

REGULATORY COMMITTEE

Thursday, 7 March 2024

REGULATORY COMMITTEE

A meeting of the Regulatory Committee was held on Thursday, 7 March 2024 at the Civic Centre, Ridley Street, Redcar, TS10 1TD.

PRESENT Councillor T Learoyd (Chair)
Councillors R Clark, M Fletcher, T Gray
(substituting for Councillor Smith), M Head,
S Martin, M O'Donoghue, A Oliver,
C Quartermain, P Thomson and J Thompson.

OFFICIALS A Carter, E Dale, E Garbutt, C Griffiths, M
Lawton and R Meadows.

IN ATTENDANCE Councillor Hunt

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Neal, L Pallister and S Smith.

101 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

102 **TO CONFIRM THE MINUTES OF THE MEETING HELD ON 8
FEBRUARY 2024**

RESOLVED that the minutes of the meeting held on the 8 February be confirmed and signed by the Chair as a correct record.

103 **TO NOTE THE ATTENDANCE MATRIX FROM THE LAST MEETING**

RESOLVED that the attendance matrix be noted.

Thursday, 7 March 2024

104 **R/2024/0039/FF CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOTEL (USE CLASS C1) PROVIDING 12 ROOMS ASSOCIATED WITH THE PARK HOTEL; DEMOLITION OF EXISTING GARAGE TO CREATE ADDITIONAL PARKING 6 GRANVILLE TERRACE REDCAR**

The officer summarised the officer report which had been pre-circulated.

Members sought clarification around the following matters;

- Would the frosted window to provide privacy be a condition of any permission?
- This application was based on the previous application with a condition regarding the window and the garage being removed to provide parking spaces.

The objectors present at the meeting made the following comments;

- The application was inaccurate as it still referred to the property being 8 bed whereas it was only ever a 5 bed property and the attic rooms could not be used as 4 bedrooms;
- The drainage system was over a 100 years old and at the Claxton Hotel which was close by the drains had collapsed;
- The report referred to the fact that no work had started, this was inaccurate the chimney breasts had been removed and windows replaced;
- The proposal was contrary to Policy ED12 as it would have an adverse effect on residential amenity and the locality.
- Granville Terrace was unique in Redcar;
- The Park Hotel was a 32 ensuite bed hotel with associated problems with parking and this proposal would increase the hotels capacity by 40%;
- Additional parking had been put in place but took no account if the hotel was full;
- 28 parking spaces were to be provided including 2 disabled spaces an increase of 4 spaces leaving a shortfall of 2 spaces;
- On street parking was restricted to permit holders however resident parking was limited between 8am-6pm Monday to Saturday and unavailable outside those hours;
- Would like to see the applicant confirm his true intentions having submitted an appeal against the previous refusal therefore actively seeking to revert to the previous application;
- The applicant intended tarmacking over the garden for a few additional spaces;
- The neighbours concerns had not been addressed;
- Adverse changes to the character of the building and a loss of

REGULATORY COMMITTEE

Thursday, 7 March 2024

- privacy;
- 12 rooms was an excessive use of the property;
- There would be noise disturbance and adjacent properties would be overlooked at close quarters;
- There would be adverse changes to privacy;
- There would be uninterrupted views of the garden by strangers;
- The proposed changes would alter the whole dynamic of the neighbourhood;
- High density useage;
- There were more objectors to the current application than there had been to the previous application;
- For the older generation there was the issue of safety and noise;
- It was not true to say that there had been no changes made to the exterior of the property and work continued;
- Knocking down the boundary wall and demolishing the garage were significant changes;
- This proposal would devalue our properties;
- This proposal would not be attached to the hotel as number 6 Granville Terrace was end of terrace therefore there would be a significant gap;
- This proposal would result in the loss of a family dwelling during a housing shortage;
- There was already an over concentration of hotels and bed and breakfast accommodation in the vicinity which were under used;
- Northumbrian Water never comment on planning applications;
- The existing parking was not suitable for large commercial vehicles;
- Sunday carvery at the hotel was chaotic;
- Was there a need for the proposal?

Members questioned the objectors on the following points;

- What changes were proposed externally which would change the façade?
- Had residents approached the Council to rectify the situation regarding the parking permits?
- How would it effect the privacy of adjacent properties?
- What was the purpose of the offshoot?
- Would this not be classed as a new hotel due to the gap between the two properties?

