

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER:	R/2024/0222/FFM
LOCATION:	FORMER ESTON AND CALIFORNIA SOCIAL CLUB LTD HIGH STREET ESTON MIDDLESBROUGH TS6 9JD
PROPOSAL:	Change of use of former social club including first floor extension at front and addition of second floor inset extension to provide 10no. apartments including alterations to windows and fenestration

[Planning Application Details](#)

APPLICATION SITE AND DESCRIPTION

Permission is sought for the change of use of former social club including first floor extension at front and addition of second floor inset extension to provide 10no. apartments including alterations to windows and fenestration at the Former Eston and California Social Club on High Street in Eston.

The application site is located within the designed centre of Eston and is predominately surrounded by commercial uses although there are some elements of residential in the area. To the rear (north) of the site is a car park with commercial properties to either side.

The proposal seeks to reuse the former social club for residential apartments consisting of eight one bedroom flats and two, two bedroom flats within the extended building.

The submitted Design and Access Statement describes the works as;

The design has been informed by the appearance and form of the existing property but with external alterations to the fenestration and cladding to give it a more attractive, modern appearance. The biggest changes to the building are:-

- 1. Changes to the fenestration on the north east elevation*
- 2. First floor extension at front above the existing beer cellar*
- 3. Addition of an inset second storey extension*

The existing north east elevation has large areas of glazing giving light and ventilation to the existing snooker room/bar at ground floor level and the concert room at first floor level. This elevation currently faces the public concourse leading from the parking areas to the rear through to Eston High Street. These glazing areas will be reduced in size with infilling and composite

cladding and smaller windows introduced to give more privacy to future residents of the proposed apartments. Overall, this elevation will be greatly improved in appearance with the alterations and repointing of the existing brickwork.

The proposed first floor extension to the front above the existing beer cellar will help to create one of the apartments and will be clad in similar composite cladding the north east elevation. This will have a lower roof height than the main body of the premises and therefore be subservient to it.

The second floor extension will be built to provide the two penthouse apartments and this will be inset from the eaves of the existing first floor and flat roofed and will therefore be barely visible from street level. This will also be clad in composite cladding to match other areas of the proposal with the front being rendered to match some of the existing exterior which will also be refurbished and repainted to provide a modern appearance.

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

In addition the application is supported by a certificate of credits for nitrate neutrality from Natural England.

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
SD5 Developer Contributions
LS1 Urban Area Spatial Strategy
ED1 Protecting and Enhancing the Borough's Centres
H5 Sub-division and conversion of buildings to residential uses
N4 Biodiversity & Geological Conservation
TA1 Transport and New Development

OTHER POLICY DOCUMENTS

None

PLANNING HISTORY

There is no planning history of any particular relevance to the consideration of the application as made.

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 the following representations have been received;

- 285 objectors;
- 9 supporters and
- 3 providing comments.

The objections raised include the following points:

- The area suffers from Crime, drug use and Antisocial behaviour
- Impacts on the village centre
- Too many Flats in the area already
- The need is shops and social activities for families not flats
- Should be made into a Youth Club
- The area serves shops and services not residential flats
- The Proposal is not for family accommodation
- HMO accommodation is not needed
- Who will live in the flats – Questions of Nationality and economic activity are raised.
- There is no parking available
- Design of the Proposal
- Impact on property prices/ devaluing premises
- Impacts of noise on the occupants from neighbouring uses
- Would rather see it demolished and opened up as part of the square redevelopment
- The redevelopment of Eston is not being progressed by the Council
- Three pubs have been converted to HMO/ Flats already
- Loss of ground floor use as social club to residential use

The support comments make the following points:

- Believe that if rented out via local estate agents the bring back into use of te building would help the local area.
- Serves to increase housing availability
- Puts the building to a good use
- The building in in need of renovation

Natural England (02/05/2024)

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

Confirmation was received from Natural England on 26/07/2024 which stated that the applicant had been successful in round 5 of the Nutrient Mitigation Scheme.

Cleveland Police (08/05/2024)

With regards to your recent planning application R/2024/0222/FFM for 10 x Apartments/Flats. Eston Social Club. Eston.

Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED).

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.

In addition to the above, having viewed the proposal, and should permission be granted, I would also make the following recommendations.

Although the proposal is listed as apartments, the below HMO comments may also apply. 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.

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 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.

Redcar and Cleveland Borough Council (Planning Strategy) (17/04/2024)

The application site is on gently sloping land in the centre of Eston. The immediate High Street area mostly comprises a mix of commercial uses. Residential uses are mostly confined to flats on the upper floors of some commercial properties.

