

# Redcar and Cleveland Borough Council

## Planning (Development Management)

APPLICATION NUMBER: R/2018/0155/RSM  
LOCATION: LAND AT FORMER RYEHILLS SCHOOL SITE  
REDCAR LANE REDCAR  
PROPOSAL: ERECTION OF 49 RESIDENTIAL UNITS WITH  
ASSOCIATED WORKS (RESUBMISSION)

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### APPLICATION SITE AND DESCRIPTION

Permission is sought for 49(No.) residential units with associated works on land at Ryehills School, Redcar Lane, Redcar.

The application is an amended scheme following the refusal of an application by Regulatory Committee earlier this year. The applicants have chosen to lodge an appeal for the refused application with the Planning Inspectorate. The appeal has been received by the Inspectorate and it has been identified that the appeal will be heard by way of a hearing. The applicants have advised that should the revised application be approved then the appeal would be withdrawn.

The application site is 1.4 hectares and was historically part of the Rye Hills School site. Following the completion of the redeveloped Ryehills School in 2001 the application site was fenced off as this part of the site was surplus to requirements. Since this time the application site has not been in continuous use and is currently fenced off with restricted public access.

The site is a brownfield site within the development limits and within a predominantly residential area.

The permission sought is for 49 dwellings on the site, a mix of detached and semi-detached dwellings, all of the dwellings would be two storey. Within the development 13 two bedroom properties are proposed along with 32 three bedroom properties and 4 four bedroom properties. The submitted site layout plan indicates the materials to be used on site.

Access to the site is via Windsor Road, with some plots accessed off private drives within the site. Parking is provided on site through the provision of integral garages, attached and detached garages and parking spaces. Several visitor parking spaces are provided in lay-bys along the internal access road. The parking areas and internal private drives would be permeable crushed aggregate in a buff colour. At the back edge of the footpath a small section of black tarmac is proposed before the crushed aggregate. The front gardens would all be turf.

A pedestrian footpath link is to be provided on to Conway Road.

The following changes have been made following the refusal of the earlier application;

- The provision of a pedestrian link to the existing bus stop on Redcar Lane to increase permeability and accessibility to public transport.
- The provision of hedge planting on the frontages of those plots on the entrances into the development.
- Provision of additional tree planting.
- The provision of a 1.8m high screen wall and fence along part of the Redcar Lane boundary of the proposed development.
- Changes of roofing and walling materials of plots closes to the Conway Road / Winsor Road entrances to development to relate to the character of existing houses to the north; and
- Minor changes to the elevations of the proposed dwellings.

The application is accompanied the following documentation;

- Phase 2 ground investigation report
- Flood risk and drainage assessment
- Tree survey
- Maximising security through Design document
- Affordable Housing Statement
- Site waste management plan
- Parking statement
- Economic Impact report
- Design and Access Statement
- Sustainability statement
- Planning statement
- Statement of Community Involvement
- Design Assessment

## **DEVELOPMENT PLAN**

Section 38(6) of the Planning and Compulsory purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

## **NATIONAL PLANNING POLICIES**

National Planning Policy Framework (NPPF)

## **REDCAR AND CLEVELAND LOCAL PLAN (1999)**

Saved plan H9 Affordable Housing

## **REDCAR AND CLEVELAND LOCAL DEVELOPMENT FRAMEWORK (2007)**

### **CORE STRATEGY DPD**

- CS1 Securing a Better Quality of Life
- CS2 Locational Strategy
- CS5 Spatial Strategy for Redcar Area
- CS13 Meeting the Housing Requirement
- CS14 Phasing of Housing Development
- CS15 Delivering Mixed and Balanced Communities and Quality Homes
- CS17 Housing Density
- CS19 Delivering Inclusive Communities
- CS20 Promoting Good Design

### **DEVELOPMENT POLICIES DPD**

- DP1 Development Limits
- DP2 Location of Development
- DP3 Sustainable Design
- DP4 Developer Contributions
- DP5 Art and Development
- DP6 Pollution Control
- DP7 Potentially Contaminated and Unstable Land

### **EMERGING LOCAL PLAN**

On 19 April 2017, the Council formally submitted the Local Plan Publication Draft (together with the Council's proposed Main Modifications) to the Secretary of State for examination. The Inspector's Report in to the Examination of the Redcar & Cleveland Local Plan was published on 23 March 2018 and finds that the Local Plan provides an appropriate basis for planning in the Borough provided the recommended main modifications are made. Para 216 of the National Planning Policy Framework states that from the day of publication, decision makers may give weight to relevant policies in emerging plans according to; the stage of preparation of the emerging plan; the extent to which there are unresolved objections to relevant policies in the plan and the degree of consistency with the NPPF. Until the plan is adopted in spring 2018 decisions on applications will reflect this approach.

