

PLANNING AND DEVELOPMENT COMMITTEE

A meeting of the Planning and Development Committee was held on Friday 21 July 2023.

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

ALSO IN ATTENDANCE: C Cooke - Elected Mayor (Elected Mayor and Executive Member for Adult Social Care & Public Health), S Dean, P Storey (Deputy Mayor and Executive Member for Education and Culture), Ball, Brown, Bullock, Churn, Fitt, Haiggs, Hazley, Humphrys, Koszyczarek, Lawson, Leyland, Mawson, Murphy, Quyoon, Royal, Stone and Wilson

OFFICERS: S Bonner, P Clarke, C Cunningham, R Harwood, C Lunn, Moody, A Pain and S Thompson

APOLOGIES FOR ABSENCE: Councillors I Blades, J Ewan and M Nugent

22/6 **DECLARATIONS OF INTEREST**

Name of Member	Type of Interest	Item/Nature of Interest
Councillor M McClintock	Non-Pecuniary	Agenda Item 5, Item 2 – The Avenue Play Park – Ward Councillor.

22/7 **MINUTES - PLANNING AND DEVELOPMENT COMMITTEE - 16 JUNE 2023**

The minutes of the meeting of the Planning and Development Committee held on 16 June 2023 were submitted and approved as a correct record.

22/8 **SCHEDULE OF 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.

22/0570/MAJ Erection of a new discount foodstore (use class E) with access, car parking, landscaping and other associated works at Cleveland College of Art and Design, Green Lane, Middlesbrough, TS5 7RJ for Lidl Great Britain Limited.

The Head of Planning explained that following publication of the Committee report, further information had been received from the applicant which sought to amend the scheme.

In order to ensure that due consideration could be given and a robust decision taken, it was requested that the application be deferred with the intention that further consultation be undertaken with the public; the application would be considered by the Committee in September. Members agreed to this approach.

ORDERED that the application be **Deferred** for consideration at the 14 September 2023 meeting of the Planning and Development Committee.

23/0166/FUL Installation of play equipment at The Avenue Play Park, Nunthorpe, Middlesbrough, TS7 0AG for Craig Coverdale.

In order to address Members in his role as Ward Councillor, Councillor McClintock recused himself from the Committee for consideration of this item

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 Head of Planning advised that the purpose of the application was to seek planning approval for the installation of additional play equipment at The Avenue Play Park in Nunthorpe.

Members were shown several images of the site and the existing facilities.

The site related to The Avenue Play Park, which formed part of a larger area that was defined as Primary Open Space within the Council's Local Plan. The application sought approval for additional play equipment within this designated play park, which consisted of a Children's Trim Trail comprising seven individual play items, and an activity area consisting of monkey bars, a stretch/fitness station and a basketball hoop.

Following consultation, six objections had been raised from residents with regards to Anti-Social Behaviour, increased traffic, safety and intimidation, litter, and placement of certain pieces of equipment. Matters were also raised regarding CCTV at the site and request for additional coverage and lighting. The Head of Planning indicated that the Parish Council had also issued reservations regarding the scheme, which related to the location of the proposed equipment, potential Anti-Social Behaviour and noise disturbance.

It was explained to Members that the area was effectively a green space and was already an established play park; key issues for consideration related to the impact on the amenity, character and appearance of the area.

Reference was made to the existing play equipment located on the site, which in effect demonstrated that this proposal was in keeping with the area, and to the concerns relating to the proposed facilities and their close proximity to the footpath. It was indicated that the facilities would be almost equidistant to existing residential buildings (between 50-70 metres depending upon direction), and there was a degree of natural surveillance as well as existing CCTV coverage in place. It was explained that Anti-Social Behaviour could take place regardless of facilities or the area.

Taking all of this into account, it was considered that the proposal would not have an adverse impact on the character of the area and would update the existing equipment, which would provide a complementary addition to the existing established play park and would be of public benefit. It was also considered that the equipment was shown in positions that would limit any impacts associated with the use of the equipment on residential amenity and highway safety; the officer's opinion was therefore to recommend approval.

A Member made reference to the proposed equipment and queried whether it was of a standard design for such play areas. In response, the Planning Officer explained that, to the best of his knowledge, it was. The Member subsequently queried the age range to which the play equipment would cater. The Planning Officer advised that the new equipment would provide for a variety of different age groups.

One objector to the application was elected to address the Committee.

In summary, the objector advised that:

- There were shops in the local vicinity and the area was well kept at the present time.
- The three additional items being proposed were substantial and not in the correct or appropriate place. For example: the basketball hoop was proposed for placement in a wet area; almost as though no site visits had been carried out.
- There was not an acceptable clearance between the footpath and equipment; the plans suggested that this would be one metre and three feet. It was felt that further work and consideration was required by the applicant to ensure that the proposed scheme would work. At present, the equipment would be against the positing of three areas.
- In terms of consultation, there had not been any undertaken with residents. The objector politely called on the Committee to refer the application back to the applicant, for consultation work with residents to be carried out.
- The play park was first installed in 1982; equipment had been added and the facilities expanded on three separate occasions since this time. It was acknowledged that the facilities were good and well used but it was felt that further expansion, which in the

opinion of the objector would result in more Anti-Social Behaviour, was not necessary. The footpath running alongside the play park also provided a main throughfare for residents.

A Member acknowledged the objector's point regarding consultation with residents and the importance of this. The Member queried whether any consultation activity had taken place when previous equipment was installed. In response, the objector indicated that there had been consultation with officers on the previous occasions, but not this time. The Head of Planning advised that consultation was to be undertaken by the applicant with the community and was not connected with the planning application. If Members of the Committee held concerns in this regard, there was the option of requesting that the applicant review the application and/or undertake any further work before a decision was taken.

A Member queried whether the application could be deferred. The Head of Planning indicated that from the perspective of planning there were no issues with the application, but the community had expressed concern. There was opportunity for the applicant to engage with residents to understand whether there was a more preferred location from their perspective, and to explore this in more detail. The Member suggested that this could be a positive approach.

A Ward Councillor briefly addressed the Committee, expressing support for the comments made by both the objector and the Head of Planning.

A discussion ensued and, in summary, Members felt it appropriate for the application to be deferred and the applicant requested to undertake further consultation with residents.

ORDERED that the application be **Deferred** to enable further consultation to take place between the applicant and residents.

At this point in the meeting, Councillor McClintock re-joined the Committee

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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).

A discussion ensued in relation to the presentation of the information. Members felt that the information was presented in too small a font, and that further clarity could be achieved by dividing the planning applications into Wards. The Head of Planning indicated that recent changes in IT systems had posed some difficulties, but this matter would be looked into.

A Member commented that there were many applications to review and queried whether these could be condensed. In response, the Head of Planning advised that the only way that could happen would be for him to not determine applications, which was not a possibility. It was indicated that owing to the summer recess, the next list to be provided in September would likely be longer to take into account the extended period between meetings.

AGREED that:

1. The Head of Planning would review the issues raised in respect of the presentation of the information; and
2. The information, as presented, be noted.