The site falls inside the Eston district centre boundary as defined on the Local Plan Policies Map. Policy ED1 allows for additional housing within town and district centres as a means of supporting their vitality and viability. Although in that respect ED1 prioritises the re-use of vacant upper floors, the policy does not specifically preclude or discourage residential uses at ground floor level outside of primary shopping areas. Notwithstanding that, the policy explicitly supports the re-use of vacant buildings.

The development proposals should be appropriate to the site and location and should comply with policy H5, which requires that:

- 'a. the building is capable of providing the number of units or proposed use to an acceptable standard of accommodation;*
- b. the development will not result in an adverse impact upon local character or residential amenity;*
- c. the proposed development would not give rise to an over-concentration of similar accommodation or exacerbate a shortage of single family dwellings in the local area; and*
- d. the proposal would not give rise to conditions prejudicial to highway safety by reason of additional traffic generation.'*

In connection with H5, the proposals should also accord with all relevant aspects of general development policy SD4, including at parts (b.), (j.) and (p.) regarding amenity impacts, good design and access and parking requirements respectively.

SD4(b) confirms that development should not 'have a significant adverse impact on the amenities of occupiers of existing or proposed nearby land and buildings;'. In this case, achieving an acceptable standard of residential amenity should not compromise the operation of nearby businesses, including the adjoining social club, as well as the amenity of nearby residents.

In meeting SD4(p.), the proposals should simultaneously also accord with policy TA1 in regard to cycle and car parking space provision.

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.

Additionally, within 6km of the SPA / 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 (Housing Services) (05/04/2024)

No comments or observations to be made.

Redcar and Cleveland Borough Council (Environmental Protection) (Contaminated Land) (09/04/2024)

No objection

Redcar and Cleveland Borough Council (Environmental Protection) (Nuisance) (09/04/2024)

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 the proposed development is adjoined by another social club and surrounded by retail units, cafés, hairdressers etc which has the potential to affect future residents amenity through noise transmission from particularly the adjoined social club.

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

No development shall take place until a detailed acoustic report on the existing noise climate at the development site has been submitted to and been approved in writing by the Local Planning Authority. The report shall include a scheme for the sound insulation for the proposed flats from both internally and externally generated noise. The noise insulation measures shall be designed to achieve noise insulation to a standard that nuisance will not be caused to the occupiers of residential accommodation by noise from the following:

- Internally generated noise and potential impact noise from laminate/hardwood flooring between ground, first and second floor flats.*

- *Externally generated noise from the adjoining social club and its customers in the street*
- *Noise transmission through party walls and flanking noise transmission around party walls and floors*
- *Traffic noise from late night commercial premises use.*

The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

The working hours for all construction activities on this site shall be 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 Bank Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

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

Policies SD2, SD3 and SD4 set out the general principles for development across the borough for locations of development and details of the proposals which will be found acceptable. Policy ED1 and H5 relate to town centres and residential conversion respectively.

As noted by the Policy Officer Policy ED1 does not specifically preclude accommodation to the ground floor nor require retention of a commercial element. The site in general is located with good access to the services of Eston and is considered to be a sustainable location. The proposal would through the extension of building provide for 10 number self contained apartments which indicate that they would provide suitable levels of accommodation against the Nationally Described Space Standards. It is not considered that the proposal would in itself lead to such an extent of development as to result in an over concentration of single person accommodation and would not result in any adverse impact on the provision of single family dwellings within the area.

The proposal is therefore considered to be supported in principle by the Local Plan.

The impacts on the character and appearance of the area

Policy SD4 amongst other requirements at criteria J, K and L requires that proposals respect the character of the area and seek to improve the character and quality where possible along with being sustainable in design. Policy H5

seeks to reflect this with requiring that proposals should “not result in an adverse impact upon local character’

In this regard the proposal would extend and alter the building provide a modern design apartment block. With the locality having a variety of design within its built form it is not considered that there would be any adverse effect from the proposal upon the character of the area. It is however considered prudent to attach a condition to require that the materials used in the construction be approved by the Local Planning Authority to ensure that they are suitable in this location.

The proposal is considered to be acceptable in this regard with Policy SD4 and H5 of the Local Plan.

The impacts on neighbour amenity

Policy SD4 amongst other requirements at criterion B requires that proposals “will not have a significant adverse impact on the amenities of occupiers of existing or proposed nearby land and buildings”.

