

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2024/0317/FF
LOCATION: Land South of Middlesbrough Road
Guisborough TS14 8JT
PROPOSAL: Provision of holiday chalet for private use

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

APPLICATION SITE AND DESCRIPTION

Permission is sought for the provision of holiday chalet for private use

The application relates to land south of Middlesbrough Road, Guisborough. The application site has an area of 0.22hectares. The applicants total site is 2hectares. There is an existing access track to the west of the application site which connects to the A171 and serves all the existing stables along the track. The land around the application site is a mix of agriculture and horsiculture.

The applicant has control over the field to the east and south of the application site which is used for the grazing of horses. There are existing similar horsiculture developments to the north and south of the site.

The application has been accompanied by a site location plan, site plan, plans and elevations and a planning, design and access statement.

The submitted statement includes the following information;

As previously submitted in recent planning approval for the application site, the applicant owns 12 miniature Shetland ponies that he breeds as a hobby on his land and has had planning permission by way of planning inspectorate for a small day room for when the applicant visits his land.

Given the recent holiday chalet development site on the adjoining land to the east at Wyke Lodges, Middlesbrough Road and the applicants sole main residence being Gateshead; the applicant seeks the erection of a holiday chalet unit for his family when they visit his own private land and to enjoy this picturesque area of Redcar and Cleveland for private use only and as not a business venture.

In addition this proposal would help to assist in the monitoring and upkeep of the applicants Shetland ponies if they have any difficulties during foaling season and for any other welfare reasons that may occur.

The proposed development is described as;

The chalet will be sited directly east of the existing hardstanding area to stables. It will measure 14m wide x 7.3 & 6.3m long with an overall ridge height of 5.4m and eaves of 2.5m.

The proposed building will contain typical rooms for living space, kitchen bedrooms and bathrooms for holiday use only.

The building will be a timber portal frame design with Yorkshire board cladding above brick to base with and composite roof tiles with Black coloured Aluminium profile windows and doors.

As stated, the holiday chalet is for private use and not related to any other business purposes or permanent residential occupation, as the applicant's family are established within Gateshead and have no intention relocating to this district due to personal and family circumstances being within Gateshead.

It is proposed that the sites water be dealt with by a packaged domestic wastewater treatment plant.

In addition to the plans and planning statement that application has been accompanied by:

- Habitats Regulations Assessment Nutrient Input
- Land Contamination Screening Assessment Form
- Biodiversity Net Gain Matrix Report
- Foul Drainage Assessment Form
- Nitrates Habitat Management Plan
- Nitrate Support Memorandum of Understanding

Councillor Joy has requested that the application be determined by Regulatory Committee.

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

OTHER POLICY DOCUMENTS

None

PLANNING HISTORY

Sites to the north of application site

R/2022/0010/FF – Detached single storey day room / storage building and new detached stable block – Approved by Regulatory Committee – 21/04/2022

R/2020/0545/FF – Detached hay storage barn – Approved by Regulatory Committee – 04/12/2020

R/2016/0515/FF - Proposed stable block - Approved by Regulatory Committee - 23/11/16

R/2008/0027/RT - Erection of 2 no. Stables (Retrospective) - Approved 18/11/08

Applications linked to the application site or land in the applicants ownership

R/2022/0539/FF Erection of a foaling shed. Approved by Regulatory Committee 18/08/2022

R/2021/0364/VC - Variation of condition 2 (approved plans) of planning permission R/2020/0314/FF for detached single storey day room/storage building in connection with outdoor arena (part retrospective) – Refused by Regulatory Committee 05/08/2021 – Appeal Allowed – 14/02/2022

R/2020/0314/FF - Detached single storey day room/storage building in connection with outdoor riding arena - Approved by Regulatory Committee - 23/09/2020

R/2017/0887/FF - Provision of a Stable Block and Hay Barn - Approved by Regulatory Committee - 08/03/2020.

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 5 representations have been received in total.

Two representations confirm they have no objection to the proposal and state that previous works have been done to a high standard and the development will sit in with the surrounding area and enhance it.

The remaining 3 representations object to the application and make the following comments:

- Fifth permanent building on a small plot in open countryside on agricultural land.
- It is not a farm and this is not a residential area.
- The application does not meet development policies.
- Formally object.
- Relevant planning policies, laws and restrictions on land use.
- Highways safety.
- Vague application.
- No justification.
- Outside development limits and in open countryside.