The agent was present at the meeting and made the following comments;

- Planning permission was refused previously and had worked hard to address the reasons it had been refused;

REGULATORY COMMITTEE

Thursday, 7 March 2024

- A schedule of general maintenance had been undertaken;
- There were no extensions or new openings;
- Northumbrian Water had no objections with regard to drainage;
- The existing infrastructure was satisfactory;
- Addressed highways concerns by reducing the number of beds whilst increasing the number of parking spaces by 2 spaces to 28 spaces and cycle storage had now been provided;
- Proximity to public parking to the south should be considered;
- There would be a pre-occupation condition with regard to parking and customers would not have an on-street parking permit;
- With regard to the change of use the sole use was for hotel accommodation and this would be a sensitive and compatible transition;
- There would be a sound proofing condition and obscure glass for select openings which would be a betterment of the existing situation;
- Do not need to demonstrate need;
- The application complied with national and local policy;

Members questioned the agent on the following points;

- When did the applicant purchase the property and was the property empty at that time;
- Can you provide clarification of the layout of the property as there had been suggestions that the property did not have 8 bedrooms but 5;
- Appeared that the hotel was intent in increasing its offer;
- Would all overlooking windows be opaque;
- Set distances laid down in law obliterated the requirement to have these windows opaque;
- Concerned about the south facing window as hotel residents were more likely to look out of these windows;
- Unusual for hotel windows to look out onto private spaces;
- What was the reasoning behind the appeal and the submission of an alternative application and did it concern costs?
- The best cause of action would to have engaged with officers and disappointed the appeal was submitted;
- Why wasn't the step taken to opaque the remaining overlooking window?
- Was every room ensuite?
- Was thought given to the sewerage problem?
- The parking permit regime finished at 6pm whilst customers would be arriving at the Hotel between 5-6pm therefore how would you mitigate the effect on residents;
- Would there be any signage on the exterior of the building;

REGULATORY COMMITTEE

Thursday, 7 March 2024

- Were the rooms budget rooms and single or double?
- Any stipulation to aid residents with parking and was there a possibility of extending hours on this particular bay;
- There was public parking on the opposite side of the road.

Members debated the application and made the following comments;

- This application had previously been refused by Committee and this application was not radically different;
- There had been a reduction in the number of rooms by 2 but the principle change of use had not altered;
- The parking issue was potentially addressed through enforcement however enforcement in the Borough after hours was non-existent as staffing was between 8am and 4pm;
- Another area of concern was the capacity for waste water even though the standard answer from the agent was that they had engaged with Northumbrian Water;
- From a nuisance point of view it would be the perfect location for a stag party and how would that be controlled?
- Failed to see how it differed from the previous application;
- Could the applicant change the use to a house in multiple occupation without coming through this process?
- Would need assurance that the southern window would be obscure glazed;
- The principle change of use was not merited and it was a fundamental change from residential to business;
- Not compatible with the surroundings;
- Two separate buildings with a road in between;
- Consideration of this type of development should be addressed through the Local Plan Review.

RESOLVED that Planning Permission be refused for the following reasons:-

1. The proposed use, due to the location in an area of predominantly residential properties, would have an adverse impact on the character and appearance of the area. The development is therefore contrary to part a of policy ED12 of the Redcar and Cleveland Local Plan (2018).
2. The proposed development, due to the insufficient parking provision, would be detrimental to highways safety. The development is therefore contrary to part p of policy SD4 and part c of policy ED12 of the Redcar and Cleveland Local Plan (2018).

Thursday, 7 March 2024

3. The proposed use, due to the use of rooms by a changing population, would result in a loss of privacy to the occupiers of the neighbouring properties. The proposed use, due to the increased activity, would also be detrimental to residential amenity. The development is therefore contrary to part b of policy SD4 of the Redcar and Cleveland Local Plan (2018).
4. The proposed use would not consider the needs of people with disabilities and therefore is contrary to part r of policy SD4 of the Redcar and Cleveland Local Plan (2018).

105

R/2023/0764/FF CHANGE OF USE AND CONVERSION OF RESIDENTIAL DWELLING (CLASS C3) TO 10 BED HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) 51 QUEEN STREET REDCAR

The officer summarised the officer report which had been pre-circulated.

