposals; the existing building; scale and design; highways impact; and environmental matters, the full details of which were also included in the report. A detailed conclusion of this application and analysis was also included in the report.

The applicant's representatives were present and elected to address the Committee. Objectors were present and their representatives also addressed the Committee. Written objections from the local Ward Councillor, Councillor Coppinger, were also read out at the meeting.

Refused on the grounds that proposed redevelopment of the North Riding Infirmary site would, by reason of the reduced scale, standard design and use of external materials, result in a form and appearance of development that would neither be of sufficient design quality or appropriate to this important town centre gateway location, contrary to Middlesbrough Local Plan Policy EM11 and contrary to the Planning Policy Statements on "Delivering Sustainable Development" (PPS1) and "Planning for town centres" (PPS6) and their relevant supporting guidance.

M/FP/0556/05/P – Change of use from retail to offices on the ground floor and first floor at 278-280 Linthorpe Road for Quoteline Insurance Services

Details of the plan status and planning history were outlined in the report.

Members were advised that planning consent was sought to change the use of the vacant A1 retail unit into a B1 office space for use as an insurance brokers. The application property was currently vacant. Full details of the proposal were included in the report.

A detailed analysis of the application, with particular reference to Policies SA11, SPG2 and PPG6 was included in the report.

The applicant was present and elected to address the committee.

Approved.

****DECLARATION OF INTEREST – Councillor Mrs B Thompson declared a prejudicial interest in the following item and left the meeting for the duration of the committee's consideration of that application.**

M/OUT/0557/05/P – Demolition and rebuild to form Mental Health Hospital including replacement buildings and associated car parking at St Luke's Hospital, Marton Road for Tees and North East Yorkshire NHS Trust

Details of the plan status and planning history were outlined in the report.

Members were advised that this was an outline application for the replacement of the existing St Luke's Hospital buildings with a new, 312 bed Mental Health Hospital. St Luke's Hospital currently forms part of the larger James Cook University Hospital campus. Members were advised that in essence the proposal was a phased scheme which involved the construction of a new hospital on currently vacant land to the north of the existing building complex. Phase 1 involved the creation of a community park, including a realigned access road and roundabout, on the area of primary open space in front of the existing hospital. Phase 2 comprises the construction of the new hospital on the northern part of the site. Once the two new hospital buildings were available and commissioned, the existing sub-standard accommodation would be largely demolished and the cleared site would be used to further develop a community park. This

would form a buffer between the recently expanded James Cook Hospital complex and the new St Luke's Hospital. Full details of the proposal were included in the report.

Consultations have taken place. The application had been advertised in the press and by means of a Site Notice. No objections had been received as a consequence of the neighbour notification exercise. Comments received from Transportation, Public Protection, Landscape, Streetscene Services, Tees Archaeology, Middlesbrough Police Crime Prevention Design Advisor, the Environment Agency, Northumbrian Water and British Gas Transco were included in the report.

A detailed analysis of the application was also included in the report.

The agent was present and briefly addressed the committee.

Approved on condition that: - (i) approval of the details of the siting, design and external appearance of the buildings, the means of access thereto, the method of drainage, and land surface contours and the landscaping of the site, shall be obtained from the Local Planning Authority before development commences; (ii) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting etc), proposed and existing functional services above and below ground (eg drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc), retained historic landscape features and proposals for restoration, where relevant; (iii) soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers, densities where appropriate; implementation programme; (iv) all hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority; (v) no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) are occupied, in accordance with a timetable agreed in writing with the Local Planning Authority; (vi) in this condition, retained tree means an existing tree which is to be retained in accordance with approved plans and particulars and paragraphs (a) and (b) shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use:

