

REGULATORY COMMITTEE
THURSDAY 18 AUGUST 2022 AT 10:00AM
CIVIC CENTRE, RIDLEY STREET, REDCAR, YORKSHIRE, TS10 1TD



CONTACT
Mrs E J Dale
(01642) 444492
9 August 2022

CIRCULATION

Councillors Stuart Smith (Chair), Head (Vice Chair), Ayre, Baldwin, Cook, Foley-McCormack, Hixon, Lockwood, Morgan, Ovens, Rider, Thomson and Watts.
Managing Director
All Members of the Council (For information)
The Press [except for Confidential item(s)]

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A meeting of the Regulatory Committee was held on 21 July 2022.

PRESENT. Councillor Head (in the Chair),
Councillors Ayre, Baldwin, Cook, Foley-
McCormack, Hixon, Lockwood, Morgan, Ovens,
Rider, Thomson and Watts.

OFFICIALS. D Boville, E Garbutt and C Griffiths

APOLOGIES FOR ABSENCE were submitted on behalf of Councillor Stuart Smith.

15. **MINUTES**

RESOLVED that the minutes of the Regulatory Committees held on 26 May 2022 be confirmed and signed by the Chair as a correct record

16. **PLANNING APPLICATIONS FOR DECISION.**

R/2021/0967/CAM Provision of internal access road and overflow car park (25 spaces), football goal storage area and installation of 2.4m high paladin fencing Skelton United Football Club De Brus Site Marske Lane Skelton.

The application referred to above had previously been presented to Regulatory Committee on 26th May 2022 with a recommendation to approve.

The committee requested that the football club enter into conversation with the Friends of the Wildlife pond to discuss how access could be maintained to the wildlife pond without residents having to walk round the estate. Potential options to provide this included; more openings in the fence or moving the fence in more to create access round all edges. Member were also concerned that the proposal would restrict access for wheelchair users and pushchairs as the A frames were not wide enough to allow access.

The applicant and their agent sought to address the request from members and as a result submitted amended plans on 13th June 2022 which were subject to public consultation. The changes proposed through the amended plans could be summarised as follows:

- The lockable pedestrian gate in the fence on the east side of the site had been replaced with an A Frame Barrier

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- The fence to the west and north had now been offset from the boundary of the site to allow pedestrian access from east to west and vice versa.
- The fence to the south of the site was now proposed to be set off the boundary of the residential properties adjacent to the site on Ennerdale Crescent by between 25m and 55m.
- The fence to the south of the site was also to include an A Frame Barrier

As a result of the consultation process on the amended plans nine representations had been received raising the following comments:

- Access to the site from Thornthwaite, Ennerdale Crescent and De Bruce would help everyone
- A lower fence would look better for neighbouring residents
- Plans now allowed for access round perimeter of site without the need to walk on main roads
- Concern about location of car park and storage area next to existing residential houses
- Properties more exposed now to extra foot fall and noise
- Drawings were poor quality and hard to consider impact of development
- Level of fencing was excessive destroying natural beauty of area
- Impact on house prices
- Less fencing with added pedestrian access points would be better solution
- Query as to when the work may take place
- Fence had potential to impact on light of neighbouring properties
- Development had potential to be in conflict with terms of the lease of the land
- RCBC were landowners and therefore not impartial in decision making
- Applicants and lease holder were different names could they make the application?
- Development prevented general public making use of the land
- Level of development was excessive
- Wider benefit of the site needed to be taken into consideration
- Loss of open space used by whole community

The applicant had taken the comments from the committee into consideration in amending the plans and had provided A Frame Barrier access at the east, south and west, therefore providing a level of access to the public to the open space. The fence to the north had also been moved off the boundary allowing access from the west to the east, as well as the pond to the northeast of the site.

Permission was sought for the provision of internal access road and

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overflow car park (25 spaces); football goal storage area and installation of 2.4m high paladin fencing on land at Skelton United Football Club, De Brus Site, Marske Lane, Skelton.

The application related to land at Skelton United Football Club. The site was bordered to the east, south and west by residential dwellings, while to the north was an area of mature planting. The site was currently accessed via the entrance from Marske Lane, while predestination access was currently also possible from the south and east from the areas of housing.

The proposed additional car parking, football goal storage areas and fence were located to the western side of the site adjacent to the existing dwellings on Hylton Avenue. The proposed fence to the south of the site was to be situated to the rear of the properties on Ennerdale Crescent and Coniston Road. The proposed fence to the east of the site was to be situated from the side of 19 Thornthwaite Close and was to run north for a distance of approximately 95m to adjoin the existing shrub/vegetation.

The consultation exercise had resulted in 40 representations having been received objecting to the application and making the following comments:-

- Fences would block pedestrian access across the site
- Fences would block access to the pond adjacent to site
- Need for green spaces
- Field belonged to Council and to its Council area inhabitants
- Should encourage recreation and outdoor activity for all not just the club
- Would hope to see access 24 hours a day via the A Frame from De Brus Centre
- Do not see dog fouling left on the field
- Football not played all year round
- Would look unsightly
- Field provided safe route for children going to visit friends avoiding main roads
- Pedestrians needed access to the field at any time
- Where would children play if it was fenced off
- CCTV could be installed to prevent antisocial behaviour at the site
- Would the gates be locked
- A Frame would prevent motorised vehicles
- No A frame proposed from Thornthwaite Close and Ennerdale Crescent entrances
- Fence was too big/high
- Would look like a prison cap fence
- Would decrease value of properties in area
- Losing field would half what open space there was in Skelton
- How much was the fence and who was paying?
- Why not segregate the field and leave some open to local residents

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- Development would impact many who lived on western end of Skelton
- Application removed peoples choice of movement
- Increase in car parking was a positive
- Should there be a public right of way across the site
- Application was not in keeping with Council priorities for improvement of long term physical health and mental wellbeing
- Question the legality of agreements between Council as land owner and the football club
- Field should be open to all
- Rat problems in the area
- Did the proposal accord with the clubs licence agreement
- Applicants not local to Skelton so their take on community benefit might be different
- Not just footballers that used the site
- Maybe have opening hours for public use of the site
- Use kissing gates to restrict vehicle access to the site
- Lost green space recently from Bellway development and to loose this would be detrimental to area
- Proposal seemed disproportionately one sided and exclusionary harming local community

8 representations in **support** of the application;

- Pitches covered in dog excrement and rubbish
- Safeguarding children playing football was imperative
- Might be worth moving fence closer to pitch to provide access to more people
- Proposal would benefit the kids who played for the club
- Club had spent thousands on the pitches
- Football games had been cancelled due to motorbike damage of the pitches

Councillor Foggo had provided the following response to the consultation process:

“In principle I have no objection to fencing the football pitches but do object to the layout of the fencing as it blocks access to the Skelton Wildlife Pond (SWP). The application uses existing boundaries at various points to minimise the cost of fencing the complete area and in doing so has blocked access to the SWP from Ennerdale and Marske Lane. The majority of people accessing the pond enter from the De Brus field and if this application is allowed then these people, usually with young children, would have to walk along Windermere Drive, Bowland Road and Nidderdale to access the pond, attached map.

The pond was taken over by the Friends of Skelton Wildlife Pond

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(FoSWP) in Feb 2018 and work has been carried out to clear vegetation to allow safe access to the pond. FoSWP has recently spent about £12,000 to install a pushchair and wheelchair friendly path to the north side of the pond which runs from Nidderdale to the De Brus field. Our Facebook Page has 990 members mostly in the surrounding towns and villages but has followers throughout the UK and overseas.

This field is leased to Skelton United by the Council and in the lease it states

“Permitted Use: for the playing of Association Football and for use by the general public as a public park”. To complete the full procedure to allow the building of the fence then the Landlord i.e. the Council, would have to give permission and this would require the right of the public to access the fenced area.

Allowing this application without amendment would have a detrimental effect on the residents of Skelton who visit the pond from the De Brus field.

My solution would be to keep a path from Ennerdale to the pond and from the Marske Lane entrance to the De Brus Centre to the pond, this would mean erecting more fencing.”

Following the amended plans being submitted Councillor Foggo advised that he was now in favour of the proposal.

Cleveland Police ALO recommended the applicant contact them for any advice, guidance on the proposals to assist in designing out opportunities for crime and disorder to occur. This could include fence specification and lighting details.

Sport England was satisfied that the proposed development met exception 2 of our playing fields policy, in that:

'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'

This being the case, Sport England did not wish to raise an objection to this application.

The absence of an objection to this application, in the context of the Town and Country Planning Act, could not be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

Redcar and Cleveland Borough Council (Development Engineers) had no objections on highway grounds; the new access arrangement would serve

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the overflow car park and would have no adverse effect on the adopted highway network.

Redcar and Cleveland Borough Council (Local Lead Flood Authority) requested the following condition:-

Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. Thereafter the development shall be carried out in strict accordance with the approved details.

Reason. To prevent the increased risk of flooding in accordance with Policy SD7 of the Local Plan and NPPF.

Redcar and Cleveland Borough Council (Conservation Advisor) had no objections. The main visual impact of the proposal resulted from the security fencing and storage container, located at the eastern and southern eastern extremities of the site, distant from heritage assets. The impact was further mitigated due to the existing substantial vegetation which resulted in a distinct visual separation between the proposal site and the nearest heritage asset, the GII listed sawmill and associated buildings. The proposed road and carpark would also have minimal visual impact, with the tarmacked car park area being screened behind a building and the new length of road being generally imperceptible from ground level. The proposal was therefore considered to comply with policies HE1 & HE2 of the adopted Local Plan.

The Managing Director advised that the main considerations in the assessment of the application were;

- The principle of development
- The impacts on the character and appearance of the area
- The impacts on neighbour amenity
- The impacts on highways safety
- The impacts on drainage
- The impacts on heritage assets

The application site fell both inside and outside the defined limits of development as identified on the Redcar and Cleveland Policies Map. The proposed location of the car par and storage area were located within development limits. These elements of the scheme were therefore considered to comply with Policy SD3 of the Redcar and Cleveland Local Plan.

The other elements of the scheme including the proposed access road and fences area were therefore situated outside the defined limits of

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development.

Policy SD3 did however provide exceptions to where development outside development limits would be permitted.

The proposed development including the access road and fences were considered to be associated with the existing recreational facility in the form of the Football Club. It was therefore considered that the provision of these elements of the development complied with parts (b) and (i) of Policy SD3 of the Redcar and Cleveland Local Plan.

The Local Plan sought to safeguard the loss of public open space through Policy N3 (Open Space Requirements).

Primary spaces were those affording broadly unlimited access. Secondary spaces typically comprised private sports clubs with pitches, courts or greens facilities where public access was allowed but was more restrictive. Despite these distinctions, secondary spaces were recognised as important facilities in the community, hence their protection. It was accepted that once enclosed by fencing the land would not be as easily accessible by the public from the surrounding residential areas as before, however, the use of the land would remain as open space although it would as stated not be as easily accessible as it was now. As the application did not propose the loss of an area of open space or the redevelopment of the site, the proposal would comply with policy N3 of the Redcar and Cleveland Local Plan.

The development was not considered to result in a loss of open space, however the fencing of the site was considered to enhance the security of the site and had the potential to reduce any anti-social behaviour on the site. The improvements would support the aims of policies N3 and LS3 of the Local Plan.

The application had been considered by Sport England due the development relating to existing playing pitches. Sport England were consulted on applications where the proposal had the potential to prejudice the use, or leads to the loss of use, of land being used as a playing field or had been used as a playing field in the last five years. Sport England had considered the information supporting the application and had advised

“The proposed development is for ancillary facilities supporting the principal use of the site as a playing field and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

This being the case, Sport England does not wish to raise an objection to this application.”

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In light of the above comments, it was accepted that Sport England did not wish to raise any objection to the proposed development and therefore in accordance with national policy set out in the NPPF, the broad principle of development was one that was considered to be acceptable.

For the reasons outlined above the proposal would comply with the NPPF and Local Plan policies SD3 LS3 and N3 of the Redcar and Cleveland Local Plan.

The proposed fencing was a functional structure, the type, and height of which was not uncommon in or around sports or recreational areas. The proposed fence was to be a paladin fence, 2.4m in height and included a pedestrian gate to the east, with a highway gate and 'A Frame' barrier to the west.

The colour of fencing could be controlled by planning condition.

It was considered the proposed siting, scale, height, and design of the fencing was acceptable in this location and would not materially harm the character and appearance of the park and its surroundings. The application therefore accords with part j of policy SD4 of the Local Plan.

Following the presentation of the report of the Managing Director, the Committee made the following comments:-

- Members of the public were apprehensive about fencing off public land.
- There did not appear to be a clear rationale for the height of the fence proposed. If the intention was to prevent vehicle access, a lower fence would be as effective and have a smaller impact on the surrounding area.
- Sport England had not objected to the application but had not supported it either.
- It was concerning that an application had been submitted to limit access to a public space without an evidence base to support it.
- A fence under 2m in height would not have required planning permission.
- Football matches across the Borough had been postponed due to damage to pitches from vehicles.
- The developers had accommodated the requests of the Regulatory Committee.
- Reasonable measures should be taken to ensure dog fouling did not take place on playing pitches.

