

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER:	R/2023/0536/FFM
LOCATION:	LAND ADJACENT 89 BROADWAY AND 2 ST DAVIDS ROAD GRANGETOWN MIDDLESBROUGH TS6 7HS
PROPOSAL:	ERECTION OF 28 BED HMO (CONTRACTOR'S ONLY) TWO STOREY BUILDING WITH ASSOCIATED ACCESS; CAR PARKING & LANDSCAPING

[Planning Application Details](#)

APPLICATION SITE AND DESCRIPTION

Permission is sought for erection of 28 bed HMO (contractor's only) two storey building with associated access; car parking & landscaping.

The application relates to land adjacent to 89 Broadway and 2 St Davids Road, Grangetown. The site is on the south side of Broadway and located to the east of 89 Broadway and to the west of St Davids Road. The employment areas of Teesworks and Wilton International are located to the north and east of Grangetown. The application site is currently vacant and had previously been used for a clinic. No buildings remain on the overgrown site. The area contains a mix of two storey terraced and semi detached dwellings. To the south of the site lies a turning circle and access road which runs behind the dwellings of Broadway and St David Road.

This application seeks consent to construct a 'T' shaped two storey building which will operate as a contractors hotel. The front elevation of the building will extend 33m across Broadway. The front section of building will be 9.3m wide. The rear section of building will extend back 12m and will be 14.5m wide. The eaves height of the building will be 5.5m and the ridge will be 8.3m high. All elevations will contain windows and doors and the roof will include rooflights. The ground floor will contain 12 rooms, a communal living area, a storage area and bike store. The first floor will include 12 rooms, a communal living area and two storage areas. The third floor will contain four rooms with a further communal living area. All 28 rooms consist of a small living area, bedroom and bathroom. All rooms on the ground and first floor will have a window serving the living area but not the bedroom. The rooms on the second floor will have larger living areas. Vehicular access to the site will be to the south of the site onto the existing road/turning circle which runs to the rear of the neighbouring dwellings. The site will provide 18 incurtilage parking spaces, cycle storage, a bin store area and pedestrian access from Broadway and St Davids Road.

The application has been accompanied by:

- A site location plan and site plan
- Proposed elevation and floor plan drawings
- Drainage Strategy and Drainage Plan
- Habitat Regulations Assessment
- Transport Statement
- Planning Design and Access Statement
- Statement of Community Involvement
- Land Contamination – Phase 1 Land Risk Assessment
- Nutrient Credit Certificate

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
LS1 Urban Area Spatial Strategy
N4 Biodiversity & Geological Conservation
TA1 Transport and New Development

OTHER POLICY DOCUMENTS

Design of Residential Areas Supplementary Planning Document (July 2011)

PLANNING HISTORY

R/2006/1023/FF - Erection of a 12 bed 2 storey care unit with associated car parking and landscaping – granted – 07/02/2007

L/1993/0037/FF - Replacement of existing prefabricated buildings with a new two storey resource centre – granted - 1993

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 twenty five (25) written representations have been received objecting to the application. The representations are summarised as follows:

- *Too close to residential dwellings*
- *Already a two storey unoccupied building on corner of Argyle and Broadway, probably same will happen with this when served its purpose*
- *Want to improve area, not drag it down*
- *We have enough riff raff amongst us we don't need more*
- *Area is high crime area, an influx of out of area residents, in small area will encourage more crime*
- *Site is heavily built up area up if contractorsare working shifts, this will cause noise issues for residents*
- *Area has very limited parking with no direct access to the Trunk Road. Small residential streets nearby will have a large volume of traffic to and from the building..... increases risk of road traffic accidents*
- *No way it's for contractors, having worked away myselfI look for somewhere to get something to eat and somewhere to get a pint or two at end of my working day there are neither of these two in the local area*
- *Just a whitewash to get accommodation built which will end up housing more doss or illegal immigrants which we don't want in Grangetown*
- *My family lived on that road for 90 years we do not want this and will fight to stop this happening*
- *Its not for contractors, what contractor would want to stay in a town without 1 local pub so if you saying its contactors is you scamming and lying to local people*
- *If local businesses wanted to provide accommodation, they would. Private investors should be given the opportunity under the cover of 'for workers only'. This could include any workers, not just for the local industry*
- *Have many family members close by and would feel it brings a benefit to the area*
- *If accommodation is needed the local authority should come together with the businesses and discuss a plan, where it can be controlled who does and doesn't live there*
- *Will end up housing druggies*
- *Cannot see why we need this building as there is no work in this area plus there's better places to build it*
- *New building would not fit into as the area is old houses would look out of place*
- *Will only work if its legit for the purpose of Tees Works but if it doesn't work out, we worry it will impact the area negatively if they use the HMO's for anyone*
- *Who and where would tradespeople be coming from and how would they have to apply to stay there*
- *If plans go ahead and council uses public and crown funding for the purposes published, and then houses miscreants, deviants and*