- a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:1989 (with subsequent amendments) (British Standard recommendation for tree work).
 - b) if any retained tree is removed, uprooted or destroyed or dies during the period of construction, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority. Similarly, if a retained tree dies or needs to be removed within five years of completion, and this is found to have been the result of damage sustained during development, this replanting condition will remain in force.
 - c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are built on the site for the purpose of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. The retained trees shall be protected fully in accordance with British Standard 5837: 1991 (Guide For Trees In Relation To Construction). The fencing must not be dismantled at any time without the prior consent of the Local Planning Authority;
- (vii) the development shall only be carried out using finishing materials of which samples have been submitted to and approved by the Local Planning Authority prior to commencement of the

development; (viii) a full and competent site investigation including risk assessment, must be submitted to the Local Planning Authority. This must identify any contamination present and specify adequate remediation. The risk assessment and remediation scheme must be approved in writing by the Local Planning Authority and thereafter be implemented prior to the development taking place; (xix) details of any floodlighting shall be submitted to and approved in writing by the Local Planning Authority before the use hereby permitted commences and the premises used. The details of the proposed floodlighting shall include the plan of the lighting columns including the lighting levels that will be provided to the site and that the facades of neighbouring premises. The construction and use of the floodlighting shall be carried out in accordance with the approved details; (x) a scheme identifying any noise attenuation measures necessary at the development in accordance with BS4142 type noise assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include the sound power levels of all plant and machinery proposed to be installed when operating at maximum capacity at the development along with details of noise from other sources at the development and shall include the predicted noise levels at the boundary of the site. Any noise attenuation measures identified in the assessment shall be implemented before the proposed development is occupied; (xi) a scheme for the ventilation of any cooking areas including detail of flue termination positions and any odour control provisions within the development shall be submitted to and agreed in writing with the Local Planning Authority and thereafter the development shall only be brought into use after the agreed scheme is implemented; (xii) an energy statement for the development as per PPS23 Annex 1 shall be submitted in writing and shall identify the expected CO² emissions generated by the proposed development; (xiii) no development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed; (xiv) prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor; (xv) there shall be no discharge of foul or contaminated drainage from the site into either ground water or any surface waters whether direct or via soakaways; (xvi) prior to the implementation of development, a detailed scheme for the retention and reuse of the chapel, the clock tower including the door surround to the main administrative block and the small mortuary chapel shall be submitted to and approved in writing by the Local Planning Authority; (xvii) no development shall take place until the applicant or their agents or successors in title, has secured the implementation of a programme of building recording and analysis in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the Local Planning Authority; (xviii) a scheme detailing the Percent for Art element of the development hereby approved shall be submitted and approved in writing and thereafter be implemented to the satisfaction of the Local Planning Authority; (xix) the use of the development hereby approved shall not commence until following works have been carried out in accordance with the Design and Specification to be submitted to and approved in writing by the Local Planning Authority and to be fully implemented to the satisfaction of the Local Planning Authority.

- a) the realignment and upgrading of the footpath/cycleway located at the north-eastern corner of the site which links via a railway bridge to Crossfell Road.
- b) the amendment of the northern access to the site at the junction with Marton Road as stated in the Transport Assessment.

(xx) in line with the guidance contained within PPG13, a Green Travel Plan must be submitted in writing and approved by the Local Planning Authority. A Green Travel Plan containing details of

- a) initiatives to promote cycling and walking.
- b) initiatives to reduce the use of the private car.
- c) targets and programmes for the achievement of these initiatives

shall be submitted to the Local Planning Authority and such Travel Plans as maybe agreed in writing. The implementation of this plan shall be inaugurated on the commencement of the development hereby approved; (xxi) the Green Travel Plan shall be monitored by a person nominated by the applicant who shall report on the achievement of the agreed targets on an annual basis to the Local Planning Authority. (Reasons: As detailed in the report).

M/OUT/0578/05/P – Demolition of existing bungalow, proposed two-storey building consisting of 6 no. flats at 70 Green Lane, Linthorpe, for Mr A Askar

The Head of Planning and Regeneration advised Members that this application had been deferred at the last meeting pending a site visit. Accordingly a site visit had been held the day prior to the meeting.

Details of the plan status and planning history were outlined in the report.

Neighbourhood consultations have taken place and as a result a number of letters of objection were received from the occupiers of nos. 2 and 10 Stanhope Grove and no. 45 Thornfield Grove and 49 Thornfield Grove, the full details of which were included in the report. Councillor Elder had objected verbally on the proposal and on behalf of the occupants of no. 68 Green Lane. Comments received from Street and Land Services, Transportation, residents' meeting on Tuesday 17 May 2005.