Guisborough Town Council (26/06/2024)

We have previously objected to other developments on this site and would like to ensure that a condition limiting it to private use is included

Ward Members

Councillor Joy has requested that the application be determined by Regulatory Committee

Natural England

25/06/2024

There is insufficient information to enable Natural England to provide a substantive response to this consultation as required under the Town and Country Planning (Development Management Procedure) (England) Order 2015. Please provide the information listed below and re-consult Natural England. Please note that you are required to provide a further 21 day consultation period, once this information is received by Natural England, for us to respond

Insufficient information has been provided to allow an assessment of the potential impacts that the proposal will have on the Teesmouth & Cleveland Coast Special Protection Area and Ramsar Site We refer your authority to our letter (dated: 29/02/2024), which sets out the information required to enable Natural England to provide substantive advice on proposals for overnight accommodation in catchments that are sensitive to nutrient impacts. We attach a copy for reference in the Annex below and advise you to obtain the following information: • A corresponding nutrient mitigation strategy – Natural England note that OS Ecology produced a shadow Habitats Regulations Assessment recommending credits be used for this development. No credit information has been provided. Please note that we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response

Redcar and Cleveland Borough Council (Development Engineers)
(29/07/2024)

The applicant shares an existing access to the site, which is served from the westbound carriageway of Middlesbrough Road/A171. The access leads to a track, that measures approximately 175m in length from Middlesbrough Road to the applicant's site and the proposed parking facility. The track also serves a number of other plots in the immediate area and is also designated as a public right of way. The public right of way runs north to south, and links with the wider public right of way network both to the north and the south of Middlesbrough Road, although no means of crossing Middlesbrough Road currently exist to facilitate the route.

There have been no reported road traffic incidents at the point of access on Middlesbrough Road / A171, which will serve the site. Within 1km of the access in the last 10 years, to the east there have been 9 serious and 2 slight RTIs, to the West all incidents have been around the junction with Flatts Lane, with 1 serious and 7 slight RTIs. There have been no reported incidents at the junction of Flatts Lane since it was signalised.

Given the current use and nature of the land, it is not expected that the proposal will generate any additional trips to the site other than that which are already undertaken, therefore the proposal is unlikely to have a material impact on the operation of the strategic highway network. Vehicular sightlines for the existing access track are acceptable for vehicles accessing/egressing the site.

Sufficient area for parking and vehicle manoeuvrability is available within the boundary of the site.

It is therefore for the above reasoning; we would recommend approval of the application subject to condition.

Method of Works Statement

The development hereby approved shall not be commenced until a detailed method of works statement has been submitted to and approved in writing by the Local Planning Authority. Such statement shall include at least the following details;

- a) Routing of construction traffic, including signage where appropriate;*
- b) Arrangements for site compound and contractor parking;*
- c) Measures to prevent the egress of mud and other detritus onto the public highway;*
- d) A jointly undertaken dilapidation survey of the adjacent highway;*
- e) Program of works; and,*
- f) Details of any road/footpath closures as may be required.*

The development must be carried out in accordance with the approved details.

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users having regard for Local Plan Policy.

**Redcar and Cleveland Borough Council (Housing Area Services)
(26/06/2024)**

No comments or observations

Redcar and Cleveland Borough Council (Planning Strategy) (25/06/2024)

The proposal is for provision of a holiday chalet for private use. The site is located outside of Development Limits as identified on the Policies map under SD3. For development to be considered acceptable in this location it should meet one of the exceptions listed in SD3. SD3 allows a recreation or tourism proposal requiring a countryside location. However, given that the proposed development is for private use it should be considered whether this criteria is met.

Policy ED 9 supports new tourist accommodation, subject to meeting the requirements of other policies, and supports expanding the leisure and tourism economy of the rural areas.

The Local Plan also recognises that chalet type accommodation can have a significant impact on the landscape if not carefully sited. Policy ED 11 states that the development of new chalet style accommodation for holiday use should only be permitted where it is sited within a mature landscape containing established woodland or forest which screens the site from roads, viewpoints and other public places. The development should also avoid any adverse impact upon residential amenity of other residents and have a satisfactory access and provide safe pedestrian access points. Any ancillary buildings should be carefully sited and grouped with any existing buildings to limit the visual impact of the development on the surrounding area.

