

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER:	R/2022/0895/OOM
LOCATION:	THE SMITHS DOCK INN SKIPPERS LANE NORMANBY REDCAR AND CLEVELAND
PROPOSAL:	OUTLINE APPLICATION (SOME MATTERS RESERVED) FOR RESIDENTIAL DEVELOPMENT COMPRISING 12 (NO) DWELLINGS AND APARTMENT BLOCK (16 APARTMENTS) (DEMOLITION OF EXISTING PUBLIC HOUSE BUILDING)

[Planning Application Details](#)

APPLICATION SITE AND DESCRIPTION

Permission is sought for an outline application (with appearance and landscaping reserved) for residential development comprising 12 (no) dwellings and apartment block (16 apartments). Demolition of existing public house building.

The application relates to The Smiths Dock Inn. The site contains a vacant public house with car parking to the rear and an area of open space. There are mature trees on all four boundaries of the site and the site is accessed via existing vehicular access from Skippers Lane. Smiths Dock Bowls Club is located to the south of the site, Smith Dock Cricket Club to the north, Smiths Dock Park to the east including a Grade II war memorial. Residential dwellings on Skippers Lane lie to the west of the site. The dwellings are mainly two storey both terraced, semi detached, detached and some dormer bungalows.

This application seeks outline consent to build 12 dwellings, 8 detached dwellings and 4 semi detached dwellings and the three storey apartment building containing 16 apartments. The application seeks consent for access, layout and scale. The proposed plans have been revised during the consideration of the application. Changes have been made to the site layout, moving the apartment building to the rear of the site and altering the position of the dwellings and driveways, altering the size of apartments to be provided, car parking and access to the bowling club.

Of the 16 apartments, 14 will be two bedroom and 2 will have three bedrooms. Each apartment will have an open plan kitchen, dining and living room, bedrooms and bathroom. The indicative plans indicate the second floor apartments will be within the roof space of the building including dormers. The apartment building will measure 14.4m wide, 33.9m in length and have a

maximum ridge height of 9.4m. There are parking areas to the front of the apartment building providing 30 parking spaces.

The dimensions of the eight detached buildings are 8m wide and 8m in length and a ridge height of 8.5m. The accommodation will be over three floors with an ensuite bedroom in the roof space. The indicative plans illustrate two dormer windows to the front of each dwelling. Each dwelling will have a driveway running along the side of the dwelling with garden area to the front and rear of the property. The detached dwellings will run along the northern boundary of the site.

The four semi-detached dwellings will be positioned to the southern side of the site, adjacent to the boundary with bowls club. The dwellings will measure 8m in length, 6.8m wide and have a ridge height of 8.45m. The dwellings will be two storey, three bedrooms with parking to the front and side and rear garden.

The application includes parking facilities for the Smiths Dock Bowling Club and the provision of 13 car parking spaces adjacent Skippers Lane. A footpath will run from the car parking spaces along the southern boundary of the site to provide pedestrian access to the bowls club. The footpath will run the full length of the site to provide pedestrian access from Skippers Lane and Smith Dock Park Road.

A new vehicular access is proposed off Skippers Lane.

The application has been accompanied by:

- A site location plan
- Proposed site plan
- Indicative elevation and floor plan drawings
- Planning Statement including Statement of Community Involvement
- Land Contamination Desk Top Study

DEVELOPMENT PLAN

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

NATIONAL PLANNING POLICIES

National Planning Policy Framework (NPPF)

REDCAR & CLEVELAND LOCAL PLAN (2018)

SD1 Sustainable Development
SD2 Locational Policy
SD3 Development Limits
SD4 General Development Principles

SD5 Developer Contributions
SD7 Flood and Water Management
ED1 Protecting and Enhancing the Borough's Centres
H2 Type and Mix of Housing
H4 Affordable Housing
N3 Open Space and Recreation
N4 Biodiversity and Geological Conservation
HE2 Heritage Assets

OTHER POLICY DOCUMENTS

Design of Residential Areas Supplementary Planning Document (October 2011)

Developer Contributions Supplementary Planning Document (December 2014)

Affordable Housing Supplementary Planning Document (October 2011)

Redcar & Cleveland Strategic Housing Market Assessment (2016)

Redcar & Cleveland Open Space Assessment (2016)

PLANNING HISTORY

L0644/87/UN - Conversion of Social Club Into Public House With Tenants Flat – granted – 1987

RESULTS OF CONSULTATION AND PUBLICITY

The application has been advertised by means of a press notice, site notice and neighbour notification letters.

The application has been subject to two consultation periods. As a result of the two consultation periods there has been in total 472 written representations objecting to the proposal, one in support following the second consultation period and 9 comments.

The comments from the first consultation period in 2023 are summarised as follows:

- *Traffic concerns – Skippers Lane already has problems due to traffic and parked cars*
- *Chairman of Smiths Dock Park Trust – object to impact application will have on the memorial and access to it*
- *Existing right of way for over one hundred years should not be impinged*
- *Density and style of properties too high and inappropriate for area*
- *Question over validity of Nutrient Neutrality mitigation*

- *Traffic nightmare – volume increase since Skippers Lane opened to the current development. Exit road from Westfield Road to Skippers Lane accident waiting to happen*
- *Smiths Dock Bowling Club object as it would block our right of way into bowling club. Weve been there 102 years and have mature members who would need walk long way to get into club*
- *More traffic for road which carried far more vehicles than it was design for – extra vehicles from the extra vehicles from Meadow Wood estate*
- *Concern of the size of development*
- *Antisocial behaviour that is brought by this type of property*
- *More demands on local schools, doctors and dentists*
- *Impact on local sports club*
- *Impact on environment, removal of trees and wildlife affected*
- *Disagree scale is entirely suitable for the site and surroundings as stated in Planning Statement to justify three storey apartments*
- *Infrastructure of Normanby at breaking point*
- *High traffic adds risk to children playing out on street*
- *Don't want HMO*
- *Multistorey apartment block and housing completely out of keeping with surrounding area*
- *Bowling Club well used local facility and would be affected by proposal*
- *Site been left by owner to go derelict and not cut grass*
- *Covenant on land from Smith Dock states no housing on land it has to be a building for a public house or similar*
- *Area needs something to promote healthy environment not this proposal*
- *Nice residential area being ruined by having an HMO in middle. Children will not be able to play as convicted criminals roaming*
- *No information given on what type of housing this will be used for*
- *Building for profit squeezing as many houses and flats on the land as possible*
- *No consideration of how development integrated into homes already here*
- *Skippers Lane hard to navigate particularly when sports are playing on the field. This is an accident waiting to happen*
- *Skippers Lane cant cope with construction of two new housing developments*
- *Report for High Farm build, it was highlighted that school places particularly secondary school and SENd were already in high demand. Adding 30 homes is going to cause issue with school places, support services and the additional strain on GP access*
- *Destroying green land and wildlife*
- *Smiths Dock one place in Eston/Normanby where there are decent football pitches. By building on Smiths Dock will have a huge negative effect on children in the area*
- *Concerns regarding blocking public right of way and entrances to bowls club and the park*
- *Concern regarding fall in property prices*