A detailed analysis of the application with particular reference to Policy E1 of the Middlesbrough Local Plan was included in the report.

The agent was present and elected to address the committee. Objectors were present and their representative also elected to address the committee. As Ward Councillor, Councillor Elder also spoke in opposition to this application.

Refused on the grounds that:- (i) the site is not suitable for flats by reason of size, layout and location and would result in over-intensive use of the site to the detriment of the amenities of the adjoining properties and the surrounding area; (ii) the proposal to create 6 no. flats is inappropriate within the residential area and would create an undesirable precedent which would make similar proposals more difficult to resist; (iii) the proposal is contrary to Policy E1 – General Development Policy.

M/FP/0598/05/P – Two-storey rear extension at 2 Downside Road, Acklam for Mr and Mrs Skiba

The Head of Planning and Regeneration advised Members that this application had been deferred at the last meeting pending a site visit. Accordingly a site visit had been held the day prior to the meeting.

Particular reference was made to the Middlesbrough Local Plan Policies E1 and H014.

Members were advised that this application comprised of the demolition of the existing kitchen offshoot and garage and construction of a two-storey hipped roof extension to the rear.

Neighbourhood consultations have taken place and an objection received from the occupier of 92 Levick Crescent on the grounds that the extension by reasons of it's height would prejudice the amenities and outlook of that property which was to the south of the proposed extension.

A detailed analysis of the application was also included in the report.

The applicant's representative was present and elected to address the committee.

Approved on condition that the development shall only be carried out using finishing materials of which samples have been submitted to and approved by the Local Planning Authority prior to commencement of the development. (Reason: To ensure the use of satisfactory materials).

M/FP/0613/05/P – Two-storey side extension and dormer at front of 19 Church Lane, Acklam, for Mr M Shaher

The Head of Planning and Regeneration advised Members that this application had been deferred at the last meeting pending a site visit. Accordingly a site visit had been held the day prior to the meeting.

Specific reference was made to the Middlesbrough Local Plan Policies E1 and H014.

Full details of the proposal were included in the report.

Neighbourhood consultations have taken place and one letter of objection was received from the occupier at 28 Oldford Crescent, the details of which were included in the report.

A detailed analysis of the application was also included in the report.

Approved on condition that:- (i) the development shall only be carried out using finishing materials of which samples have been submitted to and approved by the Local Planning Authority prior to commencement of the development; (ii) the development hereby approved shall be carried out in complete accordance with the plans and specifications received of 5th May 2005 and shall relate to no other plans. (Reasons: As detailed in the report).

M/OUT/0617/05/P – 1 no. two-storey dwellinghouse at 11 Connaught Road, Nunthorpe for Mr and Mrs Petch

The Head of Planning and Regeneration advised Members that this application had been deferred at the last meeting pending a site visit. Accordingly a site visit had been held the day prior to the meeting.

Details of the plan status and planning history were outlined in the report.

Members were advised that this proposal sought approval in principle for the development of part of the rear garden of 11 Connaught Road as a single dwelling. The application was for outline planning permission with all details reserved for consideration in a future application.

Neighbourhood consultations have taken place and objections received from the occupiers at nos. 4 and 15 Clarence Road and nos. 9 and 13 Connaught Road, the full details of which were included in the report. Comments received from Transco, Northumbrian Water and Transportation were included in the report. Comments from Nunthorpe Parish Council were to be reported at the meeting.

A detailed analysis of the application was included in the report.

Refused on the grounds that:- (i) there is insufficient space within the site to achieve the required visibility distance between any proposed dwelling and the existing dwellings adjacent to the site. As a result the amenities of the surrounding properties cannot be safeguarded; (ii) there is insufficient space within the site to provide open space within the curtilage of any new dwelling that is commensurate with the size of the dwelling or the character of the area; (iii) the proposal is contrary to Policies E1 – General Development Policy and H07 – Backland and Tandem Development of the Middlesbrough Local Plan.