- SD1 Sustainable Development
- SD2 Locational Strategy
- SD3 Development Limits
- SD4 General Development Principles
- SD5 Developer Contributions
- SD7 Flood and Water Management
- LS2 Coastal Area Spatial Strategy
- H1 Housing Requirements
- H2 Type and Mix of Housing
- H3 Housing Allocations

H3.12 Land adjacent to Rye Hills School, Redcar  
H4 Affordable Housing

## **OTHER POLICY DOCUMENTS**

Design of Residential Areas Supplementary Planning Document

Affordable Housing Supplementary Planning Document

Developer Contributions Supplementary Planning Document

## **PLANNING HISTORY**

R/2017/0728/FFM Erection of 49 residential units with associated works.  
Refused 25/01/2018. Appeal lodged.

## **RESULTS OF CONSULTATION AND PUBLICITY**

The application has been advertised by means of a press notice, site notice and neighbour notification letters.

As a result of the consultation period 10 representations have been received objecting to the application and making the following comments;

- Disappointed that Gleeson are developing the land.
- Gravel driveways are cheap and untidy.
- Site has been used for parking by St. Augustines Church.
- Local Plan refers to the site for 30 dwellings at a density of 30dph the application is for 49 at a density of 35dph.
- Overdevelopment.
- Overbearing and out of scale with the surrounding area.
- Traffic impacts on Windsor Road.
- As a company Gleeson have the funds to employ experts.
- Limited changes have taken place to the refused application.
- Number of dwellings has not changed.
- Concern over where visitors to the Church would park.
- Impacts on pedestrian safety.
- Properties should be sold freehold.
- Trees should be retained on site.
- Previous objections have not been addressed.
- Numbers should be reduced.
- A better quality of development should be sought.
- Not in keeping with the area.
- Access issues.

## **Northumbrian Water**

*We recognise the submitted Flood Risk Assessment outlines the general proposed drainage strategy, however the exact connection points have not*

*been specified. Consequently, the planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We would therefore request the following condition:*

*Condition: Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.*

*Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.*

### **Cleveland Police (Architectural Liaison Officer)**

*With regards to this application I would recommend applicant actively seek to develop to accredited Secured By Design Gold standards. Achieving Secured By Design Silver accreditation would be a minimum recommendation.*

*I am aware that this developer does have National Building Approval through SBD, however this development does not appear to fall within this scope.*

*With this in mind I would encourage applicant to contact me for any input/guidance I can offer in relation to designing out the opportunities for crime and disorder from this development as the process moves forward.*

*Having viewed the application I would make the following comments.*

*The proposal of 600mm post and rail rear sub dividing boundaries offers absolutely no security and no privacy. As a minimum SBD recommends 1.8m privacy section close boarded and then 1.2m close boarded. In this case I would recommend minimum, after privacy screen, of 1.5m close boarded and then every 2 or 3 to have 300mm box trellis on top to stop a long run of low fences. This offers compromise to additional security and privacy.*

*I would also recommend that the proposed 1.8m close boarded fencing facing onto public facing areas be raised to 2m and the rear/side ones backing onto the open space area be to 2.2m.*

*I note a number of the proposed house types have windowless side elevations, this is not recommended as at least 1 window above ground floor level, where possible, offers additional surveillance over public accessible areas.*

*The document states lighting to adopted highways and footpaths and private estate roads (presuming the proposed shared drive surfaces are under this category) is to be to BS5489 standards. This is always strongly recommended*

*as often the column lighting stops at the boundary of adopted highways, so the continuance of this lighting across all the development is good.*

*The BS 5489 standard is to be to the 2013 standard and achieve SBD levels by meeting minimum Uniformity and Colour Rendering levels.*

*I would also recommend that if not proposed already all aspects with door access, as well as above garage doors are fitted with Dusk Till Dawn Lighting.*

### **Redcar and Cleveland Borough Council (Planning Strategy)**

*The proposals seek the redevelopment of the 1.4ha, former school site for 49 dwellings comprising a mix of 2, 3 and 4-bed semi-detached and detached properties without any on-site affordable housing provision, to be developed at a gross density of 35 dwellings per hectare. The development would be accessed by extending the existing highway at Windsor Road southwards into the site.*

*Formerly part of Ryehills Secondary School, the application site became surplus to educational requirements and was cleared following the redevelopment and reconfiguration of the school approximately 15 years ago. The site is well related to the mature residential area to the north and it currently acts as a buffer between the rear of residential properties and the reconfigured school site. In that respect, there are trees within and adjacent to the northern boundary which contribute to visual screening. The layout confirms that several trees would need to be removed to enable development to proceed. However the proposals include planting new trees on the site and protecting the retained specimens as appropriate during the construction phase.*

