

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



CONTACT

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1 November 2022

CIRCULATION

Councillors Stuart Smith (Chair), Head (Vice Chair), Ayre, Baldwin, Hixon, Lockwood, Morgan, Ovens, Richardson, Rider, Thomson and Watts.

Managing Director

All Members of the Council (For information)

The Press [except for Confidential item(s)]

A G E N D A

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1. Apologies for Absence.	
2. Declarations of Interest.	
3. To confirm the Minutes of the Regulatory Committees held on 15 September 2022 and Taxi Panel held on the 29 September 2022.	3-28
4. To note the attendance matrix from the last meeting	29
5. Development Managers Presentation.	To Follow

REPORTS OF THE MANAGING DIRECTOR

PLANNING APPLICATIONS FOR DECISION

6. R/2022/0986/FFM Residential Development of 65 houses with associated access, open space, landscaping, parking and drainage infrastructure land off Trefoil Close and Meynell Avenue Guisborough – Officer’s recommendation approval	30-122
7. R/2022/0465/FFM Erection of a new discount food store (Use Class E) with new vehicle access, car parking, landscaping and other associated works land at Redcar Racecourse West Dyke Road Redcar – Officer’s recommendation approval	123-165
8. R/2022/0656/F3 Siting of 9 adapted shipping containers (single storey and two storey) for use as a water sports activity centre, toilets and showering facilities, creation of a landscaped plaza and reconfigured parking facilities car park land north of Majuba Road Redcar – Officer’s recommendation approval	166-186
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A meeting of the Regulatory Committee was held on 15 September 2022.

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

OFFICIALS. E Dale, E Garbutt and C Griffiths

MINUTES SILENCE

The Chair announced the sad death of Her Majesty Queen Elizabeth II and Members joined him in a minute's silence as a mark of respect.

APOLOGIES FOR ABSENCE were submitted on behalf of Councillors Richardson and Stuart Smith.

28. MINUTES

RESOLVED that the minutes of the Regulatory Committees held on 18 and 19 August 2022 and Taxi Panel held on 25 August 2022 be confirmed and signed by the Chair as correct records.

28.01 **R/2022/0506/CA Two Storey detached building as new spa facility or hotel use including pool with sauna/steam rooms; treatment centre; changing facilities; nail bar; café and covered terrace at ground floor; gymnasium treatment rooms and meeting space at first floor Brockley Hall Glenside Saltburn.**

The Managing Director reported that Permission was sought for a two storey detached building as a new spa facility for hotel use including pool with sauna / steam rooms; treatment rooms; changing facilities, nail bar; cafe and covered terrace at ground floor; gymnasium, treatment rooms and meeting space at first floor

The application related to Brockley Hall, Glenside, Saltburn. Brockley Hall was a large three storey building which had previously been extended. The property operated as a hotel and restaurant and the proposed spa facility would be in conjunction with the hotel. The site was located in a wider residential area and was within Saltburn Conservation Area.

The application sought consent for a two storey building which was a L shape. There would also be an outside covered terrace L shaped area. The building would include a pool and treatments rooms along with a café

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facility.

The application had been accompanied by existing and proposed plans and elevations. The plans and elevations had been amended during the application process following comment raised by the Conservation Officer.

The consultation exercise had resulted in 13 representations having been received making the following comments:-

- Similar conditions to the previous permission should be set.
- Concerns over privacy.
- Construction traffic should not use the shared access road.
- Out of date information.
- How would the use be controlled.
- Existing parking problems increased.
- First floor element raised concerns over impacts and privacy
- Frosted windows should be considered.
- Impacts on discharge of water and sewage.
- Climate change / environmental impacts.
- Drawings incorrect.
- Contrary to policies and Management Plan.
- Impact on trees.
- Impact of vent / noise and smells.
- Meeting room – would this be a music / entertainment venue.
- Chemical storage.
- Adverse impact on the conservation area.
- Lack of disabled access.
- Traffic generation.
- Highways safety.

Saltburn, Marske and New Marske Parish Council made the following comments on the originally submitted plans:-

OBJECTIONS-over development of the site / not in keeping with the area / issues with sewage disposal-drainage

Northumbrian Water made the following comments:-

17/06/2022

“At this time the planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We therefore request the following condition:

CONDITION: Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby

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approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

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

23/08/2022

“At this time the planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We therefore request the following condition:

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

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

Redcar and Cleveland Borough Council (Conservation Advisor) made the following comments:-

01/07/2022

“Objection on a precautionary basis to ensure the proposal accords with Policy HE1 of the adopted Local Plan. The increased height of the building over the 2021 scheme must be fully considered and the application fails to provide any illustration of its context and its part in the street scene. The Design and Access and Heritage Statement clarifies that the proposed building is 3.6m in height, but without knowing the height of neighbouring Brockley Hall that figure is difficult to appreciate and a contextual drawing would be helpful.

Caution is also required in determining exact finish, it being essential that the scheme is perfectly executed in both material and detail to ensure it preserves the character of the conservation area as require by Policy HE1. Most concerning is an indication in the supporting details that what are assumed on the drawing to be stone architectural features may be finished in render, so clarification is required. Details of other architectural character such as the corbels and banding also need to be established.

More broadly, as a standalone building the proposal appears an improvement over the previous application, the continual ridge height throughout resulting in a more coherent and traditional appearance. The

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projecting gable with what is anticipated to be a stone projection forming the eastern elevation stands slightly forward of the established building line, though it confidently addresses the street scene and, if executed correctly, should have a positive influence by reinforcing the architectural tradition of the immediate area and diluting the impact of the somewhat muted Huntcliff Court and rearward extension to Brockley Hall itself.

The covered terrace will be less visible, screened by existing hedge growth and the trunks of mature trees growing within the boundary. However, to complement the arboreal character of this part of the conservation area and to ensure a sympathetic development, the canopy would need to be of timber and not metal as specified in the elevational drawing.

Overall therefore, it is anticipated that this objection can be removed once satisfactory details are received which would demonstrate that the character of the conservation area will be preserved.”

01/09/2022

“No objection as the revised proposal along with extra indicative drawings demonstrate that the proposal will preserve the character of Glenside and the setting of nearby listed buildings as required by Policies HE1 and HE2 of the adopted Local Plan, allowing the former objection to be removed. On matters of architectural detailing, the use of artificial stone for the prominent architectural features is considered to be capable of producing an appropriate finish, cast stone porticos for example having already being successfully used in other buildings. The specification of hardwood canopies is also welcomed.

The submitted street scene elevations show that the increased height of this proposal over the previous approval still preserves the relationship between it and neighbouring buildings, the spa structure being of subservient scale to historic Brockley Hall within whose curtilage it is built.

Should this application be approved the following conditions are suggested:

- Prior to any development above ground level and notwithstanding the details provided on the submitted plans and elevations, approval of the exact details of the design of the portico on the east elevation, drawn at a scale of not less than 1:20, shall be obtained from the Local Planning Authority.*

REASONS: To safeguard the special character of the conservation area and the settings of adjacent listed buildings, as required by policies HE1 & HE2 of the Local Plan.

- Prior to any development above ground level, full details of the roof*

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eaves overhang, window and door rebates and reveals and finish of stone window and door surrounds, shall be submitted to and agreed in writing by the local planning authority. The development shall be completed in accordance with the approved details.

REASONS: To safeguard the special character of the conservation area and the settings of adjacent listed buildings, as required by polices HE1 & HE2 of the Local Plan.

- Prior to any development above ground level in pursuance of this permission, full details and/or samples of all materials including bricks, masonry, roof tiles/slates and watertables/copings, rainwater gutters and pipes, windows and doors, canopies and roof lanterns, to be used in the external elevations and for the roof, shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details.*

REASONS: To safeguard the special character of the conservation area and the settings of adjacent listed buildings, as required by polices HE1 & HE2 of the Local Plan.

- Prior to installation, full details of the design and construction of the canopy shall be submitted to and agreed in writing by the local planning authority. The development shall be completed in accordance with the approved details.*

REASONS: To safeguard the special character of the conservation area and the settings of adjacent listed buildings, as required by polices HE1 & HE2 of the Local Plan.”

Redcar and Cleveland Borough Council (Environmental Protection)
(Contaminated Land) (04/07/2022) had no objections.

Redcar and Cleveland Borough Council (Environmental Protection)
(Nuisance) (04/07/2022) advised as follows:-

“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 the proposed development is in close proximity to residential development whose amenity could be affected by dust and noise from construction activities.

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

Prior to commencement of construction, a CEMP shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The

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Statement shall provide the following;

- i) The parking of vehicles for site operatives and visitors;*
- ii) Loading and unloading of plant and materials;*
- iii) Storage of plant and materials used in constructing the development;*
- iv) The erection and maintenance of security hoarding including decorative displays;*
- v) Wheel washing facilities;*
- vi) Measures to control the emission of noise, dust and vibration during the construction period.*
- vii) A scheme for recycling/disposing of waste resulting from construction works.*

REASON: To protect the amenity of nearby residents and in the interests of highway safety.

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.”

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 application site was located within the development limits and within an established residential area. The principle of a detached building in this location was acceptable and the proposal would accord with the aims of policy SD3 of the Local Plan.

The application had been amended through the lifetime of the application in order to address the initial concerns raised by the Councils Conservation Officer. The amended design had the potential to be a real asset to the town architecturally although there still needed to be agreement over the materials which could be conditioned should planning permission be granted.

Given the scale of buildings in the area the proposal was considered to be suitable for the location and would not have an adverse impact on the street scene or the wider conservation area. The development would be read within the context of the two existing large buildings, Brockley Hall and Huntcliff Court. The development would not detract from these buildings and as shown on the submitted street scene drawings would complement the character of the area. The increased height was considered acceptable.

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The proposal was 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 proposal would preserve the wider conservation area and the application accords with policy HE1 of the Redcar and Cleveland Local Plan and the guidance within the Saltburn Conservation Area Management Plan Supplementary Planning Document.

Given the location and relationships to existing properties there would be no overbearing impacts and the proposal raised no issues in terms of overlooking or loss of privacy. Sufficient separation distances were provided between the proposal and existing residential properties.

Given the location Environmental Protection had recommended the use of conditions in relation to working hours. Such a condition was considered reasonable and should be attached if planning permission was granted.

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 vehicular access to the site was unaffected by the development and parking continued to be provided within the site. The proposed development was to be used in conjunction with the existing hotel facility and therefore raised no issues in terms of parking or access.

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

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

The application fell outside of the catchment for nutrient neutrality and outside of scope for requiring additional information / assessment.

For the reasons outlined above the proposal was considered acceptable. The proposal would not have a significant adverse impact on neighbour amenity and the proposal raised no issues in terms of highways safety or crime prevention. The scale and design was acceptable and the proposal would respect the character of the site and surroundings. The proposal accords with policies HE1, SD3 and SD4 of the Redcar and Cleveland Local Plan and the Saltburn Conservation Area Management Plan.

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The supporters at the meeting made the following comments:-

- Many of the objections were around the shared drive however, the drive was not shared as could be seen from the Land Registry map;
- At no time had residents paid for the upkeep of the drive;
- There would be no fumes from the pool as organic materials would be used;
- Concern had been expressed about noise levels but there would be insulation and sound proofing;
- Improvement on the marquee which was currently used and had been since lockdown;
- A heat source pump was to be used so that would not generate any noise;
- The proposed building would be a floor lower than the existing hotel;
- The hotel/spa would offer a luxury experience;
- Proud of our achievements as had gained 4* and 2 rosettes;
- Covid had impacted on events and had struggled to absorb huge losses and had only survived at great cost;
- There was a need to attract more guests and research suggested this was the way to go;
- They would provide a high end experience for guests with yoga, meditation, beauty treatments and organic health foods;
- The proposed development was vital for the continued growth of the business which had been devastated by the pandemic;
- Standing still in the industry was no longer an option;
- The growth of the business would benefit all including 50 staff and dozens more in the supply chain;
- Everything could be placed in peril if we do not seize this opportunity to develop the business;
- The footprint was unchanged and the increase in height was a meter and a half, two floors lower than the neighbour and 1 floor lower than the hotel itself;
- Additional planting would be put in place;
- Noise, storage and waste water were resolved previously.

Following the presentation of the report of the Managing Director and taking into account the representations, the Committee made the following comments:-

- It is an application for a spa in a spa town;
- Additional facilities are needed in the area;
- Complements and in keeping with the adjacent buildings;
- It was a spa so do not imagine that noise would be an issue but recommend an additional condition in respect of noise.

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RESOLVED that Planning Permission be granted 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: (PLAN NUMBER) received by the Local Planning Authority on (DATE)

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 commencement of construction, a CEMP shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide the following;
 - i) The parking of vehicles for site operatives and visitors;
 - ii) Loading and unloading of plant and materials;
 - iii) Storage of plant and materials used in constructing the development;
 - iv) The erection and maintenance of security hoarding including decorative displays;
 - v) Wheel washing facilities;
 - vi) Measures to control the emission of noise, dust and vibration during the construction period.
 - vii) A scheme for recycling/disposing of waste resulting from construction works.

REASON: To protect the amenity of nearby residents and in the interests of highway safety.

5. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the

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Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

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

6. Prior to any development above ground level and notwithstanding the details provided on the submitted plans and elevations, approval of the exact details of the design of the portico on the east elevation, drawn at a scale of not less than 1:20, shall be obtained from the Local Planning Authority. The development shall be completed in accordance with the approved details.

REASONS: To safeguard the special character of the conservation area and the settings of adjacent listed buildings, as required by polices HE1 & HE2 of the Local Plan.

7. Prior to any development above ground level, full details of the roof eaves overhang, window and door rebates and reveals and finish of stone window and door surrounds, shall be submitted to and agreed in writing by the local planning authority. The development shall be completed in accordance with the approved details.

REASONS: To safeguard the special character of the conservation area and the settings of adjacent listed buildings, as required by polices HE1 & HE2 of the Local Plan.

8. Prior to any development above ground level in pursuance of this permission, full details and/or samples of all materials including bricks, masonry, roof tiles/slates and watertables/copings, rainwater gutters and pipes, windows and doors, canopies and roof lanterns, to be used in the external elevations and for the roof, shall be submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details.

REASONS: To safeguard the special character of the conservation area and the settings of adjacent listed buildings, as required by polices HE1 & HE2 of the Local Plan.

9. Prior to installation, full details of the design and construction of the canopy shall be submitted to and agreed in writing by the local planning authority. The development shall be completed in accordance with the approved details.

REASONS: To safeguard the special character of the conservation area and the settings of adjacent listed buildings, as required by polices HE1 & HE2 of the Local Plan

10. No development shall take place until a scheme for the enclosure

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of any noise emitting plant and machinery with sound-proofing material, including details of any sound-insulating enclosure, mounting to reduce vibration and transmission of structural borne sound has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed prior to the first occupation of the building and shall thereafter be retained.

REASON: To protect the amenities of occupiers of nearby properties from excessive noise in accordance with policy SD4 of the Local Plan.

28.02 R/2022/0572/CA Redevelopment of existing park including new 17 space car park; vehicular and pedestrian accesses; associated ground works; play/communal areas; boundary fencing and landscaping Coronation Park Coronation Road/ Westfield Terrace Loftus.

The Managing Director advised that Permission was sought for the redevelopment of existing park including new 17 space car park; vehicular and pedestrian accesses; associated ground works; play/communal areas; boundary fencing and landscaping at Coronation Park, Coronation Road/Westfield Terrace, Loftus.

The proposed development involved the remodelling of the exiting park to provide a car park at the western side, a larger grassed area to the centre, a play area on the eastern side and a boulevard pathway leading up to Duncan Place.

The consultation exercise had resulted in three letters of objection having been received making the following comments:-

- Do not agree the park needed a total redesign
- Some of the trees were very old
- Park had remained unaltered for generations
- Redesign would remove history and appeal of the park
- Several trees and benches were memorials what was to happen to these?
- Park needed money spending on it to return it to former glory
- Park was a safe area for children to play
- Providing car park would reduce space for people to enjoy
- Concern of traffic increase on Westfield Terrace
- Concern of visibility for vehicles entering and leaving car park
- Spaces on road would be lost as a result of works
- Concern that 15 trees were to be removed
- No need for a play area within the park as there was one close by
- Why does Coronation Park need to be used as an event space

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- What was the need for a car park

Loftus Town Council made the following comments:-

“Loftus Town Council supports this application as part of the wider regeneration plans for Loftus. Loftus Town Council welcomes the use of plants being reused in other areas of the town, and considers this should be promoted. Suggestion that any memorial plaques on benches not being reused in the park should be removed and refixed to the replacement seating.”

Redcar and Cleveland Borough Council (Conservation Advisor) (25/07/2022) made the following comments:-

“No objection as the proposal is considered to preserve the character of the conservation area as required by Policy HE1 of the adopted Local Plan. It is acknowledged that this proposal fundamentally changes the character of the park by introducing an informal flowing style of landscaping, thereby also altering its relationship with surrounding built development. The current formal layout could be considered to complement the regimented architecture seen in the former school and surrounding houses, such as those comprising Westfield Terrace and the detached housing along Coronation Road. Considerations therefore hinge upon the significance of those relationships and the contribution the current landscaping of the park makes to the character of the conservation area.

The key to understanding that significance is how the park evolved and the contribution it made, if any, to the development of the surroundings. Historic OS maps show that the plot formerly contained a building, the positioning of which would have obscured the prime elevation of the school building. An aerial photograph dated 1932 appears to show the plot sub-divided into allotments and further evidence of that use is available on the East Cleveland Image Archive. It is therefore apparent that the site was, until the transformation into Coronation Park, undeveloped and saw an ad-hoc use linked to the practical requirements of local inhabitants, meaning that the imposition of formal landscaping can be viewed as a standalone development rather than being intrinsically linked to the development of Westfield Terrace and Duncan Place.

Whilst the park does provide an appropriate setting for the surrounding housing, it also acts as a barrier between Westfield Terrace and the school, the planting being an effective visual screen contributing to the relegation of what should be a key civic building into a position of obscurity. This proposal is anticipated to effectively address that situation in conjunction with the enhanced proposed access from Zetland Road. The wide path and new planting scheme mean that the site retains an aesthetic quality and still fulfils the role of a public park but will also act as a curtilage to the former school. The result will enhance the prominence of

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the non-listed yet still significant building, the concealed positioning of which is ostensibly due to an apparent historical lack of planning during the rapid Victorian expansion of the town. Overall therefore, the proposal is considered to be effective in addressing a historic shortcoming by drawing the schoolhouse into the conservation area, changing but not harming the context of surrounding built development.”

Redcar and Cleveland Borough Council (Development Engineers)
(04/08/2022) made the following comments:-

“No objections on highway grounds. The existing TRO on Westfield Terrace will require amending however I understand this will be covered by the wider works in Loftus. Whilst there are 2 EV points within the car park, could one of the end bays become a space for disabled users?”

Redcar and Cleveland Borough Council (Local Lead Flood Authority)
(19/08/2022) made the following comments:-

“The LLFA have reviewed the submitted information and would offer no objection in principle. The development is to be restricted to greenfield run off (5l/s) and is to discharge to NWL system, Contact shall be made with NWL to obtain approval to discharge at a max of 5l/s. Sufficient storage is to be provided within site.

Additional information is required and can be secured by condition. Please condition standard condition 3 to ensure that a site specific management plan all surface water features, including hydrobrake and storage along with all other aspects.

Please further condition the FRA and drawing CK-XX-XX-DR-C-52-100 Rev P1 as approved documents detailing that the development shall be carried out strict accordance.”

Redcar and Cleveland Borough Council (Environmental Protection)
(Contaminated Land) (11/08/2022) made the following comments:-

“A desk study does not highlight any past contaminative historic use, pollution episodes or that it is affected by contamination from adjoining land.

The applicant should be aware of his responsibilities under para 178 of the NPPF

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that

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remediation) and

b) that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

As a precaution I would therefore recommend the following condition to cover unexpected contamination that may be encountered during the development

- In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority.*

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority

Following completion of the development a report must be submitted confirming that unexpected contamination was not encountered during the development

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

Redcar and Cleveland Borough Council (Environmental Protection) (Nuisance) (29/07/2022) made the following comments:-

“Confirm that I have assessed the amended documents with regard to the proposed lighting scheme at the development and have no comments to make regarding this, I would however reiterate my previous comments with regard noise and dust from the development potentially affecting the amenity of neighbouring properties and 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.*

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REASON: In the interest of neighbour amenity.

- *Prior to the commencement of construction details of a dust mitigation strategy for the construction phase of the development shall be submitted to the Local Planning Authority for approval in writing. The approved strategy shall be implemented in its entirety and maintained throughout the period of construction.*

REASON: In the interests of neighbour amenity.”

Redcar and Cleveland Borough Council (Natural Heritage Manager) (15/07/2022) made the following comments:-

“Good to see that newly planted trees will be included within the project. As usual, we would like to see net gain in terms of biodiversity.”

The Managing Director advised that the main consideration 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 contamination and nuisance
- The impacts on drainage

The application site was located within the development limits. The site was currently a public park within an area with a mix of uses including residential properties to the north and west, with a terrace of commercial properties to the south and the existing community buildings to the east.

The principle of the redevelopment of the park in this location was acceptable and the proposal accords with the aims of policy SD3 of the Redcar and Cleveland Local Plan.

The proposed development sought to retain the site as a public park. It was noted that the proposed works would result in the loss of existing mature trees to facilitate the provision of the new boulevard leading to Duncan Place. While the loss of the existing trees was regrettable, it was considered the loss was on balance acceptable to provide the views towards Duncan Place as detailed further below in the comments from the conservation officer. It was also noted that the development proposed a detailed landscaping scheme for the site, including replacement trees. Although it was acknowledged that the replacement trees were of less mature specimens to those being removed, it was considered that through the retention of a number of trees mainly on the boundary of the site, the

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overall character and appearance of the area would not be adversely impacted upon.

The proposed access at the southeast corner from Zetland Terrace was considered to be of an acceptable scale and design for the location and its surroundings. The provision of this access was not considered to have an adverse impact on the character and appearance of the wider area.

The application site was situated within Loftus conservation area. The proposed development had therefore been considered by the Council's conservation officer. The following comments had been provided in response to the proposed development:

“No objection as the proposal is considered to preserve the character of the conservation area as required by Policy HE1 of the adopted Local Plan. It is acknowledged that this proposal fundamentally changes the character of the park by introducing an informal flowing style of landscaping, thereby also altering its relationship with surrounding built development. The current formal layout could be considered to complement the regimented architecture seen in the former school and surrounding houses, such as those comprising Westfield Terrace and the detached housing along Coronation Road. Considerations therefore hinge upon the significance of those relationships and the contribution the current landscaping of the park makes to the character of the conservation area.

The key to understanding that significance is how the park evolved and the contribution it made, if any, to the development of the surroundings. Historic OS maps show that the plot formerly contained a building, the positioning of which would have obscured the prime elevation of the school building. An aerial photograph dated 1932 appears to show the plot sub-divided into allotments and further evidence of that use is available on the East Cleveland Image Archive. It is therefore apparent that the site was, until the transformation into Coronation Park, undeveloped and saw an ad-hoc use linked to the practical requirements of local inhabitants, meaning that the imposition of formal landscaping can be viewed as a standalone development rather than being intrinsically linked to the development of Westfield Terrace and Duncan Place.

Whilst the park does provide an appropriate setting for the surrounding housing, it also acts as a barrier between Westfield Terrace and the school, the planting being an effective visual screen contributing to the relegation of what should be a key civic building into a position of obscurity. This proposal is anticipated to effectively address that situation in conjunction with the enhanced proposed access from Zetland Road. The wide path and new planting scheme mean that the site retains an aesthetic quality and still fulfils the role of a public park but will also act as a curtilage to the former school. The result will enhance the prominence of

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the non-listed yet still significant building, the concealed positioning of which is ostensibly due to an apparent historical lack of planning during the rapid Victorian expansion of the town. Overall therefore, the proposal is considered to be effective in addressing a historic shortcoming by drawing the schoolhouse into the conservation area, changing but not harming the context of surrounding built development.”

In light of the above comments, the proposed development was not considered to have an adverse impact on the conservation area.

The proposal was therefore considered to be suitable in relation to the proportions, 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 and HE1 of the Redcar and Cleveland Local Plan.

The closest residential dwellings to the proposed development due its location were those to the west on Westfield Terrace. While it was acknowledged that the development would result in a change of outlook for these dwellings, the scale and design of the development was not considered to result in conditions that would have an adverse impact on living conditions and required the application to be refused.

The proposed development 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 works proposed did alter vehicular access and parking provision at the site. The proposed development would result in the provision of a 17 space car park within the site and reorientation of a small number of parking spaces on the public highway to provide suitable visibility splay at the entrance to the car park.

The application had been considered by the Council's development engineers who had advised that they had no objection to the proposed development. It was noted that the development sought to provide 2 electric vehicle (EV) parking spaces, which given the scale of the car park was considered appropriate. A request had been made that one disabled bay be provided within the car park. It was considered that this could be achieved by way of planning condition.

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

The application has been considered by the Council's environmental protection section with regard to the generation of nuisance and contamination. No objection had been raised on either of these matters,

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however conditions were suggested to cover unexpected contamination and the working hours at the site. Given the information provided in support of the application, the location of the development site and the proposed end use, the suggested conditions were considered to be reasonable and would be attached to the approval.

A condition had been proposed with regard to a scheme for dust. It was considered given the scale of the development, the need for such a condition was not required, and therefore would not be attached to the decision.

The proposal therefore accords with parts b, d and n of policy SD4 of the Redcar and Cleveland Local Plan.

The application had been supported by a Flood Risk Assessment which had been assessed by the LLFA. The development was to be restricted to greenfield run off (5l/s) and was to discharge to Northumbrian Water (NWL) system. The developer should ensure that contact was made with NWL to obtain approval to discharge at a max of 5l/s.

Additional information was considered to be required in the form of a site specific management plan for all surface water features, including hydrobrake and storage. It was considered that this could be secured by way of a planning condition.

The proposal therefore accords with policy SD7 of the Redcar and Cleveland Local Plan.

The application had been supported by ecological and arboricultural reports. These report concluded that the development would not have any adverse impacts subject to the implementation of suitable measures. These would be secured by way of planning conditions.

Comments had been made with regard to the loss of memorial trees and benches as a result of the proposed development. These comments were noted and had been passed onto those delivering the development to find a suitable solution.

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

The application fell outside of the catchment for nitrate neutrality and outside of scope for requiring additional information / assessment.

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

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

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

- Part of the existing park would be lost through the development of the car park;
- There would be a 94 square metre increase in the area of the park by bringing land currently outside of the park into the park;
- The car park would not be fenced off but there was an existing wall and an evergreen hedge which would be planted between the car park and the rest of the park with some mounding;
- Using the existing benches and some of the edging in order to recycle as much as possible.

Following the presentation of the report of the Managing Director and taking into account the representations, the Committee made the following comments:-

1. The car park improvements were beneficial to the area;
2. Pleased to see they were looking at disabled parking and EV Parking;
3. Anything to enhance the park would be an improvement;
4. It was a shame that millions were being invested in Loftus and yet we were losing green space and trees for a car park;
5. Any replacement trees would get vandalised;
6. No conditions had been included regarding trees;
7. An exciting plan which would improve a tired park;
8. The idea of a view to Duncan Place was welcome.

RESOLVED that Planning Permission be granted 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 12/07/22
General Arrangement Plan (Dwg No. D294.L.004) received by the Local Planning Authority on 05/07/22

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Demolitions Plan (Dwg No. D294.L.003) received by the Local Planning Authority on 05/07/22

On street Markings and Site Entrance Plan (Dwg No. CK-XX-DR-C-90-300) received by the Local Planning Authority on 05/07/22

Boundary Railings Plan (Dwg No. D294.D.005) received by the Local Planning Authority on 05/07/22

Proposed Levels (Dwg No. CK-XX-XX-DR-C-90-200) received by the Local Planning Authority on 05/07/22

Planting Proposals (Dwg No. D294.P.008) received by the Local Planning Authority on 05/07/22

Engineering Arrangements (Dwg No. CK-XX-XX-DR-C-52-100) received by the Local Planning Authority on 05/07/22

Proposed Lighting Details (Dwg No. SLDS-3833-1300-02) received by the Local Planning Authority on 05/07/22

Proposed Lighting Layout (Dwg No. SLDS-3833-1300-01) received by the Local Planning Authority on 27/07/22

Feature Wall Detail (Dwg No. D294.D.007) received by the Local Planning Authority on 05/07/22

Proposed Handrail Details (Dwg No. D294.D.006) received by the Local Planning Authority on 05/07/22

Site Sections (Dwg No. CK-XX-XX-DR-C-90-400) received by the Local Planning Authority on 12/07/22

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. The development hereby approved shall be carried out in accordance with the submitted Flood Risk Assessment (Coronation Park June 2022) unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure the development is carried out in accordance with approved details relating to works involving drainage matters

5. The recommendations set out within section 6.2 of the Preliminary Ecological Appraisal (November 2021) received by the Local Planning Authority on 05/07/22 shall be carried out in full as part of the development.

REASON: To ensure the development does not have an adverse

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impact with regard to ecological matters in accordance with policy N4 of the Local Plan.

6. Prior to the car park hereby approved coming into use, two electric vehicle charging bays and one disabled user bay shall be provided and retained thereafter.

REASON: To ensure a suitable form of development from a highway safety and parking provision perspective.

7. The recommendations set out within section 5.2 of the Tree and Hedgerow Survey (November 2021) received by the Local Planning Authority on 05/07/22 shall be carried out in full as part of the development.

REASON: To ensure the development does not have an adverse impact with regard to ecological matters in accordance with policy N4 of the Local Plan.

29. **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.

30. **APPEAL INFORMATION.**

The Managing Director presented Members with a schedule of the appeals which had been received.

:-NOTED.

31. **ENFORCEMENT SCHEDULE.**

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

:-NOTED.

32. **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

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Regulatory Committee on a quarterly basis.

33. **DEEMED CONSENT APPLICATIONS.**

33.01 **R/2022/0572/CA Redevelopment of existing park including new 17 space car park; vehicular and pedestrian accesses; associated ground works; play/communal areas; boundary fencing and landscaping Coronation Park Coronation Road/ Westfield Terrace Loftus.**

Deemed consent granted 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 12/07/22
General Arrangement Plan (Dwg No. D294.L.004) received by the Local Planning Authority on 05/07/22

Demolitions Plan (Dwg No. D294.L.003) received by the Local Planning Authority on 05/07/22

On street Markings and Site Entrance Plan (Dwg No. CK-XX-DR-C-90-300) received by the Local Planning Authority on 05/07/22

Boundary Railings Plan (Dwg No. D294.D.005) received by the Local Planning Authority on 05/07/22

Proposed Levels (Dwg No. CK-XX-XX-DR-C-90-200) received by the Local Planning Authority on 05/07/22

Planting Proposals (Dwg No. D294.P.008) received by the Local Planning Authority on 05/07/22

Engineering Arrangements (Dwg No. CK-XX-XX-DR-C-52-100) received by the Local Planning Authority on 05/07/22

Proposed Lighting Details (Dwg No. SLDS-3833-1300-02) received by the Local Planning Authority on 05/07/22

Proposed Lighting Layout (Dwg No. SLDS-3833-1300-01) received by the Local Planning Authority on 27/07/22

Feature Wall Detail (Dwg No. D294.D.007) received by the Local Planning Authority on 05/07/22

Proposed Handrail Details (Dwg No. D294.D.006) received by the Local Planning Authority on 05/07/22

Site Sections (Dwg No. CK-XX-XX-DR-C-90-400) received by the Local Planning Authority on 12/07/22

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

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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. The development hereby approved shall be carried out in accordance with the submitted Flood Risk Assessment (Coronation Park June 2022) unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure the development is carried out in accordance with approved details relating to works involving drainage matters

5. The recommendations set out within section 6.2 of the Preliminary Ecological Appraisal (November 2021) received by the Local Planning Authority on 05/07/22 shall be carried out in full as part of the development.

REASON: To ensure the development does not have an adverse impact with regard to ecological matters in accordance with policy N4 of the Local Plan.

6. Prior to the car park hereby approved coming into use, two electric vehicle charging bays and one disabled user bay shall be provided and retained thereafter.

REASON: To ensure a suitable form of development from a highway safety and parking provision perspective.

7. The recommendations set out within section 5.2 of the Tree and Hedgerow Survey (November 2021) received by the Local Planning Authority on 05/07/22 shall be carried out in full as part of the development.

REASON: To ensure the development does not have an adverse impact with regard to ecological matters in accordance with policy N4 of the Local Plan.

- 33.02 **R/2022/0581/F3 Refurbishment of existing building including internal and external alterations; new entrance doors/access; refurbishment of cladding and installation of 1.8M high timber gate Ormesby Library Sunnyfield Ormesby.**

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Deemed consent granted 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 15/07/2022
Site plan as proposed received by the Local Planning Authority on 15/07/2022
Floor plans as proposed received by the Local Planning Authority on 07/07/2022
North and east elevation as proposed received by the Local Planning Authority on 15/07/2022
South and west elevation as proposed received by the Local Planning Authority on 15/07/2022
REASON: To accord with the terms of the planning application.

3. The external elevations of the extension(s) hereby approved shall be built in materials to match in type, style and colour the external elevations of the existing dwelling/building.

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

33.03 R/2022/0596/F3 External refurbishment to façade; internal alterations to provide new principle entrance for community centre space; provision of 1.8M timber screen fencing to existing first floor terrace area; change of use and conversion of first floor dwellinghouse into community centre including new fire evacuation lift projecting onto roof top Laburnum Road Library 338 Laburnum Road Redcar.

Deemed consent granted 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 15/07/2022

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Site plan as proposed received by the Local Planning Authority on 15/07/2022

Floor plans as proposed received by the Local Planning Authority on 15/07/2022

Elevations as proposed received by the Local Planning Authority on 15/07/2022

Roof plan as proposed received by the Local Planning Authority on 15/07/2022

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

TAXI PANEL

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TAXI PANEL

A meeting of the Taxi Panel was held on 29 September 2022 in the Redcar & Cleveland Leisure and Community Heart.

PRESENT Councillor Smith (Chair),
Councillors Morgan, Ovens and Rider.

OFFICIALS E Dale, D Iceton and J Morgan

EXCLUSION OF PRESS AND PUBLIC

RESOLVED that the press and public be excluded from the meeting on the grounds that the following items contain exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

1. **GRANT PRIVATE HIRE DRIVER LICENCE- AR.**

The Managing Director asked Members to consider whether AR should be granted a Private Hire Driver licence.

The applicant AR was present at the meeting and was accompanied by RW.

RESOLVED that AR be granted a Private Hire Driver Licence.

2. **CONDUCT OF A COMBINED DRIVER – MY.**

The Managing Director asked Members to consider whether MY was considered fit and proper to continue to hold a combined driver Licence.

The driver MY was present at the meeting.

RESOLVED that, having taken all the facts into consideration and the Council's guidelines, MY be allowed to continue to hold his licence.

3. **CONDUCT OF A COMBINED DRIVER – MM.**

The Managing Director asked Members to consider whether MM was considered fit and proper to continue to hold a combined driver Licence.

The driver MM was present at the meeting.

RESOLVED that, having taken all the facts into consideration and the Council's guidelines, MM be allowed to continue to hold his licence.

Regulatory Committee

ATTENDANCE RECORD - 2022/23

Surname	First name	26.05.2 2	23.06.2 2	21.07.2 2	18.08.2 2	15.09.2 2	dd.mm .yy	dd.mm .yy	dd.mm .yy	dd.mm .yy	Total Meetings Attended / total possible
Ayre	Billy	✓	✓	✓	✓	✓					
Foley-McCormack	Chris	✓	✓	✓	✓	✓					
Richardson	Carrie	Apols	Apols	✓	Apols	Apols					
Head	Malcom	✓	✓	✓	Apols	✓					
Morgan	Carole	Apols 1	✓	✓	✓	✓					
Ovens	Mary	✓	✓	✓	✓	✓					
Hixon	Andrew	✓	✓	✓	✓	✓					
Thomson	Phillip	✓	✓	✓	✓	✓					
Smith	Stuart	✓	✓	Apols	✓	Apols 6					
Baldwin	Neil	✓	✓	✓	✓	✓					
Lockwood	Mike	✓	✓	✓	✓	✓					
Brook	Adam	X	Apols3	n/a	n/a	n/a	n/a	n/a	n/a	n/a	
Watts	Anne	✓	✓	✓	✓	✓					
Rider	Vera	n/a	n/a	✓	✓	✓					

Substitutes

Key	
✓	Attended
RA	Apologies Submitted (replacement attended)
Apols	Apologies Submitted (no replacement)
X	Did Not Attend (no apologies received)
C	Cancelled Meeting
n/a	Not a Member

Reason for Absence (NB Full details may not be provided for reasons of confidentiality)	
1	Personal Commitment
2	Work Commitment
3	Illness/Medical
4	Conflicting Council Commitment
5	Other
6	Civic Duties

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER:	R/2021/0986/FFM
LOCATION:	LAND OFF TREFOIL CLOSE AND MEYNELL AVENUE GUISBOROUGH
PROPOSAL:	RESIDENTIAL DEVELOPMENT OF 65 HOUSES WITH ASSOCIATED ACCESS, OPEN SPACE, LANDSCAPING, PARKING AND DRAINAGE INFRASTRUCTURE

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

APPLICATION SITE AND DESCRIPTION

Planning permission is sought for the development of a site for 65 family dwellings with associated access, landscaping, parking and drainage infrastructure.

The application relates to an area of land located in the west of Guisborough bound by Tidkin Lane / Fanacurt Road and Meynell Avenue to the south; The Avenue to the west; Sorrell Grove / Trefoil Close / Lucerne Drive and properties on Stokesley Road to the north; and a private road adjacent to Newstead Farm to the east. The application site forms a prominent strip of privately owned land which separates two areas of existing residential development bound by Stokesley Road to the north and Hutton Lane to the south.

The application site comprises an undeveloped greenfield area with a total area of 4.62 hectares. Physically, the site forms two distinct areas in terms of topography with the western part of the site lying at a lower level than the central and eastern part of the site on which the development is proposed.

The site accommodates some existing mature planting characterised by tree and shrub planting to most boundaries and tree and understorey growth in several bands across the site.

The Hutton Beck enters the site from the west adjacent to The Avenue and crosses the site in a north easterly direction emerging at the north eastern boundary of the site at Stokesley Road, an existing drain also crosses the site and forms the eastern boundary of the application site.

The development proposed is 65 family dwellings, this will comprise ten 2-bed (affordable) dwellings, twenty-seven 3-bed and twenty eight 4-bed open market dwellings. Access to the site will be taken from Trefoil Close which will take the form of a single spine road; development will take place on the northern and southern side of the new access road along with one main cul-

de-sac at the eastern end of the site. All the properties are two storey in scale and of contemporary design. Each will have in curtilage parking provision and private garden space.

The remainder of the undeveloped site will remain as open space to which the public will have access. In term of the ratio of development to non-development, the development will cover approximately 50% of the site

The application is supported by a number of technical documents including;

- Planning Statement
- Statement of Community Involvement (SCI)
- Design and Access Statement
- Arboricultural assessment
- Preliminary Ecological Appraisal including Badger and Invasive Species Report / Bat Activity Report / Initial Biodiversity Net Gain Assessment / Riparian Mammals Survey / Protected Species Report and Biodiversity Net Gain Report
- Flood Risk Assessment and drainage details
- Desktop study (Site Investigation)
- Archaeological and Heritage desk-based assessment
- Noise Impact Assessment
- Transport Assessment and Interim Travel Plan

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)

Policy SD1 Sustainable Development
Policy SD2 Locational Policy
Policy SD3 Development Limits
Policy SD4 General Development Principles
Policy SD5 Developer Contributions
Policy SD7 Flood and Water Management
Policy LS3 Rural Communities Spatial Strategy
Policy H1 Housing Requirements
Policy H2 Type and Mix of Housing
Policy H4 Affordable Housing
Policy N3 Provision of Open Space and Recreation Facilities
Policy N4 Biodiversity and Geological Conservation
Policy TA1 Transport and New Development

Other Documents

Design of Residential Areas Supplementary Planning Documents
Urban Design Guidelines Supplementary Planning Documents
Affordable Housing Supplementary Planning Documents
Developer Contributions Supplementary Planning Documents

Redcar & Cleveland Five Year Housing Land Supply Assessment 2021-2026
(August 2021)

Redcar & Cleveland Housing and Economic Land Availability Assessment
(Update December 2020)

Redcar & Cleveland Windfall Allowance Technical Background Paper (2019)

Redcar & Cleveland Strategic Housing Market Assessment (2016)

PLANNING HISTORY

None recent relevant to the application

RESULTS OF CONSULTATION AND PUBLICITY

The application has been advertised by means of a press notice, site notices and neighbour notification letters, two rounds of consultation were carried out in respect of the application, the second consultation relating to amended plans and additional information submitted by the applicant in respect of ecological matters

As a result of the consultation period 435 objections were received and 2 representations in support, these are summarised as follows;

- *Unnecessary development, the town does not need more new houses*
- *Infrastructure is already overstretched with limited places in schools and health services*
- *We need to protect our few green/wildlife areas*
- *The access to the site is totally unsuitable for construction traffic and the construction impact of the development will be over a wide area*
- *The development will increase danger to children walking to school and access for emergency vehicles will be impaired*
- *The development would increase flood risk locally*
- *The development will have an impact on local ecology and wildlife*
- *The development will impact on an ancient hedgerow*
- *The council's own assessment rejected allocation of the site for development and it not part of the adopted Local Plan*
- *The development brings no benefit to the community*
- *The development will bring more air pollution*
- *Designating part of the site as open space is an appeasement measure and public access to this area will simply impact on wildlife*
- *The development will increase the risk of crime and disorder for existing residents*

- *The development will overload foul water systems*
- *This is the only remaining green corridor in the town and if the council is serious about climate change it will reject this proposal*
- *The development will exacerbate parking issues around the estate*
- *Needless destruction of another green area*
- *The town is becoming one big housing estate with no character*
- *We need more green belts not housing*
- *The council's own data shows this development is not required to meet housing policy requirements, question the statement this is much needed housing given low demand locally*
- *The local plan is not out of date and to ignore policy would set a precedent for other speculative applications in the borough*
- *If this development is granted an application for further development will follow*
- *The area is one of the most sought after in the town, this development will change the dynamic of the area*
- *What is the point of a local plan if you keep changing it*
- *The council should look to alternative brownfield sites for development for affordable homes*
- *The town has experienced major growth in housing over the last 10 years but no increase in services we have little or no leisure facilities or adequate open space*
- *The development will result in loss of views for existing residents and turn Guisborough into a housing estate not a market town*
- *The council should look to improve facilities for existing residents and not more new housing*
- *The area is already a public open space with existing wildlife and the area as a whole would benefit from protecting such spaces from future development*
- *The transport assessment is flawed and did not take into account peak school time movements*
- *There are currently 40 houses for sale in the town and these should be occupied before new houses are built*
- *The development is not in keeping with the surrounding area*
- *The ecological studies are incomplete and have not been carried out correctly and the conclusions are in error*
- *There will be two years of construction impacts*
- *The report does not contain any acknowledgement of the existing ridge and furrow configuration of the fields*
- *Access to this site for 2 years during construction will be through a residential housing estate, there is no consideration given to how the developer will achieve this without causing substantial disruption*
- *The land is in a flood plain and not suitable for housing*
- *The development will impact protected species and other wildlife*
- *Planning permission has previously been refused for the site*
- *The development conflicts with key tenets of the local plan*
- *There has been a lack of investment in the town infrastructure over the last 25 years and this development will make matters worse*

- *The development will lead to increased commuting without appropriate rail and public transport links exacerbating the use of the private car*
- *The development will exacerbate already existing traffic congestion on main road such as the Avenue, Rectory Lane and Stokesley Road*
- *Although surrounded by housing the area is an oasis in Guisborough*
- *The proposed development seriously impacts the freedom and access of visitors to the local area, detracting from the visitor experience of facilities within Guisborough Town whilst reducing the ability to quickly and safely access the North York Moors National Park area directly from the town*
- *The proposed development is in opposition of Guisborough Town which is aiming to place itself at the heart of exploration of the North Yorkshire Moors National Park via investments in the restoration of its historic Guisborough Town Hall Gateway CIC project to provide much needed visitors with high level holiday accommodation suited to the pursuit of cycling, walking and mountain biking in the National Park*
- *The local sewerage system in the proposed development area is already above its design capacity causing raw sewage to be very regularly discharged into the beck that runs through the proposed development*
- *The proposed development has not chosen to build houses to a building standard more fitting to their 100-year lifespan. If we are to meet our climate change targets, we cannot continue to build houses that only meet the current building standard*
- *The development will result in the loss of ancient woodland*
- *Can the council consider buying this land to develop as public open access parkland*
- *The density of the development is too high for access to light, privacy and outdoor space*
- *Guisborough has few open spaces and the development will exacerbate this*
- *The development will lead to more intensive use of roads and footpaths*
- *This development is a serious destruction of a safe haven for rare and endangered wildlife and should not be allowed*
- *There will be significant noise and air pollution from the additional vehicles*
- *Potential destruction of ancient hedgerows and ridge and furrow land*
- *Further building will worsen the flood risk*
- *Fear the sewers will flood and sewage will be washed out into the surrounding areas. Also subsidence, the development will descend into a slum as some owners will be unable to afford stabilisation*
- *Consideration also should be given to noise pollution. As a majority of residents are of an elderly age you can imagine that the noise would impact their lives considerably*
- *A developer attempted to seek permission on the same land circa 20 years ago. However, on appeal the over-riding conclusion was that the land should be safeguarded as a public amenity area and become available for public use*

- *We also have right of way over the bridge which would be curtailed by a lot of traffic*
- *We need to have some breathing space left in the town without dwelling on the effects on wildlife in these open spaces*
- *There is nothing affordable about these homes Guisborough housing stock is healthy, the current developers in Guisborough are having difficulty in selling their properties*
- *The only shortage of housing in Guisborough is for homes for retirees who wish to downsize and subsequently would release more family homes*
- *The development will significantly reduce the value of neighbouring properties*
- *The local people demand all independent environmental, traffic and ecological investigations and surveys to be undertaken (at different times of the day) to take account of busy times and of the year to take account of breeding considerations be carried out before any consideration is given to this proposal*
- *We should trust our local authorities to think of our future and not just the financial ambitions of developers and land owners*
- *A previous proposal for this site resulted in a public inquiry funded by the taxpayers which decided the land was unsuitable for further development. What has changed since this full and extensive process was undertaken, and what was the point of it if the respectable and considered outcome can be ignored*
- *We value our health and safety, our quality of air, our last little piece of totally natural wild habitat in the town itself, and our flora and fauna. Guisborough has been rapidly developing (not in a good way) with hundreds of new houses over the last few years but no additional amenities or services, and more houses on this particular site are certainly not what are in our best interests either now or for the future*
- *The NHS are seeking £31k for improvement to local services , therefore £0.5m must have been received from development over the last 10 years, where has this been spent?*
- *The site has been omitted for allocation in the past and the council currently has in excess of 5-year land supply so the development is not needed*
- *The Local Authority should commission tests on the disposal of foul water into local watercourses to check levels of pollution*
- *Concerns over surface water flooding onto existing properties*
- *The development will damage the setting of Tudor Croft Gardens*
- *With the extensive development in Guisborough over the last 10 years it is important we retain open spaces*
- *There is an ancient American Indian saying " When we have killed the last Bison, caught the last fish, felled the last tree and poisoned the last stream, only then will we realise that we cannot eat money"*
- *For a major development planning application, no detailed quantitative risk assessment (Phase II) has been provided as recommended in the preliminary desktop appraisal undertaken on behalf of the developer. The conceptual site model in the desktop appraisal has identified areas*

of potential contamination, along with potential human health and ecological receptors. Therefore the information provided by the applicant is incomplete and a decision cannot be determined

- The traffic impact information provided by the applicant is incomplete*
- The ecological study is incomplete and omits references to protected species e.g. otters*
- The access road to serve the development does not meet with approved standards*
- The council has a poor track record of maintaining open space, how with the new public open space be managed*
- The development has a wider impact outside Guisborough in terms of traffic and pressure on infrastructure*
- The application is just for phase 1, if approved more development will follow*
- The topography, changes in surface levels and boundary treatments across plots 1 - 13: creates multitudinous division of space, fragmented and incoherent streetscape; topography, changes in surface levels, engineering structures and boundary treatments across Hutton Beck, compromising the qualities of the natural feature, and engineering ugly, overbearing and dangerous streetscape; changes in surface levels and engineering structures opposite plot 8 engineering ugly, overbearing and dangerous streetscape; there are issues with the level of detail provided in respect of hard surfaces; there are errors of terminology and horticultural judgement in respect of the described Landscape Masterplan; the bio net gain detail set out in the application cannot be believed; there are issues with SUDS elements of the development; the public appetite for this outmoded, generic twentieth-century built form (the toy town, model-railway, dolls house) with associated and equally outmoded material, land and energy demands must be replaced with more sustainable models; the electric car charging points, cycle stands and landscaping included in this proposal are mere tokenism to distract from the true environmental costs of the development*
- The development is not consistent with local plan policy SD4 and Article 1 and 8 of the Human Rights Act*
- The council need to take into account the adverse impact on tourism of the development*
- There are flood risk reason why the application should be refused*
- Open spaces are vital to communities and mental health*
- The development conflicts with the sustainability objectives of the local plan; policy SD4(c) N4 (a)(b) and LS(q) and it is clear from the SHLAA and HELAA that there are alternative sites*
- Members of the community, within the existing estate, new and old moved to the area for its closeness to nature and open space, developing on this land will take away from the charm, character and natural environment that surrounds the existing homes, some of which would have their longstanding open views diminished in not removed completely with this development*
- The development will result in the destruction of a parish boundary*

- *Refuse the application on grounds of insufficient sewer capacity under normal wet weather conditions*
- *Conflict with policy H2 of the local plan*
- *The associated ecological reports do not contain sufficient information to adequately assess the potential impacts of the development on materially important ecological features*
- *Guisborough Town Council would like to draw up a Neighbourhood Plan, in support of RCBC's biodiversity aims expressed in its Local Plan. The Neighbourhood Plan will designate this unique wildlife refuge as a 'Local Green Space', giving it the protection it so clearly needs. They cannot start the process until this application from Newitt is rejected*
- *The proposed footpath link to Campion Drive is across land that does not appear to be in the applicant's ownership*
- *The suggestion of using this space as a biodiversity asset that Newitt or another developer could use to offset housing developments in more suitable locations by them paying the current landowners an annual fee for the next 30 years for safeguarding it, would surely be the best outcome*
- *Newitt's amended ecology objection response only confirms how poor the original ecology documentation was. They are now admitting that insufficient survey work has been carried out and that there isn't time to do any more before the end of the submission period. They also admit that the conclusions and recommendations in their report were just preliminary and incomplete. So they have no way of knowing what irreversible harm may be done to what is currently a unique reservoir of biodiversity*
- *The amendments to the application in respect of drainage, sustainable transport and ecology so not address the main objection submitted in these respects*
- *The application should be subject to the provisions of the new nutrient neutrality policy*
- *I have found a juvenile Great Crested Newt on my property adjacent to the above development we are concerned the proposal will be hazardous to this species*
- *I am providing videos of otters to demonstrate their presence on the site; I feel that the studies that have been done have not taken into account the confirmed presence of otters, a designated protected species*
- *It is apparent that the existing sewage system is already overburdened with little prospect of improvements by NWA. This development flies in the face of what is expected by the Department of the Environment and clearly puts the onus on local authorities to act accordingly and in this case reject the proposal*
- *I am concerned that Trefoil Close, being originally designed for light traffic to turn and park only (Trefoil Close has 6 houses), has not been designed to carry heavy building and through traffic and that either the building traffic and building activity (vibrations from piling or soil*

compaction) or the subsequent suburban traffic will cause subsidence of the Close and the dwellings in the Close.

