

Hartlepool Local Plan Examination in Public

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Examination Hearings:

Inspector's Matters, Issues and Questions

This is an updated version which replaces an earlier document (Version 1.0) dated 7 August 2017. What has changed? The only change is to Q12 under Matter 12 (Strategic Wind Turbine Developments) which was incomplete. The full question is set out in this version.

Please refer to the accompanying Programme to establish when the Matter, the associated issues and the Inspector's questions set out below will be discussed. The matter, issues and questions set out in this document reflect the Inspector's assessment of the Plan, its evidence base and the various representations on the soundness of the Plan. The issues and questions will form the framework for the discussion lead by the Inspector.

The Examination hearings will start on Tuesday 26 September 2017 in accordance with the latest version of the Programme which is on the Examination website or available on request from the Programme Officer. It is the Inspector's intention that the hearings will conclude on Thursday 12 October having sat over 3 weeks to consider all those matters of soundness which the Inspector wishes to explore.

In addition to the programme for the hearings, participants should also familiarise themselves of the updated guidance notes issued by the Inspector on 7 August 2017 which set out the rules for those who wish to submit additional

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written statements in response to these matters, issues and questions from the Inspector. For clarification the Inspector is not seeking any statements from any party on Matter 19 - Closing Session.

The Inspector is mindful that since consultation on the published Plan ended on 3 February 2017 the Council has produced updated technical evidence in support of various aspects of the Plan including additional material on the Duty to Cooperate, an Equality Impact Assessment, a Strategic Gap Assessment, Housing and Employment Growth Topic Paper, Sustainability Appraisal addendum and proposed modifications to the Plan. These documents are available to view on the Examination webpage under the section relating to Borough Council documents. If you have difficulty viewing the examination material please contact the Programme Officer for assistance.

In particular, the Inspector wishes to draw participant's attention to the following material:

- Inspector's Initial Observations (EX/INS/3) and the Council's Responses (EX/HBC/2 and EX/HBC/12)
- The Council's Proposed Main Modifications – Issue 2 (EX/HBC/19) and the Council's Proposed Additional Modifications – Issue 2 (EX/HBC/20).

Familiarisation with the Council's proposed modifications will invariably assist in the smooth running of the hearings and the content of any hearing statements or oral submissions on whether the proposed modifications (with or without further changes) address the particular soundness issue.

If you have any queries about the programme, your attendance or any additional hearing statements please contact the Programme Officer.

Tuesday 26th September 2017 AM

Matter 1 – Legal and Procedural Matters – including the Duty to Cooperate

Issue 1 – Has the Plan been prepared in accordance with statutory procedures and Regulations?

General Introduction

Q1 Overall, has the Plan been prepared in accordance with the relevant legal requirements set out in the 2004 Act and 2012 Regulations?

Duty to Cooperate

Q2 Having regard to the Council's Duty to Cooperate Statement (HLP02/1), the addendum to the Statement (EX/HBC/11) and other material has the Plan been prepared in accordance with the duty to cooperate¹?

- (i) How is the work of the various planning authorities in the Tees Valley area co-ordinated? (notably in relation to plan coverage, minerals and waste, economic strategy and infrastructure delivery)
- (ii) What role does the Combined Authority have in sub-regional planning across the Tees Valley? What are the implications from the Tees Valley Devolution Agreement 2015 for strategic planning and infrastructure delivery in the Borough?

Q3 Has the Council engaged constructively, actively and on an on-going basis with all relevant organisations on strategic matters of relevance to the plan's preparation, as required by the Duty to Cooperate?

- i) Are there cross-boundary issues in relation to any of the proposed site allocations such as transport or other infrastructure requirements? In particular, highway capacity at the boundary of the Borough (e.g. A19/A689).
- ii) Is there a cooperative and coordinated approach to mitigation and visitor management for cross-boundary Natura 2000 sites, notably the Teesmouth and Cleveland Coast SPA/Ramsar, the Northumbrian Coast SPA/Ramsar and Durham Coast SAC? (*see also questions 6-11 below and questions under Matter 13*).

