

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on Thursday 7 March 2024.

PRESENT: Councillors J Rostron (Chair), I Blades (Vice-Chair), D Coupe, M McClintock, I Morrish, M Nugent, J Platt, J Ryles, J Thompson and G Wilson

ALSO IN ATTENDANCE: L Salvati, J Duncan

OFFICERS: P Clarke, A Glossop, R Harwood, J McNally and S Thompson

APOLOGIES FOR ABSENCE: Councillors J Ewan

23/32 **DECLARATIONS OF INTEREST**

Name of Councillor	Type of Interest	Item/Nature of Interest
Councillor M McClintock	Non-Pecuniary	Agenda Item 4, Item 1, Ward Councillor
Councillor J Platt	Non-Pecuniary	Agenda Item 4, Item 2 & 3, Ward Councillor
Councillor M Nugent	Non-Pecuniary	Agenda Item 4, Item 2, Relative works in school

23/33 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 8 FEBRUARY 2024**

The minutes of the meeting of the Planning and Development Committee held on 8 February 2024 were submitted and approved as a correct record.

23/34 **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.

23/0424/FUL, Chandlers Ridge Primary School, a single storey extension to the existing school building to create 2 new classrooms with associated external works in the existing car park

Members were advised that the application was an update on the original planning application that was placed before Committee on the 11th January 2024. The application proposed for the extension to Chandlers Ridge Primary School was previously placed with a recommendation to approve subject to conditions. The Planning Committee considered the proposals, along with concerns raised by objectors in attendance.

At the 11 January Committee members sought to defer the application to allow the school to explore further parking provision within the school grounds and to detail options in relation to the travel plan. A request was also made from members that a representative from the school / schools agent, attend the meeting to answer queries from members.

Members were advised that the applicant had reviewed the parking arrangements at the school and had increased the proposed provision of car park spaces to 30 which was a higher requirement than the Tees Valley Highways Guide recommends. Members heard that the travel plan had not been able to be detailed currently, however, officers had been advised that

this would be produced in line with conditional requirements should it be approved.

The Development Control Manager updated committee with comments received since the previous committee from a local resident.

A member queried details of the intended travel plan and the Councils Transport Officer responded setting out typical interventions that are normally included within a travel plan where the school will work with council officers to reduce vehicular travel.

A member queried whether there had been any additional responses or complaints from the properties which back onto the proposed extended car park area and was advised by the Development Control Manager that there had been no additional comments from those residents.

ORDERED: that the application be approved subject to conditions

23/0631/MAJ, Discovery Special Academy, Sandy Flatts Lane, Erection of single storey Secondary School building (class F1) with associated works including landscaping, fencing and extension to parking area

*** Councillor Mary Nugent recused herself from the Committee for consideration of the item***

Members were advised that planning permission was sought for the erection of a special educational needs (SEN) secondary school on the existing Discovery Academy site, which is on the northern side of Sandy Flatts Lane.

Whilst the application site was allocated on the adopted Local Plan Proposals Map as part of the Green Wedge, planning permission was granted in March 2021 for the creation of a SEN primary school at the site, which included a new school building and the associated playing areas and car parks. The land was, therefore, considered to have an established educational use.

The application had previously been heard at Committee on 8 February 2024, Members had asked for the application to be deferred and requested that a representative from the school attend to answer queries regarding parking and clarity on how the school is operating in terms of the impact on traffic and access to the school site by vehicles.

The Head of Planning advised that a swept path analysis had been undertaken and the road was wide enough to accommodate larger vehicles such as refuse trucks, there was enough space for 2 minibuses to pass each other safely on the road so the width of the road was not considered to be an issue.

Members heard that although the proposed school development would be situated in a location being allocated for Green Wedge, the benefits of the proposed development for the wider community were considered to outweigh the lost part of Green Wedge.

A representative from Discovery Special Academy was in attendance and spoke in support of the application. The following points were raised by the representative:

- Traffic and parking is carefully managed
- There is an entrance in and an exit out of the school
- Dedicated staff manage traffic in and out of the school
- Traffic flow is managed
- School gates are open during pick up and drop off times
- Vehicles are not left sitting on the road
- Vehicles who are parked on the highway are monitored and asked to move into a car parking space
- There are vehicles that are not related to the school that park on the highway for example dog walkers as it is a public highway
- Looking at how staff travel – encouraging them to use public transport or car share
- Travel plan is reviewed and updated annually
- Pedestrian access is marshalled and parents are encouraged to use the car park

A Member queried if the school uses large buses it was advised that a large bus had been used once to transport children to a pantomime, the school had its own minibuses that are used for transporting children to activities outside of the school grounds.

