

Hartlepool Local Planning Framework

Local Plan

Duty to Cooperate Statement





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1. The duty to co-operate

- 1.1 This statement outlines how the Hartlepool Local Plan has been prepared in accordance with the statutory duty to co-operate and sets out how Hartlepool Borough Council has co-operated with other bodies in the preparation of the document. This Duty to Co–operate Statement accompanies the 'Publication' version of the Local Plan and will be made publically available during the consultation period for the Publication Local plan.
- 1.2 The duty is set out in section 110 of the Localism Act (2011) and requires:
 - councils and public bodies to 'engage constructively, actively and on an ongoing basis' to develop strategic policy;
 - · councils to have regard to the activities of the other bodies; and
 - councils to consider joint approaches to plan making.
- 1.3 Other public bodies, in addition to local planning authorities, are subject to the duty, as prescribed in the as amended by The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013.

1.4 These bodies are:

- The Environment Agency;
- The Historic Buildings and Monuments Commission for England (known as English Heritage);
- Natural England;
- The Mayor of London;
- The Civil Aviation Authority:
- The Homes and Communities Agency;
- Clinical commissioning groups established under section 14D of National Health Service Act 2006
- National Health Service Commissioning Board;
- The Office of Rail Regulation(c);
- Transport for London(d);
- Each Integrated Transport Authority(e);
- Each highway authority within the meaning of section 1 of the Highways Act 1980(f)(including the Secretary of State, where the Secretary of State is the highways authority):
- The Marine Management Organisation
- 1.5 Local Enterprise Partnerships (LEPs) and Local Nature Partnerships (LNP) are not subject to the requirements of the duty. But local planning authorities and the public bodies that are subject to the duty must co-operate with the LEP and LNPs and have regard to their activities when they are preparing their Local Plans, so long as those activities are relevant to local plan making. Local Enterprise Partnerships and Local Nature Partnerships are prescribed for this purpose in Town and Country Planning (Local Planning (England) Regulations (what year) as amended by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012 to include Local Nature Partnerships.
- 1.6 Paragraph 17 of the National Planning Policy Framework (NPPF) set out the Core Planning Principles principle and states:

"That planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency".

- 1.7 Paragraph 156 of the NPPF relates to strategic priorities and sets out the strategic priorities for the area in the Local Plan.
- 1.8 The NPPF sets out in detail how planning strategically across boundaries should be achieved in paragraphs 178-181.
- 1.9 Paragraph 178 states that public bodies have a duty to co-operate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities set out in paragraph 156. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.
- 1.10 Paragraph 179 states that local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans. Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this Framework. As part of this process, they should consider producing joint planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans.
- 1.11 Paragraph 180 states that local planning authorities should take account of different geographic areas, including travel-to-work areas. Local planning authorities should work collaboratively on strategic planning priorities to enable delivery of sustainable development in consultation with Local Enterprise Partnerships and Local Nature Partnerships. Local planning authorities should also work collaboratively with private sector bodies, utility and infrastructure providers.
- 1.12 Paragraph 181 states that local planning authorities will be expected to demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development.

- 1.11 National Planning Practice Guidance (NPPG) states that the duty to cooperate is not a duty to agree, but local planning authorities should make every effort to secure the necessary co-operation on strategic, cross boundary matters.
- 1.14 This statement sets out Hartlepool Borough Council's evidence of having cooperated to plan for issues with cross-boundary impacts relating to the Local Plan.

2. Hartlepool in context

- 2.1 Hartlepool is located on the north-east coast to the north of the River Tees. The Borough of Hartlepool covers an area of about 9400 hectares (over 36 square miles) and has a population of around 92,000. The Borough is roughly equally split between urban and rural. The Borough comprises the main town of Hartlepool, the seaside resort of Seaton Carew and an attractive rural hinterland within which lie the villages of Greatham, Hart, Elwick, Dalton Piercy and Newton Bewley.
- 2.2 Hartlepool is a single tier unitary authority. To the south of Hartlepool is the Teesside conurbation which includes the Boroughs of Middlesbrough, Stockton-on-Tees and Redcar and Cleveland and which together with Hartlepool and Darlington makes up the Tees Valley sub-region. Bordering Hartlepool to the north is the administrative area of County Durham.
- 2.3 Hartlepool is relatively congestion free, compared with other areas of the country and is well connected to other parts of the region and beyond by road via the A689 and A179 which connect to the A19 Trunk road and by rail links to Newcastle, Sunderland and Middlesbrough as well as a direct rail link to York and London.
- 2.4 The Local Plan evidence base, in the form of the 2015 Strategic Housing Market Assessment (SHMA), suggests that the Borough's housing market is largely self contained with 80% of moves taking place within the Borough.
- 2.5 The labour market is more closely integrated across the Tees Valley with travel to work in both directions between Hartlepool and the other Tees Valley Authorities as well as Durham, Sunderland and Newcastle. While Hartlepool offers a full range of services and retail offer there is a defined lack of qualitative retail in the Borough and as a result there is leakage of expenditure to other Boroughs notably Middlesbrough and Stockton-on-Tees.

3. Preparation of the Local Plan

Issues and Options document

- 3.1 Hartlepool began the preparation of its Local Plan by publishing an Issues and Options Paper in May 2014. This first stage of plan preparation was subject to full consultation of all statutory consultees, other local Council's and Parish Councils, landowners, water companies, sub-regional organisations (such as Tees Valley Unlimited and the LNP and Tees Archaeology) and all existing consultees on the HBC Planning Policy database.
- 3.2 A launch event was held at The Hartlepool Maritime Experience 28th May 2014 to which statutory consultees, key stakeholders, local authorities, public bodies and local businesses were invited. This event explained the Local Plan process and sparked debate on matters regarding the future of the Borough contained within the Issues and Options Document. Following this an open event was held to provide the same information and debate for the general public.
- 3.3 During the eight week consultation period over 40 representations were made which helped to guide and inform the development of the next stage of the Plan preparation.