- *Lack of privacy from 3 storey apartment block*
- *Scale of development and noise*
- *Contrary to NPPF social objective – development does not provide neither a safe nor beautiful place – it provides the entire opposite*
- *Sheer scale no in keeping with current area, no apartment blocks of this scale anywhere in close vicinity. Apartment block will be an eyesore and completely not in keeping with the area*
- *Road currently allowing access to the Parklands Pub is used on weekends for access to the football games that are played at Smiths Dock Park. Previously access for spectators was the existing entrance to the park at the bottom of Skippers Lane which was stopped being used due to safety concerns*
- *Concern development would have insufficient parking for dwellings/apartments*
- *Local Plan Policy SD3 states proposal for conversion or reuse of existing building outside of development limits will be supported – the building is large enough to be converted without the need for additional buildings, substantial new extensions or significant alteration – the building is large enough to be converted without the need for an extension if it was looked after*
- *Contrary to SD4b. - development will adversely affect occupiers of nearby homes*
- *Three storey block of flats comprising of 20 individual flats is definitely not in keeping with the surrounding area which is predominately 3 / 4 bedroom houses, dormer and bungalows. Flats will be a blot on landscape*
- *More property is not needed*
- *Concerns regarding child safety*
- *Concerns criminals will be housed in apartments*
- *Concerns apartments used as House in Multiple Occupation (HMO) and increase anti-social behaviour*
- *Detrimental to a family orientation area*
- *No need for housing in this location. The current Local Plan already includes a wide variety of housing in this area which is well within current and future target limits*
- *Trees and hedges on the property which will be lost*

A second public consultation has taken place in July 2024. The comments from this second consultation are summarised as follows:

- *Smith's Dock Bowling Club has no objection to the revised plan which addresses the problems the club had previous regarding access to the club and parking. Access to the club remains unchanged due to the retention of the continuous path from Skipper's Lane to Smith's Dock Park Road and parking is being provided for exclusive use by the bowling club.*
- *Again, strongly object*
- *Traffic has increase due to Keepmoat development, quiet road is now very busy*

- *Flats not in keeping with surrounding properties*
- *Parking area will be directly opposite my property*
- *No requirement for flats*
- *Insufficient parking for development*
- *Applicant rents houses in the area which are left in disrepair, they cannot be trusted with minor repairs, should not be trusted with major developments*
- *Concerned regarding appearance of apartment block, car park and removal of trees*
- *Changes will not provide relief to amount of traffic*
- *Dwellings should be in keeping with the area, with no apartment block, just houses*
- *Concerns regarding amount of traffic*
- *Flats not in keeping*
- *Covenant on Smiths Dock Park grounds that it can only be used for recreational purposes*
- *Any building around Smiths Dock Park Cenotaph is a massive no*
- *Flats notorious hot bed of anti social behaviour and crimes*
- *Infrastructure of Normanby is already at full capacity*
- *Wildlife concerns*
- *Incompatibility with current style and design*
- *Traffic noise pollution*
- *Road effectively single carriageway due to width of the road and vehicles parked outside their properties*
- *Devaluation of properties*
- *Current issues with speeding traffic along Skippers Lane*
- *Views haven't changed with revised details*
- *Trees outside of the public house will be taken down to make room for the flats – these trees should be old enough to have preservation orders on them*
- *Traffic particularly terrible on a weekend with the football matches*
- *Risk of becoming an HMO*
- *2024 amendment is still excessive and not in keeping with the surrounding green areas*
- *Do planners ever take into consideration existing residents concerns serious and the impact on daily life this has*
- *Will cut off public right of way between Skippers Lane and the Smiths Dock Park, via the Bowls Club*
- *Traffic noise - studies shown a clear correlation between prolonged exposure to traffic noise and a reduction in life quality . Areas with high road noise exposure, such as North Ormesby have some of the lowest life expectancies in the country.*
- *No assurance existing water, sewer and power grids have the capacity to support the new development*
- *Environmental concerns*
- *Impact on lighting and climate change - development will reduce natural light into homes with large buildings casting shadows and darkening rooms*

- *Oversubscription of doctor surgeries and school places*
- *On behalf of Smiths Dock Memorial Park we wish to object. Development overlooks the land and memorial and fell the development is inappropriate due to its proximity to the memorial especially the apartment block*
- *Concerns relating to the track record of the developer*
- *Better use of the site would be a community hub*
- *Concerns relating to flooding and drainage*
- *There are empty flats within a mile of Skippers Lane, no one wants flats*
- *12 dwellings would be appropriate but not 16 flats*
- *Would prefer bungalows*
- *Can the access not be done on Smith Dock Park Road as Skippers Lane has enough traffic*
- *Disruption from another building site*
- *Car parking spaces fronting onto Skippers Lane... likely to attract further anti social behaviour*
- *The existing row of mature trees that separate the existing bowling club from the proposed car parking spaces fronting onto Skippers Lane are not shown on the applicants site plan nor are the existing mature trees at the frontage of the existing inn which form part of the character of the approach could possibly be retained with the current proposals due to the proximity of the proposed dwellings and size of the trees*
- *Do not object to houses as long as the fit with existing properties*
- *Building of flats/apartments is overdevelopment of this site*
- *Flats in other areas being demolished*
- *Any buildings should be affordable houses*
- *Site outside permitted development area*
- *Part of site was laid out by former owners (Smiths Dock Ltd) as a tennis court linking the existing bowling greens, cricket ground and football pitches of Smith's Dock Park. It was therefore undeveloped open recreational land adjacent to a war memorial. The wider landscape of the park also encompasses the former historic grounds of old Nomanby Hall. Overdevelopment of the site forms a significant intrusion into this and set a precedent to further erosion*
- *3 storey building on site near to the war memorial is inappropriate in terms of proportion, height, scale and density*
- *Happily approve 12 or less appropriate dwellings*
- *Overdevelopment of the site*
- *Loss of trees, plans do not include existing mature trees*
- *Family area, apartments not in keeping*
- *Theres no environmental/ecological impact assessment*
- *Insufficient parking within proposed site*
- *Northumbrian Water's comments insufficient information regarding foul and surface water drainage*
- *Application not supported by a transport statement or assessment which accesses the transport effects for 28 residential units*
- *Bats forage in the locality, no assessment provided*

- *Arboricultural assessment has not been provided*
- *Documents fail to sufficiently describe the significance of Grade II listed Smiths Dock War Memorial*

Ward Members

Councillor Salvin

Comments received 19/07/2023

Having read through the plans, I don't believe this is the right development for this area. I must agree with what Chris Gallacher says on all his points, particularly the Nutrient Neutrality mitigation being too optimistic and the need to keep the public right of way open to residents of the area. I also believe that TS6 is becoming a HMO, 1 bedroom apartment hotspot within the borough with a new application appearing in the Normanby & Eston wards every week for this type of development. And whilst this development isn't specifically a HMO, I don't believe 20 one bedroom apartments is the correct development for this area.

Whilst I'm in no doubt that this area will be developed in due course, perhaps the council should look to finding a developer that wishes to build family homes on this land that are much needed in the area and in keeping with the stock currently on the estate. There is nothing nearby that is 3 stories high and where do the developers propose to fit 20 cars should every resident acquire one? There is a new development at the bottom of skippers Lane currently which has already increased the traffic flow significantly on the estate and 20 more vehicles on the estate will only increase the pressure on an already very busy, inadequate road structure.

I oppose this development in its current form.

Councillor McInnes

Comments received 25/07/2023

Objection - 3 storey is too high and overlooking other residents - Inadequate Parking and overcrowding roads - Highways safety from junction onto Ormesby Road. Loss of trees - Layout and density of Buildings - application design isn't in the same nature of the Existing surrounding Building.