¹ Section 20(5)(c) and Section 33A of the Planning and Compulsory Purchase Act 2004

- Q4 In relation to the proposals at Wynyard has the Duty to Cooperate been met?
- (i) Is there regular dialogue between Hartlepool and Stockton Borough Council's on a vision, strategy and delivery framework for this cross-boundary location? Is there a formal cross-boundary working group?
 - (ii) Is there an understanding of the collective scale of development and infrastructure requirements at Wynyard and implications for respective Plan viability? What stage of preparation has been reached on Stockton's emerging Local Plan?
 - (iii) Is there a consensus that a cross-boundary Neighbourhood Plan will set out detailed local policies to manage the area?
 - (iv) With regard to paragraphs 6.43-6.44 of the Duty to Cooperate Statement, is a cross-boundary masterplan still a possibility for Wynyard?

Sustainability Appraisal

On submission the Council provided the various outputs of appraisal work which informed the plan during the stages of its preparation culminating the publication stage report (HLP01/8). In response to initial observations from the Inspector, the Council has made clear it has done scoping work (EX/HBC/1) as well as providing an addendum Sustainability Appraisal report (EX/HBC/25). Sustainability Appraisal remains a 'live' issue during the examination and further assessment work may be required in relation to any main modifications.

- Q5 Has the Plan's formulation been based on a sound process of sustainability appraisal (SA) including: (a) the testing of reasonable alternatives²; (b) a clear explanation as to why preferred options have been chosen³; and (c) reasons for rejecting reasonable alternatives and discounting unreasonable options?

Habitat Regulations Assessment

The presence of protected sites both within, and in proximity to, the Borough means the Plan has been subject to a Habitats Regulation Assessment³ which accompanied the publication version of the Plan (HLP01/9). The assessment has not been able to rule out that there would be indirect likely significant effects (principally related to recreational disturbance) arising from Plan's proposals (alone or in-combination with other plans and projects). Consequently an Appropriate Assessment has been carried out. Various submissions have

² In accordance with Section 19 (5)(a) & (b) of the Act.

³ In accordance with Part 6 of the Conservation of Habitats and Species Regulations 2010

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been made, notably from Natural England, the RSPB and Durham Bird Club and in response the Council has indicated further updates to the Plan and evidence.

- Q6 Does the Plan take an appropriately precautionary approach in light of the available evidence including applying the RSPBs source-pathway-receptor methodology?
- Q7 Has there been any further dialogue with either Natural England or RSPB since Plan submission in relation to additional policy areas where there may be a likely significant effect and the effectiveness of mitigation?
- Q8 Is the Council proposing any modifications to the Plan in response to the submissions relating to the Habitats Regulations Assessment? Have these changes been discussed or agreed with Natural England and/or others?
- Q9 Natural England [representation Pub0129] refer to a 6km buffer in terms of screening in likely effects from recreational disturbance. For clarity, does this only apply to the Durham Coast SAC based on specific evidence relating to that habitat? Has the Council updated the HRA in light of Natural England's concerns regarding the vulnerability of those parts of the Durham Coast SAC proximate to the Borough?
- Q10 Are the proposed mitigation measures at section 7 of the Habitats Regulation Assessment capable of being effective (including coordination across administrative boundaries) and enforceable such that an overall conclusion of no adverse effect on the integrity of internationally designated sites can be reached?
- Q11 Has the Council updated the HRA in response to the RSPB submissions (in representation Pub0091)? Is this available for the hearings or will it form part of any post-hearing updates and modifications?

Process

- Q12 Is the Plan's progress compliant with the Local Development Scheme?
- Q13 Has consultation been conducted in accordance with the Regulations and the Statement of Community Involvement?

As part of the examination process the Council has prepared an Equality Impact Assessment (EX/HBC/21). The examination of the local plan will be carried out in accordance with the Public Sector Equality Duty (PSED).

- Q14 How does the local plan adequately address the needs of different groups in the community (as set out in paragraphs 50 and 159 of NPPF)?

Presentation

- Q15 Does the Policies Map illustrate the appropriate information? Are all relevant land-use designations shown on the Policies Map? (NPPF – para 157, 4th bullet point). Is there a schedule of modifications to the Policies Map?

- Q16 Should the Policies Map identify major hazard establishments and major accident hazard pipelines (MAHPs) as recommended by the Health & Safety Executive [EX/HBC/6]?
- Q17 Is there a 'key diagram'?
- Q18 Is a list of policies to be superseded by the Local Plan necessary for reasons of soundness⁴?

Participants:

Hartlepool Borough Council

Stockton Borough Council

Durham Bird Club

Tuesday 26th September PM

Matter 2 – Spatial (Locational) Strategy

Issue 1 – Does the overall spatial strategy for the Plan present a positive framework which is consistent with national policy and will contribute to the achievement of sustainable development?

