

# Redcar and Cleveland Borough Council

## Planning (Development Management)

APPLICATION NUMBER: R/2024/0285/CA  
LOCATION: SALTBURN METHODIST CHURCH MILTON STREET SALTBURN BY THE SEA TS12 1DE  
PROPOSAL: Change of use from place of worship (Use Class F1) to mixed use restaurant (Use Class E) with bar (Use Class Sui Generis) and event space (Use Class F2)

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

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### APPLICATION SITE AND DESCRIPTION

Permission is sought for a change of use from place of worship (Use Class F1) to mixed use restaurant (Use Class E) with bar (Use Class Sui Generis) and event space (Use Class F2) at Saltburn Methodist Church, Milton Street, Saltburn by the Sea.

The application relates to the Methodist Church in Saltburn. The Church is currently unused with the proposal seeking to bring it into use for restaurant / bar and events use. The proposal would require internal works to enable the use and the provision of a bin store to the rear and an extraction flue to remove cooking odours. In addition, repair to broken windows and iron railings is proposed.

The application site is located within Saltburn Conservation Area and the designated commercial centre. The Methodist Church and the Church Hall are both grade II listed buildings. There is an associated application for Listed Building Consent for the internal works and change of use under reference R/2024/0286/LB.

The application has been accompanied by a site location plan, site layout plan and existing and proposed plans and elevations. The application is also supported by a design and access statement with Heritage Statement incorporated within.

### DEVELOPMENT PLAN

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

### NATIONAL PLANNING POLICIES

National Planning Policy Framework (NPPF)

## **REDCAR & CLEVELAND LOCAL PLAN (2018)**

SD1 Sustainable Development  
SD2 Locational Policy  
SD3 Development Limits  
SD4 General Development Principles  
ED1 Protecting and Enhancing the Borough's Centres  
HE1 Conservation Areas  
HE2 Heritage Assets

## **OTHER POLICY DOCUMENTS**

Saltburn Conservation Area Appraisal 2019

Saltburn Conservation Area Management Plan 2019

## **PLANNING HISTORY**

There is no recorded history to the site.

## **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 five letters of representation have been received raising the following points:

- Limited Parking available posing difficulty for neighbouring residents
- Licencing Hours would need to be controlled, similar to others in the area
- Noise impacts to neighbours
- Lighting and signage could pose impacts to neighbours
- The access is on Diamond Street affecting neighbours
- Other applications have been refused permission (vintage vault cou to tea shop)
- Events use has potential for people arriving and leaving 'en masse' posing noise impacts to neighbours
- Smoking/ Vaping will take place outside the venue posing impacts
- Sound proofing measures are not provided
- The tower has pigeons nesting which will need to be addressed
- Flue extract impacts to neighbours
- Bins would raise concern for rodents
- Impact on property prices
- Fantastic use of a space which has been left to go almost derelict in the centre of town.
- Tourist attraction
- Location near to public transport for the town

- More restaurant provision for the town.

**Saltburn, Marske and New Marske Parish Council (05/06/2024)**

Objection Raised on the following points

- Parking / disabled access / blocking residents access issues - are they expecting customers to use the supermarket car park as design and access statement is stating ample parking!
- Entrance is on Diamond Street so will cause issues for residents access / noise / disturbance
- Town is inundated with food halls/take outs
- Doesn't fit in with surrounding area
- Disturbance on late night opening - should be limitations on timings venue to be open
- Smell and aromas will affect surrounding residents
- Cllr Wardle noted the building has been sold and is going to be used for something, so need to make sure something worse is not put in place, or nothing at all and then for the building to fall into decay. Want to see the building being used, so need to work with whoever purchased the building so they can run a business but not to the detriment of the local residents.

**Redcar and Cleveland Borough Council (Environmental Protection) (Food Team) (30/04/2024)**

No objection raised.