RESOLVED that Planning Permission be granted subject to the following conditions:-

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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:

Location Plan received by the Local Planning Authority on 29/11/21
Proposed Location and Site Plan (Dwg No. 03) received by the Local Planning Authority on 13/06/22
Proposed Location Plan Site Plan and Fence Details (Dwg No. 02) received by the Local Planning Authority on 13/06/22

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

3. Details of the materials/colours of the fencing hereby approved be submitted to and approved in writing by the Local Planning Authority prior to the installation of the fence on site. The development shall be completed in accordance with the approved details and retained and maintained as such.

REASON: To ensure that the appearance of the development would respect the site and the surroundings in accordance with policy SD4 of the Local Plan.

4. Development of the proposed car park and access road shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. Thereafter the development shall be carried out in strict accordance with the approved details.

REASON: To prevent the increased risk of flooding in accordance with Policy SD7 of the Local Plan and NPPF.

17. **DELEGATED DECISIONS.**

The Managing Director circulated as schedule of delegated decisions determined by the Corporate Director for Growth, Enterprise and Environment under the delegated power procedure.

:-NOTED.

18. **APPEAL INFORMATION.**

The Managing Director presented Members with a schedule of the

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appeals which had been received.

:-NOTED.

19. **ENFORCEMENT SCHEDULE.**

The Managing Director presented Members with the schedule of enforcement actions which had been undertaken.

:-NOTED.

20. **SECTION 106 AGREEMENTS.**

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

RESOLVED that a list of all live s.106 agreements be presented to the Regulatory Committee on a quarterly basis.



Regulatory Committee

18th August 2022

Regulatory Committee - Procedures

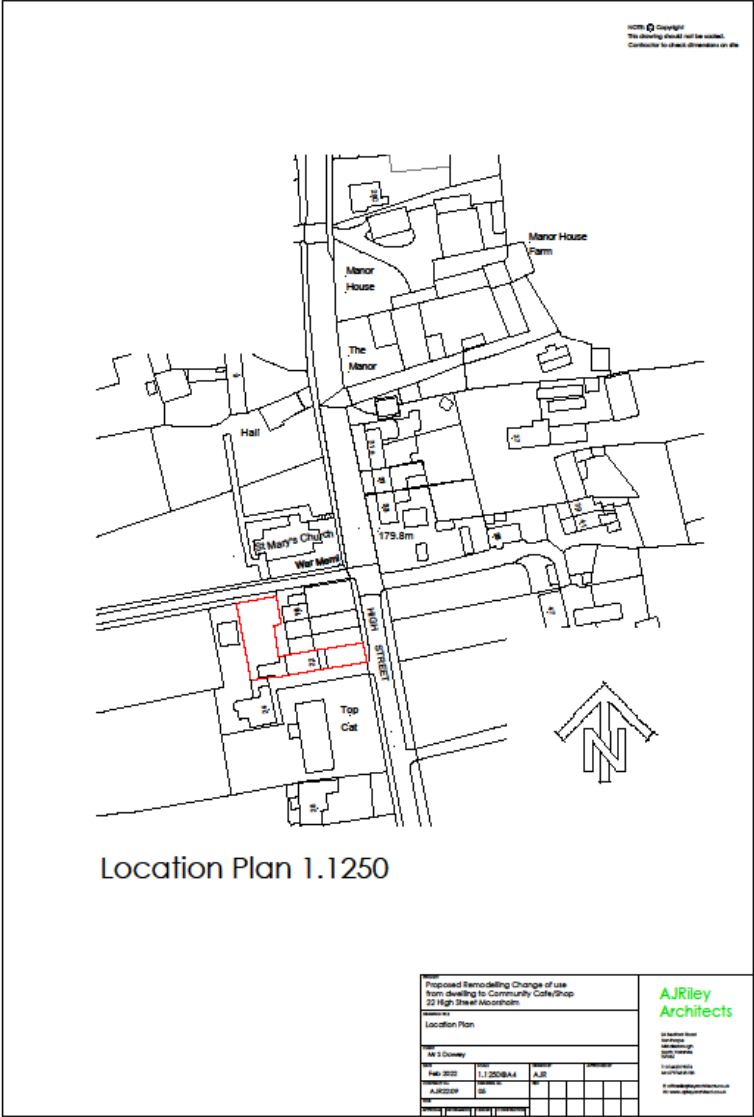
- **Planning officer's report prepared for all applications (pre-circulated):**
 - **summarises views of consultees; any comments received to the public consultation and information received from the applicant;**
 - **considers policy context and other material planning considerations;**
 - **makes a recommendation to the Committee.**
- **Objectors, supporters and applicant (or agent) may address the Committee under the direction of the Chair, those wishing to speak should have registered with officers before the meeting, a time limit of three minutes is allowed for each speaker.**
- **Committee members may then ask questions of clarification through the Chair.**

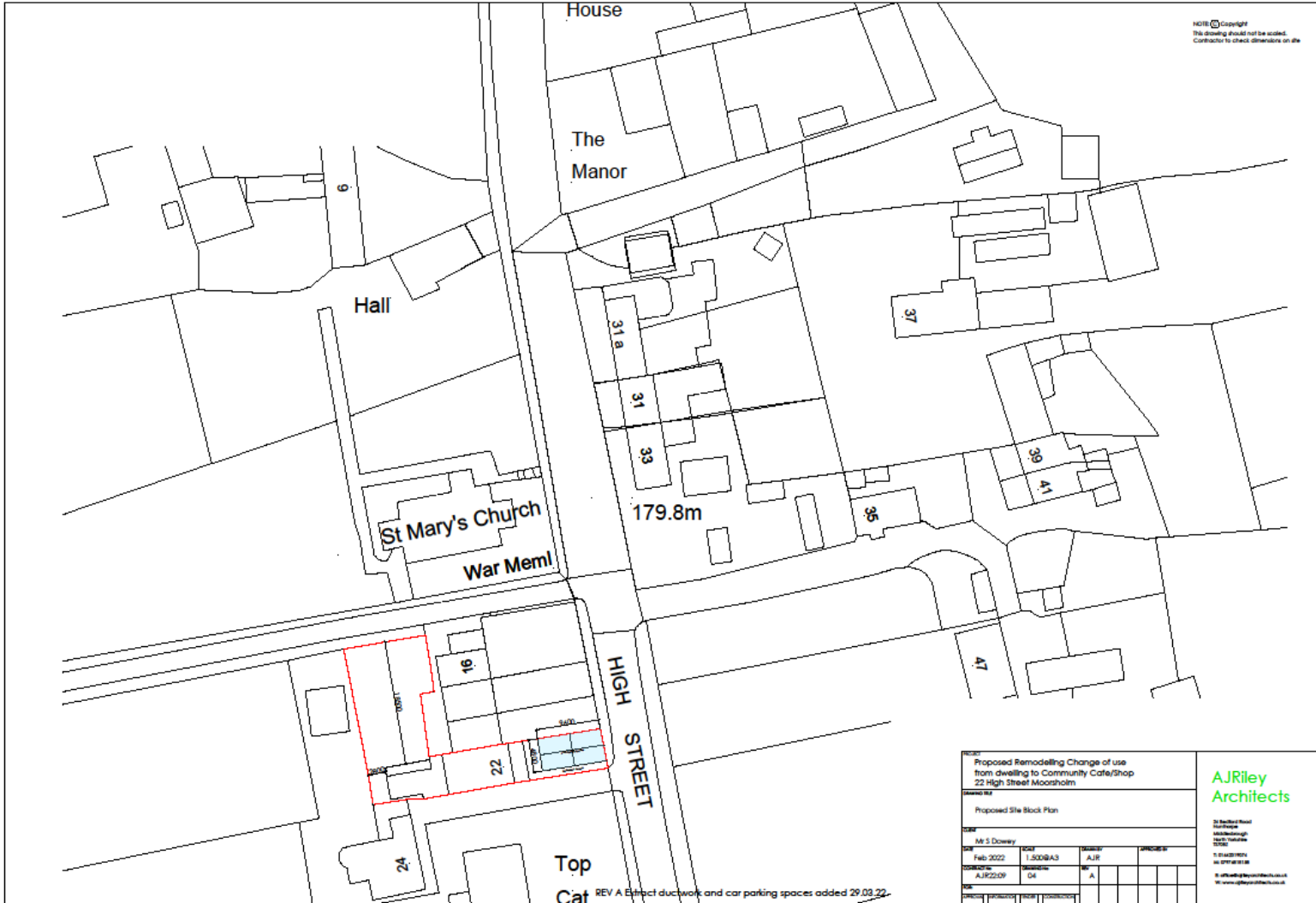
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Regulatory Committee - Procedures

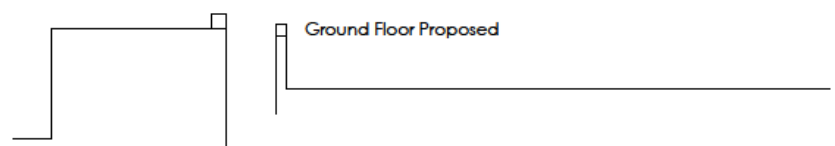
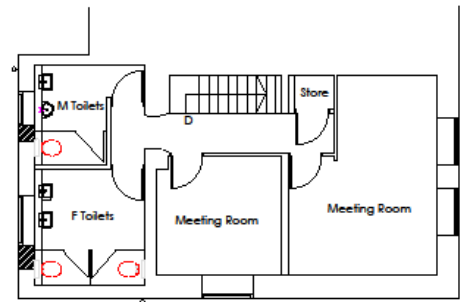
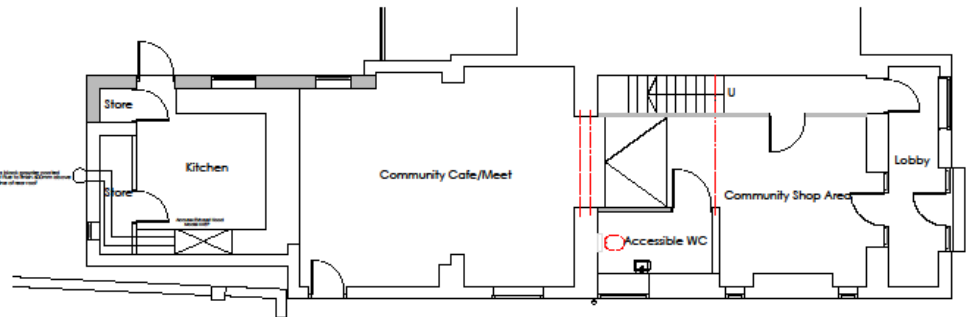
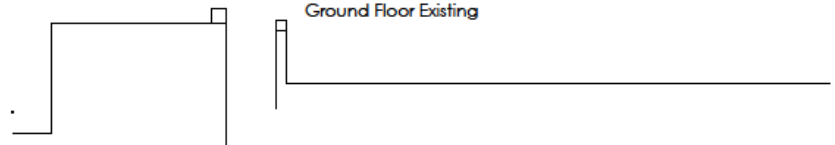
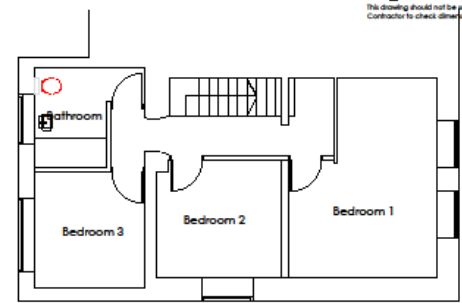
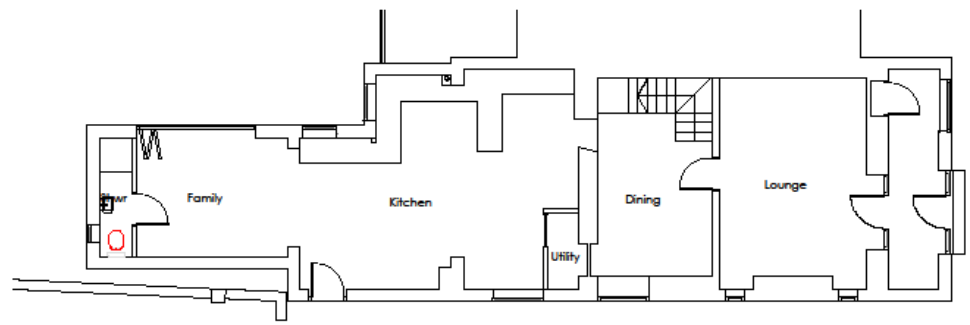
- **Officers may be asked to comment on any further planning matters raised.**
- **Members then debate the application and formulate the motion or motions on which to vote.**
- **In the event of a tie the Chair has a 'casting vote' and this is provided for in the Constitution.**
- **The Chair announces the result of the vote and the Committee moves onto the next application.**

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R/2022/0251/CA 22 High Street, Moorsholm
Site plan



NOTE: Copyright
This drawing should not be copied.
Contractor to check dimensions on site.