Spatial Vision, Themes and Objectives and Policy LS1 Locational Strategy

- Q1 Is the Plan, based on the spatial portrait and sustainability appraisal baseline, providing an appropriate response to address the issues that influence the Borough as a place? Do the spatial objectives of the Plan accurately reflect the existing issues and future opportunities / challenges facing Hartlepool Borough?
- Q2 (a) Is the location and distribution of development appropriate and justified?
- (b) Has the preparation of the plan considered reasonable alternative spatial strategies? Does the updated SA Addendum (EX/HBC/25) capture the reasonable alternative strategies (see pages 10-16) and unreasonable growth alternatives (see pages 17-19) and present cogent reasons why they are not reasonable or preferred options?
- Q3 Has the Plan maximised the potential re-use of previously-developed land in the plan area? Is the Council progressing a Brownfield Land Register of those sites appropriate for residential development?
- Q4 Is the Plan strategy over-reliant on a small number of large strategic sites?

⁴ Required by Regulation 8(5) of the LP Regs.

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- Q5 Does the Plan strike an appropriate balance of growth at the two strategic locations of High Tunstall and Wynyard? Does the balance need to be adjusted (up or down) at either location for sustainability and/or delivery reasons?
- Q6 Does the locational strategy, in combination with Policies RUR1 and RUR2, provide an appropriate spatial strategy for the rural areas? Is it overly restrictive and is there an alternative, more flexible approach that would allow the rural areas to make an appropriate contribution to ensuring a deliverable housing supply?
- Q7 Would the delineation of 'limits to development' and the identification of a strategic gap restrict sustainable development? What would be a reasonable alternative policy that would provide sufficient certainty to communities and developers as well as efficient and effective decision-making?
- Q8 Is the delineation of the strategic gap reasonable in terms of its primary objectives in Policy LS1? Are there any comments on the suggested amendments in the Council's evidence (EX/HBC/22 – pages 46-54) to the proposed strategic gap? Does the Council intend to propose any modifications to reflect these suggested amendments?
- Q9 Does the strategic gap evidence lend support to the Home Builders Federation suggestion [representation Pub0108] and others that there are areas of lesser value (or higher capacity) that could serve as contingency or reserve areas?
- Q10 Is there reasonable consistency between the emerging Neighbourhood Plans and the strategy and policies in the Local Plan? Does the Local Plan avoid duplicating planning processes that will apply to the neighbourhood areas⁵?
- Q11 The NPPF at paragraph 156 refers to the need to identify strategic priorities and states at paragraph 184 that Neighbourhood Plans must be in 'general conformity with the strategic policies of the Local Plan'. Is the Plan clear on those policies which should be regarded as strategic policies for the purpose of neighbourhood plan preparation?
- Q12 Is policy RUR1 reasonable to require development to be in accordance with the Rural Neighbourhood Plan (RNP)? What stage has the RNP progressed to?
- Q13 What is the purpose of the New Dwellings Outside of Development Limits SPD? Will it introduce policy content that ought to be in the Local Plan?

⁵ PPG paragraph 043 Reference ID: 41-043-20140306

Participants:

Hartlepool Borough Council
Gladman Developments
Persimmon Homes (Teesside)
Cecil M Yuill Ltd
Hartlepool Rural Neighbourhood Plan Working Group
Brett Wilkinson
CPRE
Home Builders Federation
High Tunstall Homes
Wynyard Park
Highways England

Wednesday 27th September 2017 – All day

Matter 3 –Housing Needs

Issue 1 – Is the Council’s objectively assessed housing need of 4,305 soundly based (justified, effective and consistent with national policy) and supported by robust and credible evidence? (NPPF paragraph 159)

The Full Objectively Assessed Housing Need (OAN) Methodology

The OAN is presented in the Plan in Policy HSG1 and preceding text (chiefly at Table 6). The key source material is the final Strategic Housing Market Assessment (SHMA) 2015 (document HLP06/2) and the SHMA Addendum 2016 (document HLP06/1). In response to initial observations of the Inspector the Council has submitted a Topic Paper on 28 July 2017 (document EX/HBC/24) seeking to provide clarification on the methodology used. Statements responding to the questions are encouraged to cross-refer to these key documents where appropriate. Where representors have considered the full OAN in the published plan not to be sound it would be helpful to the Inspector to understand what adjustments are sought and what alternative OAN and housing requirement figures should be contemplated.

