
26 MAY 2022

REGULATORY COMMITTEE

A meeting of the Regulatory Committee was held on 26 May 2022.

PRESENT. Councillor Stuart Smith (Chair),
Councillors Ayre, Baldwin, Foley-McCormack,
Head, Hixon, Lockwood, Ovens, Thomson and
Watts.

OFFICIALS. E Dale, E Garbutt and C Griffiths

APOLOGIES FOR ABSENCE were submitted on behalf of Councillor
Cook and Morgan.

IN ATTENDANCE: Councillor Foggo

DECLARATIONS OF INTEREST

Councillors Head and Ovens declared an interest in application
R/2022/0244/FF as the Ward Members and took no part in the discussion
nor voted thereon.

1. MINUTES

RESOLVED that the minutes of the Taxi Panel held on 12 April 2022 and
the Regulatory Committees held on 21 and 27 April 2022 be confirmed
and signed by the Chair as a correct records

2. PLANNING APPLICATIONS FOR DECISION.

2.01 **R/2021/0967/CAM Provision of internal access road and overflow car park (25 spaces), football goal storage area and installation of 2.4m high paladin fencing Skelton United Football Club De Brus Site Marske Lane Skelton.**

The Managing Director advised that Permission was sought for the
provision of internal access road and overflow car park (25 spaces);
football goal storage area and installation of 2.4m high paladin fencing on
land at Skelton United Football Club, De Brus Site, Marske Lane, Skelton.

The application related to land at Skelton United Football Club. The site
was bordered to the east, south and west by residential dwellings, while to
the north was an area of mature planting. The site was currently accessed
via the entrance from Marske Lane, while predestination access was
currently also possible from the south and east from the areas of housing.

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The proposed additional car parking, football goal storage areas and fence were located to the western side of the site adjacent to the existing dwellings on Hylton Avenue. The proposed fence to the south of the site was to be situated to the rear of the properties on Ennerdale Crescent and Coniston Road. The proposed fence to the east of the site was to be situated from the side of 19 Thornthwaite Close and was to run north for a distance of approximately 95m to adjoin the existing shrub/vegetation.

The consultation exercise had resulted in 40 representations having been received objecting to the application and making the following comments:-

- Fences would block pedestrian access across the site
- Fences would block access to the pond adjacent to site
- Need for green spaces
- Field belonged to Council and to its Council area inhabitants
- Should encourage recreation and outdoor activity for all not just the club
- Would hope to see access 24 hours a day via the A Frame from De Brus Centre
- Do not see dog fouling left on the field
- Football not played all year round
- Would look unsightly
- Field provided safe route for children going to visit friends avoiding main roads
- Pedestrians needed access to the field at any time
- Where would children play if it was fenced off
- CCTV could be installed to prevent antisocial behaviour at the site
- Would the gates be locked
- A Frame would prevent motorised vehicles
- No A frame proposed from Thornthwaite Close and Ennerdale Crescent entrances
- Fence was too big/high
- Would look like a prison cap fence
- Would decrease value of properties in area
- Losing field would half what pen space there was in Skelton
- How much was the fence and who was paying
- Why not segregate the field and leave some open to local residents
- Development would impact many who lived on western end of Skelton
- Application removed peoples choice of movement
- Increase in car parking was a positive
- Should there be a public right of way across the site
- Application was not in keeping with Council priorities for improvement of long term physical health and mental wellbeing
- Question the legality of agreements between Council as land owner and the football club

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- Field should be open to all
- Rat problems in the area
- Did the proposal accord with the clubs licence agreement
- Applicants not local to Skelton so their take on community benefit might be different
- Not just footballers that used the site
- Maybe have opening hours for public use of the site
- Use kissing gates to restrict vehicle access to the site
- Lost green space recently from Bellway development and to loose this would be detrimental to area
- Proposal seemed disproportionately one sided and exclusionary harming local community

8 representations in **support** of the application;