REV A Extract ductwork and car parking spaces added 29.03.22

Proposed Remodelling Change of use from dwelling to Community Cafe/Shop 22 High Street Moorsholm			
Billing & Proposed Floor Plans			
DATE: Mr S Dowley			
DATE:	SCALE:	PROJECT:	PROJECT NO:
Feb 2022	1:100/BA3	AJR	
CONTRACTOR:	DATE:	BY:	CHECKED BY:
AJR2209	01	A	
NO:			
ISSUED:			

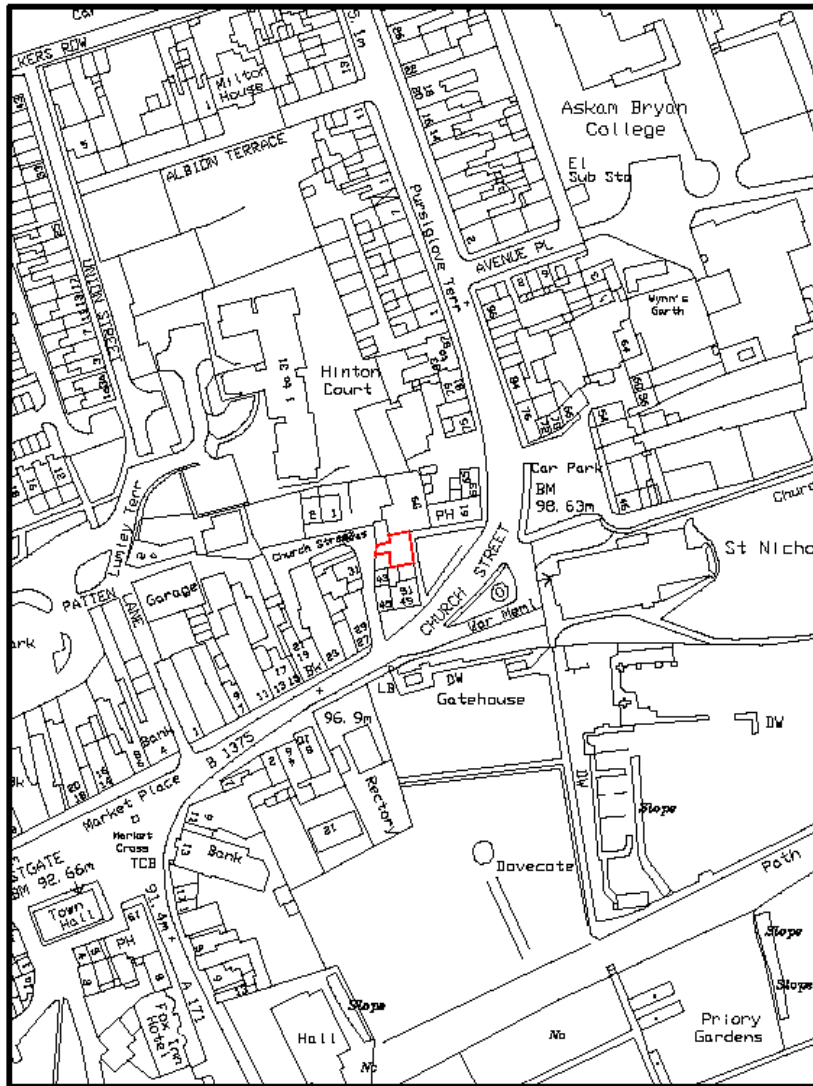
AJRiley Architects
 22 Bedley Road
 Moorsholm
 High Street
 Moorsholm
 1 to 420764
 01202 621216
 01202 621216
 www.ajrileyarchitects.co.uk



R/2022/0251/CA 22 High Street, Moorsholm

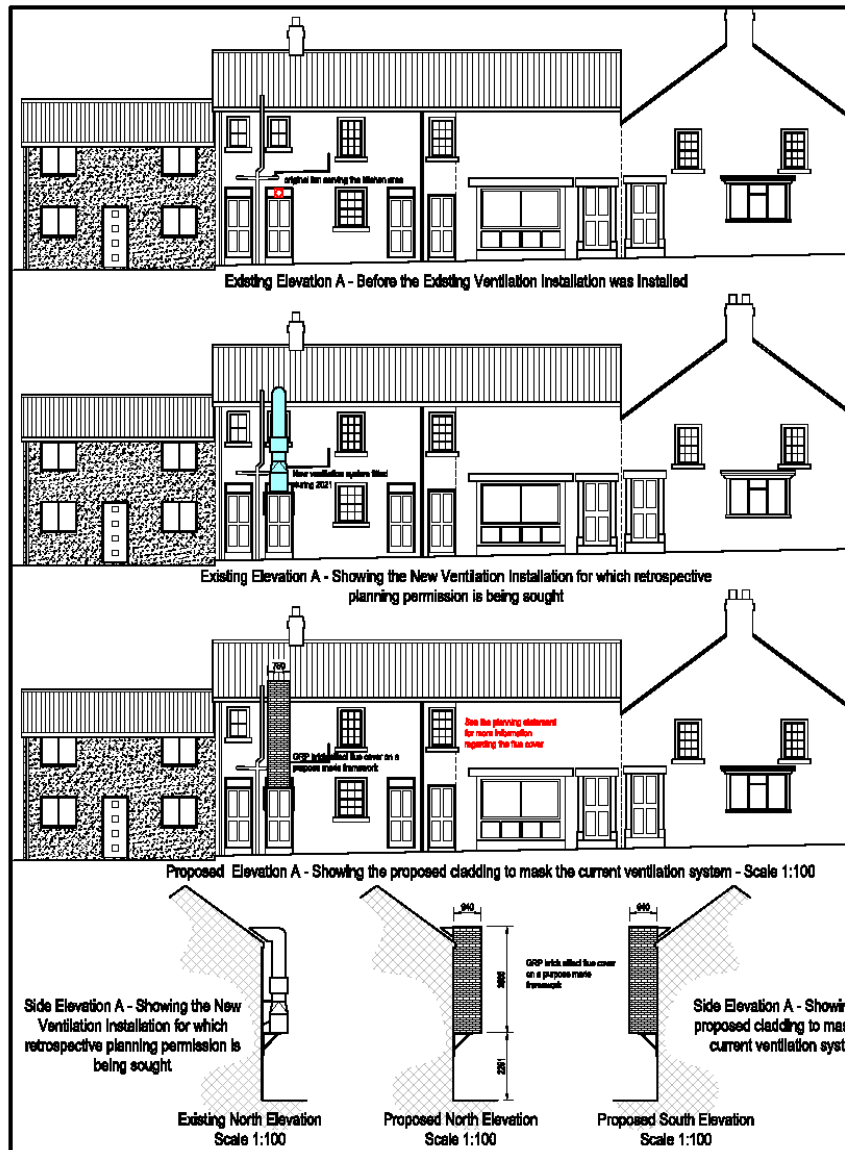
Photographs

this is Redcar & Cleveland



New Local Extract Ventilation (LEV), Badgers Restaurant, 55/57 Church Street, Guisborough
 Drawing 1 - Site Location Scale 1:1250 @ A4 22nd November 2021 - Revision A 18/01/2022





New Local Extract Ventilation (LEV), Badgers Restaurant, 55/57 Church Street, Guisborough
 Drawing 4 - Elevations Scale 1:100 @ A3 10th January 2022 - Revision A 18th January 2021



R/2022/0020/CA Badgers, 55 – 57 Church Street, Guisborough
Photographs



R/2022/0020/CA Badgers, 55 – 57 Church Street, Guisborough
Photographs



R/2022/0020/CA Badgers, 55 – 57 Church Street, Guisborough
Photographs



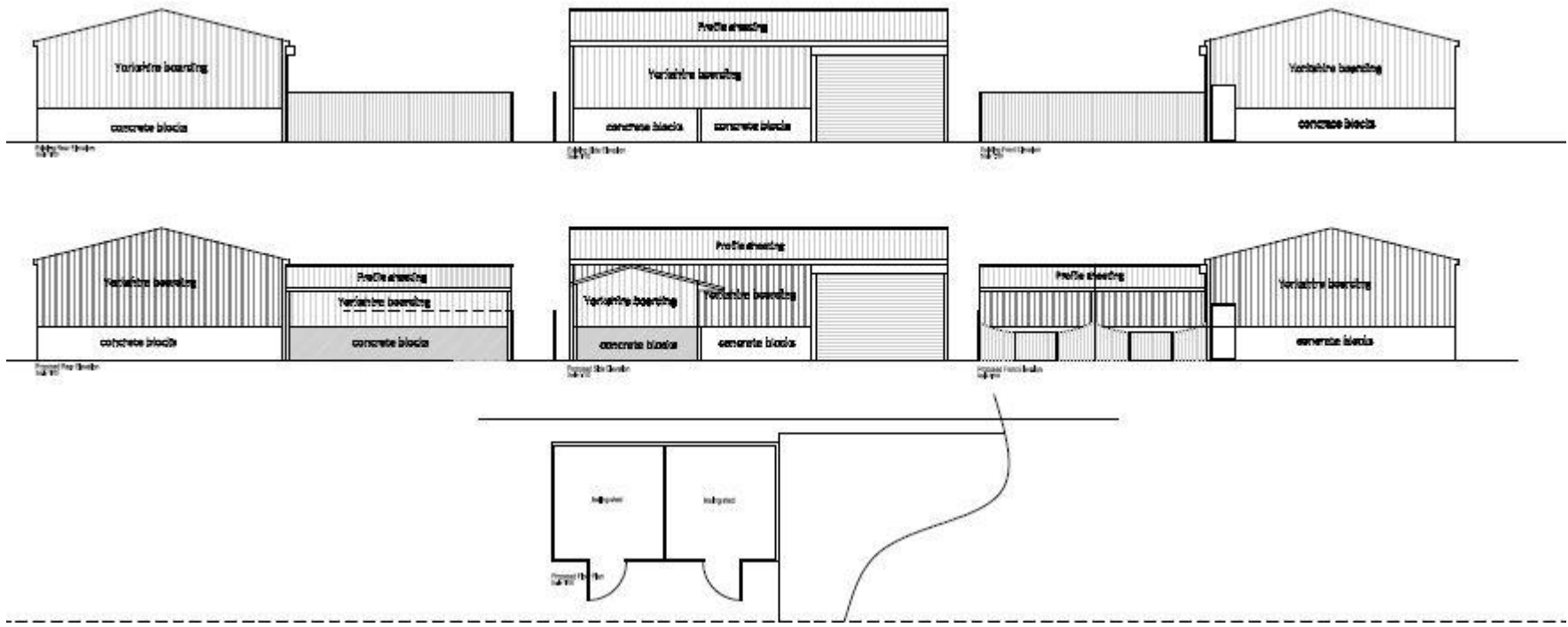
R/2022/0539/FF Land of Middlesbrough Road, Guisborough
Location Plan



R/2022/0539/FF Land of Middlesbrough Road, Guisborough

Site plan

PROPOSED FOALING SHED
SCALE 1/100@A1



Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER:	R/2022/0251/CA
LOCATION:	22 HIGH STREET MOORSHOLM SALT BURN BY THE SEA TS12 3JH
PROPOSAL:	CHANGE OF USE FROM DOMESTIC DWELLING TO COMMUNITY CAFE/BISTRO/SHOP INCLUDING REAR EXTENSION

[Planning Application Details \(redcar-cleveland.gov.uk\)](http://redcar-cleveland.gov.uk)

APPLICATION SITE AND DESCRIPTION

Permission is sought for a change of use from domestic dwelling to community cafe/bistro/shop including rear extension at 22 High Street Moorsholm. The property is an end terrace of 4 properties on High Street. The property is set back from the road frontage with an open hardstanding frontage.

The proposal seeks to change the use to a mixed use of Café, Bistro and shop. The Café use would include a shop element intended to stock convenience products for the local community. It is also intended that the proposal would serve to provide a meeting space for community activities and groups.

The proposal would extend the property by 1.2m to the rear and include internal alterations to open up the ground floor for the intended use. The frontage is intended to be retained to provide two parking spaces.

The application has been accompanied by a site location plan, existing and proposed site plans and proposed and existing floor plans and elevations. A Heritage Statement and Design and Access Statement is also provided.

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 & CLEVELAND LOCAL PLAN (2018)

SD1 Sustainable Development
SD2 Locational Policy
SD3 Development Limits
SD4 General Development Principles
ED1 Protecting the Borough's Centres

OTHER POLICY DOCUMENTS

None.

PLANNING HISTORY

The planning history to the site reflects its use as a dwellinghouse with previous extensions approved under

L0197/79/UN – Alterations and Additions to an existing dwellinghouse.
Approved 20.03.1979

L0973/86/UN – Erection of a front porch. Approved 07.08.1986

L0458/88/UN – Erection of a rear porch. Approved 28.04.1988

R/2013/0522/CA – Single Storey front and rear extensions. Approved
20.09.2013

R/2014/0503/CA – Single Storey extension at rear. Approved 01.10.2014

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 20 letters of representations have been received.

