

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER:	R/2023/0572/RS
LOCATION:	LAND OFF LINGDALE ROAD BOOSBECK
PROPOSAL:	DETACHED TWO STOREY DWELLINGHOUSE AND DETACHED WORKSHOP (RESUBMISSION)

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

APPLICATION SITE AND DESCRIPTION

Permission is sought for a detached two storey dwellinghouse and detached workshop (resubmission).

The application relates to land off Lingdale Road, Boosbeck. The site is located outside of the development limits of Boosbeck. The site is to the south east of the main village and the ground level slopes down from the south to the north of the site. The site contains the hard standing remains of a former building and a shipping container in the hillside. Lingdale Road runs along the north of the site and the adopted highway of Mutton Scalp Road runs along the west of the site. The site is surrounded by mature tree and shrubs. A stream flows along the eastern boundary of the site. A mix of sheds and outbuildings lie to the east of the stream on neighbouring land.

This application seeks consent to construct a two storey dwelling house and detached workshop. The proposed three bedroom dwelling will have two storeys. The 'T' shaped ground floor will be a maximum of 16m in length and 12.4m wide. The ground floor will include an open plan kitchen/breakfast area, dining area, internal lounge area, two bedrooms one with an ensuite and a bathroom. The first floor will contain a bedroom with ensuite. The dwelling will have a mono pitch roof which will be 5.5m high at the front of the dwelling, sloping down to 3.7m to the rear of the dwelling. The dwelling will contain windows and glazed doors on all four elevations, some glazing will be floor to ceiling. The dining room area will extend out to the west side of the dwelling in a glazed 'dining bulb'. An internal garden area will be adjacent to the dining area. An external lounge area and hot tub will be located beyond the rear elevation of the dwelling. A section of the front elevation and both side elevations will be clad in sandstone from the side. The remaining external walls will be clad in timber. The roof slope will include solar panels. A reed bed

A proposed workshop building will be positioned to the front/north of the dwelling. The timber building will be 6.9m wide and 6.2m deep including an open patio/workspace.

Access into the site will be from an existing access off Mutton Scalp Road to the west. The proposed site plan includes two incurtilage parking spaces and driveway area to the front of the dwelling.

This application has been submitted following the refusal of R/2022/0864/FF for a dwelling at the site, albeit a different design. The refusal was appealed and dismissed by the Planning Inspectorate (Ref: APP/V0728/W/23/3319096).

The design of the dwelling has again changed during the consideration of this application as the originally submitted design was not considered sufficient to overcome local and national policy concerns in this location. The revised plans are supported by a detailed Design and Access Statement which states the dwelling 'brings mental health the forefront of the design process and promotes well being above all else'. The design includes:

- biophilic design – bringing the outside in, reversing some of the internal and external features of a typical dwelling (outdoor kitchen and lounge area)
- internal garden area,
- vertical living wall to a section of the west side elevation,
- inverted roof – channelling surface water to the internal garden, where part of the water can be funnelled into a water feature and the remainder harvested for use within the property
- Chromotherapy/colour psychology – use of tinted glass within the building
- Unity bulb – circular social bulb for the dining area
- Man shed – workshop – inspired following consultations with mental health professionals
- Landscape and drainage

The application has been accompanied by a site location plan, site plan, existing and proposed plans and elevations, a Design and Access Statement and Land Contamination Screen Assessment.

The application is being discussed by Regulatory Committee following a request from Councillor Earl.

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
SD6 Renewable and Low Carbon Energy
LS3 Rural Communities Spatial Strategy

OTHER POLICY DOCUMENTS

Design Of Residential Areas Supplementary Planning Document (October 2011)

PLANNING HISTORY

R/2022/0864/FF - Detached two storey dwellinghouse and detached single garage with solar panels on roof – application refused - Reason for Refusal: *The application site is located outside the designated development limits. No exceptional circumstances have been demonstrated, nor material planning considerations identified, that would justify a departure from the Local Plan.* The application is contrary to policies SD3 and SD4 of the Redcar and Cleveland Local Plan.