M/FP/0775/05/P – 4 no. extensions, pagoda and covered area, 2 no. 5-a-side football pitches, 6 no. floodlights and landscaping at Sporting Lodge Inn, Low Lane, for Sporting Lodge Inns

Details of the plan status and planning history were outlined in the report.

Full details of the proposal were included in the report. The detailed analysis of the application with particular reference to Policies E2 and E26 of the Middlesbrough Local Plan was also included in the report.

Approved on condition that:- (i) the development shall only be carried out using finishing materials of which samples have been submitted to and approved by the Local Planning Authority prior to commencement of the development; (ii) no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials, minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting etc), proposed and existing functional services above and below ground (eg drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc), retained historic landscape features and proposals for restoration, where relevant; (iii) soft landscape works shall include planting plans;

written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers, densities where appropriate; implementation programme; (iv) all hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority; (v) no development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule, (vi) details of a scheme for the hours of use of the proposed 5-a-side football pitches shall be submitted in writing to the Local Planning Authority and thereafter the use of the pitches shall only take place in accordance with the agreed scheme. Any departure from the agreed scheme shall be the subject of a further formal planning application (vii) floodlighting of the proposed 5-a-side football pitch shall be arranged so as to avoid shining towards any nearby residential dwelling (viii) no development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed. (Reasons: As detailed in the report).

M/FP/0849/05/P – Rear extension and 3 no. dormer windows in roof space, including raising height of roof at 90 Low Lane, Brookfield, for Mr and Mrs T Butterfield

Details of the plan status and planning history were outlined in the report.

Full details of the proposal were included in the report.

Neighbourhood consultations have taken place and two letters of objections have been received from the occupiers of no. 33 and 88 Low Lane, the full details of which were included in the report.

A detailed analysis of the application with particular reference to Policies E1 and H014 of the Middlesbrough Local Plan were also included in the report.

An objector was present and elected to address the committee. A site visit was requested.

Deferred pending a site visit.

M/FP/0854/05/P – Variation of condition 6 on M/FP/0721/98/P to allow opening from 6.30a.m. until 11.00 p.m. seven days a week at McDonalds Restaurant, Parkway Village, Stainton Way, Coulby Newham for McDonalds Restaurants Limited

Details of the plan status and planning history were outlined in the report.

Members were reminded that the application to extend the opening hours from 6.00am till midnight seven days a week was refused by this Committee on the 28th January 2005. Neighbourhood consultations have taken place and objections received from the occupiers of nos. 28, 29, 32 and 34 Woodlea, the full details of which were included in the report.

A detailed analysis of the application, with particular reference to Circular 11/95, was also included in the report. Members were advised one option was granting a Temporary Permission in respect of the proposal, that it would enable the Local Planning Authority to monitor the operation of the late night/early morning activity and to set any impact on amenity. Acceptability of this element of use can then be reviewed after a one-year trial period. It would enable Public Protection to complete a full noise assessment should any noise complaints arise in practice together with the assessment of any complaints regarding omissions to accurately determine the impact of the extending hours of use.

Approved on condition that the use shall operate only between the hours of 6.30 a.m. to 11.00 p.m. and this temporary consent shall cease on 31 January 2006 unless the renewal of consent is sought and granted by the Local Planning Authority. (Reason: In order to assess and monitor the impact of the extended hours on the amenities of residents).

M/FP/0878/05/P – Erection of five-storey blocks to provide 124 flats with associated car parking, access and landscaping on the site of the former Douglas House, Marton Road for JR Property Developments Limited

The Head of Planning and Regeneration advised Members that this application had been deferred at the last meeting pending a site visit. Accordingly a site visit had been held the day prior to the meeting.

Details of the plan status and planning history were outlined in the report.

Full details of the proposal were included in the report. The applicants were present and distributed further plans and drawings, for members' attention.

