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REGULATORY COMMITTEE

A meeting of the Regulatory Committee was held on 6 January 2022.

PRESENT. Councillor Stuart Smith (Chair),
Councillors Baldwin, Foggo, Foley-McCormack,
Gray, Head, Lockwood, Morgan and Ovens.

OFFICIALS. E Dale, E Garbutt and A Miller.

APOLOGIES FOR ABSENCE were submitted on behalf of Councillors Ayre and Watts.

DECLARATIONS OF INTEREST

Councillor S Smith declared an interest in application R/2021/0859/F3 as the Ward Member and took no part in the discussion nor voted thereon.

54. **MINUTES**

RESOLVED that the minutes of the meeting of the Regulatory Committee held on 25 November 2021 be confirmed and signed by the Chair as a correct record with the following correction to minute number 47 which should read as follows:-

RESOLVED that the proposals in the Draft Hackney Carriage and Private Hire Licensing Policy be approved but the request to remove the requirement for new driver applicants to pass a practical driving assessment is refused”

55. **STATEMENT OF PRINCIPLES GAMBLING REVIEW.**

The Managing Director advised that in accordance with the Gambling Act 2005 (the Act), the Council was responsible for licencing premises for gambling activities as well as the issue of various other gambling authorisations.

Section 349 of the Act required licensing authorities to prepare and publish a statement of the principles that they intend to apply in exercising their functions under the Act. The Statement lasts for a maximum of 3 years but could be reviewed at any time. Section 154 of the Act stipulated that the functions under section 349 could not be delegated and therefore the power to publish the Statement sat with the Council.

In light of the current Coronavirus pandemic, the existing policy was being rolled forward with minimal changes. This pragmatic approach was taken with the view to reduce the burden on local businesses during the current

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exceptional circumstances. The only significant change to the policy was the inclusion of the latest Public Health England Local Authority Health Profile for Redcar and Cleveland.

RESOLVED to recommend to the Borough Council that the draft Statement of Principles for the Gambling Act 2005 be approved for publication. The draft statement was attached at Appendix 1 (not reproduced).

56. **PLANNING APPLICATION FOR DECISION.**

56.01 **R/2021/0821/FFM Demolition of vacant public house and replace with 2 residential apartment blocks comprising 16 supported living apartments with ancillary staff area and associated car parking former Royal Hotel Whitby Road Loftus.**

The Managing Director advised that the application site was that of the vacant Former Royal Hotel public house located in the east of Loftus. The site was bounded by Whitby Road (A174) to the north; Tees Street to the east; Robinson Street to the south and adjoined the vacant and derelict bus station to the immediate west. The area to the east of the site was predominantly residential before giving way to the cemetery and open countryside. Further to the south and west were a play area and cricket / athletics club grounds and further residential development.

The site was presently occupied by a public house (Royal Hotel) which was vacant and in a state of disrepair. The property was two storey in scale with rooms in the roof space and single storey offshoots; a parking area lay to the western side of the site. To the rear (south) and east of the site were terraces of two storey dwellings on Robinson Street and Esk Terrace. To the north opposite the site was a detached bungalow and additional two storey terraced dwellings on Whitby Road.

The application site was on a slight slope from north to south.

The development proposed was the demolition of the public house and development of two residential apartment blocks comprising 16 *supported living* apartments with ancillary staff areas and associated car parking.

The development would see the construction of two separate blocks.

The main block (Block A) would be on three floors incorporating fourteen self-contained units. The ground floor of the block would provide a communal living area and staff accommodation with ancillary offices and services. Block A would be constructed on the north east corner of the site with a frontage to Whitby Road and Tees Street

The second block (Block B) would be sited on the eastern side of the site,

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this would provide accommodation over two floors providing two self-contained units.

To the rear of the proposed blocks was a courtyard style layout providing six parking spaces, a communal garden and refuse and cycle store. Vehicular access to the site was direct from Whitby Road utilising the existing crossing point.

As part of the development footpaths would be widened and improved and landscaping would be carried out on the frontage of the development.

The site did not lie in an area of special control and the existing building was not listed.

The consultation exercise had resulted in 15 objections having been received making the following comments:-

- I would like to know who would be housed in this development, we have lots of flats in the town and they caused antisocial behaviour, we do not need to add to the problems
- The development would not benefit the town and for assisted living there weren't the facilities to accommodate the adults
- Loftus was a small town that had a number of similar facilities, some of these caused issues in busier parts of the town, it would not be appropriate to locate two blocks in a quiet residential area, home to many young families.
- Loftus was attempting to make itself a better place after years of neglect by the Council, this application seemed to be using Loftus as a dumping ground again.
- The development was not in keeping with the area; they would look unsightly in a historic town; I don't object to assisted living but there were such facilities already in the town;
- The existing building was of historic value and should be retained
- It was suggested the new development could be used by young offenders better use would come from restoration and use as an old people's home
- The development would impact on privacy and not fit within the current frontage.
- The development provided inadequate parking, and any overspill parking would take place on adjoining streets
- The application was on the gateway of the town which the Council were trying to improve, the development would not fit in with the adjoining houses; a better option would be to build affordable housing with parking for local people
- Loftus did not need fat cat property developers from out of town draining as much profit per square inch of land with no consideration of the impact on the local area and residents.

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- There was no specification of the intended occupants or whether they were single or double occupancy
- The company involved only put plans in and build the property, then lease the development to another company
- The development was located next to a busy road
- The owners of the site had left the site in a shocking state and nobody locally had any faith the work would be done to an decent standard
- This was one of the best commercial premises in Loftus and under the right management could be an asset to the town
- The site would be better used for a community hub
- The development may affect the safety of local children who played in the park; I can visualise the service users using the park to drink; the children would be scared by anti-social behaviour; discarded drinks contained and possible syringes; the development should be located away from play areas and closer to shops and surgeries
- The property should be converted to an indoor play centre

Loftus Town Council had no objections to the principle of residential development at this site, after looking at the plans in some detail, Loftus Town Council considered it had to raise both OBJECTIONS and CONCERNS regarding this specific proposal.

