



Appeal Decision

Inquiry held on 8 and 9 October 2024

Site visit made on 9 October 2024

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4/11/2024

Appeal Ref: APP/V0728/W/24/3346129

Land adjacent Silverdale Gardens, Cat Flatt Lane, Redcar TS10 2TY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Taylor Wimpey and Earl of Ronaldshay against the decision of Redcar and Cleveland Borough Council.
 - The application Ref is R/2023/0181/FFM.
 - The development proposed is erection of 114 residential dwellings and demolition of existing dwelling to form access.
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Decision

1. The appeal is allowed and planning permission is granted for erection of 114 residential dwellings and demolition of existing dwelling to form access at land adjacent Silverdale Gardens, Cat Flatt Lane, Redcar TS10 2TY in accordance with the terms of the application, Ref R/2023/0181/FFM, subject to the conditions in the attached schedule.

Preliminary Matters

2. The Silverdale Residents Association (SRA) were awarded Rule 6 status and participated fully in the Inquiry.
3. The Council confirmed that they no longer intended to defend the reasons for refusal detailed in the decision notice. The Council did not present any witnesses at the Inquiry, although they did attend and made representations with regards to the session on planning conditions and obligations.
4. A planning obligation pursuant to section 106 of the Town and Country Planning Act 1990 was discussed at the Inquiry and a signed copy was submitted on day two of the Inquiry. I return to this below.
5. For the sake of clarity and brevity I have taken the site address from the appeal form and decision notice.

Main Issues

6. Whilst the Council have withdrawn their reasons for refusal, the SRA and other interested parties made representations at the Inquiry and in written correspondence, detailing objections to the proposal. On this basis, the main issues are the effect of the proposed development on:
 - highway safety having regard to access and the wider road network;
 - local public services and facilities; and

- the living conditions of nearby residential properties in terms of noise, disturbance, well-being, and sense of community.

Reasons

Highway safety

7. Access to the proposed development is proposed through the existing Silverdale Gardens (SG) residential estate which would include the demolition of residential property 70 SG and the removal of existing trees and vegetation. The proposed access would create a junction with the estate road of SG and measure 5.5m in width with 2m wide footways either side and visibility splays of 2.4m by 43m.
8. The width of the proposed access is standard for a residential estate of this size and it would be similar to that of the road running through SG, and would therefore not create a pinch point in the highway. It would not be unusual for larger vehicles, such as delivery vans, refuse trucks etc, to have to drive into the proposed development and to also navigate obstacles in the road, like parked vehicles, which restrict the road width. A 20mph speed reduction scheme is proposed as part of the development. Given the width and layout of the proposed road and footways and the proposed low speed limit, I am satisfied that vehicles would be able to travel and manoeuvre within the proposed development without adversely compromising the safety of vehicles and pedestrians.
9. The proposed development would increase traffic generation through the SG estate and there would be an increase in vehicles using the junction of SG with Redcar Road. The submitted Transport Assessment 2023 (TA) used the TRICS trip rate database to calculate that the proposal has the potential to generate 58 vehicle trips in peak hours. This equates to less than one additional vehicle per minute on average during peak hours.
10. The SRA consider that drawing on existing data from the existing 138 dwellings of the SG estate is the most appropriate method for predicting the additional traffic generation from the proposed development. The SRA undertook their own survey work which indicates that the proposed development trips are likely to be around 60% higher in the AM peak and 36% higher in the PM peak, than those presented in the TA.
11. In response, the appellant provided an updated sensitivity test using the SRA's uplifted figures from their survey work. This sensitivity test includes operational capacity assessments on a number of junctions in the area including junctions of Redcar Road with SG, Kirkwood Drive and Greenstones Road, as well as the A174 / Grewgrass Lane / Redcar Road roundabout and the Redcar Road / Redcar Lane / Plantation Road roundabout.
12. At the Inquiry, I heard from the SRA's witness and interested parties that they experience traffic congestion on the surrounding roads, particularly on a morning and around school drop off and pick up times, with the junction of SG and Redcar Road being heavily congested and nearing capacity. Nevertheless, the updated sensitivity test concludes that, with the uplifted traffic generation figures from the SRA, these junctions and roundabouts close to the appeal site would operate within spare capacity at peak hours of the day. There are also concerns of the cumulative traffic effect of the proposed development and a