**Redcar and Cleveland Borough Council (Environmental Protection) (Nuisance) (30/04/2024)**

Raise concern for noise and odour mitigation measures and request conditions to address potential impacts.

**Redcar and Cleveland Borough Council (Conservation Officer) (06/06/2024)**

*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. With regard to conservation area considerations, the key merit is the sustainable reuse of the premises; especially important given the somewhat onerous maintenance requirements relating to the extravagant architectural features such as the prominent tower and spire forming the corner of Diamond and Milton Street which is a key element within the conservation 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 proposal is located within the Saltburn District Centre boundary as defined within the Local Plan Policies Map. As such the site is considered to be within the defined centre. The proposal seeks a change of use from a place of worship to mixed restaurant, bar, event space.

Policy SD3 supports development within defined limits subject to compliance with other policies within the Plan.

Policy ED1(f) states that the intention is to

*“encouraging a diversity of uses within the centre (outside of the primary shopping area) including a range of retail, leisure, social, education, arts, cultural, office, residential and commercial uses”.*

Policy ED1(h) goes on to support the

*“promoting the reuse of vacant buildings, especially those of heritage value and at risk”*

In this regard the proposal would provide for an additional leisure and social facility to the town centre location through the reuse of this listed building. The principle of the development is considered acceptable and accords with the relevant policies in the Local Plan.

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

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

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

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

The NPPF provides at Paragraph 205 provides “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less

than substantial harm to its significance”.

Paragraph 206 provides that “any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification...”

Paragraph 207 states “Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.”

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

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

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

Policy HE2 provides the relevant test for applications affecting heritage assets stating:

“Development involving the alteration, extension or change of use of a designated heritage asset or construction of any structure within its curtilage will only be permitted if the proposal:

- a. preserves or enhances its significance as a heritage asset;
- b. protects existing historically significant hard and soft landscaping, including trees, hedges, walls, fences and surfaces;

- c. retains historic plot boundaries and layouts; and
- d. ensures the sensitive and viable use of the building.

#### Setting of a Designated Heritage Asset

Any development affecting the setting of a designated heritage asset will only be permitted if the proposal:

- e. preserves or enhances its significance as a designated heritage asset;
- f. protects its immediate setting including the space(s) around the building and the historically significant hard and soft landscaping, including trees, hedges, walls, fences and surfacing; and
- g. retains historic plot boundaries and layouts.

#### Substantial harm or total loss of a Designated Heritage Asset

Where a development will lead to substantial harm or total loss of a designated heritage asset, permission will not be granted unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss and that cannot be met in any other way, or all of the following apply:

- h. the nature of the designated heritage asset prevents all reasonable uses of the site;
- i. no viable use of the designated heritage asset can be found in the medium term that will enable its conversion;
- j. conservation by grant funding, or some form of charitable or public funding, is demonstrably not possible; and
- k. the harm or loss is outweighed by the benefit of bringing the site back into use.

#### Other harm to a Designated Heritage Asset

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, it will only be permitted where that harm is outweighed by the public benefits of the proposal, including securing its optimum viable use.

#### Non-designated Heritage Assets

Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments will be considered subject to the policies for designated heritage assets.

In determining applications that would result in substantial harm to, or the

total loss of, a non-designated heritage asset or its setting, the applicant will be required to demonstrate that the benefits of the development would outweigh any harm or loss of the heritage asset, based on its significance.”

In this regard the proposal would bring the building back into an active use which has inherent conservation benefits through daily maintenance of the building. The proposal would make only relatively minor alterations to the internal layout of the building with those being primarily restricted to areas with existing modern alteration. The proposal has been consulted upon with the Conservation Officer and is ultimately considered to preserve the special interest of the building and its contribution to the Conservation Area. The insertion of an extraction flue would be controlled by condition and would be located to a less prominent part of the building. Subject to this being controlled by condition it is considered that there would not be any impacts upon the historic significance of the building and the proposal is considered to be acceptable in this regard with policies SD3, HE1 and HE2 along with the requirements of the Act and the guidance within the NPPF.