Councillor Pugh

Comments received 28/07/2023

Whilst I have carefully considered this application with an open mind, I cannot support it and must object on the following grounds:

The current plans proposed 30 new residential units and include 30+ parking spaces. As such, its reasonable to make the assumption that this

development will have a significant impact on traffic generation. At the bottom of Skippers Lane, there's already a substantial new housing development which itself will lead to traffic generation. If this development does go ahead, once can only imagine the state our roads will be in. Skippers Lane itself, and Ormesby Road (B1380), area already very busy. At certain times of the day they're in gridlock. This situation will only get worse if this development goes ahead.

With significant traffic generation, I have concerns about the impact this development will have on highway safety on Skippers Lane. The road has not traffic calming measures, no crossings and is quite clearly suited to being a residential street as opposed to an artery for high volumes of traffic. This development, with other (already approved) developments, will make this road unsafe.

I have concerns about the layout and density of the building. Given the proposed height of the apartment block, it will overlook other properties and may result in a loss of privacy for residents living opposite the site.

The park this development backs onto, Smith's Dock Park, is of huge significance to the community and is a treasure green space with unique character. This development will undermine the amenity of Smith's Dock Park and damage the character of the area.

There are concerns about the impact this development will have on a historic public right of way. These plans don't seem to have considered that.

In summary, this development isn't suitable for the local area. I oppose it in its current form and would encourage the developer to reconsider their plans for this site. It's important that the dilapidated Smiths Dock Inn is replaced with something, but this development isn't the answer.

Comments from the three Ward Councillors (Cllr McInnes, Cllr Pugh and Cllr Salvin) received 30/07/2024

We would collectively like to Object against this application for the following reasons.

As a whole, we feel the application is very promising as the site is in desperate need of development. However, the main reason for our objection is the prospect of Apartments on the site. There clearly isn't a need for this type of property within our Normanby ward and this does not fit in with the local surrounding area. The Skippers Lane area is well balanced with large stylish Terrace houses, Detached homes and Bungalows and Modern Apartments are NOT in keeping with the surroundings.

The use of Apartments instead of Detached/semi-detached Homes will only add to the ever-increasing traffic flow on an already busy junction and 'Lane' (not a Road) Skippers Lane is already experiencing a large amount of increased traffic flow from other larger developments further down.

We feel happy that the applicant has listened to the needs of the Bowling club adjacent to this project and their needs have been fulfilled.

The planning application will have an impact on future drainage and sewerage. We need to know if this has been closely looked at, as there is an ever-increasing issue with localised flooding.

Cllr. McInnes would be happy to speak on behalf of the Normanby Councillors and Residents at the proposed planning committee meeting when this application is added to the agenda.

Northumbrian Water

Comments received 16/07/2024

In making our response to the local planning authority Northumbrian Water assesses the impact of the proposed development on our assets and assesses the capacity within our network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>.

At this time 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 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 accordance with the approved details.

REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

How to Satisfy the Condition

The applicant should develop their surface water drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:-

- Soakaway*
- Watercourse, and finally*

- Sewer

If sewer is the only option the developer should contact Northumbrian Water to agree allowable discharge rates and points into the public sewer network. This can be done by submitting a pre planning enquiry directly to us. Full details and guidance can be found at <https://www.nwl.co.uk/developers/predevelopment-enquiries.aspx> or telephone 0191 419 6559. The applicant should then submit a drainage strategy reflecting our recommendations for consideration as part of the planning application.

Please note that the planning permission with the above condition is not considered implementable until the condition has been discharged. Only then can an application be made for a new sewer connection under Section 106 of the Water Industry Act 1991.

For information only

We can inform you that a public sewer is within the boundary of the site and may be affected by the proposed development. Northumbrian Water does not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. This is an informative only and does not materially affect the consideration of the planning application.

Further information is available at <https://www.nwl.co.uk/services/developers/>

For Information Only

Please note that the site lies within drainage area 11-D31 this drainage area discharges to Bran Sands Sewerage Treatment Works, which is named on the Nutrient Neutrality Budget Calculator.

I trust this information is helpful to you, if you should require any further information please do not hesitate to contact me.

Comments received 25/11/2024

**SUMMARY OF NATURAL ENGLAND'S ADVICE
FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON
DESIGNATED SITES**

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

The following information is required:

- Updated Nutrient Budget Calculator
- Updated Nutrient Mitigation Strategy
- Updated Habitats Regulations Assessment
- Secure contribution to Recreation Management Plan via condition

Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained. Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

*Additional Information required – Updated Habitats Regulations Assessment
Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.*

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for any adverse effects, it is the advice of Natural England that it is not possible to ascertain that the proposal will not result in adverse effects on the integrity of the sites in question.

Natural England advises that the assessment does not currently provide enough information and/or certainty to justify the assessment conclusion and that your authority should not grant planning permission at this stage. Further assessment and consideration of mitigation options is required, and Natural England provides the following advice on the additional assessment work required:

•Updated Nutrient Budget Calculator and Nutrient Mitigation Strategy

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Natural England notes that, within the submitted HRA, it states “the existing use of the site is a mix of commercial urban land and open land”. However, within the submitted Nutrient Budget Calculator, the existing land use type chosen within the ‘Nutrients from current land use’ tab is residential urban land.

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Natural England therefore advises your authority to obtain an updated Nutrient Budget Calculator, in order to reflect the existing land use type for the proposal. Your authority should be certain that the existing land use type chosen within the Nutrient Budget Calculator accurately reflects the existing land use for the proposal.

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Once the Nutrient Budget Calculator has been updated and the total nitrogen discharge from this development has been confirmed, the applicant should contact Natural England's Nutrient Credit Sales team to amend their Nutrient Credit Certificate based on the correct total nutrients to mitigate for this development. The Nutrient Credit Sales team can be contacted here: creditsales.nutrientmitigation@naturalengland.org.uk

Please refer to Annex 1 for standing advice on nutrient neutrality calculations, Annex 2 for standing advice on nutrient mitigation options and Annex 3 for a

checklist covering the advice set out Annexes 1 and 2 (information to inform an appropriate assessment).

•Secure contribution to Recreation Management Plan via condition

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Natural England notes, and welcomes the applicant's intention to pay the contribution to the Recreation Management Plan for this proposal. We recommend your authority to secure this contribution via condition.

Teesmouth and Cleveland Coast Site of Special Scientific Interest

The SSSI is subject to similar pressures and threats as the Teesmouth and Cleveland Coast SPA & Ramsar Site. Therefore, the results of the Habitats Regulation Assessment and the proposed mitigation measures should similarly apply to and sufficiently protect the SSSI.

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

Cleveland Police

Comments received 25/07/2023

I would like to make you aware that Cleveland Police operate the "Secured By Design" initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments. I recommend applicant actively seek Secured By Design accreditation, full information is available within the SBD Homes 2023 Guide at www.securedbydesign.com

I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour. Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

• *The National Planning Policy Framework 2021 paragraph 92(b); which states that Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...*

• *The National Planning Policy Framework 2021, paragraph 130(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".*

- *Redcar & Cleveland Local Planning Policy also states within SD4 (General Development Principles) part m. create a healthy, active, safe and secure environment, and Policy ED1 part e. enhancing the appearance, safety and environmental quality of the centre.*
- *Another material consideration is Section 17 of The Crime And Disorder Act 1998.*

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

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

Strong consideration should also be given in relation to the provision of On-Site Security throughout the lifespan of the development.

Comments received 29/07/2024

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

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

I recommend applicant actively seek Secured By Design accreditation, full information is available within the SBD Homes 2024 Guide at www.securedbydesign.com

I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour. This is expected as reference to Secured By Design is highlighted within the Design & Access Statement.