Those with an interest in the OAN for housing are probably aware of the 2017 Housing White Paper’s proposal for a standard methodology for calculating OAN and the Government’s intention to consult on this proposal in 2017. The Inspector will invite separate written comment from interested parties on the proposed standard OAN methodology when the consultation material is published.

The Housing Market Area

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- Q1 Is the evidence that Hartlepool Borough is its own housing market area (albeit within a wider functional economic area) robust?

Demographic Starting Point

- Q2 Do the 2014-based projections provide the most suitable starting point for establishing the OAN?
- Q3 Does the OAN appropriately consider the likelihood of past trends in migration and household formation continuing in the future? Are the assumptions justified? (What is the period on which the 10year migration scenario (Table 4.1 in SHMA addendum) based?)
- Q4 Is there evidence that household formation rates (notably younger households⁶) have been suppressed by historic undersupply (including recessionary period) and issues of affordability? If yes, what is the evidence and what would be a sensible adjustment and why?

Market Signals

- Q5 Does the OAN take appropriate account of 'market signals'? Do Tables 3.1 and 3.2 of 2016 SHMA Addendum point to any need to make an adjustment for market signals?
- Q6 How does the OAN reflect issues of housing affordability in the area? Has there been express consideration of affordable housing needs in accordance with relevant case law⁷?
- Q7 Should there be a proportional uplift to the adjusted OAN of 210dpa for market signals as opposed to the 700dpa for backlog? For those advocating the uplift approach, what is the empirical evidence and what resultant adjustment should be made?

Future Jobs

- Q8 What are the assumptions regarding future jobs growth and are they justified? Is the OAN appropriately aligned with forecasts for jobs growth?
- Q9 Does the Council's Housing and Employment Growth Paper (EX/HBC/24) provide sufficient clarity on the adjustment that has been made for likely changes in job numbers?

⁶ HBF representations refer to 25-44 cohort (and within that the 25-34 age group).

⁷ principally *Satnam Millennium Limited v. Warrington Borough Council* [2015] EWHC 370 (Admin).

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- Q10 Is the assumption of 70% of all jobs being taken up by existing residents reasonable? Allied to this, is applying the assumption from the 2014 SEP Delivery Plan to halve unemployment justified?
- Q11 Are the assumptions relating to 15% in-commuting from elsewhere and 15% from wider regional in-migration justified and do they raise duty to cooperate issues? Are other authorities in the Tees Valley area applying similar to meet SEP jobs forecasts?

Backlog in provision

- Q12 Is the backlog of c.700 units identified at Table 3.3 of the SHMA addendum an appropriate figure?

Conclusions on OAN

- Q13 Taking all these factors into account is there a robust evidence base for the OAN in Hartlepool as set out in the submitted Plan? Is there a sound basis to arrive at an alternative full OAN?

Issue 2 - Translating the OAN into a housing requirement

- Q14 How has the 20% buffer for affordable housing been formulated? Is it clearly identified as a policy-on approach that is part of the housing requirement rather than the full OAN? Will the adjustment be effective?
- Q15 Would this buffer be effective in ensuring a supply of housing to meet the OAN and reducing the risk of under-delivery against the full OAN?
- Q16 Having regard to Policy HSG10 (Housing Market Renewal) is allowance for net loss through demolitions robust over the plan period? In light of the representation from the Park Residents Association [reference Pub0099] is the assumed calculation for demolitions reasonable?
- Q17 Should the housing requirement be increased or decreased? If so, to what level and on what basis?
- Q18 Has the Council's sustainability appraisal of the housing requirement assessed reasonable alternatives? How has sustainability appraisal been used to support the scale of housing provision in the Plan? [Are there negative (unsustainable) effects of lower or higher housing provision?]
- Q19 Is the housing requirement, reflective of the full OAN, clearly expressed in the Plan and identified as a minimum?

Issue 3 - Meeting specific housing needs

- Q20 Explain how the needs of different groups in the community have been addressed in the SHMA and then the Plan, such as, but not limited to, families with children, older people, people with disabilities and people wishing to build their own homes. What conclusions does the 2014 SHMA reach in terms of the scale and mix of housing type needed, including in terms of tenure and size? (NPPF paragraph 159) How does the Plan reflect the findings?
- Q21 Is there evidence for the Plan make specific provision for accommodation for elderly persons either as part of the housing mix (Policy HSG2) or specific allocations for sheltered and supported accommodation?
- Q22 Is the Plan justified in seeking the provision of executive housing? Is this necessary to create a balanced housing market? Is the definition at Table 10 on plan 87 of the Plan reasonable?

