

**PLANNING AND DEVELOPMENT COMMITTEE**

A meeting of the Planning and Development Committee was held on Friday 11 June 2021.

**PRESENT:** Councillors J Hobson (Chair), D Coupe (Vice-Chair), D Branson, B Cooper, C Dodds, L Garvey, M Nugent, J Rostron, J Thompson and G Wilson

**ALSO IN ATTENDANCE:** C Cooke, A Hellaoui, A Metcalfe, I Towers and R Towers

**OFFICERS:** P Clarke, A Glossop, C Lunn, G Moore, S Moorhouse and A Pain

21/1 **DECLARATIONS OF INTEREST**

<b>Name of Member</b>	<b>Type of Interest</b>	<b>Item/Nature of Interest</b>
Councillor B Cooper	Non-Pecuniary	Agenda Item 5, Item 3, Ward Councillor

21/2 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 9 APRIL 2021**

The minutes of the meeting of the Planning and Development Committee held on 9 April 2021 were submitted and approved as a correct record.

21/3 **SCHEDULE OF REMAINING PLANNING APPLICATIONS TO BE CONSIDERED BY COMMITTEE**

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

**21/0064/COU Retrospective extension to residential curtilage with boundary fencing and wall to front at Whimsey Nook, Stainton Way, Middlesbrough, TS8 9DF for Mr and Mrs Kevin and Kathleen Wanless**

**ORDERED** that the application be **Deferred** for the reasons set out below:

*To allow further consideration of the details.*

**21/0109/FUL Erection of detached domestic garage building to rear at 3 Marton Moor Road, Middlesbrough, TS7 0BL for Ms Chloe Brodrick**

**ORDERED** that the application be **Deferred** for the reasons set out below:

*To obtain a revised site location plan showing the application site abutting an adopted highway.*

**\*\*In light of the non-pecuniary interest declared at the beginning of the meeting, prior to consideration of the following item, Councillor B Cooper left the meeting room\*\***

**21/0247/COU Part change of use from church and community centre (D1) to public house (A4) with associated outdoor seating area at Former St Cuthberts Youth and Community Centre, Newport Road, Middlesbrough, TS5 4BY for Mr Russell Towers**

Full details of the planning application and the plan status were outlined in the report. The report contained a detailed analysis of the application and analysed relevant policies from the National Planning Policy Framework and the Local Development Framework.

The Development Control Manager advised that the application sought planning permission to use part of the existing community centre as a drinking establishment (A4). Although there were no significant alterations to the external appearance of the premises, part of the curtilage (between the building and the church to the north) was proposed for use as an outdoor drinking area.

The key issues to be considered as part of the application were the principle of a town centre use being situated outside any designated centre, and the potential detrimental impacts of the use and its associated operations (for example, any deliveries, refuse collections and outdoor seating area use) on the nearby residential properties.

The application under consideration was a resubmission of a previous application (20/0205/FUL). Members of the Planning Committee refused the preceding application in November 2020, as it was considered that the proposed use and its associated activities would result in undue noise and disturbance upon the nearby local residents.

Members were informed that the application had been supported by a Sequential Assessment in order to provide justification for the proposed use in this edge-of-centre location. Whilst it was the officer conclusion that the application failed the sequential approach, it was considered that the scale of the use would not be harmful to the vitality and viability of Middlesbrough Town Centre or any other recognised local centre.

To address the concerns of Members, the application had also been supported by a Noise Assessment, which considered the potential noise and disturbance from the use. The assessment estimated the expected levels of noise from the premises and concluded that there was very little likelihood of any adverse noise impacts from the proposed development.

Following consultation, two objections had been received from residents (out of 100 original neighbour consultations). In summary, with its location in close proximity to residential properties, the objections were based on the likely noise and associated disturbance from the use on local amenity. The application had also received 66 letters of support, although many of those were from beyond the immediate community. Officers had worked closely with the applicant in order to seek a potential solution, which had resulted in conditions restricting hours of opening and refuse collection, as well as the undertaking of a noise risk assessment to mitigate for any increased noise levels within the outdoor seating area.