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

- *The National Planning Policy Framework 2023 paragraph 92(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and*

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

In addition to the above and having viewed the proposal I would also add the following comments and recommendations.

All external doors and windows are recommended to be tested and certified PAS24:2020/2016 standards (or equivalent) This is also for each individual apartment door. This includes garages.

Dusk till dawn lights are recommended to each elevation with an external door-set. This also includes garages should they be included.

ALL roadways, parking areas and pathways, ADOPTED OR OTHERWISE, are recommended to be to BS5489:2020 standards with a uniformity preferably to Secured By Design recommended one of 40%, as a minimum 25%.

All proposed rear treatments onto public realm are recommended to be 2.0m in height.

Those to rear/side of Plots adjacent to open space are recommended to be increased to minimum of 2.2m.

Locate all side boundary treatments as far forward to the front elevations of the properties as possible to eliminate recesses.

All horizontal support rails to boundary treatments should be on the private elevation to remove climbing aids.

Any proposed cycle storage should be within the fabric of the building, particularly in relation to the apartments.

Should external cycle storage be really necessary then it should be within a Secured By Design approved cycle storage area. More information is available at www.securedbydesign.com

I do have real concerns about the proposed access pathway linking the park area to Skippers Lane running to the side boundary treatments of Plots A.

This is in effect designing in a potential crime generator, I would recommend this path is incorporated into the active street frontage of the development and not secreted to the side/rear of buildings..

There is also a lack of defensible space shown around the apartments with 360 degree access allowed around the block. Providing the apartment block defensible space is very important and highly recommended.

Redcar and Cleveland Borough Council (Planning Strategy)

Comments received on 27/09/2023

The application site is adjacent to but outside the development limit boundary (policy SD3). As such, to comply with the local plan the proposed development must meet a least one of the SD3 exceptions criteria listed at parts a). to m). In this case, it is evident criterion (j.), 'redevelopment of previously developed land, provided that the site is not of high environmental value and is, or can, be made accessible by sustainable modes of transport' would need to be satisfied, having regard to the definition of previously developed land in the NPPF. It would appear that the definition would be met, and that SD4(j.) would apply in this case.

Policy ED1 seeks to safeguard neighbourhood shops, services and community facilities outside of the designated centres where they are important in serving local community needs. However as there are other licensed premises nearby in the vicinity of Normanby High Steet, it is considered that ED1 would carry limited weight in this case. If the existing usage is not resumed, housing would be an appropriate re-use of the site as it is in a suburban location and well related to the established residential area.

The case officer should give careful consideration as to whether the proposals would accord with overarching policy SD4. The policy requires that all development proposals should be well designed and to that effect they should, among other things:

'j. respect or enhance the character of the site and its surroundings in terms of its proportion, form, massing, density, height, size, scale, materials and detailed design features;' and

'k. take opportunities available to improve the character and quality of the surrounding area and the way it functions by establishing a strong sense of place, responding to local character and history and using streetscapes and buildings to create attractive places to live, work and visit'.

SD4 (j.) and (k.) are considered particularly significant given the unusual form of the proposed development both within the context of a small (0.53ha.) site, and with the adjacent residential area most of which comprises semi-detached properties with some terraced and detached dwellings, and variable garden space. The site partly faces a row of six terraced dwellings set back from the highway which the long elevation of the proposed apartment block would seem to take its cue from. However, that does not detract from the different type, form, scale and density of residential development which characterises the local area. The supporting Planning Statement makes reference to the inclusion of the site in an earlier iteration of the SHLAA for an estimated 12 dwellings, which was based on a submitted pre-application layout for 12x 4-bed semi-detached houses. That layout and type of development would be more in keeping with the residential area than the application proposals.

Notwithstanding the above issues, policy H2 requires among other things that development proposals should provide an appropriate mix of housing according to assessed need or demand as evidenced in the Strategic Housing Market Assessment (SHMA) or in other documentation. The SHMA did not indicate any unmet demand for flatted accommodation in the 'Greater Eston South' housing market sub-area.

The proposals should also comply with all other relevant aspects of SD4 including in relation respectively to matters of residential amenity (SD4b.), achieving safe vehicular access (SD4o.), the preservation of built heritage (SD4c and o. and policy HE2), the usability of public open space (SD4c.) and flood risk (SD4f. and policy SD7).

Policy SD5 lists examples of the type of developer contributions which may be required should the proposals be considered acceptable. With regard to affordable housing, policy H4 sets out that development of at least 15 dwellings will require a 15% on-site provision subject to any viability considerations. The SHMA indicated unmet affordable housing needs for older person's (1 or 2-bed) accommodation in Greater Eston South.

The site is within the 6km buffer of the Teesmouth and Cleveland SPA and Ramsar Site. As such, a contribution towards strategic mitigation measures may be required, in accordance with policy N4. Further to that, and as observed in the application, as the site falls within the River Tees nutrient neutrality catchment area and the proposals would add to residential occupancy, the latest guidance on dealing with nutrient neutrality should be followed.

Comments received 22/07/2024

The application site is adjacent to but outside the development limit boundary (policy SD3). As such, to comply with the local plan the proposed development must meet a least one of the SD3 exceptions criteria listed at parts a). to m). In this case, it is evident criterion (j.), 'redevelopment of previously developed land, provided that the site is not of high environmental value and is, or can, be made accessible by sustainable modes of transport' would need to be satisfied, having regard to the definition of previously developed land in the NPPF. It would appear that the definition would be met and that SD4(j.) would apply in this case.

Policy ED1 seeks to safeguard neighbourhood shops, services and community facilities outside of the designated centres where they are important in serving local community needs. However as there are other licensed premises nearby in the vicinity of Normanby High Steet, it is considered that ED1 would carry limited weight in this case. If the existing usage is not resumed, housing would be considered an appropriate use of the site as it is well related to an established residential area.

The case officer should give careful consideration as to whether the proposals would accord with overarching policy SD4. The policy requires that all development proposals should be well designed and to that effect they should, among other things:

'j. respect or enhance the character of the site and its surroundings in terms of its proportion, form, massing, density, height, size, scale, materials and detailed design features;' and

'k. take opportunities available to improve the character and quality of the surrounding area and the way it functions by establishing a strong sense of place, responding to local character and history and using streetscapes and buildings to create attractive places to live, work and visit'.

SD4 (j.) and (k.) are considered particularly significant given the proposed form of development within the context of a small site and its impact on the character of the adjacent residential area.

The supporting Planning Statement makes reference to the inclusion of the site in an earlier iteration of the SHLAA for an estimated 12 dwellings, which was based on a submitted pre-application layout for 12x 4-bed semi-detached houses and is partly reflected in the amended layout. That type of

development would be considered broadly in keeping with the built form of the residential area. The more pertinent consideration revolves around the inclusion of the apartment block, as amended, and with its repositioning to the opposite end of the site, i.e. further from existing housing and more closely related to Smith's Dock Park and its Grade-II listed war memorial.

Notwithstanding the above issues, policy H2 requires among other things that development proposals should provide an appropriate mix of housing according to assessed need or demand as evidence in the Strategic Housing Market Assessment (SHMA) or in other documentation. The SHMA did not indicate any unmet demand for flatted accommodation in the 'Greater Eston South' housing market sub-area.

The proposals should also comply with all other relevant aspects of SD4 including in relation respectively to matters of residential amenity (SD4b.), achieving safe vehicular access (SD4o.), the preservation of built heritage (SD4c and o. and policy HE2), the usability of public open space (SD4c.) and flood risk (SD4f. and policy SD7).