Participants:

Hartlepool Borough Council
Gladman Developments
Home Builders Federation
CPRE
Mr Tones
Cecil M Yuill Ltd
Wynyard Park
High Tunstall Homes
Taylor Wimpey
Park Residents Association
Fred Hallums
Persimmon Homes
Hartlepool Civic Society – Issue 3

Tuesday 3rd October 2017 – AM and early PM

Matter 4 –Jobs Growth, Employment Policies and Employment Land Supply

Issue 1 – Does the Plan set out a positively prepared strategy for the delivery of economic development and jobs?

- Q1 Is the Plan sufficiently clear on the jobs growth target and the number of net additional jobs sought over the plan period?
- Q2 Applying the Strategic Economic Plan for Tees Valley (the SEP) results in an annual jobs growth in the Borough of 290 jobs over a ten year period. This is extrapolated over the lifetime of the Plan. Is that a reasonable

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assumption? Are SEP interventions likely to continue? What has been the trend in net job creation pre-SEP?

- Q3 Has the employment forecasting assumed health-related jobs associated with the hospital proposal at Wynyard Park?
- Q4 Is there appropriate consistency between the Local Plan, the Employment Land Review, the SEP and the Council's regeneration strategy on the approach to key future job sectors and key employment sites in the Borough?
- Q5 Should Policy LS1 or a new policy set out the overall amount of employment land provision to be secured in the Plan taking into account the Employment Land Review findings?
- Q6 How does the amount of employment land relate to overall jobs growth estimates and what is the relationship between overall housing and employment land provision? (NPPF para. 160)
- Q7 In facilitating job creation, how would the Plan complement and assist in delivering the framework for investment in jobs and key sites set out in the Hartlepool Vision (HLP03/1) and the detailed Regeneration Masterplan (HLP07/3)?
- Q8 Are the employment sites realistically deliverable, particularly long-standing undeveloped parcels on general employment sites under EMP3? What is the evidence that they are needed? Has the Plan retained any employment sites with little or no reasonable prospect of being used for that purpose? Explain how the future provision of employment land will be delivered effectively within the plan period, including existing commitments and proposed allocations.

[Please note Site EMP1 will also be discussed separately under Matter 9 – Wynyard].

- Q9 Is there an indication at this stage as to the status of the 3 Enterprise Zones in the Borough post March 2018?
- Q10 Is the Employment Land Review assessment of Oakesway (page 124), Sovereign Park (p125), Park View West (p124) and Wynyard Park (p126) reasonable? Have those promoting alternative options carried out alternative assessments against similar or different criteria to those presented in the ELR? Is the Employment Land Review qualitative assessment of these sites (within Table 49, pages 131-145) justified and up-to-date?

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- Q11 The ELR was published at the end of 2014 and describes demand at the EZ as being at an early stage. In the intervening period to now, has demand increased and what does this indicate for these sites when EZ status expires in March 2018?
- Q12 Is the proposal for 'bad neighbour' uses at the Graythorp Industrial Estate justified? Is there an effective policy framework in the Plan to manage development at this location in the wider public interest of protecting amenities?
- Q13 Is there evidence that the underground storage proposal at Policy EMP6 is deliverable and could be implemented without harm to the water environment, the Teesmouth and Cleveland Coast SPA/Ramsar and the proposed SPA extension?

Participants:

Hartlepool Borough Council
Homes and Community Agency (Oakesway)
Hartlepool Civic Society
Greatham Parish Council
Hansteen Holdings PLC

Tuesday 3 October 2017 – Mid PM onwards

Matter 5 - Retail, Leisure and Mixed Uses

Issue 1 – Does the Plan set out a positively prepared strategy for viable centres and the provision of shopping facilities, which is justified, effective and in line with national policy?

- Q1 Does the approach to retail planning in the Plan accord with the principles set out in the NPPF in relation to the vitality of town centres?
- Q2 Are the thresholds for sequential tests and impact assessments in Policy RC1 soundly based and supported by robust and credible evidence? Have alternative thresholds been considered?
- Q3 Are the hours of operation in RC1 justified and reasonable? Is it clear whether it applies to proposals in the "late night uses area"?
- Q4 Does the Plan strike the right balance between supporting a late night economy focussed on the Church Street area in Policy RC17 and encouraging a wider Innovation and Skills Quarter (the ISQ in Policy

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RC3)? What is the objective of the ISQ and are there any planned investments to support the Plan's positive approach?