- *I have reviewed the additional documents and consider them to be without any value*
- *Despite mitigation offered on the part of the developer the harsh reality is that this area is the one remaining wildlife corridor in Guisborough and housing development would have a catastrophic impact on what has been revealed to be a sensitive, rich and diverse habitat, containing species of national and international importance.*
- *The protected species report does not reference Great Crested Newts and there is evidence of presence on the site*
- *Drainage proposals for the site will impact GKN habitat*
- *The impacts of the development described are not considered acceptable*
- *Foul water will overburden drainage infrastructure serving the site*
- *The report suggests that the addition of 65 houses will not increase the number of people disturbing the flora and fauna of the area - this is simply not the case. Currently a limited number of people use the site quietly, there are no lights, no additional noise to speak of, no cars and the only pollution comes from the sewer overflowing regularly into Hutton Beck which the proposed development will add to.*
- *Provision should be made for vibration meters to assess the impact of construction works on ecology*
- *Matters relating to the possibility of a french drain adjacent to properties on Tidkin Lane have not been finalised and we are concerned about the impact of the development in this respect*
- *The Biodiversity Net Gain report is flawed as are the submitted net gain calculations*
- *The preliminary ecological report has not been carried out in an acceptable manner, its conclusions are flawed and cannot be relied upon and by default the BNG report lacks transparency is littered with errors and is incorrect as is the post development part of the calculations raises concerns in a number of areas*
- *There is a failure to apply the mitigation hierarchy and the reports are supported by incomplete surveys*
- *The supporting reports were written after the land had been cleared and trees and vegetation removed 3 years ago, wildlife is now starting to return*
- *The development will exacerbate the foul water pollution of the Beck which is a regular occurrence*
- *The submitted reports clearly identifies adverse impact on otters and hedgehogs and habitats destroyed*
- *I have no confidence in the BNG report and neither should the committee*

In support

- *All new house building in the Redcar and Cleveland area should be encouraged and supported. New homes are needed to drive down the*

- extortionate cost of housing. To many people have to rent homes which they will not be able to afford when they are living on a pension*
- *I think this development will be good for the area. I support this development and would be interested in purchasing a property myself. My reasons for supporting the development are ease of purchase having previously purchased a new build in Guisborough. High specification and choice of options when the house is being built*

Guisborough Town Council (14/12/2021)

Guisborough Town Council objects to this application for the following reasons;

Impact on heritage assets/ecology/trees/landscape. This land is one of the few areas of natural open space left in Guisborough. It forms a link between the N.Y.M. SSS1 (Special Site of Scientific Interest) and open ground to the North of Guisborough. There is an ancient hedgerow, wildflowers/plants and other natural habitats for birds and other wildlife. Heritage England has not been consulted; the surveys carried out were done at the wrong time of the year. As historical documents state that this used to be a medieval ridge & furrow field then consideration should be given by RCBC to the area being established as a conservation area. An application to build housing on this land some 20 years ago was rejected.

Highway safety – there is only one access road into the proposed site and this and the surrounding roads are narrow, and traffic is already very busy; there are 3 primary/junior schools nearby and increased traffic, which would be inevitable, would be a hazard for children in particular. There would be an increase of about 130 cars (proposal says 158 car parking spaces) and heavy construction traffic for 2 years. The developer's traffic survey did not include observations of traffic at the schools finishing time in the afternoon.

Design and layout. In our opinion this is overdevelopment. Even the pre-application advice given by RCBC said they had concerns about the density. When the site was considered in the SHLAA (161a) it was said that the land at Newstead was undevelopable and unachievable – if expensive work was carried out then only 44 houses could be built.

In the developer's own design & access statement at 3.3 – Design Objectives, a new vehicular access will be provided from Trefoil Close; the proposed new road will have access provisions to a future new development on the Eastern boundary. This indicates further development and even more impact on all of the above items.

The review of the SHLAA in August this year said it was not necessary for any new sites; in fact development of Phase 2 in Galley Hill has been put on hold due to lack of house sales. This points to this development is not much needed as alleged by the developer.

Noise/Impact on amenity. This will be considerable during construction work as the proposed site is in the middle of established housing. If the development was to be allowed it would create ongoing additional noise and impact on the amenity for existing residents.

Views of stakeholders/consultees. Lots of objections (over 140) have been lodged by residents from all parts of Guisborough and these must be listened to. This proposed estate will have an effect on all residents, not only the neighbouring ones – lack of services such as schools, doctor's surgeries etc.

In view of the above GTC asks that the application is refused

GAMBOL (Guisborough Against More Building on Open Land - Stovell and Millwater Ltd) (7/1/2021)

- The applicant has quoted from a number of development plan policies in support of the application. None are specifically supportive of the proposal. Without exception, these are multi-faceted policies with numerous criteria to be taken into account. We acknowledge that it will be necessary for officers and Members to come to a balanced view taking into account the development plan as a whole but we ask that significant weight be given to the policies we refer to below which in this case we consider all point towards a refusal of planning permission.*
- It is clear from the amount of objections being lodged by local residents, and the strength and substance of their views, that they represent the views of the community of Guisborough*
- The land is demonstrably special to the community and holds a special significance as an important piece of green infrastructure within an otherwise built-up area, providing an important landscape asset for biodiversity, special habitats and a link within the town's ecological network*

We are generally familiar with the site, the proposal and the concerns of residents. From this it seems to us that the main issues include: -

The harmful effect on a wildlife corridor and the town's green infrastructure

The proposed development has not adequately demonstrated that biodiversity net gain has been considered from the outset and there are insufficient details regarding the proposed landscaping and the loss, mitigation and net gains that are to be delivered on site, without resorting to offsetting, on what is an important site for local nature conservation. The site forms part of an important wildlife corridor within the urban area of Guisborough. The importance of such spaces and the role of green infrastructure to local wellbeing are recognised within the Local Plan and National Design Guide (NDG). The proposal would be contrary to LP policies SD4 and N4 as it related to biodiversity and the protection of wildlife corridors. It is contrary to NPPF advice in paragraphs 174 and 180 on enhancing the natural

environment and the importance of net gains in biodiversity. It is contrary to the NDG N1 and N3 on the effect on green corridors and biodiversity.

There is no present need for new housing sites within Guisborough;

The Local Plan 2018 did not allocate the site for housing for the following reasons: -

'There are alternative sites in Guisborough which are more sustainable and less environmentally sensitive locations and are less physically and environmentally constrained'

'There are significant physical and environmental constraints and the associated abnormal costs may prohibit the provision of genuine executive housing developed at a particularly low density (perhaps of 10 dwellings per hectare or less as defined in the emerging plan), which would be similar to the adjacent housing at Stokesley Road and would be most appropriate at the site'

Nothing has materially changed since this assessment, to indicate any different conclusion; there is no exceptional need for any general housing in this location, there are still alternative housing sites.

At the present time we understand that the council have a rolling programme of housing delivery that is in excess of any 5-year housing need and this is expected to be maintained into the foreseeable future.

Development in Guisborough is placing additional pressure on community services and depriving other towns in East Cleveland of new development. There is no need to meet a specific windfall number, particularly now when the council are delivering in excess of their annual numbers through planned provision.

The layout does not meet present design guidance;

The proposed development is a poor fit within the local context in terms of grain, density, and plot size. The general housing proposal, a mix of detached and semi-detached dwellings would be completely different to the low density detached houses in the surrounding area. The parking arrangements for the proposed dwellings would result in frontages dominated by car parking and the streets do not include a suitable boundary treatment. The proposed development does not include this feature and overall, the street scene will be bland, monotonous, and dominated by car parking, as a consequence of poor design and an inappropriate residential density and plot sizes. The proposed layout appears to lack any kind of hierarchy in terms of orientation, wayfinding, and character and the use of a limited number of private shared drives does nothing to mitigate this. We consider the proposed development fails to meet the requirements of LP policy SD4 and the NPPF (para 130) in this regard. No effort has been made comply with the National Design Guide

or the advice in the Councils UDG. We consider this proposed scheme should be refused in line with NPPF paragraph 134.

The impact on highway safety.

The Transport Assessment is flawed resulting in flawed junction capacity analyses being presented in that document; the surveys undertaken did not include the schools peak periods; substandard junctions form part of the access into the site; the proposal would use existing inadequate road infrastructure making an existing poor situation worse and increasing problems of highway safety contrary to policy SD4(p) as it relates to this matter; traffic calming and turning areas have not been provided in accordance with adopted standards; there are legitimate concerns that in case of emergency this number of houses from a single access point, should it become blocked or unsafe is unacceptable; It seems to us that the existing bridge is clearly inadequate in terms of width and the detail of this structure remains unclear from the proposal. Impacts on biodiversity and the natural function and processes of the beck have not been considered alongside the potential flood risk associated with this structure and the consequences of an obstruction or flood water reaching soffit level; we believe the proposal would be contrary to LP policy SD4 and the Tees Valley Design Guide on the above matters of highway safety

The layout does not meet present sustainable development requirements

The development does not comply with key policies in the NPPF and National Design Guide; there has been little or no regard to climate change adaptation, either in the assessment of flood risk and reducing reliance on the private car. Whilst no specific requirement is made for reducing greenhouse gas emissions through the Local Plan, over and above the Building Regulations, the National Design Guide and NPPF require a consideration of these matters at both a site and building scale. The proposal does not meet these requirements. Access and distance to services are not conducive to active travel or appropriate access to local bus stops or services; it is unlikely that many people would walk to any amenities further away than the two local schools, the Sainsbury's Local and the Voyager pub/restaurant. The development would be located in an unsustainable location in relation to accessibility. We consider the proposal would not be in accordance to LP policy SD4, the NPPF and NDG as they relate to this sustainable issue.

The Flood Risk Assessment is flawed and it has not been demonstrated that the scheme can be developed without increasing flood risk

- *GAMBOL support the position of the Environment Agency in this respect and express concerns over safety and design concerns about the bridge and surface water run off impacts evacuation routes*

No evidence is provided to demonstrate that foul sewerage can be discharged without increasing present harmful contamination

- *LP policy SD4 (g) requires that proposals should have access to adequate infrastructure. At present evidence on the ground indicates that the capacity of the existing main to accommodate foul sewerage from the proposal must be in doubt. There is no evidence provided to demonstrate that it is sufficient for this proposal and much evidence that it is not. The proposal would therefore not be in accordance with LP policy SD4 as it relates to this matter*

There has been insufficient analysis of a non-designated heritage asset

- *It is of note that the proposed development adjoins an important historic garden (Tudor Croft) with a distinct setting and this would be harmed by the proposed development. The importance of this non-designated heritage asset has been identified by residents and the Yorkshire Gardens Trust. Insufficient analysis of the impact on the significance of this non-designated heritage asset has been made and as such the proposed development does not comply with the NPPF and NDG in this regard.*

Second response (7/7/2021)

- *Developers Agents Response to Ecology Objection dated 22/03/22 - The response states that further ecology survey work will be undertaken as soon as seasons allow. The developer has been permitted 3-time extensions to the application (in total more than 6 months) any in that time has not made any attempt to undertake further survey work*
- *Whilst a footpath access to Champion Drive will shorten the journey times to the local schools and amenities on The Avenue by a small amount it does not improve journey times to the local bus service, nor does it improve journey times into the Town Centre hence encouraging the use of private cars. This does not meet the requirements of sustainable travel and connectivity.*
- *The developer fails to acknowledge the current concerns of residents with regard to the traffic situation at school opening and closing times and maintains the opinion that peak traffic flows are between 1600 and 1800 hours. A cursory site visit at the appropriate times would convince the developer otherwise.*
- *No concessions have been made over the potential for flooding as recommended by the Environment Agency.*
- *No concession to layout and housing density has been made as recommended by the Strategic Planning Team.*
- *On inspection of the revised drainage drawing there are anomalies, e.g. the indicative elevation of the centreline of the road, which would be expected to be the highest point of the road, is up to 500mm lower than the elevation of the cover levels of the manholes. GAMBOL trusts that this is drawing error. The drainage drawing needs to be checked and updated.*
- *GAMBOL asserts firmly that the amended plans and additional information uploaded to the Planning Portal do not provide significant improvements to the applicant's basis of design and therefore the*

points raised in the GAMBOL letter (DFS/RC/21/006, Date: 7 January 2022) prepared by its Consultants Stovell & Millwater Limited remain valid

Yorkshire Garden Trust

First Response (10/12/2021)

- *Strongly objects to the application which it states will permanently damage the setting of Tudor Croft, Stokesley Road, a significant Arts and Crafts designed house with associated gardens*
- *This is a unique house and associated garden in our region, is much visited on open days and other charitable events and raise in the region of £250,000 for charity*
- *The application site, known as Hutton Meadows is the last area of open space within Guisborough and is medieval ridge and furrow*
- *In the 1970s Guisborough Town Council stated their intention to keep the area as open space, in the 1980s their successors, Langbaugh Council agreed.*
- *The matter was further debated at a planning inquiry into a refusal or permission in 1999 and the local plan inquiry 1977; the intention to create a public open space was never realised , this is now the opportunity to rectify this omission*
- *We note that the council is overachieving on the supply of new housing, there is therefore no need for this site to be developer but there is need to retain open green space*
- *Part of the ‘borrowed landscape’ of the Tudor Croft Garden is Highcliff, which dominates the views from the garden to the south and towards the moors. By building houses on raised ground between the gardens and Highcliff, the unique setting and beauty of this special garden would be lost for ever and would undoubtedly result in ecological damage*

Second response (28/10/2021)

- *Although the site includes some very wet areas the reports do not indicate amphibians however, we understand that Great Crested Newts have been seen near the site*
- *There is no doubt that Tudor Croft Gardens are the best known and probably the most beautiful, unique private gardens on Teesside. The media often refer to them as Botanic Gardens since every plant, shrub and tree planted since 1995 has been labelled and catalogued. They are a significant heritage and horticultural asset to the area, much appreciated by locals and visitors alike who have visited since 1954 raising huge sums for charity. (This year they opened on eight days and raised over £10,000 for local charities.)*
- *The damage that a development such as that proposed will be permanent. Part of the ‘borrowed landscape’ of Tudor Croft gardens, is Highcliff, which dominates the views from the garden to the*

south and towards the moors. By building houses on raised ground between the gardens and Highcliff, the unique setting and beauty of this special garden would be lost for ever. The effect of the increased human activity, hard landscaping, the noise and light pollution and especially even greater sewage pollution will adversely affect the wildlife and the natural balance of the garden would be lost; it is unlikely to survive. This would be a huge loss to us all, and to Redcar and Cleveland in particular.

- *We understand that the Heagneys' offer to allow the regulatory committee to visit Tudor Croft has not yet been taken up and in our view your committee cannot reach a balanced understanding of the proposals and their impact without spending time at Tudor Croft as part of their site visit. We also understand that many years ago when a previous application was refused there was a pledge from your council to keep the land in question as green open space.*

Yorkshire Gardens trust wishes to continue to register its strong objection to this planning application

CPRE North Yorkshire (KVA Planning) (25/1/2021)

- *The Council has an up-to-date local plan but the site is not an allocated development site*
- *The site is within development limits and is therefore a windfall site*
- *Policy SD2, SD3, SD4 and LS3 are key policies and policy requires development to be designed to high standard*
- *The development proposed avoids within area at risk of flooding and there are no PROW across the site but there are informal accesses used by residents for dog walking, the site is not designated as open space on the local plan.*
- *Whilst there does appear to be some policy support for the proposals, in that it is effectively 'white land' within the development limits of a sustainable rural settlement, the principal factors most prudent to the determination of the proposal seem to be whether there is a 'need' for the site to be developed and whether the impacts of the proposal are appropriate in that specific location*
- *Policy H1 of the LP confirms an annual housing requirement of 234 net additional dwellings over the plan period to 2032*
- *The LP does not have a specific Windfall policy although paragraph 6.31 highlights the fact that 'windfalls tend to exceed stock losses and there is an expectation that this trend will continue though out the plan period'. The Council's most up to date 'Five Year Housing Supply Assessment' (August 2021) confirms that there is no shortage of supply at section 3.7 setting out 'it is therefore apparent that housing completions have heavily overachieved against the local plan minimum requirement, which is also reflected in the ongoing strong performance against the annual housing delivery test; and there is a substantial supply of ongoing commitments which, if augmented by prospective major permissions, would be sufficient to maintain a relatively high deliverable supply over and beyond the next five years.'*

- *In the context of housing land supply the application is not one for which there is a specific 'need' CPRENY consider that whilst the site is within the development limits of a sustainable settlement, simply because it could be developed does not mean it should be in all circumstances. CPRENY are aware that Phase 2 of the allocated site at Galley Hill has been placed 'on hold' due to lack of sales, therefore, any promoted 'need' is considered questionable at present.*
- *The site itself is one of the few large open spaces left within the settlement which is not developed. Whilst not designated as formal open space, the area is locally valued as is evident by the numerous objection responses on the Council's planning portal pages*
 - *CPRENY are concerned that despite the reduction in units from the pre-application enquiry, the proposed 65 units is still a considerable amount for the site and could constitute over-development*
 - *The Council's own SHLAA considered the site (site reference 161a) for potential residential development, however, discounted the site believing 'there are alternative sites in Guisborough which are in more sustainable and less environmentally sensitive locations and are less physically and environmentally constrained'*
 - *CPRENY are aware of the planning history of the site and applications for development which have been refused, this proposal seeks to achieve a similar yield over a reduced site area and a higher site density. As such, CPRENY see no change in circumstances, especially considering the Council's current housing supply position, that should alter the outcome of this renewed proposal and consider the proposal to be contrary to LP policy H2(e) which requires housing proposals 'to achieve a density appropriate to the proposed housing type and mix which supports wider sustainability objectives'.*
 - *The policy is supported by text at paragraph 6.22 which states that there must be an appropriate balance between 'the character of the surrounding area including typical densities, the proposed type of development and housing mix and ensuring proposals are likely to be economically viable...' This is also supported by the general development principles set out at Policy SD4(j)*
 - *The applicant proposes a new vehicular access be provided from Trefoil Close, running through the centre of the developable area eastwards. CPRENY are concerned that a future development to the east of the proposed site could then be facilitated leading to further overdevelopment of the overall site. This is also raised as a possible second phase of development in the applicant's own Design and Access Statement and is not something that CPRENY would support.*
 - *CPRENY cannot support the proposal for 65 new dwellings in this location and therefore wish to register their objection. The Council's current (and future) housing land supply position does not warrant the need for additional windfall development in Guisborough which has already seen a significant proportion of the district's new builds located here. The proposed site is one of the few remaining natural open spaces left within the settlement and CPRENY consider development in this locally valued open space would not be appropriate at this scale. As such,*

CPRENY consider the proposal is contrary to the LP Policies SD4, H2(e) and LS3.

Second response (12/7/2021)

CPRENY had no further comments.

Third response (13/10/2021)

CPRENY had no further comments on the second consultation on respect of ecology.

Ward Members - Cllr Waterfield (16/12/2021)

Objects to the application for the following reasons

Transport Assessment

The Transport Assessment carried out by Andrew Moseley Associates on the 22/11/21 focused on the current the traffic volumes and projected increases but only in respect of queuing at junctions and delay times etc. There was nothing in it looking at the acceptability of the current, and proposed volumes, past the school entrances on The Avenue for St Paulinus and Campion Drive for Galley Hill schools.

The report also stated that all primary schools were accessible by existing footpaths and while this may be true traffic volumes at all schools would suggest this isn't the preferred option of most parents so I feel a sense of reality needs to be accepted. Also the surplus, or otherwise, of school places is assessed Borough wide which may facilitate travel by car from the new development which also hasn't been taken into account.

The assessment also did not take into account the additional, although temporary, loading due to the construction traffic which in effect is accessing the site through a built-up residential area, there is no main road access to the site.

I think these factors should be a focus of the RCBC highways assessment as a previous application for this site was rejected in part due to the use of Campion Drive as the main access point. By switching to Trefoil Close, traffic must still pass the school entrance on Campion Drive before turning into Bracken Crescent as one of the access options, the other option of turning down Sorrel Grove will still have a direct impact on St Paulinus and associated impact Galley Hill due to the close proximity of the school entrance.

In fact the Transport Assessment referred to above estimates that 85% of the new traffic associated with the development will in fact use the Campion Drive / Bracken Crescent route. Also the RCBC highways assessment must be carried out at the appropriate time due to the close location of schools.

Submitted Documentation

Some of the documentation submitted with the application is quite high level and, in some cases, promising more detail to follow.

- The Flood Risk Assessment which has been cited by the Environmental Agency as inadequate. Previous applications have highlighted the concerns around aspects of flooding regarding development of this area.*
- The Strategic Planning (Policy) response suggests that lower density housing be considered which will be in keeping of the surrounding areas.*
- Northumbrian Water has concerns around the existing sewerage infrastructure and a report has been produced detailing upgrades, I trust this will get full scrutiny from the Borough Engineers.*
- The Initial Biodiversity Net Gain Assessment (BNGA) carried out by ECUS shows a projected reduction in all areas with a recommendation that discussions with the land owner or further measures be put in place, again this should be in the plan before the application is approved.*

Local Infrastructure

Whilst the suitability of local infrastructure can be difficult to use as a reason to support or reject an application due in the main for lack of tangible evidence. There is a growing and understandable local concern regarding this issue, which is an ongoing subject I discuss with residents as a Councillor, to suggest that following the recent amount of house building and retail development in Guisborough at some point soon a review of local infrastructure needs to be completed to ensure that the local area is suitable for additional developments. The only real evidence would be a review, and in reality, the Council would have to commission this.

To continue to ignore this due to lack of evidence is becoming a null argument, basically there is no evidence to suggest the local infrastructure can cope as well that it can't. There is also still outstanding planning consent for up to another 150 houses and a further application to be submitted for an older persons / assisted living development close to the town centre.

The council can be seen as slow or uninterested in this aspect of planning, for example the recent decision to re-route HGV traffic, which should have been a fairly simple issue, took far too long to implement making people feel that the council are more interested in placating the developers than the residents they are actually there to serve and who pay their Council Tax.

Evidence will exist, that RCBC can access, to show the status of schools, doctors, dentists etc, however increasing concern is being voiced around the high traffic volumes that now exist in the town which in itself carry's a potential safety issue for residents. Additionally the suitability of parking and access to other amenities such as leisure facilities is a growing concern.

Whilst there is a need for housing in the whole of the Borough, I think RCBC has a greater responsibility to existing residents to maintain a good quality of life in the town.

So whilst in principle there always has to be a good and measured local growth of housing stock, in this particular case I think there are too many outstanding questions to be answered and for that reason I would support a rejection of the application at this time in its present form.

Northumbrian Water (8/12/2021)

Thank you for consulting Northumbrian Water on the above proposed development.

In making our response to the local planning authority Northumbrian Water assesses the impact of the proposed development on our assets and assesses the capacity within our network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/services/developers/>

We have no issues to raise with this application, provided it is approved and carried out within strict accordance with the submitted document entitled "Flood Risk Assessment". This document reflects our pre-planning enquiry advice identifying that foul water flows will discharge to the existing public combined sewer at manhole 0303. Surface water flows will discharge via gravity to the existing watercourse, Hutton Beck.

We request that the following approval condition is attached to a planning approval, so that the development is implemented in accordance with the above-named document:

CONDITION: Development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment" dated "9 November 2021". The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 0303. Surface water shall discharge to the existing watercourse, Hutton Beck. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developer's approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy. The required discharge rate and

volume may be lower than the Northumbrian Water figures in response to the National and Local Flood Policy requirements and standards. Our comments simply reflect the ability of our network to accept flows if sewer connection is the only option. They are not part of any approval process for determining whether the proposed drainage layouts / design put forward at the planning stage satisfies the adoption criteria asset out in the Code for Sewer Adoption (sewer sector guidance). It is important for developers to understand that discussions need to take place with Northumbrian Water prior to seeking planning permission where it is their intention to offer SuDS features for adoption.

For information only

We can inform you that a public foul sewer and a public combined sewer cross the site and may be affected by the proposed development. Northumbrian Water does not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. This is an informative only and does not materially affect the consideration of the planning application.

Cleveland Police (ALO) (7/12/2021)

In relation to this application, I recommend applicant actively seek to develop to accredited Secured by Design Gold standard, Silver should be the minimum sought although I note within the Design & Access Statement accreditation is not being sought. I also note that the statement refers to SBD New Homes 2016, this has in fact been superseded by SBD Homes 2019 which specifies the current recommended security standards. There is also a reference to the principles of Secured by Design, there is as yet no guidance to Principles Of, a scheme would either be compliant or not.

Full information is available within the SBD Homes 2019 Guide at www.securedbydesign.com In any eventuality I recommend applicant contact me for any input I can give in relation to designing out opportunities for crime and disorder to occur.

NHS Clinical Commissioning Group (6/12/2021)

I am writing in response to the above planning application currently being evaluated by you. Please see below for the required contribution to healthcare should the scheme be approved.

Local surgeries are part of CCG wide plans to improve GP access and would be the likely beneficiaries of any S106 funds secured.

Local GP Practices are keen to maintain/improve their access, and an increase in patient numbers may require adjustments to existing premises/access methods. Please be advised that we would be unable to

guarantee to provide sustainable health services in these areas in future, should contributions not be upheld by developers.

In calculating developer contributions, we use the Premises Maxima guidance which is available publicly. This assumes a population growth rate of 2.3 people per new dwelling and we link this increase to the nearest practice to the development, for ease of calculation.

We use the NHS Property Service build cost rate of £3,000 per square metre to calculate the total financial requirement.

This reflects the current position based on information known at the time of responding. The NHS reserves the right however to review this if factors change before a final application is approved.

Should you have any queries in relation to this information, please let me know.

Natural England

First response (6/12/2021)

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision-making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

Second response (13/7/2021)

Summary of Natural England's advice

No objection

Based on the submitted plans , Natural England considers the proposed development will not have significant impacts on statutory protected nature conservation sites

Natural England's generic advice on other natural environment issues is set out at Annex A

Protected Landscapes North York Moors National Park

The proposed development is for a site within or close to a nationally designated landscape namely North York Moors National Park. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below. Your decision should be guided by paragraph 176 and 177 of the National Planning Policy AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

The landscape advisor/planner for the National Park will be best placed to provide you with detailed advice about this development proposal. Their knowledge of the site and its wider landscape contribution to the planning decision. Where available, a local Landscape Character Assessment to accommodate the proposed development.

The statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm those statutory purposes. those statutory purposes in carrying out their functions (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website.

Environment Agency

First response (10/12/2021)

In the absence of an acceptable flood risk assessment (FRA) we OBJECT to this application and recommend that planning permission is refused.

Reason(s) The submitted FRA does not comply with the requirements for site-specific FRA, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- consider how a range of flooding events (including extreme events) will affect people and property;*
- consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event. Specifically, the assessment will need to ensure that proposed units to the north of Tidkin Lane (that are likely to need to cross an area of flood zone 3 in the event of high flows) are assessed; and*
- take the impacts of climate change into account:*
- Different climate change allowances have been used to assess future flood risk than those advised in 'Flood risk assessments: climate change allowances', without adequate justification.*
- Flood risk mitigation measures to address flood risk for the lifetime of the development included in the design are inadequate because they will not make the development resilient to the flood levels for the Tees Management Catchment Peak River Flow Allowance, 2080s, central allowance. Consequently, the development proposes inadequate:*
 - Raised finished floor levels*
 - Resistance and resilience measures*
 - Safe access and egress routes.*
- Drawing 45948/004/A, Drainage Appraisal Pump Station Option identifies that a culvert crossing will be required as part of the development. However this is not currently assessed within the submitted FRA. An assessment of this will need to be provided within the updated FRA.*

Second response (15/7/2021)

Thank you for referring the amended plans which we received on 29 June 2022.

We have reviewed the information provided and note that the additional information has addressed some of our previous concerns. However additional assessment is still outstanding to demonstrate the development is safe from flooding. Therefore, we wish to maintain our objection to the proposed development.

Environment Agency Position

In the absence of an acceptable flood risk assessment (FRA) we OBJECT to this application and recommend that planning permission is refused.

Reason(s) The submitted FRA does not comply with the requirements for site-specific FRA, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- Adequately assess if the design of the proposed culvert will increase flood risk to the proposed dwellings near the watercourse. Document 4598_004B – Drainage appraisal PS Option (1) provides the dimensions of the culvert. However an assessment has not been provided to demonstrate it is sized to the design flood event.*

Third response (30/9/2021)

We have NO OBJECTIONS to the proposed development as submitted. However, we have the following comments to offer:

Flood Risk

We do not consider the development will have an increased risk of on or off-site flooding.

Redcar and Cleveland Borough Council (Planning Strategy) (10/12/2021)

Site Background

The application site forms part of the 11ha. 'Newstead Farm' site between Hutton Lane and The Avenue which is in two ownerships (Mudd and Brunton). The application site comprises most of the Mudd ownership at the western end.

Newstead Farm has an extensive planning policy and application history dating back to the 1990s, which provides some context to these proposals. Newstead Farm was designated as recreational open space in the previous Local Plan (1991-2006) in seeking to address open space deficits and provide a strategic footpath link to connect town, suburb and countryside. However, as the council was unable to purchase the site within the plan period the allocation was deleted through the plan review process. The site was subsequently included in the Local Development Framework for limited residential development for approximately 40 executive dwellings, to be developed on plots of at least 0.1ha (equivalent to a density of up to 10 dwellings per hectare (dph), with the remaining land to be given over to green space and a footpath link through the site. The associated development plan document reached draft consultation stage in 2009 but was later abandoned in response to the coalition government's changes to the planning system. In 2016, representations were submitted on behalf of Taylor Wimpey for Newstead Farm to be allocated in the new local plan for 'executive-style' housing. The site was not allocated for the following reasons:

- *There were alternative sites in Guisborough which are in more sustainable and less environmentally sensitive locations and are less physically and environmentally constrained.*
- *There are significant physical and environmental constraints and the associated abnormal costs may prohibit the provision of genuine executive housing developed at a particularly low density (perhaps of 10 dwellings per hectare or less, as defined in the emerging plan), which would be similar to the adjacent housing at Stokesley Road and would be most appropriate at this site.*

It is also the case that Guisborough had a substantial supply of housing commitments towards the start of the current plan period, thereby reducing the need for new allocations.

Different proposals for residential development and open space at Newstead Farm have been forthcoming since the 1990s. In each case, proposals have been for low density 'executive' or 'executive-style' housing, including a detailed application from Persimmon Homes for 56 dwellings on approximately one third of the land area, which was refused on appeal in 1999.

The last detailed layout was submitted in 2008 on behalf of both landowners and proposed 65-75 dwellings with the remainder of the site to be given over to linked areas of public space and a footpath connecting Hutton Lane and The Avenue. Within the application site area, the layout showed approximately 30 dwellings, with higher proportions of public open space and detached dwellings. The layout also showed that most of the development would be accessed via an extension to the Campion Drive distributor road, and by a separate access from Stokesley Road which would primarily serve development on the Brunton land. A small number of dwellings (6) were to be served from a short extension to Trefoil Close.

The application proposals seek to achieve a similar housing yield over a reduced site and development area through a more intensive form of development. It is only since the current local plan was adopted in 2018 that the two adjoining land areas have been promoted separately. It is not apparent from the application as to why general housing is evidently considered a more commercially viable proposition than executive-style dwellings as previously advocated on the wider site.

National Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) was revised by the government in July 2021 and at paragraph 2 it is confirmed that the NPPF is a material consideration in making planning decisions, and that planning policies and decisions must also reflect relevant international obligations and statutory requirements.

Redcar & Cleveland Local Plan 2015-2032

The Local Plan was adopted on 24 May 2018 and comprises the development plan for the borough for the purposes of the 2004 Act. The following policies in the plan are considered relevant to this application:

- Policy SD1: Sustainable Development*
- Policy SD2: Locational Policy*
- Policy SD3: Development Limits*
- Policy SD4: General Development Principles*
- Policy SD5: Developer Contributions*
- Policy SD7: Flood and Water Management*
- Policy LS3: Rural Communities Spatial Strategy*
- Policy H1: Housing Requirements*
- Policy H2: Type and Mix of Housing*
- Policy H4: Affordable Housing*
- Policy N3: Provision of Open Space and Recreation Facilities*
- Policy N4: Biodiversity and Geological Conservation*
- Policy TA1: Transport and New Development*

Supplementary Planning Documents (SPDs)

- Design of Residential Areas SPD*
- Urban Design Guidelines SPD*
- Affordable Housing SPD*
- Developer Contributions SPD*

Other Documents

- Redcar & Cleveland Five Year Housing Land Supply Assessment 2021-2026 (August 2021)*
- Redcar & Cleveland Housing and Economic Land Availability Assessment (Update December 2020)*
- Redcar & Cleveland Windfall Allowance Technical Background Paper (2019)*
- Redcar & Cleveland Strategic Housing Market Assessment (2016)*

Policy Comments

Policy SD1: Sustainable Development

Policy SD1 confirms that in accordance with the NPPF, the Council will exercise a presumption in favour of sustainable development and that proposals which accord with the policies in the Local Plan will be approved without delay unless material considerations indicate otherwise.

The NPPF, at para. 8, sets out economic, social and environmental objectives which underpin sustainable development. In meeting those objectives, it is advised at para. 9 that 'planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area'.

Policy SD2: Locational Policy

The broad locational strategy in policy SD2 requires that approximately 40% of all new development should be in the rural area and the majority of that development should be in Guisborough and the East Cleveland towns of Skelton, Brotton and Loftus. Reflecting its larger size and range of services, Guisborough sits above the other three settlements in the SD2 settlement hierarchy, but the policy does not set proportionate development targets between them. Policy SD2 also prioritises development on previously developed land in sustainable locations, providing it is not of high environmental value. It does not, however, prevent development taking place on other, undeveloped land within development limits.

Policy SD3: Development Limits

It is confirmed in policy SD3 that development proposals within development limits will be supported subject to compliance with other policies in the plan. The application site, although defined as greenfield land and forming part of the Newstead Farm site which was rejected as a local plan allocation, is inside development limits, is not safeguarded for other uses and is within a residential neighbourhood. As such, the plan does not prevent the site coming forward for appropriate and acceptable development proposals.

Policy SD4: General Development Principles

Policy SD4 sets parameters for assessing the acceptability of development proposals and requires that all development should be designed to a high standard.

Part (b) of policy SD4 confirms that development should not 'have a significant adverse impact on the amenities of occupiers of existing or proposed nearby land and buildings'; Consideration should be given to the acceptability of access being taken from Trefoil Close and the impact that would have on the residential amenity of households at Trefoil Close and adjacent streets.

Policy SD4 at part (f) advises that development should 'not increase flood risk either on site or downstream of the development'. The application site is undeveloped land and parts of it, along the beck corridor, are within flood zones 2 and 3. As such, the impacts of increased run-off rates arising from the proposed development on flood risk both on and off-site should be taken into account, including in relation to the adjacent Chapel Beck flood catchment area and other areas susceptible to surface water flooding. In connection with those checks, the proposed drainage enhancements should be compliant with the requirements of policy SD7.

SD4 (g.) requires that development proposals should 'have access to adequate infrastructure, services and community facilities to serve the development'. Linked to that, policy TA1 states that new development should 'seek to promote sustainable travel to minimise environmental impacts and support residents' health and well-being'. TA1 supports proposals which 'a.

improve transport choice and encourage travel to work and school by public transport, cycling and walking; and b. minimise the distance people need to travel'.

Guisborough contains a range of services and facilities, but convenient access to them would be constrained by the limited connectivity of the site which would only be accessible from the west, when the majority of shopping, business, healthcare and recreation facilities are located to the east, in central Guisborough along with further education colleges and the town's secondary school on the far periphery. The distances involved in reaching those destinations (between 2.2 km and 3.4km from the end of Trefoil Close, and beyond that from the main proposed housing area), coupled with the need to initially proceed in the opposite direction, would disincentivise sustainable travel, especially walking, and could encourage car dependency. These locational factors restrict the ability of the site to meet the objectives of TA1 and, in turn, its sustainable housing capacity.

There are facilities in the adjacent residential area to the west, comprising Galley Hill Primary School off Campion Drive and, along The Avenue, a small Roman Catholic primary school and church (St. Paulinus), a convenience store and a pub/restaurant. There are also bus stops located along The Avenue with two different hourly daytime services connecting with the town centre. Further afield there is a half hourly daytime service from Stokesley Road.

With regard to travel behaviour, the Chartered Institution of Highways and Transportation (CIHT)² has noted that 80% of journeys of under one mile are undertaken on foot (beyond one mile, the car becomes the dominant mode of transport). Tied in with that, it is also noted that depending on route quality, people are typically prepared to walk for up to 10 minutes to reach their destination (approximately 800 metres and equivalent to a one-mile return journey); though for bus stops in residential areas the tolerance drops to 5 minutes walking time (approximately 400 metres).

Applying the CIHT distance benchmarks using a straight-line measurement to Trefoil Close and then the existing street network, all of the application site would fall within 800m of Galley Hill school and part of it would be within or marginally beyond 800m of The Avenue. But most of the site would be more than 400m from The Avenue, including the main development area east of Hutton Beck which would be between approximately 520m and 720m distance. On that basis, the proximity of the site to bus services would be seen to be of limited significance in moderating car usage.

Any attempt to improve connectivity and shorten travel distances through establishing an access towards Hutton Lane would evidently also involve additional housing development.

With that in mind, it is noted that the submitted Design and Access Statement raises the possibility of a second development phase extending onto the more constrained Brunton land. Further development would add to the environmental impacts on the site, the surrounding residential area and on

highway and other infrastructure, and those effects would be compounded if due to the significant highway constraints, an upgraded vehicular access from Stokesley Road or Hutton Lane remained unfeasible, thereby further detracting from the acceptability and sustainability of any expanded development scheme.

Policy SD4 also requires that development proposals should '(j) respect or enhance the character of the site and its surroundings in terms of its proportion, form, massing, density, height, size, scale, materials and detailed design features'; and '(k). take opportunities available to improve the character and quality of the surrounding area and the way it functions by establishing a strong sense of place, responding to local character and history and using streetscapes and buildings to create attractive places to live, work and visit'.

The proposals seek to preserve site character in the first instance by leaving over 50% of the land area undeveloped, mostly along the environmentally significant beck corridor. Within the development areas, the layout also seeks to achieve more generous separation distances on those plots bordering existing properties. Overall however, it is apparent that the proposals would result in a noticeably different form of development compared to the adjacent housing areas. The development would comprise a mix of house types built on smaller plot sizes at higher residential densities, particularly within the main (northern) development area to the east of Hutton Beck where the dwellings would be more distant from existing properties.

The adjacent residential areas, including the estate through which the site would be accessed, overwhelmingly comprise larger private detached dwellings built at low or very low suburban densities. The wider neighbourhood encompassing the Newstead Farm site and bounded by The Avenue, Stokesley Road, Middlesbrough Road / West End and Hutton Lane, can be similarly described as an upmarket residential area dominated by larger, typically detached suburban dwellings.

Consideration should therefore be given as to whether the proposed variations in terms of residential character, form and density would meet the requirements of SD4 (j.) and (k.). We consider that a lower density scheme comprising fewer dwellings on larger plots would be more appropriate as it would reflect its surroundings. Furthermore, given the site connectivity limitations, reducing the number of dwellings would promote a more sustainable form of development and would place less pressure on local highways drainage and other infrastructure.

Policy SD4 (p.) requires that development proposals should 'provide suitable and safe vehicular access and parking suitable for its use and location'. Having regard to technical highway guidance, consideration should be given as to the suitability of Trefoil Close, which currently serves 6 properties, as an appropriate access point to serve a further 65 properties, and to the impacts on the local road network and traffic safety.

Policy SD7: Flood and Water Management

Policy SD7 and the supporting text sets out the detailed specifications which the proposed development should fully comply with in order to be considered acceptable, and to satisfy policy SD4 (f.).