*whatever else, you would be in violation of notification errors surely?
.... Then will put the community at risk and use its own funds to do so.
You are a council, which should be for the good and benefit of
residents*

- Will you promise to only house contractors? What will happen when the rooms are no longer getting used, or are under subscribed? Will you use this as an excuse to raise funds by housing people who would threaten our neighbourhoods*
- The community has enough problems without this being built*
- Believe it will be used to house asylum seekers*
- Have concerns due to the erection of one at the bottom of South Bank and a hotel (according to the Tees Valley Mayor) This has the finger print of Barrow in Furness, where most of the areas have produced HMS and the contractors have moved into smaller accommodation and these have been used to house drug users*
- Do not want this in TS6*
- Wouldn't benefit the area and once work completed on site at Teesport what will happen then more intake of undesirable*
- Lived in area 50 years, over this time seen the area decline. Massive affect for this who live here by way of anti social behaviour, dumping rubbish and theft*
- Proposal would have detrimental effect on local area and people living here ...would have negative affect on younger children heavily influenced by what they see and hear*
- Would support any improvement to this derelict land however a HMO is not an acceptable solution*
- HMO developments can harm and unbalance communities, spark decline and make residents feel threatened, with increased crime, anti-social behaviour litter and noise*
- This can result in residents being forced to sell their homes and move out resulting in a further decline in an area that is desperate for improvement*

Health and Safety Executive (PADHI) (13/09/2023)

Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Cleveland Police (29/09/2023)

I would like to make you aware that Cleveland Police operate the "Secured By Design" initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments.

I recommend applicant actively seek Secured By Design accreditation, full information is available within the SBD Homes 2023 Guide at www.securedbydesign.com.

I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour. (It is noted within Section 13 of the Design & Access Statement applicant does intend to liaise with me)

Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

- The National Planning Policy Framework 2023 paragraph 92(b); which states that Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...*
- The National Planning Policy Framework 2023, paragraph 130(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".*
- Redcar & Cleveland Local Planning Policy also states within SD4 (General Development Principles) part m. create a healthy, active, safe and secure environment, and Policy ED1 part e. enhancing the appearance, safety and environmental quality of the centre.*
- Another material consideration is Section 17 of The Crime And Disorder Act 1998.*

Further information on the Secured By design initiative can be found on www.securedbydesign.com

Although not an SBD requirement, Redcar & Cleveland along with many other areas nationwide suffers from offences of metal theft. These include copper piping, boilers, cables and lead flashing. Buildings under construction are particularly vulnerable. I recommend that alternative products be utilized where possible. Many new builds are now using plastic piping where building regulations allow and alternative lead products.

Strong consideration should also be given in relation to the provision of On-Site Security throughout the lifespan of the development. There is information contained within the Construction Site Security Guide 2021 also on the SBD website that may assist.

In addition to the above, having viewed the proposal I would also make the following recommendations. HMOs can bring specific issues simply due to concentrating more single adults into a dwelling than an average household.

HMOs that are poorly managed and badly maintained can put an extra burden on local services, including Police and have a negative impact on the area.

A good management plan is essential should permission be granted and often absent landlords can also impact on the effective management and running of the premises.

Should the proposed use change from contractors rooms in the future I would be concerned as to the potential for the building to simply become a generic HMO and additional problems this could bring to the location, with that in mind if possible could any future change of actual usage be conditioned?

I recommend 24 Hr concierge / staff presence at the site.

All communal doors are recommended to be tested and certified LPS1175:A1 rating. This also includes any door entry systems having been tested as part of the scope for the door-set as a whole.

External fire doors should be free of external door furniture.

Individual room doors and ground floor and readily accessible windows should be tested and certified PAS24:2022/2016 standards (or equivalent).

Appropriate external dusk dawn lighting around external facades of building are recommended.

