

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2023/0586/FF
LOCATION: LAND ADJACENT TO 21 KILBRIDGE CLOSE
NEW MARSKE
PROPOSAL: RESIDENTIAL DEVELOPMENT COMPRISING
OF 4 FLATS WITH SINGLE ATTACHED
GARAGE AND ASSOCIATED PARKING

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

APPLICATION SITE AND DESCRIPTION

Permission is sought for a residential development comprising of 4 flats with single attached garage and associated parking on land at Kilbridge Close in New Marske. The site is formed to the turning head to Kilbridge Close and was previously developed for garage accommodation.

The application seeks to provide for a 2 ½ storey development to provide 2, 2 bedroom flats to the ground floor and 2, 1 bedroomed flats to the first and loft floors. The proposal also would provide for an attached garage single storey element to the eastern elevation of the proposal.

The area is comprised primarily of residential accommodation of varying design.

The application has been accompanied by a site location plan, site layout plan and proposed elevation and floor plans.

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
N1 Landscape

TA1 Transport and New Development
OTHER POLICY DOCUMENTS

Design of Residential Areas SPD (2011)

PLANNING HISTORY

R/2008/0645/RS - Erection of 2 no. Semi-detached dwellings with detached garages and separate block of 3 no. Garages (resubmission) Approved 11/09/2008

R/2007/0659/FF - Demolition of existing vacant garages and erection of 3 no. Terraced dwellings; 4 no. Private garages; car parking spaces and new turning head. Refused 13/05/2008.

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 which make the following comments;

- Land Ownership
- Parking for the neighbouring flats is taken here
- Increase traffic
- Highway safety issues
- Happy for the flats to go ahead but would like to ensure I still have access to rear garage as it looks tight on the plans.
- Works have commenced on the site.

Ward Members

Cllr Myer (13/01/2024)

I have no objections to this, it's positive to see more affordable homes in the ward. Happy to support this application unless there is advice to the contrary from relevant officers & consultees.

Cllr Rider (04/02/2024)

I've asked around and received no complaints regarding this application

**Redcar and Cleveland Borough Council (Housing Standards)
(22/12/2023)**

No Objection

**Redcar and Cleveland Borough Council (Development Engineers)
(24/09/2024)**

The application is for a residential development comprising of four flats and a single attached garage with associated parking.

The development is within an existing residential area, located near to local amenities and public transport links within a 2-minute walk distance.

The proposed vehicular parking within the site boundary should provide one vehicular parking space per flatted bedroom, and plans should be submitted that reflect this arrangement.

The level of traffic generation will not have a material impact on the operation of the surrounding highway network.

Proposals include the dedication of highway to create improved footway linkages and a formal vehicular turning area, which will accommodate access arrangements for the wider local community.

Therefore, we have no objections subject to condition:

Details of Roads, Footpaths and Open Spaces Required

Fully detailed drawings illustrating the design and materials of roads, footpaths and other adoptable open spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the start of construction on site. The development shall be carried out in accordance with the approved details.

Reason; To ensure a satisfactory form of development and in the interests of highway safety having regard for Local Plan policy and sections 9 and 12 of the NPPF.

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.

Construction of Roads and Footways Prior to Occupation of Dwellings

No dwelling to which this planning permission relates shall be occupied unless or until all works to highway and prospective highway has been constructed in line with drawings subsequently submitted to and approved in writing by the Local Planning Authority. Roads and footways should be constructed to at least base course and street lighting shall be provided within 3 months of the date of commencement of construction.

Reason: To ensure appropriate access and egress to the properties, in the interests of highway safety and the amenity of residents having regard for Local Plan Policy and sections 9 and 12 of the NPPF.

Car and Cycle Parking Laid Out

No part of the development hereby approved shall be occupied until the areas shown on the approved plans, or plans subsequently submitted to and approved in writing by the Local Planning Authority, for the parking of four vehicles and area for manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

Reason; To ensure a satisfactory form of development and in the interests of highway safety having regard for Local Plan Policy and sections 9 and 12 of the NPPF.

Redcar and Cleveland Borough Council (Environmental Protection) (Contaminated Land) (10/01/2024)

With reference to the above planning application, I would confirm that I have assessed the following environmental impacts which are relevant to the development and would comment as follows:

I note that a Phase 1 Desk Study Report has been submitted in support of this application. The report concludes that deep made ground is expected on the site and contamination may be present.

The report recommends Phase 2 Ground Investigation via boreholes with ground gas monitoring and chemical testing.

In order to minimise the environmental impact and to ensure that the site is fully characterised and suitable for the proposed end use I would recommend the inclusion of the full Standard Contaminated Land Condition onto any planning permission which may be granted:

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Redcar and Cleveland Borough Council (Environmental Protection) (Nuisance) (02/01/2024)

With reference to the above planning application, I would confirm that I have assessed the following environmental impacts which are relevant to the development and would comment as follows:

I note the proposed development is in close proximity to neighbouring properties whose amenity could be adversely affected by noise associated with the development.

In order to minimise the environmental impact I would recommend the inclusion of the following conditions onto any planning permission which may be granted:

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.

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

Policy SD3 sets the principle for development within the borough. The policy reflects the NPPG guidance supporting sustainable development by seeking to direct residential development to most sustainable locations within the borough. Policy seeks to direct new build residential development to within the defined development limits. The proposal site sits centrally within the settlement and inside the defined limits. As such the proposal location is readily accessible to New Marske and is considered to be of a suitable scale at 4 flats to constitute a sustainable location for the proposed residential development. It is therefore considered that in this instance the proposal meets the requirements of the national guidance and also meets the aims of the development plan in supporting further residential development in sustainable locations. The proposal is therefore in accordance with the development plan and considered to be supported in principle in this instance.