Policy SD5 lists examples of the type of developer contributions which may be required should proposals be considered acceptable. With regard to affordable housing, policy H4 sets out that development of at least 15 dwellings will require a 15% on-site provision. The SHMA indicated unmet affordable housing needs for older person's accommodation in Greater Eston South. In terms of other potential contributions, the 2016 open space assessment indicated a shortage of equipped children's play areas in the west of Normanby.

The site is within the 6km buffer of the Teesmouth and Cleveland SPA and Ramsar Site. As such, a contribution towards strategic mitigation measures may be required, in accordance with policy N4. Further to that, as the site falls within the River Tees nutrient neutrality catchment area and the proposals would add to residential occupancy, the latest guidance on dealing with nutrient neutrality would need to be followed.

Redcar and Cleveland Borough Council (Development Engineers)

Comments received on 25/07/2023

Object

Highways would offer the following comments;

Access - no objection to the proposed access given that it is an existing access, the width of road shall be no less than 4.8m to serve 30 properties.

Layout - there is insufficient information supplied to be able to assess the layout and scale at this time. As such highways would offer an objection to the layout and scale being determined at outline.

The applicant should provide the following details; Confirmation of all dwelling bedrooms, along with parking provisions in accordance with the design guide and specification.

Confirmation that the two car parking areas are to facilitate the apartments which require 30 workable car parking spaces. At present, the end bays require significant reversing lengths.

A detailed layout of road widths, footways, private drives and and confirmation of intended adoptable limits.

As suggested, at this time highways are unable to assess layout and scale however, can confirm that the access point is agreeable.

Comments received 05/09/2024

The application is an outline application with some matters reserved for residential development, comprising 10 detached three bed dwellings and apartment block comprising of 16 one bed apartments and 4 two bed apartments.

Vehicular parking will be provided in the form of 23 bays within the curtilage of the site for use by occupants of the flatted development and 13 bays to the southwest corner of the site which will be served from a separate drive crossing access directly from Skippers Lane, which is highlighted as being allocated for use by members of the bowls club.

Each 'B' dwelling has a form of vehicular parking provision, the dominant design being a long narrow driveway which measures approximately 2.4x14.8m. Whilst in theory this allows for the off-street parking of three vehicles to meet parking demand criteria, the narrowness of the facility presents issues in terms of the practicalities of car accessibility given the proximity of the building elevation.

Sufficient area for manoeuvring has been provided within the site, and a swept path analysis has been submitted in support of the application.

Footways have been provided to enable sustainable forms of accessibility, public transport is within a 5- minute walking distance and local amenities within 10 minutes walking distance of the site.

Provision has been made for 30 secure cycle storage spaces within the footprint of the development, and consideration has been given to the location of the waste receptacles.

No information has been provided in terms of the level of traffic generation, or the impact on the junction with Ormesby Road during the peak period.

The Highway Authority has considered Local Plan Policy SD4, Parts P and I, and if the proposals meet those requirements, on balance we would recommend approval subject to condition.

Conditions:

Cycle Store

The development hereby approved shall not be occupied until covered and secure cycle parking facilities, for 30 cycles, have been provided in accordance with the approved site plan drawing submitted on 03/09/2024, or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority. Such drawings must show the position, design, materials and finishes thereof. Thereafter the cycle parking facilities shall be retained in perpetuity for the sole purpose of parking cycles.

Reason: To promote use of cycles reducing traffic congestion and in the interests of the amenities of residents to ensure a satisfactory form of development having regard for Local Plan Policy and sections 9 and 12 of the NPPF. 2

Bin Store

The development hereby approved shall not be occupied until the refuse/recycling store has been provided in accordance with the approved site plan drawing submitted on 03/09/2024, or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority. Such drawings to show the position, design, materials and finishes thereof. Thereafter the refuse/recycling store shall be retained in perpetuity for the sole purpose of refuse/recycling storage.

Reason: In the interests of the amenities of residents to ensure a satisfactory form of development having regard for Local Plan Policy and section 12 of the NPPF.

Adoptable Layout

The development hereby approved shall not be occupied until the internal roads as shown on the approved site plan drawing submitted on 03/09/2024 have been constructed, surfaced to at least a basecourse level and lit.

Reason: To ensure the satisfactory design of the internal road layout and in the interests of free flow of traffic, safety of highway users and amenity of residents having regard for Local Plan Policy and sections 9 and 12 of the NPPF.

Details of Roads, Footpaths and Open Spaces Required

Fully detailed drawings illustrating the design and materials of roads, footpaths and other adoptable open spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the start of construction on site. The development shall be carried out in accordance with the approved details.

Reason; To ensure a satisfactory form of development and in the interests of highway safety having regard for Local Plan Policy and sections 9 and 12 of the NPPF.

Car Parking

The development hereby approved shall not be occupied until the areas for vehicle parking have been constructed and laid out in accordance with the approved site plan drawing submitted on 03/09/2024, or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority. Such areas shall thereafter be retained in perpetuity for the sole purpose of parking vehicles.

Reason; To ensure a satisfactory form of development and in the interests of highway safety having regard for Local Plan Policy and sections 9 and 12 of the NPPF.

Method of Works Statement

The development hereby approved shall not be commenced until a detailed method of works statement has been submitted to and approved in writing by the Local Planning Authority. Such statement shall include at least the following details;

- a) Routing of construction traffic, including signage where appropriate;*
- b) Arrangements for site compound and contractor parking;*
- c) Measures to prevent the egress of mud and other detritus onto the public highway;*
- d) A jointly undertaken dilapidation survey of the adjacent highway;*
- e) Program of works; and,*
- f) Details of any road/footpath closures as may be required.*

The development must be carried out in accordance with the approved details.

Reason: To ensure that the development can be carried out in a manner that will not be to the detriment of amenity of local residents, free flow of traffic or safety of highway users having regard for Local Plan Policy.

Redcar and Cleveland Borough Council (Arborist Officer)

Comments received 11/07/2023

No objection

Redcar and Cleveland Borough Council (Local Lead Flood Authority)

Comments received 26/07/2023

The LLFA have reviewed the outline application and no information is detailed regarding the management and discharge of surface water from the site, at this stage the applicant would need to provide information to meet the LLFA's standard conditions 1,2 & 3 as part of the full planning application.

Comments received 08/08/2024

The LLFA have reviewed the additional information and note that it is not related to drainage. As such previous comments apply dated 26/07/2023. Standard conditions 1, 2 & 3 still apply should the application be granted planning permission.

Redcar and Cleveland Borough Council (Housing Standards)

Comments received 29/07/2024

In response to your recent correspondence, Housing Standards have no comments or observations regarding the application

Redcar and Cleveland Borough Council (Director of Children and Families)

Comments received 17/07/2023

No objection

Redcar and Cleveland Borough Council (Environmental Protection) (Contaminated Land)

Comments received on 27/07/2023

With reference to the above planning application, I would confirm that I have assessed the following environmental impacts which are relevant to the development and would comment as follows:

I note that a desk top survey has been submitted in support of this application which recommends a phase 2 intrusive investigation and asbestos survey. I also note that the building has not yet been demolished. In order to minimise the environmental impact I would recommend the inclusion of the following conditions onto any planning permission which may be granted:

- *The full standard Contaminated land condition*

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.