CCTV covering perimeter, including parking area and internally covering entrances and communal circulation areas is strongly recommended. Compartmentalisation of the building should be considered to limit unhindered access by an individual.

I strongly recommend the parking area is secured by 2.0m high boundary treatments and locking gates, both vehicular and pedestrian access points, due to the vulnerability of the contractors vehicles being broken into. The very fact it is proposed to be a contractors facility will be an attraction in itself to thieves due to the potential for high value tools and equipment. Parking needs to be within a secure compound, also preferably accessed from Broadway.

The rear of the site is afforded virtually no informal or natural surveillance from surrounding buildings due to their orientation which increases the vulnerability of the parking area.

The parking area should also be column lit to BS5489:2020 standards with minimum uniformity of 25%.

Natural England

28/09/2023

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects on Teesmouth & Cleveland Coast Special Protection Area, Ramsar site and Site of Special Scientific Interest. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- Amended Habitats Regulations Assessment Appropriate Assessment*
- Nutrient Mitigation strategy*
- Contribution to the Coastal Mitigation Scheme*

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

Additional Information required Amended Habitats Regulations Assessment

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Despite the proximity of the application to European Sites, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment. We note the Report to Inform a Habitats Regulations Assessment – Nutrient Input. However, the scope of this report is not sufficient to meet Habitats Regulations Requirements as it only considers potential impact from Nutrient Impact. Due to the nature, scale and location of this development, the scope of this report is not sufficient to rule out Likely Significant Effect and the development should be re-assessed.

It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England must be consulted on any appropriate assessment your authority may decide to make.

Natural England advises that there is currently not enough information provided in the application to determine whether the likelihood of significant effects can be ruled out.

We recommend you obtain the following information to help you undertake a Habitats Regulations Assessment:

- A Nutrient Mitigation Strategy for the 19.05 kg TN/year additional nutrients resulting from this development.*
- An assessment of the potential impact from Recreational Disturbance and an appropriate contribution to the Coastal Mitigation Scheme accordingly.*

Teesmouth and Cleveland Coast Site of Special Scientific Interest (SSSI)

The SSSI is subject to similar pressures and threats as the Teesmouth and Cleveland Coast Special Protection Area and Ramsar site. Therefore, the results of the Habitats Regulation Assessment and the proposed mitigation measures should equally apply to, and sufficiently protect, the SSSI.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

Further general advice on the protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me on 07443255244. Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our Discretionary Advice Service.

24/10/2024

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Teesmouth & Cleveland Coast Special Protection Area and Ramsar Site - <https://designatedsites.naturalengland.org.uk/>.*
- damage or destroy the interest features for which Teesmouth and Cleveland Coast Site of Special Scientific Interest has been notified.*

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required:

- Full payment for the allocated no. credits from the Nutrient Mitigation Scheme. This can be evidenced through completion of Section 9 in the relevant Credit Certificate.*
- Secure contribution to the Recreation Management Plan*

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

European sites Teesmouth & Cleveland Coast Special Protection Area and Ramsar Site

We refer the Council to Natural England's overarching advice regarding nutrient neutrality dated 16th March 2022 and sent to all relevant Local Planning Authorities.

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment (HRA) process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the provisional nutrient credit certificate that has been secured to mitigate for the identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions subject to full payment being made for the required nutrient credits.

Section 9 of the nutrient credit certificate provides the means to demonstrate that full payment has been made.

A suitable planning condition should be attached to any planning approval.

Teesmouth & Cleveland Coast Site of Special Scientific Interest

Based on the planning documents and nutrient credit certificate submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

Other advice

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

Redcar and Cleveland Borough Council (Planning Strategy) (13/09/2023)

The application site is located within development limits in a largely residential area of Grangetown.

In accordance with policy SD4 it should be ensured that the proposal will not have a significant adverse impact on the amenities of occupiers of existing or proposed nearby land and buildings; respects or enhances the character of the site and its surroundings in terms of its proportion, form, massing, density, height, size, scale, materials and detailed design features; and provides suitable and safe vehicular access and parking suitable for its use and location.

Biodiversity should be protected and enhanced in accordance with Policy N4, including ensuring that there are no adverse impacts on protected species. 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. Policy N4 states that development requiring Appropriate Assessment will only be allowed where it can be determined through Appropriate Assessment at the design stage that, taking into account mitigation, the proposal would not result in adverse effects on the site's integrity, either alone or in combination with other plans or projects. Therefore the nutrient impact of any proposed development must be calculated and appropriate mitigation provided in accordance with the principles of nutrient neutrality. Additionally, within 6km of the Teesmouth and Cleveland Coast SPA and Ramsar Site proposals that would result in a net increase in residential units 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.