The Development Control Manager advised that the recommendation was to approve the application with conditions.

Members queried the location of the car park, its entrance, and the number of spaces available. In response, the Committee was shown the location from an aerial view and was advised that four parking spaces were available. In response to a subsequent enquiry, the location of the beer garden was pointed out to the Committee.

The Applicant was elected to address the Committee in support of the application; a handout summarising the development was provided to Members. In summary, the following points were raised:

- The Applicant had purchased the derelict site three years previously, which at the time was in a state of disuse and disrepair;
- Following discussion with local stakeholders, it was felt that Newport was missing a local public house;
- The development would serve as a micropub and coffee stop, serving high quality products for the local community and real ale enthusiasts;
- HD CCTV had been reinstated on site;
- Ownership of the building had resulted in thorough care being undertaken of the site;
- In addition to the micropub, it was intended that full renovation and reopening of the community hall would be achieved, which already had appropriate planning permissions in place;
- Reference was made to the Noise Assessment and support of the application in respect of that; and
- The development would help bring the local community together.

In response to an enquiry from a Member the applicant explained that fencing would be installed to divide parts of the site, which was shown via an aerial view in the handout.

Brief consideration was given to the products that would be made available on site and the independent nature of the business.

Two Ward Councillors were elected to address the Committee.

In summary, the Ward Councillors:

- Thanked those involved in the development of the proposal;
- Commented that the application would make a great contribution to the local community and hopefully provide some subsequent employment;
- Advised that charitable groups may wish to hold events on the site;
- Commented that the development would provide a huge asset to Middlesbrough and particularly the Newport Ward;
- Indicated that the chapel and wider site had been refurbished well, with aspects of the original building highlighted;
- Reiterated that the Noise Assessment indicated that noise would be at an appropriate level;
- Commented that many local residents had supported approval of the application; and
- Made reference to the area currently being marked as unsustainable due to a lack of community facilities.

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

**\*\*Following consideration of the item, Councillor B Cooper re-entered the meeting room\*\***

21/4

#### **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).

#### **NOTED**

21/5

#### **PLANNING APPEALS**

##### **Appeal Ref: APP/W0734/W/20/3259145 Land to the South of 1 Marwood Wynd, Marwood Wynd, Stainton, Middlesbrough, TS8 9AD – Appeal Dismissed**

The development proposed was described as construction of a detached dwelling with a detached double garage.

The main issue in the determination of the appeal was the effect of the proposal on the character and appearance of the local area bearing in mind the special attention that should be paid to the desirability of preserving the settings of the nearby Grade II\* listed building, St Peter and St Pauls Church [List Entry: 1137540], and the Grade II Listed Building, Stainton House [List Entry: 1137500], as well as the extent to which it would preserve or enhance the character or appearance of the Stainton and Thornton Conservation Area.

##### **Appeal Ref: APP/W0734/W/20/3265716 4, The Crescent, Linthorpe, Middlesbrough, TS5 6SE – Appeal Dismissed**

The development proposed was described as a proposed dwelling.

The main issues in the determination of the appeal were the effect of the proposal on:

- Designated heritage assets, with particular regard to the character and appearance of the Linthorpe Conservation Area and the setting of Grade II listed The Avenue Methodist Church; and
- The living conditions of occupiers of neighbouring dwellings, with particular regard to levels of outlook and privacy.

##### **Appeal Ref: APP/W0734/D/20/3266046 110 Cambridge Road, Middlesbrough, Cleveland, TS5 5HP – Appeal Dismissed**

The development proposed was a kitchen extension.

The main issue in the determination of the appeal was the effect of the proposal on the character and appearance of the area.

In respect of the appeals, the Development Control Manager provided Members with details of the issues raised by the Planning Inspectorate.

**NOTED**