Q5 Are the different thresholds for impact assessments for town centre and local centre locations justified?

Issue 2 – Is the approach to edge of town centre areas sound, particularly in relation to area RC8 and the football ground?

Q6 Is the Plan's approach to edge of town centre areas sufficiently clear in respect of RC8 Mill House area and the status of the Victoria Football Ground? What is the approach to the existing bowls club?

Q7 Does the Council's proposal to extend Policy LT1 (Leisure and Tourism) into RC8 provide clarity or uncertainty on the future of the football ground?

Issue 3 – Is the policy approach on Hot Food Takeaways justified?

Q8 What is the justification to the various thresholds for A5 uses by location in Policy RC18? Is there transparency in the evidence and methodology the Council has applied in devising the thresholds based on current A5 occupation levels, current vacancy rates, ward obesity data for adults, childhood obesity for schools and proximity to residential areas?

Q9 Does the policy represent a moratorium on additional Hot Food takeaway premises in the Borough? What is the justification for total bans on new A5 uses in parts of the Borough, including some town centre sub-areas?

Q10 Does the Hartlepool Healthy Weight Strategy [HLP07/1] and Hartlepool Healthy Weight Action Plan [HLP07/2] endorse the approach in Policy RC18 as submitted?

Q11 Does the Council's suggested main modification [reference MM/CHP13/04] to allow 1 hot food takeaway within each village provide sufficient flexibility?

Participants:

Hartlepool Borough Council

Wynyard Park – Issue 1

Hartlepool United Supporters Trust – Issue 2

Greatham Parish Council – Issue 3

Wednesday 4 October 2017 – AM

Matter 6 - Transport and Infrastructure

Issue 1 – Whether the overall approach to transport is justified, effective and consistent with national policy?

This matter will focus on the work contained in the Council's Local Infrastructure Plan (Document HLP05/1) and relevant transport evidence at the Tees Valley and local levels. Specific transport and infrastructure proposals to facilitate the proposed growth at High Tunstall and Wynyard will also be examined under Matters 8 and 9 respectively.

- Q1 What is the likely effect of the proposed scale and distribution of development on existing transport infrastructure and traffic levels? How has this been assessed and is the transport evidence up-to-date?
- Q2 Highways England [representation Pub 0130] advise that an evidence base to demonstrate that the Plan's approach to transport is soundly based exists but needs to be collated into a single resource. Is there a need to do this and has the transport evidence evolved since the Plan's submission in March 2017?
- Q3 With reference to Table 2 of the LIP, what specific improvements to transport infrastructure or policy responses are proposed or will be required to support transport demands arising from the Plan's overall strategy, including levels of growth?
- Q4 Are there specific trigger points for their implementation (including any timing/phasing of the development proposals in the Plan)? How will the identified transport infrastructure in Policies LS1/INF2 be brought forward and funded?
- Q5 As part of transitioning to a low carbon future, does the Plan sufficiently recognise the potential of new transport technologies (i.e. electric vehicles) as well as established non-car modes such as walking and cycling?

- Q6 Does the Plan propose or support proposals to improve connectivity by foot and cycle to the Southern Business Zone area? Is a bridge over the A689 in the Sappers Corner vicinity likely during the Plan period⁸?

Issue 2 – Education and Health Infrastructure

- Q7 The Education Funding Agency [representation Pub0126] had advised that funding only applies for 2FE primary schools. Is this reflected in the Local Infrastructure Plan (LIP)? Does this have viability/delivery implications under Policy INF4 for strategic sites at High Tunstall, the South West Extension and Wynyard?
- Q8 Is paragraph 11.8 of the LIP on anticipated education requirements arising from growth up-to-date?
- Q9 What is the most up-to-date position regarding hospital/community health provision in the Borough? Is INF3 sufficient and agreed with NHS Trust? Is a new hospital at Wynyard ruled out during the plan period?

Issue 3 – Funding for Infrastructure

- Q10 Is there further evidence from the emerging Tees Valley Strategic Transport Plan work (referenced at para 5.3 of LIP) on potential funding for strategic infrastructure relevant to Hartlepool and the Local Plan's growth proposals?
- Q11 The LIP refers (page11) to A689 improvements at Wynyard under the umbrella of the Tees Valley SIP. Have these improvements been implemented under the Local Growth Fund? Are additional improvements to A689/A19 capacity now required and are these funded or is there a funding gap which development is anticipated to plug?
- Q12 Is the A19 widening between Norton and Wynyard fully funded and programmed to commence in 2020?

