

# Redcar and Cleveland Borough Council

## Planning (Development Management)

APPLICATION NUMBER: R/2024/0081/FF  
LOCATION: St Hild Car Park Marine Terrace Skinningrove  
TS13 4BJ  
PROPOSAL: Provision of storage container on existing car  
park for use as coffee kiosk (Class E(b))

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

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### BACKGROUND

Members will recall that the application was presented to committee in May 2024. At that meeting the members heard from officers and Councillor Barry Hunt, as ward member, and debated the application. During the debate a motion was made to defer the application. Following the vote the application was deferred for the following reason:

- To gain further information and request the attendance of the applicant at committee in order to answer members questions and concerns.

During the debate members had made comments in relation to:

- Would the unit be clad / painted?
- Would it be a seasonal offer?
- Would the unit stay all year?
- How would waste be disposed of?
- Loss of parking – would there be tables / chairs / bins / where would people queue?
- Limited information – applicant should be present
- Where is the water connection and disposal?
- Flooding issues

The agent, on behalf of the applicant, has provided the following information;

*Would the unit be clad / painted?*

*The unit is clad and painted.*

*Example image*



*Would the unit stay all year / Would it be a seasonal offer?*

*We will be there all year on site shorter working hours in winter than Summer times noted as part of planning application form.*

*How would waste be disposed of?*

*One bin tucked in to the side of the unit which will be stored internally during lock up. We will use to collect waste will be contracted out to 'waste managed' located in Newcastle with over 12 years experience, all plastics will be commercially recycled. We will also provide a public waste bin to the side of the container which will be emptied daily and also be disposed of via the said company. I will also carry out a litter pick daily at the start of the day within the car park and disposed of via the said company.*

*Loss of parking – would there be tables / chairs / bins / where would people queue?*

*No tables and chairs*

*Limited information – applicant should be present*

*Penny Johnson will be present as per last committee but will speak if any additional questions arise.*

*Where is the water connection and disposal?*

*We will be supplying minimal water from home or shop bought bottles. Expecting minor waste water due to been take away coffee.*

*Flooding issues*

*It is slightly raised off the ground (as per example image) and is completely water tight*

### *Generator*

*HYUNDAI HY4500SEI 4000W INVERTER GENERATOR 230V - Compact, quiet and powerful, offering a convenient and cost-effective source of power. Ideal when camping or in a caravan away from mains power, or for use in a garden workshop. Features remote electric start, increased fuel economy with Eco mode, which lowers engine revs, folding front handle and heavy-duty wheels, making transportation easy. 59 dba (clients self reading states this is less db than adjacent Northumbrian Water tower)*

The officers original report is below, and the recommendation remains to grant planning permission subject to the conditions included below.

### **APPLICATION SITE AND DESCRIPTION**

Permission is sought for the Provision of a storage container on the existing car park for use as coffee kiosk (Class E(b)) at St Hild Car Park, Marine Terrace Skinningrove.

The application site relates to the existing car park at Skinningrove which is located to the north of the existing village. The application site is located outside of the development limits and within the heritage coast.

The proposal seeks approval to site a container measuring 2.6m by 2.2m with a flat roof to 2.26m. The container would be made of coated steel with a service hatch to the front and a side entrance door.

The application has been accompanied by a site location plan, site layout plan and plans and elevations for the container along with a Flood Risk Assessment and Sequential Test.

### **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  
ED8 Rural Economy  
N1 Landscape

### **OTHER POLICY DOCUMENTS**

None

## **PLANNING HISTORY**

None

## **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 representation have been received. 12 of the representation received are objection to the proposal with one making comments. The representations make the following comments;

- There are existing options for the provision of hot drinks
- There would be adverse impacts upon the community centre
- Visual impacts on the area
- Loss of parking space
- Littering of the car park and beach
- Impacts of noise and disturbance to neighbours
- Increased traffic – exacerbating existing problems within the village

### **Loftus Town Council (13/03/2024)**

*Loftus Town Council supports this application as it will increase Tourism and Visitor provision and suggest provisions are put in place to minimise the impact of noise from the generator and there are provisions made for waste/litter.*

### **Redcar and Cleveland Borough Council (Development Engineers) (17/05/2024)**

*The application is for the provision of a storage container on St Hild Car Park on Marine Terrace, Skinningrove, for use as coffee kiosk (Class E(b)).*