Decision appeal with the Planning Inspectorate – Appeal ref APP/V0728/W/23/3319096 – Inspector dismissed the appeal because –

The proposal, comprising development outside of designated development limits that would not meet any relevant exception criteria, would comprise harmful development in the countryside. This would conflict with Policies SD3 and SD4 of the LP, which together seek, among other objectives, to restrict development beyond development limits other than in specific circumstances, to contain future development, to make a clear distinction between the urban area and the countryside, to prevent uncontrolled urban sprawl, to deliver sustainable development, and to meet the requirements of the locational policy and accord with other Local Plan policies and designations.

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 one written representation has been received supporting the original proposal.

- *This looks like a very good contemporary way of building for the future great idea and plan we should move with the times houses aren't always bricks n square buildings anymore very much in favour of this project*

Redcar and Cleveland Borough Council (Housing Area Services)
(06/09/2023)

No objections

Redcar and Cleveland Borough Council (Planning Strategy) (22/09/2023)

As with the 2022 application, to accord with the Local Plan the proposals should in the first instance meet at least one of the SD3 exceptions criteria, as outlined overleaf.

- a. an appropriate diversification or expansion of an existing agricultural or forestry activity;*
- b. a recreation or tourism proposal requiring a countryside location;*
- c. facilities essential to social and community needs;*
- d. housing essential for farming, forestry or the operation of a rural based enterprise;*
- e. housing meeting the rural exceptions policy, as set out in Policy H4;*
- f. isolated single dwellings that are of exceptional quality and incorporate innovative design features, reflecting the highest standards in architecture and sustainability;*
- g. a suitably scaled extension to an existing building;*
- h. development required to ensure the conservation and, where appropriate, enhancement of assets of historical significance;*
- i. other development requiring a countryside location due to technical or operational reasons; and*
- j. redevelopment of previously developed land, provided that the site is not of high environmental value and is, or can, be made accessible by sustainable modes of transport.*

Proposals for the conversion or reuse of existing buildings outside of development limits will be supported where the following criteria are met:

- k. the building is of a form, character and general design in keeping with its rural surroundings;*
- l. the building is structurally sound and capable of re-use without fundamental rebuilding; and*
- m. the building is large enough to be converted without the need for additional buildings, substantial new extensions or significant alteration.*

Thereafter, the proposed development should accord with all relevant aspects of policy SD4 and any related policies.

**Redcar and Cleveland Borough Council (Development Engineer)
(07/10/2024)**

The land is served via Mutton Scalp Road, which is just off Lingdale Road on the outskirts of Boosbeck. The area is lightly trafficked and serves a rural estate.

Sufficient area for manoeuvring is available within the site and car parking has been provided. An access has been indicated as per the 'SITE, LOCATION PLAN & SECTION – Rev. 5' issued on 31/05/2024.

We have no objections to the proposal subject to condition.

Highway Works

The development hereby permitted shall not commence until details of a suitable access arrangement have been submitted to and approved in writing by the Local Planning Authority, thereafter such access arrangements that have been agreed in writing shall be constructed in line with such plans prior to occupation of the development hereby approved.

Reason: In the interests of providing a safe means of access to the site by all modes of transport and to, minimise disruptions to the free flow of traffic having regard for Local Plan Policy and sections 9 and 12 of the NPPF.

Car Parking

The development hereby approved shall not be occupied until the areas for vehicle parking have been constructed and laid out in accordance with the approved drawing 'SITE, LOCATION PLAN & SECTION – Rev. 5' issued on 31/05/2024, or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority. Such areas shall thereafter be retained in perpetuity for the sole purpose of parking vehicles.

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 (Local Lead Flood Authority)
(03/10/2024)**

The LLFA have reviewed the limited information relating to the disposal of surface water. The site does not sit within flood zone 2 or 3 however, the applicant has failed to demonstrate how surface water will be disposed of, as such, whilst there is no objection to the principle of development in terms of surface water, a condition requiring a drainage scheme to be submitted prior to any commencement on site would need to be sought.