10 letters of objection raise the following:

- Increased traffic impacts
- Existing properties park on the street and will be displaced
- A wall to delineate the access rights to number 24 should be provided.
- Loss of housing to the village
- Concerns around water supply and pressure
- Hours of opening and neighbour impacts
- Impacts upon existing meeting rooms at the Church and village halls and Cricket Pavilion
- Rights of way for other properties will be impacted
- Impacts to neighbouring properties from the extension
- Overlooking to neighbouring properties

- The property has already demolished a garden wall to the detriment of the character of the Conservation Area
- The applicant has another property better suited to the proposal
- Noise and cooking fumes
- Impacts on the Conservation Area
- Confirmation over use required
- Will not enhance the residents
- Will not be a viable business
- Issues around music, lighting and licensing
- Issues around deliveries

9 letters of support provide the following:

- The proposal would provide services for the community.
- Wonderful idea.
- Benefit to the community.
- Other villages have such facilities.
- Lack of facilities in the village at the moment.

1 letter of comments provide the following:

- Access to the neighbouring properties should be maintained.
- Site is within the conservation area.
- Water supply to number 24 should be maintained.
- Outside music should not be allowed and lighting controlled.
- Opening hours should be restricted.
- Parking provision should be a major consideration.

**Redcar and Cleveland Borough Council (Development Engineers)
(22/06/2022)**

I refer to the application and would offer the following comments on highway grounds:- the proposal is for a mixed-use space comprising a community shop and cafe on the ground floor and two small meeting rooms on the first floor. The four existing within curtilage car parking spaces will remain and could be utilised by the proposed staff members and visitors use.

The proposal is aimed at the villagers of Moorsholm – the majority of which would be within walking distance and well served by the existing footways within the village. Any customers to the building arriving by vehicles will be expected to park safely and considerately in the vicinity. There could be an opportunity to provide extra spaces in the rear side garden with access from the side road.

**Redcar and Cleveland Borough Council (Conservation Advisor)
(06/05/2022)**

No objection. The proposed re-introduction of commercial premises to the conservation area is considered to result in an enhancement to character and is therefore in accordance with Policy HE1 of the adopted Local Plan.

Redcar and Cleveland Borough Council (Strategic Planning) (19/05/2022)

The applicant should confirm whether a Class E or Class F2 use is proposed. Whilst both are acceptable from a planning strategy perspective, they have distinctive differences in the use of the property and therefore the determination of impacts by the case officer.

Redcar and Cleveland Borough Council (Health and Safety – Food Team) (06/05/2022)

Further to your planning consultation letter as above, no objections to the proposal are made, but would offer the following comments for you to refer on to the applicant, should the application be approved:

1. *The food business operator (e.g., sole proprietor, partnership, limited company, charitable trust) must register with Redcar and Cleveland Environmental Health Service at least 28 days before opening. You can apply to register online at <https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fregister.food.gov.uk%2Fnew%2Fredcar-andcleveland%2Fregistration-role&data=05%7C01%7CPlanningAdmin.Admin%40redcarcleveland.gov.uk%7Cc0ea86169a594b682b9f08da2f450dfb%7Ca95b5b75274441ba91105a29c6ee2ba4%7C0%7C0%7C637874270873641339%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikh1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C&sdata=hNpQMjyfV7RvW7H%2FGRd1QGMpr4%2B5x9L7Me9JwWadzMM%3D&reserved=0>*

2. *The food premises (structure and facilities) must meet the legal hygiene requirements of annex II Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (legislation.gov.uk). Further information is available at Business Guidance | Food Standards Agency*

Redcar and Cleveland Borough Council (Environmental Protection) (Nuisance) (04/05/2022)

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 may be affected by construction noise from the development.

I have also considered this application in terms of odour and noise from the extract system included as part of the proposed development. I note that that applicant has submitted an Extraction System Report, however this report does not provide details of the extract system with regards to odour and noise control. Due to this development being in close proximity to existing residential properties there is the potential for odour and noise from the proposed extract system to affect the amenity of existing properties.

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 working hours for all construction and demolition activities on this site are limited to between 08:00 and 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays and not at all on a Sunday or Public Holidays.
REASON: In the interest of neighbour amenity.*

*-Prior to installation of the equipment for ventilation and filtration to suppress and disperse any fumes and/or smell created from the cooking operations on the premises (including details of noise attenuation), a scheme of works shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into end use until the approved ventilation equipment has been installed in accordance with manufacturer's instructions and approved in writing by the Local Planning Authority. All equipment installed as part of the approved scheme shall thereafter be retained, operated and maintained in accordance with that approval.
REASON: In the interests of the amenity of the area.*

Redcar and Cleveland Borough Council (Environmental Protection) (Contaminated Land) (16/05/2022)

No objections.

CONSIDERATION OF PLANNING ISSUES

The main considerations in the assessment of the application are;

- The principle of development
- The impacts on the character and appearance of the area
- The impacts on neighbour amenity
- The impacts on highways safety

The principle of development

The application site is located within the Development Limits of Moorsholm village and is within Moorsholm Conservation Area.

The comments from Strategic Planning are noted. Based on the definitions within the use class order, the nature of the plans and the information in the supporting statements, it is considered that the proposal would be a use class

E (Commercial, Business Service) . The premises would primarily be used as E(b) Sale of Food and Drink for consumption (mostly) on the premises.

It is noted that the proposal indicates its intention to provide for local community services and meeting however as a private applicant it is not considered to meet the definition as a 'Local Community' use and would therefore not fall under use class F2.

Policy SD2 and SD3 of the Local Plan set the direction for development within the borough. These policies seek to direct development to within the settlement limits as defined by policy SD3. The site is located within the defined limits of Moorsholm and would reuse an existing building. The proposal is therefore acceptable in this regard.

Policy ED1 of the Local Plan relates to commercial development and seeks to protect the borough's centres through directing development where appropriate the existing centres. In this regard the policy identifies that cafes, restaurants, pubs and bars over 500 square metres of internal floor space require an impact assessment. The proposal falls well below this threshold at 153 square metres. As such there is no in principle objection to the proposal.

The principle of the application and the change of use accords with policies SD2, SD3 and ED1 of the Redcar and Cleveland Local Plan.

The impacts on the character and appearance of the area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places General duty as respects conservation areas in exercise of local authorities in exercise of planning functions.

In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The NPPF provides at Paragraph 199 provides *"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance"*.

Paragraph 200 provides that *"any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification..."*

Paragraph 202 goes on to provide *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal"*

including, where appropriate, securing its optimum viable use.”

Local Plan Policy HE1 when addressing the designated conservation areas provides:

Development within or otherwise affecting the setting of a conservation area will only be permitted where it preserves or enhances the character or appearance of the conservation area. Development must:

- a. respect existing architectural and historic character and associations by having regard to the positioning and grouping, form, scale, detailing of development and the use of materials in its construction;*
- b. respect existing hard and soft landscaping features including areas of open space, trees, hedges, walls, fences, watercourses and surfacing and the special character created by them; and*
- c. respect historic plot boundaries and layouts.*

Policy SD4 amongst other requirements at criteria J, K and L requires that proposals respect the character of the area and seek to improve the character and quality where possible along with being sustainable in design.

In this regard the proposal would result in a rear extension widening the existing rear projection and the alteration to two rear windows at first floor. The internal layout would be altered to accommodate the proposed use with the ground floor being opened up to provide for the Café and shop areas.

The proposal has been consulted upon with the Conservation Advisor, given the limited alterations to the built form it is not considered that there would be any appreciable impacts upon the character and form of the property or its contribution to the street scene and character of the conservation area. The change of use to a commercial use is noted by the Conservation Advisor as bringing historic variety back into the area.

The proposal is therefore considered to be acceptable in this regard with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the guidance within the NPPF and policies SD4 (J, K and L) and HE1 of the Redcar and Cleveland Local Plan.

The impacts on neighbour amenity

Policy SD4 amongst other requirements at criterion B requires that proposals “will not have a significant adverse impact on the amenities of occupiers of existing or proposed nearby land and buildings”.

The key impacts for consideration of this type of proposal are considered to be, the effects from overlooking, overshadowing, and oppression from size scale and massing and the impacts of cooking fumes, noise and lighting.

In this regard the proposal is for a café, bistro/ community shop and meeting place. It is not uncommon to have such uses in close proximity to residential properties and subject to good management do not pose significant impacts

upon the neighbouring properties. The management of the operation would be controlled if necessary under statutory nuisance regulations and under any licencing powers applicable. As such this element is considered to be suitably controlled and not for the planning process to address.

The proposal would extend the property to the rear widening the existing single storey rear projection. The comments received in relation to potential for overlooking are noted. Given the type of use and the relationship of the windows it is not considered that such an effect would occur to an extent to have any significant impact upon the property over and above the relationship that currently exists.

The comments received in relation to outdoor music and lighting are noted and it is considered prudent to attach conditions to control both of these elements.

The applicant has indicated opening hours of 9 am to 9pm Monday to Saturday and 9am to 6pm on Sundays.

With regards to noise and cooking fumes it is considered that they can be suitably controlled through the addition of a condition to required details be submitted for approval, as requested by the Environmental Protection Officer.

Subject to the appropriate conditions it is not considered that there would be any significantly detrimental impacts upon the amenity of neighbouring properties to warrant resistance of the application on these grounds. The proposal would accord with part b of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on highways safety

Policy SD4 criterion P requires that proposals 'provide suitable and safe vehicular access and parking suitable for its use and location'.

The comments received in relation to parking and the local highway are noted. The application has been consulted on with the Highways Officers with no objections raised. The proposal is therefore considered to be acceptable in this relation to part p of policy SD4 of the Redcar and Cleveland Local Plan.

Other matters

Rights of access have been raised by the neighbour. The ability to access over neighbouring land is a civil matter and outside of the planning control process.

The comments received in relation to the provision of a wall to delineate the access to number 24 is noted. However, the provision of such a wall is not a planning matter and is not included within the proposal.

Loss of housing to the village is raised as an objection. In this instance there is no policy objection to the proposal and as such this objection is not considered to be of any appreciable weight in the consideration of the proposal.

Water provision and impacts to number 24 was raised as a concern. In this regard the provision of water rests with Northumbrian Water, there is nothing within the proposal that would indicate that there would be any appreciable impacts upon water supply. Therefore this objection is not considered to be material in the consideration of the application.

Impacts upon the existing meeting rooms at the Church and Village Halls and Cricket Pavilion are raised. The presence or absence of other options is not considered to be material in the consideration of the application which is considered on its own merits against the development plan policy.

The comments received in relation to registering for food hygiene are noted. But fall outside of planning considerations. It is however considered prudent to attach an informative to any approval granted to draw the applicants attention to the need to discuss this with the authority.

CONCLUSION

The proposal is considered to be acceptable in principle in line with policies SD2, SD3 and ED1. The details of the alterations to the property would preserve the character of the conservation in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the guidance within the NPPF and at policies SD4 (J, K and L) and HE1 of the Local Plan. Subject to appropriate conditions and management there would not be any significant effect upon the amenity of the neighbouring occupiers and the proposal would accord policy SD4 (B). Highways safety would be maintained in accordance with policy SD4(P) and there would not be any other overriding impacts to warrant resistance of the proposal. The proposal is therefore recommended for approval subject to appropriate conditions.

RECOMMENDATION

Taking into account the content of the report the recommendation is to:

GRANT PLANNING PERMISSION subject to the following 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:

Location plan received by the Local Planning Authority on 15/03/2022
Proposed site plan received by the Local Planning Authority on 27/04/2022

Existing and Proposed floor plans received by the Local Planning Authority on 27/04/2022

Proposed elevations received by the Local Planning Authority on 28/04/2022

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

3. The working hours for all construction activities on this site are 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 Public Holiday.

REASON: To ensure that the any activity during the construction development would not have a significant adverse impact in relation to noise and disturbance in accordance with policy SD4 of the Local Plan.

4. Prior to installation of the equipment for ventilation and filtration to suppress and disperse any fumes and/or smell created from the cooking operations on the premises (including details of noise attenuation), a scheme of works shall be submitted to and approved in writing by the Local Planning Authority.

The development shall not be brought into end use until the approved ventilation equipment has been installed in accordance with manufacturer's instructions and approved in writing by the Local Planning Authority.

All equipment installed as part of the approved scheme shall thereafter be retained, operated and maintained in accordance with that approval.

REASON: In the interests of the amenity of the area.

5. There shall be no external music amplified or acoustic played at the premises.

REASON In the interest of neighbouring amenity and to comply with policy SD4 of the Local Plan.

6. Prior to installation details of any external lighting to include details of light fall and brightness shall be submitted to and approved in writing by the local planning authority. Only approved lighting shall be installed and maintained as approved for the lifetime of the development.

Reason In the interest of neighbouring amenity and to comply with policy SD4 of the Local Plan.

7. The development hereby approved shall only open to customers between the hours of 0900 to 2100 Monday to Saturday and 0900 to 1800 on Sundays and Bank Holidays.

Reason In the interest of residential amenity in accordance with policy SD4 of the Local Plan.