Comments received 05/08/2024

With reference to the above planning application, I would confirm that I have assessed the following environmental impacts which are relevant to the development and would comment as follows:

I would reiterate my previous comments of 27/07/2023

**Redcar and Cleveland Borough Council (Environmental Protection)
(Nuisance)**

Comments received on 27/07/2023

With reference to the above planning application, I would confirm that I have assessed the following environmental impacts which are relevant to the development and would comment as follows: I note the proposed development is in close proximity to existing residential properties whose amenity could be affected from construction activities.

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

- *Prior to commencement of construction, a Construction Environmental Management Plan (CEMP) shall be submitted to 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) 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 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.

Comments received 05/08/2024

With reference to the above planning application, I would confirm that I have assessed the following environmental impacts which are relevant to the development and would comment as follows:

I would reiterate my previous comments of 27/07/2023

CONSIDERATION OF PLANNING ISSUES

The main considerations in the assessment of the application are;

- The principle of development
- The impacts on the character and appearance of the area
- The impacts on heritage assets
- The impacts on neighbour amenity
- The impacts on highways safety
- The impacts on land contamination and nuisance
- The impacts on foul and surface water drainage
- The impacts on nutrient neutrality
- The impacts on biodiversity and geological conservation
- Section 106 and Financial Contributions

The principle of development

The application site is located adjacent to but outside of development limit boundary. Local Plan Policy SD3 restricts development beyond development limits to specific criteria:

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

The proposal includes the demolition of the existing Smith Dock Inn. As such the proposal could accord with criterion j. of SD3 *redevelopment of previously developed land, provided that the site is not of high environmental value and is, or can, be made accessible by sustainable modes of transport.*

Approximately half of the site is covered by the inn building and associated car park which would be considered previously developed land. The rear (north easternly) section of the site is currently a grassed area which appears to be occasionally used for additional parking and was historically tennis courts. Whilst this section of land does not fall within the definition of previously development land, it is considered the land isn't of high environmental value. The land is adjacent to the limits to development of Normanby and is accessible by sustainable modes of transport, there are bus

stops on Ormesby Road to the south of the site and it is within walking distance of Normanby District Centre containing shops and services and additional bus stops. In light of this is considered the proposal accords with criterion j of SD3 and the principle of development outside of development limits is acceptable.

Policy ED1 seeks to safeguard neighbourhood shops, services and community facilities outside of the designated centres where they are important in serving local community needs. However, as there are other licensed premises nearby in the vicinity of Normanby High Street, it is considered that ED1 would carry limited weight in this case. If the existing usage is not resumed, housing would be considered an appropriate use of the site as it is well related to an established residential area.

The supporting Planning Statement makes reference to the inclusion of the site in an earlier iteration of the Strategic Housing Land Availability Assessment (SHLAA) for an estimated 12 dwellings, which was based on a submitted pre-application layout for 12x 4-bed semi-detached houses and is partly reflected in the amended layout. That type of development would be considered broadly in keeping with the built form of the residential area.

Notwithstanding the above, Local Policy H2 requires among other things that development proposals should provide an appropriate mix of housing according to assessed need or demand as evidence in the Strategic Housing Market Assessment (SHMA) or in other documentation. The SHMA did not indicate any unmet demand for flatted accommodation in the 'Greater Eston South' housing market sub-area.

Local Plan Policy SD5 lists examples of the type of developer contributions which may be required should proposals be considered acceptable. With regard to affordable housing, policy H4 sets out that development of at least 15 dwellings will require a 15% on-site provision. The SHMA indicated unmet affordable housing needs for older person's accommodation in Greater Eston South. The applicant has agreed to enter into a Section 106 agreement to provide 15% on-site affordable housing. Subject to the inclusion of a Section 106 agreement it is considered the development would comply with policy H4 of the Local Plan and the planning policy guidance in the Council's Affordable Housing Supplementary Planning Document

The impacts on the character and appearance of the area

Policy SD4 of the Council's Local Plan permits development, which is suitable in relation to the proportions, massing, height, size, scale, materials and detailed design features and the application would respect the character of the site and its surroundings.

Skippers Lane and surrounding streets contain a mix of terraced, semi detached, dormer bungalows and detached dwellings. This application proposes two and three storey dwellings with a mix of semi detached and detached. The proposed dwellings are considered to be of an appropriate

scale to those properties within the surrounding area and will not adversely affect the character of the area.

The application also proposes a three storey apartment building to be built in the north east of the site. The position of the apartment building has been moved from the front to the rear of the site during the consideration of the application following initial concerns regarding the impact of the building on the street scene of Skippers Lane. It is granted many local residents consider the apartment building out of keeping with the character of the area in the revised position. The front elevation of the apartment building will be approximately 100m from the highway of Skippers Lane and as such it is considered an apartment building in the revised location will not impact on the character and appearance of Skippers Lane. The apartment building will be closer to the dwellings on Smiths Dock Park Road and Tristram Close, approximately 56m to the closest dwelling of No. 23 Smiths Dock Park. The apartment building will be constructed adjacent to mature trees along the boundary of the site and there are existing mature trees along the north, north eastern and southern boundary of the adjacent bowls club which will help reduce the impact of the apartment building. The indicative plans submitted as part of the application illustrating the apartment building and proposed dwellings indicates the maximum ridge height of the apartment building only 0.9m higher than the detached dwellings. Whilst it is granted the mass of the apartment building is much greater than a dwelling, the overall height will not be notably greater. As such due to the position of the apartment building within the site, the relationship with existing dwellings and mature tree cover, it is considered the apartment building will not have an overbearing impact on the character and appearance of the area.

The final appearance of the dwellings and apartment building will be considered in a subsequent reserved matters application.

Concerns have been raised in relation to the impact of the development on existing mature trees. There is an historic tree preservation order protecting trees. The protected trees are largely located outside but adjacent to the boundary of the site. The application does not include any details relating to trees and vegetation within the site. Landscaping is to be agreed through a subsequent reserved matters application. A condition will be included requiring the submission of landscaping details which will need to include tree protection measures in accordance with British Standard (BS) 5837 (Trees in relation to construction) and BS 3990 (Recommendations for tree works) to be submitted as part of any reserved matters application.

It is considered that a scheme can be achieved on site which would not cause significant harm to the character and appearance of the street scene and which would accord with the relevant aspects of policy SD4 of the Redcar and Cleveland Local Plan and the guidance contained within the Design of Residential Areas Supplementary Planning Document.

The impacts on heritage assets

The eastern boundary of the application is approximately 43m from the Grade II Smith's Dock Company War Memorial within Smiths Dock Park. Local Plan Policy HE2 protects heritage assets and states:

Setting of a Designated Heritage Asset

Any development affecting the setting of a designated heritage asset will only be permitted if the proposal:

- e. preserves or enhances its significance as a designated heritage asset;*
- f. protects its immediate setting including the space(s) around the building and the historically significant hard and soft landscaping, including trees, hedges, walls, fences and surfacing; and*
- g. retains historic plot boundaries and layouts.*

The application proposes development outside of the park boundary that will not hinder the pathway approaches to the war memorial. There are trees located adjacent to the eastern boundary of the site which will help retain the setting of the war memorial.

As such it is considered the development will protect the immediate setting of the war memorial, retain historic plot boundaries, and preserve the significance of the designated heritage asset in accordance with Local Plan Policy HE2.