- Pitches covered in dog excrement and rubbish
- Safeguarding children playing football was imperative
- Might be worth moving fence closer to pitch to provide access to more people
- Proposal would benefit the kids who played for the club
- Club had spent thousands on the pitches
- Football games had been cancelled due to motorbike damage of the pitches

Councillor Foggo had provided the following response to the consultation process:

“In principle I have no objection to fencing the football pitches but do object to the layout of the fencing as it blocks access to the Skelton Wildlife Pond (SWP). The application uses existing boundaries at various points to minimise the cost of fencing the complete area and in doing so has blocked access to the SWP from Ennerdale and Marske Lane. The majority of people accessing the pond enter from the De Brus field and if this application is allowed then these people, usually with young children, would have to walk along Windermere Drive, Bowland Road and Nidderdale to access the pond, attached map.

The pond was taken over by the Friends of Skelton Wildlife Pond (FoSWP) in Feb 2018 and work has been carried out to clear vegetation to allow safe access to the pond. FoSWP has recently spent about £12,000 to install a pushchair and wheelchair friendly path to the north side of the pond which runs from Nidderdale to the De Brus field. Our Facebook Page has 990 members mostly in the surrounding towns and villages but has followers throughout the UK and overseas.

This field is leased to Skelton United by the Council and in the lease it states

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“Permitted Use: for the playing of Association Football and for use by the general public as a public park”. To complete the full procedure to allow the building of the fence then the Landlord i.e. the Council, would have to give permission and this would require the right of the public to access the fenced area.

Allowing this application without amendment would have a detrimental effect on the residents of Skelton who visit the pond from the De Brus field.

My solution would be to keep a path from Ennerdale to the pond and from the Marske Lane entrance to the De Brus Centre to the pond, this would mean erecting more fencing.”

Cleveland Police ALO recommended the applicant contact them for any advice, guidance on the proposals to assist in designing out opportunities for crime and disorder to occur. This could include fence specification and lighting details.

Sport England was satisfied that the proposed development met exception 2 of our playing fields policy, in that:

'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'

This being the case, Sport England did not wish to raise an objection to this application.

The absence of an objection to this application, in the context of the Town and Country Planning Act, could not be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

Redcar and Cleveland Borough Council (Development Engineers) had no objections on highway grounds; the new access arrangement would serve the overflow car park and would have no adverse effect on the adopted highway network.

Redcar and Cleveland Borough Council (Local Lead Flood Authority) requested the following condition:-

Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. Thereafter the development shall be carried out in strict accordance with the approved details.

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Reason. To prevent the increased risk of flooding in accordance with Policy SD7 of the Local Plan and NPPF.

Redcar and Cleveland Borough Council (Conservation Advisor) had no objections. The main visual impact of the proposal resulted from the security fencing and storage container, located at the eastern and southern eastern extremities of the site, distant from heritage assets. The impact was further mitigated due to the existing substantial vegetation which resulted in a distinct visual separation between the proposal site and the nearest heritage asset, the GII listed sawmill and associated buildings. The proposed road and carpark would also have minimal visual impact, with the tarmacked car park area being screened behind a building and the new length of road being generally imperceptible from ground level. The proposal was therefore considered to comply with policies HE1 & HE2 of the adopted Local Plan.

The Managing Director advised that the main considerations in the assessment of the application were;

- 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 drainage
- The impacts on heritage assets

The application site fell both inside and outside the defined limits of development as identified on the Redcar and Cleveland Policies Map. The proposed location of the car par and storage area were located within development limits. These elements of the scheme were therefore considered to comply with Policy SD3 of the Redcar and Cleveland Local Plan.

The other elements of the scheme including the proposed access road and fences area therefore situated outside the defined limits of development.

Policy SD3 did however provide exceptions to where development outside development limits would be permitted.

The proposed development including the access road and fences were considered to be associated with the existing recreational facility in the form of the Football Club. It was therefore considered that the provision of these elements of the development complied with parts (b) and (i) of Policy SD3 of the Redcar and Cleveland Local Plan.

The Local Plan sought to safeguard the loss of public open space through

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Policy N3 (Open Space Requirements).