Preferred Options document

- 3.3 To engage with stakeholders and residents, inform them of proposals being considered at this stage and to illustrate the steps that need to be taken to progress the Local Plan a formal consultation period began on 27th May 2016 and ran for eight weeks to 22nd July 2016.
- 3.4 A Preferred Options launch day was held on 6th June 2016 at the National Museum of the Royal Navy, Hartlepool (formerly the Historic Quay). The first part of the event was well attended by Councillors, officers from various Council departments, statutory consultees, consultants, landowners and business representatives. Attendees gained an overview of the Local Plan so far via a presentation and then took part in a question and answer session.
- 3.5 At the Preferred Options Stage, on top of ongoing meetings with neighbouring authorities, there were specific meetings held with the planning managers from Middlesbrough Borough Council, Stockton Borough Council and Durham County Council to discuss in detail the key elements of the Preferred Options Local Plan and the evidence base which has informed its development and also to discuss the detail of the other neighbouring authorities emerging Local Plans.

Publication Local Plan

- 3.6 The Borough Council approved the Publication version of the Local Plan for consultation between the 9th December 2016 and the 3rd February 2017. A number of associated documents have also been available during the consultation.
- 3.7 All statutory consultees, those who made representations at the Preferred Options Stage, and all other consultees on the Council's Consultee Database

were informed of the consultation either by email or by letter. There was also letters sent out to a range of addresses within Hartlepool where there had been a significant level of objection to particular policies proposed within the Preferred Options Document.

3.8 There are a range of consultation events planned during the consultation period to give residents and other interested parties the chance to comment on the soundness, legal compliance and any duty to co-operate issues in regards to the Publication version of the Local Plan.

4. Co-operation relating to the evidence base

- 4.1 Hartlepool Borough Council has commissioned various reports from consultants as well as producing its own work which feed into the evidence base for the Local Plan.
- 4.2 A Strategic Housing Market Assessment (SHMA) was published in March 2015. In order to take account of subsequent release of the 2014 Sub National Household Projections and other representations made at the Preferred Options Stage, an addendum was published in December 2016 which has informed the development of the Publication Local Plan.
- 4.3 The Strategic Housing Land Availability Assessment was published in January 2015. This work involved targeted consultation at an early stage with statutory consultees as well as local utility providers Hartlepool Water and Northumbrian Water Limited. Other sub-regional bodies involved from the earliest stages included Tees Valley Wildlife Trust and Tees Archaeology. As part of the work to assess the sites put forward during the Call for Sites, a steering group was set up involving a range of Council Officers as well as representatives from Registered Providers, Housing Developers, Estate Agents and others. These assessments helped to group the sites into five year periods across the Local Plan period and advise on potential yields from sites.
- 4.4 A new Open Space, Sport and Recreation Assessment was also produced in early 2015 to assess a wide variety of open spaces across the Borough in terms of quantitative and qualitative provision. The Assessment set out recommended open space targets and helped to inform where there were shortfalls in provision. Consultation and collaboration with key public bodies such as Sport England was a key element of this work.
- 4.5 In 2014 there was a Gypsy and Traveler needs assessment carried out which helped to inform the development of policy within the Local Plan. Consultation with national Gypsy and Traveler bodies as well as neighbouring authorities was a key element of this work.
- 4.6 A review of the Employment Land Review (ELR) was endorsed by the Council in January 2015. This review was undertaken by consultants and involved a wide range of consultation with stakeholders. The ELR informed the development of the Local Plan and proposed a number of de-allocations and re-allocations of employment land to reduce the significant over supply of employment land which currently exists.
- 4.7 In 2009 the North and South Tees Industrial Development Framework was produced. This strategic document relates to the employment areas of the Tees Valley sub-region and specifically the unique and specialist industries of the Tees Valley.
- 4.8 Other joint evidence base and strategic work that has influenced the development of the Local Plan include:
 - Tees Valley Climate Change Strategy 2010.
 - Tees Valley Empty Property Strategy 2008.
 - Tees Valley Investment Plan 2010.
 - Tees Valley Economic and Regeneration Statement of Ambition 2010.

- Creating Thriving Communities in Tees Valley: Tees Valley Living a strategy for housing regeneration in the Tees Valley 2010/2020.
- Tees Valley: Programme of Development 2008
- Tees Valley Biodiversity Action Plan 1999. (updated 2012)
- Wind Farm Development and Landscape Capacity Studies: East Durham Limestone and Tees Plain 2007, Addendum 2009. Commissioned by the North East Assembly and relevant local authorities including Hartlepool.
- Tees Strategic Flood Risk Assessment (SFRA) 2007 and joint commissioning at the Tees Valley for the Hartlepool Strategic Flood Risk Assessment Levels 1 & 2 2010. An update to the SFRA is currently being undertaken and meetings have taken place with the Environment Agency to ensure that the work satisfies there requirements.
- Tees Valley Water Cycle Study 2012 (draft stage).
- Tees Valley Area Action Plan, produced by the Tees Valley Unlimited and the Highways Agency 2009

5. Regional and sub-regional co-operation

- 5.1 Hartlepool has many established avenues for co-operation on cross border and strategic planning issues. There are long established forums that meet regularly at the Tees Valley Level. Hartlepool has engaged at all stages of plan production with these local authorities and particularly with Stockton-on-Tees Borough Council and Durham County Council with whom the Hartlepool shares administrative boundaries.
- 5.2 Hartlepool participates in the Tees Valley Planning Managers meetings. These meetings of development management and planning policy lead officers from all five Tees Valley Authorities are held approximately every six weeks and the purpose is to discuss strategic planning issues such as housing, transport, waste, biodiversity, and the environment.
- 5.3 At every third Tees Valley Planning Managers meeting, planning policy managers from authorities that have borders with the Tees Valley are invited to discuss cross border issues. These are:
 - Richmondshire District Council
 - Durham County Council
 - North Yorkshire County Council
 - Scarborough Borough Council
 - North York Moors National Park Authority
- In addition, to the Planning Managers meetings, duty to cooperate meetings have been held with officers from Stockton-on-Tees Borough Council to discuss development at Wynyard and other duty to co-operate issues. A working group with Planning and Highways officers from HBC, SBC and Highways England initiated to discuss how the potential impact on the local and strategic highway network of development proposed at Wynyard can be mitigated.