*Most of the application site (1.23ha) is identified in the emerging Redcar & Cleveland Local Plan as a housing allocation. Policy H3.12 supports the development of the site, as defined in the plan, for approximately 30 dwellings subject to meeting a number of criteria which include: affordable housing provision, off-site open space contributions, achieving acceptable access from the north, ensuring the development respects the character of the adjacent residential area; and the retention of any valuable trees. Therefore notwithstanding the extended site area it is considered that the principle of residential development is acceptable.*

*The application is a resubmission of the application for 49 dwellings which was refused on 25 January 2018 (application ref. 2017/0728/FFM). The application was refused for the following linked reasons:*

- The proposed residential development, by reason of its density, layout and house design, does not reflect the existing form of development in the area. The proposal would therefore have an adverse impact on the character and appearance of the area and would be contrary to policies CS20(a), DP2(e), and DP3 (a) of the development plan and policy SD4 (j) in the emerging Local Plan.*

- *The proposed residential development, by reason of the number of dwellings proposed, does not accord with policy H3.12 (Land adjacent to Rye Hills School, Redcar) of the emerging Local Plan.*

*The resubmitted application includes some design changes to the scheme but proposes the same number of dwellings, housing mix and density.*

*Since the original application was determined, the examination into the Local Plan has concluded with the publication of the plan inspector's final report in March 2018, which finds that the plan is sound subject to the inspector's recommended main modifications. The amended plan, incorporating the modifications, is due to go before Council on 24 May 2018, with the recommendation to approve. Given these circumstances, the emerging plan can be afforded significant weight in determining this application.*

*The noticeably higher number of dwellings in the application (49) compared to in the approximate figure in Policy H3.12 of the emerging plan (30), which underpins the reasons for refusing the original application, can be explained by the following differences:*

- *The application site (1.4ha) comprises a slightly larger area than the plan allocation site (1.23ha) as it includes land (also formerly part of the school and in Council ownership) to the rear of properties at 12-16 Warwick Road. Including this additional land, which had not previously been identified at any stage of the plan preparation process, accounts for six dwellings.*
- *The housing yield estimate in the Local Plan is derived from the Strategic Housing Land Availability Assessment (SHLAA). In the absence of a more detailed design layout, the SHLAA provides an indicative and broadly-based estimate of housing potential using a 'density multiplier' approach whereby, in line with established good practice guidance, a housing yield estimate is derived by combining assumptions about a net developable area and an indicative average housing density. In this case, a net developable area of 75% of the gross area (to reflect the size and irregular configuration of the site) has been assumed, along with a density of 30 dwellings per hectare (dph), to reflect nearby residential densities and the sustainable location of the site.*
- *The application proposals only confirm the gross developable area, and the layout and mix of house types achieves an overall higher density (35dph). It is noted in the SHLAA however that the application of density multipliers may result in relatively conservative yield estimates compared to design-led approaches.*

*In the amended plan, the allocation site continues to be allocated for approximately 30 dwellings under Policy H3.12, subject to meeting a number of conditions, including criterion a: 'development which is well integrated with and respects the character of the adjacent residential area to the north'. However the inspector's modifications recommend the removal of a*

requirement for the site 'to be developed at a net density of up to 30 dwellings per hectare'. This recommended change to the policy has been considered necessary in order to achieve consistency with other housing site allocation policies in the plan.

With the exception of sites identified for executive-style housing, in the emerging plan density is dealt with in Policy H2 Type and Mix of Housing (part e) which states that housing proposals will be expected to 'achieve an appropriate density which promotes the sustainable use of land for development'. In this respect, the proposals seek to maximise the development potential of the site, taking into account its sustainable urban location with good access to services, including schools, local shops, public transport and the relatively short distance from central Redcar.

Policy H2, at part c, states that proposals should provide an appropriate mix of house types and sizes which enhances local housing options and is acceptable for the site and its location. The latter point aligns with Policy SD4 (j) which advises that development proposals will be expected to 'respect or enhance the character of the site and its surroundings in terms of its proportion, form, massing, density, height, size, scale, materials and detailed design features'.

The proposed development is noticeably different to the adjacent mature housing area which is characterised by larger semi-detached family dwellings built at relatively low density, and is of its time. The proposed development would provide a broader mix of housing through a high proportion of smaller properties, including 2-bedroom dwellings, and a number of detached dwellings, of which the Strategic Housing Market Assessment (2016) has identified a major shortage in the town. The proposals would also be built to a noticeably higher density, but would nonetheless be in line with typical new suburban developments, including other sites in Redcar.

The layout seeks to respect the character and amenity of the adjacent dwellings through the development of conventional two-storey houses with gardens, the majority of which are semi-detached, and siting dwellings and landscaping in such a way as to maintain segregation, avoid visual intrusion and respect the juxtaposition of properties abutting the site. A higher density is achieved further into the site.