Primary spaces were those affording broadly unlimited access. Secondary spaces typically comprised private sports clubs with pitches, courts or greens facilities where public access was allowed but was more restrictive. Despite these distinctions, secondary spaces were recognised as important facilities in the community, hence their protection.

It was accepted that once enclosed by fencing the land would not be as easily accessible by the public from the surrounding residential areas as before, however, the use of the land would remain as open space although it would as stated not be as easily accessible as it was now. As the application did not propose the loss of an area of open space or the redevelopment of the site, the proposal would comply with policy N3 of the Redcar and Cleveland Local Plan.

The development was not considered to result in a loss of open space, however the fencing of the site was considered to enhance the security of the site and had the potential to reduce any anti-social behaviour on the site. The improvements would support the aims of policies N3 and LS3 of the Local Plan.

The application had been considered by Sport England due the development relating to existing playing pitches. Sport England were consulted on applications where the proposal had the potential to prejudice the use, or leads to the loss of use, of land being used as a playing field or had been used as a playing field in the last five years. Sport England had considered the information supporting the application and had advised

“The proposed development is for ancillary facilities supporting the principal use of the site as a playing field and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

This being the case, Sport England does not wish to raise an objection to this application.”

In light of the above comments, it was accepted that Sport England did not wish to raise any objection to the proposed development and therefore in accordance with national policy set out in the NPPF, the broad principle of development was one that was considered to be acceptable.

For the reasons outlined above the proposal would comply with the NPPF and Local Plan policies SD3 LS3 and N3 of the Redcar and Cleveland Local Plan.

The proposed fencing was a functional structure, the type, and height of which was not uncommon in or around sports or recreational areas. The

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proposed fence was to be a paladin fence, 2.4m in height and included a pedestrian gate to the east, with a highway gate and 'A Frame' barrier to the west.

The colour of fencing could be controlled by planning condition.

It was considered the proposed siting, scale, height, and design of the fencing was acceptable in this location and would not materially harm the character and appearance of the park and its surroundings. The application therefore accords with part j of policy SD4 of the Local Plan.

The proposed development involved a number of different elements in various locations across the site as detailed above.

The proposed additional car parking and football goal storage areas were located to the western side of the site adjacent to the existing dwellings on Hylton Avenue. The area of the site on which the car park and storage area were proposed had historically been used as an area for outdoor play and more recently for the storage of goal equipment. Given the presence of a parking courtyard to the rear of the closest properties to this part of the development, the use of the land for a car park and storage area, were not considered to have an adverse impact on neighbour amenity or privacy.

The proposed fence to the south of the site was to be situated to the rear of the properties on Ennerdale Crescent and Coniston Road. It was accepted that the provision of the fence would change the outlook for the properties on Ennerdale Crescent and Coniston Road that overlooked the field, and at 2.4m would be higher than existing boundary treatments that was at the rear of the properties. It was however considered that given the paladin design that provided a softer finish than palisade fence or a boarded fence, the fence would not create conditions that were significantly adverse that would require the application to be refused.

The proposed fence to the east of the site was to be situated from the side of 19 Thornthwaite Close and was to run north for a distance of approximately 95m to adjoin the existing shrub/vegetation. It was considered that given the existing planting on the edge of the field, that the provision of the fence in the location proposed would not have an adverse impact on the amenity of the adjacent properties.

For the reasons given above it was not considered the proposed development would have a detrimental impact on neighbour amenity sufficient to warrant a refusal of the application. As such, the proposal accords with part b of policy SD4 of the Redcar and Cleveland Local Plan.

The application had been considered by the Council's development engineers. The site was proposed to be continued to be served from the

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existing entrance off Marske Lane which was not considered to have any adverse impact on the local highway network.

The application proposed an additional area of car parking served by an extended internal access road. The proposed area of car parking was to include an additional 25 spaces. The layout of the proposed car park was considered to be acceptable and did not raise any issues with regard to highway safety.

Redcar and Cleveland Borough Council Development Engineers had no objection to the proposal on highways grounds. The application raised no issues in terms of highways safety and the proposal accords with part p of policy SD4 of the Redcar and Cleveland Local Plan.