residential site currently under construction to the south of the appeal site. This other development site does not have an access onto Redcar Road and therefore traffic movements would be different to that of the proposed development. The TA does assess traffic growth and the operation of the highway network in the future, and at the Inquiry, the appellants highways witness indicated that it is not expected that the proposal would have any adverse issues up to the future assessment year of 2027. From the evidence before me, I am satisfied that the existing highway network, including nearby junctions and roundabouts, would not be adversely compromised as a result of the additional traffic movements that would be generated by the proposal.

13. The SRA, along with other interested parties, have described that accidents at the junction of SG with Redcar Road have occurred that are not necessarily documented, although specific details of these accidents have not been provided as evidence. Submitted Crashmap data indicates that in the last five years a single incident has been recorded at the junction of SG with Redcar Road. This was a collision between a car and a motorcycle resulting in a single casualty, however, minimal details are provided as to the reasoning for the collision. A traffic survey recording speed of vehicles on Redcar Road over a seven-day period has also been provided. Whilst there are no specific details of the exact location of this survey, it did record average vehicle speeds at 31mph with the 85th percentile speed recorded at 36mph. Given my findings above with regards to traffic generation and that the junction of SG with Redcar Road has acceptable visibility splays, I am satisfied that the proposed development would not have an adverse effect on road users or highway safety in this particular location.
14. A number of concerns were raised by the SRA and interested parties with regards to safety of pedestrians in the SG estate, including children playing and riding bikes in the SG estate and in the woodland area adjacent to the site. The SG estate is designed with a central spine road with cul-de-sacs of residential properties coming off this spine road with a recreational area positioned centrally within the estate. The existing road through SG is wide enough to allow two vehicles to pass each other. There are raised areas of the road with different surface materials which encourage vehicles to drive slower and the road has street lighting. There are good levels of visibility along the spine road, particularly around the recreational space where the built development is set back from this space. Given the level of traffic generation anticipated from the proposed development and the layout of the SG estate including the existing road design, the proposal would not have an adverse effect on highway safety of vehicles users and pedestrians in the SG estate.
15. Cleveland Fire Authority have confirmed their attendance benchmarks for dwelling fires, those being 7mins for first appliance and 10mins for second appliance, although they do indicate that these benchmarks do not need to meet a statutory level. Whilst the proposed site, along with some of the SG estate, falls outside the 7mins attendance time, it would fall within an 8min attendance time which could be reduced depending on speed of fire appliance and traffic conditions. The appellant has provided fire response isochrone data which shows that there are large sections of the surrounding area which do not fall within the 7min attendance time but do fall within the 8min time. The Cleveland Fire Authority have not objected to the scheme on this particular matter. Given that the attendance time of fire appliances to the proposed site would be similar to others in the area and that the attendance time can be

reduced depending on factors such as traffic, the location of the proposed development would not fundamentally affect the attendance benchmarks of the Cleveland Fire Authority.

16. Concerns were also raised by Cleveland Fire Authority with regards to emergency access to the proposed dwellings on plots 58, 70 and 71. Required standards for fire service vehicle access is usually dealt with under Building Regulations. Nevertheless, vehicle tracking data has been submitted which shows that fire appliances can, by driving onto private driveways if required, get close to every dwelling on the proposed development and be within the required 45m access distance. The proposed highway layout is therefore acceptable in terms of emergency service access and would not adversely compromise safety.
17. The proposed development would not have a harmful effect on highway safety with regards to the access and the wider highway network. The proposal would be in accordance with Policies SD4, H3.14 and TA1 of the Redcar and Cleveland Local Plan (RCLP) which seeks development to provide suitable and safe vehicular access and contribute positively to the demand to address congestion and safety issues.
18. At the Inquiry, the SRA discussed the possibility of accessing the proposed development from an alternative access direct onto the A174 highway. They consider this alternative access would be safer and remove any highway safety risk in the SG estate. They point to the Arup Report in October 2013 and its recommendation to dual the A174 and its consequential suitability of this road as a primary access. There are no formal detailed drawings before me showing an access to or from the A174 and whilst I note that the SRA have suggested a planning condition, there has not been any formal consultation process undertaken on an amended access arrangement. Nevertheless, as detailed in my comments above, I have found that the proposed access through the SG estate is acceptable and in accordance with ECLP Policies.