The nature of the proposed development – to provide lower cost market housing – is also different from nearby properties insofar as it would be pitched at a lower price point: hence the relatively large proportion of smaller dwellings. However, there are no policy grounds for rejecting the application on that basis and the proposed mix will broaden the housing offer in the local area in accordance with Policy H2 (c), as noted above.

The development would promote the efficient re-use of a vacant brownfield site and, taking into account the above policy matters it is considered the proposed layout, including the extended development area, housing density, number of dwellings and the mix of house types would be acceptable within

*the context of the site's location, subject to meeting the requirements of the development plan, including the emerging Local Plan, and any other requirements.*

*The application site is situated within the Redcar sub-area in the Council's Strategic Housing Market Assessment (2016). This highlights that Redcar is an area of unmet affordable housing need. As such, the emerging Local Plan identifies a specific affordable housing requirement on this site.*

*The Council is aware that, for a variety of reasons, the applicant has been unable to dispose of a number of affordable housing units on another site in the Redcar area to a registered provider. The applicant's Affordable Housing Statement refers, at paragraph 2.5, to an off-site financial contribution in lieu of affordable housing for this site. Given the circumstances, this approach is considered appropriate in this instance. The amount of financial contribution will need to be agreed and secured within the s106 agreement.*

*Should the proposals be considered favourably, the development should be well-designed in accordance with adopted Policies CS20, DP3, and the Design of Residential Areas SPD and Policy SD4 of the emerging plan. At least 10% of the predicted energy demands of the site should be met from renewable sources in accordance with Policy DP3. As the proposals would constitute a major development, the developer should also be encouraged to provide an artistic element equivalent to at least 1% of the overall development cost as an integral part of the scheme. Other contributions in line with the Developer Contribution SPD may also be required.*

### **Redcar and Cleveland Borough Council (Highways Engineers)**

*I refer to the above application and would offer the following comments from a highway point of view:-*

*The proposal is for mainly 2 and 3 bed properties with four 4 beds; the dwellings comply with our car parking requirements – two spaces to serve 2 and 3 bed dwellings and three spaces for the 4 bed dwelling. The road layout is satisfactory, turning head dimensions acceptable and no more than 5 properties served by a private drive. The road construction is to be to adoptable standards, in accordance with RCBC's Design Guide & Specification and to be subject to a Section 38 Agreement to ensure adoption of the highway. There is pedestrian connectivity onto Conway Road and Redcar Lane whilst also maintaining the existing vehicular access to the property known as Ryehills School House – this will be included within the Section 38 Agreement. The site is also close to public transport links.*

*The threshold for developments requiring a transport assessment is 50 dwellings, therefore this is not necessary for this proposal and no highway works to the existing network can be justified, due to the traffic generation.*

*The driveways are to be of a permeable construction with 1.5m tarmac strip, within curtilage and adjacent to the footway, as detailed. Given past*

*experience of this type of driveway, the construction is paramount to avoid stones dislodging and being spread around the channels at the edge of the carriageway. A fall towards the dwelling on the tarmac strip would go a long way to the stones remaining within curtilage.*

*I do however have concerns regarding the construction of the private drive that gives vehicular access to plots 23 to 25. Given that this will be adjacent to the newly proposed footway link with the potential for school children using it to kick the stones everywhere, I would request that this private drive be of a bound material.*

*The Engineering drawing does not show the pedestrian link onto Redcar Lane and needs amending. The Construction Management Plan is acceptable and must be adhered to; contractor car parking is within the site and must not overflow onto Warwick Road; in the interests of highway safety.*

*At no point during the works is the adopted highway that runs along the sites boundaries to be blocked or obstructed without prior agreement of the highway authority.*

*Before any works in connection with the development are started, a joint condition survey with the applicant, their contractor and the Highway Authority should be undertaken of Warwick Road, Windsor Road and Conway Road and its associated footways.*

### **Redcar and Cleveland Borough Council (Housing Area Services)**

*There are no objections in principal*

### **Redcar and Cleveland Borough Council (Local Lead Flood Authority)**

*The LLFA would offer the following comments;*

*Clarification is sought with regards to the calculation of Greenfield runoff and also confirmation of discharge point – as drawing has caveat to suggest connection may not be possible.*

*I draw your attention to the Engineering Layout drawing 4795 - C - D1 - 01 Rev 0, which suggests a gravity connection to NWL system, this may have implications on site levels/FFL.*

*Given the lack of design at this stage the LLFA would request standard conditions 1, 2 & 3*

*1. Prior to the commencement of the development, or in such extended time as may be agreed in writing with the Local Planning Authority, details shall be submitted and approved of the surface water drainage scheme and the development shall be completed in accordance with the approved scheme. The design of the drainage scheme shall include;*