1 - The Town Council therefore requests that this proposal is considered by a meeting of the Regulatory Committee, rather than by delegated decision. To gain a full understanding of some of the points made in the concerns, it may be that a site visit is appropriate.

2 - OBJECTION due to the impact on the character and appearance of the area, occasioned by the size, particularly height, of the proposal. Whilst accepting that the current appearance of the building is derelict and unattractive, this is a legacy of a less planned heritage, and a replacement surely needs to have full consideration of what is appropriate in a location. The proposal is for a mix of two and three storey development, whereas the nearby houses at East Loftus were built as two storey dwellings. The photograph shown on page 14 of the design and access statement does include a 3-storey development, but this is considerably to the west of the site, along Whitby Road/High Street. Therefore Block A as proposed will not fit with the surroundings.

3 - OBJECTION on the grounds of highway safety. In this objection, the Town Council is considering not just the roadway and safety of vehicles, but also the footway and safety of pedestrians. Anecdotal reports from residents are that cars travel through this area at speed, and that there have been serious accidents very close to the site location. This appears to be borne out by the provision of a crossing patrol at school times. It is not possible to walk from the site into the town to access schools and

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services without crossing the road, due to absence of footway on the south side of Whitby road - and the roadway is too narrow to introduce a pavement at this location. Therefore, it appears that unless a managed crossing is introduced, residents of the development will be put at risk.

4 - OBJECTION and CONCERN on the grounds of Neighbour Amenity. Whilst noting that Block A includes obscured glass to the ground floor of the East Elevation, quite rightly protecting residents from being looked in on, there is no indication of obscured glass to floor 1 and floor 2. Thus we understand that residents of Esk Terrace are concerned of being overlooked, when this has not been a problem previously.

5 - CONCERN about suitability of the site for the intended purposes. The Council has NO OBJECTION to the principle of Supported Living within Loftus for vulnerable adults with a range of disabilities, including learning disabilities, to enable people to live as independent a life as possible. However, the Council questions whether the site is as suitable for this as the developer argues. Access to local facilities will involve crossing the busy main road and then going along a narrow, steep pavement (Chapel Bank) close to the road. It may be that those authorities or organisations assisting clients into supported living may consider this is not appropriate for wheelchair users or even people with a nervous disposition. If this is the case, then the eventual occupants of the building may not be the intended clientele.

6 - CONCERN about the lack of proposed parking spaces, and indeed inconsistency between the application forms and the supporting documents - the main application form states 12, the drawings show 6, of which one is a disabled slot, or 7. Whilst accepting that the Planning Statement states the places are provided primarily for staff and occasional visitors, there is a concern that any more than "occasional" visitors - or if more clients than anticipated are able to drive - this will put additional pressure on the nearby residential streets, where on street parking is already at a premium.

Northumbrian Water made the following comments:-

The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We would therefore request the following condition:

CONDITION: Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in

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accordance with the approved details.

Cleveland Police recommended the applicant actively seek to develop to accredited Secured by Design Gold standards, Silver should be the minimum standard sought. Full information was available within The SBD Homes 2019 Guide at www.securedbydesign.com In any case the applicant was strongly recommended to contact for any advice, guidance they could, offer in relation to designing out opportunities for crime and disorder to occur in the future.

Natural England had no comments to make on the application.

NHS Tees Valley CCG confirmed that the CCG would not be submitting an application for S106 funds.

Redcar and Cleveland Borough Council (Development Engineers) advised that the proposal was for supported living units where the residents would not be car owners so limited off-street parking space was provided. This was acceptable given the proposed use. If planning permission was granted, the applicant must contact the Council as Highway Authority, with regard to the site access and alterations to the adopted footway and there must be no unauthorised storage of building materials on the adopted highway at any time

Redcar and Cleveland Borough Council (Environmental Protection) (Contaminated Land) confirmed that having assessed the following environmental impacts which were relevant to the development commented as follows:

I note that a Phase 1 Ground Condition Assessment (Desk Study) has been submitted in support of the above application. The assessment notes potential off site from the former Arriva bus depot and recommends that a phase 2 site investigation is carried out. In order to minimise the environmental impact, I would recommend the inclusion of the full standard contaminated land condition onto any planning permission which may be granted.

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

Redcar and Cleveland Borough Council (Environmental Protection) (Nuisance) recommended the inclusion of the following conditions onto any planning permission which may be granted:

Prior to commencement of construction, a CEMP shall be submitted to

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and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide the following;

- i) The parking of vehicles for site operatives and visitors;
- ii) Loading and unloading of plant and materials;
- iii) Storage of plant and materials used in constructing the development;
- iv) The erection and maintenance of security hoarding including decorative displays;
- v) Wheel washing facilities;
- vi) Methods of demolition;
- vii) Measures to control the emission of noise dust and vibration during the construction period.
- viii) A scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To protect the amenity of nearby residents and in the interests of highway safety.

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.

Redcar and Cleveland Borough Council (Place Investment Team) advised that public and private investment in Loftus was key to improving the physical appearance of the borough and enhancing prosperity, one of the Council's four main priorities.

The Council's masterplan approach to investing in Loftus would proactively enhance the appearance of the Borough, alongside improving the cultural and visitor offer for residents and visitors alike. Supporting Loftus to become a thriving market town once again would create and protect jobs both in the town and across its hinterland, as well as increasing pride and quality of life across the Borough.

In the Place Development and Investment (PDI) team one of our objectives was to renew and reshape town centres and high streets in a way that improved user experience, drives growth and ensures future sustainability. The coronavirus pandemic had further increased pressure on High Streets and town centres, meaning that our masterplan for Loftus had taken on even more importance for local economic recovery. PDI supported sustainable development which achieved economic, social and environmental regeneration in Loftus.

Redcar and Cleveland Borough Council (Planning Strategy) advised that the application site was the subject of a stalled scheme to convert the pub

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building into 7 apartments. Although this application was for significantly different proposals involving site clearance and redevelopment and was for specialist affordable accommodation rather than general housing, the principle of residential development on the site had been established through the extant permission.

Further to that, a more substantial development as proposed would more effectively support policy SD2 which sought to give priority to the re-use and redevelopment of suitable brownfield sites in sustainable locations and to direct the majority of development in the rural area to Guisborough and the main East Cleveland settlements, including Loftus.