Redcar and Cleveland Borough Council (Development Engineer)

17/11/2023

Highways have reviewed the application and would offer an objection for the following;

The parking provision for a HMO would be the same as flatted development, equalling 1.5 spaces per room. Therefore the required parking for the HMO would be 42 parking spaces. The applicant is providing a total of 18 parking

spaces. Given that the HMO is to be restricted to Contractors only - confirmation of how this will be controlled should be provided.

The proposed access arrangements from the unnamed adopted highway (Broadway Back Street rear of St George's Road East) would not be favourable given the existing use of rear access arrangements for the properties on Broadway and St George's Road. The Transport Statement further suggests displaced parking would be available on the approach to the access however, this would have a detrimental impact on the existing adopted highway users at this location.

If the development can be restricted in perpetuity to contractors only accommodation, then highways would be willing relax the requirement to 28 parking spaces, given 28 single-occupancy rooms proposed.

For the reasons above, highways object to the current proposal.

04/09/2024

The application is for a 28 bedroomed HMO. 18 vehicular parking spaces are provided within the footprint of the site, and a secure space for the storage of 8 cycles has been provided within the footprint of the building.

Vehicular access is currently provided via Saint Davids Road, this access will be removed and will be the subject of condition. One point of vehicular access will be created to serve the proposed vehicular parking facility via the unnamed access road immediately to the south of the development, which may also be known as 'Broadway Back Street of Saint Georges Road East'. This area will be the subject of works to ensure the highway environment is clearly demarcated and access to the parking area facilitated, these works will be the subject of condition.

A transport statement has been submitted in support of the application. That statement identifies the uses associated with the HMO, and contractors working in the immediate area being the main users of the facility, as a result a high level of car sharing can be expected. The location of the development accords it good linkages to sustainable transport modes, with it being within a 20minute walking distance of an employment site.

There are no apparent parking issues in the immediate locality, with a surplus of on street parking, the development will also allocate further space on Broadway Road for parking and a pick up / drop off facility for access to the HMO. These works can be secured through condition.

It is therefore for the above reasoning we recommend approval subject to condition.

Conditions:

Removal of Access

The existing vehicular access on to Saint Davids Road, not shown as being retained on the approved drawing 'TPS001A – Full Plans', Dated: June 2024 shall be removed in accordance with details to be submitted to and approved in writing by the LPA prior to the development hereby approved coming into use.

Reason: To confine access to the permitted points in the interests of good management of the highway and to minimise the number of vehicle accesses onto the highway in the interests of free flow of traffic and safety of highway users 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 for parking and 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.

Off-Site Highway Works

The development hereby permitted shall not come into use until the highway works detailed below have been carried out in accordance with the submitted drawing 'TPS001A – Full Plans', Dated: June 2024 or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority:

- a) unnamed access road immediately to the south, also known as 'Broadway Back Street of Saint Georges Road East', full height kerb installed to retain green space and a flat channel unit installed for access to the site*
- b) carriageway and footway resurfacing works as required to facilitate point a;*
- and,*
- c) A scheme of road lining on Broadway Road*

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.

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.

Cycle Store Details Required

The development hereby approved shall not be brought into use until the secure cycle parking facilities, for 8 cycles, have been provided in accordance with drawing 'TPS001A – Full Plans', Dated: June 2024 or other such plans submitted to and approved in writing by the Local Planning Authority. Such drawings to show the position, design, materials and finishes thereof. Thereafter the cycle parking facilities shall be retained in perpetuity for the sole purpose of parking cycles.

Reason: To promote use of cycles reducing traffic congestion and in the interests of the amenities of residents to ensure a satisfactory form of development having regard for Local Plan Policy and sections 9 and 12 of the NPPF.

Redcar and Cleveland Borough Council (Local Lead Flood Authority) (18/09/2023)

The LLFA have reviewed the application and in principle do not object to the proposal subject to further information being provided in conjunction with conditions 1,2 & 3 of the LLFA planning conditions. There is a lack of detail regarding the volume of water stored in the retention tank, detail in the maintenance plan regime, car parking area has no oil interceptor and agreement regarding volumes discharged into NWL's sewer network have to be agreed with them. Further review will be undertaken following this information being provided.

