

REGULATORY COMMITTEE

Thursday, 30 May 2024

REGULATORY COMMITTEE

A meeting of the Regulatory Committee was held on Thursday, 30 May 2024 at the Civic Centre, Ridley Street, Redcar, TS10 1TD.

PRESENT Councillor Stuart Smith (Chair)
Councillors R Clark, M Fletcher, M Head,
M O'Donoghue, L Pallister, C Quartermain,
P Thomson, I Hart and V Rider.

OFFICIALS E Dale, C Griffiths and E Garbutt and M Lawton.

IN ATTENDANCE Councillor Clarke and Hunt.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Neal, S Martin and J Thompson.

138 **DECLARATIONS OF INTEREST**

Councillor Fletcher declared an interest in application R/2024/0081/FF as the Ward Member and took no part in the discussion nor voted thereon.

139 **TO CONFIRM THE MINUTES OF THE MEETING HELD ON 1 MAY 2024**

RESOLVED that the minutes of the meeting held on the 1 May 2024 be confirmed and signed by the Chair as a correct record.

140 **TO CONFIRM THE MINUTES OF THE MEETING OF THE TAXI PANEL HELD ON 15 MAY 2024**

RESOLVED that the minutes of the Taxi Panel held on the 15 May 2024 be confirmed and signed by the Chair as a correct record.

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

RESOLVED that the attendance matrix be noted.

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142 **R/2024/0097/FF CHANGE OF USE FROM CAR WASH AND VALETING FACILITY TO CAR WASH, VALETING AND TYRE FITTING FACILITY (USE CLASS SUI GENERIS) 1 WALTON TERRACE GUISBOROUGH**

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

Members sought clarification around the following matters:-

- In relation to condition 4 who would be responsible for carrying out the noise and vibration assessment ?
- Who would be responsible for the removal of waste and what information/guidance had been made available to the applicant?
- What ability did the Authority have to control the limitations on the highway;
- This was a busy route into Morrisons Supermarket particularly, on a Saturday, so how have we assessed that if approved this development would not have a negative impact on the surrounding streets?
- A drop off point and pick up later could cause a parking issue;

The applicant made the following comments:-

- The premises were under new management;
- Requested permission from the landlord before applied for the change of use;
- If permission were granted would stop the car wash straight away;
- The premises had previously been a mechanics shop;
- Changing the use to tyre fitting would mean that there would only be 4/5 cars at the premises at any one time.

Members questioned the applicant on the following points:-

- Sought clarification around the current use and whether the car wash/valeting would cease if permission were granted today?
- Queried the reference to mechanical repairs;
- The decision to stop the car wash makes no difference to the application;
- If permission were granted for the tyre fitting service how many ramps would be put in and how many vehicles could you fit in?
- Was the information in the report correct in that it stated that there were currently 5 bays for car washing and there would be 2 for tyre fitting?

The Parish Councillor present at the meeting made the following comments:-

- The Town Council had re-iterated Councillor Clarke's concerns as

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- outlined in the report;
- There would be a loss of amenity for local residents;
- The quality and character of the area would be reduced;
- The premises had an open frontage onto an area that was double yellow lined;
- The no parking on this busy road was often abused;
- If vehicles did park they would restrict the flow of traffic and it would become an issue;
- The beckside was narrow and the parking of cars would restrict access to the other garages and Fountain Street residents;
- The proposal would reduce amenity for residents of Walton Terrace;
- The area for the storage of cars was no sufficient;
- The tools used would be noisy and would affect the houses opposite the premises;
- Levelling up money had been granted to enhance the beck area;
- This was the connection point to Chaloner Street;
- The beck wall was crumbling;
- The proposal was in the wrong place;
- Inadequate parking and no safe storage within the premises.

One of the Ward Members were present at the meeting and made the following comments:-

- This proposal would change the goal posts;
- The intention was to increase the customer base to increase profits;
- The application reduced 5 bays to 2 within the premises and indicated 4 in the adjoining alleyway. However, the alleyway was in the ownership of Guisborough Estates;
- The double yellow lines at the front of the premises were abused by the owner, in fact the car shown on the photographs displayed today was illegally parked;
- The noise levels would only be known after permission were granted;
- There had been trees and hedgerow cut down by employees of the business without seeking any permission and with limited enforcement;
- The noise levels would be detrimental;
- Concerns about storage of the new and used tyres;
- Walton Terrace was narrow and there were large wagons accessing Morrisons Supermarket;
- Where would customers park?

Members questioned the Ward Member on the following points:-

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- Do you feel one of the main issues would be noise;
- Had there been any complaints of noise from the existing businesses?
- The applicant mentioned that previously the premises had operated as a mechanical garage, was that correct?
- Mention had been made of an extra 4 parking spaces on private land, were these currently being used?
- Did the other garages further down the beck side have an issue with parking outside.
- Was there a legal limit regarding noise?
- If there was a breach in relation to noise could it come back to Committee?
- What was the risk to business owners if the law was broken relating to noise?
- If the noise assessment was carried out and it was above the limit what would happen to the applicant?
- Requested clarity over condition 3 which specifically related to car washing.