More pertinently, addressing ongoing development constraints through the appropriate redevelopment of the site would directly support the aim of policy REG4 to support the physical regeneration of Loftus through a range of development projects including at part f., to 'secure a use for The Royal public house, or find an appropriate alternative use for the building and/or site'.

The implementation of policy REG4 was linked to the grant-funded regeneration masterplan for Loftus, the physical focus of which was on addressing vacancy and dereliction and enhancing the quality of the urban environment in the town centre and along the A174 corridor through the town. The masterplan identified several projects and objectives, one of which was 'Creating more quality housing and improving key gateways'.

In those respects, the application site was of further significance as it occupied a prominent position on rising land fronting the A174, and because it abutted a larger area comprising the former Arriva bus depot site and adjoining public open space to the south which had been identified in the published masterplan as a possible housing site incorporating a replacement outdoor play area. Detailed development proposals for those sites were yet to emerge. The latest update confirmed that discussions were ongoing with landowners to bring about development on the bus depot site, and on the application site.

To support REG4 and masterplan objectives, the application proposals should not undermine the regeneration aspirations for the adjacent land. Although the masterplan made a linkage between the sites, the application proposals did not seek to physically integrate the development with the former bus depot site: reflecting the nature of the proposals, the objective was to establish a secure and contained living environment. Nonetheless, achieving the appropriate re-use and redevelopment of the application site may encourage further investment nearby.

Notwithstanding other policies in the plan, policy SD4 sets out requirements and expectations which must be met in producing

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development proposals which could be considered acceptable and were designed to a high standard.

In accordance with SD4(b), the development should not have an adverse impact on residential amenity. In that respect, the scale of development would be greater, and the proposed three storey block higher than the existing building. In mitigation the development footprint would be brought forward to increase the gap with residential properties at Robinson Street which abutted the southern site boundary.

Bearing in mind the nature of the development, regard should be had to SD4(g) in relation to the proximity, range and capacity of local services and community facilities to ensure that the location was suitable for the provision of supported housing for the relevant client group/s. Connected to that, the detailed proposals should meet the requirements of SD4(m) and SD4(r) in relation to providing a safe, secure, and appropriately designed residential environment.

In seeking to achieve an appropriate development which was acceptable in terms of its physical characteristics, location, and relationship to its surroundings, the proposals should accord with SD4(j) and SD4(k), having regard to the Design of Residential Areas SPD as appropriate. Given the increases in scale and height there would inevitably be a visual impact on the site and the wider area, including when viewed from the A174 from either direction. In seeking to alleviate those effects and to promote good design, it was noted that the buildings would be sited further back from the Whitby Road frontage than was currently the case, and that building elevations would be broken up through variations to roof lines, brickwork, and other finishing materials.

Policy H2 required that development proposals should (among other things) contribute to meeting housing needs and demand, including specialist housing needs, as indicated through the Strategic Housing Market Assessment (SHMA) or other evidence. The SHMA provided survey data for the number of residents occupying specialist housing units, but the analysis of affordable housing need only distinguish between general and elderly households. In any case, the SHMA analysis had reached the end of its five-year lifespan. The Council's position on supporting housing schemes was however set out in its housing strategy document for 2019-2024, which included commitments to 'work with partners to develop appropriate supported housing schemes for vulnerable people' and to 'develop a comprehensive supported housing strategy for the borough'. In connection with the latter, in January 2020 the council published a Supported Housing Needs Assessment. It was recommended that the views of council housing and adult services professionals were sought in order to assess the appropriateness of this specific scheme and location from housing need and social care perspectives.

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The proposals should accord with policy TA1, having regard to the relevant standardised requirements for cycle and car parking space provision as set out in the Tees Valley Design Guide and Specification for Residential and Industrial Estates.

Finally, as the proposals were for more than 9 dwellings, a drainage plan should be submitted in accordance with policy SD7.

Redcar and Cleveland Council (Adults and Children's Services) were aware of the proposed development. The proposal would provide supported accommodation that had been highlighted as a need within the Borough and there were no concerns regarding the location of the proposed development

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
- Highways matters
- Other development management issues

Although not part of the development plan for the purposes of the decision, the Councils Housing Strategy provided context for the delivery of housing to meet specific needs. The Council's position on supporting housing schemes was set out in the housing strategy document for 2019-2024, which included commitments to *'work with partners to develop appropriate supported housing schemes for vulnerable people'* and to *'develop a comprehensive supported housing strategy for the borough'*. In connection with the latter, in January 2020 the council published a Supported Housing Needs Assessment. It was recommended that the views of council housing and adult services professionals were sought in order to assess the appropriateness of this specific scheme and location from housing need and social care perspectives. The scheme the subject of this application had been the subject of discussions with colleagues in the Adults and Children's services.

The Planning Statement provided by the applicant sets out an explanation of the supported living concept.

The applicant was a niche investor and developer with a focus on delivering specialised residential accommodation including supported living for vulnerable adults with a range of disabilities. The developer would enable vulnerable adults to lead as normal and independent life as possible with support being provided reflecting personal needs, this may be shopping or other activities or daily tasks such as cooking, or personal development and education and employment support. Staff were available on a 24-hour basis to provide support.

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The aim of supported living was to develop a person's independence over time, by reducing the need for support or moving to mainstream accommodation. When located in existing settlements in sustainable locations tenants had access to facilities and support local businesses and the economy

The principle of the development was assessed in the context of policy SD1 , SD2 and SD3, more specifically the development was assessed against policy REG4 (Loftus) which was a specific policy that promoted the revitalising of the town.

The application site was located within development limits and was defined as previously developed land. The application site had been the subject of a stalled development scheme to convert the premises to flats and, notwithstanding this, the development of the site for residential purposes was considered acceptable.

The proposed development would support policy SD2 which sought to give priority to the re-use and redevelopment of suitable brownfield sites in sustainable locations and to direct the majority of development in the rural area to Guisborough and the main East Cleveland settlements, including Loftus.

The redevelopment of the site would directly support the aim of policy REG 4 to support the physical regeneration of Loftus through a range of development projects including at part(f), to.... *'secure a use for The Royal public house or find an appropriate alternative use for the building and/or site'*...