Neighbourhood consultations have taken place and the application has been advertised in the local press and by Site Notice as a Major Development in accordance with Circular 15/92 but no specific representations were received within the publicity period which expired on 17 May 2005. However, comments were received from the Ward Councillor, Councillor E Dryden, Mr G Shippey, Chairman of TAMS, the occupants of 54A Newlands Road, nos. 8 and 14 Douglas Street and the occupier of no. 159 Marton Road, the full details of which were included in the report. The petition containing 18 signatures from 18 addresses on Marton Road was also submitted. Comments received from Transportation, Community Protection, Streetscene Services, Environment Agency, Cleveland Police Crime Prevention Design Advisor, and Northumbrian Water were also included in the report. Further letters of objection had also been received from the owner of the Newlands Hotel and another local resident.

A detailed and full analysis of this application was also included with reference to the principles of residential development, scale and design, highway issues, environmental matters and representations. A conclusion to this application was also included in the report.

The applicants were present and their representative elected to address the Committee. Objectors were present and two representatives were allowed to address the meeting.

Refused on the grounds that (i) the scale and design of the proposed development would, by reason of the combination of the increased scale of the proposed 5 storey buildings relative to the traditional Victorian terrace housing adjacent to the site, and the employment of a modern design and modern materials (including glazing, cladding and panelling), result in a development that would not be in keeping with the general character and amenity of the surrounding area, contrary to Middlesbrough Local Plan, Policy HO8 (ii) the proposed blocks of flats would, by reason of the combination of their scale at five storeys above ground level and their siting in relation to the existing buildings around the site, have an oppressive effect on the existing houses on three sides of the site, and especially those on Douglas Street and Marton Road, that would be detrimental to the standards of amenity, outlook and privacy that these properties currently enjoy, contrary to Middlesbrough Local Plan Policy HO8 and Appendix 19 (iii) the proposed development would provide 122 flats and 138 on-site parking spaces that, by reason of the traffic and parking that would be generated by this proposal, would result in increased levels of traffic and car parking on the existing highways in this area and specifically on Douglas Street, that would be detrimental to highway safety (iv) the proposed development would be located on a site that falls within an area that is subject to a high level of flood risk as notified by the Environment Agency to the Local Planning Authority. As such, the proposed development would, in the absence of any appropriated floor mitigation measures specified by the developers, be liable to potential flood risk on the site itself and increase the potential for flood risk in the surrounding area, contrary to the national guidance of PPG25 on 'Development and Flood Risk' (v) the proposed development would, by reason of the combination of its difference in character from the existing terraced housing around the site, and the detrimental impact of the proposed height and distance to the existing houses, result in a development that would have a detrimental effect on the general amenities and character of the surrounding area, contrary to Middlesbrough Local Plan Policy E30,

M/FP/0880/05/P – 40 no. 2½-storey dwellings, 25 no. two-storey dwellings and associated works at Site 31, The Covert, Coulby Newham for Barratt Homes Limited

Deferred pending a site visit.

M/FP/0882/05/P – Two-storey side extension, detached double garage with study over at rear at 78 Gunnergate Lane, Marton for Mr A J Stokes

Specific reference was made to the Middlesbrough Local Plan Policies E1 and H014.

Full details of the proposal were also included in the report.

Neighbourhood consultations have taken place and objections received from the occupiers of no. 79 Gunnergate Lane and no. 9 Tollesby Lane, the full details of which were included in the report. Comments from Transportation were also included in the report.

A detailed analysis of the application was also included.

The applicant was present and elected to address the committee.

Approved on condition that:- (i) the development shall only be carried out using finishing materials of which samples have been submitted to and approved by the Local Planning Authority prior to commencement of the development; (ii) the premises shall be used for residential purposes only and for no other purpose (including any other purpose in Class C of the Schedule to the Town and Country (Use Classes) Order 1987) or in any provision equivalent to that class in any statutory instrument revoking and re-enactment that Order with or without modifications. (Reasons: As detailed in the report).

M/FP/0885/05/P – Retrospective detached carport at side and garage at rear of 19 Ruskin Avenue, Acklam for Mr I Burns

The Head of Planning and Regeneration advised Members that this application had been deferred at the last meeting pending a site visit. Accordingly a site visit had been held the day prior to the meeting.