Services and facilities

19. The proposed development would introduce new residential occupiers into the area that could increase demand on services and facilities in the local area. There are concerns that the proposed development would place undue pressure on services and facilities including schools, healthcare provision, sport and recreational facilities, and surrounding footpaths and cycleways.
20. A legal agreement has been submitted which seeks to provide contributions in a number of areas including education, off-site open space provision, Public Right of Ways (PROW), and NHS healthcare. I heard from the SRA witness that the planning obligation contributions would be grossly inadequate. An interested party also requested payment contributions, in excess of those detailed in the legal agreement, towards sports facilities, new play areas and upgrade of walkways, as well as the development of new schools and healthcare facilities.
21. Insufficient evidence has been provided to justify these contribution payments suggested by the interested party and whether they accord with relevant policies of the RCLP or meet the three tests set out in the National Planning Policy Framework (the Framework) and Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010. The Council have submitted a CIL

Compliance Document which details how the obligations sought in the legal agreement are necessary to make the development acceptable in planning terms, are directly related to the proposal and are fairly and reasonably related in scale and kind to the development. I return to this matter in detail below.

22. There are concerns that future occupants would not be well connected to surrounding services and facilities and would result in the reliance of private vehicle transport. The site would be well connected in terms of public footpaths and cycleways with bus stops located on Redcar Road within walking distance of the proposed site. The proposed development would also introduce new bus stops along Redcar Road close to the site. The SRA witness described how the allocated catchment school for the SG estate is located some 3.7 miles away in New Marske, however, I note that there are several schools much closer to the application site. There are no specific cycleways proposed within the development site although the planning obligations do seek contributions towards the upgrade of the PROW 129/32/1 (Cat Flatt Lane) to enable use by bicycles. I am satisfied from the evidence before me that there are alternative methods of travel available to future occupiers of the proposed development and there would not be a need to rely on private vehicle for travel.
23. The proposed development would not have a harmful effect on local public services and facilities. The proposal would be in accordance with Policies SD1, SD4, N3 and TA1 of the RCLP which seeks proposals to support transport choice and encourage travel to work and school by public transport, cycling and walking; have access to adequate infrastructure, services, and community facilities; and provide open space, sport and recreation facilities that helps to support healthy lifestyles and improve quality of life.

Living conditions

24. The proposed development would be separated from the properties on the SG estate by the existing tree belt along the north of the site. Given this separation, the proposal would not have an adverse effect on the living conditions of neighbouring occupiers in respect of privacy, outlook, and overshadowing effects.
25. There are concerns from the residents of SG that due to the additional traffic that would be created by the development, this would disturb the sense of community of the SG estate, the well-being of existing residents and create pollution and noise.
26. The proposed development would be of a scale that would not produce excessive amounts of vehicle trips and as detailed above there would be other alternative modes of transport such as public transport, cycling, and walking, available to future residents. The design and layout of the existing road through the SG estate would help towards vehicle speeds being low. Therefore, given the traffic generation that would be created by the proposal as well as the design of the existing road layout, the proposed development would not create any detrimental effects to the living conditions of existing occupiers in terms of noise and pollution. The layout of the SG estate would not be fundamentally altered and there would be minimal disruption to the well-being of residents and the sense of community.
27. Accordingly, the proposed development would not have a harmful effect on the living conditions of occupiers of residential properties in SG with regards noise,

pollution, wellbeing and sense of community. The proposal would not be contrary to Policy SD4 of the RCLP which seeks development to not have a significant adverse impact on the amenities of occupiers of existing or proposed nearby land and buildings.