The implementation of policy REG4 was linked to the grant-funded regeneration masterplan for Loftus, the physical focus of which was on addressing vacancy and dereliction and enhancing the quality of the urban environment in the town centre and along the A174 corridor through the town. The masterplan identified several projects and objectives, one of which was 'Creating more quality housing and improving key gateways'.

To support REG4 and masterplan objectives, the application proposals should not undermine the regeneration aspirations for the adjacent bus station land. Although the masterplan made a linkage between the sites, the application proposals did not seek to physically integrate the development with the former bus depot site: reflecting the nature of the proposals, the objective was to establish a secure and contained living environment. Nonetheless, achieving the appropriate re-use and redevelopment of the application site may encourage further investment nearby.

In summary, the officers concluded the development was in a sustainable

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location within development limits, which would deliver specialised residential accommodation. In addition the development responded to key objectives in respect of policy REG4 and so the development was considered consistent with policy SD1, SD2 and SD4 and key parts of policy REG4.

The current building was not listed and did not lie in an area of special control so its demolition, in planning terms raised no planning issues. It was recognised that the application site lay on ground which was higher as you approach particular from the east and, to an extent, from the west, in addition the site did slope up gently from Whitby Road south to Tees Street.

The prevailing land use in the area was residential with the exception of the adjoining bus garage site, and open space and recreation area. The predominant built form was two storey houses of terraced construction with some local variation.

The present vacant building was two storey with rooms within the roof space and was presently a building which itself was prominent in the street scene when viewed from the east and west occupying a substantial site with a frontage to the main A174 Whitby Road.

The application was supported by a Design and Access Statement (DAS) which set out the design principles which had been adopted in developing the proposal, taking into account the nature of the site, its constraints and opportunities and planning policy.

Officers concluded that in terms of the overall massing the development was considered acceptable. The present building did command a presence on the street by virtue of its overall massing and scale, the proposed development would achieve the same general overall impact although it was recognised the detailed impact of the development would change.

In broad terms these detailed impacts would see the form of the overall massing change so that a greater proportion of the skyline when viewed from the east would be filled with development over and above the roof profile of the public house. The present site accommodated a tiled roof of considerable area incorporating pitches, the proposed development replaced this with steeped arrangements and changes to profiles to add interest and articulation to the street scene and this was reflected in the elevational treatment to Whitby Road .

As stated above the present relationship to properties to the rear of the site on Tees Street was eased by limiting development on the rear part of the site to two storeys incorporating a flat roof.

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When viewed from the west although the general height of the new development would be similar to the existing building, more of the frontage would be occupied by the development and so the overall massing of the site changed the streetscene.

The overall conclusion of officers was that the development, in terms of its overall massing was acceptable. The development would occupy a greater proportion of the site than at present and appeared as marginally more prominent in the street scene but overall this was considered acceptable.

In terms of the detailed design of the development this was considered acceptable. The development was characterised by a series of blocks differentiated by materials and change in elevational profiles; further articulation was provided by contrasting roof profiles across the development which addressed site constraints and in part respected relationships to neighbouring properties.

The general layout a disposition of the development on the site was considered acceptable.

In view of the above assessment no conflict arose with policy SD4(c)(j)(k) and (m) of the RCLP 2018.

As a specialist residential development the use was one which it was considered would not give rise to conditions prejudicial to the amenity of the adjoining occupiers by reason of its occupation and day to day activity.

In terms of the physical relationship of the proposed development to the neighbouring properties those most affected were properties on Robinson Street to the immediate south of the site and Tees Street / Esk Terrace to the east.

In terms of the latter the adjoining property on Esk Terrace had no habitable rooms in the gable elevation. Obscure glazing was incorporated on the ground floor windows of unit 1 and a treatment room and bedroom to protect the privacy of potential occupiers. There would be an oblique view from the first-floor windows of unit 7 to the gardens on Esk terrace but this was considered acceptable and was a relationship slightly improved by the layout of the new development. In terms of the impact on properties on Robinson Street, this had been improved by the location of the development slightly further north on the site to ease that current close boundary relationship. With the exception of a stairwell feature to access the second floor, development opposite the terrace of 1-4 Robinson Street would be limited to two storeys and would have no window openings so there would be no overlooking on those properties. The remaining general relationship between Block A and B to the two

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remaining properties on Robinson Street was considered acceptable.

In view of the above assessment the development raised no issue in respect of policy SD4(b) of the RCLP 2018.

The application was supported by a Highways Statement which assessed the highways impacts of the development. The statement sets out national and local policy and described the existing highways environment in terms of the network; pedestrians and cycling; public transport and injury collision records.

In terms of the parking provision made on the site this was 6 spaces including 1 blue badge space.

The statement had been assessed by the highways engineers who confirmed that the analysis and approach set out to parking and servicing was acceptable, as was the access from the adjoining highway.

In view of the above assessment no issues arose in respect of policy SD4(p) and TA1 of the RCLP 2018.

Given the nature of the application site the applicant had carried out an assessment of the presence of bats as a protected species.

In view of the conclusions of the bat survey officers were satisfied no issues arose in respect of policy SD4(o) and N4 of the RCLP 2018, mitigation of any impacts could be dealt with by planning condition.

The application was supported by a ground condition investigation which had been assessed by the Environmental Protection team who concluded that, subject to appropriate condition there was no reason why the development should not proceed.

Concerns had been raised in respect of the location of the site and its development for specialist housing for persons living in a supported living environment. Whilst these concerns were noted, in planning terms consideration of the application should rest on broader land use planning matters. The application site was within development limits, on previously developed land and in a sustainable location; the nature of the occupation of a dwelling was only a material planning consideration in limited circumstances. It was accepted that the residents of such a development would find it beneficial to be co-located with support services such as health, or shopping and recreation but this was not always possible. The Council's Adults and Children's services team had been consulted on the application and they commented that the development provided a type of accommodation which had been highlighted as a need in the borough and they had no concerns regarding the location of the development on the application site.

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The application proposed development of a new assisted living facility on the site of the former Royal Hotel. The site was previously developed land within development limits and in a sustainable location. The current building was not in an area of special control and was not listed; as a result officers considered the principle of development to be acceptable for the use proposed.