Details of the plan status and planning history were outlined in the report.

Members were advised that this application was submitted retrospectively for a carport to the side and a garage to the rear of this property, the full dimensions of which were included in the report.

Following a neighbourhood consultation exercise, one letter of objection was received from the occupier of no. 21 Ruskin Avenue who objected that the garage was approximately 1½ times longer, wider and higher than typical garages in the neighbourhood. Other comments from this objector were included in the report. A detailed analysis of the application with reference to Policies E1 and H014 of the Middlesbrough Local Plan, was included in the report.

The applicant was present and elected to address the committee.

Approved.

M/FP/1008/05/P – Two-storey rear extension and single-storey rear extension at 16 Jesmond Avenue, Linthorpe for Mr P Tucker

Deferred pending a site visit.

M/FP/1011/05/P – 3 no. satellite dishes and AC equipment to rear at Unit 2, Marton Estate, Stokesley Road for Stanleybet

Deferred pending a site visit.

M/FP/1017/05/P – Retrospective erection of CCTV cameras at rear of 27 Longford Street for M Arnold

The Head of Planning and Regeneration advised Members that this application had been deferred at the last meeting pending a site visit. Accordingly a site visit had been held the day prior to the meeting.

Members were advised that this application was for retrospective permission to erect 3 no. CCTV cameras to the rear of 27 Longford Street. The cameras were fixed to the rear offshoot and overlooked the alley between Meath Street and Longford Street and were 4m approximately above ground level.

Consultations had taken place and although no letters of objections had been received, the owner occupier of 30 Meath Street had contacted Council officers to express strong opposition towards the cameras as he felt they were looking directly into his rear yard. Comments received from the Middlesbrough CCTV company were included in the report.

A detailed analysis of this application was also included in the report.

The applicant was present and elected to address the committee. Several residents of Longford Street were also present, in support of the application.

Approved.

M/FP/1037/05/P - Change of use from Class A1 Shop to Use Class A2 Estate Agents at 35 King's Road, North Ormesby for Mr S J Pickering

Details of the plan status and planning history were outlined in the report.

A detailed analysis of this application with particular reference to Policies SA4 and SA11 of the Middlesbrough Local Plan was included in the report.

Approved on condition that the main frontage window shall not be rendered opaque and a window display shall be maintained at all times to the satisfaction of the Local Planning Authority. (Reason: To ensure a window display is retained).

M/FP/1044/05/P – Change of use from shop to hot food takeaway at 121 Parliament Road for K Singh

Details of the plan status and planning history were outlined in the report.

Members were advised that 121 Parliament Road was a two-storey property at the junction of Parliament Road and Longford Street. The property currently has permission to be used for an A1 shop on the ground floor with a flat above. The proposal was for a change of use from shop to hot food takeaway and no alterations or extensions to the building were proposed.

Neighbourhood consultations have taken place and objections received from the occupiers at nos. 119 and 210 Parliament Road and 176 Union Street, of which objected on behalf of the residents of the Leven Mews flats 1-4, 176 Union Street. Gresham Community Council objects to the application on the grounds of there being too many food shops on Parliament Road creating yet more rubbish being strewn over the roads.

A detailed analysis of the application with reference to Policy SA12 and E1 of the Council's Local Plan was included in the report.

Refused on the grounds that the proposal is contrary to and conflicts with the provisions of Policy SA12 - Food and Drink Uses and Policy E1 – General Development Policy of the Middlesbrough Adopted Local Plan. The proposal would be detrimental to the amenities of residents in the immediate vicinity of the site by reason of increased traffic (both vehicular and pedestrian) which would be attracted to the premises, also noise, nuisance and smell.

M/FP/1109/05/P – Change of use to 3 no. flats, two-storey and single-storey rear extensions, car parking and landscaping at 2 Griffin Road for Mr P McGee

Deferred pending a site visit.

M/FP/1124/05/P – 3 no. apartment blocks comprising 18 no. two-bed apartments and 9 no. one-bed apartments, associated car parking on land at Windermere Road, Linthorpe for Unique Developments Limited

Deferred pending a site visit.