Green infrastructure and biodiversity should be protected and enhanced by development in accordance with Policies N2 and N4. The site is in a restoration landscape area as identified on the Policies Map under N1. In these landscapes opportunities should be taken to repair or reinstate the landscape structure as part of development. Wherever possible, all developments should include measures to enhance, restore or create special features of the landscape. Priority will be given to the creation of habitats to support local biodiversity priorities and the planting of new hedgerows, trees and woodlands. The site is located within the catchment of the River Tees. In March 2022 Natural England advised that the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site was in an unfavourable condition due to nutrient enrichment, particularly from nitrates. Consequently, any new development creating overnight accommodation within the catchment area must be assessed for impact on the SPA, with suitable mitigation provided in accordance with the Habitats Regulations and Policy N4

The development should also meet the requirements of Policy SD4 including the requirement for development to not have a significant impact on the amenities of occupiers of nearby land and buildings; to respect or enhance the character of the site and its surroundings; and to respect or enhance the landscape, biodiversity and geological features.

**Redcar and Cleveland Borough Council (Environmental Protection)
(Nuisance) (18/06/2024)**

No objections

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 proposed development is on agricultural land outside development limits. Local Plan policy SD3 restricts development beyond development limits to certain development types. Criteria i permits 'other development requiring a countryside location due to technical or operational reasons.

The proposal seeks consent for holiday chalet for personal use. The building has to be located in this area as that is where the applicants horses are located.

It is acknowledged that the proposal is for a holiday chalet rather than a permanent dwelling. Given the location outside the development limits it would be appropriate to add a condition which restricts occupation on the chalet to ensure it does not become a permanent dwellings or anyone's sole residential unit.

In addition the application seeks consent for chalet in this location due to the location of the applicants horses. It would therefore be appropriate if the development was approved to add a condition linking the proposed development to the existing use of the land.

Criteria b of Policy SD3 permits development of a recreational or tourism proposal requiring a countryside location. The horses kept in this location are for personal recreational use.

As the proposal is linked to the existing land use and is the same ownership it will not give rise to any significant change in the number of journeys and is therefore considered to be broadly in compliance with policies SD1 and SD3 (criteria b and i) of the Redcar and Cleveland Local Plan.

Policy ED13 relates to commercial equestrian developments and not buildings for personal recreational use and as such the requirements of the policy are not applicable in this instance.

The impacts on the character and appearance of the area

The building proposed is of a suitable scale for the location and is of a similar design and appearance to the existing stables, hay barns and buildings in the area. The proposed holiday chalet will be located alongside existing buildings and will be read within the context of existing structures as opposed to a standalone building. It is considered the building will have a limited impact on the character and appearance of the area. Given the sloping nature of the site and the existing vegetation and structures the proposals would largely be screened from view from Middlesbrough Road.

In terms of proposed materials, a condition can be included to ensure these details are agreed with the Local Planning Authority.

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

Given the location of the development and the nature of the works proposed the application raises no issues in relation to loss of privacy or overbearing impacts.

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 accessed from the existing track to the west of the site which serves a number of stables in the area including the stables in the same ownership as the application site.

The proposed building is to be used in conjunction with the existing stables and haybarn within the site and therefore the application is unlikely to create additional traffic above that which already uses the access track. Sufficient parking and manoeuvring is provided within the site.

A condition is recommended in relation to a methods of works statement to ensure that the construction of the development causes no issues in terms of highways 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.

Nitrates

The site is located within the catchment of the River Tees Nutrient Neutrality area as identified by Natural England in March 2022. As the proposed development is for overnight residential accommodation there is a potential for the site to increase nutrients into the River Tees. The proposal is therefore required to provide appropriate mitigation as part of the development. Given the nature of the site and the proposed development it is not possible for the mitigation to be fully provided on site in this instance.

In March 2023 Natural England launched a nutrient mitigation scheme where developers can purchase credits to offset the impacts of the development. This scheme is only available for residential units not overnight tourism accommodation and therefore the scheme was not eligible for credits from Natural England.

A number of private credit scheme have now been set up to provide the required mitigation in relation Nutrient Neutrality. A Nutrient Neutrality Support Habitat Management Plan and a Memorandum of Understanding have been submitted with the application.

The information submitted demonstrates that the required number of credits, to mitigate for a nitrogen load of 1.25kg TN/year, have been sought and secured through a private credit scheme. An initial deposit has been paid to secure the credits required with the full amount payable upon the granting of planning permission.

