

## REGULATORY COMMITTEE

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18 APRIL 2018

### REGULATORY COMMITTEE

A meeting of the Regulatory Committee was held on 18 April 2018.

**PRESENT.** Councillor Foggo (Chair),  
Councillors Ayre, Baldwin, Dick, E Jackson,  
Morgan, Ovens, Smith, Watts and Wilson

**OFFICIALS.** E Dale, E Garbutt and C Griffiths.

#### **APOLOGIES FOR ABSENCE.**

Apologies for absence were submitted on behalf of Councillors Foley-McCormack, Mrs Forster and Turner.

#### **DECLARATIONS OF INTEREST.**

Councillor Morgan declared an interest in application R/2018/10065/FF as she knew the applicant who had carried out building works on her behalf.

#### 115. **MINUTES.**

**RESOLVED** that the Minutes of the Regulatory Committee held on 29 March 2018 and Taxi Panel held on the 4 April 2018 be confirmed and signed by the Chair as a correct record.

#### 116. **PLANNING APPLICATION FOR DECISION.**

##### 116.01 **R/2018/10065/FF 1800MM high boundary enclosure to front and side incorporating brick piers, railings and fence poles 299 West Dyke Road Redcar.**

The Director of Economic Growth reported that permission was sought for the erection of a 1.8m boundary enclosure to the front and side incorporating brick piers, railings and fence panels at 299 West Dyke Road, Redcar. The works had already been completed and retrospective consent was sought.

The application site was a corner property on the junction of West Dyke Road and Lorton Road.

While the application was now being considered retrospectively, as the works had been carried out, Members should be aware that upon submission of the application, works had not commenced.

The consultation exercise had resulted in two letters of objection having been received raising the following comments;

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- The work had been carried out in advance of permission being granted
- Fence when considered along with parking habits in the area impacts on highway safety at the site
- Fence had poor aesthetics
- Fence not in keeping with local area

Councillor Mrs Forster had requested the application be considered by the Regulatory Committee.

Redcar and Cleveland Borough Council Development Engineers had no objections from a highway point of view.

The main considerations in the determination of the application were;

- the impacts on the character and appearance of the area and
- the impacts on highways safety.

The proposed boundary treatment consisted of the existing dwarf wall with a mix of railings and infill timber panels. The railings had been installed at the front of the site and half way round the corner of the property, with the remainder of the wall being infilled with the timber panels.

It was accepted that the boundary treatment did alter the previous appearance of the site, however it was considered that given the presence of other fences along the West Dyke Road frontage, the overall character and appearance of the area would not be adversely affected.

Changes had also been made to the design of the boundary treatment following the refusal of a previous application with the introduction of the railings to the front of the site to replace previously proposed timber infill panels. The revised design was considered to be more appropriate for the application site.

Considering the mix of boundary treatments within the wider area, it was concluded that the proposed boundary treatment although different from what previously existed at the site, complied with national policy set out in the NPPF and policies CS20, DP2 and DP3 of the Local Development Framework, policy SD4 of the emerging Local Plan and the Residential Extensions and Alterations Supplementary Planning Document.

The Councils Development Engineers had reviewed the application and had no objections to the proposal.

The development was not considered to have an adverse impact on the visibility of drivers exiting from Lorton Road onto West Dyke Road, while

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the side fence had also been chamfered to allow sufficient pedestrian/vehicle intervisibility for drivers emerging from the neighbouring property (1 Lorton Road).

The application was therefore considered to comply with national policy in the NPPF and policy DP3 of the Local Development Framework and policy SD4 of the emerging Local Plan with regard to highway safety.

Given the nature of the development and the location the application raised no issues in terms of neighbour amenity.

The application due to its scale, location and design was not considered to raise issues in terms of crime prevention.

For the reasons outlined above the application was considered acceptable. The boundary wall and fence was not considered to have an adverse impact on the character and appearance of the area with the provision of railings at the front of the site maintaining to a degree the open character of the corner plot. The application provided sufficient visibility to ensure the proposal raised no issues in terms of highways safety. The application accords with policies CS20, DP2 and DP3 of the Local Development Framework, policy SD4 of the emerging Local Plan and the guidance contained within the Residential Extensions and Alterations Supplementary Planning Document.

The applicant was present at the meeting and made the following points:-

- purchased the property 2 years ago after it had stood derelict for 3 years.
- The initial plans were refused and after the second set were submitted he received a letter advising that the plans were acceptable;
- He was told initially that the end of the consultation period was the 5 March so he contacted the department on the 7 March only to be told the consultation period ended on the 5 April. Work was started on the 8 April as a his dog had jumped out onto the road;
- The immediate neighbours and highways had no objections;
- He was wanting to provide a safe area for his child to play in as the property had no rear garden other than a 1 metre wide walkway;
- There were other similar fences in the area and others that were higher;
- He had complied with everything that had been asked of him both by officers and neighbours;
- The fence had no effect on residents in Lorton Road but it had a massive effect on him.

**RESOLVED** that Planning Permission be granted subject to the following

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conditions:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

External Wall Details (Rev A) received by the Local Planning Authority on 05/02/18

Elevations received by the Local Planning Authority on 05/02/18

REASON: To accord with the terms of the planning application.

117. **DELEGATED DECISIONS.**

The Director of Economic Growth circulated a schedule of delegated decisions determined by the Director of Economic Growth under the delegated power procedure.

**: - NOTED.**

118. **SCHEDULE OF ENFORCEMENT ACTIONS.**

The Director of Economic Growth presented Members with the schedule of enforcement actions which had been undertaken in the period 27 February 2018 to 20 March 2018.

**:-NOTED.**

119. **REDCAR AND CLEVELAND LOCAL PLAN – EXAMINATION UPDATE.**

The Director of Economic Growth updated Members regarding the Local Plan Examination specifically, it related to the receipt of the Inspector's Report into the Examination of the Redcar and Cleveland Local Plan.

**:-NOTED.**

120. **NPPF CONSULTATION PROPOSALS.**

The Director of Economic Growth reported that on 5 March 2018 MHCLG published a draft of a revised National Planning Policy Framework for consultation, the report appraised Members of the key proposals and, where necessary, offered a commentary on their respective merits and implications for this Council.

Responses to the consultation were expected to be submitted by 10 May 2018.

**:-NOTED.**

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121. **CURRENT SECTION 106 AGREEMENTS RECOMMENDATION OF AUDIT REPORT.**

The Director of Economic Growth presented a response to a recommendation of the Tees Valley Audit and Assurance TVAAS report (April 2016) in respect of the reporting of progress on the completion of Section 106 agreements.

**:-NOTED.**

122. **ANY OTHER BUSINESS**

**The Chair agreed that the following items be considered under any other business.**

122.01 **Member Training.**

The Director of Economic Growth advised that a number of Members training was about to expire.

It was agreed that an invite be send out to all members inviting them to refresher training.

**Senior Planning Officer – Retirement.**

The Director of Economic Growth advised Members that Janet Horne would be leaving the Authority on the 30 April 2018.

Members asked that their best wishes be conveyed to Janet and they wished her all the best in her retirement.

**:-NOTED.**