M/24/1021/05/P – 11.8m high mast, 1 no. antenna and ancillary works on land opposite 430 Marton Road for Orange PCS Limited

Details of the plan status and planning history were outlined in the report.

Full details of the proposal were included in the report.

Consultations have taken place and a 24 signature petition was received objecting to the proposal on the grounds that there was already too much street furniture on the pavement and would become hazardous for OAPs using the shopping parade. It was also received from the occupiers at no. 26 and 36 Coppice Road, objecting to the proposal. Longlands and Marton Grove Community Council also objected to the proposal.

A detailed analysis of the application, with particular reference to Policy U2 of the Middlesbrough Local Plan was included in the report.

An objector was present and elected to address the committee.

Refused on the grounds that:- (i) the proposal is contrary to and conflicts with Policy E1 – General Development Policy and U2 – Telecommunications Policy of the Middlesbrough Local Plan; (ii) the proposed monopole would by reason of its size and location be dominant within the street scene and would be detrimental to the visual amenities of the surrounding area.

M/24/1054/05/P – 12m high monopole, 3 no. antennae and ancillary works on land opposite 261 Acklam Road for Daly International (UK) Limited

Details of the plan status and planning history were outlined in the report.

Members were advised that this was an application made under Part 24 of the Town and Country Planning (General Permitted Development) Order 1995.

Full details of the proposal were included in the report.

Neighbourhood consultations have taken place and ten letters of objection were received, a summary of which was included as Appendix 1 of the report. Councillor Hazel Pearson also strongly objected to the proposal the full details of which were included in the report. The Community Council also objected to the proposal. Comments from Acklam Community Council were presented at Committee.

A detailed analysis of the application was included in the report.

Refused on the grounds that siting and design of the proposed mast would result in an unacceptably prominent and incongruous structure, which would have an adverse impact upon the visual amenity of the surrounding area. The proposed would as a consequence, conflict with Policy E1 – General Development and Policy U2 – Telecommunications of the Adopted Middlesbrough Local Plan.

M/GRG/0765/05/P – 2.4m high security fence at Clairville Stadium, Park Road South for Clairville Stadium

Details of the plan status and planning history were outlined in the report.

Members were advised that planning consent was sought to erect a 2.4m high security fence and access gates in replacement of the existing fence that surrounded the stadium. In terms of appearance the fence will be galvanised and polyester-coated, powder-coated dark green. The gates were intended to increase the security of the site and were not to be constructed to match the fence panels.

A detailed analysis of the application was included in the report.

ORDERED that in accordance with Regulation 3 of the Town and Country Planning (General) Regulations 1992 the application be approved.

****DECLARATION OF INTEREST – Councillor Brunton declared an interest in the following item and left the room for the duration of its consideration.**

M/GRG/0851/05/P – Extension to form toy store at Chandlers Ridge Primary School, Chandlers Ridge, Nunthorpe for Chandlers Ridge Primary School

Details of the proposal were included in the report. A detailed analysis was also included.

ORDERED that in accordance with Regulation 3 of the Town and Country Planning (General) Regulations 1992 the application be approved on condition that the development shall only be carried out using finishing materials of which samples have been submitted to and approved by the Local Planning Authority prior to commencement of the development. (Reason: To ensure the use of satisfactory materials).

****DECLARATION OF INTEREST – Councillor Brunton declared an interest in the following item and left the room for the duration of its consideration.**

M/GRG/0852/05/P – Extension to existing car park at Chandlers Ridge Primary School, Chandlers Ridge, Nunthorpe for Chandlers Ridge Primary School

Full details of the proposal were included in the report.

Members were advised that this was a minor application for an additional 5 no. car parking spaces to the existing Primary School staff car park. No objections had been received and the only concern expressed from the residents regarding the water run-off and drainage of the car park had been addressed within the application.

ORDERED that in accordance with Regulation 3 of the Town and Country Planning (General) Regulations 1992 the application be approved.