Policy LS3: Rural Communities Spatial Strategy

Among other things, policy LS3 seeks to 'a. enhance the role of Guisborough as the principal rural service centre and promote independent businesses including the retail, leisure and tourism sectors, as well as a focus for new housing; .and 'd. develop new housing of an appropriate scale, with a mix of types and tenures, in suitable rural settlements'.

It is considered that the proposals would make a limited contribution to the above objectives. During the plan period, Guisborough has received significant commercial investment which has reinforced the status of the town as the main service centre in the rural area. The town has also concurrently undergone substantial housing growth through a range of new developments, amounting to 837 net dwelling completions between 2015 and 2021. Further new developments are also proposed on other sites in the town.

Policy H1: Housing Requirements

Policy H1 sets a net minimum requirement equivalent to 234 net additional dwellings per annum over the plan period from 2015/16 to 2031/32 (3,978 dwellings in total). H1 also advises that the supply requirement will be met through completions to date, existing commitments, allocation sites and other sites with residential planning permission.

The plan provides for an estimated supply of 6,236 dwellings comprising pre-adoption completions, commitments and allocations which equates to a substantial buffer of 57% against the minimum requirement, to ensure the supply requirement is still likely to be met in the event that housing delivery rates underperform against expectations.

The submitted Planning Statement refers to the inclusion of a windfall allowance in the supply assumptions. For clarification; the windfall allowance was added to annual updates of the delivery schedule after the plan was adopted following detailed analysis and as set out in the associated 2019 background paper, it only reflects past delivery rates on minor developments (sites of fewer than 10 dwellings and conversion schemes).

Housing delivery comfortably exceeded the average annual requirement over the first six years of the plan period with 2,365 net additional completions by 31 March 2021, (equivalent to 59% of the minimum requirement and leaving a residual balance of 1,613). The latest assessment of five-year land supply evidences a deliverable supply of 1,676 dwellings (excluding any windfall allowance) for the period to 31 March 2026, thereby exceeding the residual balance. The same document also includes an estimated developable supply of 1,926 dwellings from year 6 to the end of the plan period.

As a significant proportion of the supply is on major development sites with successive delivery phases, it is anticipated that a deliverable five-year supply position will be maintained into future years and that the government's annual housing delivery test will continue to be met.

Therefore, while the proposed development (or an alternative scheme) would add to the supply pipeline, the impact it would have in supporting the H1 objectives of meeting the local plan requirement and maintaining a five-year land supply would be negligible.

Policy H2: Type and Mix of Housing

Among other things, policy H2 advises that proposals will be expected to: 'a. contribute to meeting affordable housing requirements, market housing demand and specialist housing needs as indicated in the strategic housing market assessment or by other evidence; and 'b. provide an appropriate mix of house types and sizes which reflects local housing needs and demand, having regard to the strategic housing market assessment, its successor documents or other appropriate supporting evidence'.

The proposed development would add to the supply of general and affordable housing. As the application has not had regard to the SHMA or provided other supporting evidence, it is not apparent how far the proposed mix of house types would reflect housing needs and demand in Guisborough.

In the same context, the application has not acknowledged housing completion levels in Guisborough within the plan period, and the impact that may have had on addressing housing needs and demand as previously expressed through the SHMA. As indicated above, Guisborough has been a major driver of recent housing growth, and it has moreover received a disproportionate share of new dwellings. The town contains less than 15% of the borough population but over the first six years of the plan it accounted for 35% of all net completions and 87% of net completions in the rural area, thereby creating a spatial imbalance in terms of new supply. Going forward there is identified potential for a further 250 completions in the town over the next five years. While the plan does not prevent additional sites coming forward for development, the need for further housing land in Guisborough is not considered a priority, regardless of the wider supply position in the borough.

Given the volume of completions, the proposed supply contribution of 65 dwellings would be comparatively modest, and the mix of house types would not be markedly different from that which has been recently provided on other sites in the town. At the same time, building in a higher value residential area would be expected to translate into more expensive purchase prices compared to similar dwelling types elsewhere. As such, the range of household incomes which could access those properties would be more restricted, thereby reducing the comparative effectiveness of the proposed development in addressing market demand.

The proposed development includes 10 affordable dwellings, which is line with the standard 15% requirement in policy H4. Within the plan period to 2020/21, 173 affordable units had been completed in Guisborough (equivalent to 17% of supply and all of it on market-led sites, some of which have delivered more than a 15% contribution). A further 118 units are currently anticipated on other sites, mostly on dedicated affordable schemes on sites which are also in more appropriate and sustainable locations close to local services. The proposed contribution is therefore considered to be of limited significance in increasing the supply of affordable dwellings in the town.

Policy H2 (part c.) advises that proposals for housing development will be expected to:

‘where appropriate, increase the supply of detached dwellings in the borough, including ‘executive’ or ‘executive style’ housing, which the policy goes on to define, and those definitions are expanded on in the supporting text at paras. 6.20 and 6.21.

Within the plan period to 2020/21, a substantial proportion of completions were detached dwellings (46% and 54% in the borough and at Guisborough respectively), but the proportion of 5-bed+ detached dwellings was only one per cent. Although not allocated for development, the application site is in a location suited to ‘executive’ housing. As such, and subject to satisfactory resolution of physical constraints, an appropriate development could support H2(c.), broadening the higher end housing offer in Redcar & Cleveland and in Guisborough. The application proposals would remove any such potential opportunities.

Policy H2 (e.) requires housing proposals to ‘achieve a density appropriate to the proposed housing type and mix which supports wider sustainability objectives’. The explanatory text at para. 6.22 states: ‘Appropriate housing densities should seek to utilise land efficiently and promote sustainable development, bearing in mind the location of the site and its proximity to key (trip-generating) services and achieving an appropriate balance between the following: the character of the surrounding area including typical local densities; the proposed type of development and housing mix; and ensuring proposals are likely to be economically viable throughout the delivery timeframe’.

In this case, the density of the main development area to the east of Hutton Beck, which would accommodate 80% of the dwellings and is also the most remote part of the site, is given as 27 dph3. This is higher than that on the western site, and significantly higher than the densities in the adjacent housing areas.

*Policy N3: Provision of Open Space and Recreation Facilities
Subject to economic viability considerations, policy N3 requires new development to incorporate open space provision (or equivalent financial contributions where appropriate). The application proposals include*

formalising public access to the natural space in the south-western portion of the site, including the provision of a footpath link between the development area through part of the open space and crossing Hutton Beck to Meynell Avenue.

It is recommended that any potential adverse impacts on biodiversity are taken into account in working up an appropriate scheme of safe public access, having regard to policies N4 and SD4(m.). Reference should be had to the Developer Contributions SPD in considering how the open space would be managed and maintained.

Policy N4: Biodiversity and Geological Conservation

Policy N4 seeks to protect and enhance biodiversity and geological resources including the preservation of local, national and international priority species and habitats and the protection and enhancement of wildlife corridors and other habitat networks, particularly hedgerows, watercourses and linking habitat features. In connection with that, policy SD4 (at part o.) requires that proposals should 'respect or enhance the landscape, biodiversity, geological features, the historic environment and both designated and non-designated heritage designations that contribute positively to the site and the surrounding area'.

Previous appraisal work undertaken by Tees Valley Wildlife Trust on behalf of the Council as part of the local plan preparation process has identified biodiversity interest in the form of species rich hedges, mature trees within the site and on its boundaries and evidence of protected species (otter and water vole) on Hutton Beck.

Taking that into account, and the submitted Preliminary Ecological Appraisal, the acceptability of the proposals, including the proposed footpath, should be assessed against the requirements of policies N4 and SD4 (parts m. and o.).

Conclusion

Notwithstanding the resolution of technical matters including access and highways arrangements and drainage solutions, from a planning policy perspective determining the application should include consideration of the following:

- Bearing in mind the site setting in an area of lower density suburban housing, whether development would accord with policy SD4 at parts (j.) and (k.).*
- The impact on residential amenity, having regard to SD4 (b.) and (p.).*
- Given the physical constraints of the site including its limited connectivity with the surrounding urban area, whether the proposals would be acceptable in terms of promoting sustainable development, having regard to policies SD1, SD4, TA1 and N4 and any other relevant policies or material considerations.*

The above issues outweigh any justification in terms of adding to the housing land supply pipeline or other benefits of the scheme.

As previously advocated by the Council and other parties, we consider the site location would only be potentially suitable for lower density housing comprising larger, and fewer dwellings than are proposed in the application. The more disconnected nature of the application site serves to reinforce that view. An acceptable scheme could also support the housing aspirations in the plan at policy H2 (c.) and would, as suggested above, be more appropriate in responding to local character, and in promoting sustainable development on the basis that a less intensive development would have less of an impact on the site and the surrounding area.

Redcar and Cleveland Borough Council (Local Lead Flood Authority)

First response (15/12/2021)

The LLFA wish to raise an objection to the proposed development. At this stage the LLFA are unable to fully assess the flood risk based on the submitted information including the FRA. The Submitted information fails to fully comply with policy SD7

The LLFA have identified a number of properties in close proximity to Hutton Beck, as such to overcome the objection the applicant will be required to model the watercourse for various extreme events and produce a drawing that shows the flows from the flood events, that shows the extent of flooding on site.

The above will further provide confirmation of the flow paths should the pumping station fail and potentially cause flooding.

The site is historically wet, as such the FRA does not detail the risk of flooding from groundwater at the surface sufficiently.

Furthermore, the unnamed ordinary watercourse on the eastern edge of development site, has no maintenance regime by current owners, this has the potential to cause flooding to the applicant site, further consideration should be given to this possible issue.

Any revised submission shall be accompanied by calculations to support the sizing of the culvert, storage attenuation and the calculations shall include 1 in 100yr +40% not 20% as referred to in documents.

Second response (18/7/2021)

Further to being re-consulted on the above planning application please see further LLFA comments.

The applicant has failed to indicate on the plan, the proposed discharge point of the French drain, it is assumed it either discharges to the beck or into the storage tank at the bottom of the site. There is also another issue that the

French drain requires two MH constructing one at the change of direction of the drain to allow cleansing if needed and one at the end of it before it then potentially discharge into the beck if this is the option they choose. There is also no indication of the dimension of the perforated pipe in the French drain, the LLFA would wish to see upsized pipe.

If discharging into the beck this would require an headwall outfall detail with non-return flap, or alternatively discharging into the storage tank which would then pump the excess water back up the site before finally discharging back into the beck further up the site.

Due to the above comments, the LLFA would still raise an objection until the discharge point is finalised and supporting information and calcs is supplied for assessment. The applicant will also be required to provide a plan showing overland flows to ensure no increased risk of flooding to the locality.

Third response (1/11/2021)

The LLFA have reviewed the information submitted and the continued discussions with the agent, subject to the following the LLFA can withdraw the initial objection.

Upon review of the additional information, it is established that a suitable scheme for the disposal of surface water can be achieved. Whilst at this stage there is insufficient detail, the LLFA would recommend the following conditions (non-standard) should the application be recommended for approval.

LLFA 1

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

- (i) Restriction of surface water greenfield run-off rates (QBAR value) with sufficient storage within the system to accommodate a 1 in 30 year storm.*
- (ii) Discharge point for the disposal of surface water.*
- (iii) The method used for calculation of the existing greenfield run-off rate shall be the ICP SUDS method. The design shall also ensure that storm water resulting from a 1 in 100 year event, plus climate change surcharging the system, can be stored on site with minimal risk to persons or property and without overflowing into drains, local highways or watercourses.*
- (iv) Full Micro Drainage design files (mdx files) including a catchment plan*
- (v) The flow path of flood waters for the site as a result on a 1 in 100 year event plus climate change*

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

LLFA 2

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

- (i) The timetable and phasing for construction of the drainage system*
- (ii) Details of any control structure(s)*
- (iii) Details of surface water storage structures*
- (iv) Measures to control silt levels entering the system and out falling into any watercourse during the construction process*

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

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

LLFA 3

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

- (i) A plan clearly identifying the sections of surface water system that are to be adopted*
- (ii) Arrangements for the short and long term maintenance of the SuDS elements of the surface water system*

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

Redcar and Cleveland Borough Council (Housing Area Services) (25/11/2021)

No objections

Redcar and Cleveland Borough Council (Natural Heritage Manager) (2/12/2021)

It is important that the appropriate planting of trees is incorporated into this scheme in order to ensure a net gain in biodiversity.

Redcar and Cleveland Borough Council (Archaeological Advisor) (10/1/2021)

The application is accompanied by an archaeological DBA by MAP.

We would recommend that a prior geophysical survey should inform the application where practical. This is considered by the submitted DBA to be a possible step to more clearly identify any impacts, and, bearing in mind the relevant national guidance (in the NPPF), would be sufficient with regard to a significant part of the possible archaeological resource. Cutting of grass to facilitate would be required, but that should not be an impossible task.

On the line of the putative medieval road, if vegetation makes geophysical assessment impossible, we recommend that other forms of ground investigation are undertaken, e.g., trial trenching, to ascertain the presence/absence, condition and extent of such feature. As the geophysical work itself could (if producing positive results) constitute a requirement for further evaluation, any trial trenching of the road line could be delayed until the results of the geophysical survey are known.

We agree with the findings of the submitted DBA, that the impacts of the proposal on the setting of designated heritage assets would be 'neutral'.

**Redcar and Cleveland Borough Council (Schools Capital Officer)
(16/12/2021)**

Having reviewed the anticipated impact of the development based on established pupil yield figures relative to current and projected school capacities within the catchment of the development, I can confirm that there is anticipated to be local primary capacity that would accommodate the numbers of pupils this development would generate. However, we expect this development will place pressure on the catchment secondary schools capacity, assuming typical industry rates for delivery of dwellings. As such, it would be expected that the developer into an agreement with the Council to provide a financial contribution for secondary education pupil capacity provision in line with the provisions in the Developer Contributions SPD. In addition, a contribution toward the need for SEND places should be provided, noting an increase in pupil numbers is likely to also impact on the need for SEND places.

Redcar and Cleveland Borough Council (Development Engineers)

First response (26/1/2021)

The proposal is for 65 dwellings to be accessed from Trefoil Close, the layout of which is considered acceptable. The road width of 5.5m and 2 x 2m footways are to our adoptable standards. The car parking requirements in our Design Guide & Specification are two car parking spaces within curtilage for 3 bed dwellings and three car parking spaces for 4 bed dwellings. Garages can be considered as counting towards this provision providing, they are 6m x 3m internally – please ask the applicant to amend the garage details to suit. Six plots do not meet our car parking requirements- plots 1, 2, 7, 11, 12 and 13 as they are one space short; additionally, these are located on the main road through the site and require adequate off-street provision.

I have no concerns regarding the traffic figures.

The problem is the lack of accessibility of the site with access only available from Trefoil Close at the western end of the development. There are no public rights of way or apparent private paths linking into the site to provide alternative walking and cycling routes to the facilities that residents would need to access. Possibly the opening up the farm access to Champion Drive could be a start to make a more direct route to The Avenue but there are no eastward routes towards the town centre therefore access to the site is likely to be car dependent. The proposed site Travel Plan is fairly meaningless unless action can be taken to provide sustainable access routes into the site.

Should the application be granted, the development will be considered for adoption subject to the applicant entering into a Section 38 Agreement to ensure adoptable standards.

Please condition that there is to be no obstruction of the adjacent adopted highway for the duration of the works; in the interests of highway safety. Please also condition that details are to be submitted and approved in writing showing the wheel wash facilities, contractor car parking and material storage within the site for the duration of the works. A traffic management plan will also be required for the site.

Second response (17/8/2021)

Highway comments on the revised plans:-

The parking provision has been increased as per my last comments and acceptable. Plots 50 -53 – oriented through 90 degrees and acceptable. The boundary treatment plan is ok except annotated incorrectly at plots 50 -53 due to being amended.

Whilst the revised plans show a proposed pedestrian/cycle link towards Champion Drive – which should be 3m minimum width - it is dependent upon land being available for connectivity outside of the red line boundary. Without this land then the link will not be completed and useable.

The comment not addressed was any connectivity eastwards towards the town centre for public amenities and public transport links. None has been shown and therefore does not lend itself to encouraging walking and cycling from within the development.

Redcar and Cleveland Borough Council (Environmental Protection) (Contaminated Land) (16/12/2021)

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 a Preliminary Appraisal Report has been submitted in support of this application.

The report states that contaminant linkages may be possible to a variety of receptors although risks are likely to be limited in extent to areas of any localised made ground. Potential heavy metals, asbestos, organic and inorganic contaminants in topsoil, localised made ground and/or shallow soils may pose a potential risk to construction workers and site end-users. Risks related to these potential linkages are currently given a qualitative assessment of “low to moderate”.

The report states that possible risk from hazardous gas sources exists, principally associated with any organic alluvial soils and any localised made ground present.

The report recommends the precise nature of the risks should be investigated further through site investigation.

- *Trial pitting to investigate shallow soil and groundwater conditions and allow the recovery of soil samples for laboratory testing.*
- *Window sampling to allow the recovery of any made ground and deeper soil samples, and to assess potential foundation options. Standard Penetration Tests (SPTs) should be undertaken to provide geotechnical data for the underlying soils.*
- *Ground gas monitoring wells should be installed within selected boreholes.*
- *Geotechnical and contamination testing at UKAS accredited testing laboratories to adequately characterise the made ground and shallow soils.*
- *A programme of ground gas monitoring visits should be undertaken, to allow a ground gas risk assessment to be produced for the site, comprising six visits over a three-month period.*

In order to minimise the environmental impact and to ensure that the site is fully characterised and suitable for the proposed end use I would recommend the inclusion of the full Standard Contaminated Land Condition onto any planning permission which may be granted:

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

**Redcar and Cleveland Borough Council (Environmental Protection)
(Nuisance) (15/12/2021)**

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 the development will be in close proximity to existing residential properties whose amenity could be affected by construction activities. In order to minimise the environmental impact, I would recommend the inclusion of the following conditions onto any planning permission which may be granted:

- 1. 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.

- 2. Prior to commencement of construction, a CEMP shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide the following;*

- I. The parking of vehicles for site operatives and visitors;*
- II. Loading and unloading of plant and materials;*
- III. Storage of plant and materials used in constructing the development;*
- IV. The erection and maintenance of security hoarding including decorative displays;*
- V. Wheel washing facilities;*
- VI. Measures to control the emission of noise dust and vibration during the construction period.*
- VII. A scheme for recycling/disposing of waste resulting from demolition and construction works.*

REASON: To protect the amenity of nearby residents and in the interests of highway safety.

CONSIDERATION OF PLANNING ISSUES

The main considerations in the assessment of the application are;

- The principle of development in respect of policy set out in the NPPF and Redcar and Cleveland Local Plan 2018
- Housing delivery and RCLP policy H1
- Issues in respect of RCLP policy SD1;SD2;SD3 and LS3
- The general impacts on the character and appearance of the area and local landscape
- Design and form of development
- The impact of the development on neighbour amenity
- The impact of the development in terms of ecology
- Trees
- Transport and highways
- Flood Risk and drainage
- Archaeology
- Ground investigation

- Section 106 and Planning Obligations

Planning Assessment

The principle of development in respect of policy set out in the NPPF and Redcar and Cleveland Local Plan

Site History

Colleagues in the Planning Strategy team have set out the broad history of this particular site.

The site which forms part of Newstead Farm was designated as recreational open space in the previous local plan (1991-2006). However the Council was unable to purchase the site within the plan period and that allocation was deleted in the subsequent local plan review process. The site was then allocated as development site for approximately 40 dwellings in the Local Development Framework (LDF) with the remaining land being given over to open space. The Communities DPD, part of the previous Local Development Framework (LDF), reached draft consultation stage but the was abandoned in view of changes to planning regulations and an new local plan was commenced. A developer made representations to allocate the site in the then emerging plan for *executive style* housing but that was rejected because officers concluded at the time that there were more sustainable and less environmentally sensitive sites and there were considered to be key constraints that would constrain delivery.

Several proposals have been forthcoming for development including a detailed application for 56 dwellings which was refused permission on appeal in 1999 and a scheme submitted for comments for 65-75 dwellings in 2008.

The current application proposals seek to achieve a similar housing yield over a reduced site and development area through a more intensive form of development. It is only since the current local plan was adopted in 2018 that the two adjoining land areas have been promoted separately.

At this point it is appropriate to make several observations on the background to the site which have been raised by some objectors, GAMBOL and other consultees.

(i) whilst it is noted that historically there was a suggestion that the site and wider are be secured as public open space / amenity land, this intention was never carried forward because the council was unable to secure the acquisition of the land for that purpose; there is no prospect that this proposal can be revisited but members will note that there is an offer of a planning obligation to secure the remaining undeveloped area of the land not included in the development proposal, as publicly accessible open space

(ii) the previous appeal decision in 1999 is not relevant to this application and can be given no weight in the determination of the application. The Planning

Act requires the LPA as decision maker to determine the application in accordance with the current development plan (RCBC Local Plan 2018) and to take into account in that decision planning policy, national planning guidance and policy set out in the NPPF.

(iii) a number of stakeholders have submitted that the site is not *needed* because the Council is exceeding the delivery of housing over the plan period to date. The NNPF and associated planning policy requires a council to deliver a *minimum* number of new dwellings based on the agreed assessed need and housing delivery test, there is no *maximum* level of provision. The delivery of new housing in the borough and our current housing land supply would be a material consideration in a case where a development site is outside development limits but this application site is *within* development limits and planning policy in the local plan is permissive of such development where other policy requirements and development management considerations are met.

(iv) the analysis of the application site and the suggestion that it be developed for 'executive' lower density housing does not find expression in the current development plan and the development of the site for up to 40 dwellings was given consideration in the past. It is recognised the application proposals seek to achieve a similar housing yield over a reduced site and development area through a more intensive form of development. It is only since the current local plan was adopted in 2018 that the two adjoining land areas have been promoted separately. It is not apparent from the application as to why general housing is evidently considered a more commercially viable proposition than executive-style dwellings as previously advocated on the wider site

(v) whilst the value of the application site and wider area to the local community is noted, the site does not benefit from an open space designation and is not protected for that purposes under development plan policy.

Housing Delivery and policy H1

A number of objections have been received that refer to the Councils performance in respect of housing delivery in the current plan period and suggest that the development is not required. As stated above, there is no current policy test of *need* and the annual housing target expressed as objectively assessed need (OAN) is a *minimum* level of delivery required by government policy, there is no maximum figure set out in policy.

Policy H1 sets a net minimum requirement equivalent to 234 net additional dwellings per annum over the plan period from 2015/16 to 2031/32. H1 also advises that the supply requirement will be met through completions to date, existing commitments, allocation sites and other sites with residential planning permission.

The plan provides for an estimated supply of 6,236 dwellings comprising pre-adoption completions, commitments and allocations which equates to a substantial buffer of 57% against the minimum requirement, to ensure the

supply requirement is still likely to be met in the event that housing delivery rates underperform against expectations.

The submitted Planning Statement refers to the inclusion of a windfall allowance in the supply assumptions. For clarification; the windfall allowance was added to annual updates of the delivery schedule after the plan was adopted following detailed analysis and as set out in the associated 2019 background paper, it only reflects past delivery rates on minor developments (sites of fewer than 10 dwellings and conversion schemes).

New housing delivery comfortably exceeded the average annual requirement over the first six years of the plan period with 2,365 net additional completions by 31 March 2021, (equivalent to 59% of the minimum requirement and leaving a residual balance of 1,613). The latest assessment of five-year land supply evidences a deliverable supply of 1,676 dwellings (excluding any windfall allowance) for the period to 31 March 2026, thereby exceeding the residual balance. The same document also includes an estimated developable supply of 1,926 dwellings from year 6 to the end of the plan period.

In terms of strategy policy SD1, SD2, SD3 and LS3

Policy SD1 confirms that in accordance with the NPPF, the Council will exercise a presumption in favour of sustainable development and that proposals which accord with the policies in the Local Plan will be approved without delay unless material considerations indicate otherwise. The NPPF, at para. 8, sets out economic, social and environmental objectives which underpin sustainable development. In meeting those objectives, it is advised at para. 9 that;

'planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area'.

Policy SD2 identifies Guisborough as a main rural service centre. Local plan policy directs new development to the most sustainable locations and the plan provides that the majority of new development will take place in Guisborough and the East Cleveland Towns; priority will be given to brownfield sites and development outside development limits restricted.

The broad locational strategy in policy SD2 requires that approximately 40% of all new development should be in the rural area and the majority of that development should be in Guisborough and the East Cleveland towns of Skelton, Brotton and Loftus. Reflecting its larger size and range of services, Guisborough sits above the other three settlements in the SD2 settlement hierarchy but the policy does not set proportionate development targets between them. Policy SD2 also prioritises development on previously developed land in sustainable locations, providing it is not of high

environmental value, it does not, however, prevent development taking place on other, undeveloped land, within development limits.

The last Annual Monitoring Report noted that for housing delivery, 62% of new development was delivered in the urban / costal area and so the Council is on general track in terms of the development spatial split.

Policy SD3 defines development limits that separate the built-up area from the open countryside where development is more strictly controlled. It is confirmed in policy SD3 that development proposals *within* development limits will be supported subject to compliance with other policies in the plan. The application site, although defined as greenfield land and forming part of the Newstead Farm site which was rejected as a local plan allocation, is inside development limits, is not safeguarded for other uses and is within a residential neighbourhood. As such, the plan does not prevent the site coming forward for appropriate and acceptable development proposals

Policy LS3 (Rural Communities Spatial Strategy) identifies Guisborough as a higher order settlement; policy LS3(a) of the plan is to

(a) Enhance the role of Guisborough as the principal rural service centre and promote independent business including retail, leisure and tourism sectors as well as a focus new housing and

(d) develop new hosing of an appropriate scale, with a mix of types and tenures, in suitable rural settlements

It should also be noted at this stage, although some matters are assessed in greater detail below, that the site has no other designation or allocation in the development plan. It does not have a landscape designation under policy N1; it is not identified as a strategic gap or green wedge under policy N2; it is not identified as primary or secondary open space under policy N3; it has no nature conservation or wildlife designation under policy N4 and the site and surrounding area is not in a Conservation Area.

The submitted supporting Planning Statement deals with a range of planning issues which are also considered in this report. In terms of the general matters under consideration the applicant notes that the site is not designated and is not the subject of any protective policies. The previous assessment of the site and identified constraints are noted but they observe that site has been considered for development previously as suitable for development, subject to resolving technical constraints, they submit that the present limited scheme presented has resolved outstanding technical matters and as a *windfall site* is policy compliant.

Planning officers conclude that subject to the detailed assessment of the application there are no policy conflicts with policy SD2, SD3 and LS3 of the Local Plan and there are no planning reasons why the development of the site should be resisted as a matter of principle.

The general impacts on the character and appearance of the area and local landscape

The site does not lie in an area of special control and officers conclude that the design of the proposed development is generally acceptable. The prevailing form of development in the locality of the site is of modern two storey dwellings which is reflected in the proposal. No issues are raised in respect of the detailed design of the proposed dwellings. It is also noted that development is restricted to that part of the site which is not constrained by technical matters, in particular flood risk, and this will see development restricted to the north and eastern part of the site and so, apart from the proposal to allocate the remaining undeveloped part of the site for public open space to the south and west of the development, change, in terms of local landscape and character will be restricted to the north east section of the site.

One of the main issues that has been raised in respect of the development of the site is the relationship of the development to the existing low-density housing on Stokesley Road and in particular Tudor Croft and its associated Gardens.

The objections submitted in respect of the impact of the development on Tudor Croft are noted but Tudor Croft is not listed nor are its associated gardens and it does not lie in an area of special control.

In terms of landscape designation in the SPD Guisborough and its surrounding area lies within the Guisborough Lowlands Broad Landscape Area which is classed as restoration landscape i.e. where the land has lost a greater or lesser degree of landscape structure and would benefit from measures to restore that structure and character.

In terms of the relationship to the Tudor Croft, this is formed by the northern boundary of the proposed development site for a length of some 177m. It is noted that the development site abuts the southernmost section of the garden area which is separated from the main house and garden by the Hutton Beck. The main Tudor Croft house is separated from the development site by some 88 - 160m and there is heavy planting in the form of trees and understory planting on that boundary which will provide a degree of screening between the main gardens and the new development.

In terms of this impact the applicant submits;

Local topographic mapping suggests that the gardens sit at around 94m AOD and that the nearest proposed houses are at a broadly similar level- albeit those to the east of the site would be some 2m lower than the gardens, with the lowest being at 91.35m. There is considerable mature vegetation at the southern boundary of the garden, between the garden and the site. Given the similar and reducing levels, as well as the intervening vegetation, it is highly unlikely that there will be any significant intervisibility between the two sites.

Our view is that it is highly unlikely that there will be any meaningful impact on the attractiveness of that garden. There will be no direct impacts, as none of the garden will be lost to the development, and it is highly unlikely that there will be any indirect impacts caused by visual intrusion.

In the absence of any further explanation of what makes this garden significant, and how the development would actually impact on it, we suggest that there is not likely to be a meaningful impact on this non-designated heritage asset.

Whilst it is recognised that the development of the application site will alter the character of the area, officers do not believe that the development of the main part of the site, as a matter of policy principle, will alter the character of the area to the extent that permission should be withheld.

In terms of strategic landscape impact, officers recognise the advice set out in the response of Natural England and the observations made in respect of the impact of the development on the special character of the National Park. Whilst the officers view is that the development is not one which was required to be supported by a specific Landscape and Visual Impact Assessment (LVIA) it is also concluded, based on the assessment of the application and site assessment, that the development will not have an adverse setting of the National Park and its special landscape character.

The application site is located within the built-up area of west Guisborough and, whilst it forms a substantial area of undeveloped green space, it is largely screened from views by the existing surrounding development. Spatially it has a limited direct link to the chain of open space to the boundary of the National Park which lies to the south of Hutton Lane. Where there is an impact this is limited to views from higher ground in the National Park at significant distances from the site and from which there is no demonstrable impact on the National Park's setting.

In summary, it is noted the application proposals seek to achieve a similar housing yield over a reduced site and development area through a more intensive form of development than has been suggested in the past. Colleagues in the Planning Strategy Team also comment it is not apparent from the application as to why general housing evidently considered a more commercially viable proposition than executive-style dwellings as previously advocated on the wider site. With respect to this matter, this is largely a matter for the applicant and commercial market considerations

From a development management point of view, the narrative history of the site in planning terms is noted, officers note that critically, whilst there were recognised planning constraints to the delivery of the site previously, nothing prevents a land owner or developer undertaking to overcome those technical constraints and the current Local Plan does not seek to protect the application site from development.

In terms of the impact of the development on the character of the area, this is considered acceptable, the development may be at variance with the planning assessment of the site in the past but the development in terms of its design and layout, general character and form does not adversely impact the character of the site and the surrounding area and gives rise to no landscape impacts locally or strategically that are not unacceptable.

The development makes efficient use of the land being a smaller development area than has been suggested in the past, incorporating open space. The development generally respects the character of the site and its surroundings in terms of scale, form, massing and detailed design features. The variance of the density in terms of the character of the larger properties to the north of the site off Stokesley Road is noted but for the reasons set out above, this is not considered to be a reason to withhold planning permission. The development creates a sense of place with its own character creating an attractive streetscape and is a safe and secure environment. Since the site does not have a particular policy designation it is considered the development of part of the site will not result in the unacceptable loss, or significant adverse impact on important open spaces or environmental, built or heritage assets which the development plan considers are important to the local environment. In addition, of particular note is that over 50% of the site will remain undeveloped and will be given over to open space to which the public will have access.

In view of the above assessment officers conclude there is no unacceptable conflict with policy SD4(c)(i)(j), LS3(q)(t) and N1 of the Local Plan.

Design and form of development

The application is supported by a Design and Access Statement which explains the design approach to the development.

The D&A describes the site and its location and provides a site context; a site and local character assessment is set out . In terms of the design of the proposed development the D&A recognises constraints to the development of the site including the site topography; watercourse; site planting; the lack of connectivity within the site, lack of footpaths and surrounding existing development. In terms of opportunities these are stated to be; access to the site; improvement of connectivity; creation of footpaths; retention of boundary and site planting and generous separation distance to maintain privacy.

The development will support the delivery of new public open space on the southern part of the site; there will be a clearly defined hierarchy to facilitate access by all means of transport.

The D&A then identifies key design components of the scheme in terms of layout and appearance, in terms of the houses themselves the D&A notes that they are all two-storey designed to be sympathetic to their surroundings; open space and the access are overlooked. There are three styles of properties incorporating brick and brick and render and the development is within a

landscape setting. The layout has been designed to achieve the key principles of Secured by Design.

Section 4.7 applies the 10 National Design Characteristics

Although not in an area of special control, policy SD4 of the Local Plan sets out criteria that will be applied to new development. SD4 requires all new development to be designed to a high standard and will be expected to, inter alia;

- (i) make efficient use of land incorporating green space and landscaping
- (j) respect or enhance the character of the site and its surroundings in terms of its proportion, form, massing, density, height, scale, materials and detailed design features
- (k) establish a strong sense of place, responding to local character and history and using streetscapes and buildings to create attractive places to live
- (m) create a healthy, active, safe and secure environment

In addition to Local Plan policy SD4, the Council has adopted a design guide (Design of Residential Areas SPD) which sets out general guidance on the design of new development and series of design objectives.

The general layout and disposition of buildings on the site raise no issues; the entrance to the site off Trefoil Close being characterised by development on the north of the access road with limited development to the south of two units. This gives way to a higher density development. The development will contribute to the creation of a number of street typologies and whilst it is noted most of the car parking will be on the at the front of each dwelling, this is no different to the surrounding but character of existing estates.

Each of the houses will have access to private garden space and the application is accompanied by a landscape master plan that sets out the design approach to the landscaping of the application site which includes street planting; enhancement of existing planting features such as hedgerows; new planted areas on the proposed public open space a planting strategy to improve the area including a community orchard and ecologically appropriate seed mixes.

In terms of the comments of the Cleveland Police ALO the applicant responds;

The applicant accepts that Secured By Design should be adhered to and is willing to accept a condition on this. They will also liaise with the ALO, following any layout changes that may result from the ongoing consultation process, to ensure that opportunities to secure that standard are not missed.

The outstanding matters in respect of design; use of materials, surface treatments and landscaping are able to be dealt with by planning conditions.

In view of the above assessment officers conclude there is no unacceptable conflict with key criteria of policy SD4(i)(j)(k)(m) in terms of detailed design considerations, policy N3 in respect of the delivery of new public open space or the relevant adopted design SPDs.

The impacts on neighbour amenity

The proposed development achieves satisfactory separation distances to existing properties and in many cases exceeds adopted standards even taking into account changes in site levels. In view of this the development will not result on adverse impacts on amenity by reason of loss of privacy and unacceptable overlooking.

A number of objections have been received in respect of the likely impact on construction on the surrounding residential areas but construction impacts are temporary and is not a valid reason to refuse planning permission. It should also be noted on any approval planning conditions may be employed to minimise these impacts through, for example, a Construction Environment Management Plan and control over hours of working.

In response to the comments of the environmental protection officers the applicant has confirmed that planning conditions in respect of hours of working and the submission of a Construction Environment Management Plan (CEMP) are acceptable. In addition they note that no issues have been raised by officers in respect of noise, air quality or other olfactory issues.

The concerns and objections expressed in respect of construction impacts are noted however, the development process is a transitional and temporary impact. It may be appropriately mitigated and minimised through the use of planning conditions and other legislation but is not, in itself, an appropriate reason to refuse planning permission.

The development raises no issue in respect of policy SD4(b) of the Local Plan.

The impacts of the development in terms of ecology

The application is supported by an ecological assessment and associated surveys.

Executive Summary of Phase 1 Study

- *The Site consists predominantly of semi-improved neutral grassland with hedgerow boundaries to the north of the Site with an unnamed ditch along the north eastern boundary. To the west, habitats on Site also comprise predominantly of semi-improved neutral grassland with areas of tall ruderal vegetation, dense scrub, hedgerow, hardstanding*

and broadleaved woodland. Broadleaved woodland is present on Site predominantly adjacent to running water (Hutton Beck) that flows from the south west to the north of the Site, intersecting its centre.

Broadleaved woodland is also present to the east of the Site along with semi-improved grassland, tall ruderal vegetation and hedgerow. To the south of the Site, habitats comprise of dominant tall ruderal vegetation and scattered trees

- There are two statutory and nine non-statutory designated sites within 2 kilometres (km) of the Site. No significant impacts are anticipated to any designated sites based on their relative distance from the Site, nature of the designations and nature of the proposals*
- The semi-improved neutral grassland, dense scrub, scattered trees, running water, tall ruderal vegetation and hedgerow on Site are all considered to be of no more than site level value to nature conservation. The area of hardstanding is considered to be of negligible ecological value to Site*
- The semi-natural broadleaved woodland on Site is considered to be of local level value to nature conservation in relation to its connectivity to habitats in the wider area, which forms a 'green corridor' valuable resource for wildlife*
- Land take of semi-improved grassland, dense scrub, scattered trees and part of a single hedgerow (H6) is anticipated to facilitate the proposed development. Habitat loss is considered to be of no more than site level importance to nature conservation for these habitats. No loss of woodland is anticipated within the proposed development, although cutting back is anticipated in the south-west of the Site*
- It is recommended that the areas of POS are managed and enhanced for wildlife including the planting of native pollen/nectar rich shrubs and the use of a suitable wildflower seed mixture (e.g. Wildflower Turfs, WFT-Bespoke planted)*
- A Biodiversity Net Gain Assessment (BNGA) is recommended for this Site to ensure measurable improvements for biodiversity by creating or enhancing habitats within the proposed development. If a 10% net gain cannot be met through measures incorporated on Site, off-site compensation investigations and/or financial contribution towards biodiversity enhancements may be necessary*
- Based on the absence of suitable breeding habitat for great crested newts *Triturus cristatus* (GCN) this species is not considered a constraint to the proposed works. Best Practice Measures are recommended in relation to common amphibians*
- No badger *Meles meles* setts were identified during the survey however, signs of badger in the form of snuffle holes and a latrine were noted. Dense vegetation prohibited thorough searches for badger in some areas and as such the presence of badger on Site cannot be ruled out. Further survey is recommended*
- Trees on Site have Potential Roost Features (PRFs) of Low to High suitability for use by roosting bats, therefore, trees that require removal or will be directly disturbed by the proposed works should be subject to direct inspection by a licensed bat ecologist and/or nocturnal bat surveys in accordance with current guidelines*

- *It is considered that the Site has moderate suitability for foraging/commuting bats. Therefore, one activity survey per month (April-October) accompanied by the deployment of two automated/static detectors in two locations per transect which are left in-situ for five consecutive nights, is recommended to assess the level of use and impacts the proposed development may have on bat species using the Site. Task lighting should be minimised during works, angled away from Hutton Beck and boundary features e.g. mature trees and hedgerows and it is recommended that a sensitive lighting scheme is developed for retained and new vegetative habitats on the Site post development, to minimise the impact upon foraging and commuting bats using these features. Lighting should avoid features such as hedgerows and trees and light spill should be avoided in any areas where planting may occur within the POS*
- *The Site has potential to be used by common nesting and foraging birds and by species such as Wildlife and Countryside Act (WCA) 1981 (as amended) Schedule 1 listed barn owl *Tyto alba* for foraging. There is potential for impacts to nesting birds during vegetation clearance if scheduling cannot avoid the nesting season (typically recognised as March – August inclusive). Where avoiding the bird nesting season is not possible, further survey is recommended by an experienced ecologist no more than two days prior to works commencing, to confirm the presence/absence of active bird nests. The installation of bird boxes upon the new dwellings and upon the retained trees on Site should be considered to enhance the Site's ability to support nesting birds post development.*
- *Habitats on Site are connected to suitable habitats within the wider area for reptiles and records confirm the presence of common lizard *Zootoca vivipara* and slow worm *Anguis fragilis* within the wider area. It is considered possible that reptiles could be present within the Site and as such further survey is recommended.*
- *Hutton Beck is considered suitable for use by otter *Lutra lutra* and water vole *Arvicola amphibius*, and records confirm their presence within the wider area. Further survey is recommended*
- *Brown hare *Lepus europaeus* have some potential to use the Site but are considered more likely to favour habitats adjacent the Site. No further mitigation or compensation measures are considered necessary*
- *Hedgehogs *Erinaceus europaeus* are highly mobile and inquisitive animals that have potential to be resident within the Site or move onto/across Site at any time. To allow for dispersal between gardens, small gaps beneath or between garden fences should be incorporated across the development if close boarding fencing is to be used. Alternatively, railing and hedgerows provide free passage for hedgehogs*
- *It is recommended that areas of POS and hedgerow are managed and enhanced for invertebrates via the installation of insect houses/hotels e.g. bee bricks, the creation of wildflower meadows within the areas of POS, sensitive management of hedgerows and the planting of native species shrub. Invasive species were noted on Site comprising of Himalayan balsam *Impatiens glandulifera* and a cotoneaster species*

Cotoneaster sp. Treatment to attempt to manage and/or eradicate the invasive species (Himalayan balsam in particular) by a suitably qualified professional at an appropriate time of the year to manage and avoid spread of this species is recommended

Survey results

The purpose of the preliminary ecological appraisal was to record and map habitats and assess the potential for the Site to support species which are protected under UK and/or European nature conservation legislation. The study describes the data consultation employed and the extent of the Phase 1 survey and the results recoding methodology.

Hedgerows on Site were assessed under the landscape and wildlife criteria listed in Schedule 1 Part II of the Hedgerow Regulations 1997, using the standard methodology in the Regulations.

Surveys for particular species included amphibians; badger; bats; birds; reptiles; riparian mammals and White-clawed Crayfish and other key and notable species.

The final report recognises survey limitations but comments that;

The survey was completed in an acceptable season for completing a robust botanical survey and in good weather conditions. Therefore, there are no significant limitations associated with the survey to determine baseline habitats

The report identifies statutory and non-statutory designated sites within 2km of the application site. The report notes the site supports semi-improved grassland; semi- natural broadleaved woodland associated with the Hutton Beck; scattered trees; tall Ruderal vegetation and hedgerows. In terms of hedgerows the report concludes;

None of the hedgerows on Site are considered to have the sufficient number of woody species or Sub Paragraph 4 features to classify as Important under the Hedgerow Regulations 1997. However, seven of the eight hedgerows comprise of 80% or more native species and these seven are therefore considered to be of importance in accordance with Section 41 of the NERC Act 2006. Hedgerows are not listed within the Redcar & Cleveland BAP. Therefore, the hedgerows are considered to be of importance at site level only

No evidence of ash die back was detected on the site and the dense scrub and hardstanding (bridge) were noted to be of limited or no impact in ecological terms. The report then sets out the results of the survey of species types drawing from data such as ERIC NE (Environmental Records Information Centre)

Amphibians

GCN are not known to be present in the local area, do not have a network of waterbodies to support a metapopulation or disperse on to Site for and therefore are discounted as an ecological constraint; the report notes the existence of a garden pond on an adjacent site which could provide suitable breeding and foraging opportunities for common amphibians, which in turn could disperse on to Site for shelter opportunities, The Site habitats are unsuitable for breeding common amphibians due to the absence of waterbodies. They could be used by common amphibians during their terrestrial phase, although other garden habitats in the immediate vicinity may also offer sheltering opportunities. The Site habitats are considered to be of importance to common amphibians at a site level.

Badger - On the day of the survey, no badger setts were identified however, a potential latrine with aged faeces present, snuffle holes and a mammal path were identified within the broadleaved woodland in the east of the Site. The report concludes that badger presence could be as a result of foraging of a wider resource, if not present on the site. The report notes, given that suitable badger habitat is present within the site but extensive suitable habitat is also available within the wider area, habitats on site are considered to be of importance to badger at a site level.

Bats - The report noted bat records within 2km of the site and other records and assessed the site for roosting bats. In terms of foraging and commuting bats the report concludes;

The Site contains linear broadleaved woodland and hedgerow features with direct connectivity to and from other suitable, potentially high quality, habitats in the wider area and is therefore considered to provide high quality commuting and foraging opportunities for bats as part of a valuable resource within the wider landscape. The Site also contains tall grassland, scattered trees and areas of dense scrub which will also contribute to the foraging opportunities for bats if they divert into the fields as they pass along the linear features.... given that the Site is well connected to suitable habitats within the wider area via a 'green corridor' it is considered to be of importance to foraging and commuting bats at the local level

Birds - Of the records returned one is a Schedule 1 bird species, as listed within the WCA 1981 (as amended) comprising barn owl *Tyto alba* and one is an introduced species, pheasant *Phasianus colchicus*; There are also 12 BoCC Red and 13 BoCC Amber listed species. The remaining species are either BoCC Green or unlisted species.

On the day of the survey, several bird species were recorded within the Site including; pheasant, blackbird *Turdus merula*, house sparrow *Passer domesticus*, goldfinch *Carduelis carduelis*, greenfinch *Chloris chloris*, carrion crow *Corvus corone*, starling *Sturnus vulgaris*, black-headed gull *Chroicocephalus ridibundus* and wood pigeon *Columba palumbus*

The report concludes;

Habitats on Site are considered unlikely to support roosting barn owl as no trees on Site were noted to have cavities large enough to be used for shelter purposes and there are no buildings on Site. However habitats in the wider area such as arable fields with farm buildings may provide shelter and roosting opportunities nearby. Additionally, anecdotal evidence of up to two barn owls perching in trees just off Site to the north and foraging across the Site was provided on the day of survey.

Taking into account the results of the survey, and the availability of suitable foraging habitat within the wider area, the site is considered to be of value for barn owl at the local level. In terms of other species the report notes that other species could utilise the habitats present and habitat is available in the wider area and as such, the site is considered to be of importance for common nesting and foraging birds at site level only.

Reptiles - ERIC NE provided a total of 38 records for reptiles for locations within 2 km of the Site. The records relate to five common lizard, 27 slow worm and six adder *Vipera berus*. The closest of the records pertains to slow worm approximately 840 m west of the Site dated 2007.