Duty to Co-operate meetings with other councils

- 5.5 A meeting was held with Stockton-on-Tees Borough Council on 25th July 2014 to discuss Hartlepool SHLAA sites at Newton Bewley that have potential cross-boundary implications. It was concluded that both councils wee not supportive of the sites.
- 5.6 A discussion regarding the emerging HBC Local Plan was held with Stockton-on-Tees Borough Council on 7th March 2016. A further meeting with SBC was held on 13th April 2016 to discuss the emerging Stockton Local Plan. Specific issues discussed included the evidence base review which was being undertaken to support Stockton-on-Tees Local Plan work, the management of development in the Wynyard area and the capacity of the strategic and local highway network.
- 5.7 On 12th April 2016 a meeting was held with Durham County Council. Issues discussed included objectively assessed need and locational strategy, employment, transport, gypsies and travellers, waste and minerals, ecology, renewables and retail provision.

5.8 The emerging Redcar and Cleveland (RCBC) Local Plan was discussed at a meeting held with RCBC Officers on 8th June 2016.

Jointly prepared development documents

- 5.9 Development Documents that have been completed at a joint Tees Valley level include The Tees Valley Joint Minerals and Waste Development Plan Documents (September 2011), the Hartlepool Green Infrastructure SPD (February 2015) and the Local Aggregates Assessment (2016).
- 5.10 At a more senior level cross border and strategic planning issues are considered at a Tees Valley Directors of Place meeting that takes place once month.

The Local Enterprise Partnership

5.11 Hartlepool Borough Council is fully committed to other organisations such as the private and public sector Local Enterprise Partnership (LEP), formerly known as Tees Valley Unlimited. The LEP is responsible for delivering growth and economic equity across the Tees Valley in support of the LEP. Hartlepool Borough Council is represented on the board of the LEP. The LEP now forms part of the Tees Valley Combined Authority.

The Tees Valley Combined Authority

5.12 The Tees Valley Combined Authority (TVCA) is a statutory body for Tees Valley. The five local authorities, Darlington, Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton unite under the Combined Authority to make decisions on key strategies relating to economic development, transport, infrastructure and skills. It creates a single voice for the area on these key matters, providing greater power and resources for the Tees Valley area.

6. Co-operation on strategic issues

Introduction

6.1 The Tees Valley authorities have a strong history of co-operation on strategic issues. The major site—specific cross-boundary strategic issue is the development of the Wynyard settlement. This chapter includes a section on Wynyard which includes a sub-section for thematic issues showing how they have been addressed in the context of the duty to co-operate. Included as part of the background for Wynyard is an outline of how the settlement has been reflected in adopted and emerging development plan documents, both for Hartlepool and for Stockton-on-Tees. This chapter also includes commentaries regarding the duty to co-operate for each thematic strategic issue for the Borough as a whole. Included in the commentaries both for Wynyard and for the strategic thematic issues is an 'outcomes' section showing how the duty to co-operate has influenced the preparation of the Local Plan.

Wynyard

Introduction

6.2 As the Wynyard area straddles the administrative boundary with Hartlepool Borough Council it is identified by both local authorities as a cross boundary issue. A large proportion of Hartlepool's employment land identified within the 2006 Local Plan comprises the regionally important prestige site at Wynyard comprising the Wynyard Business Park and the land at North Burn to the north of the former Samsung site (Wynyard One). It is proposed to de-allocate the North Burn site due to over provision of employment land identified within the ELR and also due to deliverability issues with the site needing the construction of a new junction on the A19 at a significant cost, likely to be in the region of £20 million. The Wynyard Business Park straddles both boroughs and both authorities have recognised the economic and sustainability benefits of releasing some employment land for residential development provided that a strong supply of employment land is retained. The majority of Wynyard Village is within Stockton Borough but about 140 units, including some units with planning permission but still to be built, are within Hartlepool Borough.

Background

- 6.3 In the mid-1980s Wynyard Estate was acquired by Cameron Hall developments. Prior to this point, the site had been the home of the Londonderry family and was essentially a stately home in vast landscaped grounds with agricultural and woodland areas. Built development in the area was limited. Following this change in ownership the estate has changed considerably with significant development leading to the creation of settlement that exists today.
- 6.4 In the late 1980s / early 1990s various planning applications were submitted to Hartlepool Borough Council and Stockton-on-Tees Borough which sought a variety of development uses at Wynyard but the core of which is a business park and a residential village. The business park and the village were both approved. The business park is to the north of the A689 and currently only

includes built development within Stockton-on-Tees Borough. The village has also been permitted. The greater part of the village is within Stockton-on-Tees Borough. The majority of the village has now been developed and the area has a reputation as an executive housing location commanding some of the highest residential values within the Tees Valley.

Wynyard - The Hartlepool Local Plan (2006)

6.5 The document recognised that about 135 hectares of land was available in the Wynyard area comprising about 65 hectares at Wynyard Business Park and a further 70 hectares for an electronic components park at North Burn land at Wynyard Park for development as a business park. The document recognised that both sites were remote from residential development and the associated serves and facilities but considered that they gave rise to opportunities to improve transport infrastructure not dependant on the private car thereby strengthening the principles of sustainability.

Wynyard - The previously withdrawn Hartlepool Local Plan (2013)

- 6.6 The Local Plan document included several allocations in the Wynyard area, including:
 - Continuing to identify Wynyard Park as prestige employment land.
 - De-allocation of a section of employment land and allocation of 200 executive dwellings north of the A689.
 - The allocation of a 100 dwelling extension to Wynyard village.
- 6.7 Whilst the Inspector indicated that the Local Plan would be found sound in a letter to the Council, he also noted that he intended to remove the North Burn allocation. The context to this was two key issues that were fully debated at the examination; the cost of the necessary highway infrastructure improvements and an objection from English Heritage owing to the proximity of a scheduled monument. However, as a result of issues relating to finding an appropriate Gypsy and Traveller site, Hartlepool Borough Council decided to withdraw the Local Plan before the Inspector's report was issued.