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 Phase 1 Preliminary Risk Assessment Desk Study has been submitted with the above application.

The report states that the risks to human health have been assessed as low and no further land quality investigation is considered necessary.

The applicant should be aware of his responsibilities under para 178 of the NPPF

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation) and

b) that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

As a precaution I would therefore recommend the following condition to cover unexpected contamination that may be encountered during the development

- 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, and where remediation is necessary a remediation scheme must be prepared 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

Following completion of the development a report must be submitted confirming that unexpected contamination was not encountered during the development

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) (06/09/2023)**

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 the development is in close proximity to neighbouring residential properties whose amenity is likely to be affected by noise and dust associated with construction activities from the proposed 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.

- Prior to the commencement of construction details of a dust mitigation strategy for the construction phase of the development shall be submitted to the Local Planning Authority for approval in writing. The approved strategy shall be implemented in its entirety and maintained throughout the period of construction.

REASON: In the interests of neighbour amenity.

Redcar and Cleveland Borough Council (Greener Future – Climate Change) (27/09/2023)

No Objection

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 impacts on surface water flooding
- The impacts on land contamination and nuisance
- The impacts on nutrient neutrality
- The impacts on biodiversity and geological conservation

The principle of development

The National Planning Policy Framework (NPPF) states that new applications should be considered in the context of the presumption in favour of sustainable development.

Policy SD1 of the Local Plan confirms the policy in the NPPF in relation to the presumption in favour of sustainable development.

Policy SD2 of the Local Plan sets out the locational strategy for the borough and confirms that Grangetown is within the urban area. The policy confirms that the majority of development would be focused within the urban and

coastal areas. Policy SD2 also states that priority will be given to brownfield land in sustainable locations.

Policy SD3 relates to development limits and confirms that *within development limits, development will be supported, subject to meeting other policies in the Local Plan.*

The application site is located within the identified development limits. The site is close to the two employment areas of Teesworks and Wilton International. The site is in a sustainable location and is in close proximity to bus routes. The site is well connected by the existing road network and pedestrian footpaths. Comments have been received during the public consultation period concerned the building won't be suitable for contractors due to the lack of facilities. It is granted there isn't any immediate facilities for food and drink. There is a convenience store to the west on Birchington Avenue along with a pharmacy and bakery. Approximately 0.7 of a mile away lies the Sandstone Nab Public House and McDonalds. Tesco Extra supermarket lies under 1 mile away at the Low Grange Farm development which includes Subway and Greggs. The facilities are within walking distance of the application site and the relationship is considered acceptable.

As a result of the site's location and the proposal the principle of development is acceptable and the proposal would accord with the broad aims of policies SD1, SD2 and SD3 of the Local Plan.

The impacts on the character and appearance of the area

Policy SD4 of the Local Plan refers to General Development Principles. Criteria j, k and l require proposals to respect the character of the area and seek to improve the character and quality where possible along with being sustainable in design.

The site is located within a predominantly residential area on the eastern edge of Grangetown. Local shops and services are found approximately 200m to the west on Birchington Avenue. The neighbouring dwellings are two storey and consist of a mix of terraced dwellings to the west and semi detached dwellings on St Davids Road to the east and south east. The proposed building will extend 33m across the front of the site along Broadway. Whilst it is acknowledged the building is a much larger structure than neighbouring dwellings, due to the terraced nature of many of the dwellings on Broadway, the proposed building will have a similar character. The adjacent row of terraced dwellings to the west of the site is approximately 39m in length. The front elevation of the building has design features such as the front gable roof details and smaller gable roof designs along the elevation to provide character, break up the frontage and reflect the character of the neighbouring end terraced dwellings. The two storey nature of the building is also similar to neighbouring buildings. It is granted the proposed building will have rooms in the roof and roof lights to serve the rooms which is different, however it is considered sufficient to be in accordance with the aims of Local Plan SD4.j.

The application includes a comparison plan which provides the outline of the former clinic building, the outline of the previously approved nursing home (R/2006/1023/FF) and the outline of the proposed building subject of this application. It is granted the proposed building has a larger footprint than both the previously approved care home and former clinic building, however the proposed scale is considered acceptable in this location.