In terms of the form of development, it was recognised that the new building would see a change to appearance of the site in terms of massing although the overall height of the development was similar to that existing on the site at present. In terms of the impact on the streetscene the officer view was that the development was considered appropriate statement architecture which would make a positive contribution to the regeneration of the town, colleagues in the Councils Place Investment team comment;

Public and private investment in Loftus is key to improving the physical appearance of the borough and enhancing prosperity, one of the Council's four main priorities..... PDI supports sustainable development which achieves economic social and environmental regeneration in Loftus.

In terms of the detail of the development the design was considered acceptable and would result in the delivery of a high-quality development in terms of design. The design of the proposal responded to key planning constraints on the site in terms of the size and location of the site and the relationship to adjoining properties.

The development was considered acceptable in terms of highways matters.

In respect of other outstanding matters these could be dealt with by planning conditions.

In terms of the objections raised to the application these were noted and in terms of key objections the following comments were made;

- The nature of the occupation of the development was explained in the application, the development was not for any form of secure accommodation which was in a separate Use Class and would require planning permission
- There were no grounds to believe that the occupation of the development would give rise to anti-social behaviour
- Based on recent events there was no reason to believe that the property could be refurbished as a going concern and the conversion of the building to a care home or other facility would appear impractical

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- Comments in respect of parking were noted but the proposed use, based on the information submitted and assessed by the highways engineers required only staff provision to be made

The officer view was that none of the other grounds of objection raised reasons to withhold planning permission and the impact of the development in terms of its scale, massing and design was a matter of judgment.

Members would be aware that the application site had presented some challenges in recent times and the site had been the subject of action under s215 of the Act in respect of its condition and appearance. A grant of planning permission for conversion to flats had not been implemented and the current condition of the site, and that of the adjoining land, did little for the appearance of this part of Loftus. The proposed development was considered to be one of quality and private investment which along with the significant investment by the Council and its partners would significantly enhance this part of the town and make a positive contribution to the regeneration of the area.

A representative from Loftus Town Council was present at the meeting and made the following comments:-

- No objections in principle to residential development but there were some objections to the current proposal;
- Concerned about the impact, character and appearance of the development;
- The appearance and height were not appropriate;
- The present building was unattractive;
- The proposal would overshadow and not fit in with surrounding residential properties;
- Concerned over safety, in particular, road safety;
- The main concern was that residents would need to cross a very busy road as it was the only way to access amenities in the town
- A zebra crossing should be provided at the expense of the developer.
- The proposed car parking would not be sufficient;
- The footpath could not be widened;
- The footpath was difficult for able bodied people to negotiate never mind people in wheelchairs;
- When two buses had to pass each other they were within inches of the footpath;
- The fact that there was a school crossing patrol was evidence of how dangerous the road was.

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:-

- The residents concerns regarding the height of the building and privacy had been addressed as had the issue of assisted living;
- There had been deaths in recent years on this stretch of road;
- This was a fast and dangerous road and a crossing was required;
- Any residents needing shopping would have to travel down Chapel Beck which could not be navigated in a standard wheelchair;
- A traffic management system was required or a crossing;
- Police regularly sit on this stretch of road with a speed camera due to the speeding traffic;
- A crossing would slow traffic down;
- The Design and Access Statement referred to improving pedestrian access and safety;
- Don't see a problem of massing as the roof height of the existing building was slightly less than the ridge height of the Royal Hotel;
- There were ways and means of achieving a safe access to the Town Centre;
- The comments regarding the modern building not fitting in with the surrounding houses applied to the Royal Hotel as well;
- The new building would be no higher than the existing building and would be further back on the site;
- This was a sustainable location and within the limits of development;
- This was a high quality development;
- There had been a lot of work done to regenerate the Town and there was a need to encourage new development and investment to the Town;
- The residents concerns regarding it being a half way house had been dismissed;
- The residents would be accompanied;
- A conversation needed to take place with highways rather than the developer;
- Any concerns regarding overlooking were minor as the houses opposite had no side windows so the only overlooking was into their gardens.

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

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accordance with the following approved plans:

3211-DEN-ZZ-XX-DR-A-1001 Site Location Plan received by the Local Planning Authority on 28 September 2021

3211-DEN-ZZ-XX-DR-A-1000 Rev A Proposed Site Plan received by the Local Planning Authority on 17 December 2021

3211-DEN-A-GF-DR- A-2000 Block A Proposed Ground Floor Plan received by the Local Planning Authority on 28 September 2021

3211-DEN-A-01-DR-A-2001 Block A Proposed First Floor Plan received by the Local Planning Authority on 28 September 2021

3211-DEN-A-02-DR-A-2002 Block A Proposed Second Floor Plan received by the Local Planning Authority on 28 September 2021

3211-DEN-ZZ-XX-DR-A-4000 Block A Proposed Elevations received by the Local Planning Authority on 28 September 2021

3211-DEN-B-XX-DR-A-2003 Block B Proposed Ground and First Floor Plan received by the Local Planning Authority on 28 September 2021

3211-DEN-ZZ-XX-DR-A-4001 Proposed Elevations Block B received by the Local Planning Authority on 28 September 2021

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. 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.

5. Prior to commencement of construction, a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall provide details of the following;

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- i) The parking of vehicles for site operatives and visitors;
- ii) Loading and unloading of plant and materials;
- iii) Storage of plant and materials used in constructing the development;
- iv) The erection and maintenance of any security hoarding
- v) Wheel washing facilities;
- vi) Measures to control the emission of noise dust and vibration during the construction period.
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works.

REASON: To mitigate the impact of the construction process , particularly on adjoining residential properties

6. 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.

7. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

REASON: To ensure the drainage infrastructure is of an appropriate specification to service the new development and to prevent the increased risk of flooding from any sources in accordance with the NPPF.

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

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on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until the condition has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination.
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

(b) Submission of Remediation Scheme

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

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(c) Implementation of Approved Remediation Scheme.