The report states;

*The semi-improved grassland, dense scrub, woodland edges and hedgerows on site are suitable for common lizard and slow worm. It is therefore possible that these species could use the semi-improved grassland, woodland and hedgerows on site as they provide foraging, shelter and dispersal opportunities from other suitable habitat in the wider area via the green corridor. Whilst there were no records of grass snake *Natrix helvetica*, D1 and Hutton Beck on Site have good suitability to be used by this species*

Given the presence of reptiles within the wider area and their connectivity to suitable habitats on site, it is considered possible that reptiles may be present on Site. However, habitats in the wider area are considered to provide higher value habitat for these species in the form of vast areas of woodland, hedgerow and open space and as such, habitats on Site are considered to be of site level value for reptiles.

Riparian Mammals and White-clawed Crayfish - No evidence of otter or water vole presence were noted along Hutton Beck on the day of the survey but this observation is qualified;

Hutton Beck and the associated broadleaved woodland along its banks is considered to offer suitable habitat for riparian mammals as it provides the necessary water levels, steep earth banks and vegetative features associated with these species for commuting, temporary shelter and holt/burrow creation opportunities and for foraging for both otter and water vole. A possible suitable otter lay-up location was found in the form of a hollow within the base of a mature tree adjacent to the stream.

The Site is considered to be of importance for these species at a site level, given that Hutton Beck is well connected to a number of nearby watercourses and the presence of records for otter and water vole within 2 km of the Site, although there are no records relating to Hutton Beck itself

Hutton Beck is considered to provide suitable habitat for white-clawed crayfish due to its earth banks and pebbly/rocky substrate base however, given the lack of records for the area and presence of invasive signal crayfish in the Beck which can carry a disease that is lethal to white-clawed crayfish, it is considered that white-clawed crayfish are likely absent

Other Key and Notable Species

Brown Hare - the report notes;

Brown hare is identified within the NERC Act 2006 but is not listed within the Redcar & Cleveland BC BAP. The semi-improved grassland in Fields 1, 2 and 3 as well as the broadleaved woodland habitat edges within the west and east of the Site provide both foraging and shelter opportunities for brown hare. However, brown hare prefer arable/woodland edge habitats and given the presence of these habitats within the wider area and that they are considered to be higher value than those on Site, the Site is considered to be suboptimal in comparison and therefore of site level importance only.

Hedgehog - the report notes;

It is considered that the Site has suitability for hedgehog in the form of foraging, shelter and dispersing opportunities within the semi-improved grassland, tall ruderal vegetation, hedgerow, broadleaved woodland and dense scrub. Hedgehogs have become increasingly urbanised and it is likely that they occur within the local area and will use the Site as part of their wider foraging resource....

Given the presence of suitable habitat within the Site and extensive habitat in the wider area adjacent to the Site (i.e. hedgerow, woodland and a networks of residential gardens), the opportunities that the Site provides are considered to be of importance to hedgehog at site level.

Invertebrates - the report notes;

The species incidentally recorded on Site are common and widespread, with similar habitats to those on-Site present within the wider area. The Site is therefore considered to be of importance to invertebrates at site level

Invasive species

Himalayan balsam was frequently observed throughout the north, south, east and west of the Site, predominantly within areas along Hutton Beck and within the area of broadleaved woodland to the east of the site, a Cotoneaster sp., was also noted within the broadleaved woodland

Incidental Anecdotal Evidence -the report notes;

On the day of survey, anecdotal evidence was provided for a number of species by residents living within the existing housing adjacent to the Site. This included sightings of; barn owl, otter, brown hare, deer Cervidae sp.,, common fox Vulpes vulpes, water voles, hedgehog, signal crayfish badger and smooth newts

Impact Assessment, Mitigation and Enhancements

The report then moves to assess and describe the impacts of the proposed development and how mitigation can limit those impact and how the ecological value of the site can be enhanced.

In terms of the general impact proposals are expected to result in a loss of semi-improved neutral grassland, dense scrub and scattered trees, no loss of broadleaved woodland is anticipated although cutting back of woodland within the south of the site is anticipated, Hutton Beck is also to be culverted (via pipe installation) in the location of the existing bridge crossing.

There will be no impact on ecologically sensitive sites with the local area or the Nation Park to the south. Hutton Beck will continue to flow in the direction of Chapel Beck LWS and standard pollution prevention is outlined which will aim to protect the LWS site in the event of accidental pollution.

The report states;

Whilst the broadleaved woodland on site is not designated, it is the most valuable of all the habitats on Site, providing a woodland corridor for wildlife through the south western outskirts of Guisborough. As such, particular attention should be made to minimise impacts to this habitat with regards to increased footfall from the proposed development that may result in trodden paths, dog walking, litter and vandalism. It is therefore recommended that a welcome pack is produced for residents to encourage the use of POS areas and existing pathways to limit negative affects upon the woodland habitat.

In terms of habitat impacts the report states;

A Biodiversity Net Gain Assessment (BNGA) including a river morphology assessment (MoRPH) is recommended to ensure measurable improvements for biodiversity by creating or enhancing habitats within the proposed development. If a 10% net gain cannot be met through measures incorporated on Site, off-site compensation investigations and/or financial contribution towards biodiversity enhancements may be necessary.

The production of a Landscape and Ecological Management Plan (LEMP) to detail species planting and maintenance for the Site is recommended as the current proposals are not detailed at this stage.

Some land take of the semi-improved grassland to the north and west of the will be required but no notable species were recorded in this area, the area is dominated by common species. It is suggested that public open space should be managed and enhanced for wildlife this will allow compensation for the loss of the grassland habitat and consequently areas of the 'green corridor' and ensure that there is continued species diversity along with commuting, dispersing and foraging opportunities for wildlife.

In terms of Hutton Beck the development will be limited to the culverting of the current bridge site and the report notes that measures will be required to prevent pollution from site works, running water (Hutton Beck) will not be lost to the development.

In terms of the semi-natural broad leaf woodland and scattered trees the report note that the majority of trees will be retained and not be affected by the development save for an area around the Beck. Some scattered trees will be lost as a result of the development and for those trees that remain tree protection measures should be employed during the construction process.

The development will see all existing hedgerows retained save a section to facilitate the new access and hedgerows will require protection during the development process; existing hedgerows will be improved through additional planting and management to encourage biodiversity; new hedge planting will take place on property frontages as part of a landscaping scheme. Planting of native pollen and nectar-rich shrubs at the Site will provide suitable compensation for any loss of this habitat, by retaining varied habitat structure on site in the long term.

In terms of mitigation of impact on species this includes;

Amphibians; habitat loss affecting amphibians will be limited by the lack of water bodies but some parts of the site may provide terrestrial habitat; mitigation measures will include tool box talks for site personnel; management of strimming and clearance; management of site storage.

Badger; badgers and their setts benefit from comprehensive legal protection. As the site offers badgers both foraging and sett creation opportunities, it cannot be ruled out that at the very least foraging badgers will move across the site from time to time as part of a wider territory, therefore, further survey for badgers is recommended, the outcome of the additional confirmatory survey will inform and required mitigation.

Bats; No trees will be lost as a result of the development although some will require works, any tree which are required to be removed will be subject to inspection. Any disturbance to bat roosts subsequently surveyed will require the necessary license. In terms of foraging bats the environment will be impacted but key corridors and foraging opportunities are likely to be strengthened in the long term as gardens and public open spaces mature and provided the report recommendations are incorporated, it is expected that the

works will not have a significant negative impact on bat species in the local area.

Birds; all wild birds and their active nests are legally protected; the development will have some impact on local bird populations and range of management measures are required such as nest checking before works are carried out and the development may include provision of bird boxes and other measures including the area of the semi-improved grassland to the east of the site which is proposed to be an area of POS should be retained as foraging habitat for barn owl.

Reptiles; the development will result in the loss of some habitat and monitoring of the impact of the development will be required during works and the development will make provision for enhanced habitat as part of the development of the remaining open space.

Riparian Mammals; both otter and vole benefit from protection under legislation but habitats on the site around the Beck will not be lost as a result of the development but the installation of the culvert will have implications if there are otters commuting the water course. The installation of a culvert suitable for wildlife i.e. those large enough to contain a ledge to allow wildlife to pass through or alternatively, the construction of a bridge that will allow banks to be created should be considered. This will allow otter and water vole to safely pass through the culvert or under the bridge along with appropriate planting of native species.

Hedgehog; as a precautionary measure, it is recommended that any excavations left overnight should be covered or have a suitable escape ramp; scrub, tall ruderal and hedgerow habitat on Site which provide suitable shelter for hedgehogs should be cleared using hand tools; Should a hedgehog be discovered when clearing vegetated habitats, it should be moved carefully with gloved hands to a sheltered area away from the footprint of works and gaps left in suitable vegetation in gardens to facilitate foraging.

Invertebrates; It is recommended that areas of POS and hedgerow are managed and enhanced for invertebrates; the installation of insect houses/hotels e.g. bee bricks, the creation of wildflower meadows within the areas of POS; it is also recommended that at least one area within the POS favours taller structure plants to provide a like for like replacement of habitats lost to the proposed development. Nearby to the planting, the installation of insect houses/hotels would also be beneficial.

Invasive species; treatment to attempt to manage and/or eradicate the invasive species (Himalayan balsam in particular) by a suitably qualified professional at an appropriate time of the year to manage and avoid spread of this species is recommended.

Biodiversity net gain

The application is supported by a Biodiversity net gain assessment. The report notes;

The need for a BNGA is in accordance with The Environment Act 2021 and the National Planning Policy Framework (NPPF, 2019) which includes a statement that encourages developments to 'identify and pursue opportunities for securing measurable net gains for biodiversity'. A 10% net gain is the standard measurable amount that developments are expected to deliver by most local authorities.

The initial report is a draft technical document which calculates the delivery of 10% net gain based on assumptions and the current plan its delivery will be based on detailed landscape plans and further development of the ecological mitigation strategy.

In terms of the objections raised to the development on ecology grounds the applicant responds;

It is noted that the statutory consultee, Natural England, has not raised any objection to the development, in terms of protected species or nationally important ecological designations, issue raised in respect of ecology are important at the local level only. They also note the comments of the Council's Natural Heritage Manager in respect of additional tree planting and further discussion of the details of the landscaping of the site.

In terms of the additional objection raised by the Guisborough Town Council and GAMBOL, the applicant responds;

The hedgerows on the site are being retained save for one small section required for the access road. The applicant maintains that none of the hedgerows meet the definition as ancient or important under the regulations they are recognised as a priority habitat. The proposed development leaves large areas of the site undeveloped and available to meet biodiversity objectives.

In terms of the criticisms of the survey

- The preliminary ecology appraisal can be undertaken at any time of year. The survey work was done in August 2021, which coincides with a large number of protected species survey periods, and so offers good insight into the presence of those species as well. It is also active growing season, so no rare flora are likely to have been missed
- Riparian mammal surveys were undertaken in October 2021, following initial appraisal in the PEA. Otters can be surveyed all through the year, although it is acknowledged that October is on the fringe of the water vole survey period. However, October 2021 was a particularly mild part of the year, and this is not considered to

undermine the validity of the initial surveys, and further surveys will be undertaken in the 2022 season

- Surveys for Badger can also be undertaken throughout the year, but the key period is between October and April. The initial survey was in August as part of the PEA- which is arguably less robust due to scrub cover causing an obstruction at times- but the main Badger survey was in October, when vegetation had begun to die back.
- Further reptile surveys are needed, but this can only be done in suitable weather conditions (April/May and Sept are optimal).
- Additional survey work is needed for bats during the next activity season, with multiple visits required. However, the initial transect undertaken in early October 2021 has provided an initial indication of the likely species and levels of usage.

The applicant acknowledges that additional survey work is required but submits the PEA is a survey rereport which is robust and has not identified any protected species or other ecologically critical issue that indicated a permission could not be granted. In addition to the representation by the town council, GAMBOL submitted a detailed critique of the ecology report supporting the application. In response the applicants ecologist Ecus, submitted a lengthy and detailed response to that submission.

It is not appropriate or necessary to set out in this report the full details of that response which has been reviewed by officers but, in summary, the following general points are made;

Ecus submitted that the assessment carried out is authoritative , robust and compliant with current guidance; it is acknowledged that further survey work is required and has identified that survey effort in the report. The current development preserves the corridor function of the site and the applicant has commissioned additional work in respect of biodiversity net gain based on the landscape plans; the key conclusions submitted by Ecus are;

- The ecological assessment work undertaken to date suggests that despite some gaps in information, the application site is of local and site level importance only
- There is no ecological interest present on the site which is either
 - of such significance that it cannot be mitigated
 - of such importance that it would warrant refusal of the application
- Further work has been undertaken in respect of confirmatory surveys and net gain linked to the development

Officers note the additional information submitted in respect of ecological matters but it is not considered appropriate and does not inform decision making, to become involved in a debate between *experts* on the form and content of such reports. The ecology report has been prepared by suitably qualified person and is set out in a form which officers recognise as appropriate to preliminary ecology surveys; the applicant does recognise that additional checking surveys will be required but concludes that in the absence of any objection from Natural England the issue of ecology in relation to the

site is limited to the local level. The ecology report submitted concluded that there are no unacceptable ecological impacts that will occur as a result of the development and those impacts that will occur, can be mitigated through biodiversity improvement measures.

On the wider issue of landscapes the applicant submits;

.. that Natural England have not raised a concern about effects on the Moors. This site is neither designated for ecological purposes, nor does it have any significant ecological value as demonstrated by its lack of protection in the Local Plan.

Whilst we accept that any undeveloped land has some local ecological and connectivity value, the applicant's ecology work suggests that the site does not perform a significant role as an ecological resource in its own right.

The currently proposed layout also retains large areas of undeveloped land and offers wildlife connectivity – particularly along the beck corridor- which will maintain this function, even if the site is developed.

Policy N4 seeks to protect and enhance biodiversity and geological resources including the preservation of local, national and international priority species and habitats and the protection and enhancement of wildlife corridors and other habitat networks, particularly hedgerows, watercourses and linking habitat features.

In connection with that, policy SD4(o) requires that proposals should '*respect or enhance the landscape, biodiversity, geological features, the historic environment and both designated and non-designated heritage designations that contribute positively to the site and the surrounding area*'.

Previous appraisal work undertaken by Tees Valley Wildlife Trust on behalf of the Council as part of the local plan preparation process has identified biodiversity interest in the form of species rich hedges, mature trees within the site and on its boundaries and evidence of protected species (otter and water vole) on Hutton Beck.

The broad conclusions of the ecological study note that the development will not have a direct impact on the nearest identified local plan ecological designation areas; local nature reserves (LNR) and local wildlife sites (LWS). The application has been the subject of consultation with Natural England who confirm that the development will not have significant adverse impacts on statutorily protected nature conservation sites.

The ecological appraisal does however note that the site is of ecological value at the local level, the assessment reflect this local significance and the conclusions of the study for the most part relate to site level impacts.

Officers conclude that the preliminary ecological appraisal has not identified and adverse impacts on ecological interest that would support refusal of the

application. It is recognised that the development will have some impacts but the assessment has identified those risks and set out measures to minimise those impacts through additional checking survey work and mitigation which can be dealt with by planning conditions.

The application is supported by a preliminary technical assessment in respect of biodiversity net gain and the outstanding matters in respect of checking surveys, mitigation measures and the delivery of on-site biodiversity net gain can be dealt with by planning condition.

Additional reports were submitted in respect of Biodiversity Net Gain and Protected Species. This additional information was the subject of a further round of public consultation and has been assessed by officers.

Protected Species

A protected species report was submitted to expand and enhance the analysis provided by the general ecology survey work and so the report reviewed all those survey reports and planning proposals.

Data was reviewed in respect of bats; riparian mammal surveys (otter and water voles); reptiles and an assessment made of important ecological features. The report recognises the limitations of survey work largely as a result of site conditions e.g. dense growth but where this occurred permitter surveys were completed.

The survey results are presented in respect of;

Reptiles where the report concludes;

No reptiles or signs of their presence such as sloughed skins were found during surveys completed during the optimal survey seasons and during optimal weather conditions. No anecdotal information of their presence was obtained. Reptiles are considered likely to be absent from the Application Site

Bats

Bat species recorded included common pipistrelle, soprano pipistrelle, bats from the Nyctalus/Eptesicus and Myotis genera and a single Brown long eared bat. Common pipistrelle was the most frequently recorded bat both at the Development Footprint monitoring location and in the Zone of Influence location. Bats from the Nyctalus/Eptesicus and Myotis genera were recorded but with relatively few registrations.

Myotis bat calls were not identified beyond the genus but some calls resembled and contained characteristics of Whiskered / Brandt's and Daubenton's bats when analysed using Anabat Insight. A single Brown Long Eared bat registration was recorded within the Zone of Influence monitoring point on one occasion, but the echolocation characteristics of this species make the species hard to detect and as the habitat is ideal for this species

it is presumed to be more common than actually identified. Other bat records were not distinguishable beyond the large bat Nyctalus/Eptesicus genera and some were considered to be social calls or otherwise unidentifiable

Riparian mammals

The entire stretch of Hutton Beck within the Application Site and for a distance of 30m off site to the north was surveyed for signs of water vole and otter.

The presence of otter has been confirmed on the site. The field evidence collected indicates a very low level of infrequent use of the site by otter. The evidence collected appears compatible with use of the site by otter as a corridor enabling commuting from one part of the catchment to another rather than as a place of frequent rest, shelter or foraging habitat. It is noted that downstream of the Application Site otter have to traverse a number of culverted sections of the water course from Chapel Beck, including a main road junction between Middlesborough Road and Stokesley Road approximately 550m downstream of the northern site culvert, and another about 1km downstream of the culvert where Chapel Beck flows beneath Hutton Lane. There are at least two similar culverts downstream of the site.

Hutton Beck within the Application Site was considered to offer few habitat features of value to otter due to its generally shallow and narrow morphology which provided very few areas of foraging habitat (the Beck is considered to offer sub-optimal to negligible foraging habitat). While some areas of the woodland habitat adjacent to the Beck could provide suitable temporary resting places, there were very few features which offered more permanent or secure places of rest, shelter or protection, potential breeding or holt sites, or areas away from disturbance by members of the public or their dogs. For example a hollow tree and areas of overhanging shrubs adjacent to the Beck and which would provide potentially suitable places of rest, shelter or protection or even a breeding site were used by children as play areas and therefore highly unlikely to be used by otter. This type of disturbance will also reduce the likelihood of other potentially suitable resting places/breeding sites nearby being used by otter.

Water Vole

No signs of water vole were found and although some parts of the Beck were considered suitable for the species, large stretches were unsuitable. The species is considered likely to be absent from the application site.

Badger

No badger setts were found within the Application Site boundary but on rare occasion field evidence of badger in the form of footprints (Photograph 4) and foraging signs in the form of snuffle holes was found. Vegetation disturbance and shallow digging characteristic of rabbit was more commonly found and rabbit was seen in high numbers during every visit to the application site.

The application site is not thought to provide essential foraging habitat for badgers and is concluded to be used only occasionally for supplementary foraging as one component area of their total range.

The report also notes incidental observations;

Although privately owned with no formal public footpaths the Application Site was freely accessible and frequented by members of the public. The site was observed to be commonly used for dog exercise and toileting and although most dogs seen were on leads or were otherwise under control, there were anecdotal accounts of wildlife being chased by dogs and evidence of dogs roaming freely..... Such types of disturbance are likely to reduce the suitability of the site for sensitive species.

Barn Owl

A single Barn was observed foraging during each bat transect overlying the development area and adjoining fields but no nest sites were discovered during the field work

Hedgehog

...Individual hedgehogs were observed foraging over the central field during most bat transect surveys. Several recordings of hedgehog were also captured by a camera trap positioned to view a mammal path on the northern bank of Hutton Beck extending to/from a boundary fence to the south of the same field.

Signal Crayfish

A shed crayfish carapace was found in a shallow section of Hutton Beck during the riparian mammal survey on 10 June 2022. Assessment of the rostrum...indicated that this was from a signal crayfish (which are recorded within the catchment). It was therefore considered unlikely that the native white clawed crayfish (*Austropotamobius pallipes*) was present within this stretch of the Beck.

The report then sets out an assessment of likely effects on specific species including bats; otter; badger; hedgehog; barn owl in terms of the construction and occupation phase of the development.

Bats

Construction phase

.. In the absence of mitigation the Proposed Development is predicted to have a negligible short term, temporary and reversible detrimental effect on bats at a local (i.e. site) scale within the development footprint part of the Application Site only, due to the removal of grassland habitat adjacent to habitat features

used by foraging and commuting bats. The habitat of use to bats within the Zone of Influence will not be affected. However, the presence of optimal foraging and commuting habitat within the wider landscape external to the Application Site, notably within the off-site river and stream corridors, grasslands and deciduous woodland areas, will remain accessible via the Hutton Beck corridor and surrounding network of vegetated gardens, as will the on-site Hutton Beck corridor habitat. Bats will be able to commute and forage without significant detrimental effect at the local scale

Occupation Phase

The Proposed Development will enhance 250m of existing hedgerows and create a further 590m of species rich hedgerows as well as add native species of trees across the site and introduce almost 10,000m² of vegetated gardens. This will increase the extent and value of bat foraging and commuting habitat at the Application Site and is predicted to have a positive impact. The Occupational Phase will however increase night-time light levels across the site and in the absence of mitigation this is predicted to have a negative, permanent, irreversible impact on bat foraging and commuting.

Otter

Construction phase

In the absence of mitigation the Proposed Development has the potential to cause death, injury and/or disturbance to otter and may obstruct access to places of shelter or protection if otter are unable to traverse Hutton Beck through the culvert or alternative routes onto and off the site. In the absence of mitigation this may cause a negative permanent and irreversible but local impact to otter due to the potential for installation of an inappropriate culvert design and temporary negative impact due to increased noise and lighting levels.

Occupation phase

The occupation of the Proposed Development will not directly affect the habitat features used by otter.

It is noted that the land is private but frequently used by the public as an amenity for dog walking; therefore activity on the site is likely to increase but this will only have a negligible impact compared to the current baseline and the local water course will only be impacted by surface water disposal.

Badger

Construction phase

In the absence of mitigation there are potential impacts but these are limited and unlikely to occur. The risk of direct impact, foraging habitat will be permanently lost during the construction phase. However, based on the field

survey findings such indirect impact is predicted to have a negligible effect only.

Occupation Phase

The interior will contain relatively large areas of hardstanding and unsuitable/inaccessible habitat, as well as nocturnal street level lighting both of which may deter badgers from the developed area. However, the course of Hutton Beck and its adjacent woodland and the fields to the south of the development footprint will not be effected and badgers are expected to utilise this habitat for foraging purposes.

Hedgehog

Construction phase

In the absence of mitigation there may be direct impact on hedgehogs on the site from groundworks, temporary loss of habitat. The foraging habitat of use to hedgehog, which will be lost during the construction phase, comprises the grassland areas of the northern fields. However the woodland and other grassland areas will not be affected and will continue to provide foraging habitat for the species.

Occupation phase

The Proposed Development will create and enhance habitats of use to hedgehog and introduce almost 10,000m² of vegetated gardens and if the recommendations in the report are adopted, this will increase the extent and value of hedgehog habitat at the application site with an overall positive impact predicted. The occupational phase will however, increase night-time light levels across the site and result in the erection of multiple barriers to hedgehog movement over the developed area of the site, which in the absence of mitigation is predicted to have a negative, permanent, irreversible impact on hedgehog foraging

Barn Owl

Construction impacts

Although there was no evidence of nesting found in the surveys foraging by a single owl was noted.

A permanent negative impact is predicted to occur during the Construction Phase due to the removal of foraging habitat from within the development footprint. The observed behaviour of the barn owl indicated that it uses a number of foraging habitats in the wider area and is able to switch between locations during foraging periods. Therefore although a negative impact is predicted it is believed to be minor. However mitigation is recommended below which is predicted to reduce the negative impact of the Proposed

Development on individual barn owl and the habitat loss is therefore reversible to some extent

Occupation impacts

The Occupational Phase of the Proposed Development introduces the opportunity to enhance the southernmost field for barn owl foraging thus compensating in part for the loss of foraging habitat within the development footprint. Consequently if the recommendation....are adopted the negative impact on barn owl is predicted to be minor to negligible

The report, having assessed the phased impacts on protected species sets out the mitigation to be employed to limit or eliminate those impacts which are in terms of development design;

- *Retention of all of the Hutton Beck corridor and adjacent deciduous woodland which maintains an important wildlife corridor extending through the entire site from the south west boundary to the northern boundary.*
- *Avoidance of cylindrical culvert designs and the selection of an appropriate culvert design to use in the replacement of the northern culvert in order to enable permanent unrestricted access to / from the site by otter. The selected design is as specified in DMRB27 which requires the incorporation of suitable ledge features to allow dry passage by otters, including during flood events.*
- *Retention of the southernmost fields within greenspace zones of the Proposed Development and with the introduction of sensitive landscape and planting designs using native species to enhance these areas for biodiversity, most notably for foraging by bats, badger, hedgehog and barn owl.*
- *Creation of a considerable quantity of native, species rich hedgerows across the development footprint which will extend and enhance bat and hedgehog foraging habitat. Management of existing and new hedgerows for wildlife.*
- *Minimisation of the scale and extent of the built zone which will reduce the extent of detrimental impacts on wildlife.*
- *Design of site drainage to avoid effluent discharges to Hutton Beck. Sewage effluent will be discharged from the site via the municipal sewer system for off-site treatment.*
- *Surface water run-off will be discharged to Hutton Beck at a rate equivalent to the undeveloped greenfield rate and will be collected via oil-water separator and sediment traps with final discharge via attenuation tanks to regulate the flow.*
- *Specification of native tree, grass and wildflower species for inclusion in re-instatement works and new planting scheme.*

In terms of the specific species assessed above the report sets out avoidance, mitigation and compensation/ enhancement measures.

In terms of more general measures the report sets out site wide and general actions to be carried out including;

1. *A Construction Environment Management Plan: Biodiversity (CEMP: Biodiversity) should be produced to establish activities and procedures necessary to safeguard important species and habitats and to remove the potential for disturbance or other harm during enabling and construction phases. The CEMP will detail aspects such as the avoidance measures necessary to safeguard otters during the culvert replacement and surface water discharge pipe placement work, new deciduous tree planting, and the measures required for the creation of the new species rich grassland, wildflower meadows and hedgerows. It is presumed that the CEMP and mitigation measures will be required by and secured through condition by planning consent.*
2. *A separate Ecological Management Plan (EMP) should be prepared to detail the work required over the lifetime of the development to create, manage and monitor ecological features in line with the mitigation measures specified in this and related reports, and to maximize the opportunities presented by the Proposed Development to enhance the long-term ecological value of the Application Site. It is presumed that this will be required by, and be secured through condition by planning consent*
3. *The EMP should include relevant details of grasslands and wildflower meadows, hedgerows and new deciduous tree planting etc. including the species to be seeded/planted to ensure the use of native species and the creation of optimal habitats. The EMP should also specify the management/maintenance and monitoring regime, especially for hedgerows, grasslands and wildflower meadows so that optimal habitat can be established and species diversity maintained*
4. *The EMP should detail, in conjunction and making reference to arboricultural survey, the veteranisation procedures to be employed within the deciduous woodland habitat.*
5. *Both the CEMP: Biodiversity and EMP should be prepared in advance of site works to ensure that protective measures and ecological enhancements are factored into the detailed design of each new feature, and the design of and mobilization for each phase of the development.*
6. *Ecological monitoring is required to audit predicted impacts and effect against the actual situation on site so that remedial action can be taken, if needed, for example to adjust the mitigation or compensation measures. Annual monitoring of habitats is required to assess the speed and success of new habitat establishment and to identify if changes become necessary. For this site the monitoring should be relatively superficial but should include habitat and protected species*

monitoring during the Construction Phase and intermittently during occupation

Biodiversity Net Gain

The report notes;

Biodiversity within the UK is in decline, with a few exceptions, despite conservation efforts. The recent 2019 State of Nature report¹ reveals declines in species abundance and states that 15% of species are now threatened, with species distributions also in decline. The report cites a number of causes for these declines including climate change, pollution and urbanisation, amongst others.

National Planning Policy has incorporated the need for environmental improvement and sustainable development, and local planning authorities are encouraged to incorporate biodiversity improvements in and around developments through the National Planning Policy Framework (NPPF revised 2021).

The NPPF requires planning policy and decisions which contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity (Paragraph 174).

Biodiversity Net Gain (BNG) calculations and assessment has become an important component of the overall ecological assessment process, enabling the planning regime to quantify changes in biodiversity at the individual site level and aiming to deliver an overall net gain in biodiversity. This Biodiversity Net Gain report provides an assessment of the biodiversity impact of the Proposed Development at the Application Site.

The purpose of the report it is stated is;

This report aims to describe the ecological baseline of the Application Site and the biodiversity changes to be introduced by the Proposed Development and should be read in conjunction with the BNG Metric 3.1 assessment spreadsheets for this site.

The objectives of this Biodiversity Net Gain (BNG) report are to:

- Confirm the ecological baseline of the Application Site by identifying the habitat types and features of potential ecological value.
- Identify ecological features of particular value to be retained by the Proposed Development, if any.
- Undertake calculation of the Biodiversity Units for the baseline, pre-developed site using the Defra / Natural England Metric 3.1 tool.
- Undertake calculation of the Biodiversity Units for the Proposed Development, post intervention using the Defra / Natural England Metric 3.1 tool.

- Present the net change in Biodiversity Units calculated by the Defra / Natural England Metric 3.1 tool in order to quantify the impact of the Proposed Development on the overall biodiversity of the Application Site.

The report then sets out a summary of the desk study and field surveys; the assessment and evaluation of the baseline conditions on the site and the post intervention ecological environment that will be created on the site in terms of habitat and species. The report states that the Metric 3.1 calculation tool has been used and states;

While the Metric 3.1 tool predicts a net loss of 2.68 area-based habitat units, this does not reflect a significant enhancement of the woodland habitat at the site, nor intended activity to retain areas of more species diverse grassland sward and orchids from field F2.

The Proposed Development will therefore deliver a significant enhancement in functionality of wildlife corridors across the site via improvements to the woodland habitat and via a significant net gain in hedgerow units which are considered to be of strategic importance both at the site level and throughout the NCA areas and beyond. These are considered to provide a significant biodiversity net gain for the Proposed Development which will enhance biodiversity at the site level while also facilitating better cross boundary movement of wildlife through the creation of more species and structurally diverse habitat corridors.

While a net loss of area-based habitats is predicted, the development masterplan has included key habitats from the baseline to enable continued ecological functioning of these habitats and the faunal species assemblages present.

The habitats to be introduced by the Proposed Development are anticipated to be of benefit to a variety of associated species including but not limited to bats, hedgehog, foraging/nesting birds and invertebrates.

The post intervention habitats are also considered to provide benefit to the wider landscape beyond the site and neighbouring land by providing stepping stone habitats which will aid in supporting district wide wildlife corridors and habitat connectivity at a wider landscape scale, particularly for mobile species tolerant of urban environments such as a wide range of invertebrate and bird species.

In addition, the Proposed Development will also incorporate significant biodiversity features not included by the Metric 3.1 tool as follows:

1. *Removal and eradication of area of invasive Japanese Knotweed.*
2. *Removal and eradication of Himalayan balsam from the woodland and riparian habitat.*
3. *Removal of Himalayan balsam from fields F3 and F4 which will be retained as green areas of open space with either species diverse grassland and / or tree planting.*

4. *Removal and eradication of the cotoneaster and snowberry specimens.*
5. *Transplantation of some areas of more species diverse grassland sward from field F2 to fields F3 and F4.*
6. *Transplantation of common spotted orchid specimens from field F2 into fields F3 and F4.*
7. *The use of native species of tree only in new planting schemes, and the development of native species rich hedgerows. All areas to managed in perpetuity for wildlife.*
8. *Following removal of Himalayan balsam, Japanese knotweed and cotoneaster from the woodland habitat, a programme of habitat improvement works within this habitat will be implemented.*

In addition the report states there will be active management of tree stock; additional planting of native species and veteranisation procedures including bird nest boxes, bat roost feature; artificial woodpecker holes use for deadwood and creation of decaying habitats.

The report concludes that preparation of a “Construction Environmental Management Plan: Biodiversity” and an “Ecological Management Plan” will facilitate initial development and on-going management in an ecologically sensitive manner.

The survey reports provide a robust assessment of the ecological baseline of the application site and identifies those species and ecological areas that will be potentially impacted by the development. The Protected Species Report and Net Biodiversity Gain report provide a greater level of detail in respect of the predicted impact of the development on several named species and a suitable framework for the application of conditions to a grant of planning permission. It is noted that the site is one which is one ecological value at the local level and the main issue is not that the development will no impact on the site and it ecological interests but whether those impacts are acceptable and can be satisfactorily mitigated.

Officers are satisfied that the applicant has provided a comprehensive and robust assessment of the potential ecological impacts of the development and identified appropriate prevention and mitigation strategies to address those impacts and a plan to secure biodiversity net gain in the future.

In view of the above comments it is considered the development is consistent policy N4 and SD4(o) of the Local Plan and policy set out in the NPPF.

Trees

The application site benefits from a number of mature trees and understory planting, particularly on the site boundaries.

The application is supported by an arboricultural impact assessment. The report surveyed all trees on the site, a total of 25 according to the published schedule. In order to facilitate the development it will be necessary to remove

three of the identified trees which are reported to be of low value. No pruning works to trees are required at this stage.

In order to protect trees during development , they will be protected by measures in accordance with the approved BS standard around the root protection area (RPA) to create a construction exclusion zone (CEZ). The report then describes the measures to be provided in respect of any works within a RPA, access construction and hard surfacing; construction and foundation design; utilities; site compound and landscaping.

The broad conclusions of the report are;

- The development will require the removal of three trees identified on the tree schedule
- Works to protect the trees will be installed to protect root systems and create construction exclusion zones

The submitted report sets out measures to retain the maximum number of trees of the site and to protect those to be retained during the construction process. The approach outlined in the report is considered acceptable, remaining issues in respect of trees can be dealt with by planning conditions. and no issues in respect of policy SD4(o) of the Local Plan are raised.

Transport and Highways

The application is supported by a Transport Assessment which assess the impact of the development.

The report sets out national and local planning policy in respect of transport policy (NPPF and Local Transport Plan LTP3 and Redcar and Cleveland Local Plan 2018)

The report then describes the site and the local highway network with traffic base flow figures, a junction capacity analysis and accident records concluding;

...that there are no extant road safety issues on the highway network in the vicinity of the development site. The frequency of collisions that occurred on the wider network, given the extent of the search area assessed within this TA are considered to be low and no mitigation measures are proposed at this stage.

The assessment then describes the access profile of the site in terms of walking, cycling and bus services and the key local services including; the town centre, employment, schools, health, shopping and recreation and then describes the proposed development in terms of access parking and other technical matters.

The study then assesses the detailed impact of the development in terms of traffic generation. The study assesses the development impact until 2026,

traffic growth and generation is assessed and then distributed and assigned, the study concluding;

Trip distribution for the development has been derived based on a gravity model of 'Redcar and Cleveland 019 MSOA Journey to Work' data to determine route choice and turning proportions. This is considered a robust method for assessing traffic movements to and from the site and where these trips may impact on the local highway network.

It should be noted that the trips calculated to be generated by the site have not taken account of potential reductions in trip generation as a result of the Travel Plan measures to be implemented on site, which will invariably reduce the number of estimated car-based trips.

In summary, the trip generation and distribution methodology adopted in this TA is considered appropriate and robust.

This TA assesses the impact that the proposed residential development will have on the following junctions on the local highways network:

- The Avenue (N) / Campion Drive (E) / The Avenue (S) priority T-junction;
- Stokesley Road (E) / The Avenue (S) / Stokesley Road (W) priority T-junction; and
- A173 (S) / Stokesley Road (E) / A173 (N) priority T-junction

The study assesses the impact of traffic generation as acceptable, the impact of the development generated traffic on the surrounding area has been shown to be minimal and it is therefore concluded that the proposals could be accommodated without resulting in a detrimental or severe impact upon the local highway network.

The application is supported by an Interim Travel Plan (TP) which set out those measures that will be employed to encourage sustainable transport choices. In summary the TP sets out; objectives , targets and benefits, the present sustainable transport provision and key service destinations. It then identifies roles and responsibilities of a Travel Plan Coordinator and the practical measure to promote sustainable travel choices and the model split targets, implementation strategy and the process of monitoring and review

The Council's highways engineers commented on a first response with some deficiencies in respect of the provision of car parking on the development but did not have any comments to make on the overall conclusions of the Transport Assessment and the impact of the development on the local highway network.

Comment was made in respect of the Interim Travel Plan to the effect;

The problem is the lack of accessibility of the site with access only available from Trefoil Close at the western end of the development. There are no public

rights of way or apparent private paths linking into the site to provide alternative walking and cycling routes to the facilities that residents would need to access. Possibly the opening up the farm access to Campion Drive could be a start to make a more direct route to The Avenue but there are no eastward routes towards the town centre therefore access to the site is likely to be car dependent.

The proposed site Travel Plan is fairly meaningless unless action can be taken to provide sustainable access routes into the site.

On the same issue colleagues in the Planning Strategy Team comment;

Guisborough contains a range of services and facilities, but convenient access to them would be constrained by the limited connectivity of the site which would only be accessible from the west, when the majority of shopping, business, healthcare and recreation facilities are located to the east, in central Guisborough along with further education colleges and the town's secondary school on the far periphery. The distances involved in reaching those destinations (between 2.2 km and 3.4km from the end of Trefoil Close, and beyond that from the main proposed housing area), coupled with the need to initially proceed in the opposite direction, would disincentivise sustainable travel, especially walking, and could encourage car dependency. These locational factors restrict the ability of the site to meet the objectives of TA1...

Applying the CIHT distance benchmarks using a straight-line measurement to Trefoil Close and then the existing street network, all of the application site would fall within 800m of Galley Hill school and part of it would be within or marginally beyond 800m of The Avenue. But most of the site would be more than 400m from The Avenue, including the main development area east of Hutton Beck which would be between approximately 520m and 720m distance. On that basis, the proximity of the site to bus services would be seen to be of limited significance in moderating car usage.

The highways officers second respond confirmed that parking provision had been amended as is acceptable. They note the inclusion of the pedestrian link but observe this may be on land outside the application site boundary and re-affirm the difficulty of accessing services to the east by means other than the car.

Planning officers recognise the physical constraints presented by the site in terms of accessibility and the promotion of a sustainable development in terms of transport choices and the issue has also been raised by objectors to the application including GAMBOL, there has also been criticism of the Transport Assessment by many who comment the study sided not include survey of the local network at peak school times.

In response to those and other highways representations applicant has submitted written responses. In summary they submit;

- *The site is clearly in a sustainable location as it is within the development limits of a larger settlement*
- *The comparison of small differences in walking distance is not a helpful or necessary approach- the macro position is that this is a more sustainable location than many others in the District, and the settlement hierarchy encourages growth in the larger settlements*
- *The accessibility of these homes is little different to either those adjacent to the site access point, or some properties on St Leonards Lane / Tidkin Lane... we consider this to be an accessible urban location with a good range of bus services. We also note that the Travel Plan will encourage use of non-motorised modes*
- *The Transport Assessment has been completed in accordance with current transport study technical guidelines*

Officers have considered all the information submitted in respect of application and note the objections raised by GAMBOL and others in respect of detailed aspects of the transport study. In respect of the objections submitted by GAMBOL and others and the approach set out in the Transport Assessment the applicant has taken the opportunity to submit a detailed response to the points raised. Again, it is not appropriate or necessary in this report to review in detail the criticisms of the methodology of the TA, in arriving at a recommendation on the application planning officers have consulted with colleagues in the highways team, who, subject to amendments confirm that they have no objections to the development in terms of traffic generation and the capacity of the local road network to accommodate the development.

Whilst it is recognised that there are some limitations in terms of promoting some sustainable transport choices, it is concluded that since the site is located within a higher order settlement and in a mature neighbourhood in a settlement with access to the full range of services, the accessibility deficiencies noted are not, on balance, sufficient reason to withhold planning permission. In this respect the development is largely consistent with policy SD4(g)(p) and TA1 of the Local Plan.

Flood Risk and Drainage

The application has been assessed in respect of two key aspects of drainage, foul water disposal and surface water and flood risk.

Foul Water

The application is supported by technical details in respect of foul water drainage which has been the subject of consultation with Northumbrian Water.

NWL has responded to the councils consultation raising no objection to the development subject to a condition;

We have no issues to raise with this application, provided it is approved and carried out within strict accordance with the submitted document entitled

“Flood Risk Assessment”. This document reflects our pre-planning enquiry advice identifying that foul water flows will discharge to the existing public combined sewer at manhole 0303. Surface water flows will discharge via gravity to the existing watercourse, Hutton Beck

In terms of the objections raised in respect of foul drainage the applicant notes that NWL require planning conditions for the development to conform to the submitted amended Flood Risk Assessment and drainage strategy, they note that NWL raise no objection to the development as statutory undertaker and that the applicant has complied with advice secured at the pre application stage.

Officers recognise the concerns expressed by objectors in respect of the performance of current foul drainage infrastructure and evidence of pollution events but in the absence of an objection from the statutory undertaker responsible for foul drainage infrastructure, these grounds of objection do not present a reason to refuse permission which can be sustained. In view of this officers conclude the development complies with key policy requirements of policy SD4(e)

Surface Water and Flood Risk

The application is supported by a Flood Risk Assessment (FRA) which has been the subject of extensive consultation with the relevant statutory body, the Environment Agency.

The FRA sets out policy and the national and local level and assesses the potential for flood risk based on fluvial; surface water; groundwater and foul drainage. It assesses historical flood issues locally along with residual risk and flood mitigation measures; the report sets out a full drainage strategy relating to the development and mitigation which states;

The proposed surface water drainage system is to be designed to current best practice and to the standards laid out in the publication ‘Design and Construction Guidance for foul and surface water sewers’ and Building Regulations Part H 2010. In the event of surface water exceedance as a result of rainfall in excess of the design standard, the site is laid out so that surface water runoff is directed away from houses, including those on neighbouring streets.

The broad conclusions of the FRA are;

- 1. The site lies within Flood Zones 1, 2, and 3 at low to high risk of fluvial flooding from Hutton Beck*
- 2. There is a very low to high risk of surface water flooding across the site.*
- 3. Finished floor levels of residential buildings should be set 600 mm above the 1 in 200-year event flood level which varies across the site.*

4. *The site has been split into two catchments and surface water disposal will be to the onsite watercourses, attenuated for each catchment to QBAR greenfield rates.*
5. *Attenuation for rainfall events will be provided for each catchment up to the 1 in 100 year plus climate change event.*
6. *Foul effluent should discharge to the public 300 mm combined public sewer within the site. Maximum discharge rates have been identified by Northumbrian Water.*
7. *The level of risk and safeguards available are considered appropriate to this class of development.*

The FRA has been the subject of full consultation with the Environment Agency and Northumbrian Water. The ES initially raised objections to the application and the data and information provided in the FRA but after an exchange and submission of further information the EA have confirmed there are no technical objection to the application based on flood risk matters.

In respect of the LLFA officers have advised that an issue in respect of surface water disposal form part of the site adjacent to Tidkin Lane remain unresolved however, colleagues advise that they are content for this matter to be dealt with by a pre-commencement condition.

The many comments received in respect of foul water disposal and the local sewerage system are noted however, in the absence of any objections from the statutory bodies in respect of this matter, planning officers advise that the Council has no planning grounds to refuse the application

In view of the conclusion of the FRA and response of the statutory bodies there are no objections to the development in respect of policy SD7 (Flood and Water Management) of the Local Plan.

Archaeology

The application is supported by an archaeological appraisal which has been assessed by the Councils archaeological advisor.

The Desk Based Assessment has been prepared in accordance with best practice guidelines issued by the Chartered Institute for Archaeologists Standard and Guidance for historic environment desk-based assessment, An assessment is required that will consider the likely survival of buried archaeological deposits on the site, the likely significance of such deposits and the impact on them of the proposal.

The aim of the assessment is stated as;

- *establish the potential for hitherto unrecorded and unknown sites*
- *assess the relative importance of the sites*
- *assess the likely impact of the proposed development on the sites*
- *make recommendations to mitigate any impact of the development on the sites*

The study sets out the policy context for archaeological evaluation in the context of the local plan policy HE2 and HE3 and draws from data collected previously within 1km of the site.

The study sets out a narrative of periods of history and key finds;

Prehistoric period; is defined by stray finds a polished stone axe; numerous prehistoric monuments area recorded on moorland to the south of Guisborough including barrow cemeteries and dyke systems; Later prehistoric activity has been identified through aerial photography including enclosure systems identified to the north of the A171, to the north-east of the town, prehistoric flint and pottery scatters have also been identified in the locale

Roman; a number of Roman find spots have been recorded in the wider area of Guisborough; a hoard of Roman coins was recovered from Guisborough Grammar School in the late 19th century; a copper alloy Roman cavalry helmet was recovered from Barnaby Grange Farm to the west of the town in the late 19th century; the helmet, which was donated to the British Museum, was found in isolation and it is likely that Roman period occupation of the Guisborough Area consisted of dispersed farmsteads and associated field systems, rather than formalised settlement.

Anglo Saxon; limited Anglo-Saxon remains have been identified within the grounds of Guisborough Priory; Guisborough Priory (NLHE 1007506) was founded in the early 12th century around which time a cemetery was also present to the north of the church; Westgate was established as the main road in the town during the Medieval period; The presence of strip fields depicted on early Ordnance Survey mapping suggests settlement was established along the road after the establishment of Medieval agricultural practices.

A possible 12th century road is recorded by the Redcar & Cleveland HER as running through the Proposed Development Area. Ruthergate (HER ID 754) is recorded in 12th century references as running along the boundary of Guisborough and Hutton. The route is also depicted in the 1st edition Ordnance Survey map of 1856 where it is shown to run on a north-west to south-east orientation towards Galley Hill and Kemplah Wood. The remains of a small cross stands there Ruthergate crossed Hutton Lane (HER ID 7192, NLHE 1159569). The route of the road can be seen as earthworks of a hollow way on Kemplah Hill to the south of Guisborough. Although depicted by the HER as being present within the Proposed Development Area, the form and state of survival of the rod is unknown.