The application had been considered by the Lead Local Flood Authority (LLFA). The proposed development involved the creation of a car park containing 25 spaces and therefore consideration was being given to how the surface water would be dealt with. The applicant had indicated on the application form that it was proposed to discharge surface water to the main sewer. It was however noted that no detailed information relating to surface water or identified connection points were contained within the application. It was therefore considered necessary for this to be controlled by way of a planning condition.

Subject to the proposed condition, the proposed development was not considered to have an adverse impact with regard to drainage matters. The proposal therefore accords with Policy SD7 of the Redcar and Cleveland Local Plan.

The application site was situated to the east of Skelton Conservation Area and listed buildings including Saw Mill House and associated workshops and stable all of which were Grade II. Due to the proximity of the site to these heritage assets, the application had been considered by the Council's conservation advisor.

The advice from the conservation advisor was:

“the main visual impact of the proposal results from the security fencing and storage container, located at the eastern and southern eastern extremities of the site, distant from heritage assets. The impact is further mitigated due to the existing substantial vegetation which results in a distinct visual separation between the proposal site and the nearest heritage asset, the GII listed sawmill and associated buildings. The proposed road and carpark will also have minimal visual impact, with the tarmacked car park area being screened behind a building and the new length of road being generally imperceptible from ground level.”

Taking the above into consideration the proposal was considered to comply with policies HE1 & HE2 of the Redcar and Cleveland Local Plan.

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A number of matters had been raised in response to the public consultation process that were not material planning considerations including; impacts on property values, how much the development was going to cost and who was paying for it. These matters could not be used as reasons to refuse a planning application.

The application raised no issues in terms of crime prevention and the application accords with part m of policy SD4 Redcar and Cleveland Local Plan.

The application fell outside the catchment for nitrate neutrality and the proposed development was outside of scope for requiring additional information / assessment.

For the reasons outlined above the proposal was considered acceptable. The application was acceptable in principle and would not 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 the aims and objectives of the NPPF and policies SD1, SD2, SD3, SD4 LS3 and N3 of the Redcar and Cleveland Local Plan

Councillor Foggo was present at the meeting and made the following comments:-

- This proposal did not meet the needs of the majority of residents;
- Supported the football club in providing suitable team facilities;
- The Friends of Skelton Wildlife Pond had concerns as they had recently spent money providing wheelchair and pushchair access and installed benches;
- There had been an increase in the number of people visiting the wildlife pond and a large number of those visitors accessed the area via the field. The proposal would mean access would only be available when the gate was unlocked;
- There would be no access from the Ennerdale entrance;
- We would be discriminating against the disabled in the community;
- The area was used as a public park so the public should have access;
- The field was used for exercise and for access to the wildlife pond;
- There were few open green spaces in the village;
- Detrimental effect on residents;
- The alternative would be to fence off the pitches which would still give access to the wildlife area.

Following the presentation of the report of the Managing Director and taking into account the representations, the Committee made the

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following comments:-

- If a pushchair could get through the gate then so could a motorbike. The positioning of the fence needed to be looked at again;
- Should be deferred to allow a conversation between the football club and the Friends of Skelton Wildlife Pond;
- There needed to be equal access for everyone and central government needed to come up with an effective response;
- Believe the current proposal was due to budgetary restraints;
- Proposal should be refused if it contravened the Equalities Policy in relation to access for all;
- A similar application had been allowed so the applicant would appeal;
- The opportunity for further discussions might allow someone to point them towards additional help/funding;
- There was a conflict of interest between council policy and what was proposed;
- What would the outcome be if we were challenged by disability access groups;
- Happy with the fencing around the playing areas as this would not prevent access although appreciate it might cause inconvenience.
- Access to the pond area was of concern but an easy solution might be to give better access to those who might have difficulty accessing it;
- Would like to have seen the applicant present at the meeting;
- Question whether it was necessary to fence in the car parking area.

RESOLVED that application be deferred for further discussions with the applicant.

Councillors Head and Ovens declared an interest in the following application as the Ward member and took no part in the discussion nor voted thereon.