The key impacts for consideration of this type of proposal are considered to be, the effects from overlooking, overshadowing, and oppression from size scale and massing.

The proposal has been consulted upon with the Authorities Environmental Protection Officer with no objections raised. The conditions requested in relation to noise attenuation are considered to be prudent and are recommended to be attached to any approval granted. The proposal would not result in any increase in mass or adversely affect neighbours in terms of increased physical effects of overshadowing or oppression.

The change to the use would have a change in activity at the site. The comments made in relation to harms from single bedroom apartments and the origins of potential future occupants are noted. However, this would be a behavioural issue to future occupants and not an inherent issue to residential use. As such it would be covered under antisocial behaviour protections and is not a planning consideration.

The proposal is not considered to result in any significant effects of overlooking overshadowing or oppression from its size and scale and would therefore be in accordance with the requirements of policy SD4(B) of the Local Plan.

The impacts on highways safety

Policy SD4 P requires that proposals “provide suitable and safe vehicular access and parking suitable for its use and location”. With Policy TA1 advising that support will be given to proposals which, among other requirements, “have regard to the number of cycle and car parking spaces as set out within

the Tees Valley Design Guide and Specification for Residential and Industrial Estates”.

The letters of representation in relation to lack of onsite parking proposed are noted. The applicant notes that the site is located in a readily accessible location with good access to public transport and the services of Eston itself.

Given the location, the extent of development and the type of accommodation proposed it is not considered that there would be any significant effect upon Highways safety and the proposal is considered to be acceptable in this regard with Policies SD4(P), H5(D) and TA1 of the Local Plan.

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 applied in the round of credit allocations and have been successful in obtaining the required number of credits to mitigate the development.

The credit scheme is administered by Natural England who have issued an initial certificate for the development proposed. 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 agents have submitted a copy of the signed mitigate certificate along with 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.

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

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 £2000.00 in advance of the decision being issued. The development is considered to be in compliance with policy N4 of the Local Plan.

Other matters

A number of letters of comment have suggested other proposed uses for the vacant property and raised issue with the Eston Square redevelopment progress. These are issues outside of the consideration of the application as made and therefore are not considered to be material in the consideration of the proposal.

Comments have been received in relation to the affect of the proposals on property value. This is not a material planning consideration and hold no weight in the consideration of the application as made.

CONCLUSION

For the reasons outlined above the proposal is considered acceptable in principle. The application would provide additional residential development within the Loftus settlement. The proposed use would not in principle have an adverse impact on neighbour amenity, highways safety 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, SD2, SD3, SD4, ED1 and H5 of the Redcar and Cleveland Local Plan

RECOMMENDATION

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

GRANT PLANNING PERMISSION subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Ground Floor Plan (Drawing ref No. 2395/P/06 'O' received by the Local Planning Authority on 26.03.2024

Proposed First Floor (Drawing ref No. 2395/P/07 'O' received by the Local Planning Authority on 26.03.2024

Proposed Second Floor (Drawing ref No.2395/P/08 'O' received by the Local Planning Authority on 26.03.2024

Proposed Elevations (Drawing ref No. 2395/P/10 'O' received by the Local Planning Authority on 26.03.2024

Proposed Elevations (Drawing ref No.2395/P/11 'A' received by the Local Planning Authority on 02.04.2024

Proposed site Plan (Drawing ref No.2395/P/05 'A' received by the Local Planning Authority on 02.04.2024

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

3. Prior to any development above damp proof course details of the external materials to be used in the carrying out of this permission (including samples) shall have first been submitted to, and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

REASON: To ensure that the appearance of the development would respect the site and the surroundings in accordance with policy SD4 of the Local Plan.

4. No development shall take place until a detailed acoustic report on the existing noise climate at the development site has been submitted to and been approved in writing by the Local Planning Authority. The report shall include a scheme for the sound insulation for the proposed flats from both internally and externally generated noise. The noise insulation measures shall be designed to achieve noise insulation to a standard that nuisance will not be caused to the occupiers of residential accommodation by noise from the following:

Internally generated noise and potential impact noise from laminate/hardwood flooring between ground, first and second floor flats.

o Externally generated noise from the adjoining social club and its customers in the street

o Noise transmission through party walls and flanking noise transmission around party walls and floors

o Traffic noise from late night commercial premises use.

The approved scheme shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

5. The working hours for all construction activities on this site shall be 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 Bank Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

6. Prior to the occupation of any of the residential 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 is a satisfactory scheme and therefore no negotiations have been necessary.