

## **PLANNING APPLICATIONS COMMITTEE**

Wednesday, 7 July 2021

**PRESENT** – Councillors Mrs D Jones (Chair), Allen, Cossins, Heslop, Laing, Lee, Lister, McCollom, Sowerby, Tostevin and Wallis.

**APOLOGIES** – Councillors Clarke and Tait.

**ALSO IN ATTENDANCE** – Councillor Curry.

**OFFICERS IN ATTENDANCE** – Dave Coates (Head of Planning, Development and Environmental Health), Arthur Howson (Engineer (Traffic Management)), Andrew Errington (Lawyer (Planning)), Lisa Hutchinson (Principal Planning Officer) and Paul Dalton (Elections Officer).

### **PA15 DECLARATIONS OF INTEREST**

Councillor Sowerby declared a pecuniary interest in Minute PA19 (21/00537/FUL) below, and left the meeting during consideration of that item only. There were no other declarations of interest reported at the meeting.

### **PA16 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 9 JUNE 2021**

**RESOLVED** – That the Minutes of this Committee held on 9 June 2021 be approved as a correct record.

### **PA17 APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION**

#### **PA18 169 NORTH ROAD**

**21/00247/FUL** - Change of use from Estate Agents (Use Class E) to Hot Food Takeaway (Sui Generis) with the installation of extraction flue to rear elevation and associated internal works (Amended Plans showing removal of shop front alterations submitted 23rd March 2021).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Environmental Health Department, the request of the Police Architectural Liaison Officer, thirteen letters of objection, fifteen letters of support, and the views of the Applicant, the Applicant's Agent, one objector, one supporter, and the Ward Councillor, whom the Committee heard).

**RESOLVED** – That Planning Permission be granted subject to the following conditions:

1. An extraction system including a 45 Maxfan Compac model number EJ463266 shall be installed in accordance with drawing number KMS/104A dated 06/06/21 along with 2 CDA silencers and anti-vibration mountings.

The system shall be operated and maintained in accordance with the manufacturer's recommendations so long as the use continues. No modifications to the system shall be undertaken without the prior approval of the Local Planning Authority. Following installation, commissioning sheets shall be provided to the Local Planning Authority.

**REASON** - To protect the amenity of residents from noise.

2. In accordance with EMAQ guidance - Control of Odour and Noise from Commercial Kitchen Exhaust Systems, a high level of odour control will be required for this application which includes:
  - a. Fine filtration or electrostatic precipitator (ESP) followed by carbon filtration (carbon filters rated with a 0.2 – 0.4 (resistance time).
  - b. Fine filtration or ESP followed by UV ozone system to achieve the same level of control as 1.

These shall be installed, operated, and maintained in accordance with the manufacturer's recommendations so long as the use continues. Following installation, commissioning sheets shall be provided to the Local Planning Authority. No modifications to the system shall be undertaken without prior approval from the Local Planning Authority.

**REASON** - To protect the amenity of residents from fumes and odours.

3. The drainage system to the premises shall be provided with a suitable grease trap 2.

**REASON** - To prevent the discharge of grease into the public sewer.

4. Deliveries to and collections from the site, including the loading and unloading associated with the use, shall take place between the hours of 8am to 6pm Monday to Saturday, with no deliveries on Sundays/Public Holidays.

**REASON** – To protect the amenity of local residents.

5. The use hereby approved shall not operate after 9pm Monday to Saturday and not at all on Sundays or Bank Holidays.

**REASON** – In the interests of residential amenity.

## **PA19 6 THE GREEN, HIGH CONISCLIFFE (SPOTTED DOG PH)**

**21/00537/FUL** - Erection of 1.8m high timber fence to front entrance and 1.8m high timber fence with gates to rear of play area and driveway (Retrospective Application).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Highways

Engineer, the views of the Council's Conservation Officer, four letters of objection received, the objections received from High Coniscliffe Parish Council, and the objections received from Councillor Crudass, Councillor for the Heighington and Coniscliffe Ward).

**RESOLVED** – That Planning Permission be granted subject to the following conditions

1. The development hereby permitted shall be carried out in accordance with the approved plan, as detailed below:

a) Drawing Number 02 Site Plan

**REASON** – To ensure the development is carried out in accordance with the advertisement consent.

2. The fencing shall be painted in a colour scheme to match the existing means of enclosure at the application site within one month of planning permission being granted. The fencing shall remain painted in the agreed colour scheme whilst remaining in situ.

**REASON** - In the interests of the visual appearance of the site and the High Coniscliffe Conservation Area.

3. The existing vehicle access (dropped crossing) off the A67 shall be removed and reinstated as footway with replacement kerbs to suit the adjacent highway. The works shall be completed within six months of planning permission being granted.

**REASON** - In the interests of highway and pedestrian safety.

**PA20 K PREMIER EXPRESS, 172 YARM ROAD**

**21/00122/FUL** - Conversion of shop (Use Class E) to HMO (Use Class C4) including removal of shopfront and alterations to front elevation, pitched dormer to front roof slope, alterations and additional windows and doors, erection of fencing to create separate rear amenity space, new side access gate, removal of chimney stack and associated works (Amended Plans to show change from large HMO (Sui generis) to HMO (C4) and removal of rear dormer extensions received 28th May 2021).

**NOTE:** The application was withdrawn at the meeting.

**PA21 36 OAKDENE AVENUE**

**21/00178/FUL** - Removal of chimney stack and existing bay windows to side/rear elevation and erection of side extension, erection of flat roof dormer to rear roof slope and installation of sun tunnel, replace garage roof with pitched roof, removal of summerhouse and erection of detached garden/spa room with decking, replacement and additional UPVC windows and doors, render to elevations and associated internal alterations (Amended Plans Received 18th May 2021).

(In reaching its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the objection and concerns of the Council's Conservation Officer, three letters of objection received, and one letter of support received).

**RESOLVED** – That Planning Permission be granted subject to the following conditions:

1. The development hereby permitted shall be commenced not later than the expiration of three years from the date of this permission.

**REASON** - To accord with the provisions of Section 91(1) of the Town and Country Planning Act, 1990

2. Materials

Notwithstanding any description of the external materials in the submitted application, details of the external materials to be used in the carrying out of this permission shall be submitted to, and approved by, the Local Planning Authority in writing prior to the development hereby permitted being construction above dampproof course level and the development shall not be carried out otherwise than in accordance with any such approved details.

**REASON** - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.

3. The development hereby permitted shall be carried out in accordance with the approved plan(s) as detailed below,

- 001 Site Location Plan
- 101 Proposed Block Plan
- 103 Rev 2 Amended Proposed Floor Plan
- 104 Rev 2 Amended Garden Spa Room
- 105 Second Floor Plans Existing and Proposed
- 302 Rev 2 Amended Proposed Elevation A
- 303 Rev 2 Amended Proposed Elevation B

**REASON** - To ensure the development is carried out in accordance with the planning permission.

## **PA22 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED** - That, pursuant to Sections 100A(4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraph 7 of Part I of Schedule 12A to the Act.

## **PA23 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S**

**APPROVED CODE OF PRACTICE AS OF 25 JUNE 2021 (EXCLUSION  
PARAGRAPH NO. 7)**

Pursuant to Minute PA14/Jun/2021, the Chief Executive submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 25 June 2021.

**RESOLVED** - That the report be noted.