Members debated the application and made the following comments:-

- It was difficult with the issues around the beck, the unadopted highway, the garages further down and the double yellow lines;
- Would not like to put pressure on an independent business over Morrisons Supermarket;
- The change from a car washing facility to a tyre fitting might generate the same level of noise and the applicant had indicated that he would no longer be operating as a car wash;
- As the area already had mechanical garages feel that we cannot restrict this applicant providing he adheres to the conditions;
- Feel that a noise assessment should be carried out before an application reaches the committee stage;

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:

Block Plan (unreferenced) received by the Local Planning Authority on 09.02.2024

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Proposed floor plan (unreferenced) received by the Local Planning Authority on 19.02.2024

Proposed elevations (unreferenced) received by the Local Planning Authority on 19.02.2024

Proposed elevations (unreferenced) received by the Local Planning Authority on 19.02.2024

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

3. The development hereby approved shall be limited to the washing and cleaning of motorised vehicles within the categories of Motorcycles, Light vehicles and quad bikes, Cars, Medium-sized vehicles, and Mini-Buses as defined by the DVLA.

REASON: In order to control the size of vehicles serviced by the site and to control amenity in accordance with Policy SD4 of the Local Plan.

4. Prior to the development being brought into permitted end use, a noise and vibration assessment shall be carried out to assess the likelihood of adverse impacts on nearby noise sensitive properties. Where adverse impacts are identified then a scheme of works detailing how the impacts will be reduced to acceptable levels shall be submitted for the approval of the Local Planning Authority. Thereafter the site shall operate in accordance with the approved scheme.

REASON: In the interest of neighbour amenity

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R/2024/0081/FF PROVISION OF STORAGE CONTAINER ON EXISTING CAR PARK FOR USE AS A COFFEE KIOSK (CLASS E(B)) ST HILD CAR PARK MARINE TERRACE SKINNINGROVE

Councillor Fletcher declared an interest in the following application and took no part in the discussion nor voted thereon.

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

Members sought clarification around the following matters:-

- The development was on Council land so had the Asset Team been involved?
- Policy ENV1 referred to essential development, was it?
- Was this a tender put out by the Council?
- The Environmental Protection Team did not have clarity regarding the generator and where it would be located. Did we have clarity?

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- Do we know if it had piped running water?
- Do the Council own the building at the back of the car park?

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

- There seemed to be a lot of unanswered questions;
- This was part of the Heritage Coast;
- The building at the rear of the car park was a pumping station which contained holding tanks and pumped water up the hill. When it was built the materials had to fit in with the area;
- There were also plans to put in toilets but they also had to fit in with the area;
- This was a metal container in a small unmarked car park;
- The car park was used by motorhomes;
- The village generally had horrendous car parking issues and this was the emergency access to the jetty which could not be accessed at busy times;
- Disrespectful to dump a static metal container in this location.

Members questioned the Ward Member on the following points:-

- Asked where the existing facilities were in the Village to currently purchase hot drinks?
- Do you not think that when people visit they want refreshments served close or on the beach;

Members debated the application and made the following comments:-

- Loftus Town Council supported the proposal as it would increase the visitor provision;
- The report made mention of a generator. Do we have details?
- Disappointed that the applicant had chosen not to come today;
- If we were to agree this application it would set a precedent;
- Various policies were pertinent but none carried weight;
- Whilst guided to understand that it would provide a service to tourism there was provision elsewhere by existing or temporary facilities;
- Does not sit well in a heritage area and this Council had spent a lot of time developing policies to uphold our heritage;
- Not in favour of the principle;
- Minded to refuse as the proposal did not comply with the listed policies;
- A much needed facility when people were travelling to the area;
- There were a number of unanswered questions namely would the container be painted, was it a seasonal offer, would it stay insitu

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during the winter, would it obstruct access to the pump house, how would waste be disposed of, how busy would it be and were they relying on Redcar and Cleveland 2 dispose of the waste?

- The biggest issue was the loss of parking;
- When people gather around the facility it would take up more than one car parking space;
- Would there be a generator?
- Was there an alternative location?
- How far from this car park were the other facilities in the Village?
- Difficult to believe that only one car parking space would be taken up as there was no space for waste disposal and a large container could take up another car parking space;
- There was no indication where the waste water would go?

RESOLVED that the application be deferred to allow for the applicant to attend Committee to answer Members questions.

144 **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.

145 **APPEAL INFORMATION**

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

:-NOTED.

146 **ENFORCEMENT SCHEDULE**

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

:-NOTED.

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147 **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.