The impacts on neighbour amenity

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

The Design of Residential Areas SPD advises on separation distances. The SPD states: *Protect the privacy of existing dwellings by ensuring that there is a suitable separation distance between proposed and existing dwellings. The minimum separation distance usually required is 21m between the fronts and/or backs of dwellings and 13m from the rear or front wall to the side wall of an adjacent property.* The front elevation of the two semi detached dwellings will be a minimum of 37m from the front elevation of neighbouring dwellings on Skippers Lane. The side elevation of the detached dwellings will be a minimum of 30m from the front elevation of dwellings on Skippers Lane. The side elevation of the proposed apartment building will be approximately 56m from the side of the No. 23 Smiths Dock Park Road which is much greater separation than the SPD minimum guidance. As such the separation distances between proposed and existing dwellings is greater than advised in the Design of Residential Areas SPD and is considered acceptable. It is considered there are no issues in terms of loss of privacy or overlooking to existing residential properties.

The separation distances between the proposed dwellings and apartments are in accordance with the SPD guidance.

The application has received much opposition from the local community. The majority of the reasons for opposing the development do not specifically relate to neighbouring amenity in planning terms, although residents consider issues including having apartments on their doorstep, an increase in traffic and noise for example would impact their amenity. Many of the reasons raised fall under other sections of this report.

It is considered that a scheme can be achieved on site which would not be detrimental to neighbour amenity and which would accord with the relevant provisions of policy SD4 of the Redcar and Cleveland Local Plan and the guidance contained within the Design of Residential Areas Supplementary Planning Document.

The impacts on highways safety

Policy SD4. p. expects development proposals to *provide suitable and safe vehicular access and parking suitable for its use and location.*

The Council's Development Engineer has assessed the proposals and has no objections. The development engineer notes the parking spaces for the apartments, members of the bowls club and driveways for the detached and semi detached dwellings. A swept path analysis has been submitted to support the application and sufficient area for manoeuvring has been provided. Footways have been provided to enable sustainable forms of accessibility, public transport is within a 5- minute walking distance and local amenities within 10 minutes walking distance of the site. Provision has been made for 30 secure cycle storage spaces within the footprint of the development, and consideration has been given to the location of the waste receptacles.

No information has been provided in terms of the level of traffic generation, or the impact on the junction with Ormesby Road during the peak period.

The development engineers have proposed several conditions relating to the cycle store, bin store, adoptable layout, details of roads, footpaths and open spaces, car parking and method of works statement.

Subject to the inclusion of the forementioned conditions and subsequent discharge, the application raises no issues in terms of highways safety and the application accords with part p of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on land contamination and nuisance

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

The proposals have been assessed by the Environmental Protection team in terms of land contamination and nuisance. The application includes a Land Contamination Desk Top Study. The study recommends a Phase 2 intrusive investigation and asbestos survey. In order to minimise the environmental impact Environmental Protection would recommend the inclusion of a full standard Contaminated land condition should the proposals be recommended for approval. In light of the desk top study findings the condition is considered necessary.

In terms of nuisance, Environmental Protection note the proposed development is in close proximity to existing residential properties whose amenity could be affected from construction activities. In order to minimise the environmental impact the officer considered the need for the inclusion of a condition requiring a Construction Environmental Management Plan (CEMP) and a construction hours condition. Both conditions are considered acceptable and necessary for the nature of the development in this location.

Given the information provided in support of the application, the location of the development site and the proposed end use, subject to conditions is considered to be appropriate. The proposal therefore accords with parts b and n of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on foul and surface water flooding

Local Plan Policy SD7 states 'Flood risk will be taken into account at all stages in the planning process to avoid inappropriate development in areas at current or future risk'.

The application has been assessed by Northumbrian Water and the Local Lead Flood Authority (LLFA). The application does not include any drainage information. Northumbrian Water request the inclusion of a condition requiring the submission of detailed scheme for the disposal of foul and surface water from the development before development commences to be approved in writing by the local planning authority in agreement with Northumbrian Water and the LLFA. The LLFA note the outline application does not include details regarding the management and discharge of surface water from the site and have requested the inclusion of three standard LLFA conditions.

Subject to the inclusion of the relevant drainage conditions, the development is considered to comply with Policy SD7 of the Redcar and Cleveland Local Plan.

The impacts on nutrient neutrality

The site is located within the catchment of the River Tees Nutrient Neutrality area as identified by Natural England in March 2022. As the proposed development includes residential accommodation there is a potential for the site to increase nutrients into the River Tees. The proposal is therefore required to provide appropriate mitigation as part of the development.

Given the nature of the site and the proposed development it is not possible for the mitigation to be provided on site in this instance.

In March 2023 Natural England launched a nutrient mitigation scheme where developers can purchase credits to offset the impacts of the development. The developers have applied in the first round of credit allocations and have been successful in obtaining the required number of credits to mitigate the development. The credit scheme is administered by Natural England who have issued an initial certificate for the development proposed. As part of the scheme a certificate is issued which forms part of the planning application, Local Planning Authorities are then required to attach a condition should planning permission be granted. The condition would restrict occupation of the residential units until the credit balance is paid to Natural England. Once the balance is paid Natural England would issue a final certificate which can be used to discharge the occupancy planning condition.

The agent has submitted a copy of the signed mitigation certificate and the local planning authority has undertaken a Habitat Regulations Assessment (HRA) and Appropriate Assessment. Natural England have raised a discrepancy in the existing land use chosen for the Nutrient Budget Calculator and the land use within the HRA. The difference in existing land use type selected has resulted in the need for additional 0.52 credits. The applicant has required 18.29 credits but needs 18.81 credits. The applicant has contacted Natural England to purchase the additional credit and is awaiting the final confirmation from Natural England.

While the development has the potential to impact on the River Tees Nutrient levels credits can be secured through Natural England to mitigate the adverse impacts resulting in an appropriate scheme which would not have a detrimental impact on the quality of the River Tees.

It is granted the application is currently slightly short of the required mitigation credits, however the is noted the application is outline and a further reserved matters is required before any development can start. As such a condition will be included requiring the full credit certificate to be in place at the time of submission of the reserved matters.

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

The impacts on biodiversity and geological conservation

The development site is within 6km of the revised Teesmouth and Cleveland Coast SPA and Ramsar Site. In line with policy N4 of the Redcar and Cleveland Local Plan, development within 6km of the Teesmouth and Cleveland Coast SPA and Ramsar Site, that would result in a net increase in residential units, or other development that would lead to increased recreational disturbance of the site's interest features, will be expected to contribute towards strategic mitigation measures identified in the Recreation Management Plan. This is to ensure that adverse effects on the site's integrity

can be avoided. The Council have dealt with a number of applications where such a contribution has been sought and secured. The monetary value on these sites has been set at £200 per dwelling.

Unfortunately, there is no viability argument that can be put forward to negate the need for the financial contribution as the policy requirement relates to the Habitats Regulations.

The applicant has agreed to pay the contribution should this application be approved by committee and the sum of £5600 will be paid in advance of the decision being issued and therefore, the development is considered to be in compliance with policy N4 of the Local Plan.

Section 106 and Financial Contributions

As mentioned above within the principle of development there a requirement for affordable housing. A 15% affordable housing contribution is met within the development. The provision of on-site affordable housing is included within the suggested heads of terms. The development would comply with policy H4 of the Local Plan and the planning policy guidance in the Council's Affordable Housing Supplementary Planning Document.