The assessment was supported by a site walkover that found no immediate archaeological finds and no Designated Heritage Assets are visible from the site due to the undulating topology of the land and the presence of tall, mature vegetation.

The study provides narrative of records from the Council's HER (Historic Environment Record) assessing prehistoric, Roman, Anglo Saxon /Early Medieval , Medieval and post medieval to modern periods within 1km of the site, the report noting that the settling of no listed buildings will be impacted by the development and there would be a neutral impact on the Conservation Area to the east.

The report states;

The potential for unrecorded archaeological remains to be present within the main Proposed Development Area is considered to be low and of local to regional significance. The route of a Medieval Road is recorded as running through the site and potentially forming part of the boundary. The road has historically been utilised as a field boundary and its route currently consists primarily of mature vegetation which has the potential to disturb any surviving archaeological deposits.

It is likely that the site has been under agricultural use since at least the Medieval period and as such ridge and furrow may exist within the site boundary.

Given the proximity of the site to Hutton Beck and the lack of pre-Medieval archaeological activity in the vicinity, the potential for earlier archaeological deposits to be present on the site is considered to be low

There are sixteen designated and twenty non-designated Heritage Assets within 1km of the Proposed Development Area. With the potential exception of the Ruthergate Medieval road, any development within the boundary of the site will not impact upon the setting or significance of any Heritage Asset

In terms of the impact of the development the report concludes;

The results of the Heritage Assessment have shown there are no known nationally important archaeological remains located on the site to prevent development.

The route of a Medieval road is believed to run through the site, currently obscured by tall mature vegetation. At present its state of preservation is unknown and as such deposits or features may exist within the site. It is also likely that the remains of ridge and furrow would be present within the site. It is recommended that a programme of Geophysical Survey is carried out across the site to assess the archaeological potential, although tall grasses and thistles present across much of the site would require strimming to ground level to facilitate such work.

There are sixteen Listed Buildings and two Conservation Areas within 1kn of the Proposed Development Area. Any development within the site would have a neutral impact on all as the site is for the most part surrounded by modern development and therefor would not alter the setting or

significance of any heritage assets.

The archaeological report has been assessed by Council's agroecological consultant who comments that;

a prior geophysical survey should inform the application where practical. This is considered by the submitted DBA to be a possible step to more clearly identify any impacts, and, bearing in mind the relevant national guidance (in the NPPF), would be sufficient with regard to a significant part of the possible archaeological resource. Cutting o grass to facilitate would be required, but that should not be an impossible task.

On the line of the putative medieval road, if vegetation makes geophysical assessment impossible, we recommend that other forms of ground investigation are undertaken, e.g., trial trenching, to ascertain the presence/absence, condition and extent of such feature.

As the geophysical work itself could (if producing positive results) constitute a requirement for further evaluation, any trial trenching of the road line could be delayed until the results of the geophysical survey are known.

We agree with the findings of the submitted DBA, that the impacts of the proposal on the setting of designated heritage assets would be 'neutral'

In respect of the comments made by NEAR the applicant states;

This consultee recommends undertaking a geophysical survey to inform trial trenching, particularly focused on the putative line of a Medieval Road.

As noted in the planning statement, there are areas of dense scrub which have inhibited geophysical survey. We agree that this additional work should be undertaken to inform trial trenching, but suggest that this should be controlled by condition, and undertaken following any planning approval on this site.

This approach will ensure that the archaeological resource is properly investigated and will also ensure that existing scrub is not removed until such time as it is necessary to do so- This approach is considered to benefit ecology and biodiversity interests on the site.

The applicant is willing to discuss this further with the archaeology team if necessary and is also willing to remove the vegetation which has hampered their ability to undertake this work – although we felt it would be prudent to retain that vegetation until a later stage in the process.

There is nothing in the conclusions of the archaeological assessment that suggests there are arachnological remains or interests on the site that would suggest that permission should be withheld as a matter of principle. There are physical constraints on the site which prevent a full and comprehensive survey at the pre-application stage. Planning Practice Guidance requires the

local authorities response to such matters to be proportionate and a planning condition can be applied to any approval which requires a Written Scheme of Investigation (WSI) to be agreed with the local planning authority and for the WSI to set out in detail the archaeological investigation that will be completed before the commencement of the development proper and in this respect no conflict with policy HE3 of the Local Plan arises.

Ground Investigation

The application is supported by a site investigation report which has been assessed by the Council's Environmental Protection officers who comment;

The report states that contaminant linkages may be possible to a variety of receptors although risks are likely to be limited in extent to areas of any localised made ground. Potential heavy metals, asbestos, organic and inorganic contaminants in topsoil, localised made ground and/or shallow soils may pose a potential risk to construction workers and site end-users. Risks related to these potential linkages are currently given a qualitative assessment of "low to moderate"

The report states that possible risk from hazardous gas sources exists, principally associated with any organic alluvial soils and any localised made ground present.

The report recommends the precise nature of the risks should be investigated further through site investigation.

- Trial pitting to investigate shallow soil and groundwater conditions and allow the recovery of soil samples for laboratory testing.
- Window sampling to allow the recovery of any made ground and deeper soil samples, and to assess potential foundation options. Standard Penetration Tests (SPTs) should be undertaken to provide geotechnical data for the underlying soils.
- Ground gas monitoring wells should be installed within selected boreholes.
- Geotechnical and contamination testing at UKAS accredited testing laboratories to adequately characterise the made ground and shallow soils.
- A programme of ground gas monitoring visits should be undertaken, to allow ground gas risk assessment to be produced for the site, comprising six visits over a three-month period

In order to minimise the environmental impact and to ensure that the site is fully characterised and suitable for the proposed end use I would recommend the inclusion of the full Standard Contaminated Land Condition onto any planning permission which may be granted.

In response to the advice of the environmental protection officers the applicant has confirmed that the imposition of a condition is acceptable.

The officers note this advice and confirm that any approval will be subject to the full standard contaminated land condition. In view of this assessment no conflict arises with policy SD4(e) and (m) of the Local Plan.

Section 106 and Planning Obligations

Policy SD5 of the local plan requires developments to make provision for planning obligations secured under section 106 of the Planning Act.

In this case the following planning obligations have been agreed;

- In accordance with policy H4 of the Local Plan the developer will deliver 15% affordable housing on the site
- A financial contribution of £31,395 will be made towards the improvement health services as requested by the NHS Clinical Commissioning Group
- A financial contribution to secondary education and SEND provision
- The mechanism to secure the delivery of the public open space and the maintenance arrangements for the open space

RECOMMENDATION

(A) THAT THE ASSISTANT DIRECTOR (GROWTH AND ENTERPRISE) BE AUTHORISED TO ENTER INTO AN AGREEMENT UNDER SECTION 106 OF THE PLANNING ACT TO SECURE THE FOLLOWING PLANNING OBLIGATIONS

(i) IN ACCORDANCE WITH POLICY H4 OF THE LOCAL PLAN THE DELIVERY OF 15% AFFORDABLE HOUSING ON THE SITE

(ii) A FINANCIAL CONTRIBUTION OF £31,395 WILL BE MADE TOWARDS THE IMPROVEMENT HEALTH SERVICES

(iii) A FINANCIAL CONTRIBUTION TO SECONDARY EDUCATION AND SEND PROVISION

(iv) THE MECHANISM TO SECURE THE DELIVERY OF THE PUBLIC OPEN SPACE AND THE MAINTENANCE ARRANGEMENTS FOR THE OPEN SPACE

(B) THAT UPON THE COMPLETION OF THE AGREEMENT THE ASSISTANT DIRECTOR (GROWTH & ENTERPRISE) BE AUTHORISED TO GRANT PLANNING PERMISSION SUBJECT TO THE FOLLOWING CONDITIONS:

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

0795-EA-A-P001A Location Plan received by the Local Planning Authority on 22 November 2021

0795-EA-A-G001C Coloured Site Layout Amended received by the Local Planning Authority on 20 June 2022

0795-EA-A-P002E Proposed Site Layout Amended received by the Local Planning Authority on 20 June 2022

0795-EA-A-P003C Boundary Treatment Plan Amended received by the Local Planning Authority on 20 June 2022

0795-EA-A-P004C Elevation Treatment Plan Amended received by the Local Planning Authority on 20 June 2022

0795-EA-A-P005 Proposed Site Sections received by the Local Planning Authority on 22 November 2021

0795-EA-A-P006 Proposed Street Scenes received by the Local Planning Authority on 22 November 2021

0795-EA-A-P0010 Boundary Detail 1800mm Close Boarded Timber Fence received by the Local Planning Authority on 22 November 2021

0795-EA-A-P0011 Boundary Detail 900mm Wall and Close Boarded Timber Fence received by the Local Planning Authority on 22 November 2021

0795-EA-A-P0015 Single Garage Details received by the Local Planning Authority on 22 November 2021

0795-EA-A-P0016 Double Garage Details received by the Local Planning Authority on 22 November 2021

0795-EA-A-P101 A2 House Type - Brick received by the Local Planning Authority on 22 November 2021

0795-EA-A-P102 A3 House Type - Brick received by the Local Planning Authority on 22 November 2021

0795-EA-A-P103 N303A House Type - Brick received by the Local Planning Authority on 22 November 2021

0795-EA-A-P104 N303A House Type - Contrasting Brick received by the Local Planning Authority on 22 November 2021

0795-EA-A-P105 N303A House Type - Render received by the Local Planning Authority on 22 November 2021

0795-EA-A-P106 N303B House Type - Brick received by the Local Planning Authority on 22 November 2021

0795-EA-A-P107 N303B House Type – Contrasting Brick received by the Local Planning Authority on 22 November 2021

0795-EA-A-P108 N304 House Type – Brick received by the Local Planning Authority on 22 November 2021

0795-EA-A-P109 N304 House Type – Contrasting Brick received by the Local Planning Authority on 22 November 2021

0795-EA-A-P110 N304 House Type - Render received by the Local Planning Authority on 22 November 2021

0795-EA-A-P111 N401 House Type – Brick received by the Local Planning Authority on 22 November 2021

0795-EA-A-P112 N401 House Type – Contrasting Brick received by the Local Planning Authority on 22 November 2021

0795-EA-A-P113 N402 House Type – Brick received by the Local Planning Authority on 22 November 2021

0795-EA-A-P114 N402 House Type – Contrasting Brick received by the Local Planning Authority on 22 November 2021
0795-EA-A-P115 N403A House Type – Brick received by the Local Planning Authority on 22 November 2021
0795-EA-A-P116 N403A House Type – Contrasting Brick received by the Local Planning Authority on 22 November 2021
0795-EA-A-P117 N403A House Type – Render received by the Local Planning Authority on 22 November 2021
0795-EA-A-P118 N403B House Type – Brick received by the Local Planning Authority on 22 November 2021
0795-EA-A-P119 N403B House Type – Render received by the Local Planning Authority on 22 November 2021
0795-EA-A-P120 N404 House Type – Brick received by the Local Planning Authority on 22 November 2021
0795-EA-A-P121 N404 House Type – Contrasting Brick received by the Local Planning Authority on 22 November 2021
0795-EA-A-P122 N404 House Type – Render received by the Local Planning Authority on 22 November 2021
0795-EA-A-P123 N405 House Type – Contrasting Brick received by the Local Planning Authority on 22 November 2021
0795-EA-A-P124 N407 House Type – Contrasting Brick received by the Local Planning Authority on 22 November 2021
0795-EA-A-P125 N407 House Type – Render received by the Local Planning Authority on 22 November 2021
P213440_001 Landscape Master Plan received by the Local Planning Authority on 26 November 2021
45948_004B – Drainage Appraisal Pump Station Option received by the Local Planning Authority on 12 November 2021

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

2. Prior to any development above damp-proof course level 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.

3. Prior to the construction of the final surface treatment, for any hard surfaced areas, details of the materials to be used 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.

4. Prior to occupation of the first dwelling, a detailed landscaping scheme for the site based on the principles set out on the Landscape Master Plan Drwg P213440_001 shall be submitted to and approved in writing by the Local Planning Authority. The details shall include size, type and species and a programme of work. The development shall be completed in accordance with the approved details.

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

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is sooner and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

6. No development shall take place until the applicant, or developer, or their agents or successors in title, has completed the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation (WSI) submitted by the applicant and approved in writing by the Local Planning Authority.

REASON: The site is of archaeological interest and the condition is required to ensure that an appropriate investigation of the site takes place before the commencement of the development.

REASON FOR PRE-COMMENCEMENT; The archaeological investigation of the site will require invasive ground work which must be completed prior to the carrying out of any engineering operations.

7. Prior to commencement of construction, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction period. The CEMP shall provide the following;

- (i) a code of construction practice, specifying measures designed to minimise the impacts of construction works;
- (ii) a scheme for the control of any emissions to air;
- (iii) a scheme for environmental monitoring and reporting during the construction of the authorised development, including measures for undertaking any corrective actions;

- (iv) a scheme for the notification of any significant construction impacts on local residents for handling any complaints received relating to such impacts during the construction of the authorised development;
- (v) the parking of vehicles for site operatives and visitors;
- (vi) loading and unloading of plant and materials;
- (vii) storage of plant and materials used in constructing the development;
- (viii) on site wheel washing facilities;
- (ix) measures to control the emission of noise dust and vibration during the construction period.
- (x) details of recycling/disposing of waste resulting from construction works.

All construction works associated with the authorised development must be carried out in accordance with the relevant approved CEMP unless otherwise agreed with the Local Planning Authority

REASON: To protect the amenity of nearby residents and to minimise the impact of construction activities

8. Prior to the commencement of development plans showing the existing and proposed ground levels over the site together with finished floor levels shall be 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 a satisfactory relationship between existing and proposed buildings in accordance with policy SD4 of the Local Plan.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site as construction activity and site preparation can change existing levels resulting in increased ground levels which the authority needs to consider.

9. Unless otherwise agreed by the Local Planning Authority in writing, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts (a) to (c) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (e) has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by

competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with Environment Agency's Land Contamination Risk Management Guidance

(b) Submission of Remediation Scheme

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

(c) Implementation of Approved Remediation Scheme

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

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

(d) Reporting of Unexpected Contamination

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

(e) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with Environment Agency's Land Contamination Risk Management Guidance

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

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site it relates to land contamination details which are often the first works on site and relate to site preparation

10. The development shall be carried out in accordance with the information set out in the 'Arboricultural Impact Assessment to BS 5837:2012 at Land at Guisborough (Phase 1) Guisborough Cleveland'. The trees to be removed shall be limited to this specified in the report as G1, T4 and G7 no other trees shall be removed from the site without the express written agreement of the Local Planning Authority. In addition, where necessary, trees shall be protected in accordance with best practice to BS5837:2012 as set out in section 3.4 of the report.

REASON; To accord with the terms of the planning application and to secure the retention of the maximum number of trees on the site in the

interest of local residential amenity, the character and appearance of the development and the biodiversity value of the site.

11. No part of the development may commence until a landscape and biodiversity protection plan has been submitted to and approved by the Local Planning Authority, the plan submitted and approved must include details of;
 - (i) measures to protect existing shrub and tree planting that is to be retained;
 - (ii) final details of any trees and hedgerows to be removed; and
 - (iii) biodiversity and habitat mitigation and impact avoidance.

The plan submitted and approved must be implemented as approved throughout the construction of the authorised development unless otherwise agreed with the Local Planning Authority.

REASON; The condition is required as a means to ensure the delivery of approved mitigation measures identified in the ecological appraisal and associated supporting ecological surveys and the mitigation measures identified in those reports which will minimise the impact on the ecological interests of the site.

REASON FOR PRE-COMMENCEMENT; The conditions is required to be agreed prior to the start of any site works so that no parts of the site that have been identified as being of ecological interest are compromised by construction works.

12. Prior to the commencement of development (including ground works) a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and approved in writing by the Local Planning Authority and shall include the following:
 - (i) Description and evaluation of features to be managed and enhanced;
 - (ii) Extent and location/area of proposed enhancement works on appropriately scaled maps and plans;
 - (iii) Ecological trends and constraints on site that might influence management;
 - (iv) Aims and Objectives of management;
 - (v) Appropriate management actions for achieving Aims and Objectives;
 - (vi) An annual work programme (to cover an initial five-year period capable of being rolled forward over a period of 30 years);
 - (vii) Details of the management body or organisation responsible for implementation of the BEMP;
 - (viii) Ongoing monitoring programme and remedial measures; and
 - (ix) Arrangements for the review and update of the BEMP every five years and its implementation for a minimum of 30 years

The BEMP shall include details of the legal and funding mechanisms by which the long-term implementation of the BEMP will be secured by the developer through the management body responsible for its delivery.

REASON: To secure mitigation and compensation for the ecological effects resulting from loss of habitat and to secure a net biodiversity gain in line with National Planning Policy Framework and policy N4 of the Redcar and Cleveland Local Plan 2018.

REASON FOR PRE-COMMENCEMENT; This pre-commencement condition is necessary to ensure that measures to ensure adequate enhancement and a biodiversity net gain are agreed at an appropriate stage of the development process.

13. Prior to the commencement of the development, or in such extended time as may be agreed in writing with the Local Planning Authority, details shall be submitted and approved of the surface water drainage scheme and the development shall be completed in accordance with the approved scheme. The design of the drainage scheme shall include;
 - (i) Restriction of surface water greenfield run-off rates (QBAR value) with sufficient storage within the system to accommodate a 1 in 30 year storm.
 - (ii) Discharge point for the disposal of surface water.
 - (iii) The method used for calculation of the existing greenfield run-off rate shall be the ICP SUDS method. The design shall also ensure that storm water resulting from a 1 in 100 year event, plus climate change surcharging the system, can be stored on site with minimal risk to persons or property and without overflowing into drains, local highways or watercourses.
 - (iv) Full Micro Drainage design files (mdx files) including a catchment plan
 - (v) The flow path of flood waters for the site as a result on a 1 in 100 year event plus climate change

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

REASON FOR PRE-COMMENCEMENT; This pre-commencement condition is necessary to ensure that drainage infrastructure to support the approved development are agreed at an appropriate stage of the development process

14. Prior to the commencement of the development, or in such extended time that may be agreed with the Local Planning Authority, details of a Surface Water Drainage Management Plan shall be submitted and approved by the Local Planning Authority. The Management Plan shall include;
 - (i) The timetable and phasing for construction of the drainage system
 - (ii) Details of any control structure(s)

- (iii) Details of surface water storage structures
 - (iv) Measures to control silt levels entering the system and out falling into any watercourse during the construction process
- The development shall, in all respects, be carried out in accordance with the approved Management Plan.

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

REASON FOR PRE-COMMENCEMENT; This pre-commencement condition is necessary to ensure that drainage infrastructure to support the approved development are agreed at an appropriate stage of the development process

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

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

16. Development shall be implemented in line with the drainage scheme 45948_004B – Drainage Appraisal Pump Station Option. The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 0303. Surface water shall discharge to the existing watercourse, Hutton Beck. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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

17. Prior to the occupation of the first dwelling, or in such time as may be agreed in writing with the Local Planning Authority, a final Site Residential Travel Plan shall be submitted and approved by the Local Planning Authority in writing. The Plan shall set out those measures to encourage sustainable transport choices for occupiers of the new dwellings.

REASON: To ensure that measure as are in place to promote sustainable transport choices and reduce reliance on the private motor car.

18. 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.

STATEMENT OF COOPERATIVE WORKING

The Local Planning Authority considers that the application as originally submitted did not meet with the local policies and guidance. Following discussions with the applicant / agent a satisfactory scheme has been negotiated.

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2022/0465/FFM
 LOCATION: LAND AT REDCAR RACECOURSE WEST
 DYKE ROAD REDCAR
 PROPOSAL: ERECTION OF A NEW DISCOUNT
 FOODSTORE (USE CLASS E) WITH NEW
 VEHICLE ACCESS, CAR PARKING,
 LANDSCAPING AND OTHER ASSOCIATED
 WORKS

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

APPLICATION SITE AND DESCRIPTION

Permission is sought for erection of a new discount food store (use class E) with new vehicle access, car parking, landscaping and other associated works

The application relates to land at Redcar Racecourse, West Dyke Road, Redcar and comprises 0.7hectares. To the north of the application site is Tesco foodstore and petrol filling station. To the east and south of the site are the stables and land of Redcar racecourse. To the west of the site are a mix of residential properties which are separated from the site by West Dyke Road. The application site is currently the horse box parking and some grassed area outside of the actual racetrack. It is proposed that the horse box parking and entrance be relocated and permission has been sought and granted for this work through application R/2022/0385/FF.

The application indicates that the operator of the proposed foodstore would be Lidl.

The development is described within the planning statement as;

The proposed single-storey foodstore will have a Gross Internal Area of 1,895 sqm, of which 1,251 sqm will be sales area. The sales area will incorporate an 80:20 split between convenience and comparison floorspace, meaning that around 1,001 sqm will be dedicated to convenience retail and 250 sqm will be used for comparison retail. The remaining floorspace will comprise 427 sqm of warehouse floorspace, comprising a warehouse area, a delivery area, chiller, freezer and storage; and 217 sqm of ancillary space, including customer toilets, a bakery, staff welfare facilities and associated office space.

Access to the site will be taken off West Dyke Road, via an improved access road in roughly the same location as the existing access point. Pedestrian access will be taken in the same location and marked crossings will convey customers across the car park to the store building.

The proposed foodstore will be served by a dedicated car park with a total of 119 car parking spaces, comprising 101 standard spaces, six accessible parking bays, ten parent & child spaces and two 'rapid' EV charging spaces. Both the accessible and the parent & child spaces will be located close to the store entrance, along the western and northern elevation respectively. The number of parking spaces proposed is based on Lidl's operational model; and are designed to ensure that the site will safely and conveniently accommodate maximum demand and prevent overspill onto adjacent streets.

Parking facilities will also be provided for cyclists, in the form of six Sheffield style bike stands, offering secure parking for 12 cycles. Lidl employees are permitted to store their bikes in a suitable location within the warehouse. The proposed provision will provide secure cycle parking for customers and staff alike.

The application has been accompanied by the following plans and documents;

- Location plan
- Existing and proposed site plans
- Proposed external works
- Proposed floor and roof plans
- Proposed elevations
- Landscape details
- Lighting layout and schedule
- Ecological Impact Assessment
- Planning and Retail Statement
- Air Quality Assessment
- Statement of Community Involvement
- Noise Impact Assessment
- Design and Access Statement
- Redcar Household Survey Report
- Travel Plan
- Energy Usage and Sustainability Statement
- Flood Risk Assessment
- Transport Assessment
- Nutrient Neutrality Assessment

Given the nature of the application and the location of the proposal the Council has commissioned an independent retail assessment and review of the submitted information. The assessment undertaken on behalf of the Council is attached in full to the report at Appendix 1 with key sections summarised and included in the consideration section of the report below.

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
SD7 Flood and Water Management
ED1 Protecting and Enhancing the Borough Centres
N4 Biodiversity and Geological Conservation

OTHER POLICY DOCUMENTS

None

PLANNING HISTORY

R/2022/0385/FF Creation of a new 50 space horsebox car park including new vehicular and pedestrian accesses off West Dyke Road, 2.5m high boundary wall and associated works. Approved 29/07/2022

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 the following representations have been received;

32 representations objecting to the proposal and making the following comments;

- The Local Plan does not support this out of centre retail development
- The proposal is not environmentally sustainable so does not accord with national and local planning policy
- Redcar already has a competitive food retailing market.
- The proposal will not 'grow' the retail market in Redcar but will divert sales from existing retailers and will worsen things for Redcar Town centre.
- Creativity and flexibility might have found a town centre site that was workable.
- Employment opportunities for the local population are unclear.
- Existing key traffic issues have not been analysed and/or addressed.

- The impact of traffic from the possible catchment area for the store has not been assessed.
- Highway's safety issues
- Existing highways problems/traffic tailbacks/congestion on West Dyke Road caused by volume of traffic, railway crossing, and roundabout will be exacerbated by proposed development.
- Already difficult/dangerous to access/egress Tesco's, Easson Road, Orchard Road, Westfield Avenue and Brooksbank Avenue; proposal will exacerbate this.
- Weekly car boots sale on the racecourse already cause congestion.
- Safer if Lidl used the existing Tesco's slip road for access/egress.
- Insufficient/unfeasible parking spaces provided, too close to road resulting in congestion with cars waiting to go in and out of site, users may park in surrounding streets.
- Difficult for emergency vehicles to access/egress Easson Road and other roads
- Proposed road markings are not to the legal requirement.
- HGV's use West Dyke Road route in and out of the town centre as it is quickest.
- Will increase traffic past Lakes Primary School which has had one of its school crossing patrols removed.
- No need for another supermarket.
- Existing noise, exhaust smells, anti-social behaviour and night time deliveries will increase.
- Conflict between horse boxes access point to racecourse from West Dyke Road and vehicles access point to Lidl.
- Where will horse boxes park to deliver/pick up horses
- Racecourse stables will require re-siting, resulting in new gateway onto West Dyke Road with more disruption and loss of green space.
- Detrimental to racecourse, a major asset for Redcar.
- Congestion will disrupt bus services
- The car park should be reduced in size to allow retention of the wide grass verges/raised earth bunds adjoining West Dyke Road; the bunds enhance amenity, screening and privacy and can be further landscaped to achieve this.
- The car park should be lower than West Dyke Road to minimise its impact on amenity/privacy for the properties located opposite.
- Better locations / sites available.
- Contrary to policy SD4 of the Local Plan.
- Site is not in the town centre.
- The Council should not ignore the Local Plan.
- Lack of consultation.
- People in support do not live near the site.
- Already have trouble accessing drives the proposed road markings will not help this but almost make the manoeuvre illegal.

26 representations in support which make the following comments;

- Create new jobs
- Will increased choice, and competition for existing supermarkets, leading to reduced prices overall.
- Convenient as can walk to, less fuel used than travelling to Lidl's elsewhere; needed due to high cost of living and fuel prices.
- Existing stores are too busy; extra stores needed.
- Electrical charging points, and solar panels are sustainable
- Investing money into Redcar
- Will ease traffic congestion around other supermarkets, railway and roundabout, as some traffic will go to Lidl.
- West Dyke Road is already set up to accommodate traffic.
- Reuse of unusable car park to benefit the community
- Investment will improve look of the area
- Raise funds for the racecourse/secure its future.
- Perfect place for a food store.

Northumbrian Water (08/06/2022)

We note a Flood Risk and Drainage Impact Assessment has been submitted with the planning application which sets out the proposed drainage strategy for this development which states a Pre- Planning Enquiry has been undertaken. However, at the present time the connection points and discharge rates are yet to be agreed with our pre-planning enquiry team. We advise that the applicant submits a copy of their Pre-Planning Enquiry response and demonstrates that the drainage strategy aligns with our recommendations. In the interim we request the following condition:

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

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

Cleveland Police (22/06/2022)

The applicant is recommended to contact them, for advice/guidance they can offer regarding designing out opportunities for crime and disorder in the future.

Redcar and Cleveland Borough Council (Development Engineers)

07/09/2022

The car parking spaces are in accordance with the Design Guide & Specification and includes 6 no disabled user bays, 9 No parent and child spaces plus 2 No EV charging bays. 118 No in total.

The bays are generally larger than our standard bays of 2.3m x 4.8m. It is noted that the spaces around the perimeter of the development are only 4.7m in length, however as they overhang the landscaped areas then this is acceptable.

The existing entrance into the horse park is to be enlarged – this will be subject to a S278 Agreement to ensure adoptable standards.

The NCN1 cycle route runs across the site entrance therefore new pedestrian and cycle crossing tactiles will need to be included. The footway and cycleway should continue into the development to link with the store and cycle stands.

The swept path analysis demonstrates that deliveries into and out of the development can be accommodated both within the site and on the adopted highway. As with the horse box application, the ghost right hand turn lane appears to be sub standard– can this be demonstrated that it will be workable?

Contents of the Travel Plan are noted – 3.5 refers to North Yorkshire LTP- this is not Redcar & Cleveland.

The site is readily assessable for staff and customers to walk, cycle and use public transport links, both bus and rail. From the Transport Assessment, the trip generation is considered acceptable and will not adversely affect the local highway network and the site junction and West Dyke Road/ A1085 roundabout will operate within capacity.

Please condition that prior to commencement, the layout of the site compound, material storage and contractor car parking will be agreed; in the interests of highway safety.

01/11/2022

The ghost right hand turn lane into the proposed Lidl store be is amended as part of the S278 Agreement. Currently the two ghost righthand turn lanes are evenly split and I'd propose lengthening the Lidl lane to aid the higher volume of right turners over the Easson Road junction.

Also, in order to strengthen that the routes of the delivery vehicles are adhered to, please condition a service management plan be agreed in writing, to ensure that all deliveries approach from a northerly direction and exit the same way.

**Redcar and Cleveland Borough Council (Local Lead Flood Authority)
(14/07/2022)**

The LLFA would offer no objection to the proposed development. The applicant has advised that surface water will be restricted to 5l/s with appropriate on site storage and will discharge via a culverted watercourse.

Whilst no details of this connection have been submitted at this stage the LLFA is unable to fully assess. It is further advised that a separate Ordinary watercourse Consent application will be required for a connection to be made. Should this application be approved the LLFA would request the inclusion of standard conditions 1, 2 & 3

**Redcar and Cleveland Borough Council (Business Growth Team)
(24/06/2022)**

From a Business Growth perspective we would broadly welcome this proposal which positively contributes towards our key local growth and regeneration priorities linked to job creation - 40 FTE's. We would welcome an opportunity to engage with the client to explore maximising local labour and skills on site and where possible would suggest/request recruitment needs are drawn from the 'local' community. Introductions to our local Training and Employment Hubs can be arranged and advice given linked to financial incentives for recruiting apprentices and work placement roles.

**Redcar and Cleveland Borough Council (Environmental Protection)
(Contaminated Land) (04/07/2022)**

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:

Although I note that there is no supplementary information submitted with this application the site appears not to have any previous contaminating use.

The applicant should be aware of his responsibilities under para 178 of the NPPF

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation) and*
- b) that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.*

As a precaution I would therefore recommend the following condition to cover unexpected contamination that may be encountered during the development.

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

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the development a report must be submitted confirming that unexpected contamination was not encountered during the development

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

Redcar and Cleveland Borough Council (Environmental Protection) (Nuisance) (04/07/2022)

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 an Air Quality Impact assessment and a noise impact assessment have been submitted in support of this application.

Both assessments are satisfactory and providing the mitigation measures for air quality in the construction phase are adhered to I have no objections.

Redcar and Cleveland Borough Council (Health & Safety-Food) (Food Team) (08/06/2022)

This office has no objections to this proposal

Offer comments to be referred on to the applicant should the proposal be successful.

Redcar and Cleveland Borough Council (Strategic Planning) (28/09/2022)

The site is located within the Redcar development limits and can be supported in terms of Policy SD2 and SD3.

A proposed Class E use is considered a 'main town centre use' in national policy terms. Policy ED1 of the Local Plan sets out that development proposals for such uses will be focused in town, district and local centres to safeguard and enhance the vitality and viability of those centres. Therefore, a sequential assessment is required which has been submitted with the application (Planning and Retail Statement).

The search area used for the sequential assessment is appropriate covering Redcar Town Centre and three closest Local Centres (Park Avenue,

Roseberry Sq. and Ennis Sq.). The parameters for flexibility are deemed appropriate. The sequential assessment found no suitable or available sequentially preferable sites to accommodate the proposed development. This has been corroborated against the Council's town centre monitoring data and can be confirmed.

As per paragraph 90 of the NPPF and Local Plan Policy ED1, a retail impact assessment is also required which has been submitted with the application. The largest impact on any centre is considered to be a 6.72% or £0.48m diversion from Roseberry Square, which is not considered to be significantly adverse. No single retailer in a town centre will be impacted more than 7.6% (Morrison's). Therefore the main impact will be against a direct foodstore competitor and there will be more limited impact against the diverse range of retailers in the town centres.

Summary

The proposed site is located within Redcar's development limits and on unallocated (or 'white land') but outside a town, district or local centre. Local policies promote Class E (retail) development in centres. However, national policy allows sequential and impacts assessments to be undertaken. That assessment has shown there to be no suitable or available sites in nearby centres and no significant adverse impacts. As such the application is acceptable in planning strategy terms.

CONSIDERATION OF PLANNING ISSUES

The main considerations in the assessment of the application are;

- The principle of development
- Sequential Assessment and Retail Impact
- 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 and on an area of unallocated previously developed land. There is a mix of uses in the area including racecourse, commercial and residential.

The site is in a sustainable location and is in close proximity to a range of public transport methods.

The principle of development in this location is acceptable and the proposal would accord with the aims of policies SD1, SD2 and SD3 of the Local Plan.

Sequential Assessment and Retail Impact

The application seeks consents for a retail food store which is a class E use under the Use Class Order. Class E uses are considered a main town centre

use through the NPPF and Local Plan. Within the Local Plan policy ED1 sets out that such uses would be focused within the designed town, district and local centres in order to safeguard and enhance the vitality and viability of the commercial centres.

Given the scale of the development a sequential assessment is required and one has been submitted with the application (included within the Planning and Retail Statement).

The Planning and Retail Statement confirms that Lidl foodstores serve a relatively compact catchment as they are considered a neighbourhood shopping facility. Based on this commercial operation the catchment equates to a 0-5minute drive from the site. Taken that approach into considerations the following designated centres have been considered for sites and vacant units;

- Redcar Town Centre;
- Park Avenue Local Centre;
- Roseberry Square Local Centre;
- Ennis Square Local Centre

As part of a sequential assessment the proposed user is required to set out their parameters and site/unit requirements. For the proposed user the requirements are;

- *Available sites with an area between 0.6ha (1.5 acres) and 1.6ha (4 acres) with the potential to house a unit measuring between 1,672 sqm and 2,461 sqm (18,000 – 26,500 sqft);*
- *Existing vacant units with a floorspace measuring at least 90% of the size of that proposed;*
- *A site that can allow for the safe manoeuvring of customer vehicles;*
- *A prominent site with the ability to attract passing trade;*
- *A site that is able to offer adjacent surface level car parking, so that customers can easily transfer foods to their vehicles;*
- *A site that can accommodate a dedicated service area to the rear of the store and associated HGV's deliveries and manoeuvres; and*
- *A single storey, open and unrestricted sales floor area which benefits from a generally level/flat topography, or which has the ability to be developed as such.*

The only site capable of meeting the above parameters and which has been assessed within the submitted sequential assessment is;

- Former Coatham Bowl site, Majuba Road

The search areas identified are suitable for the catchment and no centres have been missed. The parameters for the proposed users are considered flexible and appropriate to form the basis for site selection. The submitted

sequential assessment has found no suitable or available sequentially preferable site to accommodate the development.

The Council's town centre monitoring data has confirmed and corroborated the information submitted by the applicant that there are no sequentially preferable sites. In respect of sequential assessment the application accords with the NPPF and policy ED1 of the Local Plan.

Based on paragraph 90 of the NPPF and Local Plan Policy ED1, a retail impact assessment is also required which has been submitted with the application.

The impact assessment first completes a health check of the Town Centre. The submitted report indicated a vacancy rate of 13%, for Redcar Town Centre, which is slightly below the national average (14.4%). None of the vacant units are suitable for the proposed development. Redcar Town Centre, in terms of the health check, has a good mix of retail uses and it is considered that the vitality and viability is good. On balance Redcar Town Centre is in good health. The Local Centres identified in the retail study are all identified as having good or very good health.

The review completed by consultants on behalf of the Council has highlighted that the review of Redcar Town Centre should be treated with caution (as outlined within appendix 1) and is considered to be in moderate health. The assessment on behalf of the Council also questions whether Ennis Square is in good health.

The retail statement includes results of a household survey which was completed in March 2022 and which obtained 500 samples from 3 study zones. The result of the household survey identified;

- Aldi appears to be trading extremely well; potentially well above benchmarked turnovers for a store of its size.
- Both Morrisons and Tesco appear to be trading at around benchmark turnover levels.
- Stores in Redcar draw most of their trade from Redcar and Marske on Sea.

Based on the survey the proposed store would divert trade for the existing foodstores in Redcar (Aldi, Morrisons and Tesco).

The household survey provides sufficiently robust evidence to determine current shopping pattern in the area.

In terms of impact the submitted document confirms;

Overall, it is considered that the development proposed will only divert £3.14m (2027), resulting in an impact of 2.83% on Redcar Town Centre. In addition, no one single retailer within the centre will be impacted upon by more than 7%

(Morrisons). As such, it is considered that this level of impact will not have a significant adverse impact on Redcar Town Centre.

In terms of the proposal's impact on all Local Centres, it is considered that the proposal will not have a significant adverse impact on any one centre; as the proposal's impact ranges from 0 – 6.72%. The largest impact (5.96%/£0.42m) is predicted to be on Roseberry Square Local Centre.

The submitted reports confirms that the application will not have a significant adverse impact on the vitality and viability of Redcar Town Centre or other centres within the study area. The existing Aldi store would continue to overtrade.

The report completed by the consultants on behalf of the Council confirms that while there is disagreement with some assumptions used and the overall health of Redcar Town Centre the conclusion is the development would not give rise to significant adverse impacts on the existing centres or their overall vitality and viability. The proposals would accord with tests within the NPPF and policy ED1 of the Local Plan.

The impacts on the character and appearance of the area

Within the area there is a mix of buildings including a range of uses and a range in terms of style, massing and design. The proposal reflects a traditional food store design, single storey flat roof. Due to the location of the building, in between the existing Tesco and the racecourse, the proposal would not have an adverse impact on the street scene.

The materials proposed are considered acceptable for the location.

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

The closest residential properties are located on the opposite side of West Dyke Road to the application site. Given the proposed use, the development raises no issues in terms of overlooking or loss of privacy and the development maintains sufficient separation to ensure there are no overbearing impacts.

It is acknowledged that there will be some short term disturbance from the construction of the development. However given the location, range of uses in the area and the separation distances proposed it is not considered necessary, in the instance, to add any conditions in relation to construction hours. Given the location of the site, adjacent to an existing food store, it is also not considered necessary to attach a condition relating to operating hours.

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 has been accompanied by a transport assessment and travel plan. The Councils Development Engineers have reviewed the application and submitted documentation and have raised no objections to the proposal from a highway point of view.

The submitted report assessed the following junctions during a Friday and Saturday peak periods;

- West Dyke Road / A1085 junction
- West Dyke Road / Tesco Access T-Junction

The development, in terms of highways, is described as;

Access to the site will be taken off West Dyke Road, via an improved access road in roughly the same location as the existing access point. Pedestrian access will be taken in the same location and marked crossings will convey customers across the car park to the store building.

The proposed foodstore will be served by a dedicated car park with a total of 119 car parking spaces, comprising 101 standard spaces, six accessible parking bays, ten parent & child spaces and two 'rapid' EV charging spaces. Both the accessible and the parent & child spaces will be located close to the store entrance, along the western and northern elevation respectively. The number of parking spaces proposed is based on Lidl's operational model; and are designed to ensure that the site will safely and conveniently accommodate maximum demand and prevent overspill onto adjacent streets.

Parking facilities will also be provided for cyclists, in the form of six Sheffield style bike stands, offering secure parking for 12 cycles. Lidl employees are permitted to store their bikes in a suitable location within the warehouse. The proposed provision will provide secure cycle parking for customers and staff alike.

In terms of the site location, it is in close proximity to a wide catchment of residential properties which would be in walking distance. The site is well served by public transport in terms of both bus routes and bus stops on West Dyke Road and Redcar Central Train Station which is in walking distance.

The submitted document states that the trip rate and generation would be;

	PM Peak			Saturday Peak		
	Arr	Dep	Total	Arr	Dep	Total
Trip rates	6.301	6.680	12.981	10.102	10.822	20.924

Trips	89	94	183	143	153	295
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The document makes the statement that retail development attracts rather than generate trips. People will always need to shop and the provision of a new store does not in itself create the need to make an existing shopping trip it simply provides an alternative destination for a existing journey.

The submitted impact assessment shows that the proposed store would have a minimal impact on the local highway network and that the existing junctions would be able to cope with the traffic.

The level of parking within the site is acceptable along with the provision of accessible spaces, EV charging points and cycle spaces.

The access to the site would be subject to a S278 agreement. The submitted swept path analysis confirmed that deliveries in and out of the site can be safely accommodated. The ghost right hand turn lands would be amended through the S278 agreement and would be considered acceptable.

A condition is recommended in relation to delivery routes. The condition is not considered to be enforceable as planning is unable to restrict the use of the adopted highway and therefore the condition is not recommended to be attached should planning permission be granted.

There is sufficient space in the site to accommodate contractor parking and material store and therefore no condition is required in this instance.

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 has been reviewed by the Councils contaminated land officer. It is noted that the site is not at risk from contamination from previous uses and therefore it is not necessary to have any up front contamination information. It is however considered reasonable to attach a condition in relation to the reporting of any unexpected contamination. Subject to the use of a condition the application would accord with part e of policy SD4 of the Local Plan.

The application site is located within flood zone 1 and the submission includes a flood risk assessment. The site is at low risk of flooding and is suitable for the development proposed. The Council as Local Lead Flood Authority and Northumbrian Water have both reviewed the application and have raised no objections subject to the use of planning conditions. The conditions are considered reasonable and necessary and are recommended should planning permission be granted. Subject to the use of planning conditions the application raises no issues in terms of drainage of flood risk and accords with part f of policy SD4 and policy SD7 of the Local Plan.

The application site is within the catchment for nutrient neutrality however is out of scope for requiring additional information.

An Ecological Impact Assessment has been submitted with the application. The statement confirms that there is no significant vegetation on the application and no buildings or watercourses. There is no loss of significant habitats as part of the proposal. The submitted assessment has looked at a number of protected species and flora and fauna and given the existing site constraints all are identified as having negligible impacts. As a result of the existing site constraints and lack of impact on protected species no additional surveys or additional mitigation is required. The proposal has the potential to have a minor positive effect in terms of ecological impacts through the additional landscaping and use of bat and bird boxes within the development. The proposal is considered acceptable in terms of ecology and accords with policy N4 of the Local Plan.

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 submitted information and analysis has confirmed there are no sequential preferable sites and that the proposal would not have an adverse impact on the vitality and viability of the existing town centre.

The proposal accords with policies SD1, SD2, SD3, SD4, SD7 and ED1 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 (including details of materials):

Location plan received by the Local Planning Authority on 24/05/2022

Proposed site plan received by the Local Planning Authority on 13/09/2022

Proposed external works received by the Local Planning Authority on 24/05/2022

Proposed floor and roof plan received by the Local Planning Authority on 13/09/2022

Proposed elevations received by the Local Planning Authority on 13/09/2022

Landscaping details received by the Local Planning Authority on 24/05/2022

Lighting layout received by the Local Planning Authority on 24/05/2022

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

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

REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF and policy SD7 of the Redcar and Cleveland Local Plan.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site it relates to drainage details which are often the first works on site and relate to site preparation.

4. Prior to the commencement of the development, or in such extended time as may be agreed in writing with the Local Planning Authority, details shall be submitted and approved of the surface water drainage scheme and the development shall be completed in accordance with the approved scheme. The design of the drainage scheme shall include;
 - (i) Restriction of surface water greenfield run-off rates (QBAR value) with sufficient storage within the system to accommodate a 1 in 30 year storm.
 - (ii) The method used for calculation of the existing greenfield run-off rate shall be the ICP SUDS method. The design shall also ensure that storm water resulting from a 1 in 100 year event, plus climate change surcharging the system, can be stored on site with minimal risk to persons or property and without overflowing into drains, local highways or watercourses.
 - (iii) Full Micro Drainage design files (mdx files) including a catchment plan

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

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

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site it relates to drainage details which are often the first works on site and relate to site preparation.

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

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

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site it relates to drainage details which are often the first works on site and relate to site preparation.

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

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

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where

remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the development a report must be submitted confirming that unexpected contamination was not encountered during the development

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

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.

Retail Policy Review

Erection of a Discount Foodstore (Use Class E) with Vehicle Access, Car Parking, Landscaping & Associated Works at land at Redcar Racecourse, West Dyke Road, Redcar (LPA Ref. R/2022/0465/FFM)

1.0 Introduction

- 1.1 This Retail Policy Review has been prepared on behalf of Redcar & Cleveland Council to assess the compliance of the proposals for a new discount foodstore (Use Class E) with the key retail policy tests applied to proposals for new retail floorspace beyond existing centres – the sequential and impact tests.

- 1.2 The review focuses on retail policy matters only to support Officers' overall assessment of the development proposals having regard to the provisions of the adopted Development Plan as a whole and other material considerations.

2.0 Site Location & Development Proposals

Site Location

2.1 The application site extends to approximately 0.79ha in size and forms part of Redcar Racecourse comprising an area of car parking associated with the neighbouring stables, as well as a lawned area adjoining the racecourse itself.