Wynyard - The Hartlepool Local Plan Issues and Options (2014)

- 6.8 The consultation included the following options:
 - Consider de-allocation of part of Wynyard Business Park to allow mixed use development
 - Consider alternative uses for North Burn or de-allocate the site and treat it once again as part of the open countryside.
- 6.9 The representations received in response to the consultation included a further objection from English Heritage to the development of the North Burn site. The document also recognised that a new hospital was proposed at Wynyard to replace the services currently provided at Hartlepool Hospital and University Hospital of North Tees (within Stockton-on-Tees Borough).

Wynyard - The Hartlepool Local Plan Preferred Options (2016)

6.10 The locational strategy includes keeping parts of Wynyard as a Prestige Employment site for business development and allocating sites for 500 dwellings at Wynyard, to the north of the employment allocation north of the A689. These comprised:

- North Pentagon approximately 100 dwellings
- Wynyard Park North approximately 400 dwellings
- 6.11 The land identified as the North Burn employment allocation in the Adopted 2006 Local Plan is proposed to be de-allocated in the Preferred Options document and is shown as open countryside. The document also recognises that there are serious concerns over the deliverability of the proposed new hospital at Wynyard.

Wynyard - The Hartlepool Local Plan Publication document (2016)

- 6.12 The document carries forward the locational strategy stated in the Preferred Options document but increases the proposed residential allocations to 732 dwellings comprising:
 - North Pentagon approximately 100 dwellings
 - Wynyard Park North approximately 400 dwellings
 - Wynyard Park South approximately 232 dwellings

Wynyard - The previously withdrawn Stockton-on-Tees Regeneration and Environment Local Plan (2016)

- 6.13 Stockton-on-Tees Borough Council consulted on the preferred options version of the Regeneration and Environment Local Plan (RELP) in 2012. Hartlepool Borough Council objected to the preferred options version of the document on the basis of:
 - The Wynyard Park allocation on the grounds of numbers, house types and the subsequent potential detrimental effect on housing markets and allocated sites in Stockton and Hartlepool.
 - The loss of Black Square Plantation a mature woodland, important habitat feature, and ecological corridor, which will also impact on the landscape.
 - Impact of the development proposals on the strategic road network
 - New development proposals at Wynyard should contribute to setting up a viable public transport link as well as footpath and cycleway links.
- 6.14 The Publication version of the RELP was consulted on in 2015. HBC officers commented that the key concerns HBC have relate to policies and issues which link to North Burn and a proposed new junction on the A19.

Wynyard - The emerging Stockton-on-Tees Local Plan

- 6.15 In 2016 Stockton-on-Tees Borough Council withdrew the RELP in order 'to fully take in to account the implications of changes to the national planning system and the Council's Evidence Base Review' and started work on a new Local Plan. The Regulation 18 Local Plan Document was published for consultation in November 2016.
- 6.16 The vision and strategy includes the creation of a sustainable community at Wynyard. The vision and objectives include 'Wynyard has grown in to a sustainable settlement of high quality, accommodating a mix of executive

housing, market housing and additional employment development. All residents have access to high-quality social, community and green infrastructure. HBC officers are supportive of these aspects of the vision and strategy and the vision and objectives.

- 6.17 The document includes policy H3 Wynyard Sustainable Settlement. Point 1 of the policy states that as a strategic cross-boundary issue the Council will work alongside Hartlepool Council to ensure that infrastructure is provided to ensure growth proposed within both authorities can be delivered.
- 6.18 HBC officers are currently considering the document and will comment during the consultation period.

Wynyard Neighbourhood Development Plan

6.19 The Wynyard Neighbourhood Plan Working Group, a sub-committee of the Wynyard Residents Association, is preparing a cross-boundary Neigbourhood Development Plan for Wynyard. Officers from Hartlepool Borough Council and Stockton-on-Tees Borough Council have provided liaison support during the initial stages of the Plan's development and HBC officers remain available to attend meetings should this be requested.

Wynyard - Delivery

6.20 Following the withdrawal in 2013 of the previous draft Hartlepool Local Plan and given Hartlepool Borough Council could not demonstrate a five year housing supply, a number of planning applications were submitted to both Stockton and Hartlepool Borough Councils for development at Wynyard. Both Councils have worked together on planning applications in the area under the duty to co-operate in order to ensure a co-ordinated approach to infrastructure provision, particularly in terms of highways mitigation and education provision.

Highway Infrastructure

- 6.21 The strategic approach to managing development at Wynyard has included the initiation of a working group involving Planning and Highway officers from SBC, HBC and Highways England.
- 6.22 The following planning application was received by HBC.
 - Wynyard Park originally submitted for 603 dwellings and 101,858 sqm of commercial floor space and associated facilities. The number of dwellings was subsequently reduced to up to 200 units.
- 6.23 The following applications were received by SBC.
 - Wynyard Park outline planning permission for up to 780 dwellings and a retirement village for up to 220 dwellings. The number of dwellings was subsequently reduced to up to 400 units.
 - Wynyard Village application originally submitted for 650 dwellings and associated facilities. The number of dwellings was subsequently reduced to up to 500 units.