- 2.02 **R/2022/0244/FF Demolition of existing conservatory and replace with single storey extension including log burner flue at rear, dormer extension including raising height of ridge at rear, installation of 2 velux windows at front and alterations to existing garage at rear 3 Kenilworth Way Redcar.**

The Managing Director advised that Permission was sought for the demolition of existing conservatory and replace with single storey extension including log burning flue at rear; dormer extension including raising height of ridge at rear; installation of 2 velux windows at front and alterations to existing garage at rear.

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The application related to 3 Kenilworth Way, Redcar. The semi-detached bungalow was located in a cul de sac off Castle Road within an established residential area predominately containing mix of design of bungalows, many of which had been extended.

This application sought consent to demolish the existing conservatory and build a single storey extension which would project out 3m from the original rear elevation of the dwelling and extend across the full rear elevation. The extension would have a flat roof with a roof lantern. The rear elevation would contain bi fold doors and the extension would allow for the re-configuration of the ground floor with an open plan kitchen dining and living area at the rear. A section of the front of the existing garage was going to be demolished to allow for construction of the single storey extension. Approximately 1.8m of the length of the garage would be removed. The remaining garage/store would be approximately 3.8m long and would retain a roller shutter door.

The application included raising the height of the main ridge of the dwelling by 0.7m to allow for the construction of a flat roof dormer to the rear. The dormer would have a maximum height of 1.8m high, project out a maximum of 2m from the roof slope and would extend 6m across the rear. The dormer extension would contain two windows on the rear elevation. Two roof lights would be installed in the roof slope at the front of the dwelling. The alterations to the roof would create a third bedroom with ensuite and walk in wardrobe.

The design of the single storey rear extension had been revised during the consideration of the application from a pitched roof to a flat roof with roof lantern. The revised plans were received on 17th May and neighbours had been consulted on at the time of writing this report.

The application had been accompanied by existing and proposed plans.

The application was being brought to Regulatory Committee following a request from Councillor Ovens.

The 2 consultation exercise had resulted in 2 representations from neighbouring properties making the following comments:-

- Lose all privacy in rear garden from loft extension
- Wood burning flue not acceptable. Next to conservatory polycarbonate roof, concerned embers may burn holes or damage the roof
- Concerned smell could penetrate my home due to the position of the flue. Had the doors and windows open daily and dry washing outside
- Previous neighbour smoked heavily and would sometimes smell it in my home

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- Flue badly positioned for health conditions
- Concerns noise would travel from proposed first floor ensuite.
- Squeezing too much into small bungalow
- Dormer extension would overshadow part of rear garden particularly in the evening and result in loss of light to kitchen window on the side elevation
- Dormer overbearing and unsightly and affect the character of the immediate neighbourhood
- Object to potential health problems due to log burner
- Covenant protecting neighbouring properties
- Concerns regarding wastewater drain system
- Had to remove rear window in own planning approval in R/2008/0287/FF
- Increase in bedrooms and bathrooms could change the demographic of elderly semi retire/retired people and could bring in more traffic and parked cars
- Concerns information on application form is not correct and not transparent

Redcar and Cleveland Borough Council (Development Engineers) had no Highways objections subject to no unauthorised storage of building materials on the adopted highway at any time.

Redcar and Cleveland Borough Council (Environmental Protection) (Nuisance) confirmed that they had assessed the following environmental impacts which were relevant to the development and would comment as follows:

The proposed development was in close proximity to residential properties whose amenity could be affected from demolition/construction activities. He also noted that there was a proposal to install a log burning stove with a flue at the rear

The applicant was advised that the

1. property was located in a Smoke Control Area (SCA) and it was an offence under the Clean Air Act 1993 for smoke to be emitted from a chimney in a Smoke Control Area unless authorised fuels were being burnt, or the appliance was exempt.
2. In a smoke control area only certain authorised fuels, or any of the following 'smokeless' fuels, can be burnt unless it is burnt in an exempt appliance:
 - anthracite
 - semi-anthracite
 - gas
 - low volatile steam coal

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Wood was not classed as an authorised fuel. Therefore, if the applicant wished to install a solid fuel or wood burning appliance the appliance must be classified as an exempt appliance made in Regulations under the Clean Air Act 1993.