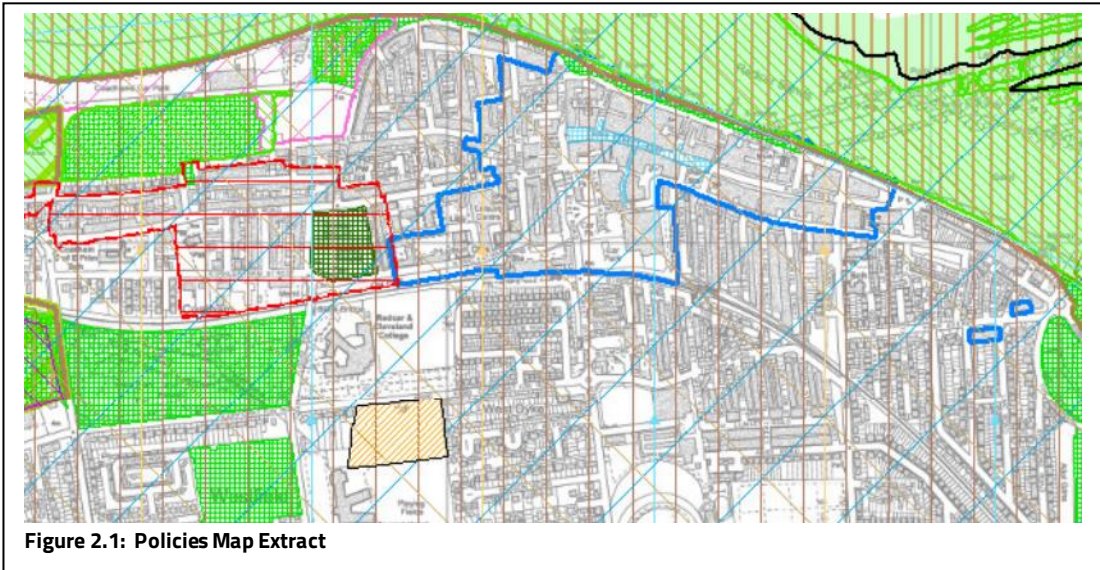
2.2 The surrounding area is relatively mixed in character accommodating a range of residential, retail, commercial and community uses. The site is adjoined to the north by a petrol filling station associated with the neighbouring Tesco Superstore. An existing stables complex lies to the



Figure 2.1: Location Plan

direct east of the site with the main racecourse lying to the south. West Dyke Road forms the western boundary of the site beyond which lies housing.

2.3 The site is not subject to any specific land use or environmental designations within the adopted Redcar & Cleveland Local Plan. The below extract from the adopted Policies Map illustrates that the site (red circle) lies approximately 450m to the south (on foot) of the defined boundary of Redcar Town Centre (blue line) with the defined Primary Shopping Area (light blue shading) lying approximately 700m to the north on foot.



- 2.4 On this basis, the site clearly comprises an out of centre location in retail policy terms having regard to the definition contained at Annex 2 of the NPPF.

Development Proposals

- 2.5 The application proposals involve the erection of a new discount foodstore with associated access, car parking, landscaping and associated works.
- 2.6 The submitted Planning & Retail Statement prepared by Rapleys indicates that the proposed store will be occupied by Lidl and will have a gross floor area of 1,895 sq.m. The net sales area will extend to 1,251 sq.m of which 1,001 sq.m will be used for the sale of convenience goods with the remaining 250 sq.m of sales area used for comparison retailing. The remainder of the floorspace will provide *'back of house'* facilities, including a warehouse; delivery area; bakery; chiller; freezer; storage and welfare facilities.

2.7 The proposed development will be accessed from West Dyke Road and will be served by 119 parking spaces, including disabled, family and EV bays.

3.0 Retail Policy Context

National Planning Policy Framework (NPPF)

- 3.1 The revised NPPF was published in July 2021 and sets out the Government's planning policies for England and how these should be applied. The NPPF must be taken into account in preparing Development Plans and is a material consideration in planning decisions.
- 3.2 Paragraph 86 of the NPPF confirms that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 3.3 The sequential test, as set out within Paragraphs 87 & 88 of the NPPF, guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of centre locations.
- 3.4 The purpose of the impact test (NPPF Paragraph 90) is to consider the impact over time of certain out of centre and edge of centre proposals on town centre vitality / viability and investment. The test relates to retail and leisure developments (not all main town centre uses) which are not in accordance with up-to-date plan policies and which would be located outside existing town centres. The impact test only applies to proposals exceeding 2,500 square metres gross of floorspace unless a different locally appropriate threshold is set by the local planning authority.

Redcar & Cleveland Local Plan

- 3.5 Policy ED1 of the adopted Redcar & Cleveland Local Plan sets out the hierarchy of town, district and local centres across the Borough.
- 3.6 Redcar Town Centre is identified as the principal centre within the Borough providing the focus for a wide range of main town centre uses to serve the residents of Redcar and the nearby towns and villages in East Cleveland. The supporting text to the policy identifies that the role of Redcar has changed over the years due to increased competition from Middlesbrough and Newcastle, as well as out-of-centre destinations such as Cleveland Retail Park and Teesside Park, which has significantly affected the role of Redcar Town Centre.
- 3.7 It is therefore identified that Redcar needs to improve its attractiveness as a town centre in order to continue to serve the needs of local residents in the town with a number of regeneration projects having being embarked upon to help address the decline of the town centre.
- 3.8 Policy ED1 confirms that proposals for main town centre uses will be expected to follow the sequential assessment approach set out in the NPPF and, where Redcar Town Centre is the nearest centre, an impact assessment will be required for retail developments where the gross floorspace proposed would exceed 1,000 sq.m.

4.0 Sequential Assessment

Policy Requirements & Application of the Sequential Test

- 4.1 Policy ED1 of the adopted Redcar & Cleveland Local Plan confirms that proposals for main town centre uses will be expected to follow the sequential assessment approach set out in the NPPF.
- 4.2 National Planning Practice Guidance (NPPG) confirms that it is for the applicant to demonstrate compliance with the sequential test and there have been a number of Court judgements and Secretary of State (SoS) / appeal decisions since the publication of the original NPPF in March 2012 that have provided clarification of the application of the sequential test.
- 4.3 Key case law in terms of to what extent an alternative site is considered suitable is provided by the *Tesco Stores Limited v Dundee City Council [2012] UKSC 13* judgement. The judgement established that for a site to be considered suitable for the purposes of the sequential test, it must meet the commercial requirements of the development. In respect of the size of an alternative, provided that applicant has demonstrated the requisite flexibility, the question is:

'...whether an alternative site is suitable for the proposed development, not whether the proposed development can be altered or reduced so that it can be made to fit the alternative site.'

(Paragraph 29)

4.4 Paragraph 38 of the Dundee judgement considers the issue of suitability as follows:

'...the issue of suitability is directed to the developer's proposals, not some alternative scheme which may be suggested by the planning authority. I do not think that this is in the least surprising, as developments of this kind are generated by the developer's assessment of the market he seeks to serve. If they do not meet the sequential approach criteria, bearing in mind the need for flexibility and realism to which Lord Reed refers in para 28 above, they will be rejected. But these criteria are designed for use in the real world in which developers wish to operate, not some artificial world in which they have no interest in doing so.'

(Paragraph 38)

4.5 The subsequent Rushden Lakes SoS decision (APP/G2815/V/12/2190175) relating to a retail-led mixed use development at land adjacent to Skew Bridge Ski Slope, Northampton Road, Rushden acknowledged that the *Dundee* judgement is of 'seminal importance' and is clear that, if a site is not suitable for the commercial requirements of the developer in question then it is not a suitable site for the purposes of the sequential approach; and that, in terms of the size of the alternative site, provided that the applicant has demonstrated flexibility with regards to format and scale, the question is whether the alternative site is suitable for the proposed development, not whether the proposed development could be altered or reduced so that it can be made to fit the alternative site. The Rushden Lakes decision also recognised that there is no suggestion within Paragraph 24 of the NPPF that the sequential test means to refer to anything other than the application proposal.

4.6 The subsequent *Aldergate Properties Ltd v Mansfield District Council* [2016] judgement provides further clarification on the meaning of 'suitable' and 'available' for the purposes of applying the sequential test:

'...it was held that "suitable" and "available" generally mean "suitable" and "available" for the broad type of development which is proposed in the application by approximate size, type and range of goods. This incorporates the requirement for flexibility in NPPF paragraph 24, and excludes, generally, the identity and personal or corporate attitudes of an individual retailer. The area and sites covered by the sequential test search should not vary from applicant to applicant according to their identity, but from application to application based on their content.'

- 4.7 In terms of availability, Paragraph 8.55 of the Rushden Lakes Inspector's Report states *'NPPF [24] simply asks whether town centre or edge of centre sites are "available."* It does not ask whether such sites are likely to become available during the remainder of the plan period or over a period of some years.' However, the revised version of the NPPF has included a requirement for sites that are expected to become available within a reasonable period to be considered in undertaking the sequential test.
- 4.8 On this basis, under the provisions of the revised NPPF, a site needs to be available at the current time or expected to become available within a reasonable period, although no definition of a *'reasonable period'* is given.
- 4.9 The aforementioned court judgements, SoS and appeal decisions provide clarity on the application of the sequential test and the key points can be summarised as follows:
- If a site is not suitable for the commercial requirements of the developer in question then it is not a suitable size for the purposes of the sequential approach;
 - Provided the developer has demonstrated flexibility with regard to format and scale, the question is whether the alternative site is suitable for the proposed

development, not whether the proposed development could be altered or reduced so that it can be made to fit the alternative site;

- '*Suitable*' and '*available*' generally mean '*suitable*' and '*available*' for the broad type of development which is proposed in the application by approximate size, type and range of goods;
- The area and site covered by the sequential test search should not vary from applicant to applicant according to their identity, but from application to application based on their content (i.e. the identity and corporate attitudes of an individual retailer are excluded);
- A site needs to be available at the current time or expected to become available within a reasonable period.

4.10 On the basis of established case law, the correct application of the sequential test relates to the development proposed and, in order to be considered suitable, any alternative available sites must meet the specific commercial requirements of the developer subject to the requisite flexibility with regard to format and scale.

Review of Sequential Assessment

4.11 The submitted Planning & Retail Statement prepared by Rapleys includes a Sequential Site Assessment and seeks to identify whether there are any sequentially preferable sites within the defined catchment area capable of accommodating the proposed development.

Definition of Catchment Area

4.12 NPPG confirms that the application of the sequential test will need to be proportionate and appropriate for the given proposal. The submitted Planning & Retail Statement indicates

that Lidl foodstores tend to serve a relatively compact area equating to an approximate 0-5 minute drivetime from the site, which represents the defined catchment area for undertaking the sequential assessment, encompassing Redcar Town Centre; Park Avenue Local Centre; Roseberry Square Local Centre and Ennis Square Local Centre.

- 4.13 ELG Planning are satisfied that the defined catchment area is appropriate for a store of this scale and format having regard to guidance contained within NPPG advising that the application of the sequential test will need to be proportionate and appropriate for the given proposal.

Has the Applicant Demonstrated Sufficient Flexibility in Undertaking the Sequential Assessment?

- 4.14 Paragraph 88 of the NPPF advises that applicants and local planning authorities should demonstrate flexibility on issues such as format and scale in applying the sequential test, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.
- 4.15 The application relates to the erection of a discount foodstore with a gross floor area of 2,275 sq.m on a site extending to 0.79ha. However, the applicant has sought to adopt various search parameters based on the broad range of development proposed (i.e. limited assortment discount foodstore), including sites with an area of between 0.6ha and 1.6ha capable of accommodating a store measuring between 1,672 sq.m and 2,461 sq.m, as well as requirements in relation to roadside prominence; parking; servicing and store format.
- 4.16 It is considered that the parameters adopted are reflective of the requirements of the main operators within the discount foodstore sector and provide a sufficient degree of flexibility

in the format and scale of the proposed development for the purposes of applying the sequential test.

Assessment of Sequential Sites

- 4.17 The submitted Sequential Site Assessment has identified a single sequentially preferable site, namely the former Coatham Bowl / Redcar Leisure site which is located approximately 250m west of Redcar Town Centre, although it is concluded that the site is neither suitable nor available to accommodate the proposed development.
- 4.18 The Coatham Bowl / Redcar Leisure site extends to approximately 1.5ha in size and is therefore of sufficient size to accommodate a limited assortment discount foodstore scheme based on the parameters set out at Paragraph 7.13 of the submitted Planning & Retail Statement. The site in question forms part of the wider Coatham allocation under the provisions of Policy REG1 of the adopted Redcar & Cleveland Local Plan. Policy REG1 confirms that the area is identified for a mixed use development comprising of leisure, tourism, visitor and retail uses. The supporting text to the policy confirms that the Council continues to promote the site for leisure and tourism development, as it will support the regeneration of Coatham, and complement the wider transformation of Redcar, which includes the redeveloped seafront and the new Redcar & Cleveland Leisure and Community Heart. It is also identified that some retail and other ancillary uses will be supported as they could improve the leisure and tourism offer of the site being used as part of a linked trip and increase the length of stay.
- 4.19 It is understood following discussions with Officers that it remains the intention for the site to deliver new tourism / leisure uses in line with Policy REG1 of the adopted Local Plan and to support wider regeneration objectives for the wider Coatham Seafront area. On this

basis, it is evident that the delivery of a discount foodstore in this location would undermine the wider tourism / leisure focussed regeneration objectives for this area and, accordingly, the application proposals would not represent a suitable form of development for this location. It is therefore accepted that the site can be discounted on the grounds of suitability.

- 4.20 We have been unable to identify any other sequentially preferable sites capable of accommodating the broad type of development proposed, which has included a review of Development Plan allocations; searches of local property databases; on-the-ground assessments, as well as discussions with Officers.
- 4.21 ELG Planning are therefore satisfied with the conclusions drawn by the applicant in this respect and it is accepted that the sequential test is passed.

5.0 Impact Considerations

Town Centre Health Checks

- 5.1 NPPG advises that a judgement as to whether the likely adverse impacts are significant can only be reached in light of local circumstances. For example, in areas where there are high levels of vacancy and limited retailer demand, even very modest trade diversion from a new development may lead to a significant adverse impact.
- 5.2 The submitted Planning & Retail Assessment therefore includes health checks of each of the designated centres within the defined catchment area and our review of the findings is set out below.

Redcar Town Centre

- 5.3 The submitted Planning & Retail Statement suggests that Redcar Town Centre has a good mix of retail uses and a vacancy rate in line with the national average. It is also suggested that the centre has good accessibility, well-maintained streets, as well as good street lighting and, accordingly, it is concluded that Redcar Town Centre is in very good health. ELG Planning would question the overall conclusion that Redcar Town Centre is in '*very good*' and it is considered that the performance of the town centre has been overstated to a degree by the applicant.
- 5.4 The health check assessment that has been carried out by the applicant acknowledges that the vitality and viability of centres depends to a large extent on the quality and variety of retailers represented, with national retailers considered particularly important to attract

shoppers. It is noted that there are a number of national retailers present within Redcar Town Centre, although a number of those retailers are focused on the discount / value sector and there are also a relatively high proportion of charity shops and hot food takeaway units in Redcar. Moreover, whilst there remains a Morrisons supermarket to the southern edge of the town centre, as well as Heron, Iceland and Farmfoods, there has been a reduction in the proportion of convenience retail units in the town centre since the Town Centre Study was published in 2016.

- 5.5 It is acknowledged that the town centre generally provides a pleasant shopping environment, although, whilst the vacancy rate is slightly below the national average, this position could be improved and, as detailed, within the submitted health check assessment, the current crime rate is a further area that could be improved.
- 5.6 Overall, we would advise that the applicant's contention that Redcar Town Centre is in '*very good*' health should be treated with caution for the reasons outlined above and, in our view, the town centre is in more moderate health.

Local Centres

- 5.7 The submitted Planning & Retail Centres also includes health check assessments of the three Local Centres within the defined catchment area and we would broadly accept the conclusions drawn by the applicant in relation to Park Avenue Local Centre and Roseberry Square Local Centre.
- 5.8 However, in relation to Ennis Square Local Centre, the Planning & Retail Statement concludes that the centre is in good health, although it is recognised that its vitality and viability could be improved. It is noted that the Ennis Square accommodates a variety of

uses typical of a Local Centre, including a Sainsburys Local and a Premier, as well as a number of other retail and commercial uses. However, the Local Centre suffers from a high vacancy rate, as well as a high proportion of hot food takeaway units which negatively impact upon levels of activity and general perceptions of the centre during daytime trading hours.

- 5.9 Ennis Square Local Centre is therefore showing clear signs of weakness in our view and we would therefore question the applicant's conclusion that this Local Centre is in good health.

Household Survey

- 5.10 The Retail Assessment is informed by a household survey carried out on behalf of the applicant by NEMS Market Research in March 2022, which obtained 500 samples across three study zones, which are broadly consistent with those used within the 2016 Town Centres Study having regard to changes to Electoral Ward boundaries in the intervening period. ELG Planning are satisfied that the approach adopted provides sufficiently robust evidence to determine current shopping patterns in the local area.
- 5.11 The submitted Planning & Retail Assessment provides a brief summary of existing food shopping patterns in the area which highlights that, in terms of first choice main food shopping, Morrisons and Tesco are the most popular stores in the Redcar area (Zone 1) followed by Aldi on Larkswood Road. The applicant goes on to suggest (Paragraph 9.21) that, based on the overall shopping patterns, it is reasonable to conclude that most of the proposed store's turnover will be generated by diverting trade from the existing dominant foodstores in the area. ELG Planning's assessment of the applicant's assumptions in this respect are outlined in the following section.

Impact Assessment

- 5.12 Paragraph 90 of the NPPF confirms that when assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq.m of gross floorspace). This should include assessment of:
- a. the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
 - b. the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).
- 5.13 Paragraph 91 states that where an application is likely to have significant adverse impact on one or more of the considerations set out above it should be refused.
- 5.14 Policy ED1 of the adopted Redcar & Cleveland Local Plan confirms that, where Redcar Town Centre is the nearest centre, an impact assessment will be required for retail developments where the gross floorspace proposed would exceed 1,000 sq.m.

Impact on Planned Investment

- 5.15 The first strand of the impact test relates to the impact of applications for retail development on existing, committed and planned public and private investment in centres

in the catchment area of the proposal. The submitted Planning & Retail Statement suggests that the proposal would not have significant adverse impacts on any such investments and ELG Planning are unaware of any such town centre investments that could be adversely affected by the development proposals.

5.16 On this basis, we are satisfied that the first strand of the impact assessment is satisfied.

Impact on Town Centre Vitality & Viability

5.17 NPPG sets out the following steps that need to be taken in applying the impact test:

- establish the state of existing centres and the nature of current shopping patterns (base year);
- determine the appropriate time frame for assessing impact, focusing on impact in the first five years, as this is when most of the impact will occur;
- examine the 'no development' scenario (which should not necessarily be based on the assumption that all centres are likely to benefit from expenditure growth in convenience and comparison goods and reflect both changes in the market or role of centres, as well as changes in the environment such as new infrastructure);
- assess the proposal's turnover and trade draw;
- consider a range of plausible scenarios in assessing the impact of the proposal on existing centres and facilities (which may require breaking the study area down into a series of zones to gain a finer-grain analysis of anticipated impact);
- set out the likely impact of the proposal clearly, along with any associated assumptions or reasoning, including in respect of quantitative and qualitative issues;

- any conclusions should be proportionate: for example, it may be sufficient to give a broad indication of the proportion of the proposal's trade draw likely to be derived from different centres and facilities in the catchment area and the likely consequences for the vitality and viability of existing town centres.

Population & Expenditure Forecasts

- 5.18 Appendix 7 (Table 1) of the Planning & Retail Statement sets out forecast population growth across all zones within the household survey catchment areas to 2027 based on data obtained from Experian. Tables 2a-2f show the forecasts of convenience and comparison goods per capita expenditure from the base year of 2020 sourced from Experian and projected forward up to 2027 utilising predicted growth assumptions and an allowance for special forms of trading sourced from Experian Retail Planner Briefing Note 19 (January 2022). The total available expenditure across each zone in the household survey catchment area is calculated by multiplying the per capita expenditure with the population of each zone.
- 5.19 ELG Planning are satisfied with the approach adopted by the applicant in relation to the expenditure and population forecasts.

Design Year & Proposed Development Turnover

- 5.20 NPPG advises that impact assessments should focus on impact in the first five years, as this is when most of the impact will occur. The Retail Assessment adopts a design year of 2027, which ELG Planning consider to be entirely appropriate to allow the implementation of the planning permission and a settled pattern of trading to be established having regard to the advice set out in NPPG.

5.21 The applicant indicates that the proposed store will have a net sales area of 1,251 sq.m, of which 1,001 sq.m will be used for the sale of convenience goods and the remaining 250 sq.m for comparison goods. The total turnover of the store has been determined by applying Lidl's benchmark sales density sourced from GlobalData with adjustments for density growth based on guidance contained within Experian Retail Planner Briefing Note 19 giving a total store turnover of £9.87m in 2027. ELG Planning accept that this represents a realistic estimate of the turnover of the proposed development in the design year.

Existing Centre / Store Turnovers & Benchmark Turnovers

5.22 The Planning & Retail Statement provides estimates of the turnover of existing stores derived from the household survey based on first and second choice shopping destinations for both main and top up shopping trips. A 70/30% weighting on available expenditure between main and top-up questions has been applied and a further 85/15% weighting split between first and second choice destinations. ELG Planning are satisfied with the approach adopted in this regard, which we are satisfied provides a credible assessment of the turnover of existing stores and centres for the purposes of the impact assessment.

5.23 Rapleys have also undertaken a pre-development comparison of the survey derived and benchmark turnovers of the main foodstores within the household survey area. This assessment indicates that the existing Morrisons and Tesco stores are trading slightly below benchmark levels, with Aldi trading well above benchmark level, which it is suggested demonstrates that there is latent demand for further discount foodstore provision in the town.

5.24 We note that the net sales areas utilised by Rapleys for the purposes of calculating benchmark turnovers of the stores in question are higher than those contained at Appendix 2 (Table 9) of the 2016 Town Centres Study and, on this basis, the extent of any overtrading estimated by Rapleys may potentially represent an underestimate if the lower net sales areas set out in the Town Centres Study were to be applied.

Trade Diversion & Impact Analysis

5.25 The applicant's quantitative trade draw and impact analysis is contained at Appendix 7 (Table 11) of the submitted Planning & Retail Statement. In terms of convenience goods, the applicant estimates that 35% of the proposed store's turnover will be diverted from the existing out-of-centre Aldi store on Larkwood Road, with a further 24.5% from the Morrisons on Lord Street within the town centre boundary and 26% from Tesco on West Dyke Road, which lies outside the town centre. The remainder will be diverted from other stores across the area with a small allowance (3%) for inflow.

5.26 The applicant's suggestion at Paragraph 9.16 of the Planning & Retail Statement that, whilst Aldi's market share is half of that of the Morrisons and Tesco stores, for a store of its size and retail offer, the Aldi has a disproportional market share within Redcar and is likely to be overtrading, providing an indicator of demand for further discount foodstore provision is noted. However, the existing Aldi attracts a market share of approximately 14% of Zone 1 convenience goods expenditure and we are therefore of the opinion that the estimate of 35% of the proposed store's turnover being diverted from Aldi represents an overestimate. Moreover, in view of the location of Roseberry Square Local Centre relative to the application site and the convenience retail offer of the centre, it is considered that a greater proportion of the store's turnover will be diverted from this centre than estimated

by Rapleys. On this basis, a sensitivity testing exercise is set out overleaf based upon ELG Planning's assumptions of where the proposed store's turnover will be derived from.

Table 5.1: ELG Planning Trading Impact Sensitivity Analysis

Destination	Total Pre-Development Convenience Goods Turnover (£m)		Trade Diversion 2026		Impact	
	2022	2027	%	£m	Post Development Turnover 2027	% Impact on Centre / Store
Redcar Town Centre						
B&M, Regent Walk	0.75	0.75	0.00%	0.00	0.75	0.00%
Farmfoods, Station Road	1.30	1.30	2.00%	0.17	1.13	12.98%
Heron Foods, High Street	1.15	1.15	2.00%	0.17	0.98	14.68%
Home Bargains, Regent Walk	0.36	0.36	0.00%	0.00	0.36	0.00%
Iceland, High Street	1.27	1.27	2.00%	0.17	1.10	13.29%
Morrisons, Lord Street	34.75	34.85	26.00%	2.19	32.66	6.30%
Poundland, Regent Walk	0.08	0.08	0.00%	0.00	0.08	0.00%
Local Shops, Redcar Town Centre	1.62	1.62	1.50%	0.13	1.49	7.81%
Redcar Town Centre Total	41.28	41.38	33.50%	2.83	38.55	6.83%
Roseberry Square Local Centre						
Asda, Roseberry Shopping Centre	6.80	6.81	7.50%	0.63	6.18	9.30%
Heron Foods, Roseberry Shopping Centre	0.27	0.28	0.50%	0.04	0.24	15.07%
Roseberry Square Total	7.07	7.09	8.50%	0.72	6.37	10.12%
Edge / Out of Centre Locations						
Tesco Superstore, West Dyke Road	27.54	27.61	25.00%	2.11	25.50	7.64%
Locations Outside Catchment						
Aldi, Larkwood Road, Redcar	18.04	18.10	27.50%	2.32	15.78	12.82%
Aldi, Trunk Road, Eston	12.67	12.70	0.50%	0.04	12.66	0.33%

Aldi, Skelton-in-Cleveland	6.66	6.71	0.50%	0.04	6.67	0.63%
Inflow			5.00%	0.42		
Total				8.44		

5.27 The above sensitivity testing identifies a trading impact on the convenience goods turnover of Redcar Town Centre of 6.83%. Whilst we do not support the applicant’s contention that Redcar Town Centre is in ‘*very good*’ health, we are satisfied that the identified trading impacts on the convenience goods turnover of the town centre would not give rise to significant adverse impacts upon its vitality and viability, particularly as the impact on the total turnover of the town centre (convenience and comparison goods) will be lower.

5.28 The above impact analysis forecasts a greater impact (10.12%) on the convenience goods turnover of Roseberry Square Local Centre. However, the Local Centre appears to trade well anchored by an ASDA Supermarket, as well as Heron Foods and a range of other retail and service uses reflective of its role as a Local Centre. Roseberry Square is therefore considered to be in good health and we are satisfied that the identified convenience goods trading impacts would not unacceptably undermine the future vitality of the Local Centre in this context.

5.29 The proposals will also give rise to convenience goods trading impacts of 7.64% and 12.82% on the Tesco and Aldi stores within Redcar respectively. These stores lie beyond the defined boundary of the town centre and are not therefore conferred policy protection under the impact test, however, it is nonetheless accepted that the predicted convenience goods trading impacts are highly unlikely to jeopardise the future trading position of the stores in question in any event.

- 5.30 The applicant's findings in relation to the comparison goods trading impacts are accepted and it is acknowledged that, in view of the limited level of comparison floorspace proposed (i.e. 250 sq.m net), this element of the proposed development would have a negligible effect on existing shopping patterns and the comparison goods turnover of existing centres and stores, particularly as the non-food offer of discount retailers tends to be one off special offers and, accordingly, there is no standard comparison goods range offered within the stores from week to week.
- 5.31 In light of the above, we do not agree with Rapley's assessment of the overall health of Redcar Town Centre or certain assumptions used in undertaking the impact analysis, however, ELG Planning are nonetheless satisfied that the proposed development would not give rise to significant adverse impacts upon any planned investments within existing centres or on their overall vitality and viability. We are therefore satisfied that the proposals satisfy the impact test outlined at Paragraph 90 of the NPPF, as well as complying with the requirements of Policy ED1 of the adopted Redcar & Cleveland Local Plan in this regard.

6.0 Impact Considerations

- 6.1 This Retail Policy Review has been prepared on behalf of Redcar & Cleveland Borough Council assess the compliance of the proposals for a new discount foodstore (Use Class E) with the key retail policy tests applied to proposals for new retail floorspace beyond existing centres (the sequential and impact tests) in order to assist Officers' overall assessment of the development proposals.
- 6.2 ELG Planning are satisfied that there are no suitable and available sequentially preferable sites capable of accommodating the proposed development and that the proposals would not give rise to a significant adverse impact on any planned investments or on the vitality and viability of any designated town centres. We would therefore accept that the proposals satisfy the key retail policy tests applied to proposals for new retail development in out-of-centre locations.

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER:	R/2022/0656/F3
LOCATION:	CAR PARK LAND NORTH OF MAJUBA ROAD REDCAR
PROPOSAL:	SITING OF 9 ADAPTED SHIPPING CONTAINERS (SINGLE STOREY AND TWO STOREY) FOR USE AS A WATERSPORTS ACTIVITY CENTRE, TOILETS AND SHOWERING FACILITIES; CREATION OF A LANDSCAPED PLAZA AND RECONFIGURED PARKING FACILITIES

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

APPLICATION SITE AND DESCRIPTION

Permission is sought for the siting of 9 adapted shipping containers (single storey and two storey) for use as a water sports activity centre, toilets and showering facilities; creation of a landscaped plaza and reconfigured parking facilities

The application relates to part of the existing car park, Majuba Road, Redcar. The application site is 0.35ha and is located to the north of Majuba Road, it is located within the with Coatham regeneration area.

The proposal is described within the planning statement as:

The primary function of the proposed Coatham Activity Hub is to provide facilities which encourage water sport and other activities to take place along the Coatham/Redcar coastline and also, to create a flexible venue which can be utilised as a meeting place for various groups. Groups that could utilise this space include, but are not limited to, sports clubs/organisations; community groups; school groups; activity leaders; families; or groups of friends. This element of the proposal falls within Use Class F.2

In addition to the primary function of the hub, it is anticipated that the proposed development will accommodate food and beverage uses (Use Class E) which will support the overarching hub function and Phase 1 and 2 of the Coatham Leisure Quarter; the former phase of which was consented through LPA Ref: R/2021/0953/F3M. The specific ancillary uses are not defined at this stage to provide flexibility for prospective occupants.

The proposed uses will be accommodated within former shipping containers, which will be made suitable for the coastal environment, in which they are to be located. The use of shipping containers is being progressed to create the

activity hub in order to reduce the extent of permanent structures, whilst enabling the hub to expand further; as required.

The 9 shipping containers would provide;

- 2no. 12sqm ancillary activity accommodation containers (Use Class E);
- 2no. 12sqm WC containers (which includes 4no. 2sqm WCs per container) ;
- 1no. 12sqm accessible WC container (which includes 2no. 5sqm accessible WC per container);
- 1no. 12sqm shower container (which includes 4no. 3sqm shower per container);
- 1no. 12sqm water sport centre and welcome point container;
- 2no. 3sqm dry store container (stacked); and
- 1no. 15sqm outdoor wet store terrace.

The majority of the development would be single storey in height. There would be a two storey stacked element to the east of the site which is shown on the plans as the activity accommodation with wet store above and the two stacked dry store area.

The application site is currently car parking and provides 93 spaces. The proposed redevelopment includes provision for 45 spaces including 10 accessible spaces and 4 EV spaces. 10 cycle spaces are also provided for within the development.

Landscaping is proposed through the development in the form of raised planted and ornamental planting to link the site to Coatham Common. A walkway will connect the site to the existing promenade.

A public plaza is also provided as part of the development.

The supporting documentation states that 5 full time jobs will be created along with 37 temporary full time jobs connected to the construction. Opening hours are not defined at this time.

The application has been accompanied by the following plans and documents;

- Location plan
- External works plan
- Proposal site plan
- Container floor plans
- Container elevations
- Flood exceedance flow plan
- Drainage plan
- Impermeable Areas Plan
- Drainage Maintenance Plan
- Landscape Layout Plan

- Topographical Survey
- Phase 1 plans
- Wintering Bird Survey Report
- Land Contamination Reports
- Statement of Community Involvement
- Unexploded Risk Assessment
- Design and Access Statement
- Landscape Specification
- Habitat Regulations Assessment and SSSI Impact Assessment
- Ecological Impact Assessment
- Planning Statement
- Drainage Philosophy
- Flood Risk Assessment
- SUDs Management Plan
- Remediation 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
 SD7 Flood and Water Management
 LS2 Coastal Area Spatial Strategy
 REG1 Coatham
 ED9 Leisure and Tourism Development
 N1 Landscape
 N2 Green Infrastructure
 N3 Open Space and Recreation
 N4 Biodiversity and Geological Conservation

OTHER POLICY DOCUMENTS

None

PLANNING HISTORY

Three applications have been approved as part of the regeneration strategy relating to the Coatham Area;

R/2021/0953/F3M Delivery of public realm, including the provision of an outdoor play area, adventure golf course, car parking and associated development – Approved 03/03/2022

R/2021/0241/FFM - erection of a 42-bedroom hotel with family restaurant and outdoor eating terrace associated car parking, service space and site landscaping – Approved 22/10/2021

R/2021/0555/F3 - Provision of 100 space car park including vehicular and pedestrian accesses – Approved 2/09/2021

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 the following representations have been received;

5 representations objecting to the development which make the following comments;

- Loss of car parking.
- Additional parking will be required.
- Nice idea but need to sort access to Redcar out if attracting more people.
- Use of shipping containers is a cheap idea.
- Will become an eyesore over time.
- Other Councils have rejected similar uses as not viable.
- Lack of investment.
- Lack of consultation.
- Arena and hotel should be built.
- Seasonal use only.
- Council should listen to residents.
- Hideous proposal.
- Residents do not like design.

2 representations in support of the development which make the following comments;

- Tees Valley Sport support the application.
- Councils has a good track record.
- Exciting proposal.
- British Triathlon support the application.
- Centre will support priorities.

Ward Members (05/09/2022)

Councillor Baldwin

Could I please submit the following as my consultee response & reserve the right to speak on the application when it goes to planning committee.

I am writing to support the above planning application.

Majuba Rd is primarily a place for leisure, to create a place for people to hire watersports equipment & to socialise fits into that remit. The area is about to undergo total regeneration & this project is a part of that. Whilst a number of parking spaces will be lost, the partial reinstatement of some of these spaces & the 100 space car park on the Bowl site will leave us with a small net increase. However the break up of Majuba Carpark, will help to remedy the car cruising, anti social behaviour that has been blighting this area for years. The area has also become synonymous with sporting events such as the Triathlon, half marathon, the Tour of Britain (this year). These events have always had an issue with public conveniences not being available, it cannot be forgotten that this development is to include permanent public toilets, which have been absent from this area for decades, any serious seaside resort needs and provides public toilets as the most basic support. I notice at least one of the representations mentions the view being lost, but as we know, the loss of a view is not a valid planning consideration. However the view in this area is nothing to be lost. The view of Majuba carpark is obscured by the dune on the boundary of Coatham Green & the view of this area would be HGVs parked up, to remove this view & replace it with a landscaped area with low level buildings supporting the tourism industry, can only be a positive. The use of shipping containers as a destination has become normal & standard. There are multiple areas around the country that have done it to great effect, namely The Stacks in Gateshead, with numerous business' operating out of them. Containers are built to survive the marine environment with the obvious example being cargo ships! Obviously they would need to be maintained, but this is true of all buildings.

Natural England (21/09/2022)

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site
<https://designatedsites.naturalengland.org.uk/>.*
- damage or destroy the interest features for which the Teesmouth and Cleveland Coast Site of Special Scientific Interest has been notified.*

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures should be secured:

- The mitigation measures as stated in the submitted Habitats Regulations Assessment and SSSI Impact Assessment Report (dated: August 2022).*

*We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.
Natural England's further advice on designated sites and advice on other natural environment issues is set out below.*

Environment Agency (24/08/2022)

We have reviewed the submitted information and have NO OBJECTION to the development. The development is classed as Less Vulnerable which is acceptable within Flood Zone 3 and we do not consider it to have an increased risk of on or off-site flooding, we therefore have no objection to this development. We request that the Local Planning Authority (LPA) lists the Flood Risk Assessment as an approved plan/document, to which the development must adhere.

RSPB (26/08/2022)

The proposed scheme is within metres of the following national and internationally important designated sites:

- Teesmouth and Cleveland Coast Special Protected Area (SPA)*
- Teesmouth and Cleveland Coast Site of Special Scientific Interest (SSSI)*
- Teesmouth and Cleveland Coast Ramsar Site*

*Teesmouth and Cleveland Coast SPA is designated for breeding little tern (*Sterna albifrons*) and passage sandwich tern (*Sterna sandvicensis*). It is also designated for wintering knot (*Calidris canutus islandica*), redshank (*Tringa totanus totanus*), and an assemblage of over 20,000 wintering waterfowl. The 2001 SPA review identified an internationally important population of passage ringed plover (*Charadrius hiaticula*).*

The red line boundary of this proposal is cited on an existing car park, which has limited ornithological importance. In addition, we appreciate the wider benefits that regenerating Coatham Seafront could offer for the local community and visitors alike. Nonetheless, this particular section of coast/designated area remains an important foraging area for birds during the breeding season. It is also internationally important for staging and wintering birds. Whilst we do not object to this proposal, we are concerned about the likely negative impacts on birds in the area from the construction phase of the development and in particular the impacts from the operational phase in terms of the expected significant increase of visitors to this part of the Redcar coast. With that in mind, please see the following comments regarding mitigation measures for this proposal.

Construction phase

Ensure that the sensible mitigation measures recommended in the Habitats Regulations Assessment and SSSI Impact Assessment (EcoNorth, August 2022) are implemented, particularly in relation to disturbance to birds from the effects of increased sound and light and the timings of the works.

Operational phase

Information Panels

It is positive to hear that information panels will be installed at access and egress points to inform visitors of the importance of the protected sites to birds. One of the current ways birds are likely to be already affected by the public are through disturbance caused by dogs. This issue could increase in the operational phase of this development. Therefore, it would be beneficial to use this opportunity to include information on the panels about the risks of dog disturbance for feeding and roosting birds and to promote responsible dog ownership and behaviour. In our experience, we have found that signs which include a photo, or an illustration of a dog are significantly more effective in promoting responsible dog ownership than those which feature images of the wildlife likely to be disturbed. This is because dog walkers are drawn to read it as it's something that relates to them and their interests. We are happy to provide more information on this if required.

Training Staff

In addition to the panels, we would also like to see that all staff working in the Coastal Activity Centre are trained on the legal designation of the site, including sensitivities of the area for birds and other wildlife, so that they themselves can act appropriately and also be in a position to educate visitors when they use their facilities and the beach for the coastal activities they plan to run. The Coastal Activity Centre has a great opportunity to act as ambassadors for the surrounding local habitats and wildlife and not only advise visitors of the sensitivities of the area but also on what is so special about it. RSPB would be happy to provide guidance on what such training should include.

Designated Launch and Landing Points for Watercrafts and Safe Distances for Operations

We are surprised that there doesn't appear to be any detail to mitigate against the increased use of the beach here as a result from the new coastal activities that will presumably take place within the designated sites. Is the applicant able to provide more information on this? During the winter, excessive disturbance could harm bird survival. In order to reduce the impacts upon the SSSI habitats and species, we would recommend that a designated and official launch and landing point area is agreed for watercrafts (e.g., paddleboards, surfboards and kayaks) to a narrow section of the beach. Natural England's "Evidence Information Note EIN028: Marine recreation evidence briefing: non-motorised watercraft including paddlesports" provides a good overview of the potential recreational impacts on birds and wildlife from watersports, as well as highlighting mitigation options. We would also like to see that customers of the Coastal Activity Centre are informed about appropriate safe distances to keep in relation to visible roosting birds on the

rocks and shore. We would welcome Natural England's thoughts on what this distance should be. We would suggest at least 20 metres.
Redcar and Cleveland's Coastal Mitigation Strategy

We are pleased to see that a contribution will be made by the applicant towards Redcar and Cleveland's coastal mitigation strategy. Is this strategy publicly available? If not, please can you send us a copy? We would welcome clarity over what this contribution will help facilitate to help ensure the best outcome for the qualifying features of the designated sites. Have you considered creating a new coastal ranger post that could help educate users of the site about the area's international importance for wildlife and to promote appropriate behaviour on the beach including the correct disposal of litter?

**Redcar and Cleveland Borough Council (Development Engineers)
(01/11/2022)**

The application site is located on part of the existing Majuba Road Car Park. It is acknowledged that the application sees a reduction in the number of spaces in this location however the loss is off site by other applications and redevelopments in the area including the provision of a 100space car park on the former Coatham Bowl site, for which construction has commenced.

The proposal is adjacent to the NCN1 cycle route to the north of the site and also pedestrian links. A pedestrian crossing is shown through the proposed car park for access from Majuba Road to the building. 10 cycle spaces are proposed within the site and should be in an area of natural surveillance

The level of parking proposed through the application is acceptable – the 10 No disabled user bays are located close to the entrance and 4 No.EV charging points are shown. Whilst we do not have a policy governing the numbers required, the developer could lay additional ducting to future proof the site.

It is noted that the car parking spaces are slightly longer and wider than our usual sizes and adequate manoeuvring space of 6m behind the bays. The units are serviced by a separate access to the north of the development.

Please condition a construction management plan to agree deliveries, contractor car parking and material storage within the site. Mud and debris must be dealt with within the compound rather than being deposited onto the adjacent adopted highway.

**Redcar and Cleveland Borough Council (Local Lead Flood Authority)
(19/08/2022)**

The LLFA have reviewed the submitted information and would offer no objection to the proposed development in relation to flood risk and the disposal of surface water. the development accords with policy SD7 of the Local Plan.

Flood exceedance route ok, SW discharging into NWL combined sewer at 3.5l/s Precast concrete attenuation tanks now used with 1:100 & 45% CC

The LLFA would require the development to be carried out in strict accordance with all submitted plans and documentation. Further approval for additional flows connecting to NWL main sewer shall be sought.

**Redcar and Cleveland Borough Council (Environmental Protection)
(Contaminated Land) (07/09/2022)**

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 a Phase 3: Remediation Statement and Detailed Unexploded Ordnance (UXO) Risk Assessment have been submitted in support of this application.

The Phase 3: Remediation Statement summarises the previous investigations and outlines the objectives of the remediation works that are required to render the site suitable for the proposed development and its immediate surroundings.

The Detailed Unexploded Ordnance (UXO) Risk Assessment also submitted in support of this application recommends the following risk mitigation measures.

- UXO Risk Management Plan*
- Site Specific UXO Awareness Briefings to all personnel conducting intrusive works.*
- Unexploded Ordnance (UXO) Specialist Presence on Site to support shallow intrusive works.*

The applicant should be aware of his responsibilities under para 178 of the NPPF

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation) and*
- b) that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.*

In order to minimise the environmental impact, I would recommend the inclusion of the following part conditions of the standard Contaminated land condition onto any planning permission which may be granted:

Implementation of Approved Remediation Scheme/Statement

The approved remediation scheme must be carried out in accordance with its terms unless otherwise agreed in writing by the Local Planning Authority. Remediation shall be completed prior to the end use of the development. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

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

Reporting of Unexpected Contamination

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

Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

A UXO Risk Management Plan covering the risk mitigation measures shall be submitted to and have been approved in writing by the Local Planning Authority.

REASON: To ensure that risks from UXO to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Redcar and Cleveland Borough Council (Environmental Protection) (Nuisance) (05/09/2022)

No objection

**Redcar and Cleveland Borough Council (Natural Heritage Manager)
(18/08/2022)**

Whilst I'm not too concerned with any potential environmental impact, I would ask if we can accept the reduction in car park spaces for visitors and the aesthetic view of shipping containers against the important coastal view?

Redcar and Cleveland Borough Council (Tourism) (09/09/2022)

I am writing to support the planning application for the Coastal Activity Centre at Coatham, Redcar. This development fully supports the strategic objectives of the borough's Destination Management Plan and to grow tourism for the good of Redcar & Cleveland with a dynamic year-round visitor offer and a reputation for great value and high quality experiences. In particular it fits with our target markets identified in the plan including 'fun in the sun families' and in particular 'Special interest' who love outdoor activities including sea swimming, land sailing, coastal rowing and taking part in sporting competitions.

It meets and delivers against a range of objectives but in particular the objective of 'Activity and Adventure' which is all about - Delivering the experiences which will drive year-round visits and differentiate the destination in a competitive market. There is huge rationale about building on our key assets around this and the coast is one of them. The delivery of the Coastal Activity centre is a key named action within the plan under Activity experiences to deliver against the outcomes and objectives around tourism growth.

The Coastal Activity Centre also delivers specifically against the objective around Events and Animation – Bringing the destination story to life, and providing reasons to visit 'now' rather than 'sometime'. In particular this will allow us to strengthen the Anchor events we can attract and deliver including national sporting events and the development of local and regional sporting events.

It is important to state that the Coastal Activity Centre also delivers against the Tees Valley Combined Authority Enjoy Tees Valley Destination Management Plan as well.

Redcar and Cleveland Borough Council (Planning Strategy) (06/09/2022)

The application site forms part of the Coatham seafront regeneration area, which under policy REG1 is allocated for mixed use development comprising leisure, tourism, visitor and retail uses. Related to that, policy LS2 aims to support the growth of the visitor and tourism economy in Redcar and policy ED9 supports leisure and tourism development and enhancing visitor facilities at Redcar Seafront, including proposals for leisure-based development at Coatham.

The application follows on from the recently permissioned proposals on adjacent land within the allocation site including for other, complementary leisure uses (adventure golf and play area) and for a hotel. Through the provision of a watersports activity centre, the recreational offer in Redcar would be broadened, thereby boosting visitor potential.

In principle support can be given to the proposals given that they are within the range of uses specified in REG1 and would support its aim of achieving 'a high quality mixed use development comprising of a range of leisure and tourism uses, including appropriate ancillary uses', and in turn the aims of LS2 and ED9.

REG1 also sets out the following conditions which should be met:

- b. ground investigation and prior completion of any necessary remediation work;*
- c. contributions, as necessary at the time of application, towards any other services and community infrastructure enhancements;*
- d. good accessibility by sustainable transport, including walking and cycling;*
- e. high quality development that has regard to the character and appearance of the nearby Coatham Conservation Area; and*
- f. a site layout and design informed and supported by a Flood Risk Assessment, where any development is proposed in Flood Zones 2 or 3.*

REG1 also states: 'Proposals should be in accordance with the requirements of Policy N4, including the provision of any necessary mitigation'.

The application site is located in very close proximity to the Teesmouth and Cleveland Coast SPA & Ramsar site and the underlying SSSI. The Appropriate Assessment of the Local Plan found that policies which promote leisure and tourism-related development, including REG1 and ED9, could lead to increased recreational use of the SPA site and had potential for likely significant effects through increased recreational disturbance with an adverse effect on the integrity of the site.