Other Matters

28. I have had regard to all the oral and written submissions made by the SRA and interested parties which included a petition objecting to the scheme containing over 200 signatures. In addition to the above main issues, they have also raised other matters including legal covenants, demolition of an existing property including the financial implications, development being in different ward to the SG estate, solar panels and heat pumps, overdevelopment, need for housing, biodiversity and nature conservation, loss of agricultural green wedge, archaeology, flood risk, drainage, lack of bungalow provision and devaluation of existing properties.
29. The appeal site is allocated for housing development under Policy H3.14 of the RCLP. It has therefore been previously determined that the principle of development for residential accommodation, including the need for housing, loss of agricultural land and open green wedge space, is acceptable on this site. Nevertheless, it remains fundamental that planning matters are assessed in direct relation to the proposed development. Due to the size of the site and the amount and design of the properties proposed, including the layout of the proposed estate which would have open space areas and structural landscaping strips around the perimeter of the site, the proposal would not be overdevelopment and it would not compromise the character and appearance of the surrounding area.
30. Policies H1 and H2 as well as H3.14 aim to deliver the required type and mix of housing for the area, indicating that a continuous five-year supply of housing is maintained throughout the plan period. The allocation of this site for housing under Policy H3.14 contributes towards this housing supply. The appellant also maintains that the proposed housing is of a mix and type which is needed for the area. Insufficient evidence has been provided, to convince me that the development of this allocated housing site, with the proposed mix and type of housing, is not needed.
31. In respect of biodiversity and nature conservation, a range of documents have been provided including an Ecological Appraisal, Biodiversity Net Gain Assessment, Habitat Regulation Assessment, and an Arboricultural Impact Assessment. These documents conclude that the proposal would be acceptable in ecology terms with a series of avoidance and compensation measures as well as a requirement for a contribution towards the Teesmouth and Cleveland Coast Special Protection Area (SPA).
32. A Heritage Assessment has been submitted which includes an archaeological analysis of the appeal site which details that there are no obvious archaeological features present on site and following previous geophysical surveys, the archaeological potential of the site is considered to be low.
33. The submitted Flood Risk Assessment and Drainage Strategy Report deals with flooding and drainage including matters on river flow levels, rainfall, surface and foul water disposal, connections to watercourses and sewers, and adoption and maintenance requirements. These assessments conclude that with the

identified mitigation measures in place, that can be sought via planning conditions, the flood risk is considered to be very low in respect of rivers and the sea, surface water, ground water and drainage.

34. With regards to biodiversity and nature conservation, archaeology, flooding, and drainage, the submitted technical documents are satisfied that the proposal would not have an adverse effect in relation to these matters. The Council and statutory consultees have not raised any concerns on these issues. From the evidence before me I am satisfied that the proposal would not have a harmful effect with regards to these issues.
35. There has been a request for solar panels and heat pumps to be incorporated into the scheme. The appellant has commented that the proposed scheme would be constructed in accordance with the required Building Regulations in relation to energy and heating, and that the proposed development would include photovoltaic panels.
36. The proposed development would include the demolition of an existing house which has been indicated to have been constructed approximately six years ago. The loss of this property would not have an adverse effect on the surrounding area, land use or neighbouring occupiers and therefore would be acceptable in planning terms.
37. De-valuation of properties, legal covenants, financial implications for the proposed demolished property and the development being in a different ward to the SG estate and not material planning considerations and would not alter my findings with regards to the planning matters detailed above. Nor would these be issues that would warrant a refusal of the proposed scheme.