The proposals are 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

Policy SD4 of the Local Plan at criteria b requires that proposals *will not have a significant adverse impact on the amenities of occupiers of existing or proposed nearby land and buildings.*

The application has received many objections from local residents who are concerned with the proposed use of the building and problems it may bring in terms of anti-social behaviour, crime, noise, increase in traffic, the people who may stay in the building, the building being out of character with the area and the local area not having facilities to serve contractors staying in the building. Cleveland Police Designing Out Crime Officer has commented on the application and referenced potential issues if the proposed use was to change from contractor rooms to become a generic house in multiple occupation (HMO). In terms of the users of the building the local planning authority has limited control over who resides in the building and cannot control the management of the facility, nevertheless if recommended for approval a condition can be included restricting the development to temporary living accommodation which will restrict the use of the property and allow the local planning authority to consider the impact of permanent living accommodation in this location.

In terms of resident's concerns regarding crime and anti-social behaviour, the fear of crime is capable of being a material planning consideration. However, the fear of crime must be objectively justified, have some reasonable basis and must relate to the use. The general concern from local residents appears to be that the building won't be used for contractors and will become full time living accommodation, many of the comments don't relate to contractor use. Cleveland Police have commented and raised potential issues but the concerns mainly relate if the building became a 'generic HMO', which is not the proposed use. As discussed above, any change to full time living accommodation would require the submission and assessment of a further planning application. There is also no evidence that contractor accommodation creates more crime

Cleveland Police have recommended the installation of 2m high boundary treatments to create a secure compound to protect contractor vehicles being

broken into and CCTV around the site. A condition could be included requiring details of site security measures and site boundary treatments.

In terms of the position of the building in relation to the existing residential dwellings, the Design of Residential Areas Supplementary Planning Document advises to *protect the privacy of existing dwellings by ensuring that there is a suitable separation distance between proposed and existing dwellings. The minimum separation distance usually required is 21m between the fronts and/or backs of dwellings and 13m from the rear or front wall to the side wall of an adjacent property.* Whilst the application does not propose residential dwelling, separation distances have been considered and the application accords with the SPD guidance.

The proposed building will create rooms with a separate bedroom, bathroom and small living area. The rooms on the ground and first floor will largely be served by one window in the living area. The bedroom space will not have any natural light. Whilst the lack of windows isn't ideal, it is considered acceptable due to the nature of the temporary accommodation the use/building will provide. As discussed previously, any recommendation for approval will include a condition restricting the use to temporary residential use. The proposed layout of the building is not considered suitable for permanent residential occupation.

The proposed two storey contractors' accommodation will 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

Criteria p of policy SD4 states that developments will be expected to *provide suitable and safe vehicular access and parking suitable for its use and location.*

The Council's Development Engineers have assessed the application and have no objections to the proposals. The engineers note vehicular access is currently provided via Saint Davids Road, this access will be removed and will be the subject of condition. One point of vehicular access will be created to serve the proposed vehicular parking facility via the unnamed access road immediately to the south of the development, which may also be known as 'Broadway Back Street of Saint Georges Road East'. This area will be the subject of works to ensure the highway environment is clearly demarcated and access to the parking area facilitated, these works will be the subject of condition.

A transport statement has been submitted in support of the application. The statement identifies the uses associated with the HMO, and contractors working in the immediate area being the main users of the facility, as a result a high level of car sharing can be expected. The location of the development

accords it good linkages to sustainable transport modes, with it being within a 20 minute walking distance of an employment site.

There are no apparent parking issues in the immediate locality, with a surplus of on street parking, the development will also allocate further space on Broadway Road for parking and a pick up / drop off facility for access to the HMO. These works can be secured through condition. The Development Engineer has suggested the inclusion of conditions relating to the removal of the existing access onto St Davids Road, car and cycle parking layout, off site highway works, method of works statement and cycle store details.

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.

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.

The impacts on surface water 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 includes a Drainage Strategy and Drainage Plan. The application has been assessed by the Local Lead Flood Authority (LLFA) and in principle do not object to the proposal subject to further information being provided in conjunction with three standard LLFA conditions. The LLFA note there is a lack of detail regarding the volume of water stored in the retention tank, detail in the maintenance plan regime, car parking area has no oil interceptor and agreement regarding volumes discharged into Northumbrian Water's sewer network have to be agreed with them. Further review will be undertaken following this information being provided.