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

1. The food business operator (e.g., sole proprietor, partnership, limited company, charitable trust) must register with Redcar and Cleveland Environmental Health Service at least 28 days before opening. You can apply to register on online at <https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fregister.food.gov.uk%2Fnew%2Fredcar-andcleveland%2Fregistration-role&data=05%7C01%7CPlanningAdmin.Admin%40redcarcleveland.gov.uk%7Cc0ea86169a594b682b9f08da2f450dfb%7Ca95b5b75274441ba91105a29c6ee2ba4%7C0%7C0%7C637874270873641339%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=hNpQMjyfV7RvW7H%2FGRd1QGMpr4%2B5x9L7Me9JwWadzMM%3D&reserved=0>
2. The food premises (structure and facilities) must meet the legal hygiene requirements of annex II Regulation EC) No 852/2004 of the European parliament and of the council of 29 April 2004 on the hygiene of foodstuffs (legislation.gov.uk). Further information is available at Business guidance | Food Standards Agency

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER:	R/2022/0020/CA
LOCATION:	BADGERS RESTAURANT AND WINE BAR 55-57 CHURCH STREET GUISBOROUGH TS14 6HG
PROPOSAL:	INSTALLATION OF AN EXTERNAL FLUE VENTILATION SYSTEM WITH BRICK EFFECT FLUE COVER AT REAR (PART RETROSPECTIVE)

[Planning Application Details \(redcar-cleveland.gov.uk\)](http://redcar-cleveland.gov.uk)

APPLICATION SITE AND DESCRIPTION

Permission is sought for the installation of an external flue ventilation system with brick effect flue cover at rear (part retrospective)

The application relates to Badgers Restaurant and Wine Bar, 55-57 Church Street, Guisborough. The flue has been installed to rear of the property into an alleyway which includes dwellings of Church Street Mews. The front part of 55 -57 is Grade II listed, however the section of building this application relates to is not listed. The property is located within Guisborough Conservation Area and Guisborough District Centre. The buildings on Church Street are mainly commercial in nature, the rear alley contains residential dwellings.

This application seeks consent for the installation of an external flue system. The flue was installed in June 2021. The flue extends out approximately 0.9m from the building at a height of 2.3m and extends up approximately 3.6m above the eaves of the building. The flue is 0.75m wide. This application proposes the installation of a brick effect cover around the flue. The cover will be made of fibre glass to replicate the bricks of the existing building.

The application has been accompanied by existing and proposed plans, planning statement and heritage statement.

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 & CLEVELAND LOCAL PLAN (2018)

SD1 Sustainable Development
SD2 Locational Policy
SD3 Development Limits
SD4 General Development Principles
LS3 Rural Communities Spatial Strategy
ED1 Protecting and Enhancing the Borough's Centres
HE1 Conservation Areas

OTHER POLICY DOCUMENTS

None

PLANNING HISTORY

R/2018/0230/LB - Listed building consent for internal and external alterations – granted

R/2018/0204/CA - Change of use of first floor flat to first floor space for ground floor cafe/mini bar – granted

R/2014/0412/CA - Change of use of retail shop (class a1) into a mixed use of internet cafe and cafe (classes A1/A3) - granted

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 9 written representations have been received objecting to the proposal. The comments have been summarised as follows:

- *Area greatly improved in last 8 years or so but flue is a real eyesore and spoils the look of the entire street*
- *Cannot see how brick affect flue cover will help, will make look tacky and the flue even bigger*
- *Terrible looking and imposing*
- *Feel sorry for residents and for it to be installed without planning in conservation area is really disappointing*
- *How can landlord be required to fit replacement wooden/sash windows in property close by when a business can simply erect a monstrosity like this flue with seeking initial planning*
- *Cladding over flue will make things worse*
- *Did owners not consider an internal ventilation with an outlet in the roof*
- *Smell and noise from flue*
- *If allowed leaves door wide open for planning system to be abused, to the detriment of Guisborough's community and history*

- *Flue has massive negative affect on street and looks total overbearing, imposing and out of place in this residential street in conservation area*
- *Flue system is adjacent to the living room and kitchen windows of 43 Church Street and to the kitchen and bedroom windows of 41 Church Street, both residential properties*
- *If it had been done as part of previous planning (R/2018/0204/CA) when premise extended, flue could have been taken up internally and exited through the roof*
- *Object to brick effect cladding, will make flue dimensions even bigger and will become even more imposing*
- *Cladding will leave the lower part of the support frame exposed, which will look awful*
- *Since flue installed received complaints from all three tenants of 41, 43 and 44 Church Street, one has since left, and another is leaving*
- *Sole income from 41, 43 and 44 Church street and installation will potentially have a massive negative financial effect on myself*
- *Ventilation block's view from my bedroom window to entrance of street. Which I believe is a security risk for myself*
- *Previous owner operated without issue*
- *At no point has brick effect been applied*
- *Gives off a loud rumble when turned up high*
- *Rear of building is residential area, it really is a lovely peaceful little courtyard, all residential owners take great pride and effect with their properties*
- *Extremely noisy extractor, highly audible throughout our single glazed sash windows*
- *Smell is very off putting and it is very noisy at times*
- *Badgers didn't consult owners and tenants in direct view*

Guisborough Town Council (27/01/2022)

No objections

**Redcar and Cleveland Borough Council (Planning Strategy)
(Conservation Advisor) (10/02/2022)**

No objection as the proposal is anticipated to adequately mitigate the visual impact of the flue. The following condition is suggested:

- *The cladding shall be attached within 12 weeks of the approval date of this planning permission.*

Reason: To safeguard the character of the conservation area as required by Policy HE1 of the adopted Local Plan

Redcar and Cleveland Borough Council (Environmental Protection) (Nuisance) (25/01/2022)

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:

The Environmental Protection Team has previously received complaints of alleged statutory nuisance arising from odours and noise associated with the operation of the external flue ventilation system. Whilst the Environmental Protection Team was unable to determine the existence of a nuisance during its investigation into these complaints, it should be noted that the system is in close proximity to existing residential properties. I also note that no details of the system have been submitted by the applicant with regards to odour and noise control, as such there is a significant potential for the amenity of existing residential properties to be affected by odour and/or noise from the development.

In order to minimise the environmental impact I would recommend the inclusion of the following conditions onto any planning permission which may be granted:

-Details that accord with appropriate guidance on the control of odour and noise from commercial kitchen exhaust systems shall be submitted to, and approved in writing by the Local Planning Authority.

The development shall not be brought into end use until the approved extraction equipment has been installed in accordance with manufacturer's instructions and approved in writing by the Local Planning Authority.

All equipment installed as part of the approved scheme shall thereafter be retained, operated and maintained in accordance with that approval and shall be operated at all times when cooking is being carried out on the premises.

REASON: In the interests of the amenity of the area.

CONSIDERATION OF PLANNING ISSUES

The main considerations in the assessment of the application are;

- The principle of development
- The impacts on the character and appearance of the area
- The impacts on neighbour amenity
- The impacts on nuisance
- The impacts on highways safety

The principle of development

The application site is located within the development limits. Local Plan Policy SD3 states that development within development limits will be

supported subject to meeting other relevant policies within the Local Plan. Given that the site is situated within development limits; the broad principle of the development is one that is considered to be acceptable.

The principle of use of alterations to the property in this location is acceptable and the proposal accords with the aims of policy SD3 of the Redcar and Cleveland Local Plan.

The impacts on the character and appearance of the area

The application site is located within Guisborough Conservation Area and Guisborough District Centre. The flue is attached to the rear of a commercial building. It is noted the alley to the rear of Church Street is mainly residential in character. A number of objections have been received from nearby residents concerned the flue is an eyesore and had a detrimental impact on the street. Due to the position of the flue in relation to other buildings, it is not visible from the main section of Church Street to the south. The flue is clearly visible when you walk north up the alleyway. Discussions have taken place between the case officer and the agent regarding the ability to have a flue that runs through the building and out of the roof, rather than the external position the flue has been installed. The agent has confirmed the preferred route had been through the roof. However, the layout at first floor and building structure rule this option out.

The Council's Conservation Advisor has assessed the proposal and impact on the Guisborough Conservation Area. The Advisor has no objection to the proposals as the cladding is anticipated to adequately mitigate the visual impact of the flue. A condition has been suggested requiring the cladding is installed within 12 weeks of an approval.

It is granted the flue currently is an incongruous feature in the street scene. The proposed fibre glass cover will replicate the brick appearance of the existing building. Whilst the cover will extend out from the existing building, it is considered the impact within the commercial centre of Guisborough will not be sufficient to warrant refusal of the application. A condition would be included to ensure the details of the flue cover is approved by the local planning authority before installation and that the cover is installed within three months of the date of any approval.

Subject to the inclusion of a condition requiring the installation of the flue cover it is considered the proposal will not have a sufficiently detrimental impact on the character and appearance of the area and the application is in accordance with Local Plan Policy SD4 and HE1.

The impacts on neighbour amenity

Neighbouring occupiers have objected to the proposals due to the appearance of the flue; this has been discussed above, there are also concerns regarding the noise and smell from the flue which will be covered in the next section of the report. Further concerns relate to the flue being

overbearing. It is granted the flue projects out from the rear of the building above a doorway by 0.9m and those neighbouring buildings either side of the flue are residential. However, the windows of the neighbouring properties are approximately 1.5m away to the south and 2.4m to the north. Due to the 0.9m projection of the flue and proposed cover and position of neighbouring windows it is not considered the proposals will appear overbearing by adjoining occupiers. The loss of view is not a planning consideration.

The flue and brick effect cover will not have a significant adverse impact on the amenity of occupiers of existing buildings and the proposal accords with part b of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on nuisance

The Environmental Protection Team has previously received complaints of alleged statutory nuisance arising from odours and noise associated with the operation of the external flue ventilation system. Whilst the Environmental Protection Team was unable to determine the existence of a nuisance during its investigation into these complaints, it should be noted that the system is in close proximity to existing residential properties. The application doesn't contain details of the system, as such there is a significant potential for the amenity of existing residential properties to be affected by odour and/or noise from the development. Further technical details have been submitted by the agent; however, they do not overcome Environmental Protection's request for details, and they have suggested a condition is included as part of any approval. Due to the location and nature of the application it is considered the suggested condition is necessary and will be included.

The impacts on highways safety

The works proposed do not impact on the parking provision or vehicular access to the site.

The application raises no issues in terms of highways safety and the application accords with part p of policy SD4 of the Redcar and Cleveland Local Plan.

Other matters

The application raises no issues in terms of crime prevention and the application accords with part m of policy SD4 Redcar and Cleveland Local Plan.

CONCLUSION

For the reasons outlined above the proposal is considered acceptable. The proposal would not have a significant adverse impact on neighbour amenity and the proposal raises no issues in terms of highways safety or crime prevention. The scale and design is acceptable and the proposal would

respect the character of the site and surroundings. The proposal accords with policies SD3, SD4, ED1 and HE1 of the Redcar and Cleveland Local Plan.

RECOMMENDATION

Taking into account the content of the report the recommendation is to:

GRANT PLANNING PERMISSION subject to the following 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:

- Site location plan received by the Local Planning Authority on 18/01/2022
- Proposed block plan received by the Local Planning Authority on 11/01/2022
- Elevations received by the Local Planning Authority on 19/01/2022

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

3. The details of the proposed flue cover hereby permitted shall be agreed in writing by the local planning authority prior to installation. The approved flue cover shall be agreed and installed within three months of the date of approval. The flue cover shall be maintained and retained in accordance with the details agreed for the lifetime of the approved flue.

REASON: To protect the character and appearance of Guisborough Conservation Area in accordance with Local Plan Policy SD4 and HE1.

4. Details that accord with appropriate guidance on the control of odour and noise from commercial kitchen exhaust systems shall be submitted to and approved in writing by the Local Planning Authority.

The details shall be approved by the local planning authority and installed in accordance with the approved details within three months of the date of approval.

All equipment installed as part of the approved scheme shall thereafter be retained, operated and maintained in accordance with that approval and shall be operated at all times when cooking is being carried out on the premises.

REASON: In the interests of the amenity of the area in accordance with Local Plan Policy SD4.

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.

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER:	R/2022/0539/FF
LOCATION:	LAND SOUTH OF MIDDLESBROUGH ROAD GUISBOROUGH
PROPOSAL:	ERECTION OF FOALING SHED

[Planning Application Details \(redcar-cleveland.gov.uk\)](http://redcar-cleveland.gov.uk)

APPLICATION SITE AND DESCRIPTION

Permission is sought for the erection of a foaling shed.

The application relates to land south of Middlesbrough Road, Guisborough. The application site has an area of 0.19hectares. The applicants total site is 2hectares. There is an existing access track to the west of the application site which connects to the A171 and serves all the existing stables along the track. The land around the application site is a mix of agriculture and horsiculture.

The applicant has control over the field to the east and south of the application site which is used for the grazing of horses. There are existing similar horsiculture developments to the north and south of the site.

The application has been accompanied by a site location plan, site plan, plans and elevations and a planning, design and access statement.

The submitted statement includes the following information;

The applicant presently owns 12 miniature Shetland ponies that he breeds as a hobby on his land and has recently lost 3 foals when they have been foaling due to difficulties.

Once these ponies get into such difficulties there is a short time frame to assist them and require a foaling barn that is open fronted with capability of CCTV system to monitor them during foaling season.

The present stables are not of sufficient size to accommodate for up to 5-6 mares. Also they wouldn't be suitable as the Shetlands are miniature hence the idea of an open fronted barn to give them a greater sense of space and would allow the air to circulate better.

For this reason alone the application has been submitted on the grounds of recent events and on welfare grounds. The application is supported by veterinary bill to prove the recent death of this foals and in order to meet British Horse Welfare Guidance.