- 6.24 To enable the major highway issues relating to the Trunk Road Network to be resolved there has been on-going discussions between the respective developers (Wynyard Park Ltd and Cameron Hall Developments), the two local authorities, the Highways Agency and the Department for Communities and Local Government advisory agency 'ATLAS' (Advisory Team for Large Applications).
- One of the main issues was the potential impact of the developments on the local and strategic highway networks and after very detailed and extensive highway modelling found that no more than 1,100 dwellings could be delivered without major highway mitigation being required on the A19 with substantial cost implications. As a result it was agreed to reduce the total number of dwellings across all three developments to a combined total of 1,100 units (200 in Hartlepool Borough and 900 in Stockton Borough). £6.1 million of 'Pinch Point' funding was secured to improve the junction of the A19 and AA689 to allow the 1,100 units to be delivered. Subsequently, the following three issues have arisen in relation to the management of residential development at Wynyard.
- 6.26 Firstly, a planning application for 200 dwellings at Wynyard Park was submitted to HBC cognisant of the highway capacity identified in the joint SBC/HBC highway modelling exercise led by ATLAS and Highways England. This was minded to approve by the HBC Planning Committee subject to the signing of a Section 106 Agreement. The s.106 has never been signed by Wynyard Park Ltd but a number of smaller piecemeal applications have been submitted within the boundary of the area of the application that HBC is minded to approve for 200 dwellings.
- 6.27 Secondly, Wynyard Park Ltd has commissioned technical work to consider the deliverability of development proposals for Wynyard Park. The work was submitted as a representation to the Hartlepool Local Plan Preferred Options document to support the contention that there is highway capacity to support the allocation of an additional (to the 500 dwellings proposed to be allocated in the Preferred Options document) 232 dwellings at Wynyard Park. The work has been undertaken by AECOM in liaison with a working group including highway engineers from SBC, HBC and Highways England and has factored in all existing commitments as well as all the development proposed at Wynyard in the emerging Stockton and Hartlepool Local Plans.
- 6.28 The response to the piecemeal applications has been to co-operatively work with Wynyard Park Ltd (the applicant) to develop a planning obligations "tracker" which highlights all the planning obligations they are required to deliver on the site in order to make the wider development sustainable. This tracker identifies all the various requirements the Wynyard Park development site is required to deliver and these include things like affordable housing, new primary school, secondary school contributions, new playing pitches and changing facilities etc. done in a coordinated manner across both Local Authority areas. The tracker was prepared in consultation and joint working between the developer/landowner, Hartlepool Borough Council and Stockton Borough Council over a series of round table meetings and email discussions.
- 6.29 The document identifies opportunities for improved highway infrastructure to ensure that there is the necessary highway capacity to deliver the development identified in the tables. It also provides a cost estimate for the

proposed highway mitigation works. This work is also referred to in the duty to co-operate section of this representation. With reference to the duty to cooperate, HBC officers have proposed, in the HBC representation on the SBC Local Plan Regulation 18 Consultation, that it is formally agreed between the two authorities that the cost of the proposed highway mitigation works is shared between the two authorities, based on pro-rata contributions received from the applicants for the relevant planning applications that are submitted to build out the proposed housing allocations at Wynyard Park that are included in the emerging SBC and HBC Local Plans.

The most recent meetings of the Wynyard Park Masterplan and Highways 6.30 Steering Group took place on 5th September 2016 and 19th October 2016 with representatives from HBC, SBC, Highways England, GVA, AECOM and Fore. These followed a cross-boundary Wynyard masterplanning workshop on 6th April 2016. There have also been cross-boundary meetings relating specifically to traffic modelling and highway capacity (2nd August 2016 and 17th August 2016) and a cross-boundary meeting regarding development sites at Wynyard (15th April 2016). This is an on-going process and one that is inter-related with planning applications that are submitted for development at Wynyard within both Hartlepool Borough and Stockton-on-Tees Borough. The next meeting of the Wynyard Park Masterplan and Highways Steering Group will take place early in 2017 and will continue to meet and cooperate throughout time period of the preparation of the Hartlepool and Stockton Local Plans as the development delivers and new planning application are determined.

<u>Outcomes</u>

6.31 The outcomes of the co-operation with key stakeholders such SBC, Highways England and Wynyard Park Ltd has been to inform the totals of 500 dwellings identified for allocation in the Preferred Options document and 732 dwellings identified in the Publication Local Plan (an additional 232 dwellings from Preferred Options), as well as the highway mitigation measures identified as necessary to facilitate this level of development.

Education

6.32 SBC and HBC have co-operated to ensure a co-ordinated approach to educational provision. Education needs have been viewed across the two boroughs in the context of Wynyard. For example, it has been agreed that the new primary school identified in the draft Section 106 Agreement for the development of up to 500 dwellings at Wynyard Village within Stockton Borough will also cater for up to 200 dwellings within Hartlepool Borough. It has also been agreed that, in lieu of the signing of the s.106, a temporary school will be located within Hartlepool Borough but operated by SBC Education. This has been delivered and is proving very popular. The additional quantum of development now proposed at Wynyard has led to further discussions with Wynyard Park Ltd and agreement that a site be identified for an additional new primary school on the site previously identified for a new hospital.

<u>Outcomes</u>

6.33 The Publication Local Plan proposes to set land aside at Wynyard for the provision of a Primary School.

Green Infrastructure and pedestrian/cycle links

- 6.34 SBC and HBC officers have collaborated over the Wynyard Green Infrastructure plans for the existing and future housing/business developments within the north and south areas of Wynyard. This collaboration started during 2015 when it was decided that both local authorities needed to meet to discuss the planning and green infrastructure needs for Wynyard Village, especially on how to link both sides of the village. This need is especially pressing as the A689 road corridor experiences very high volumes of traffic, especially at peak times, and thus presents an obstacle to achieving connectivity for pedestrians and cyclists between the two sides of the village.
- 6.35 The first meeting was held, at Stockton, in early December 2015. Prior to this within Hartlepool Borough, officers had held discussions to consider 'appropriate need' within the developments being considered.
- 6.36 Wynyard Park Ltd had, some time ago, published a draft access and management document (Woodland, Ecology and Recreation Strategy 2013 105MB) which covered access, ecology and recreation for residents and other users/visitors.
- 6.37 Following the joint meeting between the SBC and HBC officers, it was agreed to pool some of the information/data in relation to access and to better understand what both authorities were looking to provide. It also helped SBC and HBC officers to look at what Wynyard Park Ltd wanted and how their schemes could tie into their emerging Local Plans. In Stockton there are commitments for a pedestrian bridge over the A689. The existing/proposed links in Hartlepool will help to facilitate and to integrate into this provision. Wynyard Park Ltd have agreed to provide the cycle link from the Billingham roundabout to the South West Extension entrance on the A689 between Newton Bewley and Hartlepool.