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.

The application has been supported by plans and elevations which illustrates the layout for the site. The proposal would be suitably designed and scaled for this existing residential area. It is considered that the proposal in providing additional residential development would not introduce any new form of development or result in the insertion of built form that would have any significant effect upon the character of the area. The proposed building would be residential in design, scale and form. Subject to controlling the materials used are suited to the location it is considered that the proposal would sit harmoniously within the context of the site.

The proposal is therefore considered to be acceptable in this regard with Policy SD4 (J, K and L).

The impacts on neighbour amenity

Policy SD4 criterion B requires that proposals 'will not have significant adverse impacts on the amenities of occupiers of existing or proposed nearby land and buildings'.

There is a mix of neighbouring uses to the wider area with the row of shops. Notwithstanding this as residential development within the context of existing residential development it is not considered that there would be any conflict in principle. The proposal is laid out with suitable separation distances to neighbouring properties and would not pose any significant effects of overlooking, overshadowing or be oppressive from scale.

The proposal is therefore considered to be acceptable in this regard with Policy SD4(B) 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'. In this regard comment the proposal retains full details of access for a reserved matter.

The proposal would require in part the stopping up of adopted highway and the offering of other land for adoption. This would be addressed through the Highways Legislation and falls outside of the planning process.

There have been objections raised in relation to the loss of car parking used by the flats at Gleneagles Road. The applicant has advised that they are in ownership of the land in question and that there is no right to parking provision. The rights of parking would be a civil matter between the relevant parties and therefore this point is not considered to be a material consideration for the application. Notwithstanding this there would remain areas of public highway where parking could be achieved.

The proposal, subject to the highways conditions outlined, is considered to raise no issues in terms of highways safety and the application accords with part p of policy SD4 of the Redcar and Cleveland Local Plan.

Land Contamination

Policy SD4 (E) requires that proposals not put environment, or human health at risk. The application has been consulted with the Environmental Protection Officer and subject to a condition to require further investigation and suitable mitigation as necessary is not considered to pose any significant risk. Subject to such a condition the proposal is considered to be acceptable in this regard.

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 Plan.

The development site is within 6km of the revised Teesmouth and Cleveland Coast SPA and Ramsar Site.

In line with policy N4 of the Redcar and Cleveland Local Plan, development within 6km of the Teesmouth and Cleveland Coast SPA and Ramsar Site, that would result in a net increase in residential units, or other development that would lead to increased recreational disturbance of the site's interest features, will be expected to contribute towards strategic mitigation measures identified in the Recreation Management Plan. This is to ensure that adverse effects on the site's integrity can be avoided. The Council have dealt with a number of applications where such a contribution has been sought and secured. The monetary value on these sites has been set at £200 per dwelling.

Unfortunately, there is no viability argument that can be put forward to negate the need for the financial contribution as the policy requirement relates to the Habitats Regulations.

The applicant has agreed to pay £800 in advance of the decision being issued. The development is considered to be in compliance with policy N4 of the Local Plan.

CONCLUSION

For the reasons outlined above the proposal is considered to be acceptable. The proposals would not have a 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 proposal is ultimately

considered to be a sustainable form of development and is recommended for approval.

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 and Site Layout (ref drawing 01) received by the Local Planning Authority on 04.09.2023

Proposed Upper Floor Plans (ref drawing 04) received by the Local Planning Authority on 04.09.2023

Proposed Ground Floor Plans (ref drawing 02) received by the Local Planning Authority on 04.09.2023

Proposed Elevations (ref drawing 05) received by the Local Planning Authority on 04.09.2023

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

3. 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.

4. Unless otherwise agreed by the Local Planning Authority in writing, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts (a) to (c) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (e) has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the

scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with Environment Agency's Land Contamination Risk Management Guidance

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part (a) and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part (b), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

(e) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with Environment Agency's Land Contamination Risk Management Guidance

REASON : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site it relates to land contamination details which are often the first works on site and relate to site preparation.

5. Fully detailed drawings illustrating the design and materials of roads, footpaths and other adoptable open spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the start of construction on site. The development shall be carried out in accordance with the approved details.

REASON: To ensure a satisfactory form of development and in the interests of highway safety having regard for Local Plan policy and sections 9 and 12 of the NPPF.

6. 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.

7. No dwelling to which this planning permission relates shall be occupied unless or until all works to highway and prospective highway has been constructed in line with drawings subsequently submitted to and approved in writing by the Local Planning Authority. Roads and footways should be constructed to at least base course and street lighting shall be provided within 3 months of the date of commencement of construction.

REASON: To ensure appropriate access and egress to the properties, in the interests of highway safety and the amenity of residents having regard for Local Plan Policy and sections 9 and 12 of the NPPF.

8. No part of the development hereby approved shall be occupied until the areas shown on the approved plans, or plans subsequently submitted to and approved in writing by the Local Planning Authority, for the parking of four vehicles and area for manoeuvring of vehicles (and cycles, if shown) have been constructed and laid out in accordance with the approved plans, and thereafter such areas shall be retained solely for such purposes.

REASON: To ensure a satisfactory form of development and in the interests of highway safety having regard for Local Plan Policy and sections 9 and 12 of the NPPF.

9. 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.

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.