*(i) Restriction of surface water greenfield run-off rates (QBAR value) with*

*sufficient storage within the system to accommodate a 1 in 30 year storm.*

*(ii) The method used for calculation of the existing greenfield run-off rate shall be the ICP SUDS method. The design shall also ensure that storm water resulting from a 1 in 100 year event, plus climate change surcharging the system, can be stored on site with minimal risk to persons or property and without overflowing into drains, local highways or watercourses.*

*(iii) Full Micro Drainage design files (mdx files) including a catchment plan*

*(iv) The flow path of flood waters for the site as a result on a 1 in 100 year event plus climate change*

*Reason - To ensure the development is supported by a suitably designed surface water disposal infrastructure scheme and to minimise the risk flooding in the locality.*

*2. Prior to the commencement of the development, or in such extended time that may be agreed with the Local Planning Authority, details of a Surface Water Drainage Management Plan shall be submitted and approved by the Local Planning Authority. The Management Plan shall include;*

*(i) The timetable and phasing for construction of the drainage system*

*(ii) Details of any control structure(s)*

*(iii) Details of surface water storage structures*

*(iv) Measures to control silt levels entering the system and out falling into any watercourse during the construction process.*

*The development shall, in all respects, be carried out in accordance with the approved Management Plan.*

*Reason - To ensure the development is supported by an appropriately designed surface water disposal infrastructure scheme and to minimise the risk of increased flooding and contamination of the system during the construction process.*

*3. The development shall not be occupied until a Management & Maintenance Plan for the surface water drainage scheme has been submitted to and approved by the Local planning Authority; the plan shall include details of the following;*

*(i) A plan clearly identifying the sections of surface water system that are to be adopted*

*(ii) Arrangements for the short and long term maintenance of the SuDS elements of the surface water system*

*Reason - To ensure that the surface water drainage infrastructure is maintained to minimise the risk flooding in the locality.*

### **Redcar and Cleveland Borough Council (Environmental Protection) (Contaminated Land)**

*With reference to the above planning application, I would confirm that I have assessed the following environmental impacts which are relevant to the development and would comment as follows:*

*I note that a Geoenvironmental Appraisal carried out by Sirius Geotechnical and Environmental Ltd has been submitted in support of this application.*

*The investigation has identified elevated concentrations of PAH in made ground across the site which pose a potentially unacceptable risk to site end users and require remedial action.*

*The appraisal suggests potential remedial action but recommends a cost – benefit analysis of this option is carried out prior to any works being carried out.*

*The investigation also identified a basement/boiler room structure and recommends that the ground water pumped away, made ground and associated structures (sidewalls and base slab) excavated and breaking out, with the resulting void to be infilled with suitable backfill prior to foundation construction.*

*In order to minimise the environmental impact I would recommend the inclusion of parts b-d of the standard contaminated land condition onto any planning permission which may be granted:*

### **Redcar and Cleveland Borough Council (Environmental Protection) (Nuisance)**

*With reference to the above planning application, I would confirm that I have assessed the following environmental impacts which are relevant to the development and would comment as follows:*

*I note that the proposed development is in close proximity to existing residential properties whose amenity could be affected during construction activities.*

*I also note that a construction management plan has been submitted in support of this application. The plan covers both dust and noise emissions from construction activities and In order to minimise the environmental impact*

*I would recommend the inclusion of the following conditions onto any planning permission which may be granted:*

- *The construction management plan shall be adhered to at all times during the construction phase and additionally BS5228:2009 Code of practice for noise and vibration control on construction and open sites shall be adhered to at all times during the construction phase.  
Reason: To protect the amenities of occupiers of any nearby premises from noise and minimise the risk of vibration damage to neighbouring buildings.*
- *The working hours for all construction activities on this site shall be limited to between 08:00 and 18:00 Mondays to Friday and 08:00 to 13:00 Saturdays and not at all on a Sunday or Bank Holidays.  
Reason: In the interest of neighbour amenity*

## **CONSIDERATION OF PLANNING ISSUES**

The main considerations in the determination of the application are;

- Principle of residential development
- Provision of affordable housing
- Impact on neighbour amenity
- Impact on character and appearance of the area
- Highways safety
- Flooding and drainage.

### **Principle of residential development**

The application site is previously developed land located within the development limits and is surrounded by residential uses.

The site is within the urban town of Redcar and therefore the application supports the aims of policy CS2 in terms of Locational Strategy.

Within close proximity to the site are a number of facilities including education (primary and secondary schools) and a range of shops. The site is well serviced by public transport, with bus stops within walking distance, connecting the site to Redcar town centre which provides links to the wider area. The application is therefore considered to be an appropriate form of sustainable development.

Given the location and history of the site the principle of residential development on the site is considered acceptable.

The site is allocated for development through the emerging Local Plan policy H 3.12.