Outcomes

- 6.38 SBC and HBC officers will continue to discuss each other plans and ideas, how we can interact with each other and also how to be able to influence Wynyard Park Ltd on their strategy. The new section 106 agreements that are being written will be influenced by these plans/ideas. Green infrastructure requirements have been identified within policy HSG6 Wynyard Housing Developments, in the Publication Local Plan.
- 6.39 Wynyard Park Ltd have suggested this infrastructure, including playing fields, children's play and other sports provision could be delivered as part of, or alongside, the primary school provision on the site formerly identified for the new "Wynyard Hospital" and it is proposed to be allocated for this use in the Publication Local Plan.

OTHER STRATEGIC ISSUES

Housing

6.40 The Hartlepool Strategic Housing Market Assessment (SHMA) was published in 2015 and considers the Housing Market Area of Hartlepool, and the

Objectively Assessed Housing Need. Arc4, the consultants who undertook the SHMA, engaged with key stakeholders during its preparation including planning and housing representatives from other Tees Valley authorities and the Registered Provider sector. On the basis that over 70% of households moving within Hartlepool originated from within Hartlepool Borough, and over 70% of households planning to move intend to stay in the Borough, it was recommended that Hartlepool is considered to be a self-contained Market Area for the purposes of Local Plan policy making.

- 6.41 Since the SHMA was published, the Office for National Statistics have released 2014-based population projections and these have been used to prepare 2014-based household projections. At the Preferred Options there were also a range of comments received which related to the various scenarios which had been considered within the original SHMA. As such, and to ensure the Local Plan was based on the most up to date and sound evidence an addendum to the SHMA has subsequently been produced. The purpose of the SHMA Addendum 2016 is to update the evidence base relating to Objectively Assessed Housing Need.
- 6.42 The latest Hartlepool Strategic Housing Land Availability Assessment (SHLAA) was published in 2015. Statutory agencies such as Highways England and the utility providers were consulted during the preparation of the SHLAA and its preparation was guided by a steering group which included the representatives of the development industry. The SHLAA shows that Hartlepool Borough has enough deliverable and developable housing sites to deliver the objectively assessed housing need identified in the latest SHMA.
- 6.43 The findings of the SHMA 2015 and the SHMA addendum 2016 have been discussed at meetings of the Tees Valley Planning Managers Group. There is agreement that Hartlepool is a self-contained housing market area. Therefore, and factoring in the findings of the SHLAA, there are not strategic subregional or regional housing issues relating to unmet housing need arising from the findings of the housing evidence base that supports the Publication Local Plan.

Outcomes

- 6.44 The findings of the SHMA have informed the housing requirement that is identified in policy HSG1: New Housing Provision, of the Publication Local Plan.
- 6.45 The findings of the SHLAA have enabled the authority to propose suitable, achievable and deliverable housing allocations identified in policies HSG3 to HSG9 with the Publication Local Plan.

Transport Infrastructure

- 6.46 The Borough Council is represented on the following sub-regional and regional forums for ensuring the co-ordinated provision of transport infrastructure:
 - The Tees Valley Transport Planning Officers Group: Tees Valley Highways Officers meet on a regular basis.

- The Auto-link Liaison Group: Hartlepool Borough Council, Middlesbrough Borough Council. Stockton-on-Tees and Highways England Officers meet quarterly to discuss improvements to the A19.
- The Tees Valley Transport Infrastructure Group: Quarterly meetings at Assistant Director / Director level.

Outcomes

6.47 Notwithstanding the Wynyard highway improvements required, which have already been details, a key strategic aim of the Local Plan is to provide a new grade separated junction on the A19 at Elwick in association with Improvements to Elwick Road, including a bypass to north of Elwick village. Regular meetings have been held between Highways England and HBC Planning and Highways Officers regarding the development of the plan and work is on-going to identify suitable funding arrangements. For further detail on the outcomes, see the Infrastructure Delivery Plan.

Gypsies and Travellers

6.48 The Borough Council appointed Renaissance Research Ltd to carry out a Gypsy and Traveller Accommodation Assessment (GTAA). The other Tees Valley authorities were given the opportunity to comment on the tender brief. The methodology included interviews with members of the Gypsy and Traveller community in and around Hartlepool and interviews with other stakeholders including managers of sites in neighbouring authorities, Council staff and regional representatives of Travelling Showpeople. The study indicates a hypothetical need for five Gypsy and Traveller pitches in Hartlepool between 2016 and 2031.

Outcomes

6.49 A criteria-based Gypsy and Traveller Provision policy has been included in the Publication Local Plan. Should the small theoretical need for a site then be manifested as actual demand through a Gypsy and Traveller member request or through a formal planning application, the Council will positively plan for such and would assess applications on the basis of the policy.

Green Infrastructure (GI)

6.50 In 2014 Natural England was instructed by DEFRA to start surveying and mapping the new section of England Coast Path National Trail between North Gare car park and Filey Brigg in East Yorkshire. It soon became apparent that this section would need to be split into two parts as the northern section between North Gare and Newport Bridge was located within a heavily industrialised and sensitive area. The southern section (Newport Bridge to Filey) was the 'easier' section to complete with Secretary of State for DEFRA approving it in 2015 with a year to carry out establishment works so that it could be officially opened on 21st July 2016. The northern section (North Gare to Newport Bridge) took more time and considerable work with industrial landowners before a route could be identified and agreed upon. The four main partners in this work were Natural England, Hartlepool Borough Council, Stockton Borough Council and River Tees Rediscovered. Success was achieved when on the same day as the opening of the southern section, the

- Secretary of State approved for this northern section to be created and works to be carried out.
- 6.51 Funding has been the most difficult element to sort out with Natural England the two LAs, River Tees Rediscovered, through Heritage Lottery Fund, have pulled together the vast majority of the funds to be used in its creation/construction
- 6.52 The first meeting was held in November 2014 between the main partners (Natural England, HBC, SBC, River Tees Rediscovered, INCA, and the Royal Society for the Protection of Birds) to discuss the way that the England Coast Path National Trail could be taken forward and created.
- 6.53 Natural England continued to work with HBC so that the part of the route, with Hartlepool Borough, was mapped and surveyed. It turned out that this part of the northern section was the easiest to achieve as most of it ran on either adopted highway or public rights of way.