Planning Conditions and Obligations

Planning conditions

38. In the interests of precision and clarity I have undertaken some editing and rationalisation where necessary of the conditions suggested and agreed between the appellant and the Council. I have also had regard to the six tests set out in paragraph 56 of the Framework.
39. Conditions relating to timeliness and the identification of plans are necessary in the interest of certainty. In the interest of highway safety and pedestrian safety conditions are imposed in relation to the design and materials of roads, footpaths, and adoptable spaces; speed limit reduction and surfacing of roads. To ensure sustainable modes of travel are encouraged, conditions are imposed relating to PROW works and bus stop provisions. To safeguard the living conditions of neighbouring occupiers and future users of the development, conditions are necessary in relation to a construction environmental management plan and noise mitigation. To prevent undue risk to the local surrounding environment it is necessary to attach conditions relating to gas monitoring, drainage, and contamination. In the interests of the character and appearance of the surrounding area conditions are necessary with regards to materials, surface treatment, boundary enclosures, landscape scheme and planting implementation.

Planning obligations

40. A completed legal agreement has been submitted which details obligations for affordable housing and contributions towards education, off-site open space provision, PROWs, Teesmouth and Cleveland Coast SPA and NHS healthcare. It is necessary that I consider these obligations against the three tests set out in the Framework and Regulation 122(2) of the CIL Regulations.
41. Policy H4 of the RCLP sets out that the proposed development should provide a minimum of 15% of the total number of dwellings on-site be provided and maintained as affordable housing. From the 114 proposed dwellings, 17no. would be affordable homes with 5no. dwellings to be delivered as intermediate housing and 12no. to be delivered as affordable rent. The proposed development would help to contribute towards a mixed and balanced community and meet an identified affordable housing need. The affordable housing contribution would comply with Policy H4 and the Redcar and Cleveland Affordable Housing SPD October 2011.
42. The education contribution would mitigate the additional demand that future occupants of the proposed development would place on local primary and secondary schools. The proposal would be expected to yield an average of 22 primary pupils and 14 secondary pupils. There are a number of schools, both primary and secondary, within the surrounding area with some identified as being oversubscribed although it is expected that this would reduce given the 2023 intake. The proposed education contribution would mitigate the additional demand by providing new and additional school facilities, and therefore would accord with Policy SD5 of the RCLP and the Redcar and Cleveland Developer Contributions SPD (DCSPD).
43. Policy SD5 and the DCSPD seeks contributions to open space, sport, and recreation, relevant to the nature and scale of the proposed development. The proposal would deliver some informal recreation open space within the site however the proposal would add pressure to existing play and open space facilities in the area. Whilst there are other recreational areas closer, Borough Park and Zetland Park are within 5km of the site and schemes have been identified to upgrade these parks including providing play fitness equipment. The contribution would go towards these schemes, thereby enhancing outdoor facilities in the area and help to mitigate the increased recreational pressure from additional usage. This contribution would accord with Policy SD5 of the RCLP and the DCSPD.
44. PROW 129/32/1 (Cat Flatt Lane) is directly adjacent to the site and runs east linking to Marske and Longbeck Railway Station. The number of future occupants living on the appeal site would lead to increase usage of this PROW. The PROW contribution Contributions towards the PROW would include upgrade its adoptable standards from the estate spine road and crossing treatment over the Saltburn Railway Line, as well as requirements to allow for cycling on the PROW. These would accord with Policy SD5 of the RCLP.
45. The development site is within 6km of the Teesmouth and Cleveland Coast SPA and as the proposal would result in the increase in residential units, this would lead to increased recreational disturbance of the SPAs interest features. The proposed contribution would help towards the strategic mitigation measures identified in the Recreation Management Plan and would therefore mitigate

against the additional usage of the SPA as a result of the proposal, in accordance with Policy N4 of the RCLP.

46. The NHS has responsibility for accommodating new residents of the proposed development and therefore the proposal, which would increase the local population, would place further demand on the NHS provisions in the area. To mitigate this demand, the proposed contribution would help local services, identified as Zetland Medical Practice and Redcar Primary Care Hospital, maintain, and improve their access and allow for an increase in patient numbers. This would be in accordance with Policy SD5 of the RCLP.
47. The contributions that would be secured through the submitted legal agreement would meet the statutory tests in Regulation 122(2) of the CIL Regulations and therefore would be material considerations in this appeal.