Since the original application was determined, the examination into the Local Plan has concluded with the publication of the inspector's final report in March 2018, which finds that the plan is sound subject to the inspector's recommended main modifications. The amended plan, incorporating the modifications, is due to go before Council on 24 May 2018, with the recommendation to approve. Given these circumstances, the emerging plan can be afforded significant weight in determining this application.

Policy H3.12 supports the development of the site, as defined in the plan, for approximately 30 dwellings subject to meeting a number of criteria which include: affordable housing provision, off-site open space contributions, achieving acceptable access from the north, ensuring the development respects the character of the adjacent residential area; and the retention of any valuable trees.

The application proposes a noticeably higher number of dwellings (49) than in the emerging plan. This difference can be explained by the following:

The application site comprises a slightly larger land area than the allocation site as it includes land (also formerly part of the school and in Council ownership) to the rear of properties at 12-16 Warwick Road. Including this additional area within the development site accounts for six dwellings.

The housing yield estimate in the Local Plan is derived from the Strategic Housing Land Availability Assessment (SHLAA). In the absence of a detailed layout, the SHLAA provides an indicative and broadly-based estimate which, in line with established good practice guidance, applies a net rather than a gross developable area and has assumed a net developable area of 75% to reflect the size and irregular configuration of the site. The application layout only confirms the gross developable area.

The estimate in the Local Plan assumes an average density of 30 dwellings per hectare which is slightly less than that proposed in the application.

Given the above, and bearing in mind the highly sustainable location of the site within the urban core of Redcar and in close proximity to local services including schools, shops and bus routes, it is considered that subject to any other matters, the extended development area, proposed density, number of dwellings and mix of house types would be acceptable within the context of the site location, and that the proposals would promote the efficient re-use of a vacant brownfield site.

The application accords with the NPPF, policies DP1, DP2, DP3, CS1, CS2, CS5, CS15, CS20 of the Local Development Framework and policies SD1, SD2, SD3, SD4, LS2 and H3.12 of the emerging Local Plan.

### **Provision of affordable housing on the site**

Saved policy H9 of the Local Plan sets out the requirements for affordable housing on sites for residential development. The requirements for affordable housing are also specified within policy CS15 of the Local Development Framework and within the Affordable Housing Supplementary Planning Document (SPD).

Based on current adopted policies due to the level of housing provided on the site there is a requirement to provide 15% of the total number of units as affordable housing.

The application site is situated within the Redcar sub-area in the Council's Strategic Housing Market Assessment (2016). This highlights that Redcar is an area of unmet affordable housing need. As such, the emerging Local Plan identifies a specific affordable housing requirement on this site.

For the development of 49 dwellings on the site the provision of affordable housing equates to 8 units.

The Council is aware that, for a variety of reasons, the applicant has been unable to dispose of a number of affordable housing units on another site in the Redcar area to a registered provider.

The applicant's Affordable Housing Statement refers, at paragraph 2.5, to an off-site financial contribution in lieu of affordable housing for this site.

Given the circumstances, this approach is considered appropriate in this instance. The amount of financial contribution will need to be agreed and secured within the s106 agreement.

As a result of the discussions and given the provision of an off-site contribution to the provision of affordable housing in the Borough the proposal is considered acceptable and accords with the aims of saved policy H9 of the 1999 Local Plan and policy CS15 of the Local Development Framework and the information contained within the Affordable Housing SPD.

### **Impact on neighbour amenity**

To the south of the site is existing school building and the school playing fields are located to the east and south of the application site. To the west of the application site is Redcar Lane and a couple of dwellings front the application site. To the north of the site are residential properties and St. Augustines R.C Church. The majority of the dwellings have the rear elevations fronting the application site.

Within the site adequate levels of separation are provided between the proposed dwellings. Due to the layout and relationships adequate levels of separation are provided between the proposed and existing dwellings. The application raises no issues in terms of overlooking or loss of privacy. The proposed layout would not have an overbearing impact on existing properties. The separation distances meet the recommendations set out in the Design of Residential Areas SPD.

Given the close proximity to existing residential properties there is the possibility for some disturbance during construction. Environmental Protection Officers have reviewed the application and recommended conditions to control working hours on site and that the development is to be completed in accordance with the submitted construction management plan. Subject to the conditions the proposal would not have an adverse impact on residential amenity during the construction phase of the development.

No adverse impacts are expected in terms of neighbour amenity and the proposal accords with policies DP2 and DP3 of the Local Development Framework and policy SD4 of the emerging Local Plan.

### **Impact on the character and appearance of the area**

The two storey properties proposed reflect the scale and massing of existing developments in the area. The design of dwellings is considered acceptable

and the materials proposed reflect existing materials seen in the area. The use of gravel for the driveways meets with the Governments aspirations for sustainable drainage. The site, due to the location, is enclosed and does not form part of the existing street scene along Warwick Road or Redcar Lane.

