

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on Thursday 10 October 2024.

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

ALSO IN ATTENDANCE:

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

APOLOGIES FOR ABSENCE:

24/21 **WELCOME AND FIRE EVACUATION PROCEDURE**

The Chair welcomed everyone to the meeting and explained the Fire Evacuation Procedure.

24/22 **DECLARATIONS OF INTEREST**

Name of Councillor	Type of Interest	Item/Nature of Interest
Councillor M McClintock	Non-Pecuniary	Agenda Item 5, Item 2, Ward Councillor

24/23 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 5 SEPTEMBER 2025**

The minutes of the meeting of the Planning and Development Committee held on 5 September 2024 were submitted and approved as a correct record.

24/24 **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.

24/0259/FUL, 20, Fountains Drive, Middlesbrough, TS5 7LJ, erection of 1no. detached dwelling

Members were advised that planning permission was sought for the erection of a three bedroomed, two storey detached dwelling located to the north of 20 Fountains Drive. Members heard that the proposed vehicle access and driveway would be located off Sledmere Drive.

The Development Control & Building Control Manager advised the Committee that the application site was a corner plot located at the junction of Fountains Drive and Sledmere Drive within a predominantly residential area of Acklam. The dwelling design had a double frontage with the main entrance facing onto Sledmere Drive. The frontage facing Fountains Drive included a single storey off-shoot. The boundary treatment would be a 2-metre high close boarded fence set back from the pavement which would enclose the rear garden boundary along Sledmere Drive.

Members were informed that the application site was previously granted planning permission for a detached two storey property in 2012 and for a separate application for a dormer bungalow on the site in 2015.

Members heard that a planning application for a two storey dwelling was refused at Planning Committee in September 2021 on the grounds that the scale, design and

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position of the proposed property would have a detrimental impact on the open character of the area and on the amenity of the adjacent properties contrary to Local Plan Policy DC1.

Members were advised that an appeal had been made to the Planning Inspectorate and the refusal decision was upheld in January 2022. The Planning Inspector had concluded that by virtue of its scale, bulk, and almost featureless gable wall the dwelling would be harmful to the character and appearance of the surrounding area contrary to Policy DC1.

It was advised that in October 2023 a planning application for a similar scale and designed two storey dwelling had been refused at Planning Committee. The sole reason for the reason was that suitable nutrient neutrality mitigation had not been provided.

The Committee heard that the revised design and reduced scale of the proposed dwelling from the previously refused scheme in 2021 were considered to achieve a property which was in keeping with the scale, design, and character of the existing semi-detached two storey properties along Fountain Drive. The Development Control & Building Control Manager informed the Committee that a revised plan had been received the day before committee with the removal of one car parking space and the fence line in line with the side of the property. It was also advised that the applicant had provisionally secured the required level of nutrient neutrality credits from Natural England.

The Development Control & Building Control Manager stated that 20 objections had been received highlighting issues with highway matters, amenity, and characteristics of the area, it was advised that the Planning Inspector had not raised highways as an issue and Middlesbrough Council Highways Department had not identified any highways issues with the application.

A Member queried the covenant on the site and if this could impact on the application it was advised that a covenant was not a planning matter.

The Development Control and Building Control Manager advised the committee that the recommendation was to approve the application with conditions and that permitted development rights could be removed which would take away the ability to build an extension onto the property without planning permission.

A resident addressed the committee and raised the following concerns:

- Traffic cutting through Fountains Drive to Hall Drive
- If a house was built it would impact on being able to see what traffic was coming
- The white lines currently on the road are not dominant.
- The road is used as a rat run.
- The junction is not clear.
- Houses will be overlooked.
- Cars will park on Sledmere Drive.
- Would prefer a bungalow on the site.
- Cars cut across onto the other side of the road.
- Children use the area to get to school.
- Properties are all bungalows in the area.

The Ward Councillor spoke in objection to the application and raised the following concerns:

- The comparisons to other junctions are irrelevant.

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- Sledmere Drive is a long street with lots of traffic.
- Gardens of other properties in the area have low walls.
- The development is on Sledmere Drive which has 26 properties all of which are bungalows.
- All corners have a clear line of sight.

A Member queried if the applicant was likely to appeal if permission was not granted, the Development Control & Building Control Manager stated that the land had been sold, permissions had lapsed and the new owner had bought the land and appealed so it would be likely that the owner would appeal again.

ORDERED: that the application be approved subject to conditions and the removal of permitted development rights.

24/0307/VAR, Land at Grey Towers Farm, Nunthorpe, Middlesbrough, variation of Condition 1 (Approved Plans) on application 20/0028/VAR to include the installation of PV Panels to roof, extraction flue, EV charging points and removal of chimney (part retrospective)

*** Councillor Morgan McClintock recused himself from the meeting*

Members were advised that the application site was the new Miller and Carter restaurant/bar located west of the Poole roundabout.

The application sought to vary the approved plans to gain consent retrospectively for the erection of solar panels on the roof, the removal of a chimney located on the side elevation of the approved plans and the erection of a flue. Permission was also sought for electric vehicle charging points in the car park with associated works.

Members were advised that following consultation objections had been received from 2 residents, the Parish Council and the Ward Councillor. The objections related to the appearance of the proposed flue and the impact on residents from odours.

It was advised that the proposed development did not have a detrimental impact on the design quality of the building or its surrounding car park and landscaped setting. The changes did not result in significant harm to the visual amenity of the area or harm the character and appearance of the conservation area nor did they result in harm to the amenities of nearby residential properties. Members were advised that the flue had been painted black to soften the appearance, the flue does exceed what was previously approved however it complies with Defra guidelines and would extract 90% of odours.

The Agent for Miller and Carter addressed the Committee and apologised for not including these additional elements on the previous planning application. He assured the Committee that the flue and solar panels would not have a detrimental impact on the site.

The Ward Councillor addressed the Committee and stated that the Nunthorpe community welcomed the apology from Miller and Carter regarding the retrospective application. Residents were concerned about the appearance of the flue but were satisfied with the appearance now it had been painted black. The Ward Councillor requested that the flue be continuously maintained with the black paint.

ORDERED: that the application be approved with the condition that the flue would be black in perpetuity.

*** Councillor Morgan McClintock rejoined the meeting.*

24/25 **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

24/26 **PLANNING APPEALS**

The Head of Planning advised the Committee that the Lidl appeal had taken place and the Planning Inspector had dismissed the appeal. The Head of Planning stated that he would keep Members informed of any developments and paid testament to the work of officers involved in the application and appeal.

The Development Control & Building Control Manager provided a verbal update to the Committee on the outcome of various appeals including Grey Towers Farm, 29 Cambridge Road and St Edwards Primary School.

24/27 **ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

The Head of Service delivered a presentation to the Committee on the potential impacts of the Planning Reforms.