In the event that the appliance was not classed as exempt then only authorised fuels should be used as stated above.

In order to minimise the environmental impact, they recommended 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.

The main considerations in the assessment of the application were;

- 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 application site was located within the development limits and within an established residential area. The principle of an extension to the property in this location was acceptable and the proposal accords with the aims of policy SD3 of the Redcar and Cleveland Local Plan.

Castle Road and neighbouring streets contained a mix of predominately bungalows. There were many examples of ridge extensions and dormer extensions to the rear. At the time of the officer's site visit in April examples were visible on Kenilworth Road at No. 15, 46 and 48 and No 135 Castle Road to the north east of the application site.

The proposed dormer on the rear elevation allowed for the provision of an additional third bedroom and ensuite. The dormer was considered to be of a scale and design that did not dominate the roof of the dwelling or create a top-heavy form of development. There were other rear dormers within the area of a similar scale. It was therefore considered that given the location of the dormer on the rear elevation of the property, the other dormers within the street and those neighbouring, that the proposal would not have an adverse impact on the visual appearance of the street scene.

The single storey rear extension would not be readily visible in the street scene and was considered acceptable in terms of scale and design.

The proposals were considered suitable in relation to the proportions, massing, height, size, scale, materials and detailed design features and

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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 Residential Extensions and Alterations Supplementary Planning Document advised on separation distances between neighbouring properties. There would be over 21m between the windows on the rear elevation of the proposed dormer and the dwellings on Castle Road in accordance with the SPD.

The neighbours to either side of the site had objected to the application and were concerned with a loss of privacy from the dormer extension. It was granted the dormer extension would include two windows at first floor level to serve a proposed bedroom. Nevertheless, whilst a bedroom was a habitable room, the use of the room was usually limited during the day and would not have the same impact as if it was a living room. In addition, any view would be oblique due to the angles of view to the east and west of the site. Both neighbouring properties had rear extensions plus No. 5 had a detached garage to the side which would all break up views into their garden. As such it was considered the impact of the dormer extension on the privacy of the neighbours at No. 1 and 3 would not be sufficiently detrimental to warrant refusal of the application.

The flue would be located on the west side of the single storey extension and would extend approximately 0.6 beyond the top of the extended ridge. The adjoining property had an existing conservatory running close to the boundary with the application site and as such it was considered the position of the flue was acceptable and would not have a detrimental impact on the amenity of neighbouring occupiers. Neighbouring concerns regarding potential damage to their property were noted, however the fitting of the flue fell under building regulations and the control of emissions from the flue would fall under Environmental Protection and could not be controlled by planning.

The extensions would not have a significant adverse impact on the amenity of occupiers of existing buildings and the proposal accords with part b of policy SD4 of the Redcar and Cleveland Local Plan

The application proposed the creation of an additional bedroom and the reduction in size of the existing detached garage. The property benefitted from a driveway which ran along the side of the dwelling to the garage. The length of the driveway would remain the same and more than sufficient for parking two cars. The Council's Development Engineer had no objection to the proposals

The application raised no issues in terms of highways safety and the application accords with part p of policy SD4 of the Redcar and Cleveland Local Plan.

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Concerns had been raised from the neighbours to each side of the site regarding the impact of the flue on air quality. The Council's Environmental Protection had assessed the proposal. The applicant was advised that the property was located in a Smoke Control Area and it was an offence under the Clean Air Act 1993 for smoke to be emitted from a chimney in a Smoke Control Area unless authorised fuels were being burnt or the appliance was exempt. The details provided by Environmental Protection could be included as an informative.

Whilst the concerns regarding air quality were noted, this was an issue controlled under different legislation than the Town and Country Planning Act so providing the appearance of the flue was acceptable in terms of impact on neighbouring amenity and the street scene, the local planning authority did not have any control over air quality. This would be a matter for Environmental Protection to investigate and control.