The proposal would not cause significant harm to the character and appearance of the area. The proposal 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 Design of Residential Areas SPD.

### **Highway safety**

Throughout the site there is a mix of parking within integral garages, attached and detached garages and driveways. Visitor parking is also provided throughout the site. The level of parking is considered acceptable, with two spaces provided for the two and three bedroom properties and three spaces provided for the four bedroom dwellings.

In addition to the parking provided on the site there are several bus stops in close proximity to the site and the site is in an accessible location in relation to a number of local facilities.

The existing highway network is capable of accommodating the traffic associated with 49 residential units without any detrimental harm to existing traffic flows and queue lengths. Due to the number of dwellings proposed on the site the developer is not required to produce a Transport Assessment.

The highway layout proposed is acceptable and the internal road network meets within Highways Design and Guidance specifications.

The proposed pedestrian access points onto Conway Road and Redcar Lane further increase the accessibility of the site and improve the links to local services, facilities and public transport.

The Councils Development Engineers have raised no objections to the application.

The proposed development raises no issues in terms of highways safety and accords with the NPPF and relevant policies within the Councils adopted Development Plan.

### **Flooding and Drainage**

The site is located within flood zone 1 and is therefore not identified by the Environment Agency as been in a location at risk of flooding. The application has been accompanied by a Drainage Assessment which shows that agreements on foul and surface water discharge can be reached with Northumbrian Water.

Northumbrian Water have raised no objections to the application and have recommended the use of a planning condition.

Subject to conditions relating to the details to be agreed for the surface water discharge the LLFA have raised no objections to the application.

The application raises no issues in terms of flooding or drainage and accords with the NPPF and Local Development Framework.

### **Other matters**

Given the scale of the development on the site and the proximity of the site in relation to existing open space areas it is not considered necessary to provide open space on the site.

The layout of the site is sufficient to allow overlooking of the access roads and parking areas. The application is accompanied by a document relating to maximising security through design to demonstrate that crime prevention has been considered through the scheme. The comments from the Crime Prevention Advisor are noted. The application raises no issues in terms of crime prevention.

The site is a mix of hard surface and scrub. There are no notable habitats on the site and no evidence of protected species. The application is in an established residential area where there is a range of activity and disturbance. The application raises no issues in terms of ecology.

### **CONCLUSION**

For the reasons outlined above the development is considered acceptable.

The principle of residential development on the site is appropriate given the location and history of the site. The application raises no issues in terms of neighbour amenity, highways safety, crime prevention, flooding and drainage. The layout and design of the scheme would not cause significant harm to the character and appearance of the area.

The number of dwellings proposed on the site can be achieved with a suitable layout and adequate separation distances. The development would not result in over-development of the site.

An off-site contribution toward the provision of off-site affordable housing is to be secured through the provision of a S106.

The comments received as result of the consultation period are noted however, for the reasons set out in the above report none are considered to raise material planning considerations that would support a refusal of planning permission.

The application accords with the National Planning Policy Framework, saved local plan policy H9, policies CS1, CS2, CS5, CS13, CS14, CS15, CS17, CS20, DP1, DP2, DP3, DP5 and DP7 of the Local Development Framework and the guidance contained within the Design of Residential Areas SPD and the Affordable Housing SPD. The proposal accords with policies SD1, SD2, SD3, SD4, SD5, SD7, LS2, H1, H2, H3, H4 and H3.12 of the emerging Local Plan.

## **RECOMMENDATION**

[A] THAT THE DIRECTOR OF ECONOMIC GROWTH BE AUTHORISED TO ENTER INTO AN AGREEMENT UNDER S106 OF THE TOWN AND COUNTRY PLANNING ACT TO SECURE THE FOLLOWING:

(i) A COMMUTED SUM IN RESPECT OF THE PROVISION OF OFF-SITE AFFORDABLE HOUSING

AND

[B] THAT UPON THE COMPLETION OF THE AGREEMENT THE DIRECTOR BE AUTHORISED TO GRANT PLANNING PERMISSION SUBJECT TO THE FOLLOWING CONDITIONS AND REASONS:

## **CONDITIONS**

1. The development shall not be begun later than the expiration of THREE YEARS from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans (including details of external and hard surface materials):