****DECLARATION OF INTEREST – Councillor Brunton declared an interest in the following item and left the room for the duration of its consideration.**

M/GRG/1033/05/P – New entrance and staffroom extension at Breckon Hill School, Breckon Hill Road for Breckon Hill School

Details of the plan status and planning history were outlined in the report.

Full details of the proposal were included in the report.

A detailed analysis of the application, with particular reference to Policy E1 was also included in the report.

ORDERED that in accordance with Regulation 3 of the Town and Country Planning (General) Regulations 1992 the application be approved on condition that:- (i) the development shall only be carried out using finishing materials of which samples have been submitted to and approved by the Local Planning Authority prior to commencement of the development; (ii) work on the site shall not commence until the scheme for the protection of all existing trees and hedges on the site during

construction works has been submitted to and approved in writing by the Local Planning Authority and thereafter construction work shall not proceed without the agreement of the Council's Urban Woodlands Officer. (Reasons: As detailed in the report).

M/GRG/1046/05/P – Residential development at former Coulby Newham Secondary School, Manor Farm Way, Coulby Newham for Middlesbrough Council

Details of the plan status and planning history were outlined in the report.

Members were advised that this application site comprises 27 hectares and is the site of the former Coulby Newham Secondary School. Outline planning permission was sought for residential development on the site and no details in terms of the former development has been provided. The applicant has indicated that siting, design, external appearance, means of access and landscaping were to be reserved matters for subsequent approval. The development of the site would necessitate the demolition of the existing school buildings.

A letter of objection had been received from the King's Academy.

A detailed analysis of the application, with particular reference to Policies E10 and PPG3 was included in the report.

Members were advised that as there was no objections to the proposal on planning or technical grounds, it was proposed that should Members be minded to approve the application subject to the planning conditions set out below, the application would then be referred to the Secretary of State and Government Office for the North East.

Recommended that subject to this application being submitted to the Secretary of State and Government Office for the North East, the application be approved on condition that:- (i) approval of the details of the siting, design and external appearance of the buildings, the method of drainage, the land surface contours, means of access and landscaping of the site, shall be obtained from the Local Planning Authority before development commences; (ii) an application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission; (iii) before development commences a Flood Risk Assessment in line with PPG25 shall be submitted to and approved in writing by the Local Planning Authority; (iv) there shall be no discharge of foul or contaminated drainage from the site into either ground water or any surface waters whether direct or via soakaways (v) a scheme for the protection of the proposed dwellings from noise generated by the adjacent school and commercial units shall be submitted to the Local Planning Authority. The scheme shall be based on a noise attenuation report prepared by a specialist noise consultant. Any such works of noise attenuation as may be agreed shall be implemented in full before occupation of the proposed dwellings takes place (vi) a scheme for the mitigation of glare from flood lighting from the adjacent development shall be submitted to the Local Planning Authority. The scheme shall be based on an assessment report by a specialist lighting consultant, which identifies the light levels the proposed dwellings would be exposed to. Such details of mitigation as may be approved shall be implemented in full before the occupation of the proposed dwellings takes place (vii) a site investigation report shall be submitted if the electricity sub-station on the site is to be demolished. The report must include a risk assessment and any appropriate remediation measures. Such measures must be approved in writing by the Local Planning Authority and thereafter be implemented in full before occupation of the proposed dwellings takes place. (Reasons: As detailed in the report).

PLANNING APPEALS

The Members' Office Manager presented a report to advise Members of the findings of the Inspectorate appointed by the Secretary of State for Environment, Transport and the Regions with regard to the following appeals: -

Site at 40 Devonshire Road (M/FP/0716/04/P) – Appeal dismissed.

Site at 9 The Grove, Marton (M/FP/1204/04/P) – Appeal upheld.

Site at 38 Glenfield Drive, Tollesby (M/FP/1345/04/P) – Appeal dismissed.

ORDERED that the report and its contents be noted.

NOTED

DELEGATED AUTHORITY - PLANNING APPLICATIONS

The Head of Planning and Development submitted details of planning applications which had been approved to date in accordance with the delegated authority granted to him at Minute 182 (29 September 1992).

NOTED