Environmental Protection had also recommended the use of a condition to restrict construction hours. The comments from Environmental Protection were noted, however this condition was usually used for much larger scale developments and not added to householder developments.

The application raised no issues in terms of crime prevention and the application accords with part m of policy SD4 Redcar and Cleveland Local Plan.

The comments received as part of the consultation process were noted and the majority had been addressed in the report. Some matters raised through the local consultation were not material planning considerations and as such were not considered.

The application fell within the catchment for nitrate neutrality however was outside of scope for requiring additional information / assessment.

For the reasons outlined above the proposal was considered acceptable. The proposal would not have a significant adverse impact on neighbour amenity and the proposal raised no issues in terms of highways safety or crime prevention. The scale and design was acceptable and the proposal would respect the character of the site and surroundings. The proposal accords with policies SD3 and SD4 of the Redcar and Cleveland Local Plan and the guidance contained within the Residential Extensions and Alterations Supplementary Planning Document.

The objectors present at the meeting made the following comments:-

- The neighbouring garden was visible from the proposed windows;
- Smoke from the flue could be a problem;
- The work carried out to date was already off plan;
- Do not agree that the proposal was not visible from roads nearby

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- and it could definitely be seen from Castle Road;
- The area was predominantly bungalows not 3 bedroom properties with even more cars;
- Will spoil the area if allowed to continue with similar developments in the future;
- Living next door to a building site;
- It had caused holes in the living room floor, cracks in the rendering and cracks to the walls of the adjoining semi;
- The proposed flue was immediately adjacent to the neighbours conservatory and concerned it could burn the roof;
- If the bedrooms were not allowed it would end up looking like an industrial estate;
- The report mentioned building work would be between 8am and 5pm but there were deliveries at 7am with work commencing around 7.30am;
- This was a big change to a building that did not need it and it would impact greatly on peoples lives.

Following the presentation of the report of the Managing Director and taking into account the representations, the Committee made the following comments:-

- We were encouraging developers to build bungalows and we were now being asked to convert a bungalow into a 3 bedroom semi;
- There were other similar developments in the area and therefore the precedent had already been set;
- The flue was covered by building regulations;
- Listened to the objections however, a precedent had been set and if it had not been called in by the Ward Member it would have gone through under permitted development;
- If we turn down and the applicant went to appeal our decision would be overturned and no doubt there would be costs awarded.

RESOLVED that Planning Permission be granted 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:
 - Plans and elevations (Drawing No: 2022.030.PP01.A received by the Local Planning Authority on 17/05/2022
REASON: To accord with the terms of the planning application.

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3. The external elevations of the extension(s) hereby approved shall be built in materials to match in type, style and colour the external elevations of the existing dwelling/building.

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

2.03 **R/2022/0257/FF Provision of electricity sub station within holiday park land opposite the Cross Keys Hotel adjacent A171 Middlesbrough Road Guisborough.**

The Managing Director advised that Permission was sought for the provision of an electricity sub-station within a holiday park.

The application related to land opposite the Cross Keys Hotel, adjacent to A171, Middlesbrough Road, Guisborough.

The application related to the holiday park, currently under construction, which was granted permission in 2020.

The proposed sub-station would be located in the northeast corner of the site and would be between two lodges. The substation would be 6.428m by 3.928m and would have a mono-pitched roof with a maximum height of 2.856m.

The application has been accompanied by a proposed site plans and proposed plans and elevations of the sub-station.

The consultation exercise had resulted in 2 representations having been received making the following comments:-

- Application was misleading as there was no holiday park.
- Shameful destruction of agricultural fields.
- Outside of development limits.
- Open countryside.
- Next to the dangerous 70mph A171.
- Decision for the holiday park was based on incomplete valid planning considerations.
- Harm to character and appearance.
- Why were other applications refused and dismissed at appeal.
- Need for a substation questionable.
- Inappropriate site.
- Site was not within a mature landscape, ED11.
- Nothing to do with tourism.
- Lack of consultation.

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- Not development land.