Subject to the inclusion and discharge of the LLFA's 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 land contamination and nuisance

Local Plan Policy SD4. e. permits development where it *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. In terms of land contamination, a Phase 1 Preliminary Risk Assessment Desk Study has been

submitted with the above application. The report states that the risks to human health have been assessed as low and no further land quality investigation is considered necessary. Environmental Protection note the applicant should be aware of his responsibilities under para 178 of the NPPF a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation) and b) that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. As a precaution Environmental Protection recommend a condition to cover unexpected contamination that may be encountered during the development.

In terms of nuisance, Environmental Protection note the development is in close proximity to neighbouring residential properties whose amenity is likely to be affected by noise and dust associated with construction activities from the proposed development. The Environmental Protection team have recommended the inclusion of two conditions, a limit to the construction hours and the submission of a dust mitigation strategy before construction. The request for the dust mitigation condition is noted, however as the proposal does not involve demolition it is considered the condition isn't necessary in this instance.

Subject to the inclusion of a working hours and unexpected land contamination condition and 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 nutrient neutrality

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 includes 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 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. The developers have successfully applied for credits from Natural England to mitigate the development. As part of the scheme a certificate is issued which forms part of the planning application, Local Planning Authorities are then required to attach a condition should planning permission be granted. The condition would restrict occupation of the residential units until the credit balance is paid to Natural England. Once the balance is paid Natural England would issue a final certificate which can be used to discharge the occupancy planning condition.

The agent has submitted a copy of the signed mitigate certificate and the local planning authority has undertaken a Habitat Regulations and Appropriate Assessment. The assessment confirms that while the development has the potential to impact on the River Tees Nutrient levels the credits purchased through Natural England is sufficient to mitigate the adverse impacts resulting in an appropriate scheme which would not have a detrimental impact on the quality of the River Tees. Natural England have no objection to the application subject to appropriate mitigation being secured.

Subject to the use of a planning condition the application raises no issues in relation to nutrient neutrality.

The impacts of biodiversity and geological conservation

Policy N4 of the Local Plan seeks to protect and enhance the Boroughs biodiversity.

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.

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.

This application proposes 28 bedrooms. The required financial contribution for a temporary accommodation is based on the cost of a 70% occupancy of the 28 rooms. The applicant has agreed to pay the financial contribution should the application be approved, in advance of the decision being issued and therefore the development is considered to be in compliance with policy N4 of the Local Plan. Natural England have no objection subject to securing the contribution to the Recreational Management Plan.

Considering the details above the development is considered in accordance with Local Plan Policy N4.

CONCLUSION

For the reasons outlined above the proposal is considered acceptable. The application would bring a vacant site into use. The proposed building and use would not have an adverse impact on neighbour amenity, highways safety, land contamination, nuisance, surface water flooding or crime prevention. The

proposal would not have an adverse impact on the character and appearance of the area. The proposal accords with policies SD1, SD3, SD4 and N4 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:

- A. Financial contribution towards the recreation management plan.
- B. The following planning 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 and Elevations Amended 28.10.2024 (Dwg No. TPS001B - Full Plans) received by the Local Planning Authority on 28/10/2024

- Proposed Site Plan Amended 29.08.2024 received by the Local Planning Authority on 29.08.2024

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

3. 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 SD4.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site it relates to the construction of site compound and contractor parking details which relate to site preparation.

4. Prior to the commencement of development plans showing the existing and proposed ground levels over the site together with finished floor levels and maximum building heights shall be 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 a satisfactory relationship between existing and proposed buildings in accordance with policy SD4 of the Local Plan.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site as construction activity and site preparation can change existing levels resulting in increased ground levels which the authority needs to consider.

5. Prior to the commencement of the development, or in such extended time as may be agreed in writing with the Local Planning Authority, details shall be submitted and approved of the surface water drainage scheme and the development shall be completed in accordance with the approved scheme. The design of the drainage scheme shall include;
 - (i) Restriction of surface water greenfield run-off rates (QBAR value) with sufficient storage within the system to accommodate a 1 in 30 year storm.
 - (ii) The method used for calculation of the existing greenfield run-off rate shall be the ICP SUDS method. The design shall also ensure that storm water resulting from a 1 in 100 year event, plus climate change surcharging the system, can be stored on site with minimal risk to persons or property and without overflowing into drains, local highways or watercourses.
 - (iii) Full Micro Drainage design files (mdx files) including a catchment plan
 - (iv) The flow path of flood waters for the site as a result on a 1 in 100 year event plus climate change

REASON: To ensure the development is supported by a suitably designed surface water disposal infrastructure scheme and to minimise the risk flooding in the locality.