Participants:

Hartlepool Borough Council
Highways England
Hartlepool Civic Society
High Tunstall Homes
Cecil M Yuill Ltd
Wynyard Park

⁸ Para 7.2 of the Local Infrastructure Plan, bullet point 1 refers to Sappers Corner

Wednesday 4 October 2017 – PM

Matter 7 - Housing Land Supply

This matter will deal with Policy HSG1 and the Housing Trajectory to 2031, together with the sum capacity of sites at Policies HSG3, 4, 5, 5a, 6, 7 and 8 and other sources of supply. Please note that the detail of strategic sites and other proposed housing sites will be discussed under Matters 8, 9 and 10.

Issue 1 – How does the Plan meet the full OAN for market and affordable housing in the housing market area, including identifying a supply of specific, deliverable sites sufficient to provide 5 years' worth of housing and a supply of specific, developable sites for housing for years 6-10 and where possible years 11-15 ? (NPPF, paragraph 47)

- Q1 What is the up to date situation regarding completions to date in the plan period and what is the residual amount of housing that needs to be delivered?
- Q2 Does the Plan, as submitted, set out a realistic range of land allocations for housing that would provide for:
- (a) A supply of specific deliverable sites to meet the housing requirement for the five years from point of plan adoption?
 - (b) A supply of specific, developable sites or broad locations for years 6-10 from the point of plan adoption?
 - (c) For (a) and (b) what are the sources of supply and what assumptions have informed the scale and timing of supply and rates of delivery from these sources? [Are they realistic and supported by the evidence?]
- Q3 What is the estimated total supply in the plan period from:
- i. existing planning permissions
 - ii. other commitments e.g. sites subject to S106
 - iii. allocated sites
 - iv. any other sites specifically identified
 - v. windfalls

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- Q4 What are the assumptions about the scale and timing of supply and rates of delivery from these various sources? Are these realistic? (Does the SHLAA establish realistic assumptions about the availability, suitability and deliverability and likely economic viability of housing sites? (NPPF paragraph 159)).
- Q5 What are the potential sources of windfalls? Is there compelling evidence to justify the approach to making an allowance for future windfall sites? (NPPF paragraph 48)
- Q6 Does the Council's five year supply of specific deliverable housing sites incorporate a suitable buffer, in accordance with the NPPF and PPG?
- Q7 Has there been a persistent under delivery of housing? In terms of a buffer for a five year supply, should this be 5% or 20% in relation to paragraph 47 of the NPPF?
- Q8 Should an allowance be made for non-implementation of permissions and if so, what is the evidence? Should any additional allowance be made for uncertainty over the supply from allocations and windfall?
- Q9 Is the Plan sufficiently clear on the basis on which the 5 year supply calculation should be made, including the Sedgefield' or 'Liverpool' approach?
- Q10 Should the annual housing requirement figure be staggered to reflect the focus on large strategic sites? (i.e. a lower figures in the early years of the plan period, increasing later?) Are the lead-in times and delivery rates for High Tunstall and Wynyard realistic?
- Q11 Should the Plan contain an appropriate Policy mechanism and indicators that would trigger plan-led corrective measures to ensure a deliverable supply of housing land should monitoring indicate there is an insufficient level of supply?
- Q12 In terms of monitoring Plan performance should the housing requirement to 2032 be presented in a table within the Plan in three five year phases (2016-21; 2021-26; 2026-31), with a clear numerical total of what is anticipated to be delivered in each of those phases and the annual average for each phase?
- Q13 Should the Plan include an additional buffer for supply? Is this justified in light of the requirement exceeding the full OAN? Based on past-delivery rates would it be delivered?

Participants:

Hartlepool Borough Council

Gladman Developments
Home Builders Federation
Mr Tones
Persimmon Homes (Teesside)
Taylor Wimpey
Cecil M Yuill Ltd

Thursday 5 October 2017- AM

Matter 8 – High Tunstall and Quarry Farm

Policies HSG5 and 5a

Issue 1 – Site context

- Q1 What is the chronology to the identification of this strategic site and the process by which the sites were selected as a preferred strategic direction for growth?
- Q2 Should the Plan contain an indicative concept plan or require a masterplan (in addition to the phasing plan) to provide a sound basis for the strategic planning of the site and its sustained delivery during the Plan period?
- Q3 Does the Sustainability Appraisal (including Addendums) adequately assess the likely effects of the High Tunstall Strategic Site and test it against reasonable alternatives?
- Q4 Are the boundaries and extent of the sites correctly defined? What is the extent of safeguarded land at Hart Quarry – does it affect land proposals at Quarry Farm?