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

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

(d) Reporting of Unexpected Contamination

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

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

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

9. Prior to the first occupation of the development, hereby approved, boundary walls and fences shall have been erected in accordance with a scheme that has first been submitted to and agreed in writing with the Local Planning Authority. The boundary walls and fences shall thereafter be maintained unless the express consent of the Local Planning Authority is given.

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REASON: To ensure that any boundary treatments would accord with policy SD4 of the Redcar and Cleveland Local Plan by respecting the character of the site and the surroundings and raising no significant adverse impact on neighbouring occupiers.

10. Prior to occupation of the building hereby approved a landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include size, type and species and a programme of work. The development shall be completed in accordance with the approved details.

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

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is sooner, and any trees or plants which within a period of ten years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

REASON: To ensure the satisfactory implementation of the approved scheme in the interests of the visual amenities of the locality.

12. Prior to the first occupation of the development bat boxes shall be provided in accordance with the details set out on the Proposed Site Plan 3211-DEN-ZZ-XX-DR-A-100 Rev A received on 17 December 2021

REASON; To accord with the terms of the application and to mitigate any ecological impact as assessed in the submitted bat survey report.

13. 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.

14. The residential accommodation approved shall only be used for the purpose of the provision of 16 flats for occupiers requiring

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supported living accommodation within Class C3(b) of the Town and Country Planning Use Classes Order (September 2020) and for no other purpose, including any other purpose falling within Class C3 of the Order.

REASON: In the interests of protecting highway safety and local amenities as there is insufficient space within the curtilage of the property to provide an appropriate level of parking provision for any intensified residential use in accordance with the Council's adopted standards

56.02 R/2021/0868/FF Provision of solar car port system with an output generation of 59.4 KWP (117 panels) as a free standing unit allowing cars to park underneath Car ark Redcar and Cleveland House Rainbow Lane Redcar.

The Managing Director advised that the application related to an area of car parking located on the north side of the existing car park at Redcar and Cleveland House, parallel to Rainbow Lane. To the north of the application site was the Cherry Trees sheltered housing development.

Permission was sought for the erection of a solar car port system with an output generation of 59.4kwp (117 panels) as a free-standing unit. The application proposal was a cantilevered frame construction with a length of 45m, width of 6.1m and a height of 2.7m to 3.5m incorporating a monopitched roof on which a number of solar PV panels would be fixed. The development would be constructed over existing parking spaces which would continue to be used for parking under the structure.

The consultation exercise had resulted in one representation having been received making the following comments;

- My kitchen overlooks this car park, and I am constantly aware of the misuse of this area in the afternoon and evening; drug dealing, skate boarding; urinating and ongoing anti-social behaviour; youths had also intimidated me as I enter my property
- I am aware CCTV operates on the site, but I am not sure this dealt with the issues promptly
- This proposal could attract more of this and more hidey corners , I would expect this to be taken into account and suitable security be put in place

Redcar and Cleveland Borough Council (Development Engineers) had no objections, the structure would not adversely affect the car parking nor capacity, however, please condition that there should be no storage of materials on the adopted highway during the works, in the interests of highway safety.

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He 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 application site was within development limits in an existing car park serving Redcar and Cleveland House, as such, the proposal raised no issues in respect of policy SD1, SD2 and SD3 of the RCBC Local Plan 2018.

Policy SD6 of the RCBC Local Plan 2018 stated the development of renewable and low carbon energy schemes would be supported and encouraged where their impact was acceptable. SD6 stated;

....The retrofit of renewable energy and use of micro-renewables will also be supported in appropriate buildings and locations...

The development proposed met the essential objectives of policy SD6 and raised no issues in terms of; impact on residential amenity SD6(a); environmental impact SD6(b) and scale of proposal SD6(f)

The proposed development was a simple framed structure manufactured of steel which would support an array of 117 solar panels. Seen in the context of the car park the development would have an impact on the appearance of the carpark itself and its immediate environs but it was considered the structure would be readily accommodated in the locality without any significant impact on the appearance and character of the area. Given the design and form of the development no issues were raised in respect of policy SD4(j)(l).

The development would have no impact on adjoining occupiers in terms of its operation. Solar PV was a benign technology that did not give rise to emissions or other external effects. The development would be visible from the adjoining Cherry Trees site and those units of accommodation that faced south onto the application site, however, the application site was separated from the Cherry Trees properties by Rainbow Lane at a distance of just over 7m and, given the simple framed nature of the development it was considered that there would be marginal impacts to the amenities of those occupiers. It was concluded that no issues arose in respect of policy SD4(b) and SD6(a) of the RCBC Local Plan 2018.

The proposed structure would be built over the existing parking area, but car parking would continue to be available under the frame and so no highways issues were raised by the development

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The comments received in respect of the application were noted, however, there was no reason to believe that the development would lead to increased anti-social behaviour in the area. The comments made had been passed on to colleagues who dealt with such matters.

The application proposed the installation of a structure over an existing parking area to support the installation of solar PV panels which would generate energy for export to the power network. The proposal was simple in its design and had a limited impact on the appearance of the area and no appreciable impact on the amenities of adjoining residential properties. The development was consistent with planning policy in the development plan; in particular policy SD6 which supported the delivery of renewable energy schemes.

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

- Concerned on the design as the solar panels were facing north;
- Anti social behaviour should be addressed;
- Support the look of the proposal but the design should be looked at again to maximise efficiency;

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

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 received by the Local Planning Authority on 18 October 2021

Block Plan received by the Local Planning Authority on 18 October 2021

Car Port Elevations received by the Local Planning Authority on 9 November 2021

Car Port Site and roof plans received by the Local Planning Authority on 9 November 2021

Car Port Metal Frame received by the Local Planning Authority on 18 October 2021

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

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Councillor S Smith declared an interest in the following item as the Ward Member and took no part in the discussion nor voted thereon.

Councillor Head took the Chair for this particular item.

56.03 R/2021/0859/F3 Extension and improvements to existing car park (189 spaces) Cat Nab Car Park Saltburn Bank Saltburn.

The Managing Director advised that the application related to the existing Cat Nab car park. The car park was located on the sea front adjacent to the junction of Saltburn Road and Saltburn Bank. To the north of the site were commercial premises on Cat Nab, to the south and east open land and to the west the site abutted Skelton Beck. Access to the car park was from Saltburn Bank.