Members sought clarification around the following matters;

- Security and anti-social behaviour needed to be taken into account;
- Why had the police recommendations not been put in as a condition? Was the choice not to have the condition a valued judgement or was it not part of our policy?
- Was there anything in place regarding room size?
- Was it permit parking?
- Disconcerting that we do not have the dimensions of the rooms as it seemed to be a squeezed 10 bed property;
- This would lead to a degradation of standards in Redcar and we needed to stop shoe horning;
- Would the landlord manage repairs and security?
- Were there examples of 10 bed HMO's in the immediate vicinity?
- What would we consider an over concentration?
- Were there any policies in the Local Plan?
- Was there any guidance on the organisation of kitchen space within the property?
- Had the applicant taken on the informative guidance that a licence was required to operate a HMO occupied by 5 or more persons?
- Would there be windows in all bedrooms?
- Did we know who the landlord was?
- How do Redcar and Cleveland manage HMO's?

Members debated the application and made the following comments;

- The applicant should have been present at the meeting to answer questions;

REGULATORY COMMITTEE

Thursday, 7 March 2024

- The property was originally a 4 bed flat. It was now proposed to change the flat to 4 bedrooms and a kitchen on the ground floor and 6 bedrooms on the first floor with only one staircase and as such it was a fire hazard;
- There were already problems in Westbourne Grove, Station Road and Queen Street with HMO's with the area becoming like a ghetto which was creating a major problem;
- Most of the potential residents would be in receipt of Housing Benefits;
- There were well managed HMO's;
- No coincidence that the police had recommended a concierge;
- The degradation of communities needed to be balanced out in the Local Plan;
- This type of development potentially led to anti-social behaviour, nuisance, unsustainable communities, pressures on parking provision and pressure on local facilities;
- In the absence of the agent we cannot have an informed discussion;
- There was nothing in the Local Plan to determine the number of HMO's allowed;
- Minded to defer to exhaust all opportunities for discussion;
- This was a terraced property so how would waste management be dealt with?

RESOLVED that Planning Permission be refused for the following reasons:-

1. The building at 51 Queen Street is not capable of providing the number of units to an acceptable standard of accommodation. The proposal is therefore contrary to part a of policy H6 of the Redcar and Cleveland Local Plan.
2. The building at 51 Queen Street continues to lend itself to use as a single family dwelling and therefore the change of use would be contrary to part b of policy H6 of the Redcar and Cleveland Local Plan.
3. The proposed change of use would, due to the increased activity, have an adverse impact on neighbour amenity. The proposal is therefore contrary to part c of policy H6 and part b of policy SD4 of the Redcar and Cleveland Local Plan.
4. The proposal would result in an overconcentration of properties in multiple occupation in the locality. The application is therefore contrary to part e of policy H6 of the Redcar and Cleveland Local Plan.

Thursday, 7 March 2024

5. The proposed use would not consider the needs of people with disabilities and therefore is contrary to part r of policy SD4 of the Redcar and Cleveland Local Plan (2018).
6. The application would fail to create a healthy, safe and secure environment. The proposal is therefore contrary to part m of policy SD4 of the Redcar and Cleveland Local Plan (2018).

At this point Councillor Gray left the meeting.

106

R/2022/0896/00 OUTLINE APPLICATION (SOME MATTERS RESERVED) FOR RESIDENTIAL DEVELOPMENT COMPRISING 2 (NO) DWELLINGS FORMER PARK BUNGALOW SMITHS DOCK PARK ROAD NORMANBY

The officer summarised the officer report which had been pre-circulated.