The proposed development is described as;

The foaling shed will be sited adbut to the existing barn at 90 degrees facing towards the entrance of the site. It will measure 8.3m wide x 4.3m long with an overall ridge height of 3.5m and eaves of 2.5m.

The site is accessed from the existing access road from the north as it does at present.

The proposed building will contains 2no. sheds to accommodate the requisite foals during their foaling season.

The building will be a steel portal frame design with Yorkshire board cladding above concrete panelling to the base with and fibre cement roof sheets with open fronted galvanised steel doors.

The sheds are for private use and not related to any livery or other business purposes.

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 & CLEVELAND LOCAL PLAN (2018)

SD1 Sustainable Development
SD2 Locational Policy
SD3 Development Limits
SD4 General Development Principles
LS3 Rural Communities Spatial Strategy

OTHER POLICY DOCUMENTS

None

PLANNING HISTORY

Sites to the north of application site

R/2022/0010/FF – Detached single storey day room / storage building and new detached stable block – Approved by Regulatory Committee – 21/04/2022

R/2020/0545/FF – Detached hay storage barn – Approved by Regulatory Committee – 04/12/2020

R/2016/0515/FF - Proposed stable block - Approved by Regulatory Committee - 23/11/16

R/2008/0027/RT - Erection of 2 no. Stables (Retrospective) - Approved 18/11/08

Applications linked to the application site or land in the applicants ownership

R/2021/0364/VC - Variation of condition 2 (approved plans) of planning permission R/2020/0314/FF for detached single storey day room/storage building in connection with outdoor arena (part retrospective) – Refused by Regulatory Committee 05/08/2021 – Appeal Allowed – 14/02/2022

R/2020/0314/FF - Detached single storey day room/storage building in connection with outdoor riding arena - Approved by Regulatory Committee - 23/09/2020

R/2017/0887/FF - Provision of a Stable Block and Hay Barn - Approved by Regulatory Committee - 08/03/2020.

RESULTS OF CONSULTATION AND PUBLICITY

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

As a result of the consultation period five written representations have been received. The comments are summarised as follows:

- Objecting to yet another development on this plot.
- This is the fifth building on the plot.
- Other existing buildings could be used.
- Owners live far away.
- Proposals would not resolve issues.
- Character and appearance is being eroded.
- There is now a mass of permanent buildings outside of the limits.
- Lack of regard for highways safety.
- Overdevelopment.
- Unnecessary proposal.

Guisborough Town Council (13/07/2022)

Do not object

Redcar and Cleveland Borough Council (Planning Strategy) (19/07/2022)

The proposed development is for an additional foaling shed on land already used for horsiculture. A stable and 'dayroom' ancillary to the stables are already located on the site.

The proposed foaling shed will be constructed adjacent to the stable. The site is located outside of development limits and therefore to be considered acceptable in planning policy terms the proposal must meet one of the exceptional criteria in Policy SD3.

Criteria (i) allows for development requiring a countryside location due to technical or operational reasons.

It can be considered that horsiculture requires a countryside location and the proposed development is required for technical/ operational reasons. The proposal is deemed to be in accordance with Policy SD3.

Policy ED13 applies specifically to proposals for livery stables and other equestrian development. The case officer should ensure all of the criteria of Policy ED13 are complied with, particularly ensuring the character, scale and design of the proposal is appropriate to its rural surroundings and any external facilities are appropriately located and adequately screened to avoid adverse visual impact. The development should also have appropriate manure storage and dirty water handling facilities.

All development should be well designed in accordance with Policy SD4, including ensuring it will not have a significant adverse impact on the amenities of occupiers of existing or proposed nearby land and buildings, minimising the loss of the best agricultural land and respecting or enhancing landscape, biodiversity and the surrounding area.

The site is located within a Restoration Landscape Area and, as such, opportunities should be taken to repair or reinstate the landscape as part of the development where possible. It should be ensured that the impact on the landscape is acceptable in accordance with policy N1.

The principle of development is acceptable in planning strategy terms.

Redcar and Cleveland Borough Council (Environmental Protection) (Contaminated Land) (05/07/2022)

I have no objections to the above proposal.

Redcar and Cleveland Borough Council (Environmental Protection) (Nuisance) (28/06/2022)

I have no objections to the above proposal.

CONSIDERATION OF PLANNING ISSUES

The main considerations in the assessment of the application are;

- The principle of development
- The impacts on the character and appearance of the area
- The impacts on neighbour amenity
- The impacts on highways safety

The principle of development

The proposed development is on agricultural land outside development limits. Local Plan policy SD3 restricts development beyond development limits to certain development types. Criteria i permits 'other development requiring a countryside location due to technical or operational reasons'.

The proposal seeks consent for foaling shed. The building has to be located in this area as that is where the horses are located. In addition, criteria b permits development of a recreational or tourism proposal requiring a countryside location. The horses kept in this location are for personal recreational use.

As the proposal is linked to the existing land use and is the same ownership it will not give rise to any significant change in the number of journeys and is therefore considered to be broadly in compliance with policies SD1 and SD3 (criteria b and i) of the Redcar and Cleveland Local Plan.

Policy ED13 relates to commercial equestrian developments and not buildings for personal recreational use and as such the requirements of the policy are not applicable in this instance.

The impacts on the character and appearance of the area

The building proposed is of a suitable scale for the location and is of a similar design and appearance to the existing stables, hay barns and buildings in the area. The proposed foaling shed will be located alongside existing buildings and will be read within the context of existing structures as opposed to a standalone building. It is considered the buildings will have a limited impact on the character and appearance of the area. Given the sloping nature of the site and the existing vegetation and structures the proposals would largely be screened from view from Middlesbrough Road.

In terms of proposed materials a condition can be included to ensure these details are agreed with the Local Planning Authority.

The proposal is suitable in relation to the proportions, massing, height, size, scale, materials and detailed design features and the application would respect the character of the site and its surroundings. The application accords with part j of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on neighbour amenity

Given the location of the development and the nature of the works proposed the application raises no issues in relation to loss of privacy or overbearing impacts.

The proposal would not have a significant adverse impact on the amenity of occupiers of existing buildings and the proposal accords with part b of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on highways safety

The application site is accessed from the existing track to the west of the site which serves a number of stables in the area including the stables in the same ownership as the application site.

The proposed building is to be used in conjunction with the existing stables and haybarn within the site and therefore the application is unlikely to create additional traffic above that which already uses the access track.

The application raises no issues in terms of highways safety and the application accords with part p of policy SD4 of the Redcar and Cleveland Local Plan.

Other matters

The application raises no issues in terms of crime prevention and the application accords with part m of policy SD4 Redcar and Cleveland Local Plan.

The application falls within the catchment for nutrient neutrality however is outside of scope for requiring additional information / assessment.

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. Members will be aware that some of the points raised throughout the consultation period are not matters for planning control.

CONCLUSION

For the reasons outlined above the proposal is considered acceptable. The proposed foaling shed would not have any significant adverse impact on neighbouring amenity and the proposal raises no issues in terms of highway safety or crime prevention. The scale and design is acceptable and the proposal would respect the rural character of the site and surroundings. The proposal accords with policies SD3 and SD4 of the Redcar and Cleveland Local Plan

RECOMMENDATION

Taking into account the content of the report the recommendation is to:

GRANT PLANNING PERMISSION subject to the following 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:

Location plan, site plan, existing and proposed plans and elevations received by the Local Planning Authority on 21/06/2022

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

3. Prior to any development above damp proof course details of the external materials to be used in the carrying out of this permission (including samples) shall have first been submitted to, and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

REASON: To ensure that the appearance of the development would respect the site and the surroundings in accordance with policy SD4 of the Local Plan.

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.

AGENDA ITEM 8

Reference	Location	Proposal	Decision Date	Decision
R/2022/0445/LB	4 ST HILDAS PLACE LOFTUS TS13 4JY	LISTED BUILDING CONSENT FOR CONVERSION OF SECOND FLOOR ATTIC SPACE TO CREATE HABITABLE ROOM INCLUDING NEW TIMBER STAIRCASE; 2 CONSERVATION STYLE ROOF WINDOWS TO REAR INCLUDING INSTALLATION OF NEW SUPPORTING STEELWORK AND LARGER JOISTS AT SECOND FLOOR LEVEL; REMOVAL AND REPLACEMENT OF ROOF CLADDING INCLUDING NEW BREATHABLE ROOFING FELT AND THERMAL INSULATION; UPGRADING OF ENERGY EFFICIENCY OF THE BUILDING WITH TIMBER STUD DRY LININGS WITH THERMAL INSULATION AND/OR INSULATED PLASTER BOARDS; REPAIRS TO CRACKS TO EXISTING MAIN SANDSTONE WALLS; INSTALLATION OF NEW KITCHEN (GROUND FLOOR) AND BATHROOM (FIRST FLOOR); RENEWAL OF ELECTRICAL, PLUMBING AND HEATING SYSTEMS (PART RETROSPECTIVE)	11/07/2022	GRANT LISTED BUILDING CONSENT
R/2022/0015/FF	LAND ADJOINING 15 DUHALLOW CLOSE GUISBOROUGH TS14 7PF	CHANGE OF USE FROM PUBLIC OPEN SPACE TO RESIDENTIAL GARDEN INCLUDING BOUNDARY FENCING	11/07/2022	REFUSE PLANNING PERMISSION
R/2022/0505/AD	SOUTH BANK 66 MIDDLESBROUGH ROAD SOUTH BANK TS6 6NA	DISPLAY OF INTERNALLY ILLUMINATED TOTEM SIGN	12/07/2022	APPROVE ADVERT CONSENT
R/2022/0473/AD	TACO BELL UNIT 3 SOUTH BANK 66 MIDDLESBROUGH ROAD SOUTH BANK TS6 6NA	DISPLAY OF VARIOUS ILLUMINATED AND NON-ILLUMINATED SIGNAGE FOR NEW DRIVE THRU RESTAURANT	12/07/2022	APPROVE ADVERT CONSENT
R/2022/0453/AD	11 SOUTH BUCK WAY GUISBOROUGH TS14 7FJ	DISPLAY OF 1(NO.) INTERNALLY ILLUMINATED FASCIA	12/07/2022	APPROVE ADVERT CONSENT
R/2022/0373/FF	THE APPLE ORCHARD NURSERY MARSKE LANE SKELTON-IN- CLEVELAND TS12 2HE	CONSTRUCTION OF NEW VEHICULAR ENTRANCE WAY	12/07/2022	GRANT PLANNING PERMISSION

R/2022/0548/NM	LAND SOUTH OF REDCAR ROAD NORTH OF 21-77 SOUTH TERRACE SOUTH BANK	NON-MATERIAL AMENDMENT OF PLANNING PERMISSION R/2020/0489/FFM TO AMEND ENTRANCE CANOPY SUPPORT	12/07/2022	NON MATERIAL AMENDMENT APPROVE
R/2022/0571/PND	GARAGES AT RIEVAULX ROAD SKELTON-IN-CLEVELAND TS12 2NH	PRIOR NOTIFICATION FOR DEMOLITION OF 62 GARAGES (BLOCKS 901 TO 911; 912 TO 935 AND 957 TO 985)	12/07/2022	PN Permission Not Required
R/2022/0483/AD	UNIT B 1 REGENTS WALK REDCAR TS10 3FB	DISPLAY OF 2 NON-ILLUMINATED ALUMINIUM PANEL FASCIA SIGNS TO REPLACE EXISTING; 1 ILLUMINATED PROJECTING LIGHTBOX SIGN	13/07/2022	APPROVE ADVERT CONSENT
R/2022/0532/CD	LAND AT FORMER RYEHILLS SCHOOL SITE REDCAR LANE REDCAR	DISCHARGE OF CONDITION 8 (LAND CONTAMINATION) GRANTED ON APPEAL UNDER REFERENCE APP/V0728/W/18/3200383 FOR ERECTION OF 49 RESIDENTIAL UNITS WITH ASSOCIATED WORKS	13/07/2022	CONDITION DISCHARGE GRANTED
R/2022/0486/CD	LAND NORTH WEST OF GURNEY STREET NEW MARSKE TS11 8EG	DISCHARGE OF CONDITION 13 (UNEXPECTED CONTAMINATION) OF PLANNING PERMISSION R/2020/0245/FFM FOR ERECTION OF 23 DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING	13/07/2022	CONDITION DISCHARGE GRANTED
R/2022/0426/CD	KIRKLEATHAM HALL SPECIAL SCHOOL KIRKLEATHAM LANE KIRKLEATHAM REDCAR TS10 4QR	DISCHARGE OF CONDITION 3 (MATERIALS) OF PLANNING PERMISSION R/2021/0503/CA FOR SINGLE STOREY EXTENSION FOR ADDITIONAL CLASSROOMS, SENSORY AND THERAPY ROOMS ON EASTERN ELEVATION (PHASE 1) AND SINGLE STOREY NEW MAIN ENTRANCE/RECEPTION AND EXTENSION TO MAIN HALL ON WESTERN ELEVATION (PHASE 2) INCLUDING NEW PEDESTRIAN ACCESS; ASSOCIATED EXTERNAL WORKS AND COMPOUND SITE	13/07/2022	CONDITION DISCHARGE GRANTED
R/2022/0204/LB	ORMESBY HALL CHURCH LANE ORMESBY TS7 9AS	LISTED BUILDING CONSENT FOR RESURFACING OF OUTER COURTYARD	13/07/2022	GRANT LISTED BUILDING CONSENT
R/2022/0464/FF	36 KIRKLEATHAM LANE REDCAR TS10 5BZ	SINGLE STOREY REAR EXTENSION	13/07/2022	GRANT PLANNING PERMISSION