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

6. Prior to the commencement of the development, or in such extended time that may be agreed with the Local Planning Authority, details of a Surface Water Drainage Management Plan shall be submitted and approved by the Local Planning Authority. The Management Plan shall include;
- (i) The timetable and phasing for construction of the drainage system
 - (ii) Details of any control structure(s)
 - (iii) Details of surface water storage structures
 - (iv) Measures to control silt levels entering the system and out falling into any watercourse during the construction process
- The development shall, in all respects, be carried out in accordance with the approved Management Plan.

REASON: To ensure the development is supported by an appropriately designed surface water disposal infrastructure scheme and to minimise the risk of increased flooding and contamination of the system during the construction process.

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

7. The development shall not be occupied until a Management & Maintenance Plan for the surface water drainage scheme has been submitted to and approved by the Local planning Authority; the plan shall include details of the following;
- (i) A plan clearly identifying the sections of surface water system that are to be adopted
 - (ii) Arrangements for the short and long term maintenance of the SuDS elements of the surface water system

REASON: To ensure that the surface water drainage infrastructure is maintained to minimise the risk flooding in the locality.

8. 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.

9. 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.

10. 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, and where remediation is necessary a remediation scheme must be prepared 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.

Following completion of the development a report must be submitted confirming that unexpected contamination was not encountered during the development.

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

11. The working hours for all construction activities on this site are limited to between 08:00 and 18:00 Mondays to Friday and 08:00 to 13:00 Saturdays and not at all on a Sunday or Public Holiday.

REASON: To ensure that the any activity during the construction development would not have a significant adverse impact in relation to noise and disturbance in accordance with policy SD4 of the Local Plan.

12. The existing vehicular access on to Saint Davids Road, not shown as being retained on the approved drawing 'TPS001B – Full Plans', Dated: October 2024 shall be removed in accordance with details to be submitted to and approved in writing by the LPA prior to the development hereby approved coming into use.

REASON: To confine access to the permitted points in the interests of good management of the highway and to minimise the number of vehicle accesses onto the highway in the interests of free flow of traffic and safety of highway users having regard for Local Plan Policy SD and sections 9 and 12 of the NPPF.

13. No part of the development hereby approved shall be occupied until the areas shown on the approved plans for parking and 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 SD4 and sections 9 and 12 of the NPPF.

14. The development hereby permitted shall not come into use until the highway works detailed below have been carried out in accordance with the submitted drawing 'TPS001B – Full Plans', Dated: October 2024 or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority:

- a) unnamed access road immediately to the south, also known as 'Broadway Back Street of Saint Georges Road East', full height kerb installed to retain green space and a flat channel unit installed for access to the site
- b) carriageway and footway resurfacing works as required to facilitate point a; and,
- c) A scheme of road lining on Broadway Road

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.

15. The development hereby approved shall not be brought into use until the secure cycle parking facilities, for 8 cycles, have been provided in accordance with drawing 'TPS001B – Full Plans', Dated: October 2024 or other such plans submitted to and approved in writing by the Local Planning Authority. Such drawings to show the position, design, materials and finishes thereof. Thereafter the cycle parking facilities shall be retained in perpetuity for the sole purpose of parking cycles.

REASON: To promote use of cycles reducing traffic congestion and in the interests of the amenities of residents to ensure a satisfactory form of development having regard for Local Plan Policy and sections 9 and 12 of the NPPF.

16. A scheme for site security measures to include CCTV and details of site boundary treatments (if any) shall be submitted to and approved in writing by the local planning authority prior to first occupation. The approved details shall be fully implemented prior to first occupation and retained thereafter.

REASON: To ensure that the development would be a safe and secure environment in accordance with policy SD4 of the Local Plan.

17. The proposed accommodation hereby approved shall be occupied for work/holiday purposes only and shall not be occupied as a person's sole, or main place of residence. The owners/operators shall maintain an up-to date register of the names of all occupiers of individual rooms, and of

their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

REASON: To ensure that the approved work/holiday accommodation is not used for unauthorised permanent residential occupation to protect residential amenity in accordance with Local Plan Policy SD4.

18. Prior to the occupation of any of the overnight accommodation units hereby approved a final signed nutrient neutrality certificate supplied by Natural England shall be obtained and submitted to the Local Planning Authority in writing.

REASON: To ensure adequate nutrient mitigation is provided for the development.

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.