Conclusion

48. The proposed development would not conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding.
49. For the reasons given above, I conclude that the appeal should be allowed subject to the appropriate conditions and the relevant terms of the submitted section 106 legal agreement.

Chris Baxter

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

S. White KC	Landmark Chambers
He called:	
A. Moseley	AMA (Highways Consultant)
S. Manson	Pegasus Group (Planning Consultant)
C. Martin	Pegasus Group (Planning Consultant)

FOR THE SILVERDALE RESIDENTS ASSOCIATION (RULE 6 PARTY):

R. Lambton	Silverdale Residents Association
She called:	
K. Oliver	Silverdale Residents Association

FOR THE LOCAL PLANNING AUTHORITY:

S. Sheikh	Kings Chambers
E. Garbutt	Redcar and Cleveland Council
C. Griffiths	Redcar and Cleveland Council

INTERESTED PERSONS:

T. Learoyd	Local Councillor
P. Finlinson	Silverdale Residents Association
N. Hargreaves	Local Councillor
T. Futo	Local Resident
N. Bosch	Local Resident
P. Smithson	Local Resident

Documents submitted at the Inquiry:

- ID1 Appellant's opening statement
- ID2 Council's opening statement
- ID3 Rule 6 opening statement
- ID4 Revised wording for conditions 16 and 18
- ID5 Signed and dated section 106 legal agreement
- ID6 Rule 6 closing statement
- ID7 Appellant's closing statement

CORE DOCUMENTS

Application Plans and Forms Used in Determination	
Ref	Document Description
PL/01	Application Forms Redacted
PL/02	Location Plan
PL/03	Planning Layout
PL/04	Block Colours Layout
PL/05	Materials Layout
PL/06	Boundary Treatment
PL/07	Boundary Treatment Details
PL/08	Coloured Layout (Amended)
PL/09	Surface Treatment Layout
PL/10	Engineering Layout Overview
PL/11	Engineering Layout Sheet 1
PL/12	Engineering Layout Sheet 2
PL/13	Engineering Layout Sheet 3
PL/14	External Works Sheet 1
PL/15	External Works Sheet 2
PL/16	External Works Sheet 3
PL/17	Proposed Landscape Details 1 of 3
PL/18	Proposed Landscape Details 2 of 3
PL/19	Proposed Landscape Details 3 of 3
PL/20	Hubham Floor Plans
PL/21	Hubham Elevations
PL/22	Eynsford Floor Plans
PL/23	Eynsford Elevations
PL/24	Colford Floor Plans
PL/25	Colford Elevations
PL/26	Chalham Floor Plans
PL/27	Chalham Elevations
PL/28	Byrneham Floor Plans
PL/29	Byrneham Elevations
PL/30	Beaford Floor Plans
PL/31	Beaford Elevations
PL/32	Aynesdale Floor Plans
PL/33	Aynesdale Elevations