*St Hild Car Park is not adopted, as a result a street café licence is not required under Section 115 of the Highways Act 1980. The car park and area in question falls within Council ownership.*

*The floor area of the kiosk measures approximately 6 square metres, with limited seating, if provided, to the front of the kiosk.*

*Sufficient area remains available for parking and the manoeuvring of vehicles in the immediate locality. The kiosk appears to be intended to cater for the existing levels of use and demand associated with the area, and as a result is unlikely to create any additional trip generation.*

*It is for the above reasoning we would not object to the application.*

### **Redcar and Cleveland Borough Council (Strategic Planning) (05/03/2024)**

*The application proposes the provision of storage container on existing car park for use as coffee kiosk (Class E(b)).*

*The site is outside of development limits as identified under on the proposals map under Policy SD3. Development should therefore meet one of the policy criteria.*

*Policy ED1 of the Local Plan sets out that main town centre uses, such as retail, should be located in the town, district and local centres and that any proposals for main town centre uses should follow the sequential assessment approach, favouring locations within existing centres, then edge of centre locations, before any other locations. The sequential assessment will not apply to small-scale proposals for main town centre uses (less than 200m<sup>2</sup> gross) such as the 6m<sup>2</sup> proposed.*

*The site is located in a sensitive landscape area and the Heritage Coast, a nationally important landscape protected by Policy N1. Policy N1 states that particular priority will be given to protecting and enhancing the landscape character and natural beauty of the Cleveland Heritage Coast. This will be achieved by permitting development only where it is:*

- a. essential development which for operational reasons cannot be located outside the Heritage Coast; or*
- b. small-scale leisure or tourism development consistent with the conservation of the special qualities of the Heritage Coast; or*
- c. suitably scaled extensions and alterations to existing buildings.*

*Any development which is acceptable will be required to be designed and sited so as to cause no harm to the special character of the Heritage Coast, in particular the remote character, natural beauty, wildlife and geological value, heritage assets and marine environment. It should therefore be ensured that the proposal meets policy N1.*

*In accordance with policy SD4 it should be ensured that the proposal is well designed including ensuring it will not have a significant adverse impact on the amenities of occupiers of existing or proposed nearby land and buildings; will not result in the unacceptable loss or significant adverse impact on important open spaces or environmental, built or heritage assets which are considered important to the quality of the local environment; will not increase flood risk either on site or downstream of the development; will 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; will respect or enhance the landscape, biodiversity, geological features, the historic environment and both designated and non-designated heritage that contribute positively to the site and the surrounding area; and will provide suitable and safe vehicular access and parking suitable for its use and location.*

**Redcar and Cleveland Borough Council (Environmental Protection) (Food Team) (22/02/2024)**

*No objections to the application in principle, however, the following should be clarified as the proposal is for a commercial food business. It will need to comply with all food and health and safety regulations, including a suitable and sufficient*

*supply of hot and cold running water, adequate storage and disposal of waste water, suitable wash basins/sink units, access to a w.c., adequate provision for the storage and disposal of waste (if disposing of own refuse, a permit to transfer waste). It is not clear on the application how this is to be achieved.*

**Redcar and Cleveland Borough Council (Environmental Protection)  
(Nuisance) (23/02/2024)**

*I note the applicant proposes to install a generator as part of the development but has not provided any details of the generator they propose to install or any details of where they proposed to locate the generator, as such there is potential for the amenity of the neighbouring properties to be adversely affected by noise from the generator.*

*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 the development being brought into permitted end use, a scheme which outlines details of sound attenuation for the generator shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be retained and maintained in accordance with the approval thereafter.*

*REASON: In the interest of neighbour amenity.*

**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**

Policies ED1 and SD3 establish the in principle tests for this type of proposal in this location.

Policy SD3 establishes that outside of defined developments proposals should be restricted to, amongst other criteria, (b) a recreation or tourism proposal requiring a countryside location.

Policy ED1 seeks to direct main town centre uses to the defined town centre locations. In this instance at only 6 square metres floor space the proposal falls well below that of the policy trigger size of 200 square metres.

The proposal in seeking to provide a targeted tourism/ leisure provision to visitors to the beach is considered to need to be in close proximity to that leisure destination and therefore is ultimately considered to be supported in principle by policies SD3 and ED1 of the Local Plan.