4795-C-D1-01 received by the Local Planning Authority on 22.03.2018

SD700 REV A received by the Local Planning Authority on 22.03.2018

GH70:L:07 received by the Local Planning Authority on 22.03.2018

GH70:L:08 received by the Local Planning Authority on 22.03.2018

13/201 – 8 Rev D received by the Local Planning Authority on 22.03.2018

301/1G received by the Local Planning Authority on 22.03.2018

201/1F received by the Local Planning Authority on 22.03.2018

212/1 received by the Local Planning Authority on 22.03.2018

13/212 - 9 received by the Local Planning Authority on 22.03.2018

13/301 -8 Rev D received by the Local Planning Authority on 22.03.2018

304/1(E) received by the Local Planning Authority on 22.03.2018

13/304 -10 Rev E received by the Local Planning Authority on 22.03.2018

13/307-10 Rev E received by the Local Planning Authority on 22.03.2018  
307/1B received by the Local Planning Authority on 22.03.2018  
13/309 – 10 Rev C received by the Local Planning Authority on 22.03.2018  
309/1E received by the Local Planning Authority on 22.03.2018  
13/310 – 10 Rev C received by the Local Planning Authority on 22.03.2018  
310/1D - received by the Local Planning Authority on 22.03.2018  
311/1A - received by the Local Planning Authority on 22.03.2018  
13/311 – 8 Rev B received by the Local Planning Authority on 22.03.2018  
401/1G received by the Local Planning Authority on 22.03.2018  
13/401 – 9 Rev C received by the Local Planning Authority on 22.03.2018  
GH70: L: 04D received by the Local Planning Authority on 27.04.2018  
GH70: L: 01D received by the Local Planning Authority on 27.04.2018  
GH70: L: 03D received by the Local Planning Authority on 27.04.2018

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

3. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

4. Prior to the commencement of the development, or in such extended time as may be agreed in writing with the Local Planning Authority, details shall be submitted and approved of the surface water drainage scheme and the development shall be completed in accordance with the approved scheme. The design of the drainage scheme shall include;

(i) Restriction of surface water greenfield run-off rates (QBAR value) with sufficient storage within the system to accommodate a 1 in 30 year storm.

(ii) The method used for calculation of the existing greenfield run-off rate shall be the ICP SUDS method. The design shall also ensure that storm water resulting from a 1 in 100 year event, plus climate change surcharging the system, can be stored on site with minimal risk to persons or property and without overflowing into drains, local highways or watercourses.

(iii) Full Micro Drainage design files (mdx files) including a catchment plan

(iv) The flow path of flood waters for the site as a result on a 1 in 100 year event plus climate change

REASON: To ensure the development is supported by a suitably designed surface water disposal infrastructure scheme and to minimise the risk flooding in the locality.

5. Prior to the commencement of the development, or in such extended time that may be agreed with the Local Planning Authority, details of a Surface Water Drainage Management Plan shall be submitted and approved by the Local Planning Authority. The Management Plan shall include;
  - (i) The timetable and phasing for construction of the drainage system
  - (ii) Details of any control structure(s)
  - (iii) Details of surface water storage structures
  - (iv) Measures to control silt levels entering the system and out falling into any watercourse during the construction process.The development shall, in all respects, be carried out in accordance with the approved Management Plan.

REASON: To ensure the development is supported by an appropriately designed surface water disposal infrastructure scheme and to minimise the risk of increased flooding and contamination of the system during the construction process.

6. The development shall not be occupied until a Management & Maintenance Plan for the surface water drainage scheme has been submitted to and approved by the Local planning Authority; the plan shall include details of the following;
  - (i) A plan clearly identifying the sections of surface water system that are to be adopted
  - (ii) Arrangements for the short and long term maintenance of the SuDS elements of the surface water system

REASON: To ensure that the surface water drainage infrastructure is maintained to minimise the risk flooding in the locality.

7. The construction management plan, submitted with the application and received by the Local Planning Authority on 22/03/2018, shall be adhered to at all times during the construction phase and additionally BS5228:2009 Code of practice for noise and vibration control on construction and open sites shall be adhered to at all times during the construction phase.

REASON: To protect the amenities of occupiers of any nearby premises from noise and minimise the risk of vibration damage to neighbouring buildings.

8. Unless otherwise agreed by the Local Planning Authority in writing, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts (b) to (c) have been complied with. If unexpected contamination is found after

development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (e) has been complied with in relation to that contamination.

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part (a) and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part (b), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

(e) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10

years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'

REASON : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is sooner, and any trees or plants which within a period of ten years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

REASON: To ensure the satisfactory implementation of the approved scheme in the interests of the visual amenities of the locality.

10. The working hours for all construction activities on this site are limited to between 07:30 and 18:00 Mondays to Friday and 07:30 to 13:00 Saturdays and not at all on a Sunday or Bank Holidays.

REASON: In the interest of neighbour amenity.

## **STATEMENT OF COOPERATIVE WORKING**

Statement of Co-operative Working: The Local Planning Authority considers that the application as originally submitted is a satisfactory scheme and therefore no negotiations have been necessary.

## **INFORMATIVES**

Informative Note: At no point shall the adopted highway be blocked up with out the prior consent of the Councils Highways Maintenance section.