PL/34	Public Drainage Longsections Appendix
Application Plans and Forms Used in Determination	
PL/35	Biodiversity Net Gain Assessment
PL/36	Ecological Appraisal
PL/37	Habitat Regulation Assessment
PL/38	Statement of Community Involvement
PL/39	Planning Statement
PL/40	Noise and Air Quality Note
PL/41	Heritage Assessment
PL/42	Arboricultural Impact Assessment
PL/43	Design and Access Statement (Amended)
PL/44	Drainage Strategy Report
PL/45	Flood Risk Assessment
PL/46	Noise Assessment
PL/47	Air Quality Assessment
PL/48	Phase 1 Geo Environmental Site Assessment
PL/49	Phase II Geo Environmental Site Assessment
PL/50	Sustainability Statement
PL/51	Transport Assessment
PL/52	Interim Travel Plan
PL/53	Highways Response
Council Determination	
COU/1	Refusal of Planning Application – Decision Notice
COU/2	Planning Officer's Report to Regulatory Committee (20 December 2023)
COU/3	Minutes of Regulatory Committee (20 December 2023)
COU/4	Letter to the Planning Inspectorate (25 July 2024)
COU/5	Letter to the Planning Inspectorate (29 August 2024)
Planning Policies	
POL/1	Redcar & Cleveland Local Plan (Adopted May 2018)
POL/2	National Planning Policy Framework (Adopted 20 December 2023)
POL/3	Draft National Planning Policy Framework (Published 30 July 2024)
POL/4	Planning Practice Guidance
POL/5	Design of Residential Areas SPD (Adopted July 2011)
POL/6	Affordable Housing SPD (Adopted October 2011)
POL/7	Developer Contributions SPD (Adopted December 2014)
POL/8	Member Report Area Growth Plans (20 March 2018)
POL/9	Redcar and Cleveland Authority's Monitoring Report 2022-2023
POL/10	Redcar and Cleveland Five Year Housing Land Supply Assessment (2024 – 2029)
POL/11	Redcar & Cleveland Housing and Economic Land Availability Assessment (HELAA) Report December 2020
POL/12	Redcar & Cleveland Housing and Economic Land Availability Assessment (HELAA) Annexes December 2020
POL/13	Redcar and Cleveland Housing Strategy 2019-2024
POL/14	Windfall Allowance Technical Paper April 2019
POL/15	Redcar and Cleveland Strategic Housing Market Assessment (SHMA) 2016 (Volume One: Household Survey and Affordable Housing) (February 2016)

POL/16	Housing Land Supply and Allocations Background Evidence Paper (June 2016)
POL/17	Housing Land Supply and Allocations Background Evidence Paper Update (April 2017).
POL/18	Report on the Examination of the Redcar and Cleveland Local Plan (23 March 2018)
Proofs of Evidence and Statements of Case	
AW/1	Sandra Manson Proof of Evidence (Planning)
AW/2	Andrew Moseley Proof of Evidence (Highways & Transportation)
AW/3	Mark Osborne Proof of Evidence (Ecology)
RW/1	Silverdale Residents Association Proof of Evidence
RW/2	Witness Statement from Kristina Oliver.
SOC/1	Statement of Case of the Appellants (including appendices) (June 2024)
SOC/2	Silverdale Residents association – Rule 6 party Statement of Case relating to the Land adjacent to Silverdale Gardens (including appendices)
Other Documents	
OT/1	Case Management Conference Note
OT/2	Signed Statement of Common Ground between Appellants and Redcar and Cleveland Borough Council
OT/3	Signed Statement of Common Ground between Appellants and Rule 6 Party
OT/4	List of Planning Conditions to present to the Planning Inspector
OT/5	Signed Section 106
OT/6	Appellants' response to Cleveland Fire Brigade email of 25 September 2024.

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Planning Layout Rev Z; Block Colours Layout Rev Z; Materials Layout Rev C; Boundary Treatment Layout Rev D; Boundary Treatment Details; Surface Treatment Layout; Engineering Layout Overview; Feasibility Engineering Layout Sheet 1; Feasibility Engineering Layout Sheet 2; Feasibility Engineering Layout Sheet 3; Feasibility External Works Sheet 1; Feasibility External Works Sheet 2; Feasibility External Works Sheet 3; Detailed Landscape Proposals (1 of 3); Detailed Landscape Proposals (2 of 3); Detailed Landscape Proposals (3 of 3); Hubham Floor Plans; Hubham Elevations; Eynsford Floor Plans; Eynsford Elevations; Colford Floor Plans; Colford Elevations; Chalham Floor Plans; Chalham Elevations; Byrneham Floor Plans; Byrneham Elevations; Beaford Floor Plans; Beaford Elevations; Aynesdale Floor Plans; Aynesdale Elevations; and Public Drainage Longsections.