Policy N4 states that development requiring Appropriate Assessment will only be allowed where:

- 'a. it can be determined through Appropriate Assessment at the design stage that, taking into account mitigation, the proposal would not result in adverse effects on the site's integrity, either alone or in combination with other plans or projects'*

Also in accordance with Policy N4, proposals within 6km of the SPA that would lead to increased recreational disturbance of the site's interest features, will be expected to contribute towards mitigation measures outlined in the Recreation Management Plan which advises that contributions or mitigation measures required from leisure and tourism are to be determined on a case-by-case basis. This is to ensure that adverse effects on the site's integrity can be avoided. Any alternative suitable mitigation would need to be proven effective and agreed with the Council.

The development should also meet all relevant requirements of overarching policy SD4, which includes avoiding development in locations that would put the environment, or human health or safety, at unacceptable risk; will not increase flood risk; respect or enhance the character of the site and its surroundings in terms of its proportion, form, massing, density, height, size, scale, materials and detailed design features; takes opportunities available to improve the character and quality of the surrounding area and the way it functions by establishing a strong sense of place, responding to local character and history; and provides suitable and safe vehicular access and parking suitable for its use and location.

With regard to the above matters and policies, it is noted that the application has been accompanied among other things by a planning statement, flood risk assessment, SUDS management plan, HRA and SSSI impact assessment report, wintering bird survey and land investigation reports. The HRA/SSSI report identifies likely significant effects as a result of disturbances a range of mitigation measures have been identified within this report to ensure that those effects do not result in adverse effects on site integrity.

To summarise, in accordance with the key policy REG1 the application can be supported subject to achieving the conditions set out in that policy, and subject to achieving compliance with policies SD4, SD7, N4, HE1 and TA1.

Redcar and Cleveland Borough Council (Place Development and Investment) (30/08/2022)

The Place Development and Investment Team supports the application for the Coastal Activity Hub, reference: R/2022/0656/F3.

The Coastal Activity Hub will help maximise the potential of Redcar's coastline for outdoor recreation, promoting healthier lifestyles and encouraging wellbeing. It will enable a diverse range of activities, sports and events to be hosted that could animate the coastline and create new experiences that could appeal to both residents and visitors. The development will help grow Redcar's visitor economy by attracting additional visitors, repeat visitors and increasing the length of visitor stays. Its infrastructure and facilities will enable and support water, beach and land-based activities such as windsurfing, triathlon, kiteboarding, walking, running and cycling. This will allow Redcar to position itself as a destination for coastal events and activities. The Coastal Activity Hub will also offer support to a range of existing organisations in Redcar and will become a meeting place and an informal base for sports clubs/organisations, community groups, school groups, activity leaders, families and groups of friends.

The Coastal Activity Hub will build on Redcar's track record of successfully hosting sporting events, including the Redcar Half Marathon, Redcar Sprint Triathlon and British Landsailing Championship Regatta. This development could enable a range of new opportunities such as British Triathlons GO TRI series and be a catalyst for the growth of new community activities. It could

also in due course be a base for larger events, with the proposed new hotel providing supporting accommodation.

The container-based design solution has several benefits including the flexibility to enable the hub to be developed in a phased approach, allowing it to grow organically over time, with facilities added as its popularity grows. Containers are well-suited to the coastal environment and are in keeping with Redcar's industrial and maritime heritage. They are also flexible and adaptable enough to meet the needs of a wide range of activities and events.

The external space around the containers will form a flexible events area that could provide space for an event village, from which competitions could start and finish, including running festivals and triathlons. It also provides space for spectators. The design and proposed uses are aligned with the Coatham Masterplan.

The Coastal Activity Hub responds to the demand for public toilet facilities to serve Majuba Beach and the planned new leisure facilities at Coatham, including the play area and Adventure Golf course. This addresses a key gap in the visitor offer of the area.

Any loss of car parking space from this development will be mitigated by the construction of a new permanent 100-space car park on the former Coatham Bowl site. In the future there is the potential to increase this capacity further.

The Coastal Activity Hub forms one of the key projects within the Redcar Town Deal Programme.

Redcar and Cleveland Borough Council (Sport and Physical Activity Manager) (09/09/2022)

The site on Majuba Road, Redcar has proven very popular over many years with runners, cyclists, open water swimmers, surfers, walkers and manager other people who enjoy being active.

The potential development of a water sports hub with dedicated showering and toilet facilities would be a huge boost to the further development of sport and physical activity not just for local residents but people involved in sport across the Tees Valley.

The site presents a number of opportunities for development including attracting major sporting events which is current restricted due to not having fit for purpose facilities.

I would like to offer my full support towards this development.

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
- Ecological Impacts

The principle of development

The application site is within the development limits defined in the Local Plan and is located in a sustainable location within the main coastal settlement of Redcar. The application accords with policies SD1, SD2 and SD3 of the Local Plan.

Policy REG1 of the Local Plan specifically identifies 8.7ha of land at Coatham to be developed for a mixed use of leisure, tourism, visitor and retail use. The application supports the wider aims of the policy.

Policy ED9 of the Plan states that leisure and tourism development will be supported throughout the borough including;

(b) enhancing the visitor facilities on Redcar Seafront, including the proposals for leisure-based development at Coatham;

The application accords with the aim of policy ED9.

The principle of development is one that is considered acceptable in this location and accords with the wider aims of policies SD1, SD2, SD3, REG1 and ED9 of the Redcar and Cleveland Local Plan.

The impacts on the character and appearance of the area

The application site currently comprises of car park with a limited number of buildings in the vicinity. The existing buildings (Tuned In, Boat House and Golf Club) all vary in scale, design and style. Permission has been granted for a hotel to the east of the site along with an application for public realm improvements including a play area and adventure golf course.

The proposal is mainly single storey in height, with a small element of the development being two storey which is considered acceptable for the location on the sea front. The style of buildings proposed is considered acceptable for the location and would add to the variety in building styles within the area. It is proposed that a management and maintenance plan be agreed for the external appearance of the units given the nature of the buildings and the exposed location. Subject to maintenance the buildings would not have an adverse impact on the area.

The application also introduces a public plaza and landscaping. The public plaza would connect into the wider developments in the area and the use of landscaping would soften the development and be an improvement over the existing wide expanse of car park.

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

Due to the location of the site there are no residential occupiers in close proximity. The activity is acceptable for the location and raises no issues in terms of neighbour amenity.

Given the location of the site and surrounding uses it is not considered necessary to attach any conditions in relation to operating hours.

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 located on part of the existing Majuba Road Car Park. It is acknowledged that the application sees a reduction in the number of spaces in this location however the loss is off set by other applications and redevelopments in the area including the provision of a 100space car park on the former Coatham Bowl site for which construction has commenced.

The level of parking proposed through the application is acceptable and includes cycle provision and EV charging points.

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.

Ecological Impacts

The application has been accompanied by an ecological impact assessment, a habitats regulations assessment (HRA) and SSSI impact assessment and a wintering bird survey report.

The ecological survey was undertaken in July 2022.

The ecology report confirmed that the site has a negligible ecological value in terms of habitat given the dominance of the hard standing. There is opportunity to enhance the ecological habitat through the proposal and the introduction of soft landscaping.

The HRA and SSSI impact assessment focus on the impacts on the Teesmouth and Cleveland Coast SPA and the impacts on the nearby SSSI. The submitted report identifies likely significant effects (LSE) or impacts from

the development in relation to the increase of visitors and recreational disturbance. While it is acknowledged a level of activity already takes place in the area, the proposals have the potential to increase activity. The report further identifies a worst-case scenario of likely significant effects during the construction phase of the development in relation to some species. In order to address the likely significant effects a range of mitigation measures have been proposed. Subject to the use of the mitigation measures the HRA and SSSI impact assessment conclude that the proposal will not result in significant adverse effects.

The ecology reports also refer to a number of protected species including bats, great crested newts, otter, reptiles, badger and a range of breeding birds (wintering birds is addresses separately). All these species are identified as low or negligible in terms of ecological value due to the existing site and lack of habitats. No additional surveys are required in relation to these species.

The Wintering Bird report states that 20 species of wetland bird were recorded in the allocated survey area. *Of these, a number of species listed as qualifying features for adjacent designated sites were recorded as foraging and roosting within the sandy and rocky shoreline habitats present. Ringed Plover, Redshank, Sanderling, Cormorant and Ruff have all been recorded within the survey area and are listed as notable species in citations for the Teesmouth & Cleveland Coast SPA and SPA extension, as well as Teesmouth and Cleveland Coast SSSI.*

The impacts of construction and post construction noise and visual effects have the potential to impact on the species and therefore several mitigation measures are proposed to ensure the proposals do not have a negative impact on the wintering birds.

The submitted reports identify the following mitigation in relation to ecology;

- Pre-commencement checks.
- Contractors to attend tool-box talks.
- Site clearance to take place under a precautionary method statement.
- Use of sensitive lighting schemes during construction and operation phases.
- Trenches closed overnight.
- No works to be undertaken between sunset and sunrise.
- Use of native species in the planting scheme.
- Construction work to take place under a precautionary method statement.
- Use of a construction environmental management plan.
- Where possible work will take place outside of the main overwintering period.
- Where works take place beyond this period an ecological clerk of works will monitor for the presence of certain species.
- Use of suitable screen if works take place during the wintering months.
- Use of a pollution prevention plan.

- Introduction on interpretation boards.
- Contribution towards the Recreation Management Plan.
- Provision of suitable waste bins and collection schedules.

Natural England have reviewed the application and have raised no objections to the proposal subject to mitigation being secured. It is recommended that conditions be attached to any permission to secure the mitigation.

The development will make provision for a financial contribution to the Coastal Management Plan as required by policy N4. As the application is made by the Council for a project to be managed by the Council and is located on Council land the financial contribution will be secured through an internal transfer.

Subject to the mitigation identified within the HRA and SSSI the proposal raises no issues in terms of ecology and accords with policies SD4 and N4 of the Local Plan.

Other matters

The application has been accompanied by a phase 3 remediation statement which summarises any investigations that have taken place and also outlines the remediation works which are required. The Councils contaminated land officer has reviewed the submitted information and raises no objections. Conditions are recommended in relation to validation reports and reporting of unexpected contamination. The conditions are considered reasonable and necessary. The application accords with part e of policy SD4 of the Local Plan.

Part of the site is located within Flood Zones 2 and 3 and the application has been accompanied by a range of drainage and flood risk documentation. The documentation confirms that the proposal is at low risk from all forms of flooding. The Environment Agency and Local Lead Flood Authority have both reviewed the application. The Environment Agency have confirmed that the proposal is classed as less vulnerable which is acceptable within flood zone 3 and it does not have a risk of on or off-site flooding and therefore they have no objections to the proposal. The LLFA have also confirmed they have no objections to the development and that the proposal complies with policy SD7 of the Local Plan. Both consultees have requested that the drainage plans and documentation be conditioned to ensure the development is in accordance with the details submitted. The application accords with part f of policy SD4 and policy SD7 of the Local Plan.

The application site is within the catchment for nutrient neutrality however is out of scope for requiring additional information.

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 for the location and the proposal would respect the character of the site and surroundings.

Subject to appropriate mitigation and conditions the application raises no issues in terms of ecology and would not have any adverse impacts on the SPA or SSSI.

The development forms part of a wider regeneration strategy for the Coatham which seeks to increase tourism and leisure facilities in the area.

The proposal accords with policies SD1, SD2, SD3, SD4, SD7, REG1 and ED9 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 and documentation:
Location plan received by the Local Planning Authority on 15/08/2022
Proposed part site plan received by the Local Planning Authority on 09/08/2022
Container floor plans - Coastal Activity Hub received by the Local Planning Authority on 09/08/2022
Container elevations - Coastal Activity Hub received by the Local Planning Authority on 09/08/2022
Container general arrangement plan received by the Local Planning Authority on 09/08/2022
Container elevations sheet 1 received by the Local Planning Authority on 09/08/2022
Container elevations sheet 2 received by the Local Planning Authority on 09/08/2022
Proposed site sections received by the Local Planning Authority on 09/08/2022

Landscape layout plan received by the Local Planning Authority on 09/08/2022
Topographical survey plan 1 of 4 received by the Local Planning Authority on 09/08/2022
Topographical survey plan 2 of 4 received by the Local Planning Authority on 09/08/2022
Topographical survey plan 3 of 4 received by the Local Planning Authority on 09/08/2022
Topographical survey plan 4 of 4 received by the Local Planning Authority on 09/08/2022
Flood flow plan received by the Local Planning Authority on 15/08/2022
Drainage plan received by the Local Planning Authority on 15/08/2022
Drainage maintenance plan received by the Local Planning Authority on 15/08/2022
Flood Risk Assessment received by the Local Planning Authority on 15/08/2022
Drainage philosophy received by the Local Planning Authority on 15/08/2022
SUDs management plan received by the Local Planning Authority on 15/08/2022
REASON: To accord with the terms of the planning application.

3. Prior to the installation of the containers on site a management and maintenance plan relating to the external appearance of the containers shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be completed in accordance with the approved details and shall be adhered to for the lifetime of the development.

REASON: To ensure the suitable long term appearance of the containers units in order that there is no adverse impact on the visual appearance of the area in accordance with parts j and k of policy SD4 of the Redcar and Cleveland Local Plan.

4. The development shall be completed in accordance with the mitigation measures identified within table 9 of the submitted Habitats Regulation Assessment and SSSI Impact Assessment received by the Local Planning Authority on 15/08/2022. Any mitigation measures identified for the operational phase of the development shall remain in place for the life time of the development.

REASON: To ensure there are no significant effects on the ecological designations and protected species surrounding the site in accordance with policy SD4 and N4 of the Redcar and Cleveland Local Plan.

5. The approved remediation scheme must be carried out in accordance with its terms unless otherwise agreed in writing by the Local Planning Authority. Remediation shall be completed prior to the end use of the development.

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

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

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

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/2022/0607/FF
LOCATION: 12-14 KILBRIDGE CLOSE NEW MARSKE
REDCAR TS11 8DT
PROPOSAL: CHANGE OF USE FROM BAKERS (CLASS E)
TO MICRO WINE AND BEER BAR (SUI
GENERIS) INCLUDING OUTDOOR SEATING
TO FRONT

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

APPLICATION SITE AND DESCRIPTION

Permission is sought for change of use from bakers (Class E) to micro wine and beer bar (Sui Generis) including outdoor seating to front at 12-14 Kilbridge Close, New Marske, TS11 8DT.

The application relates to mid terrace properties within a parade of shops. The site is situated within the designated centre at New Marske and consists of a mix of commercial uses including three hot food takeaways and a general convenience store.

The application seeks permission for the change of use of the properties to create a wine and beer bar with seating provided both internally and externally. The development requires minor alterations to the existing shop front in the form of the entrance door being moved and minor changes to window proportions.

The application has been accompanied by existing and proposed elevation and floor plans of the premises.

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

PLANNING HISTORY

No relevant history relating to the application site and the proposed development

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 13 letters of objection have been received raising the following comments:

- Too close to residential and elderly houses
- Not need in this location
- Anti-social behaviour associated with the development
- Noise issues associated with the development from customers and extractor fans
- Impact on property prices
- Not in keeping with area being 30 seconds from a primary school exposing kids to drinking culture
- Inappropriate for the area
- Outdoor seating will add to current breach of privacy and relaxation in neighbouring properties
- Currently 3 pubs in New Marske less than 5 minute walk from the site
- Intimidating for people collecting takeaways
- Would not earn enough to stay open
- Should consult all residents that are affected by the development
- Seating area for 12 people seems unrealistic and unsafe on the walkway for the shops
- Car park may become beyond capacity

Saltburn Marske and New Marske Parish Council (26/08/2022)

No objections – as long as timings adhered to

Ward Members (21/07/2022)

Cllr Rider - Not in favour but I think I'll leave it to the committee to decide

Redcar and Cleveland Borough Council (Development Engineers) (15/09/2022)

The application site is adjacent to an existing car park that serves the parade of shops and is adjacent to a bus stop and within walking distance for many properties in New Markse. It is well served for those wishing to drive, walk or using public transport.

The application states seating for 12 outside however the tables and chairs are not shown on the plans. Whilst this area is not adopted highway, there must be sufficient space left for customers to gain access to the adjacent unit unhindered.

**Redcar and Cleveland Borough Council (Environmental Protection)
(Nuisance) (08/08/2022)**

I would confirm that I have assessed the following environmental impacts which are relevant to the development and would comment as follows:

I note that a noise impact assessment has been submitted in support of this application. The report considers booth noise from the kitchen extract and noise from external seating for up to 12 patrons, at the front of the development.

This Assessment has shown that the rated level of noise from the kitchen extract fan, at the closest residential dwelling, falls below the typical background sound level and so there has been no requirement to consider noise mitigation measures.

This Assessment also shows that the calculated internal noise level within any living rooms facing the outdoor seating area, with both windows closed and open, falls below the internal target noise criteria level and so there has been no requirement to consider noise mitigation measures from external seating.

The application seeks the following opening times Proposed mechanical and electrical plant associated with the Development: 11:00 – 23:00, 7-days; and Outdoor seating area associated with the Development: 11:00 – 23:00, 6-days Sunday / Bank Holiday: 12:00 - 22:30

However, as a precaution and in order to minimise the environmental impact I would recommend a condition onto any planning permission which may be granted:

The use hereby permitted for the Outdoor seating area associated with the Development shall only take place between the hours of 11:00 in the morning and 22:00 in the evening from Mondays to Sundays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity 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 highways safety

The principle of development

The application site is located within the development limits as identified on the Redcar and Cleveland Local Plan Policies Map. The change of use of the property is therefore considered to comply with Policy SD3 of the Local Plan.

The application site is also situated within the designated commercial centre at New Marske (Birkdale Road). Policy ED1 of the Local Plan seeks to protect and enhance the Boroughs Centres. The proposed use is accepted as a town centre use and is appropriate for the location. The principle of the change of use in this location is acceptable and the proposal would accord with the aims of policies ED1 and SD3 of the Local Plan.

The impacts on the character and appearance of the area

The proposed use of the properties as a micro wine and beer bar is considered to be a use that would be expected to be found within a designated centre. There are noted to be a mix of uses within the designated centre including three hot food takeaways and a general convenience store and therefore the introduction of a micro bar is not considered to have an adverse impact on the character and appearance of the area.

The proposal includes minor changes to the shop fronts with one of the access doors being moved centrally, however this is not considered to impact the appearance of the premises or the character and appearance of the wider area.

The proposal does seek permission for an outdoor seating area to the front of the units. While no details have been provided of this area on the submitted drawings, it is considered that final details of this should be secured by way of a planning condition. This should include location of any tables and chairs as well as any temporary means of enclosure that would delineate the seating area to keep this separate from the walkway that serves the parade of premises.

Given the limited alterations that are proposed to the units externally, it is considered that subject to the condition detailed above, the application accords with part j of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on neighbour amenity

There are a range of uses in the parade of shops including existing late-night uses including hot food takeaways and convenience store. It is acknowledged that there are residential properties to the north, west and east

of the application site, with a degree of separation to these properties by the car park and public highway to the west (front) and the service yard to the east (rear).

The impact on residential amenity may arise from noise generated from patrons entering and leaving the premises, those seated on the external seating area and noise from plant and machinery. These matters have been considered by the applicant in the preparation of the application through the noise impact assessment.

The application has been considered by the Council's Environmental Protection team who raise no objection to the proposed development with regard to the impact on neighbour amenity. It is noted that the noise assessment carried out considered noise impacts from fixed plant and the proposed external seating area. The advice offered by the Environmental Protection team stated:

This Assessment has shown that the rated level of noise from the kitchen extract fan, at the closest residential dwelling, falls below the typical background sound level and so there has been no requirement to consider noise mitigation measures.

This Assessment also shows that the calculated internal noise level within any living rooms facing the outdoor seating area, with both windows closed and open, falls below the internal target noise criteria level and so there has been no requirement to consider noise mitigation measures from external seating.

The application seeks the following opening times Proposed mechanical and electrical plant associated with the Development: 11:00 – 23:00, 7-days; and Outdoor seating area associated with the Development: 11:00 – 23:00, 6-days Sunday / Bank Holiday: 12:00 - 22:30

However, as a precaution and in order to minimise the environmental impact I would recommend a condition onto any planning permission which may be granted:

The use hereby permitted for the Outdoor seating area associated with the Development shall only take place between the hours of 11:00 in the morning and 22:00 in the evening from Mondays to Sundays.

Taking the above advice into consideration, a condition is considered necessary to control the hours of use of the external drinking area to prevent its use after 22:00hrs.

Subject to the conditions detailed above, given the location of the development within the designated commercial centre where a level of activity is to be expected, the proposal is not considered to have an adverse impact on neighbour amenity that would require the application to be refused. The proposal therefore accords with part b of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on highways safety

There is no parking directly allocated for the premises at the front. There is a car park that serves the parade of shops. The site is also adjacent to a bus stop and within walking distance for many properties in New Marske. The site is therefore considered to be well served for those wishing to drive, walk or use public transport.

The application states seating for 12 outside however the tables and chairs are not detailed on the plans. It is acknowledged that the walkway to the front of the commercial premises is not adopted highway, however, the provision of seating to the front of the unit should ensure that there is sufficient space left for customers to gain access to the adjacent units unhindered. It is therefore considered that a condition requiring the final layout of the outside seating be submitted and agreed with the Local Planning Authority, to ensure there is no adverse impact on the access to adjoining premises.

Subject to the condition detailed above 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

It is acknowledged that comments have been received as part of the consultation period with regard to anti-social behaviour resulting from the proposed development. While these comments are noted, it is considered that given the existing late night uses in the parade of shops and through planning conditions limiting the use of the outside seating area, no further control can be exercised through the planning system. Any further matters relating to anti-social behaviour would therefore be dealt with by other enforcement powers including the police. The application therefore accords with part m of policy SD4 Redcar and Cleveland Local Plan.

The application falls outside of scope for requiring additional information / assessment in relation to nutrient neutrality.

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 use is acceptable for the location within the designated centre. The proposal accords with policies ED1, SD3, 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 received by the Local Planning Authority on 12/09/22
Proposed Plans and Elevations received by the Local Planning Authority on 20/07/22

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

3. Prior to the outdoor seating area coming into use details including the location of any tables and chairs as well as any temporary means of enclosure that would delineate the seating area shall be submitted to and approve in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: To ensure the development would not cause any issues in terms of access or egress of neighbouring commercial units in accordance with policy SD4 of the Local Plan.

4. The outdoor seating area associated with the premises shall not be open to customers outside the following hours:-

11:00 and 22:00 Mondays to Sundays.

REASON: To ensure the development would not cause any issues in terms of noise and disturbance 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.

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2022/0573/FF
LOCATION: 18 CHURCH LANE ESTON MIDDLESBROUGH TS6 9DB
PROPOSAL: DEMOLITION OF EXISTING CONSERVATORY AND REPLACE WITH SINGLE STOREY EXTENSION INCLUDING EXTERNAL FLUE AT REAR

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

APPLICATION SITE AND DESCRIPTION

Permission is sought for demolition of an existing conservatory and replace with single storey extension including external flue at rear

The application relates to 18 Church Lane, Eston. The semi detached bungalow is located on the east side of Church Lane. The junction with Lastingham Avenue is to the west of the dwelling and the rear gardens of Churchill Road to the east. The dwelling is located within an established residential area containing a mix of bungalows and two storey dwellings of differing scale and design.

This application seeks consent to demolish the existing conservatory and replace with a single storey extension. The extension will project out 3.5m from the rear elevation, be 8.6m wide and approximately 2.7m high with a flat roof. The extension will create an open plan kitchen/living/dining room and will include bi-fold doors on the rear elevation and three roof lanterns. The proposal will include a wood burner and flue. The flue will extend out from the existing hipped roof. The extension will be constructed with external bricks to match the existing.

The size of the proposed extension has been revised during the consideration of the application. The original plans proposed an extension with a 6m projection from the rear elevation. Following officer discussions with the applicant the extension has been reduced to a 3.5m projection to protect neighbouring amenity.

The application has been accompanied by existing and proposed plans and elevations.

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

OTHER POLICY DOCUMENTS

Residential Extensions and Alterations Supplementary Planning Document
(May 2013)

PLANNING HISTORY

R/2006/0359/FF – Erection of a single storey side extension – granted –
30/05/2006

L2787/75/UN – Erection of a porch – permitted development

RESULTS OF CONSULTATION AND PUBLICITY

The application has been advertised by means of neighbour notification letters.

As a result of the first consultation period (ending 28/07/2022) five written representations have been received. The comments are summarised as follows:

- *Neighbouring property for sale, may have disastrous impact on our sale progressing and sale price*
- *Believe application should be deferred until our property has been sold and new owner had chance to comment*
- *Lack of bungalows in area, extension would change property to family house*
- *Extension is over building on small plot effecting adjoining properties i.e. taking light, devaluation etc*
- *Design will create noise to rear of property, adjoining property different design with bedroom to the rear*
- *Extension will steal light from both inside and outside of bungalow*
- *Extension will impact on noise, views, and devalue the property*

There was a second consultation period following receipt of the revised plans (ending 20/10/2022), however no further comments have been received in respect of the revised plans.

**Redcar and Cleveland Borough Council (Environmental Protection)
(Contaminated Land) (08/07/2022)**

I have no objections to the above proposal.

**Redcar and Cleveland Borough Council (Environmental Protection)
(Nuisance) (08/07/2022)**

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 the proposed development is in close proximity to neighbouring properties whose amenity may be affected by noise from construction activities.

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.

Informative:

I note from the proposed plans that the applicant intends to install a wood burning stove as part of the development.

The applicant is advised that the property is located in a Smoke Control Area and it is an offence under the Clean Air Act 1993 for smoke to be emitted from a chimney in a Smoke Control Area unless authorised fuels are being burnt or the appliance is exempt.

In a smoke control area only certain authorised fuels, or any of the following 'smokeless' fuels, can be burnt unless it is burnt in an exempt appliance:

- anthracite*
- semi-anthracite*
- gas*
- low volatile steam coal*

Wood is not classed as an authorised fuel

Therefore if the applicant wishes to install a solid fuel or wood burning appliance the appliance must be classified as an exempt appliance made in Regulations under the Clean Air Act 1993.

In the event that the appliance is not classed as exempt then only authorised fuels should be used as stated above.

For further information contact the Council's Environmental Protection Team: Environmental.Protection@redcar-cleveland.gov.uk

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 impact on nuisance
- The impacts on highways safety

The principle of development

The application site is located within the development limits and within an established residential area. The principle of an extension 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 extension to the rear of the property will not be readily visible in the street scene due to its location and scale. The use of matching materials is considered acceptable.

The proposal is considered 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

The Council's Residential Extensions and Alterations Supplementary Document (SPD) advises on rear extensions. For semi detached houses the maximum depth normally acceptable is 3.5m. The originally proposed extension was to have a depth of 6m, this has been revised to 3.5m to comply with the guidance in the SPD.

The comments regarding the impact on the adjoining property of No. 16 are noted, it is considered the reduction in depth of the extension will result in an acceptable form of development. The proposed 3.5m extension will not be overbearing, nor overdevelopment and will not have a sufficiently detrimental

impact on light to warrant refusal. The existing rear of the property contains the kitchen, diner and lounge, the proposed extension will continue this use to the rear of the property.

The comments regarding loss of view and devaluation of property prices are not material planning considerations and as such have not been discussed.

In light of the 3.5m projection and limited height due to the flat roof design it is considered the extension is acceptable and will not have a sufficiently detrimental impact on neighbouring amenity.

The extension 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 and guidance in the Residential Extensions and Alterations SPD.

The impacts on nuisance

The proposal includes the provision of a flue to serve a wood burner. Environmental Protection have assessed the proposal and have no objections. The team have included an informative regarding the authorised fuels that can be burnt, this will be included on the decision notice should the application be approved.

Environmental Protection have also suggested a restricted construction hours condition. In light of the scale of the development such a condition is not necessary and will not be included as part of a decision.

The impacts on highways safety

The proposed rear extension will have no impact on parking or highway safety.

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 outside of scope for requiring additional information / assessment in relation to nutrient neutrality.

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 and SD4 of the Redcar and Cleveland Local Plan and the guidance contained within the Residential Extensions and Alterations Supplementary Planning Document.

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 05/07/2022

- Site plan as proposed AMENDED 10 10 2022 received by the Local Planning Authority on 10/10/2022

- Plans and elevations as proposed AMENDED 10 10 2022 received by the Local Planning Authority on 10/10/2022

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

3. The external elevations of the extension(s) hereby approved shall be built in materials to match in type, style and colour the external elevations of the existing dwelling/building.

REASON: To ensure that the appearance of the development matches the existing property and 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 did not meet with the local policies and guidance. Following discussions with the applicant / agent a satisfactory scheme has been negotiated.

INFORMATIVES

The applicant is advised that the property is located in a Smoke Control Area and it is an offence under the Clean Air Act 1993 for smoke to be emitted from a chimney in a Smoke Control Area unless authorised fuels are being burnt or the appliance is exempt.

In a smoke control area only certain authorised fuels, or any of the following 'smokeless' fuels, can be burnt unless it is burnt in an exempt appliance:

- anthracite
- semi-anthracite
- gas
- low volatile steam coal

Wood is not classed as an authorised fuel.

Therefore if the applicant wishes to install a solid fuel or wood burning appliance the appliance must be classified as an exempt appliance made in Regulations under the Clean Air Act 1993.

In the event that the appliance is not classed as exempt then only authorised fuels should be used as stated above.

For further information contact the Council's Environmental Protection Team:
Environmental.Protection@redcar-cleveland.gov.uk

Application Number	Location	Proposal	Decision Date	Decision
R/2022/0590/FF	23 SUNNYFIELD ORMESBY TS7 9BS	DEMOLITION OF EXISTING GARAGE; SINGLE STOREY EXTENSIONS AT SIDE AND REAR	06/09/2022	GRANT PLANNING PERMISSION
R/2022/0216/FF	34 TEES STREET LOFTUS TS13 4LW	FIRST STOREY REAR EXTENSION	06/09/2022	REFUSE PLANNING PERMISSION
R/2022/0642/LB	FOXRUSH FARM KIRKLEATHAM LANE REDCAR TS10 5NJ	LISTED BUILDING CONSENT FOR REPLACEMENT OF 4 DOORS AND FRAMES; INSTALLATION OF INTERNAL SECONDARY GLAZING TO WINDOWS	07/09/2022	GRANT LISTED BUILDING CONSENT
R/2022/0594/FF	429 NORMANBY ROAD NORMANBY TS6 0ED	SINGLE STOREY EXTENSION AT REAR; TWO STOREY EXTENSION AT SIDE AND FRONT PORCH	07/09/2022	GRANT PLANNING PERMISSION
R/2022/0583/FF	399 NORMANBY ROAD NORMANBY TS6 0BL	DEMOLITION OF EXISTING EXTENSION AND REPLACE WITH SINGLE STOREY EXTENSION AT REAR/SIDE; ALTERATIONS TO ROOF INCLUDING DORMER EXTENSION AT REAR AND SIDE	07/09/2022	GRANT PLANNING PERMISSION
R/2022/0576/RC	CHERRYWOOD REDCAR ROAD DUNSDALE GUISBOROUGH TS14 6RH	REMOVAL OF AGRICULTURAL OCCUPANCY CONDITIONS FROM PLANNING PERMISSION L1442/87 AND FROM OUTLINE PLANNING PERMISSION L0576/87	07/09/2022	REFUSED
R/2022/0537/FF	35 KETTLENESS AVENUE REDCAR S10 5EW	FIRST FLOOR EXTENSION AT SIDE/REAR	07/09/2022	REFUSE PLANNING PERMISSION
R/2022/0169/LB	74 HIGH STREET ESTON MIDDLESBROUGH TS6 9DY	LISTED BUILDING CONSENT FOR REPLACEMENT TIMBER FRONT ENTRANCE DOOR AND FRAME	07/09/2022	GRANT LISTED BUILDING CONSENT
R/2022/0103/CD	FORMER CLIFFE GARAGE HIGH STREET REDCAR	DISCHARGE OF CONDITIONS 3, 4, 6 & 7 OF PLANNING APPROVAL R/2021/0333/FFM FOR CONSTRUCTION OF FOUR STOREY BUILDING TO PROVIDE 16 SPECIALIST SUPPORTED HOUSING APARTMENTS AND STAFF FACILITIES; AND TWO STOREY APARTMENT BLOCK WITH 6 SELF-CONTAINED APARTMENTS	07/09/2022	CONDITION DISCHARGE GRANTED
R/2021/0409/FFM	LAND WEST OF NORTHUMBRIAN WATER TREATMENT WORKS TEESDOCK ROAD GRANGETOWN	ENGINEERING WORKS FOR THE INSTALLATION OF A HARDSTANDING PLATFORM ALONGSIDE THE LEVELLING, IMPROVEMENT AND EXTENSION OF AN EXISTING ACCESS ROAD	07/09/2022	GRANT PLANNING PERMISSION

R/2022/0478/FF	REDCAR AND CLEVELAND COLLEGE CORPORATION ROAD REDCAR TS10 1EZ	EXTENDING EXISTING EARTHBOUND TO NORTH EAST BOUNDARY TO FORM PERMANENT LANDSCAPED FEATURE	08/09/2022	WITHDRAWN
R/2022/0689/CD	LAND NORTH OF MAJUBA ROAD REDCAR TS10 5BJ	DISCHARGE OF CONDITION 5 (DUST ACTION PLAN) OF PLANNING PERMISSION R/2021/0953/F3M FOR DELIVERY OF PUBLIC REALM, INCLUDING THE PROVISION OF AN OUTDOOR PLAY AREA, ADVENTURE GOLF COURSE, CAR PARKING AND ASSOCIATED DEVELOPMENT	12/09/2022	CONDITION DISCHARGE GRANTED
R/2022/0677/PND	ESTON LEISURE CENTRE NORMANBY ROAD NORMANBY TS6 9AE	PRIOR NOTIFICATION FOR DEMOLITION OF EXISTING POOL HALL INCLUDING ASSOCIATED CHANGING AREA, PLANT ROOM, STORES, POOL TANKS AND BASEMENT AREAS	12/09/2022	PN Permission Not Required
R/2022/0621/FF	26 & 28 MARWAY ROAD BROTTON TS12 2RH	SINGLE STOREY REAR EXTENSIONS TO TWO DWELLINGS	12/09/2022	GRANT PLANNING PERMISSION
R/2022/0599/FF	1 BARNABY CRESCENT ESTON MIDDLESBROUGH TS6 9HT	TWO STOREY EXTENSION AT SIDE INCLUDING NEW VEHICULAR ACCESS	12/09/2022	GRANT PLANNING PERMISSION
R/2022/0597/CD	LAND NORTH OF MAJUBA ROAD REDCAR TS10 5BJ	DISCHARGE OF CONDITION 8 (CEMP) OF PLANNING PERMISSION R/2021/0953/F3M FOR DELIVERY OF PUBLIC REALM, INCLUDING THE PROVISION OF AN OUTDOOR PLAY AREA, ADVENTURE GOLF COURSE, CAR PARKING AND ASSOCIATED DEVELOPMENT	12/09/2022	CONDITION DISCHARGE GRANTED
R/2022/0588/FF	6 HAUXLEY CLOSE REDCAR TS10 2QT	DEMOLITION OF EXISTING CONSERVATORY; FIRST FLOOR EXTENSION AT SIDE ABOVE EXISTING GARAGE AND SINGLE STOREY REAR EXTENSION	12/09/2022	GRANT PLANNING PERMISSION
R/2022/0577/CA	WOODHILL ALBION TERRACE SALTBURN BY THE SEA TS12 1LT	FRENCH DOORS IN LIEU OF KITCHEN WINDOW AND ACCESS DOOR IN LIEU OF CLOAKROOM WINDOW	12/09/2022	GRANT PLANNING PERMISSION
R/2022/0372/FF	56 COATHAM ROAD REDCAR TS10 1RY	CHANGE OF USE AND CONVERSION OF EXISTING DWELLING INTO 2 SELF CONTAINED FLATS	12/09/2022	GRANT PLANNING PERMISSION
R/2022/0661/TC	ST MICHAELS CHURCH LIVERTON ROAD LIVERTON TS13 4TB	VARIOUS TREE WORKS INCLUDING FELLING OF 1 BEECH TREE AND 1 SCOTS PINE TREE	13/09/2022	NO OBJECTIONS
R/2022/0641/TR	THE COTTAGE HIGH STREET	REMOVE/REDUCE OVERHANGING LIMBS BY NO MORE THAN 30% TO BEECH (T1); REMOVE LIMB OF CHERRY OVERHANGING FENCE TO CHURCH ACCESS ROAD (T2)	13/09/2022	GRANT CONSENT FOR TREE WORKS

	BROTTON TS12 2PP			
R/2022/0634/FF	10 BAYSDALE CLOSE GUISBOROUGH TS14 7AS	FRONT PORCH	13/09/2022	GRANT PLANNING PERMISSION
R/2022/0605/PNC	THE BARN AND LAND OFF REDCAR ROAD MARSKE BY THE SEA	PRIOR APPROVAL FOR THE PROPOSED CHANGE OF USE AND CONVERSION OF EXISTING PORTAL FRAMED AGRICULTURAL BUILDING INTO RESIDENTIAL DWELLINGS (FIVE UNITS) (CLASS C3) TO FORM A 'TERRACE' INCLUDING HARD STANDING PARKING SPACES (RESUBMISSION)	13/09/2022	Prior Notification - refused
R/2022/0602/FF	10 NORTH AVENUE SALTBURN BY THE SEA TS12 1QD	SINGLE STOREY REAR EXTENSION WITH RAISED PATIO AREA	13/09/2022	GRANT PLANNING PERMISSION
R/2022/0181/FF	MANLESS GREEN FARM THOMPSONS ROAD SKELTON GREEN TS12 2DJ	ALTERATIONS TO OFFSHOOT TO FORM GARDEN ROOM EXTENSION AT REAR AND SIDE, CONVERSION OF FIRST FLOOR ATTIC ROOM TO FORM HABITABLE ROOMS WITH BALCONY AT FRONT, ENTRANCE PORCH AT REAR, COVERED ENTRANCE TO FRONT AND ALTERATIONS AND ADDITION OF NEW WINDOWS	13/09/2022	GRANT PLANNING PERMISSION
R/2022/0580/FF	6 UPLEATHAM REDCAR TS11 8AG	DEMOLITION OF EXISTING REAR UTILITY ROOM REPLACE WITH SINGLE STOREY REAR EXTENSION WITH RENDER FINISH AND CLADDING; EXTERNAL BARBEQUE CHIMNEY AT SIDE AND ALTERATION TO REAR RETAINING GARDEN WALL TO EXTEND PATIO AREA AND INTERNAL ALTERATION TO ACCESS ARRANGEMENT AT FRONT	14/09/2022	GRANT PLANNING PERMISSION
R/2022/0703/EA	UPLEATHAM VILLAGE	ELECTRICITY ACT 1989 - OVERHEAD LINES (EXEMPTION) REGULATIONS 2009 - CONVERT THE LOW VOLTAGE OVERHEAD LINE FROM BARE WIRE TO AERIAL BUNCH CONDUCTOR (ABC); CONVERT POLES 2, 4, 5 & 13 TO STEEL POLES AND ADDITION OF TWO NEW TERMINAL POLES WITH STAYS AND 1 INTERMEDIATE POLE IN NEW POSITIONS	15/09/2022	NO OBJECTIONS
R/2022/0683/HN	59 HUMMERSHILL LANE MARSKE BY THE SEA REDCAR TS11 7DH	DEMOLITION OF EXISTING CONSERVATORY AND STORE IN REAR GARDEN; SINGLE STOREY EXTENSION AT REAR EXTENDING 4.80 METRES BEYOND THE REAR WALL OF THE ORIGINAL HOUSE; MAXIMUM HEIGHT 3.50 METRES; HEIGHT TO EAVES 2.40 METRES	15/09/2022	HOUSEHOLDER PRIOR APPROVAL NOT REQUIRED
R/2022/0682/FF	2 LUCIA LANE GUISBOROUGH TS14 8BY	PROPOSED SINGLE STOREY SIDE EXTENSION; PITCHED ROOF TO EXISTING SIDE EXTENSION AND EXISTING GARAGE	15/09/2022	GRANT DEEMED CONSENT

R/2022/0665/CD	STABLE HOUSE WATER LANE LOFTUS TS13 4HJ	DISCHARGE OF CONDITIONS 3 (MATERIALS) AND 4 (METHOD STATEMENT) OF LISTED BUILDING CONSENT R/2021/0704/LB FOR SINGLE STOREY EXTENSION AT SIDE	15/09/2022	CONDITION DISCHARGE GRANTED
R/2022/0638/CD	4 ST HILDAS PLACE LOFTUS TS13 4JY	DISCHARGE OF CONDITION 3 (METHOD STATEMENT JOISTS AND STEELS) 4 (FULL DETAILS OF STAIRCASE WITH METHOD STATEMENT) 5 (METHOD STATEMENT MASONRY), AND 6 (METHOD STATEMENT INSTALLATION OF ROOF LIGHTS) OF LISTED BUILDING CONSENT R/2022/00445/LB 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 AND ADDITIONAL WORKS	15/09/2022	CONDITION DISCHARGE GRANTED
R/2022/0619/CD	EAST CLEVELAND HOUSING OFFICE 1A WOODHOUSE ROAD GUISBOROUGH TS14 6LH	DISCHARGE OF CONDITIONS 4 (CEMP), 5 (MATERIALS), 7 (PHOTOGRAPHIC SURVEY), 8A & 8B (REMEDICATION STATEMENT), 9 (CEMP) & 10 (DRAINAGE) ON PLANNING APPROVAL R/2019/0517/FF - RESIDENTIAL DEVELOPMENT COMPRISING 4 NO. NEW-BUILD BUNGALOWS FOR OVER-55'S; CONVERSION AND CHANGE OF USE OF FORMER CHAPELBECK HOUSING OFFICE INTO 3 NO. APARTMENTS FOR GENERAL NEEDS HOUSING	15/09/2022	CONDITION DISCHARGE GRANTED
R/2022/0610/CA	BARCLAYS 24-26 MARKET PLACE WESTGATE GUISBOROUGH TS14 6AD	REMOVAL OF 1 EXISTING NIGHT SAFE AND 1 EXISTING ATM TO BE INFILLED BY STONEMASONRY TO MATCH EXISTING	15/09/2022	GRANT PLANNING PERMISSION
R/2022/0604/HN	23 TEES ROAD REDCAR TS10 1QD	PART DEMOLITION OF EXISTING REAR EXTENSION; SINGLE STOREY EXTENSION AT REAR EXTENDING 4.60 METRES BEYOND THE REAR WALL OF THE ORIGINAL HOUSE; MAXIMUM HEIGHT 3.82 METRES; HEIGHT TO EAVES 2.47 METRES	15/09/2022	HOUSEHOLDER PRIOR APPROVAL NOT REQUIRED
R/2022/0603/HN	24 CORBYDELL ROAD SALTBURN BY THE SEA TS12 1RD	SINGLE STOREY EXTENSION AT REAR EXTENDING 5.00 METRES BEYOND THE REAR WALL OF THE ORIGINAL HOUSE; MAXIMUM HEIGHT 3.28 METRES; HEIGHT TO EAVES 2.25 METRES	15/09/2022	HOUSEHOLDER PRIOR APPROVAL NOT REQUIRED
R/2022/0596/F3	LABURNUM ROAD LIBRARY 338 LABURNUM ROAD	EXTERNAL REFURBISHMENT TO FACADE; INTERNAL ALTERATIONS TO PROVIDE NEW PRINCIPLE ENTRANCE FOR COMMUNITY CENTRE AND LIBRARY SPACE; PROVISION OF 1.8M TIMBER SCREEN FENCING TO	15/09/2022	GRANT DEEMED CONSENT

	REDCAR TS10 3QR	EXISTING FIRST FLOOR TERRACE AREA; CHANGE OF USE AND CONVERSION OF FIRST FLOOR DWELLINGHOUSE INTO COMMUNITY CENTRE INCLUDING NEW FIRE EVACUATION LIFT PROJECTING ONTO ROOF TOP		
R/2022/0581/F3	ORMESBY LIBRARY SUNNYFIELD ORMESBY MIDDLESBROUGH TS7 9BL	REFURBISHMENT OF EXISTING BUILDING INCLUDING INTERNAL AND EXTERNAL ALTERATIONS; NEW ENTRANCE DOORS/ACCESS; REFURBISHMENT OF CLADDING AND INSTALLATION OF 1.8M HIGH TIMBER GATE	15/09/2022	GRANT DEEMED CONSENT
R/2022/0553/FF	MULROYS SEAVIEW NURSING HOME 19-22 NEWCOMEN TERRACE REDCAR TS10 1AU	SINGLE STOREY INFILL EXTENSION AT REAR	15/09/2022	GRANT PLANNING PERMISSION
R/2022/0375/FF	HAZELGROVE ALLOTMENT SITE HAZELGROVE SALTBURN-BY-THE-SEA TS12 1DE	CREATION OF ALLOTMENT WITH LEARNING AND GROWING SPACE INCLUDING PORTACABIN; BOUNDARY FENCE (2 METRE HIGH) AND PEDESTRIAN AND VEHICLE GATED ACCESS	16/09/2022	GRANT PLANNING PERMISSION
R/2022/0721/LAC	DOGGER BANK TEESSIDE OFFSHORE WIND FARM HARTLEPOOL	7 DAY LETTER OF CONSULTATION FROM HARTLEPOOL BOROUGH COUNCIL FOR THE DOGGER BANK TEESSIDE A AND B OFFSHORE WIND FARM ORDER 2015 (AS AMENDED) (THE 'DCO') AND REQUIREMENT 34 (PORT ACCESS AND TRANSPORT PLANS) FOR WORK NOS. 3B & 2B OF THE OFFSHORE WORKS IN RELATION TO SOFIA OFFSHORE WIND FARM (FORMERLY TEESSIDE B OFFSHORE WIND FARM) ('PROJECT B') REFERENCE NO. H/2022/0315	20/09/2022	No Comments
R/2022/0679/CD	LAND AT SOUTH BANK OFF TEES DOCK ROAD SOUTH BANK	DISCHARGE OF CONDITION 3 (FOUL AND SURFACE WATER) AND 5 (LANDSCAPING) OF PLANNING PERMISSION R/2022/0355/FFM FOR THE ERECTION OF INDUSTRIAL FACILITY (USE CLASS B2/B8), ASSOCIATED STRUCTURES, HARDSTANDING AND LANDSCAPING WORKS	20/09/2022	CONDITION DISCHARGE GRANTED
R/2022/0657/HN	32 CHESTNUT AVENUE REDCAR TS10 3PB	SINGLE STOREY EXTENSION AT REAR EXTENDING 3.72 METRES BEYOND THE REAR WALL OF THE ORIGINAL HOUSE; MAXIMUM HEIGHT 3.59 METRES; HEIGHT TO EAVES 2.30 METRES	20/09/2022	HOUSEHOLDER PRIOR APPROVAL REFUSED
R/2022/0675/SCP	PD PORTS CONTAINER TERMINAL KINKERDALE ROAD GRANGETOWN	SCOPING OPINION FOR A LITHIUM REFINING PLANT	21/09/2022	SCOPING RESPONSE SENT