Guisborough Town Council had no objections.

Councillor Griffiths had requested that the application be determined by Regulatory Committee.

The main considerations in the assessment of the application were;

- 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 application site was located outside of the development limits as identified on the Councils Proposals Map. The proposed substation was linked to the approved holiday park development which was currently under construction.

Policy SD3 of the Local Plan sets out a range of criteria for when development outside of the limits was considered acceptable.

Criteria (i) permits development *requiring a countryside location due to technical or operation reasons*

The development proposed was required to be located in this area to provide the electricity connection for the permitted holiday park.

The proposal accords with part (i) of policy SD3 of the Local Plan and the principle of development was one that was considered acceptable.

The proposed sub-station was a small scale development which would be located in between approved holiday lodges. The substation would be viewed within the landscape alongside the buildings and structures previously permitted. The scale of the development was acceptable for the location and surrounding development and would not have an adverse impact on the character and appearance of the area.

The proposal was 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.

Due to the scale and location of the development the proposal would not have any impact on the existing residential units in the wider vicinity of the site. The proposal would not have any adverse impacts on the holiday lodges under construction given the temporary use of such buildings.

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The proposal would not have a significant adverse impact on the amenity of occupiers of existing buildings and the proposal accords with part b of policy SD4 of the Redcar and Cleveland Local Plan.

The proposed substation does not impact on the permitted access to the holiday park from the A171. Given the location of the substation it did not impact on the approved internal road layout or parking provision.

The application raised 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 raised no issues in terms of crime prevention and the application accords with part m of policy SD4 Redcar and Cleveland Local Plan.

The application fell within the catchment for nitrate neutrality however was outside of scope for requiring additional information / assessment.

For the reasons outlined above the proposal was considered acceptable. The proposal would not have a significant adverse impact on neighbour amenity and the proposal raised no issues in terms of highways safety or crime prevention. The scale and design was acceptable and the proposal would respect the character of the site and surroundings. The proposal accords with policies SD3 and SD4 of the Redcar and Cleveland Local Plan.

The objector at the meeting made the following points:-

- The proposal was outside development limits;
- Our concerns had been ignored;
- Inappropriate development and contrary to policy guidelines;
- The site was not within a mature landscape;
- The decision was based on incomplete planning considerations;
- Destruction of versatile agricultural land;
- The proposal would harm the character and appearance of the area;
- The proposal would have a negative impact;
- It would cause light pollution;
- Harmful effect on wildlife;
- Why was I not sent notice of this application;
- Previously had vandalism to my property after objecting to other applications;
- The proposal had nothing to do with tourism and recreation.

Following the presentation of the report of the Managing Director and

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taking into account the representations, the Committee made the following comments:-

- The original application for the lodges had been approved and do not believe the sub station would make a significant blight on the scene;
- The log cabins would need power to operate;
- We would struggle for a valid reason to refuse and any appeal would win with costs awarded against the Council;
- If this application had not been called in by the Ward Member would have been granted under delegated power;
- The sub station was smaller than the lodges so there would be no detrimental impact.

RESOLVED that Planning Permission be granted subject to the following conditions:-

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Location plan (002) received by the Local Planning Authority on 16/03/2022
Site plan, plans and elevations (001) received by the Local Planning Authority on 16/03/2022
REASON: To accord with the terms of the planning application.

3. **DELEGATED DECISIONS.**

The Managing Director circulated as schedule of delegated decisions determined by the Corporate Director for Growth, Enterprise and Environment under the delegated power procedure.

:-NOTED.

4. **APPEAL INFORMATION.**

The Managing Director presented Members with a schedule of the appeals which had been received.

:-NOTED.

5. **ENFORCEMENT SCHEDULE.**

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The Managing Director presented Members with the schedule of enforcement actions which had been undertaken.

:-NOTED.

6. SECTION 106 AGREEMENTS.

The Managing Director presented a response to a recommendation of the Tees Valley Audit and Assurance TVASS report (April 2016) in respect of the reporting of progress on the completion of Section 106 Agreements.

:-NOTED.