The suggested heads of terms are therefore;

- Provision of on-site affordable dwellings

The application therefore raises no issues with regard to policy H4 and SD5 of the Redcar and Cleveland Local Plan

Other matters

Cleveland Police Designing Out Crime Officer has commented on the application and advised the applicant to work with the Police to achieve Secured by Design Accreditation. The officer's comments on the revised application raises concerns regarding the proposed pathway running along the southern boundary of the site allowing access into Smith Dock Bowls Club and between Skippers Lane and Smiths Dock Park. The officer comments are noted, however there is an existing route across the site which isn't a formal pathway but is used by people to access the bowls club and the park area. The Designing Out Crime Officer has provided information relating to window and door specifications, lighting boundary treatment heights and external cycle storage details.

CONCLUSION

For the reasons outlined above the proposal is considered acceptable. The application has been made in outline with some matters reserved for future consideration at Reserved Matters stage. The principle of the development is

one that acceptable as the site adjacent development limits accords with criterion j of SD3 and the principle of development outside of development limits is acceptable.

The application raises no issues in terms of the character and appearance of the areas, neighbour amenity, heritage assets, contaminated land, nuisance, crime prevention or flood risk. Matters relating to highway safety have been considered by the Council's highway engineers. The development does not raise any highway safety concerns.

A number of conditions are proposed by consultees. These have been agreed with the applicant in advance of the report being finalised.

The proposal accords with policies SD1 (Sustainable Development), SD2 (Locational Policy), SD3 (Development Limits), SD4 (General Development Principles), SD5 (Developer Contributions), SD7 (Flood and Water Management), ED11 Protecting and Enhancing the Borough's Centres, H2 (Type and Mix of Housing), H4 (Affordable Housing), N3 (Open Space and Recreation), N4 (Biodiversity and Geological Conservation), HE2 (Heritage Assets).

RECOMMENDATION

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

[A] THAT THE HEAD OF PLANNING AND DEVELOPMENT BE AUTHORISED TO ENTER INTO AN AGREEMENT UNDER S106 OF THE TOWN AND COUNTRY PLANNING ACT TO SECURE THE FOLLOWING:

- (i) PROVISION OF ON-SITE AFFORDABLE HOUSING

[B] THAT UPON THE COMPLETION OF THE AGREEMENT THE HEAD OF SERVICE BE AUTHORISED TO GRANT PLANNING PERMISSION (FOLLOWING THE PAYMENT OF £5600 TOWARDS THE RECREATIONAL MANAGEMENT PLAN) SUBJECT TO THE FOLLOWING CONDITIONS:

1. Details of the appearance and landscaping, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To reserve the rights of the Local Planning Authority with regard to these matters and required to be imposed pursuant to Sections 91 and 92 of the Planning & Compulsory Purchase Act 2004.

2. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last of the reserved matters to be approved, whichever is later.

REASON: Required to be imposed pursuant to Sections 91 and 92 of the Planning & Compulsory Purchase Act 2004.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan and Proposed Site Plan Amended 15.07.2024 received by the Local Planning Authority on 05/09/2024
 - Proposed Plans and Elevations Block A received by the Local Planning Authority on 06/02/2023
 - Proposed Ground Floor Plan Amended 15.07.2024 received by the Local Planning Authority on 15/07/2024
 - Proposed First Floor Plan Amended 15.07.2024 received by the Local Planning Authority on 15/07/2024
 - Proposed Loft Plan Amended 15.07.2024 received by the Local Planning Authority on 15/07/2024
 - Proposed Roof Plan Amended 15.07.2024 received by the Local Planning Authority on 15/07/2024
 - Proposed Section Amended 15.07.2024 received by the Local Planning Authority on 15/07/2024
 - Proposed Front Elevation Amended 15.07.2024 received by the Local Planning Authority on received by the Local Planning Authority on 15/07/2024
 - Proposed Rear Elevation Amended 15.07.2024 received by the Local Planning Authority on 15/07/2024
 - Proposed Side Elevation Amended 15.07.2024 received by the Local Planning Authority on 15/07/2024
 - Proposed Plans and Elevations Block B Amended 15.07.2024 received by the Local Planning Authority on 15/07/2024

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

4. Prior to the commencement of development plans showing the existing and proposed ground levels over the site together with finished floor levels and maximum building heights shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

REASON: To ensure a satisfactory relationship between existing and proposed buildings in accordance with policy SD4 of the Local Plan.

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

5. 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 prevent the increased risk of flooding from any sources in accordance with the NPPF.

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

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

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

7. Prior to the commencement of the development, or in such extended time that may be agreed with the Local Planning Authority, details of a Surface Water Drainage Management Plan shall be submitted and approved by the Local Planning Authority. The Management Plan shall include;
 - (i) The timetable and phasing for construction of the drainage system
 - (ii) Details of any control structure(s)

(iii) Details of surface water storage structures
(iv) Measures to control silt levels entering the system and out falling into any watercourse during the construction process
The development shall, in all respects, be carried out in accordance with the approved Management Plan.

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

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

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 (c) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (e) 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 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.

(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.

(e) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

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

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 commencement of construction, a Construction Environmental Management Plan (CEMP) shall be submitted to 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) 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 protect the amenity of nearby residents and in the interests of highway safety.

10. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

The development thereafter shall be implemented in strict accordance with the approved details.

REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Local Plan Policy SD4.

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

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

12. Fully detailed drawings illustrating the design and materials of roads, footpaths and other adoptable open spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the start of construction on site. The development shall be carried out in accordance with the approved details.

REASON To ensure a satisfactory form of development and in the interests of highway safety having regard for Local Plan Policy and sections 9 and 12 of the NPPF.

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 development hereby approved shall not be occupied until the internal roads as shown on the approved site plan drawing submitted on 05/09/2024 have been constructed, surfaced to at least a basecourse level and lit.

REASON: To ensure the satisfactory design of the internal road layout and in the interests of free flow of traffic, safety of highway users and amenity of residents having regard for Local Plan Policy and sections 9 and 12 of the NPPF.

15. The development hereby approved shall not be occupied until the areas for vehicle parking have been constructed and laid out in accordance with the approved site plan drawing submitted on 05/09/2024, or such plans which are subsequently submitted to and approved in writing by

the Local Planning Authority. Such areas shall thereafter be retained in perpetuity for the sole purpose of parking vehicles.

REASON: To ensure a satisfactory form of development and in the interests of highway safety having regard for Local Plan Policy and sections 9 and 12 of the NPPF

16. The development hereby approved shall not be occupied until the refuse/recycling store has been provided in accordance with the approved site plan drawing submitted on 05/09/2024, or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority. Such drawings to show the position, design, materials and finishes thereof. Thereafter the refuse/recycling store shall be retained in perpetuity for the sole purpose of refuse/recycling storage.

REASON:: In the interests of the amenities of residents to ensure a satisfactory form of development having regard for Local Plan Policy and section 12 of the NPPF.

17. The development hereby approved shall not be occupied until covered and secure cycle parking facilities, for 30 cycles, have been provided in accordance with the approved site plan drawing submitted on 05/09/2024, or such plans which are subsequently submitted to and approved in writing by the Local Planning Authority. Such drawings must show the position, design, materials and finishes thereof. Thereafter the cycle parking facilities shall be retained in perpetuity for the sole purpose of parking cycles.

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

18. Prior to occupation of the first completed dwelling on the site 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.

19. 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.

20. 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.

21. 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.

22. 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.

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.

23. The reserved matters application shall include confirmation in writing that the developers have secured a total of 18.81 Nutrient Neutrality Mitigation Credits for the whole development. .

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

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

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

STATEMENT OF COOPERATIVE WORKING

Statement of Co-operative Working: The Local Planning Authority considers that the application as originally submitted did not meet with the local policies and guidance. Following discussions with the applicant / agent a satisfactory scheme has been negotiated.