The applicant does indicate a soak away however, this will need to be proven to work with supporting testing results (BRE 365) as our underlying substrata does not usually allow for adequate percolation. As such the LLFA does not normally allow this as the primary disposal of surface water.

**Redcar and Cleveland Borough Council (Environmental Protection)
(Contaminated Land) (11/09/2023)**

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 a Screening Assessment Form has been submitted with the above application. The assessment does not highlight any past contaminative historic use, pollution episodes or that it is affected by contamination from

adjoining land.

However, the Design and Access Statement states “this tract of land has had numerous buildings historically on the site and can categorically be called a brown field site” also 1967 Ordnance Survey mapping show seven structures across the site with the Design and Access Statement also mentioning ‘existing remains of buildings’

The precise historic usage of these buildings and materials used are unknown, given their age asbestos may be present.

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) (07/09/2024)

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’s proximity to neighbouring properties whose amenity may be affected by construction noise from 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 nuisance and contaminated land

- The impacts on drainage and flooding
- The impacts on highways safety

The principle of development

The site is located outside of development limits. Local Plan Policy SD3 restricts development outside of development limits to specific criteria. The supporting design and access statement presents a case to argue the proposal is in accordance with Criterion f. of SD3, 'isolated single dwellings that are of exceptional quality and incorporate innovative design features, reflecting the highest standards in architecture and sustainability'. Connected to that, policy SD4 sets out that all development must be designed to a high standard and that all development proposals should (among other things) be 'sustainable in design and construction, incorporating best practice resource management, energy efficiency and climate change adaptation'. It is confirmed in supporting para. 2.35 that the Council will adopt prevalent nationally prescribed sustainable construction standards, with developments encouraged to exceed minimum standards where possible. The revised design has taken on board elements towards 'making a positive difference to people's wellbeing' and promotes mental health.

The Design and Access Statement states the design reflects the highest standards and quality of design and incorporates many obvious design features that contribute towards a sustainably designed building. The design has been well thought out, is purposeful and unique. We believe that the proposed dwelling would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

The health design elements are noted nevertheless a living wall, outdoor seating areas, internal garden and coloured panes of glass are not considered sufficient to fall under the requirements of criterion f. of SD3 *'exceptional quality and incorporate innovative design features, reflecting the highest standards in architecture and sustainability.'*

The proposal includes a selection of various external materials, the use of drainage systems and solar panels that would go towards making the proposal sustainable. However, the application lacks specific details of how much energy etc the proposals will produce to reflect the highest sustainability as required to accord with SD3.

The design of the dwelling, whilst very different to any other property within Boosbeck or the neighbouring village of Lingdale is not considered to be to a high standard that is exceptional. It is also noted the proposed 'man shed' workshop building is proposed to be located to the front of the site and is a typical timber shed design, not individually designed of the highest architectural standard.

In terms of national policy, Paragraph 84 of the NPPF states decisions should avoid the development of isolated homes in the countryside unless one or more of a list of circumstances apply. Criterion e. of Paragraph 84 permits a

dwelling where –

‘the design is of exceptional quality, in that it:

- is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.’

It is considered the proposed design is not truly outstanding and will not significantly enhance its immediate setting.

It is considered the application is contrary to Redcar and Cleveland Local Plan Policy SD3 f. and paragraph 84 e. of the NPPF.

The impacts on the character and appearance of the area

Policy SD4 of the Council’s Local Plan permits development, which 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 site is located on a hillside surrounded by mature trees and shrubs. The site is largely obscured from view from Lingdale Road due to the vegetation. The character of the immediate area consists of small storage buildings both perhaps domestic and agricultural in nature. It is granted the proposal includes a timber ‘man shed’ workshop building which will be to the north of the dwelling and closest to Lingdale Road, which is more in line with the other nearby existing buildings. Nevertheless, it is considered the two storey dwelling will be out of character due to the scale of the building and design and contrary to part j of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on neighbour amenity

Policy SD4 of the Council’s Local Plan permits development where it will not have a significant adverse impact on the amenities of occupiers of existing or proposed nearby land and buildings.