Pre-commencement

- 3) Before the development hereby permitted is commenced, a Construction Environmental Management Plan 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;
 - a) Routing of construction traffic, including signage where appropriate;
 - b) Any temporary access arrangements;
 - c) Arrangements for site compound and contractor parking;
 - d) Loading and unloading of plant and materials;
 - e) Storage of plant and materials used in constructing the development;
 - f) The erection and maintenance of security hoarding including decorative displays;
 - g) Wheel washing facilities; Measures to prevent the egress of mud and other detritus onto the public highway;
 - h) Methods of demolition;
 - i) Measures to control the emission of noise dust and vibration during the construction period.
 - j) A scheme for recycling/disposing of waste resulting from demolition and construction works.
 - k) A jointly undertaken dilapidation survey of the adjacent highway;
 - l) Program of works;
 - m) Details of any road/footpath closures as may be required, and
 - n) The working hours for all construction activities on this site are limited to between 0800 and 1800 Mondays to Friday and 0800 to 1300 Saturdays and not at all on a Sunday or Public Holiday.

- 4) Before the development hereby permitted is commenced, detailed drawings for 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. The development shall be carried out in accordance with the approved details.
- 5) Before the development hereby permitted is commenced, details of the full ground gas monitoring regime (as indicated within the Phase I and Phase II Geo- Environmental Site Assessment) shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 6) Before the development hereby permitted is commenced, details of a Surface Water Drainage Management Plan shall be submitted and approved by the Local Planning Authority. The Management Plan shall include;
 - a) The timetable and phasing for construction of the drainage system;
 - b) Details of any control structure(s);
 - c) Details of surface water storage structures;
 - d) Measures to control silt levels entering the system and out falling into any watercourse during the construction process

The development shall be carried out in accordance with the approved Management Plan.

Before damp proof course

- 7) Before any development, above damp proof course, is commenced, details of the external materials to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Before first occupation

- 8) Before the occupation of the first dwelling, and notwithstanding the information contained within the submitted landscaping plans, 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 carried out in accordance with the approved details.
- 9) Before the occupation of each individual dwelling, details of hard standing areas for each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 10) Before the occupation of each individual dwelling, details of boundary treatment for each dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 11) Before the occupation of any dwelling facing the A174 the recommended mitigation scheme stated in Section 6 of the Noise Assessment shall be implemented. Following completion of measures identified in the mitigation scheme, a validation report that demonstrates the effectiveness of the mitigation carried out must be submitted to and approved in writing by the Local Planning Authority.

- 12) Before the development hereby approved is occupied a Management and Maintenance Plan for the surface water drainage scheme shall be submitted to and approved by the Local Planning Authority. The plan shall include details of the following:
- a) a plan clearly identifying the sections of surface water system that are to be adopted;
 - b) arrangements for the short and long term maintenance of the SuDS elements of the surface water system.

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

- 13) Before the development hereby approved is occupied, the internal roads as shown on approved drawing 21404 – Rev Z – Planning Layout, shall be constructed to basecourse level with street lighting.
- 14) Before the development hereby approved is occupied, the development shall be implemented in line with the drainage scheme contained within the submitted document entitled "Cat Flatt Lane, Redcar Drainage Strategy Report ". The drainage scheme shall ensure that foul flows shall discharge to the public foul sewer at or between manholes 9101 & 9201 ensure that surface water from Network A discharges to the watercourse and that surface water from Network B shall discharge to the highway drain to the North.
- 15) The development hereby permitted shall not be occupied until the highway works detailed below have been carried out in accordance with plans which have been submitted to and approved in writing by the Local Planning Authority:
- a) 20mph speed reduction scheme;
 - b) Bus Stop provision on Redcar Road in both directions; and,
 - c) Rearrangement of the proposed point of vehicular access and the associated block paved area.
- 16) Before the 40th dwelling is occupied, a Public Rights of Way General Arrangements Plan, to a scale of 1:200, shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- a) Change to the surface;
 - b) Extent of any stopping up, diversion or dedication of new highway rights (including all public rights of way shown on the definitive map and statement).

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

Other

- 17) 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.

- 18) Any contamination that is found during the course of construction of the development hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development or relevant phase of development shall not resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.

END OF SCHEDULE

Richborough