Outcomes

- 6.54 The England Coastal Path is probably the largest piece of GI that Hartlepool Borough has had created and so has influenced how the Local Plan has been prepared in relation to GI and its benefits to the health and well being of the general public, as well as industry, employment and recreation. This is reflected in the GI policy which states that 'the Borough Council will support initiatives to extend the England Coastal Path south from North Gare'.
- 6.55 From this point on HBC will be working with Natural England and Stockton BC to ensure the path is installed 'on the ground' so that the GI can be continued to be enhanced and is seen to be an ongoing process rather than a completed one.
- 6.56 Further work will be carried out on the existing England Coast Path National Trail to the north, at the "Britmag" site where the developer will be realigning the coastal path/ England Coast Path National Trail route to coincide with a newly diverted public footpath. The new path will also enhance the GI and will provide much improved recreational access amenity for the Council, the local Plan and the public.

Health Services

6.57 Under the local NHS Trust's "Momentum: pathways to healthcare" programme published in 2008, the strategy in Hartlepool is to provide health facilities as close to homes as possible, with only services which need to be provided in hospital taking place there. The 'Momentum' programme included a proposal for a new hospital to serve Hartlepool, Stockton-on-Tees and parts of Easington and Sedgefield (County Durham). The hospital was to have been located at Wynyard but this is now not the case as funding wasn't secured in time and the land ownership reverted back to Wynyard Park. The Borough Council has liaised closely with the North Tees and Hartlepool Hospitals NHS Foundation Trust and has prioritised the safeguarding of the University Hospital of Hartlepool site for health and related services.

6.58 The Hartlepool and Stockton Clinical Commissioning Group is represented on the Hartlepool Health and Wellbeing Board which brings together different stakeholders with a joint ambition to support people to make healthier choices, maximise opportunities for wellbeing and ensure a healthy standard of living for all.

Outcomes

- 6.59 The Borough Council's partnership working with the NHS Trust has been reflected in policy INF3 University Hospital of Hartlepool which safeguards the University Hospital site for the provision of health and related facilities.
- 6.60 The policies in the Publication Local Plan support positive health and wellbeing outcomes. For example, policy NE1: Natural Environment, states that where appropriate an ecosystems approach will be used and lists health and wellbeing as one of the impacts that will be assessed through this approach and the supporting text to policy NE2: Green Infrastructure Networks, recognises 'Opportunities for exercise, reducing stress levels, improving mental health, and better air quality' as one of the benefits of green infrastructure.

Economic Development

- 6.61 The Tees Valley Combined Authority is the Local Enterprise Partnership (LEP) for the Tees Valley. LEPs have a key role to play in delivering local growth by directing strategic regeneration funds and in providing economic leadership through their strategic economic plans. Hartlepool Borough Council is represented on the board of the LEP. Officers from various departments of the Borough Council, including Regeneration and Neighbourhoods, meet with TVU on a regular basis to discuss Tees Valley wide issues.
- 6.62 A major recent example of co-operation and collaboration was the setting up of the Tees Valley Enterprise Zones which were among the first Enterprise Zones to be approved by the Government in August 2011 and are made up of 12 individual sites 3 of which are in Hartlepool. The three sites are Queens Meadow Business Park, Oaksway Industrial Estate and Hartlepool Port Estate.
- 6.63 The Council's Economic Regeneration team work pro-actively with the Homes and Communities Agency, who are the major landholder for Queens Meadow Business Park and Oaksway Industrial Estate, in order to encourage and promote investment in the estates.

Outcomes

6.64 The policies in the Publication Local Plan support Enterprise Zone designations and their associated benefits. For example, the supporting text to policy EMP4: Specialist Industries, states 'Part of the Hartlepool Port site is identified as an Enterprise Zone (EZ) as part of the wider Tees Valley EZ scheme. Developments at Hartlepool Port will therefore need to be mindful of the EZ status of part of the site and the relevant Local Development Order (LDO) which grants permission for certain types of development'.

Nature Conservation

- 6.65 Hartlepool Borough is covered by the Local Nature Partnership known as the Tees Valley Nature Partnership, which is managed by the Tees Valley Wildlife Trust. The Partnership is coordinated by the Tees Industry Nature Conservation Association (INCA) and membership includes relevant local authorities, the Local Enterprise Agency, the Local Nature Partnership, statutory agencies, private sector businesses, and wildlife groups. Hartlepool BC has a seat on the Tees Valley Nature Partnership Board and supports the initiative with both funding and officer time. Officers sit on the steering group and also task and finish groups. Cross-boundary working is being delivered effectively across a number of strategic areas:
 - Tees Valley Nature Partnership Plan with three themes: Natural Assets, Natural Growth and Natural Health & Wellbeing
 - Biodiversity Opportunity Mapping
 - Assessment of Local Plan biodiversity policies
 - Biodiversity indicators for Local Plan Monitoring Frameworks
 - Local Wildlife Site system
- 6.66 In addition Hartlepool BC is working with the Tees Valley Wildlife Trust and other partners on two strategic cross-boundary projects:
 - North Tees Natural Network
 - Tees Estuary Partnership
- 6.67 The purpose of the North Tees Natural Network is to ensure the long-term future of the internationally, nationally, regionally and locally important environmental resources of the area, in parallel with securing the sustainable development of its industrial and economic assets. The Tees Estuary Partnership will provide greater certainty and more effective working between industries and consenting bodies, with regard to the Teesmouth and Cleveland Coast Special Protection Area.

Outcomes

6.68 The Borough Council supports the production of a Strategic Master Plan and Memorandum of Understanding for the Tees Estuary and will have regard to these when implementing Local Plan policies.

Utilities

Electricity provision

6.69 A meeting was coordinated by Tees Valley Unlimited with representatives from Northern Powergrid and the five Tees Valley local authorities. Northern Powergrid has provided information to inform the preparation of the Local Infrastructure Plan.