R/2022/0459/FF	34 DEEPPDALE GUISBOROUGH TS14 8JY	DEMOLITION OF EXISTING CONSERVATORY AND REPLACE WITH SINGLE STOREY EXTENSION AT REAR	13/07/2022	GRANT PLANNING PERMISSION
R/2022/0451/CA	CLEVELAND FIRE BRIGADE SALTBURN FIRE STATION LEVEN STREET SALTBURN	REMOVAL OF EXISTING TRAINING TOWER AND ERECTION OF NEW TRAINING TOWER IN THE SAME LOCATION	13/07/2022	GRANT PLANNING PERMISSION
R/2022/0450/RT	9 BALMORAL ROAD LINGDALE TS12 3HW	EXTENSION TO EXISTING FRONT DORMER (PART RETROSPECTIVE)	13/07/2022	GRANT PLANNING PERMISSION
R/2022/0175/FF	78 BOROUGH ROAD REDCAR TS10 2EQ	CHANGE OF USE OF PART OF GROUND FLOOR AT FRONT FROM RESIDENTIAL USE (CLASS C3) TO RETAIL (SHOP UNIT) (CLASS E. PART A. AND B) AND REPLACEMENT SHOP FRONT AND REINSTATE ENTRANCE DOOR	13/07/2022	GRANT PLANNING PERMISSION
R/2022/0154/FF	22 LABURNUM ROAD BROTTON TS12 2SG	INSTALLATION OF 1 NO. NEW AIR CONDITIONING UNIT AND REPLACEMENT OF 1 NO. EXISTING AIR CONDITIONING UNIT TO FRONT ELEVATION (RETROSPECTIVE)	13/07/2022	GRANT PLANNING PERMISSION
R/2022/0501/HN	6 CROSSBECK WAY ORMESBY TS7 9RE	SINGLE STOREY EXTENSION AT REAR EXTENDING 6.00 METRES BEYOND THE REAR WALL OF THE ORIGINAL HOUSE; MAXIMUM HEIGHT 3.42 METRES; HEIGHT TO EAVES 2.48 METRES	14/07/2022	HOUSEHOLDER PRIOR APPROVAL NOT REQUIRED
R/2022/0523/FF	3 LONGTHWAITE CLOSE SKELTON TS12 2WP	SINGLE STOREY FRONT EXTENSION TO GARAGE AND PORCH	18/07/2022	GRANT PLANNING PERMISSION
R/2022/0570/PND	THE BUNGALOW TRUNK ROAD SOUTH BANK MIDDLESBROUGH TS6 9AB	PRIOR NOTIFICATION FOR DEMOLITION OF BUNGALOW	18/07/2022	PN Permission Not Required
R/2022/0526/CD	LAND AT SOUTH TEES DEVELOPMENT CORPORATION EAST OF SMITHS DOCK ROAD SOUTH BANK	PARTIAL DISCHARGE OF CONDITION 28 (CONSTRUCTION TRAFFIC ASSESSMENT) OF OUTLINE PLANNING PERMISSION R/2020/0357/OOM FOR DEMOLITION OF EXISTING STRUCTURES ON SITE AND THE DEVELOPMENT OF UP TO 418,000 SQM (GROSS) OF GENERAL INDUSTRY (USE CLASS B2) AND STORAGE OR DISTRIBUTION FACILITIES (USE CLASS B8) WITH OFFICE ACCOMMODATION (USE CLASS B1), HGV AND CAR	19/07/2022	CONDITION DISCHARGE GRANTED

		PARKING AND ASSOCIATED INFRASTRUCTURE WORKS ALL MATTERS RESERVED OTHER THAN ACCESS		
R/2022/0481/CA	5 LEITH MEWS UPLEATHAM STREET SALTBURN TS12 1NZ	FIRST FLOOR EXTENSION AT SIDE AND INSTALLATION OF BIFOLD DOORS AT REAR	19/07/2022	GRANT PLANNING PERMISSION
R/2022/0541/TC	CLIFFDEN COURT SALTBURN TS12 1EZ	FELLING OF AN ACER TREE	19/07/2022	NO OBJECTIONS
R/2022/0436/FF	7 MORTON CARR LANE NUNTHORPE TS7 0JU	SINGLE STOREY SIDE EXTENSION	20/07/2022	GRANT PLANNING PERMISSION
R/2022/0535/HN	71 NEWMARKET ROAD REDCAR TS10 2JD	SINGLE STOREY EXTENSION AT REAR EXTENDING 6.00 METRES BEYOND THE REAR WALL OF THE ORIGINAL HOUSE; MAXIMUM HEIGHT 3.72 METRES; HEIGHT TO EAVES 2.95 METRES	20/07/2022	HOUSEHOLDER PRIOR APPROVAL NOT REQUIRED
R/2022/0268/AC	7-9 WESTGATE GUISBOROUGH TS14 6BG	DISPLAY OF WOODEN FASCIA SIGN AND GOLD LETTERING TO WINDOW	21/07/2022	ADVERT IN CONSERVATION AREA APPROVED
R/2022/0254/LB	7-9 WESTGATE GUISBOROUGH TS14 6BG	LISTED BUILDING CONSENT FOR ALTERATIONS TO SHOP FRONT INCLUDING SIGNAGE; CREATING A WOODEN PILLAR AND PAINTING THE SHOP FRONT A PALE BLUE COLOUR; INSTALLATION OF A STAIRCASE ON THE GROUND FLOOR;	21/07/2022	GRANT LISTED BUILDING CONSENT
R/2022/0482/FF	SALTBURN GOLF CLUB GUISBOROUGH ROAD SALTBURN TS12 1NJ	EXTENSION TO EXISTING GOLF DRIVING BUILDING WITH THE ADDITION OF TWO DRIVING BAYS TO PROVIDE SECURE TEACHING FACILITY	21/07/2022	GRANT PLANNING PERMISSION
R/2022/0390/FF	5 STONE ROW SKINNINGROVE TS13 4BE	DETACHED GARAGE TO REPLACE EXISTING STORAGE CONTAINER	21/07/2022	GRANT PLANNING PERMISSION
R/2022/0336/FF	3 MOORTOWN ROAD NEW MARSKE REDCAR TS11 8BW	SINGLE STOREY REAR EXTENSION; DEMOLITION OF CONSERVATORY AND REPLACE WITH SINGLE STOREY EXTENSION	21/07/2022	GRANT PLANNING PERMISSION
R/2022/0250/CA	7-9 WESTGATE GUISBOROUGH TS14 6BG	ALTERATIONS TO SHOP FRONT; CREATING A WOODEN PILLAR AND PAINTING THE SHOP FRONT A PALE BLUE COLOUR	21/07/2022	GRANT PLANNING PERMISSION

R/2022/0393/FF	106 HIGH STREET ESTON TS6 9EJ	PROPOSED HIP TO GABLE EXTENSION INCLUDING VELUX WINDOWS TO FRONT; FLAT ROOF DORMER EXTENSION TO REAR	22/07/2022	GRANT PLANNING PERMISSION
R/2022/0487/FF	58 WILTON BANK SALTBURN BY THE SEA TS12 1PD	SINGLE STOREY REAR EXTENSION	25/07/2022	GRANT PLANNING PERMISSION
R/2022/0469/VC	STANGHOW HOUSE LOW STANGHOW ROAD LINGDALE	VARIATION OF CONDITION 2 (APPROVED PLANS) OF PLANNING APPROVAL R/2021/0365/FF TO ALLOW FOR FLOOR LAYOUT ALTERATIONS; ALTERATIONS TO ROOFLIGHTS TO NORTH ELEVATION, INSTALL PV PANELS TO SOUTH ELEVATION. 2NO ADDITIONAL ROOFLIGHTS TO PROVIDE FIRE ESCAPE; CHANGE OF MATERIALS USED FOR TIMBER SINGLE STOREY EXTENSION	25/07/2022	GRANT PLANNING PERMISSION
R/2022/0489/FF	63 FARNDALE DRIVE GUISBOROUGH TS14 8JJ	PART DEMOLITION OF EXISTING TWO STOREY REAR EXTENSION TO ALLOW PROPOSED TWO STOREY REAR EXTENSION; PITCHED ROOF TO EXISTING GARAGE; CANOPY TO FRONT; WINDOW TO SIDE AT FIRST FLOOR	26/07/2022	GRANT PLANNING PERMISSION
R/2022/0418/FF	37 RABY ROAD REDCAR TS10 2HF	TWO STOREY SIDE EXTENSION INCLUDING GARAGE; REAR DORMER WINDOW; CONVERSION OF EXISTING GARAGE TO STUDY	26/07/2022	GRANT PLANNING PERMISSION
R/2022/0457/CA	FIRST FLOOR FLAT 36 HILDA PLACE SALTBURN BY THE SEA TS12 1BP	REPLACE WINDOWS TO FRONT ELEVATION	27/07/2022	GRANT PLANNING PERMISSION
R/2022/0429/FF	12 COLLINGWOOD CHASE BROTTON TS12 2FG	1.5 STOREY DOUBLE GARAGE / EXTENSION WITH NON-RESIDENTIAL ROOMS ABOVE	27/07/2022	GRANT PLANNING PERMISSION
R/2022/0400/VCM	WARD RECYCLING LTD PUDDLERS ROAD SOUTH BANK MIDDLESBROUGH TS6 6TX	VARIATION OF CONDITION 4 OF PLANNING PERMISSION R/2006/0331/FF TO PERMIT NON-ODOUROUS MIXED RECYCLATE TO BE PROCESSED AND STORED AT THE SITE	27/07/2022	GRANT PLANNING PERMISSION
R/2022/0399/VCM	WARD RECYCLING LTD PUDDLERS ROAD SOUTH BANK MIDDLESBROUGH TS6 6TX	VARIATION OF CONDITION 1 OF PLANNING PERMISSION R/2008/0988/FFM TO PERMIT NON-ODOUROUS MIXED RECYCLATE TO BE PROCESSED AND STORED AT THE SITE	27/07/2022	GRANT PLANNING PERMISSION

R/2022/0312/RT	12 LIME ROAD REDCAR TS10 3NE	PROVISION OF COVERED WOODEN STRUCTURE AS AN EXTERNAL SEATING AREA AT SIDE (RETROSPECTIVE)	27/07/2022	GRANT PLANNING PERMISSION
R/2022/0476/RM	1 UPSALL HALL GARDENS MIDDLESBROUGH ROAD NUNTHORPE TS7 0PG	RESERVED MATTERS APPLICATION (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) FOLLOWING OUTLINE PLANNING PERMISSION R/2017/0546/FF FOR ONE DETACHED DWELLINGHOUSE WITH INTEGRAL DOUBLE GARAGE INCLUDING ASSOCIATED LANDSCAPING; BOUNDARY FENCING AND GATES (AMENDED SCHEME)	27/07/2022	WITHDRAWN
R/2022/0595/CD	TURNERS ARMS FARM FISHPONDS ROAD YEARBY REDCAR TS11 8HH	DISCHARGE OF CONDITION 5 (MATERIALS) OF PLANNING PERMISSION R/2021/0930/FF FOR DEMOLITION OF EXISTING BUNGALOW; CONSTRUCTION OF REPLACEMENT DWELLING INCORPORATING GRANNY ANNEX	28/07/2022	CONDITION DISCHARGE GRANTED
R/2022/0492/CA	42 HIGH STREET MOORSHOLM TS12 3JH	REAR DORMER EXTENSION	28/07/2022	GRANT PLANNING PERMISSION
R/2022/0485/CA	4; 6; 8; 10; 12; 14 & 16 CLIFFDEN COURT SALTBURN TS12 1EZ	REROOFING OF 7 APARTMENT FRONT PORCHES/STAIRWELLS	28/07/2022	GRANT PLANNING PERMISSION
R/2022/0480/NM	UNITS H; HA; J; K; L & M CLEVELAND RETAIL PARK TRUNK ROAD SOUTH BANK MIDDLESBROUGH TS6 6UX	NON-MATERIAL AMENDMENT OF PLANNING PERMISSION R/2007/0836/FFM TO ATTACH A NEW CONDITION TO ALLOW DISTRIBUTION OF PERMITTED FLOOR SPACE ACROSS EXISTING UNITS H, HA, J; L AND M AND ALLOCATION OF UNUTILISED PERMITTED FLOOR SPACE AS A FULL COVER MEZZANINE FOR UNIT K	28/07/2022	NON MATERIAL AMENDMENT APPROVE
R/2022/0545/FF	10 NEVILLE GROVE GUISBOROUGH TS14 8BZ	SINGLE STOREY EXTENSION AND STEPS AT SIDE	29/07/2022	GRANT PLANNING PERMISSION
R/2022/0542/FF	17 CAMPION DRIVE GUISBOROUGH TS14 8DY	SINGLE STOREY EXTENSION AT SIDE	29/07/2022	GRANT PLANNING PERMISSION
R/2022/0536/FF	10 RYEDALE GUISBOROUGH TS14 8JE	SINGLE STOREY EXTENSION AT REAR/SIDE	29/07/2022	GRANT PLANNING PERMISSION
R/2022/0534/FF	32 ALDENHAM ROAD GUISBOROUGH TS14 7PP	SINGLE STOREY EXTENSION AT FRONT / SIDE	29/07/2022	GRANT PLANNING PERMISSION