The application site lay outside development limits but within Saltburn Conservation Area and the Heritage Coast designation and was in the area defined in the development plan as *sensitive landscape*. The site was located close to or within several ecological designations.

The application proposed the extension and improvements to the existing car park.

The consultation exercise had resulted in one representation having been received attaching a PDF of suggested amendments to the technical details of the scheme with a request it be passed to the project team.

Saltburn, Marske and New Marske Parish Council objected to the application on the following grounds;

- There should be cross hatching over the accessway to the bridge so members of the public could still access the railway
- Concerned about the area becoming a caravan / campervan park
- A self-draining car park would mean all waste (petrol and oil) would drain into the river which was a designated migratory river – interceptor drains were required

The Gardens Trust accepted the proposals were likely to have impact only on the RPG but had no further comments to add at this stage.

Natural England considered the proposed development would not have a significant adverse impacts on statutorily protected nature conservation sites.

Redcar and Cleveland Borough Council (Natural Heritage Manager) had no objections.

Redcar and Cleveland Borough Council (Development Engineers)

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referred to the application and offered the following comments on highway grounds:- the proposal was to extend the number of car parking spaces from 155 to 189 including 10 disabled user bays, motor cycle bays and 4 motorhome/minibus bays. The layout was also to be improved to allow vehicles to recirculate internally around the car park. which was not possible before without exiting the car park. He noted that there was no provision to include any EV points at this time although he understood that in the wider improvements planned for Saltburn, EV will be installed elsewhere. I would therefore offer no objections on highway grounds.

Redcar and Cleveland Borough Council (Local Lead Flood Authority) offered no objection to the proposed extension to the existing cat nab car park. The development should be carried out in strict accordance with the Drainage Strategy and accompanying drawings. Please ensure the documents were listed as approved plans.

Redcar and Cleveland Borough Council (Environmental Protection) (Contaminated Land) offered no objection to the proposed extension to the existing cat nab car park. The development should be carried out in strict accordance with the Drainage Strategy and accompanying drawings. Please ensure the documents were listed as approved plans. As a precaution he recommended the following condition to cover unexpected contamination that may be encountered during the development.

In the event that contamination was 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 was necessary a remediation scheme which was 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 was 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 future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems and to endure that the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors

Redcar and Cleveland Borough Council (Environmental Protection) (Nuisance) had no objections.

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Redcar and Cleveland Borough Council (Strategic Planning – Conservation) advised that the immediate environment, which constituted a common entrance to the Valley Gardens for those arriving by car, was historically developed throughout much of the 20th century via the formation of an artificial boating lake. That recreational use resulted in a regimented, man-made appearance with concrete walls forming the water's edge, backed on one side by the miniature railway and on the other by the carpark, since softened by the current riverbanks created by subsequent land reclamation.

The proposed expansion would result in some impingement upon those banksides and subsequently the semi-natural essence of the immediate surroundings of the carpark would be compromised to a minor extent. However, the level of harm was not considered to be substantial, being just a slight expansion of the same situation rather than the introduction of new and harmful character to the location. It was also acknowledged that extra parking capacity should contribute to alleviating traffic congestion which in itself could be considered a harmful facet of Saltburn's increasing popularity as a visitor resort. Ultimately therefore the proposal was considered acceptable and would have a negligible impact upon the conservation area and the setting of the GII listed Saltburn Valley Gardens would be preserved, thereby complying with policies HE1 & HE2 of the adopted Local Plan.

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

- The principle of development
- The impacts on the character and appearance of the area and the Conservation Area
- Landscape Impacts
- Ecological Impacts
- Surface Water Drainage
- Ground Investigation

The Design, Access and Heritage Statement submitted with the application provided background to the proposal.

The report stated that there had been requests for many years from local stakeholders to increase the parking offer in Saltburn to meet demand; studies had demonstrated that accessible parking important to the success of the town as a destination. As a result a programme of improvements was being developed to improve facilities for all forms of transport.

The present car park measures 3980m² and provided 155 spaces.

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The D&A sets out options that were considered as part of the design process.

The final scheme would therefore result in a reduction of 11 standard parking bays from the initial preferred option, delivering;

189 total bays, comprising:

- 168 90-degree bays
- 10 disabled bays
- 4 motor home / minibus bays
- 7 motorcycle spaces
- Signage
- Lighting

The application site was located outside development limits identified under local plan policy SD3. Policy SD3 delineated the urban area from open countryside.

The policy stated that development beyond development limits would be restricted to specified exceptions. In this particular case the development was considered to meet the exceptions listed at (g) and (i) being;

(g) a suitably scaled extension to an existing building

(b) a recreation or tourism proposal requiring an countryside location

(i) other development requiring a countryside location due to technical or operational reasons

The development was a modest extension and alteration to an existing car park which, subject to detailed assessment, was considered acceptable in respect of several of the exceptions set out in policy SD3. In addition, it was concluded that the development proposed sustainable development in accordance with Local Plan policy SD2

The application site was enclosed on three side by rising land and was seen in the context of key landscape features on Saltburn Bank, Saltburn Road and being located at the northern end of the listed Saltburn Valley Gardens.

The works proposed were limited to the re-configuration of the car park and associated works. The physical extension of the car park was linked to adjustments to the western boundary of the site. In the context of the existing impact of the car park these physical extensions, from a planning point of view, did not unacceptably increase the impact of the car park in terms of its general appearance and impact on the appearance and character of the area.

In terms of the impact of the development on the Saltburn Conversation

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Area this was considered acceptable.

In respect of the proposed development the Council's Conservation Officer commented;

This immediate environment, which constitutes a common entrance to the Valley Gardens for those arriving by car, was historically developed throughout much of the 20th century via the formation of an artificial boating lake. That recreational use resulted in a regimented, man-made appearance with concrete walls forming the water's edge, backed on one side by the miniature railway and on the other by the carpark, since softened by the current riverbanks created by subsequent land reclamation.