The objectors present at the meeting made the following comments;

- The development was excessive;
- The memorial trust covered the whole of the plot;
- There were problems with access and drainage;
- Mains drainage had been an ongoing problem and space for a cesspit was not available;
- Worried about the effect of surface water drainage as the area was prone to pooling;
- The vehicular access was not maintained or adopted;
- Any waste collection space would reduce the available parking space;
- There was no mention of contamination within the report and the area was covered in asbestos from the previous property;
- There was no mention of nutrient neutrality or any mitigation measures;
- The access for these properties would be directly opposite a dwelling causing problems with access and parking which would only worsen;
- It was important to maintain safe access to the driveways opposite as residents had to reverse off their drives;
- Pedestrians cross on both sides of the road;
- This area was a pinch point;
- Concerned about the visibility when emerging from the private road;
- The road did become congested;
- Access for emergency and delivery vehicles was of concern;

REGULATORY COMMITTEE

Thursday, 7 March 2024

Members questioned the objectors on the following points;

- Clarify your concerns regarding the proximity of the War Memorial;
- Stated no provision for nutrient neutrality however the report referred to a signed mitigation certificate;
- Was the flooding/pooling throughout the park or site specific?
- Was the only access on a private road only used by residents?

The agent was present at the meeting and made the following comments;

- Seeking to improve the area;
- The bungalow had been empty for 10 years and was purchased at auction;
- The properties were being built to accommodate family members;
- The new properties would be an asset to the area and would uplift the site;
- The existing property required demolishen;
- The proposal was to build 2 rather than 3 houses;
- Careful consideration had been given to the work to ensure it fit in with the area;
- The existing access road would be utilised and parking would be on site;
- Did not envisage vandalism, fly tipping or anti-social behaviour;
- The development was to provide residential accommodation as it once did;
- The site would be cleared and opened up giving a high quality asset;
- Bring the site into viable use;
- Sustainable transport close to the area;

Members questioned the agent on the following points;

- Why had the application be submitted without reserved matters;
- Had bungalows been envisaged or 2/3 storey properties?
- Why did you envisage that nutrient neutrality mitigation was not necessary to be provided on site;
- Horticultural concerns regarding tree removal;
- Concerned as to whether it would be a suitable access;
- How do you envisage adequate parking and access.

Members debated the application and made the following comments;

- It was a very overgrown area and struggled to see how access would be achieved;

Thursday, 7 March 2024

- The access point would cause problems;
- Difficult to see the footprint of the development;
- There had already been a property on the site;
- Access, parking provision and the suitability of the highway would be agreed at the detailed application stage;
- Concerned that 2 dwellings were proposed and would have liked to have seen the full application.

RESOLVED that Planning Permission be granted.

At this point in the meeting Standing Orders were suspended to allow the meeting to proceed beyond three hours.

107 **DELEGATED DECISIONS**

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

:-NOTED.

108 **APPEAL INFORMATION**

The Executive Director for Growth, Enterprise and Environment presented Members with a schedule of the appeals which had been received.

:-NOTED.

109 **ENFORCEMENT SCHEDULE**

The Executive Director for Growth, Enterprise and Environment presented Members with a schedule of enforcement actions which had been undertaken.

A Member expressed his disappointment that EO134/2020 had concluded in the manner it had. He stated that 3 years ago this matter had come to the attention of the Ward Members and authority was sought to implement enforcement.

He felt that to have reached this conclusion was unacceptable however, he realised that the decision had been taken and could not be undone. He requested that Members get sight of all correspondence with the owner so that Members could fully understand the procedures which had been taken and how it had ended in this unacceptable situation.

Thursday, 7 March 2024

:-NOTED.

110 **SECTION 106 AGREEMENT UPDATE**

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

:-NOTED.

111 **DEEMED CONSENT APPLICATIONS**

R/2024/00067/F3

Installation of fencing inside tennis courts to separate MUGA from tennis courts Locke Park Tennis Court, Corporation 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 02/02/2024

Proposed Mesh Fence (JH 22.01.2024 received by the Local Planning Authority on 29/01/2024

Proposed Layout (SPTX-23-30-01) received by the Local Planning Authority on 29/01/2024

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

R/2023/0857/F3

Alterations to existing toilet block including provision of 'Changing Places' facility and new concrete ramps Kirkleatham Hall Museum, Kirkleatham Lane, Kirkleatham.

REGULATORY COMMITTEE

Thursday, 7 March 2024

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 05/01/2023

Site Plan (221132BGP 01 GF DR B 99 01640) received by the Local Planning Authority on 05/01/2023

Proposed floor plan (221132 BGP 01 GF DR B 99 01642) received by the Local Planning Authority on 05/01/2023

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

112 **ANNUAL MONITORING REPORT 2022-23**

RESOLVED that consideration of the Annual Monitoring Report 2022-23 be deferred to the next meeting.