	MIDDLESBROUGH TS6 6UD			
R/2022/0631/FF	110 GYPSY LANE NUNTHORPE MIDDLESBROUGH TS7 0DR	INTERNAL AND EXTERNAL ALTERATIONS TO GROUND FLOOR INCLUDING SINGLE STOREY EXTENSIONS AT REAR/SIDE WITH ADDITION OF DOUBLE DOORS AND BI FOLD DOORS, RENDER FINISH AND TIMBER CLADDING TO POOL AREA WITH GLAZED ROOF AND NEW DETACHED GARAGE TO FRONT	21/09/2022	GRANT PLANNING PERMISSION
R/2022/0518/FF	14 ST JOHNS GROVE REDCAR TS10 2DS	PART SINGLE / PART TWO STOREY EXTENSION INCLUDING DORMER EXTENSION WITH TERRACE AND BOUNDARY RAILINGS AT REAR	21/09/2022	REFUSE PLANNING PERMISSION
R/2022/0699/PNA	GRANGE FARM MICKLOW LANE LOFTUS TS13 4UY	PRIOR NOTIFICATION FOR DETACHED STEEL PORTAL FRAMED AGRICULTURAL BUILDING (18M x 12M x 5.79M) FOR STORING OF GRAIN AND MACHINERY	22/09/2022	PRIOR APPROVAL NOT REQUIRED
R/2022/0694/HN	17 WINDY HILL LANE MARSKE BY THE SEA REDCAR TS11 7HB	DEMOLITION OF EXISTING CONSERVATORY AND REPLACE WITH SINGLE STOREY CONSERVATORY AT REAR EXTENDING 4.54 METRES BEYOND THE REAR WALL OF THE ORIGINAL HOUSE; MAXIMUM HEIGHT 3.0 METRES; HEIGHT TO EAVES 2.50 METRES.	23/09/2022	HOUSEHOLDER PRIOR APPROVAL NOT REQUIRED
R/2022/0498/LB	HSBC 12 WESTGATE GUISBOROUGH TS14 6BE	LISTED BUILDING CONSENT FOR INSTALLATION OF 1 NEW CCTV CAMERA ON FRONT ELEVATION	23/09/2022	GRANT LISTED BUILDING CONSENT
R/2022/0497/CA	HSBC 12 WESTGATE GUISBOROUGH TS14 6BE	INSTALLATION OF 1 NEW CCTV CAMERA ON FRONT ELEVATION	23/09/2022	GRANT PLANNING PERMISSION
R/2022/0494/FFM	LAND NORTH OF TEESWORKS AREA AND NORTH EAST OF STEEL HOUSE TRUNK ROAD REDCAR	ENGINEERING OPERATIONS ASSOCIATED WITH THE REMOVAL OF MOUNDS, INSTALLATION OF HAUL ROAD; TEMPORARY BRIDGE OVER WATERCOURSE AND ASSOCIATED WORKS	23/09/2022	GRANT PLANNING PERMISSION
R/2022/0228/CA	15 RUBY STREET SALTBURN BY THE SEA TS12 1EF	LOFT CONVERSION INCLUDING DORMER EXTENSIONS TO FRONT AND REAR	23/09/2022	GRANT PLANNING PERMISSION
R/2022/0636/CD	THE YORK POTASH PROJECT SIRIUS MINERALS PLC LOCKWOOD MINE SITE SWINDALE LANE MOORSHOLM	PARTIAL DISCHARGE OF CONDITIONS 3 (CONTRACTORS PARKING), 4 (CONSTRUCTION TRAFFIC MANAGEMENT PLAN), 5 (TRAVEL PLAN), 6 (LANDSCAPING SCHEME), 8 (PHASING PLAN), 9 (CEMP), 14 (WS of AI), 15 (EXTERNAL MATERIALS), 16 (SURFACE WATER DRAINAGE), 18 (LIGHTING PLAN), 19 (VEGETATION BIRD AND BAT BOXES), 20 (HYDRO-GEOLOGICAL RISK ASSESSMENT),	26/09/2022	CONDITION DISCHARGE GRANTED

	SALTBURN BY THE SEA TS12 3FA	21 (GROUND & SURFACE MONITORING), 22 (REMEDIAL ACTION PLAN), 25 (ECOLOGICAL MITIGATION), 31 (GROUND WATER MANAGEMENT SCHEME) & 32 (SURFACE WATER MANAGEMENT) OF PLANNING PERMISSION R/2014/0627/FFM (PHASE 11) FOR THE WINNING AND WORKING OF POLYHALITE BY UNDERGROUND METHODS		
R/2022/0759/CD	LAND AT FORMER COATHAM BOWL SITE MAJUBA ROAD REDCAR TS10 5BJ	DISCHARGE OF CONDITIONS 3 (LANDSCAPING) & 4 (PLANTING) OF PLANNING PERMISSION R/2021/0555/F3 FOR PROVISION OF 100 SPACE CAR PARK INCLUDING VEHICULAR AND PEDESTRIAN ACCESSES	27/09/2022	CONDITION DISCHARGE GRANTED
R/2022/0746/CD	LAND AT SOUTH TEES DEVELOPMENT CORPORATION EAST OF SMITHS DOCK ROAD AND WEST OF TEES DOCK ROAD SOUTH BANK	PARTIAL DISCHARGE OF CONDITION 5 (CEMP) 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 PARKING AND ASSOCIATED INFRASTRUCTURE WORKS ALL MATTERS RESERVED OTHER THAN ACCESS	27/09/2022	CONDITION DISCHARGE GRANTED
R/2022/0745/CD	LAND SOUTH OF MIDDLESBROUGH ROAD GUISBOROUGH TS14 8JT	DISCHARGE OF CONDITION 3 (MATERIALS EXTERNAL) ON PLANNING APPROVAL R/2022/0539/FF FOR THE ERECTION OF FOALING SHED	27/09/2022	CONDITION DISCHARGE GRANTED
R/2022/0735/TC	WILTON GOLF CLUB WILTON CASTLE LANE WILTON VILLAGE REDCAR TS10 4QY	5 DAY NOTICE FOR REMOVAL OF BRANCH FROM 1 OAK TREE	27/09/2022	NO FURTHER ACTION
R/2022/0730/TC	WILTON GOLF CLUB WILTON CASTLE LANE WILTON VILLAGE REDCAR TS10 4QY	5 DAY NOTICE FOR REMOVAL OF 1 HAZARDOUS BRANCH FROM CHESTNUT TREE OVERHANGING THE PUBLIC WALKWAY	27/09/2022	NO FURTHER ACTION
R/2022/0690/RT	11 NEWLANDS ROAD SKELTON GREEN TS12 2DP	DEMOLITION OF EXISTING CONSERVATORY; ERECTION OF SINGLE STOREY REAR EXTENSION (PART RETROSPECTIVE)	27/09/2022	GRANT PLANNING PERMISSION
R/2022/0671/FF	16 GROSVENOR PLACE GUISBOROUGH TS14 6PD	FRONT PORCH; TWO STORY EXTENSION AT SIDE INCLUDING SINGLE STOREY EXTENSION AT REAR AND ADDITIONAL DRIVEWAY	27/09/2022	GRANT PLANNING PERMISSION

R/2022/0628/FF	1-3 ENFIELD SHOPPING CENTRE ENFIELD CHASE GUISBOROUGH TS14 7LJ	ALTERATIONS TO FRONT AND REAR ELEVATIONS TO CREATE 2 SEPARATE UNITS; CHANGE OF USE OF RESTAURANT / TAKEAWAY TO HOT FOOD TAKEAWAY ONLY AND NEW UNIT AS MICRO PUB/BAR	27/09/2022	GRANT PLANNING PERMISSION
R/2022/0551/TC	71 BELMANGATE GUISBOROUGH TS14 7BB	5 DAY NOTICE - REMOVAL OF DEAD BIRCH TREE	27/09/2022	NO FURTHER ACTION
R/2022/0045/TC	THE LODGE KINDLEWOOD GARDENS GUISBOROUGH TS14 6GT	FELL A SYCAMORE TREE	27/09/2022	NO FURTHER ACTION
R/2021/0184/CD	WESTFIELD BARN THE GREEN DORMANSTOWN TS10 5NA	DISCHARGE OF CONDITIONS 6; 7; 8; 9; 10 & 13 OF PLANNING PERMISSION R/2020/0100/FFM FOR DEMOLITION OF VACANT AGRICULTURAL BUILDINGS AND REPLACE WITH 3 BLOCKS OF TWO STOREY MODULAR BUILDINGS COMPRISING 20 RESIDENTIAL UNITS, OFFICE AND ENERGY CENTRE INCLUDING ASSOCIATED CAR PARKING, BOUNDARY FENCING AND GATES AND COMMUNAL LANDSCAPING	27/09/2022	CONDITION DISCHARGE GRANTED
R/2022/0702/FF	29 CHAPEL CLOSE MARSKE BY THE SEA REDCAR TS11 6DE	SINGLE STOREY REAR EXTENSION; ALTERATIONS TO EXISTING GARAGE TO REDUCE OVERALL LENGTH	28/09/2022	GRANT PLANNING PERMISSION
R/2022/0693/TC	TICKHILL FARM MOORSHOLM LANE LIVERTON TS13 4TG	FELLING OF A SYCAMORE TREE	28/09/2022	NO OBJECTIONS
R/2022/0691/TC	LOFTUS MILL LIVERTON ROAD LOFTUS TS13 4PY	FELL GROUP 1 AND GROUP 2 ASH TREES (ASH DIEBACK); FELL POPLAR (T1) RECENT LIMB FAILURE DEMONSTRATED HEART ROT AT A SIGNIFICANT HEIGHT; PRUNE BEECH TO RECTIFY DAMAGED CROWN (T2)	28/09/2022	NO OBJECTIONS
R/2022/0672/VC	LAND WEST OF GALLEY HILL ESTATE GUISBOROUGH	VARIATION OF CONDITION 1 OF PLANNING PERMISSION R/2013/0830/RMM TO AMEND THE SURFACE TREATMENT FROM RED CHARCOAL MULTI TO BURNT OCHRE BLOCK PAVING	28/09/2022	GRANT PLANNING PERMISSION
R/2022/0647/TR	THRUSHWOOD FARM LONGBECK LANE NEW MARSKE	WOODLAND MANAGEMENT SCHEME INCLUDING FELLING OF MAXIMUM OF 10 OAK TREES WITHIN L/TPO/15 ADJACENT TO REDCAR ROAD DUNSDALE	28/09/2022	GRANT CONSENT FOR TREE WORKS

	REDCAR TS11 8HD			
R/2022/0772/NM	CLEVELAND GATE LAND WEST OF SPRINGWOOD ROAD GUISBOROUGH	NON MATERIAL AMENDMENT TO PLANNING PERMISSION R/2021/0792/FFM TO REPLACE 24NO WALK-IN BALCONIES WITH 24NO JULIETTE BALCONIES TO APARTMENT NOS: 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 35, 49, 50, 51, 52, 53, 54, 55, 57, 58, 59, 60 & 62.; REPLACE THROUGH COLOUR RENDER WITH CONTRASTING BRICK.	29/09/2022	NON MATERIAL AMENDMENT APPROVE
R/2022/0760/NM	FORMER EAST CLEVELAND HOUSING OFFICE AND GARAGE SITE WOODHOUSE ROAD GUISBOROUGH TS14 6LH	NON-MATERIAL AMENDMENT TO PLANNING PERMISSION R/2019/0517/FF TO SUBSTITUTE DRAWINGS UNDER CONDITION 2	29/09/2022	NON MATERIAL AMENDMENT APPROVE
R/2022/0750/DCO	THE EAST YORKSHIRE SOLAR FARM PROJECT	APPLICATION FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR EIA SCOPING CONSULTATION AND NOTIFICATION OF APPLICANT CONTACT DETAILS AND DUTY TO MAKE AVAILABLE INFORMATION TO THE APPLICANT IF REQUESTED (REFERENCE NO. EN010143)	29/09/2022	RESPONSE SENT
R/2022/0646/FF	94 LIMES CRESCENT MARSKE BY THE SEA REDCAR TS11 7BU	SINGLE STOREY EXTENSION AT REAR AND FIRST FLOOR EXTENSION AT SIDE	29/09/2022	GRANT PLANNING PERMISSION
R/2022/0519/FF	69 LORD STREET REDCAR TS10 3HR	CONVERSION OF DWELLINGHOUSE TO 2 ONE BEDROOMED FLATS INCLUDING SINGLE STOREY EXTENSION AT REAR (PART RETROSPECTIVE)	29/09/2022	GRANT PLANNING PERMISSION
R/2022/0749/CD	IVY BROOK COTTAGE LIVERTON ROAD LIVERTON TS13 4TB	DISCHARGE OF CONDITIONS 4; 5 & 6 (FLUE) OF LISTED BUILDING CONSENT R/2022/0333/LB FOR INSTALLATION OF EXTERNAL FLUE ON EASTERN ELEVATION, NEW CONSERVATION STYLE ROOFLIGHTS TO NORTHERN AND SOUTHERN ROOF SLOPES, NEW OPENING IN NORTHERN ELEVATION AND ALTERATIONS TO 3 EXISTING OPENINGS IN NORTHERN AND SOUTHERN ELEVATIONS AND REPLACE ALL EXISTING WINDOWS WITH NEW TIMBER DOUBLE GLAZED UNITS TO MATCH EXISTING	30/09/2022	CONDITION DISCHARGE GRANTED
R/2022/0658/FF	11 BRAMBLE DYKES REDCAR TS10 2SZ	FRONT PORCH WITH CANOPY	03/10/2022	GRANT PLANNING PERMISSION
R/2022/0651/FF	128 TORCROSS WAY REDCAR TS10 2SH	SINGLE STOREY EXTENSION TO REAR INCLUDING LOG BURNING FLUE	03/10/2022	GRANT PLANNING PERMISSION

R/2022/0397/CA	YEARBY FARM YEARBY ROAD YEARBY REDCAR TS11 8HF	CHANGE OF USE AND CONVERSION OF STABLES / STORES TO FORM 2 NO. DWELLINGS WITH GARDENS AND PARKING	03/10/2022	GRANT PLANNING PERMISSION
R/2022/0723/CD	LAND SOUTH OF REDCAR ROAD NORTH OF 21-77 SOUTH TERRACE SOUTH BANK	PARTIAL DISCHARGE OF CONDITION 5B (CONTAMINATED LAND) PLOTS 1-8 OF PLANNING PERMISSION R/2020/0489/FFM FOR RESIDENTIAL DEVELOPMENT OF 28 DWELLINGS COMPRISING 25 BUNGALOWS AND 3 1.5 STOREY HOUSES WITH ASSOCIATED HIGHWAY WORKS; NEW VEHICULAR AND PEDESTRIAN ACCESSES AND LANDSCAPING.	04/10/2022	CONDITION DISCHARGE GRANTED
R/2022/0711/FF	35 CLEVELAND CLOSE ORMESBY MIDDLESBROUGH TS7 9BX	DEMOLITION OF CONSERVATORY; REPLACE WITH SINGLE STOREY REAR EXTENSION	04/10/2022	GRANT PLANNING PERMISSION
R/2022/0696/CA	4 & 38 ZETLAND MEWS SALTBURN TS12 1DF	REPLACEMENT OF 2 DOORS SETS	04/10/2022	GRANT PLANNING PERMISSION
R/2022/0660/CA	21 CORAL STREET SALTBURN BY THE SEA TS12 1DB	INSTALLATION OF INWARD FOLDING TIMBER BIFOLD GATES IN LIEU OF EXISTING GATES AND WALL TO ALLOW PARKING PROVISION UNDER A COVERED LEAN-TO CANOPY AND INSTALLATION OF ALUMINIUM BIFOLD DOORS IN LIEU OF EXISTING GROUND FLOOR WINDOWS	04/10/2022	GRANT PLANNING PERMISSION
R/2022/0652/FF	CLEVELAND GATE CAR PARK SOUTH BUCK WAY GUISBOROUGH	DETACHED SINGLE STOREY BUILDING FOR USE AS TAKEAWAY INCLUDING EXTERNAL PEDESTRIAN AREA AND RAILINGS; MODIFICATIONS TO EXISTING CAR PARK TO PROVIDE 4 ADDITIONAL CAR PARKING SPACES	04/10/2022	GRANT PLANNING PERMISSION
R/2022/0639/FF	LAND NORTH EAST OF ROUNDAABOUT JUNCTION OFF TRUNK ROAD/A1085 AND NORTH LOOP ROAD AND CHURCH LANE GRANGETOWN	ERECTION OF TWO SINGLE STOREY BUILDINGS, ONE FOR MIXED RETAIL AND RESTAURANT USE (CLASS E) AND THE OTHER FOR MIXED RESTAURANT AND HOT FOOD TAKEAWAY USE (SUI GENERIS), INCORPORATING 'DRIVE-THRU' LANES FOR BOTH BUILDINGS, ASSOCIATED VEHICULAR AND PEDESTRIAN ACCESS, CAR/CYCLE PARKING AND LANDSCAPING	04/10/2022	GRANT PLANNING PERMISSION
R/2022/0512/CA	11 THE AVENUE BROTTON SALTBURN BY THE SEA TS12 2PS	DEMOLITION OF EXISTING KITCHEN AND CONSERVATORY REPLACE WITH SINGLE STOREY REAR EXTENSION	04/10/2022	GRANT PLANNING PERMISSION
R/2022/0782/PN	UNIT 9 MARGROVE PARK BOOSBECK TS12 3BZ	28 DAY NOTICE - INSTALLATION OF FIXED LINE BROADBAND ELECTRONIC COMMUNICATIONS APPARATUS - 2 X 9M WOODEN POLES (7.2M ABOVE GROUND) REF: BLQ106NE	05/10/2022	PN Permission Not Required

R/2022/0765/NM	UNIT K CLEVELAND RETAIL PARK TRUNK ROAD SOUTH BANK MIDDLESBROUGH TS6 6UX	NON-MATERIAL AMENDMENT OF PLANNING PERMISSION R/2007/0836/FFM TO AMEND THE WORDING OF CONDITION 6 TO CONFIRM THAT UNIT K IS PERMITTED TO SELL UNRESTRICTED NON-FOOD GOODS (SAVE FOR 38SM WHICH IS PERMITTED FOR THE SALE OF ANCILLARY FOOD AND DRINK)	05/10/2022	NON MATERIAL AMENDMENT APPROVE
R/2022/0727/TC	THE LODGE VICTORIA ROAD SALTBURN BY THE SEA TS12 1JD	FELLING OF 1 LEYLANDI TREE	05/10/2022	NO OBJECTIONS
R/2022/0724/TC	GLENCOYNE BELMANGATE GUISBOROUGH TS14 7BB	REMOVAL OF DEAD CONIFER TREE (T1)	05/10/2022	NO OBJECTIONS
R/2022/0685/TR	9 RYEDALE GUISBOROUGH TS14 8JE	CROWN REDUCTION BY 3M TO 1 TURKEY OAK TREE	05/10/2022	GRANT CONSENT FOR TREE WORKS
R/2022/0684/TR	8 KEW RISE NORMANBY MIDDLESBROUGH TS6 0SA	REMOVAL OF BRANCHES TO ASH TREE AND OAK TREE	05/10/2022	GRANT CONSENT FOR TREE WORKS
R/2022/0653/FF	1 CAMPION DRIVE GUISBOROUGH TS14 8DW	PROPOSED CARPORT TO SIDE; SINGLE STOREY DETACHED SUMMERHOUSE TO REAR INCLUDING FLUE	05/10/2022	GRANT PLANNING PERMISSION
R/2022/0640/AD	LAND NORTH EAST OF ROUNDAABOUT JUNCTION OFF TRUNK ROAD/A1085 AND NORTH LOOP ROAD AND CHURCH LANE GRANGETOWN	DISPLAY OF VARIOUS ILLUMINATED AND NON-ILLUMINATED SIGNAGE BOTH FREESTANDING AND ELEVATIONAL SIGNAGE	05/10/2022	APPROVE ADVERT CONSENT
R/2022/0585/AD	THAMES ROAD CHINESE TAKEAWAY 72 THAMES ROAD REDCAR TS10 1PP	RETENTION OF ILLUMINATED FASCIA SIGN	05/10/2022	APPROVE ADVERT CONSENT
R/2022/0467/CD	LAND AT MIDDLESBROUGH ROAD SOUTH BANK	DISCHARGE OF CONDITIONS 8 (DRAINAGE MAINTENANCE), 10 (EXTRACTION) AND 11 (LIGHTING) OF PLANNING PERMISSION R/2021/0052/FF FOR ERECTION OF THREE DRIVE-THRU RESTAURANTS (CLASS E AND SUI GENERIS) WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING.	05/10/2022	CONDITION DISCHARGE GRANTED

R/2022/0752/FF	8 THE FORGE BROTTON TS12 2QH	SINGLE STOREY EXTENSION AT REAR	06/10/2022	GRANT PLANNING PERMISSION
R/2022/0654/FF	25 CRICKET LANE NORMANBY MIDDLESBROUGH TS6 0HJ	DEMOLITION OF EXISTING OFFSHOOT REPLACE WITH SINGLE STOREY REAR EXTENSION WITH EXTERNAL FLUE AND ALTERATIONS TO FENESTRATION AT SIDE	06/10/2022	GRANT PLANNING PERMISSION
R/2022/0517/CA	MOORSHOLM METHODIST CHURCH GUISBOROUGH ROAD MOORSHOLM TS12 3JA	CHANGE OF USE AND CONVERSION OF VACANT CHURCH TO FORM DWELLINGHOUSE INCLUDING REMOVAL OF ROOF TO REAR VESTRY TO FORM FIRST FLOOR GARDEN ROOM WITH HOT TUB ENCLOSED WITH STEPPED WALL/GLAZED BALUSTRADE AND NEW VEHICULAR AND PEDESTRIAN ACCESSES	07/10/2022	GRANT PLANNING PERMISSION
R/2022/0027/FF	5 COATHAM ROAD REDCAR TS10 1RH	CHANGE OF USE AND CONVERSION FROM GROUND FLOOR RETAIL (CLASS E) AND FIRST AND SECOND FLOOR FLATS TO 9 BED HOUSE IN MULTIPLE OCCUPATION (HMO) (CLASS SUI GENERIS) WORKS TO INCLUDE INTERNAL AND EXTERNAL ALTERATIONS; NEW SIDE ACCESS DOOR AND WINDOWS TO FRONT ELEVATION AND REAR ELEVATION TO INCLUDE ALTERATION TO ACCESS DOOR AT SIDE	07/10/2022	GRANT PLANNING PERMISSION
R/2022/0712/FF	16 BIRCHWOOD GROVE TEESVILLE TS6 0GE	SINGLE STOREY SIDE EXTENSION	11/10/2022	GRANT PLANNING PERMISSION
R/2022/0609/CA	SANDY NOOK HIGH STREET MARSKE BY THE SEA REDCAR TS11 7LT	FIRST FLOOR REAR EXTENSION WITH BALCONY, PITCH TO GABLE ROOF EXTENSION INCLUDING 6 VELUX WINDOWS, WITH RENDER AND CLADDING TO ALL ELEVATIONS	11/10/2022	GRANT PLANNING PERMISSION
R/2022/0168/FF	39 WARWICK ROAD REDCAR TS10 2HB	RAISE ROOF HEIGHT AND DORMER EXTENSIONS TO CREATE FIRST FLOOR STORAGE INCLUDING REAR EXTENSION. PROPOSED SINGLE STOREY REAR EXTENSION.	11/10/2022	GRANT PLANNING PERMISSION
R/2022/0804/LAC	DOGGER BANK OFFSHORE WINDFARM TRUNK ROAD A19 HARTLEPOOL	DOGGER BANK TEESIDE A AND B OFFSHORE WIND FARM ORDER 2015 (AS AMENDED) (THE 'DCO') REQUIREMENT 34 (1) & (2) PORT ACCESS AND TRANSPORT PLAN FOR STAGE 1 ONSHORE WORKS (LANDFALL HDD) IN RELATION TO DOGGER BANK C WIND FARM FORMERLY TEESIDE A OFFSHORE WIND FARM) ('PROJECT A')	12/10/2022	No Comments
R/2022/0768/PND	TEES R E P BIOMASS POWER STATION TEES DOCK ROAD GRANGETOWN	PRIOR NOTIFICATION FOR DEMOLITION OF A SILO	12/10/2022	PN Permission Not Required

R/2022/0659/CD	PICKERINGS PLANT LTD JOHN BOYLE ROAD SOUTH BANK MIDDLESBROUGH TS6 6TY	DISCHARGE OF CONDITIONS 3 (SURFACE WATER DRAINAGE SCHEME); 5 (REMEDIATION SCHEME) & 6 (IMPLEMENTATION OF REMEDIATION SCHEME) OF PLANNING PERMISSION R/2022/0243/FF FOR DETACHED STORAGE FACILITY BUILDING; DETACHED MODULAR OFFICE BUILDING WITH ASSOCIATED CAR PARKING AND CONCRETE LOADING PAD (PART RETROSPECTIVE)	12/10/2022	CONDITION DISCHARGE GRANTED
R/2022/0655/FF	8 GREENSIDE NORMANBY MIDDLESBROUGH TS6 0SN	DEMOLITION OF EXISTING CONSERVATORY REPLACE WITH SINGLE STOREY REAR EXTENSION WITH REPLACEMENT SMALLER REAR KITCHEN WINDOW	12/10/2022	GRANT PLANNING PERMISSION
R/2022/0514/LB	4 WARRIOR TERRACE WINDSOR ROAD SALTBURN BY THE SEA TS12 1AN	LISTED BUILDING CONSENT FOR SINGLE STOREY REAR EXTENSION, INTERNAL AND EXTERNAL ALTERATIONS INCLUDING REPLACEMENT TIMBER SLIDING SASH WINDOWS	12/10/2022	GRANT LISTED BUILDING CONSENT
R/2022/0513/CA	4 WARRIOR TERRACE WINDSOR ROAD SALTBURN BY THE SEA TS12 1AN	SINGLE STOREY REAR EXTENSION, INTERNAL AND EXTERNAL ALTERATIONS INCLUDING REPLACEMENT TIMBER SLIDING SASH WINDOW	12/10/2022	GRANT PLANNING PERMISSION
R/2022/0737/FF	11 KILDALE GROVE REDCAR TS10 5DL	DEMOLITION OF REAR EXTENSIONS/OUTBUILDINGS: REPLACE WITH TWO STOREY SIDE AND SINGLE STOREY REAR WRAP AROUND EXTENSION AND RENDER TO ALL ELEVATIONS	13/10/2022	GRANT PLANNING PERMISSION
R/2022/0664/FF	THE GREEN INN 8 BOOSBECK ROAD SKELTON GREEN TS12 2DD	CHANGE OF USE FROM VACANT PUBLIC HOUSE WITH LIVING ACCOMMODATION ABOVE TO CAFE/MICRO BAR AT GROUND FLOOR AND 3 SELF CONTAINED APARTMENTS AT FIRST FLOOR	13/10/2022	GRANT PLANNING PERMISSION
R/2022/0662/FF	41 CRESTWOOD REDCAR TS10 4NN	CHANGE OF USE OF AMENITY LAND TO GARDEN CURTILAGE WITH BOUNDARY FENCE	13/10/2022	GRANT PLANNING PERMISSION
R/2022/0673/FF	54 BARNES WALLIS WAY MARSKE BY THE SEA REDCAR TS11 6NA	TWO STOREY EXTENSION INCLUDING NEW ACCESS DOOR AT SIDE	14/10/2022	GRANT PLANNING PERMISSION
R/2022/0790/PND	PROCOM BUILDING WILTON INTERNATIONAL SITE MIDDLESBROUGH TS10 4RG	PRIOR NOTIFICATION FOR DEMOLITION OF REDUNDANT PROCOM BUILDING	17/10/2022	PN Permission Not Required
R/2022/0755/CD	FORMER REDCAR STEELWORKS (TEESWORKS)	DISCHARGE OF CONDITIONS 3 (CEMP) & 6 (LAND CONTAMINATION) OF PLANNING PERMISSION R/2021/1048/FFM FOR ENGINEERING OPERATIONS	17/10/2022	CONDITION DISCHARGE GRANTED

	LAND TO WEST OF WARRENBY REDCAR	ASSOCIATED WITH GROUND REMEDIATION AND PREPARATION OF THE SITE		
R/2022/0731/CD	LAND AT PRIARIE SITE NORTH OF BOLCKOW ROAD INDUSTRIAL ESTATE ACCESS FROM ESTON ROAD GRANGETOWN	DISCHARGE OF CONDITION 3 OF PLANNING PERMISSION R/2021/0879/FF (AS AMENDED BY R/2022/0048/NM) FOR ERECTION OF A TRAINING FACILITY WITH ASSOCIATED LANDSCAPING AND PARKING AREAS	17/10/2022	CONDITION DISCHARGE GRANTED
R/2022/0701/FF	6 HIGH STREET REDCAR TS10 3DU	ALTERATIONS TO SHOP FRONT TO CREATE ADDITIONAL FIRE ESCAPE DOOR	17/10/2022	GRANT PLANNING PERMISSION
R/2022/0669/AD	WM MORRISON SUPERMARKETS PLC LORD STREET REDCAR TS10 3ER	DISPLAY OF 1 INTERNALLY ILLUMINATED DOUBLE-SIDED TOTEM SIGN	17/10/2022	APPROVE ADVERT CONSENT
R/2022/0742/TC	SALTBURN LIBRARY WINDSOR ROAD SALTBURN BY THE SEA TS12 1AT	FELLING OF 1 WILLOW TREE	18/10/2022	NO OBJECTIONS
R/2022/0733/FF	51 KIRKLEATHAM AVENUE MARSKE BY THE SEA REDCAR TS11 7EN	SINGLE STOREY GARAGE/EXTENSION AT SIDE/REAR	18/10/2022	GRANT PLANNING PERMISSION
R/2022/0716/FF	DERMALOGICA TREATMENTS 19 REDCAR ROAD MARSKE BY THE SEA REDCAR TS11 6BS	SINGLE STOREY EXTENSION AT REAR TO FORM TREATMENT ROOM	18/10/2022	GRANT PLANNING PERMISSION
R/2022/0698/FF	5 FOLLAND DRIVE MARSKE BY THE SEA REDCAR TS11 6NJ	FIRST FLOOR SIDE EXTENSION	18/10/2022	GRANT PLANNING PERMISSION
R/2021/1014/CA	2 EXETER STREET SALTBURN BY THE SEA TS12 1BN	SINGLE STOREY SIDE AND REAR EXTENSIONS TO PROVIDE GARAGE WITH VEHICULAR ACCESS; EXTENDED KITCHEN/UTILITY; ROOF TERRACE ABOVE INCORPORATING GREEN SCREEN AND GLASS BALUSTRADE; SPIRAL STAIRCASE; DECKING AND TIMBER SLATTED SCREEN FENCE ABOVE THE EXISTING	18/10/2022	GRANT PLANNING PERMISSION

		WALL; WITH REPLACEMENT WINDOWS AND BI FOLD DOORS.		
R/2022/0806/NM	9 SHIPHAM CLOSE REDCAR TS10 2RT	NON-MATERIAL AMENDMENT OF PLANNING PERMISSION R/2019/0731/FF TO RETAIN EXISTING GARAGE DOOR AND REPLACE GARDEN STORE DOOR WITH LOUNGE WINDOW ON FRONT ELEVATION	19/10/2022	NON MATERIAL AMENDMENT APPROVE
R/2022/0740/FF	179 CASTLE ROAD REDCAR TS10 2LZ	DEMOLITION OF SIDE EXTENSION; REPLACE WITH SINGLE STOREY SIDE AND REAR EXTENSION	19/10/2022	GRANT PLANNING PERMISSION
R/2022/0708/FF	11 TALISKER GARDENS REDCAR TS10 2TG	SINGLE STOREY REAR EXTENSION	19/10/2022	GRANT PLANNING PERMISSION
R/2022/0687/FF	53 BROCKLESBY ROAD GUISBOROUGH TS14 7PX	CONVERSION OF GARAGE TO HABITABLE ROOM WITH WINDOW IN LIEU OF GARAGE DOOR AND FIRST FLOOR EXTENSION ABOVE	19/10/2022	GRANT PLANNING PERMISSION
R/2022/0686/CA	CORAL 5-6 ZETLAND ROAD LOFTUS TS13 4PP	REPLACING EXISTING SLATE ROOF COVERING WITH GREY TILES	19/10/2022	GRANT PLANNING PERMISSION
R/2022/0789/TC	72 HIGH STREET BROTTON SALTBURN BY THE SEA TS12 2PX	FELL ASH TREE	20/10/2022	NO OBJECTIONS
R/2022/0720/FF	UPSALL LODGE MIDDLESBROUGH ROAD NUNTHORPE MIDDLESBROUGH TS7 0LD	CHANGE OF USE AND CONVERSION OF 3 APARTMENTS INTO 1 DWELLINGHOUSE	20/10/2022	GRANT PLANNING PERMISSION
R/2022/0714/TR	8 COACH HOUSE MEWS NORMANBY TS6 0HE	TPO34(T11) OAK, CROWN LIFTING OF SEVEN LOWEST BRANCHES; TPO34(T12) SYCAMORE, CROWN LIFTING OF FIVE LOWEST BRANCHES, CROWN THINNING BY 30%, CROWN REDUCTION BY 20%; TPO 34 AREA 1: (TREE A) SYCAMORE, RAISE CROWN BY REMOVAL OF FOUR LOWEST BRANCHES, EXCESSIVE SHADING; (TREE B) SYCAMORE RAISE CROWN BY REMOVAL OF 8 BRANCHES, CROWN THINNING BY 30%, EXCESSIVE SHADING; (TREE C) SYCAMORE, RAISE CROWN BY REMOVAL OF 7 BRANCHES. EXCESSIVE SHADING; (TREE D) LIME, RAISE CROWN TO HEIGHT OF APPROXIMATELY SIX METRES AND SHAPE LOWER SHOOTS/GROWTH	20/10/2022	GRANT CONSENT FOR TREE WORKS

R/2022/0676/FF	CLEVELAND GOLF CLUB MAJUBA ROAD REDCAR TS10 5BJ	EXTENSION TO CAR PARK (ADDITION OF 43 SPACES)	20/10/2022	GRANT PLANNING PERMISSION
R/2022/0516/FF	FORMER LIBRARY SITE HIGH STREET BROTTON TS12 2PE	PROPOSED 3 TERRACED DWELLINGS WITH ASSOCIATED PARKING AND PRIVATE ACCESS ROAD OFF CHILD STREET	21/10/2022	GRANT PLANNING PERMISSION
R/2022/0455/FF	10 ST IVES CLOSE REDCAR TS10 2RP	DEMOLITION OF EXISTING REAR CONSERVATORY; PROPOSED FIRST FLOOR SIDE EXTENSION INCLUDING PORCH TO FRONT; SINGLE STOREY REAR EXTENSION	21/10/2022	REFUSE PLANNING PERMISSION
R/2022/0440/FF	AAA HOUSE THE DRIVE MARSKE BY THE SEA REDCAR TS11 6HB	SUB-DIVISION OF EXISTING BUILDING INTO TWO SEPARATE UNITS WITH EXTERNAL ALTERATIONS	21/10/2022	GRANT PLANNING PERMISSION
R/2022/0707/FF	55 INGS ROAD REDCAR TS10 2DD	SINGLE STOREY REAR EXTENSION WITH PART BRICK / PART RENDER FINISH (PART RETROSPECTIVE)	24/10/2022	GRANT PLANNING PERMISSION
R/2022/0637/RS	REAR OF 125 HIGH STREET AND ST MARKS CLOSE MARSKE BY THE SEA REDCAR TS11 6JX	DEMOLITION OF EXISTING GARAGE BUILDINGS AND REPLACE WITH DETACHED TWO STOREY BUILDING COMPRISING OF 2 ONE BEDROOMED APARTMENTS AND 2 TWO BEDROOMED APARTMENTS WITH JULIETTE BALCONIES AT FRONT AND ASSOCIATED CAR PARKING (RESUBMISSION)	24/10/2022	GRANT PLANNING PERMISSION
R/2022/0471/CA	WAYFARERS 11 VICTORIA ROAD SALTBURN TS12 1JD	FRONT & REAR DORMERS INCLUDING RAISING THE HEIGHT OF THE RIDGE; REPLACE EXISTING FRONT PORCH WITH TWO STOREY FRONT EXTENSION.	24/10/2022	GRANT PLANNING PERMISSION
R/2022/0713/FF	2 NEVILLE GROVE GUISBOROUGH TS14 8BZ	DEMOLITION OF EXISTING CONSERVATORY INCLUDING ALTERATIONS TO EXISTING GARAGE; CONSTRUCTION OF SINGLE STOREY REAR EXTENSION	25/10/2022	GRANT PLANNING PERMISSION
R/2022/0850/LAC	HIGHWAY AT WENTWORTH COURT ESTON TS6 9ED	TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 247 DRAFT ORDER: NE/5121 PROPOSED STOPPING UP OF HIGHWAY REFERENCE NO. NATTRAN/NE/S247/5121 E:459379, N:518460	26/10/2022	No Comment
R/2022/0798/TC	44A MARSKE MILL LANE SALTBURN TS12 1HR	FELLING OF 4 PINE TREES (GROUP 1); CANOPY REDUCTION AND REMOVAL OF DEADWOOD OF 1 OAK TREE (T1); CANOPY REDUCTION AND REMOVAL OF LOWEST LIMB OF 1 WALNUT TREE (T2 AND; DEADWOOD 1 PINE TREE (T3)	27/10/2022	NO OBJECTIONS

R/2022/0771/CD	LAND TO REAR (WEST) OF THE GLOBE 81 NORTHGATE GUISBOROUGH TS14 6JP	DISCHARGE OF CONDITIONS 3 (MATERIALS) & 5 (CEMP) ON PLANNING APPROVAL R/2020/0824/FF FOR ERECTION OF 4 NO. 2 STOREY 2 BEDROOMED DWELLINGS.	27/10/2022	CONDITION DISCHARGE GRANTED
R/2022/0769/FF	90 REDCAR LANE REDCAR TS10 2JL	SINGLE STOREY EXTENSION TO REAR AND SIDE	27/10/2022	GRANT PLANNING PERMISSION
R/2022/0743/VC	PLOT 2 LAND NORTH OF PRIMROSE COTTAGE MILL LANE SKINNINGROVE TS13 4AQ	VARIATION OF CONDITION 1 (APPROVED PLANS) OF RESERVED MATTERS APPLICATION R/2020/0320/RM TO AMEND THE DESIGN OF PLOT 2	27/10/2022	GRANT PLANNING PERMISSION
R/2022/0748/FF	133 WESTMINSTER CLOSE ESTON MIDDLESBROUGH TS6 9NR	DEMOLITION OF EXISTING SINGLE STOREY SIDE REPLACE WITH SINGLE STOREY SIDE / REAR EXTENSION WITH NEW DOOR IN SIDE ELEVATION	28/10/2022	GRANT PLANNING PERMISSION
R/2022/0741/TC	1 GRANGE COURT BROTTON TS12 2ZU	FELL AND REMOVE 3 SYCAMORE TREES (17 TO 19 ON SKETCH PLAN)	28/10/2022	WITHDRAWN
R/2022/0738/CA	HSBC 12 WESTGATE GUISBOROUGH TS14 6BE	REPLACEMENT OF EXISTING ATM WITH NEW ATM	28/10/2022	GRANT PLANNING PERMISSION
R/2022/0692/FF	UNIT 7 HILLSIDE VILLAS RYANS ROW MARSKE BY THE SEA TS11 6HB	CHANGE OF USE FROM B2 & B8 TO DOG TRAINING/DAY CARE AND GROOMING FACILITY (SUI GENERIS) INCLUDING BOUNDARY FENCE	28/10/2022	WITHDRAWN
R/2022/0632/FF	27 SIMONSIDE WALK ORMESBY MIDDLESBROUGH TS7 9JN	DEMOLITION OF EXISTING STORE; SINGLE STOREY EXTENSION TO REAR	28/10/2022	GRANT PLANNING PERMISSION
R/2022/0627/CA	WEST LODGE LADGATE LANE ORMESBY MIDDLESBROUGH TS3 0SR	DEMOLITION OF THE 1990'S EXTENSION TO THE ORIGINAL HISTORIC GATEHOUSE, WORKS TO INCLUDE CONSOLIDATION AND RESTORATION OF THE HISTORIC FABRIC OF THE GATEHOUSE AND USE OF LODGE AS STORAGE FACILITY	28/10/2022	GRANT PLANNING PERMISSION

R/2022/0625/LB	WEST LODGE LADGATE LANE ORMESBY MIDDLESBROUGH TS3 0SR	LISTED BUILDING CONSENT FOR THE DEMOLITION OF THE 1990S EXTENSION TO THE ORIGINAL HISTORIC GATEHOUSE, WORKS TO INCLUDE CONSOLIDATION AND RESTORATION OF THE HISTORIC FABRIC OF THE GATEHOUSE	28/10/2022	GRANT LISTED BUILDING CONSENT
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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	Dismissed	09/09/2022
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		
R/2022/0537/FF	35 Kettleiness Avenue, Redcar	First floor extension at side/rear	Refused	07/09/2022	11/10/2022	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	To commence prosecution proceedings for none compliance of Notice.
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.	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.	The site has been visited on several occasions over the past year and the site remains quite and empty with no horses on the site. To close this case and reopen if required.

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.	Court on 29 th November 2022.

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

Redcar and Cleveland Borough Council

APPLICATIONS FOR DEEMED CONSENT

10/11/2022

Application Number: R/2022/0656/F3

Proposal: SITING OF 9 ADAPTED SHIPPING CONTAINERS (SINGLE STOREY AND TWO STOREY) FOR USE AS A WATERSPORTS ACTIVITY CENTRE, TOILETS AND SHOWERING FACILITIES; CREATION OF A LANDSCAPED PLAZA AND RECONFIGURED PARKING FACILITIES

Location: CAR PARK, LAND NORTH OF MAJUBA ROAD, REDCAR

SEE ATTACHED REPORT

Application Number: R/2022/0556/F3

Proposal: DEMOLITION OF EXISTING BUILDING FOR PROPOSED FUTURE REGENERATION WORKS

Location: LOFTUS LIBRARY, HALL GROUNDS, LOFTUS

GRANT DEEMED CONSENT

Application Number: R/2022/0704/F3

Proposal: SITING OF A TWO STOREY CONTAINER FOR OFFICE AND WELFARE USE WITH ADJACENT EXTENDED CCTV COLUMN

Location: WARRENBY WASTE TRANSFER DEPOT, TOD POINT ROAD WARRENBY

GRANT DEEMED CONSENT

Application Number: R/2022/0681/CA

Proposal: DEMOLITION OF DETACHED GARAGE AT REAR DUE TO ARSON

Location: THE PADDOCK, KIRKLEATHAM LANE, KIRKLEATHAM

GRANT DEEMED CONSENT

Development Management performance report

AGENDA ITEM 16

Ministry for Housing and Local Government National reporting figures	Threshold for designation	2022/2023 Q2	2022/2023 Q1	2021/2022 Q4	2021/2022 Q3	2021/2022 Q2	2021/2022 Q1	2020/2021 Q4	2020/2021 Q3
Quality of decisions: Major applications over the two year reporting period	10%	0%	0%	0%	0%	0%	0%	0%	0%
Quality of decisions: Minor applications over the two year reporting period	10%	0.41%	0.5%	0.45%	0.33%	0.30%	0.70%	0.58%	0.55%
Speed of decisions: Major applications over the two year reporting period	60%	93.5%	93.1%	92.45%	95.74%	97.67%	100%	100%	100%
Speed of decisions: Minor applications over the two year reporting period	70%	91.9%	92.03%	89.17%	91.08%	90.84%	92.09%	93.52%	94.8%

Redcar and Cleveland local reporting figures

	2022 / 2023 Q2	2022 / 2023 Q1	2021/ 2022 performance	2021/ 2022 Q4	2021/ 2022 Q3	2021/ 2022 Q2	2020/ 2021 performance	2019/ 2020 performance	2018/ 2019 performance
Determine planning applications within statutory periods (or subject to agreement): Major applications	100% (9/9)	100% (7/7)	86.67% (26/30)	80% (8/10)	90% (9/10)	83.33% (5/6)	100% (23/23)	100% (22/22)	100% (15/15)
Determine planning applications within statutory periods (or subject to agreement): Minor applications	89.74% (35/39)	86.1% (31/36)	86.13% (118/137)	94.12% (32/34)	80% (28/35)	85.71% (30/35)	95.83% (115/120)	90.98% (111/122)	96.03% (121/126)
Determine planning applications within statutory periods (or subject to agreement): Others applications	95.24% (100/105)	93.44% (114/122)	89.06% (407/457)	88.42% (84/95)	80% (80/100)	86.96% (100/115)	95.40% (373/391)	89.89% (337/375)	97.67% (377/386)