The proposed expansion will result in some impingement upon those banksides and subsequently the semi-natural essence of the immediate surroundings of the carpark will be compromised to a minor extent. However, the level of harm is not considered to be substantial, being just a slight expansion of the same situation rather than the introduction of new and harmful character to the location. It is also acknowledged that extra parking capacity should contribute to alleviating traffic congestion which in itself can be considered a harmful facet of Saltburn's increasing popularity as a visitor resort. Ultimately therefore the proposal is considered acceptable and will have a negligible impact upon the conservation area and the setting of the GII listed Saltburn Valley Gardens will be preserved, thereby complying with policies HE1 & HE2 of the adopted Local Plan.

In view of the above assessment no issues were raised in respect of the impact of the development on the Conservation Area and Saltburn Valley Gardens and the development was consistent with Local Plan policy HE1 and HE2.

The application site was located within a Sensitive Landscape Area as defined by the local plan and within the designated Heritage Coast.

The Heritage Coast was defined as a nationally important landscape and policy N1 stated;

Nationally Important Landscapes Particular priority will be given to protecting and enhancing the landscape character and natural beauty of the North Yorkshire and Cleveland Heritage Coast.....

This will be achieved by permitting development only where it is:

- a. essential development which for operational reasons cannot be located outside the Heritage Coast; or*
- b. small-scale leisure or tourism development consistent with the*

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*conservation of the special qualities of the Heritage Coast; or
c. suitably scaled extensions and alterations to existing buildings.*

Any development which is acceptable will be required to be designed and sited so as to cause no harm to the special character of the Heritage Coast, in particular the remote character, natural beauty, wildlife and geological value, heritage assets and marine environment.

It was concluded that the alterations proposed to the car park would have a limited cumulative impact on the landscape setting of the car park and Heritage Coast and raised no issues in respect of local plan policy N1

In terms of local landscapes the site lay within an area identified as a *sensitive landscape*, policy N1 stated;

In Sensitive Landscape Areas, including the Historic Landscape of the Eston Hills, as illustrated on the Policies Map, we will prioritise the retention of elements that make up the landscape character, in many cases with little intervention to change this character. To be considered appropriate in these locations development should;

d. be carefully designed;

e. retain important elements that make up the landscape; and

f. screen or integrate any development into the landscape.

As stated above, the development proposed was considered to have a limited impact on the landscape and was not considered to have an adverse impact on the sensitive landscape area and so no conflict with local plan policy N1 arose.

The application was supported by an ecological survey and assessment. The report sets out the methodology adopted in the assessment which included both desktop and field survey. A baseline assessment of ecology in and around the site was provided including all ecologically sensitive areas in the environment of the application site and wider designations.

The study then presented survey results in respect of specified species.

Assessments were made in respect of invertebrates; plants; and other notable species along with non-native invasives but it was concluded the development would not impact those species.

The conclusion of the ecology report was that no further survey effort was required but the recommended action was;

[NPPF (2018) paragraph 170 d) includes the bullet point: Planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for

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biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Net gain should be appropriate to the scale of the development and should be conditioned.

• *One off-site habitat management project would provide biodiversity enhancement. To ensure that this is close to the proposed site, it is recommended that it is undertaken in Saltburn with the input of the RCBC Countryside Team.*

The ecological assessment had been reviewed by both RCBC Countryside officers and Natural England and both were satisfied as to the conclusions of the assessment. In view of this the development was considered consistent with policy N4 of the Local Plan

The application was supported by a Drainage Strategy which reviewed the present surface water drainage infrastructure on the site and set out proposed changes to manage surface water runoff as part of the development.

The report had been reviewed by the LLFA who raised no objection to the development

The application had been reviewed by the highways engineers who raised no objection to the development. It was noted that the development did not make provision for EV charging points within the site but it was noted that provision of EV would be made elsewhere as part of other improvements.

The application was supported by a ground investigation report that has been assessed by colleagues in the Environmental Protection Team. The overall conclusions of that report were accepted subject to the addition of a condition to deal with unexpected contamination. No issues were raised in respect of Local Plan policy SD4(e).

The representations received in respect of the consultation had been passed to the project team and the concerns of the Parish Council had also been communicated to colleagues.

The application proposed alterations and a minor extension to the existing car park at Cat Nab, Saltburn. Works would include re-configuration of the car park layout and its infrastructure to expand capacity.

In view of the above assessment officers were satisfied that the development met the stated exceptions set out in policy SD3 and was sustainable development. In terms of the impact on the landscape and heritage assets, officers were satisfied these impacts would be limited and that the development would not detract from the appearance and character of the conservation area, adversely impact the Heritage Coast

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and would have a limited impact on the setting of the Grade II listed Saltburn Valley Gardens.

In terms of the technical assessment of the application, no issues were raised in respect of ecological impacts, highways matters and drainage and there were no planning reasons why permission should be withheld

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

- This proposal would bring a much needed improvement;
- payment charges would not cover the cost of the project however, visitors would spend money in the town;
- This improvement had been a long time in coming but it would increase visitors to the town.
- Would improve safety for people using the car park.

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:

HGP-CAP-LPN-SCN-DR-C-1001 P01 Location Plan received by the Local Planning Authority on 13 October 2021

HGP-CAP-LPN-SCN-DR-CH-1002 P01 Existing Site Plan received by the Local Planning Authority on 13 October 2021

HGP-CAP-HGN-SCN-DR-CH-1003 P02 Proposed Site Plan received by the Local Planning Authority on 13 October 2021

G083-002 Topographic Survey received by the Local Planning Authority on 13 October 2021

ASD-NE-SL-2020-21-036 R1 Street Lighting Layout received by the Local Planning Authority on 13 October 2021

HGP-CAP-HDG-LPN-DR-C-1001 P01 Provisional Drainage Layout received by the Local Planning Authority on 13 October 2021

HGP-CAP-HGN-SCN-DR-CH-1004 P01 Existing and Proposed Sections received by the Local Planning Authority on 13 October 2021

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

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3. 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 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 or where this is not the case on a report must be submitted confirming that unexpected contamination was not encountered during the development

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

Councillor S Smith resumed the Chair for the remainder of the meeting.

57. **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.

58. **APPEAL INFORMATION.**

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

:-NOTED.

59. **ENFORCEMENT SCHEDULE.**

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

:-NOTED.

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60. **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.