There are no immediate residential dwellings to the site and as such it is considered the proposal will not have a detrimental impact on neighbouring amenity.

The dwelling notwithstanding the concerns about the principle of development 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 contaminated land and nuisance

Local Plan Policy SD4 permits development where it will *e. avoids locations that would put the environment, or human health or safety, at unacceptable*

risk and n. minimise pollution including light and noise and vibration levels to meet or exceed acceptable limits.

The application has been assessed by the Council's Environmental Protection team in terms of nuisance and contaminated land. A land contamination screening assessment form has been submitted as part of the application. Environmental Protection note whilst the assessment doesn't highlight any past contaminative historic use, pollution episodes or that it is affected by contamination from adjoining land, the design and access statement mentions 'existing remains of buildings'. The precise historic usage of these buildings and materials used are unknown, given their age asbestos may be present. In order to minimise the environmental impact and to ensure that the site is fully characterised and suitable for the proposed end use Environmental Protection recommend the inclusion of the full Standard Contaminated Land Condition onto any planning permission which may be granted.

In terms of nuisance, a condition restricting construction hours due to the development's proximity to neighbouring properties is recommended should permission be granted.

Subject to the inclusion and discharge of said conditions it is considered the development is acceptable in terms of nuisance and accords with the aims of Local Plan Policy SD4.e and n.

The impacts on drainage and flooding

Local Plan Policy SD4.f permits development where it will not increase flood risk either on site or downstream of the development.

The application has been assessed by the Local Lead Flood Authority (LLFA). The application contains limited information relating to the disposal of surface water. The site does not sit within flood zone 2 or 3 but the applicant has failed to demonstrate how surface water will be disposed of and as such the LLFA has no objection to the principle of development but requests a condition requiring a drainage scheme prior to any commencement on site would need to be sought.

The LLFA also note the plans include a soak away however, this will need to be proven to work with supporting testing results (BRE 365) as the underlying substrata does not usually allow for adequate percolation. As such the LLFA does not normally allow this as the primary disposal of surface water.

Subject to the inclusion of a condition relating to surface water drainage and subsequent discharge, it is considered the development is acceptable in terms of drainage in accordance with Local Plan Policy SD4. f.

The impacts on highways safety

Policy SD4. p of the Council's Local Plan permits development which provides suitable and safe vehicular access and parking suitable for its use and location.

The application proposes to use the existing access into the site via Mutton Scalp Lane. The Council's Development Engineers have no objection in principle. There is sufficient area for manoeuvring within the site and car parking has been provided. The engineers have suggested two conditions relating to the access arrangement into/out of the site and car parking areas to be provided in accordance with the submitted plans.

Subject to submission of highway details prior to commencement of the Development and subsequent discharge, 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.

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.

CONCLUSION

The application seeks consent for a dwelling outside of the designed development limits. Insufficient justification is provided to meet with the exceptions identified within the NPPF or policy SD3 of the Local Plan. The proposal is contrary to policies SD3 and SD4 of the Redcar and Cleveland Local Plan.

RECOMMENDATION

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

REFUSE PLANNING PERMISSION for the following reason(s):

The application site is located outside the designated development limits. No exceptional circumstances have been demonstrated, nor material planning considerations identified, that would justify a departure from the Local Plan. The application is contrary to policies SD3 and SD4 of the Redcar and Cleveland Local Plan

STATEMENT OF COOPERATIVE WORKING

Statement of Co-operative Working: The Local Planning Authority considers that the application as submitted did not meet with the local policies and guidance. The applicant / agent has been advised of the concerns however no suitable amendments have been submitted to address the concerns raised. .