Gas provision

6.70 Tees Valley Unlimited facilitated a meeting between Northern Gas Networks and the five Tees Valley local authorities in December 2015. The main purpose of the meeting was to establish contacts and determine at a broad

level whether there are likely to be any significant issues associated with supplying gas to key development sites.

Water Supply

6.71 Hartlepool Water (which is part of the wider Anglian Water Group of Companies) is responsible for the provision of water supply throughout most of Hartlepool. Hartlepool Water provided valuable input to the update of the Strategic Housing Land Availability Assessment, and has provided an update to the 2014 information for key housing and employment sites included at the Preferred Option stage. Quarterly liaison meetings have now been established between HBC officers and Hartlepool Water to consider improvements in infrastructure which will be needed in the vicinity of new developments proposed within the Local Plan.

Broadband

6.72 To address the gaps in high speed broadband Hartlepool Borough Council, along with the other Tees Valley local authorities, is a partner in the 'Digital Durham' initiative. Led by Durham County Council, and also involving Gateshead Council and Sunderland City Council, the Digital Durham programme is a £25m initiative to improve broadband speeds for residents and businesses across County Durham, Gateshead, Sunderland, and the Tees Valley.

Waste and Minerals

- 6.73 National Planning Policy for Waste (October 2014) requires that waste planning authorities "work collaboratively in groups with other waste planning authorities...through the statutory duty to co-operate, to provide a suitable network of facilities to deliver sustainable waste management".
- 6.74 The Tees Valley local authorities have previously engaged with this issue through the adoption of the Tees Valley Minerals and Waste Core Strategy and Site Allocations document and continue to co-operate in the production of annual Local Aggregates Assessments (LAAs) for the Tees Valley. The most recent Tees Valley LAA is the Tees Valley 2016 LAA. The Tees Valley authorities are currently considering when to update to the waste and minerals development plans documents and this will be published in the Borough Council's Local Development Scheme when it is agreed.

7. Summary of co-operation

7.1 This paper concludes with a summary of how Hartlepool Borough Council has met the requirements of the Localism Act with regards to the duty to cooperate. Appendix 1 provides a summary of co-operation with the relevant public bodies listed in the Town and Country Planning (Local Planning) (England) Regulations 2012.

Engaging constructively, actively and on an ongoing basis to develop strategic policy

- 7.2 Hartlepool Borough Council has always had a high level of co-operation with other authorities and public bodies, particularly the other Tees Valley Local Authorities and Durham County Council. The Borough Council has a long history of involvement at the sub-regional level and taken part in many joint projects and studies.
- 7.3 This carefully managed and consistent approach has resulted in a robust and solid evidence base for the Local Plan. Where problems such as infrastructure provision are identified the Borough Council are working in partnership with the relevant bodies to find solutions.
- 7.4 The major strategic site-specific cross-boundary issue which Hartlepool Borough has is ensuring that development at Wynyard is consistent with the principles of sustainable development. Co-operation with Stockton-on-Tees Borough Council, Wynyard Park Ltd, Highways England and other stakeholders has been extensive and is on-going.
- 7.5 Also illustrated in this paper is how thematic strategic issues, such as the provision of highways infrastructure, health services and green infrastructure, are the subject of constructive, active and on-going co-operation.
- 7.6 The paper has also shown how this co-operation has resulted in definitive outcomes including outcomes which have influenced the preparation of the Local Plan.

Having regard to the activities of the other bodies

7.4 This paper has demonstrated that the Borough Council has had regard to the activities of a wide range of other bodies such as Highways England, the Environment Agency, Natural England, utility providers, the Hartlepool and Stockton Clinical Commissioning Group and Tees Valley Wildlife Trust.

Considering joint approaches to plan making

7.4 The findings of the SHMA included that Hartlepool Borough can be considered a Housing Market Area. The Borough Council does not therefore consider that a joint approach to plan making is appropriate to the circumstances of the Borough.

APPENDIX 1: SUMMARY OF CO-OPERATION

Organisation	Nature of Co-operation
Environment Agency	 Formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production.
	 Were partners in the development of key evidence base documents including the SHLAA, Water Cycle Study, SFRA Level 1 and Level 2, the SFRA update and the Strategic Sequential Test and the Local Infrastructure Plan.
English Heritage	 Were formally consulted at the Issues and Options, Preferred Options and Publication stages of the plan production.
	 Were consulted on key evidence base documents including the SHLAA.
Natural England	 Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production.
	Were consulted in the production of many of the evidence base documents including the SHLAA, SFRA Level 1 and 2, Tees Valley Green Infrastructure Plan.
	 Key partner in the development of the English Coastal Path.
Civil Aviation Authority	 Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production.
Homes and Communities Agency	 Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production.
Highways England	 Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production.
	 Regular meetings have been held with regional representatives of the HA.
	 Highways England has been instrumental in the production of many of the evidence base documents including the Local Infrastructure Plan, the SHLAA etc.
	 Key partner in the management of development at Wynyard.
North Tees & Hartlepool Primary Care Trust	 Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production and for many of the evidence base documents.
The Office of Rail Regulation	 Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production.

Marine Management Organisation Tees Valley LEP	Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production. Were formally consulted at the Issues and Options
rees valley LLF	 Were formally consulted at the Issues and Options, Preferred Options and Publication stages of the plan production.
Tees Valley Local Authorities	 Continuous Informal Engagement and statutory consultations. Formal and informal Engagement at DPO, Planning Managers and Directors of Place Meetings. Engagement at Tees Valley Infrastructure Group.
	 Production of joint evidence base documents. Cross border liaison meeting held with Stock-on Tees Borough Council
	 On-going co-operation with Stockton-on-Tees Borough Council regarding the management of development at Wynyard.
Durham County Council	 Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production.
	 A cross border liaison meeting was held with Durham County Council on 12th April, 2016.
Parish Councils	 Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production.
Cleveland Police	 Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production.
The Coal Authority	 Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production.
National Grid	 Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production.
Northern Gas Networks	 Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production.
Anglican Water	 Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production.
Sport England	 Were formally consulted at Issues and Options, Preferred Options and Publication stages of the plan production.