### **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”.

Policy ED1 (A) also requires that the use does not adversely impact on local residential amenity.

The neighbour comments in relation to impacts of noise and odour disturbance are noted. In this regard the proposal would introduce a mixed restaurant, bar, event use. The proposal has been consulted upon with the Environmental Protection Officer. Subject to conditions to control the development for noise attenuation and odour impacts the proposal does not raise any objections. It is considered that such conditions should be worded to trigger a requirement for details to be agreed prior to the development commencing. This has been raised with the applicants and their agreement to such conditions provided.

The proposal would provide for a restaurant use in a mixed residential and commercial area to the edge of the defined centre. The proposal would be subject to licensing control should alcohol be served and also for the playing of live or recorded music and as such protections outside of the planning system would be in place for both noise generated by the premises and for control of customers.

It is therefore considered that subject to appropriate wording of the conditions requested that the proposal would not have a significant effect upon the amenity of the neighbouring properties above that which already occurs to this edge of centre location.

The proposal is therefore considered to be acceptable in this instance in line with Policies SD4 (B) and ED12 (A) of the Local Plan.

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

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

The proposal would not provide any off street parking, however as the site is located abutting the edge of the defined centre it is readily accessible from the public transport services available. The comments from neighbours are noted in relation to parking pressure in the locality. Notwithstanding this given the existing use as assembly for a place of worship it is noted that there would already be pressure for parking provision generated.

The location is considered to be readily accessible and it is not considered that the impacts upon parking would be to such an extent to warrant resistance of the application on these grounds. The proposal is therefore considered to be acceptable in this regard with Policy SD4(P) of the Local Plan.

### **Other matters**

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

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

A neighbour objection letter raises concern for impacts upon property prices from the proposal. The impact on property prices is not a material planning consideration and therefore holds no weight in the consideration of the proposal.

Impacts of bin storage and potential for rodents has been raised. There is potential for such impacts for any commercial activity, however there is nothing within the proposal that indicates such impacts are likely to occur. Should they occur there is protection and control through the Environmental Protection sections powers and controls. This is therefore controlled outside of the planning process and holds no weight in the consideration of the application.

### **CONCLUSION**

The proposal would bring a heritage asset back into active use and provide for increased leisure and social use within the town centre. As such the proposal is considered to preserve the character of the area and is in accordance with the requirements of paragraph 199 of the NPPF, Policy HE1 of the Local Plan and the requirement of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 . The proposal is considered to be acceptable in terms of its impacts upon neighbouring properties amenity

and would not pose concern with regard to either highways safety or crime prevention ideals. The proposal is therefore considered to be acceptable in this regard with the Local Plan.

## **RECOMMENDATION**

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

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development shall not be begun later than the expiration of THREE YEARS from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:  
Site layout Plan (unreferenced) received by the Local Planning Authority on 26.04.2024  
Part Alley side elevation (referenced 004 Rev A) received by the Local Planning Authority on 26.04.2024  
Proposed Floor Plan (referenced 002 Rev B) received by the Local Planning Authority on 26.04.2024

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

3. Prior to installation of the equipment to control the emission of odour and noise from the extraction system, a scheme of works (to be installed in accordance with manufacturer's instructions) shall be submitted to and approved in writing by the Local Planning Authority.

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

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

REASON: In the interests of the amenity of the area

4. Prior to the development hereby approved being brought into first use a noise management plan shall be submitted for the approval of the Local Planning Authority which shall detail the controls to be implemented to ensure that noise from events/concerts held at the development does not cause disturbance to nearby residential properties.

REASON: In the interest of neighbour amenity.

5. 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.

6. The delivery and despatch of goods to and from the site shall be limited to the hours of 08:00 hrs and 18:00hrs on Mondays to Fridays, 08:00hrs and 13:00hrs on Saturdays, and at no time on Sundays or Public Holidays.

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.

### **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.