R/2022/0385/FF	REDCAR RACECOURSE THRUSH ROAD REDCAR TS10 2BY	CREATION OF NEW 50 SPACE HORSEBOX CAR PARK INCLUDING NEW VEHICULAR AND PEDESTRIAN ACCESSES OFF WEST DYKE ROAD, 2.5M HIGH BOUNDARY WALL AND ASSOCIATED WORKS	29/07/2022	GRANT PLANNING PERMISSION
R/2022/0574/CD	LAND AT FORMER COATHAM BOWL SITE MAJUBA ROAD REDCAR TS10 5BJ	DISCHARGE OF CONDITIONS 6 (DRAINAGE DETAILS) AND 7 (DRAINAGE) OF PLANNING PERMISSION R/2021/0555/F3 FOR PROVISION OF 100 SPACE CAR PARK INCLUDING VEHICULAR AND PEDESTRIAN ACCESSES	02/08/2022	CONDITION DISCHARGE GRANTED
R/2022/0531/CD	LAND AT FORMER COATHAM BOWL SITE MAJUBA ROAD REDCAR TS10 5BJ	DISCHARGE OF CONDITION 5 (CEMP) OF PLANNING APPLICATION R/2021/0555/F3 FOR THE PROVISION OF 100 SPACE CAR PARK INCLUDING VEHICULAR AND PEDESTRIAN ACCESSES	02/08/2022	CONDITION DISCHARGE GRANTED
R/2022/0499/CD	CLEVELAND GATE LAND WEST OF SPRING WOOD ROAD GUISBOROUGH	DISCHARGE OF CONDITIONS 6 (LEVELS), 7 (DRAINAGE) AND 8 (CEMP) OF PLANNING PERMISSION R/2021/0792/FFM FOR ERECTION OF EXTRA CARE LIVING SCHEME COMPRISING OF A 3 STOREY BLOCK OF 71 APARTMENTS WITH COMMUNAL FACILITIES, 12 SEMI-DETACHED BUNGALOWS, FORMATION OF ASSOCIATED ACCESS, LANDSCAPING AND PARKING	02/08/2022	CONDITION DISCHARGE GRANTED
R/2022/0566/FF	8 BALMORAL ROAD LINGDALE SALTBURN BY THE SEA TS12 3HW	DORMER EXTENSIONS TO FRONT AND REAR	02/08/2022	GRANT PLANNING PERMISSION
R/2022/0504/FF	27 CAMPION DRIVE GUISBOROUGH TS14 8EU	SINGLE STOREY SIDE EXTENSION	02/08/2022	GRANT PLANNING PERMISSION
R/2022/0493/FF	SALTBURN GOLF CLUB GUISBOROUGH ROAD TS12 1NJ	REPLACEMENT FENCING AND PEDESTRIAN AND VEHICLE ACCESS GATES ALONG EASTERN BOUNDARY OF GOLF PRACTICE AREA AND INTERNAL CAR PARK AT GOLF CLUB (2.4M HIGH) AND RELOCATION OF CAR PARK LIGHTING TO NORTHERN BOUNDARY	02/08/2022	GRANT PLANNING PERMISSION
R/2022/0578/HN	22 OAK ROAD BROTTON TS12 2UZ	DEMOLITION OF EXISTING CONSERVATORY REPLACE WITH SINGLE STOREY EXTENSION AT REAR EXTENDING 4.50 METRES BEYOND THE REAR WALL OF THE ORIGINAL HOUSE; MAXIMUM HEIGHT 3.30 METRES; HEIGHT TO EAVES 2.52 METRES	02/08/2022	HOUSEHOLDER PRIOR APPROVAL NOT REQUIRED
R/2022/0549/TC	THE HOLLIES VICTORIA TERRACE	REDUCE MATURE BEECH (T1) - BASAL DAMAGE DUE TO DECKING INGRESS AND IN VERY CLOSE PROXIMITY TO	02/08/2022	NO OBJECTIONS

	SALTBURN BY THE SEA TS12 1HN	BUILDING; FELL HOLLY (T2) - POOR SPECIMEN GROWING TOWARDS NEXT DOORS HOUSE		
R/2022/0529/TC	CAR PARK AT FRONT AND REAR OF 2 - 40 ZETLAND MEWS SALTBURN BY THE SEA	CROWN REDUCTION AND LIFTING OF 12 SYCAMORE TREES (WITHIN 2 GROUPS)	02/08/2022	NO OBJECTIONS
R/2022/0503/FF	51 DEEPPDALE GUISBOROUGH TS14 8JY	SINGLE STOREY BAY WINDOW EXTENSION TO FRONT OF HOUSE TO REPLACE BOW WINDOW	02/08/2022	REFUSE PLANNING PERMISSION
R/2022/0562/FF	CLEVELAND GATE CAR PARK SOUTH BUCK WAY GUISBOROUGH	DETACHED SINGLE STOREY BUILDING FOR USE AS CAFE/COFFEE SHOP INCLUDING EXTERNAL SEATING AREA WITH BOUNDARY RAILINGS AND ALTERATIONS TO EXISTING CAR PARK TO PROVIDE 4 ADDITIONAL CAR PARKING SPACES	02/08/2022	WITHDRAWN
R/2022/0555/FF	30 LAYLAND ROAD SKELTON-IN-CLEVELAND TS12 2AQ	SINGLE STOREY REAR EXTENSION	03/08/2022	GRANT PLANNING PERMISSION
R/2022/0484/FF	3 AMBLESIDE AVENUE REDCAR TS10 4JL	CHANGE OF USE OF LAND FROM PUBLIC OPEN SPACE TO RESIDENTIAL GARDEN; DEMOLITION OF OUTBUILDING; SINGLE STOREY FRONT EXTENSION INCLUDING BOW WINDOW, TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION	03/08/2022	GRANT PLANNING PERMISSION
R/2022/0479/FF	BRIARWOOD HIGH STANGHOW STANGHOW TS12 3LE	BALCONY WITH STEEL SUPPORTS AT REAR	03/08/2022	GRANT PLANNING PERMISSION
R/2022/0527/TR	CASTLEBAR THE AVENUE GUISBOROUGH TS14 8EE	REMOVAL OF CROWN AND REDUCE TO A STANDING STEM (APPROX 8 METRES) OF 1 LIME TREE AND REMOVAL OF 1 DEAD LIMB AND SOME EPICORMIC GROWTH FROM THE BASE OF 1 LIME TREE (L/TPO NO.13)	04/08/2022	GRANT CONSENT FOR TREE WORKS
R/2022/0569/FF	10 TORCROSS WAY REDCAR TS10 2RU	DEMOLITION OF EXISTING CONSERVATORY AND REPLACE WITH SINGLE STOREY EXTENSION AT REAR; SINGLE STOREY EXTENSION AT FRONT	05/08/2022	GRANT PLANNING PERMISSION
R/2022/0511/FF	12 SCALBY GROVE REDCAR TS10 2PT	TWO STOREY EXTENSION AT SIDE LINKING AT GROUND FLOOR TO EXISTING GARAGE AT REAR TO FORM GARDEN STORAGE	05/08/2022	GRANT PLANNING PERMISSION
R/2022/0379/FF	46 BERKLEY DRIVE GUISBOROUGH TS14 7LU	TWO STOREY EXTENSION AT SIDE	05/08/2022	REFUSE PLANNING PERMSSION

Schedule of appeals

Reference Number	Site	Description	Decision	Date of Planning Decision	Appeal start date	Appeal method	Appeal decision	Date of Appeal Decision
R/2022/0194/FF	13 Rowland Keld, Guisborough	Two storey side extension and single storey rear extension	Refused	10/05/2022	07/07/2022	Householder appeal		
R/2021/0843/RSM	Former South Tees Motor Cross Park, Old Station Road, South Bank	Waste processing facility (resubmission)	Refused	21/01/2022	28/06/2022	Written representations		

Schedule of enforcement actions

Reference	Address	Breach of Planning Control	Authorised Date	Enforcement Action	Remarks
E0134/2020	19 Milton Street and 2 Pearl Street, Saltburn, TS12 1DJ	A number of timber sliding sash window frames have been replaced for inappropriate plastic windows. The works that have taken place have an adverse impact on Saltburn's Conservation Area.	Development Services Manager on 25 th November 2020.	Served Enforcement Notice on 25 th November 2020	New Enforcement Notice served on 22 nd April 2022. Compliance date 22 nd October 2022.
E0212/2020	1 MILBANK STREET SOUTH BANK TS6 6DD	Building Adversely Affecting the Amenity of the Neighbourhood.	Head of Planning and Development on 6 th January 2022.	Served S215 Notice on 6 th January 2022.	Served new Notice on 17 th May 2022. Post tracking states refused to sign. With Legal Services.
E0070/2020	Land next to Marton Railway Station, Ladgate Lane, Ormesby	The Council considers it expedient to issue the notice as the change of use of land and the development of stables and other structures is not acceptable. The change of use of land to horsecultural is inappropriate due to the close proximity of the main railway station and there being no grazing land.	Head of Planning and Development on 6 th January 2022.	Served S215 Notice on 6 th January 2022.	Following several site visits all is quiet. No horses on site. To Monitor.

E0014/2021	40 Pearl Street, Saltburn, S12 1DU.	Without planning permission, the unauthorised replacement of three sliding sash wooden windows and two bay wooden windows on the front elevation.	Head of Planning and Development on 2 nd September 2021	Served Enforcement Notice on 6 th March 2022	Ground floor Bay window to be replaced initially. Followed by first floor windows.
E0135/2020	4 (plot 4) Serenity Hollow, Boosbeck, TS12 3DL	Planning condition[s] have not been complied with the relevant planning permission granted by the Council on 28 th October 2021 for a detached dwellinghouse (part retrospective) reference number R/2021/0245/FF.	Development Services Manager on 3 rd March 2022.	Served Breach of Condition Notice on 3 rd March 2022.	Barrister appointed to advise.
E0072/2021	Macy Browns, 19 Market Place, Guisborough, TS14 6BN	Unauthorised installation of a plastic door frame and door in the eastern elevation and attachment of plywood boards to window frames in the eastern elevation in a grade ii Listed Building.	Development Services Manager on 5 th May 2022.	Served S330 Notice on 5 th May 2022.	New wooden door installed. To monitor.

Section 106 Agreements currently under negotiation.

Application Number	Application site	Head of terms	Agreement Stage
R/2018/0621/OOM	Land off Nightingale Road, Guisborough	1. Provision of on-site affordable housing 2. Commuted sum towards special educational needs capacity of £79,372	Awaiting draft

Development Management performance report

AGENDA ITEM 12

Ministry for Housing and Local Government National reporting figures

	Threshold for designation	2022/2023 Q1	2021/2022 Q4	2021/2022 Q3	2021/2022 Q2	2021/2022 Q1	2020/2021 Q4	2020/2021 Q3	2020/2021 Q2
Quality of decisions: Major applications over the two year reporting period	10%	0%	0%	0%	0%	0%	0%	0%	2.63%
Quality of decisions: Minor applications over the two year reporting period	10%	0.5%	0.45%	0.33%	0.30%	0.70%	0.58%	0.55%	0.64%
Speed of decisions: Major applications over the two year reporting period	60%	93.1%	92.45%	95.74%	97.67%	100%	100%	100%	100%
Speed of decisions: Minor applications over the two year reporting period	70%	92.03%	89.17%	91.08%	90.84%	92.09%	93.52%	94.8%	94.48%

Redcar and Cleveland local reporting figures

	2022 / 2023 Q1	2021/ 2022 performance	2021/ 2022 Q4	2021/ 2022 Q3	2021/ 2022 Q2	2021/ 2022 Q1	2020/ 2021 performance	2019/ 2020 performance	2018/ 2019 performance
Determine planning applications within statutory periods (or subject to agreement): Major applications	100% (7/7)	86.67% (26/30)	80% (8/10)	90% (9/10)	83.33% (5/6)	100% (4/4)	100% (23/23)	100% (22/22)	100% (15/15)
Determine planning applications within statutory periods (or subject to agreement): Minor applications	86.1% (31/36)	86.13% (118/137)	94.12% (32/34)	80% (28/35)	85.71% (30/35)	84.85% (28/33)	95.83% (115/120)	90.98% (111/122)	96.03% (121/126)
Determine planning applications within statutory periods (or subject to agreement): Others applications	93.44% (114/122)	89.06% (407/457)	88.42% (84/95)	80% (80/100)	86.96% (100/115)	91.08% (143/157)	95.40% (373/391)	89.89% (337/375)	97.67% (377/386)