A Member queried where cars would park during the construction phase if the application was approved the representative advised that the local garden centre had offered the use of some of their car parking spaces and the mugga could also be used within the existing school grounds.

A resident spoke in objection to the application, prior to speaking the objector asked if he could hand out photographs to the committee members this was agreed by the Chair. The following objections were then raised:

- Proposed land for initial school there was a condition that the land would be left green and planted
- Use of transport told no coaches would access site, coaches have been on site with over 25 seats
- Overspill of parking internally in car park
- Outside of school reckless parking
- 62 cars noted on one day
- Road is not wide enough to take vehicles, road needs widening to 6.7 meters
- Dangerous pot holes
- Design of road was to take only 300 vehicles per day
- High volume of traffic had worn the roads
- Pot holes in the road every 6 months having to be realigned compared to every 18 months

The Chair asked the objector if he had any further comments to committee to which the objector confirmed he hadn't.

Officers came back to members on a number of points raised to clarify material planning considerations and responded to members queries in relation to the matter of the site being within the Green Wedge.

ORDERED: that the application be approved subject to conditions

23/0661/FUL, 4, Hall Drive, Middlesbrough, TS5 7EN, Retrospective extensions and alterations to garage to side to create residential annex

Members were advised that planning permission was originally granted in September 2020 to convert and extend the existing attached side garage to form a residential annex. Post commencement, however, the attention of the Council was brought to unauthorised works, which included the construction of three dormer windows fronting Hall Drive (instead of the approved one dormer), a flat-roofed box-like rear dormer (instead of the approved one small dormer), and a single storey extension to the rear of the annex with flat roof and parapet detail.

Members heard that an application was subsequently submitted seeking to regularise the unauthorised works which was refused, then dismissed at appeal. Although the Inspector dismissed the appeal, the Inspector found no harm from the three dormers fronting Hall Drive, the appearance of the front elevation facing Hall Drive, or the single storey extension and its flat roof.

Members were advised that the main reason for the appeal being dismissed was the box-like rear dormer, although the Inspector noted that a catslide roof on this dormer – to match the large catslide roofed dormer that covered most of the rear roof plane of the original dwelling – would not be unduly harmful. The current application sought approval for the works which the Inspector had identified not to be harmful.

Members heard that three letters of objection had been received. The objections were as follows:

- The application has already been denied.

- No changes had been made and the building work is not legal.
- The originally approved two bedroom annex had now become a separate three bedroom property with a much larger footprint.
- The conservatory walls are intrusive as are the lights on the rear of the building due to the proximity to our [neighbour at No. 6] reception room.
- Loss of amenity, being overlooked, infringement of privacy, negative impact on the use of our garden and rear reception room.
- There are no interconnecting door between the property and the annex which makes it a separate dwelling, despite plans showing it is an annexe.
- This new application now creates a separate three bedroom property, which will overlook the main dwelling house and could be rented out or even sold separately in the future.
- The amended plans have not made any changes to the original issues and so the building is still not in keeping with neighbouring architecture. It negatively impacts the street scene.
- The application still does not meet the Urban Design SDP, in respect of the dormer windows.
- This revised application does not address the concerns of the Planning Inspector.
- The original application back in 2016 had an internal link to the existing property. This has now disappeared. If approved this application could be considered a separate dwelling and not an annex and represents what was refused under M/FP/0457/14/P.

A Member queried whether an annex needed to be interconnecting, it was advised that there was no longer a requirement for an annex to have a shared space.

A Member raised the negative impact the annex was having on neighbouring properties including loss of light, disappearance of the internal link and the 3 dormer windows that had been installed instead of 1 which had been agreed in the original application.

Members motioned for decisions and took votes although none were sufficient to result in the applications determination.

Members were reminded that the Planning Inspector found no harm from the three dormers fronting Hall Drive, the appearance of the front elevation facing Hall Drive, or the single storey extension and its flat roof. Members were advised that if the application were to be refused that the applicant would likely appeal the decision and win the appeal which could result in costs being awarded against Middlesbrough Council.

Following discussions Members felt that it would be beneficial to undertake a site visit before making a decision on the application.

ORDERED: that the application be deferred to a future meeting of the Planning and Development Committee so that a site visit can be undertaken.

23/35 **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

23/36 **PLANNING APPEALS**

None

23/37 **ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

None