## **The impacts on the character and appearance of the area**

Policy N1 states that particular priority will be given to protecting and enhancing the landscape character and natural beauty of the Cleveland Heritage Coast.

*This will be achieved by permitting development only where it is:*

- a. essential development which for operational reasons cannot be located outside the Heritage Coast; or*
- b. small-scale leisure or tourism development consistent with the conservation of the special qualities of the Heritage Coast; or*
- c. suitably scaled extensions and alterations to existing buildings.*

*Any development which is acceptable will be required to be designed and sited so as to cause no harm to the special character of the Heritage Coast, in particular the remote character, natural beauty, wildlife and geological value, heritage assets and marine environment. It should therefore be ensured that the proposal meets policy N1.*

Policy SD4 requires that it be ensured that proposals are well designed including ensuring it will not have a significant adverse impact on the amenities of occupiers of existing or proposed nearby land and buildings; will not result in the unacceptable loss or significant adverse impact on important open spaces or environmental, built or heritage assets which are considered important to the quality of the local environment; will not increase flood risk either on site or downstream of the development; will 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; will respect or enhance the landscape, biodiversity, geological features, the historic environment and both designated and non-designated heritage that contribute positively to the site and the surrounding area; and will provide suitable and safe vehicular access and parking suitable for its use and location.

In this regard the proposal is of limited size, scale and massing and is located within the existing car park and existing built form. The proposal is not considered to pose any significant effect upon the character of the area or result in any appreciable detraction from the locality and appreciation of the landscape.

The proposal is considered to be acceptable in this regard with Policy SD4 and N1 of the Local Plan.

## **The impacts on neighbour amenity**

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

Given the size, scale and location of the container it is not considered that there would be any physical effects to any neighbours. The main potential impacts would be from noise associated with the generator and from customers. In this regard the location away from neighbours would serve to limit impacts of customers and the generator can be suitably controlled through the condition requested by the Environmental Protection Officers. Subject to such a condition it

is not considered that there would be any significant effect upon the amenity of neighbouring occupiers and the proposal is acceptable in this regard with Policy SD4(B) of the Local Plan.

### **The impacts on highways safety**

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

In this regard the parcel of land is an unmarked parking area. Whilst the proposal would remove once parking space it is not considered to pose any appreciable effect upon the parking available or the ability to manoeuvre within the existing parking area. The village has existing parking restriction serving to control parking within which would not in itself be affected by the proposal.

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

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

### **Other matters**

The application falls outside of scope for requiring additional information / assessment in relation to nutrient neutrality.

The comments received in relation to potential for littering and control of waste are noted. As are the comments from the Environmental Protection Officers. In this regard it is considered prudent to attach a condition to require a scheme for how waste and refuse will be controlled and disposed of. Such a condition should be pre commencement and require that the proposal operate in accordance with the scheme once approved.

Subject to such a condition it is considered that the proposal would not result in any significant impacts associated with the storage and disposal of waste and refuse.

The comments in relation to Food preparation requirements are noted. It is considered that any approval granted should be accompanied by an informative to the applicant of the need to establish what further approvals may be needed.

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 is acceptable in principle and would not have any significant adverse impact on neighbouring amenity and the proposals raise no issues in terms of highway safety or crime prevention. The scale and design is acceptable and the proposals would respect the character of the site and surroundings. The proposals accord with policies SD3, SD4, ED1 and N1 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 (2024.016\_B1) received by the Local Planning Authority on 20/02/2024  
Existing and proposed site plan (2024.016\_B2) received by the Local Planning Authority on 20/02/2024  
Proposed plans and elevations (2024.016\_B3) received by the Local Planning Authority on 20/02/2024  
REASON: To accord with the terms of the planning application.
3. Prior to the development being brought into permitted end use, a scheme which outlines details of sound attenuation for the generator shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be retained and maintained in accordance with the approval thereafter.  
REASON: In the interest of neighbour amenity.
4. Prior to the development being brought into permitted end use, a scheme which outlines details of waste collection, storage and disposal shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in accordance with the approval thereafter.  
REASON: In the interest of neighbour amenity.

## **STATEMENT OF COOPERATIVE WORKING**

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

## **INFORMATIVES**

You are advised to contact The Environmental Health (Commercial Team to discuss the requirements to register as a food business. Please contact them through either email at [food.team@redcar-cleveland.gov.uk](mailto:food.team@redcar-cleveland.gov.uk) or on tel 01287 612421.