In order to ensure the remaining balance is paid and the credits are secured a condition is attached, should permission be granted, which restricts occupation / use until a copy of the final credit certificate is obtained. The submission of the final credit certificate can then be used to discharge the planning condition.

The comments from Natural England as a response to the consultation is noted. The consultation response was received prior to confirmation of the credits and information from the applicant and therefore is slightly out of date given the information that has since been submitted on the application. The level of credits provided is acceptable and the mechanism for securing them is suitable.

Subject to a condition to secure the credits the application raised no issues in terms of Nutrient Neutrality and accords with the relevant guidance and information from Natural England.

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 comments received as result of the consultation period are noted however, for the reasons set out in the above report none are considered to raise material planning considerations that would support a refusal of planning permission. Members will be aware that some of the points raised throughout the consultation period are not matters for planning control.

The application, given the scale and nature of the development is required to apply bio-diversity net gain given the changes to legislation in relation to this matter which came into force for smaller sites in April 2024. The small sites matrix report has been submitted with the application

The matrix confirms that the development will result in a loss of habitat of 0.0124 units which can be mitigated by the planting of 1 Oak tree within the red line application site.

The applicants have confirmed that they will plant 2 Oak trees on site as the bio-diversity net gain requirement. The trees have been shown on the submitted plans for clarity however a condition will be recommended in relation ensuring the bio-diversity enhance is carried out and maintained for the prescribed period. Subject to the condition the application raises no issues in terms of bio-diversity net gain and accords with the national legislation and requirements.

CONCLUSION

For the reasons outlined above the proposal is considered acceptable. The proposed holiday chalet for personal use would, subject to conditions, not have any significant adverse impact on neighbouring amenity and the proposal raises no issues in terms of highway safety or crime prevention. The scale and design is acceptable and the proposal would respect the rural character of the site and surroundings. The proposal accords with policies N4, SD3 and 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; site plan; plans and elevations (TPS001b) received by the Local Planning Authority on 03/06/2024
Site Section View Plan (TOS002b) received by the Local Planning Authority on 03/06/2024

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

3. Prior to any development above damp proof course 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.

4. 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.

5. The development hereby approved shall not be commenced until a detailed method of works statement has been submitted to and approved in writing by the Local Planning Authority. Such statement shall include at least the following details;
 - a) Routing of construction traffic, including signage where appropriate;
 - b) Arrangements for site compound and contractor parking;
 - c) Measures to prevent the egress of mud and other detritus onto the public highway;
 - d) A jointly undertaken dilapidation survey of the adjacent highway;
 - e) Program of works; and,
 - f) Details of any road/footpath closures as may be required.The development must be carried out in accordance with the approved details.

REASON: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users having regard for Local Plan Policy.

REASON FOR PRE COMMENCEMENT: To ensure the construction details are agreed prior to any works starting on site.

6. Prior to the occupation of the holiday chalet hereby approved a final signed nutrient neutrality certificate shall be obtained and submitted to the Local Planning Authority in writing.

REASON: To ensure the development is nutrient neutral in accordance with the Conservation of Habitats and Species Regulations 2017.

7. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

(a) a non-technical summary;

(b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];

(c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan including a timetable for the agreed works;

(d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

has been submitted to, and approved in writing by, the local planning authority. The development shall then be completed in accordance with the approved details.

REASON: For the avoidance of doubt and to secure the bio-diversity net gain requirements.

REASON FOR PRE-COMMENCEMENT: To ensure the net gain requirements are agreed and sought prior to the loss of the bi-diversity units on site.

8. The holiday chalet shall be used in conjunction with the horsiculture activity on the wider application site as outlined in blue on the Location plan; site plan; plans and elevations (TPS001b) received by the Local Planning Authority on 03/06/2024 and shall not be used or let as a separate / independent holiday chalet.

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

9. The development hereby approved must comply with the following requirements that:

- (i) the accommodation shall be occupied for holiday purposes only
- (ii) the accommodation shall not be occupied as a person's sole, or main place of residence
- (iii) the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of the accommodation, and of their main home addresses.

The owner/operator shall advise the Local Planning Authority of the Name and address of the holder of the records and shall make the information on the register available at all reasonable times to the Local Planning Authority.

REASON: The approved holiday accommodation is outside development limits and in order to comply with the terms of the planning application. Holiday accommodation is in accordance with Local Plan Policy SD3

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.