Issue 2 – Site Delivery

The infrastructure requirements are identified in aggregated form at Appendix 1 of the LIP (pages 56-62). See also Question 6 under Matter 15 on Plan Viability.

- Q5 Does the infrastructure evidence demonstrate that the proposal is soundly based and can be delivered in a timely and satisfactory manner?
- Q6 What is the mechanism to fund/deliver the Elwick bypass and grade separated junction on the A19? Table 2 of the LIP at pages 17-18 refer to LGF and other possible sources, including prudential borrowing. What is the latest situation? Is there agreement from affected parties as to how this infrastructure will be funded, possibly through claw-back arrangements? Is it an unduly complex process?

Hartlepool Local Plan Examination 2017

- Q7 Is the £18million cost for grade separated junction and bypass accurate? Is the 2018 construction date and 2020 completion date at Table 2 of the LIP realistic?
- Q8 Does the transport assessment work and engagement with Highways England demonstrate that on transport grounds, the residual cumulative impact of development at this site would not be severe? (NPPF, paragraph 32) Has transport modelling work assessed alternative capacities for the High Tunstall site?
- Q9 There is some local concern about impacts on the highway network in Hartlepool as a consequence of an improved third route from the A19. The LIP refers to junction improvements at Elwick Road/Park Road/Wooler Road. Is a scheme being investigated and is it necessary to accommodate the impact arising from these developments?
- Q10 Would there be capacity in infrastructure and services to serve the planned housing growth?
- (i) School provision
 - (ii) Health facilities
 - (iii) Leisure, public open space, allotments
- Q11 Having regard to the Habitat Regulations Assessment 2016 (Document NT01/8) would suitable mitigation need to be secured to ensure no significant adverse effect on the Coastal SPAs and SAC?
- Q12 Are there any known ecological constraints? Has there been any preliminary ecological survey work? Does the scale of the site enable mitigation for farmland bird species and the establishment of green/wildlife corridors?
- Q13 Does the Plan's proposal for housing at this location take account of the proximity of the gas pipeline? [see HSE letter dated 15 July 2016 – Annex1]
- Q14 Is the extent site consistent with the evidence on landscape (including the additional evidence on the strategic gap (EX/HBC/22&23))? Would the rural setting of Dalton Piercy be preserved?

Issue 3 – Site Capacity

- Q15 Is the SHLAA assessment realistic? How will early and appreciable delivery be secured? Is the Council's assessment of timeframe for delivery aligned to that of the site developer?

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- Q16 Does 'approximately' in Policies HSG5 & 5a readily translate as 'at least' or is 1,200 and 220 dwellings effectively the sum capacity of this area? Have alternative capacity options been appraised?
- Q17 Does the viability of the infrastructure and affordable housing provision render the sites undeliverable or justify an enlarged allocation? Has the submitted Plan struck the right balance?
- Q18 Should additional land be allocated at Quarry Farm 3 for 450 dwellings (Cecil M Yuill Ltd) in lieu of development at Wynyard Park? Has Quarry Farm 3 been appraised by the Council as part of the SHLAA, SA or strategic gap analyses?
- Q19 Would additional development at the Quarry Farm location ensure the viable delivery of highway improvement works?

Participants:

Hartlepool Borough Council
Brian Coates
Homes and Community Agency (North Burn)
High Tunstall Homes
Cecil M Yuill Ltd
Taylor Wimpey
Highways England

Thursday 5 October 2017 - PM

Matter 9 - Wynyard

Policy HSG6

1. Would it give rise to any highway safety issues or traffic congestion that could not be mitigated?
2. Does Policy HSG6 need a specific reference or cross-reference regarding Habitat mitigation? Would any SANG be in addition to the proposed 12hectares of multifunctional green infrastructure?

Issue 1 – Site context

- Q1 What is the chronology to the identification of this strategic site and the process by which the site was selected as a preferred strategic direction for growth?

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- Q2 Is the site in a sustainable location? Is the sustainability of the proposed residential development at Wynyard dependent on allocations on adjacent land in Stockton Borough to create a sufficient critical mass?
- Q3 Should there be an indicative concept plan or extracts from masterplan work to provide a sound basis for the strategic planning of the site and its sustained delivery during the Plan period?
- Q4 Are the Plan proposals reflective of the emerging Neighbourhood Plan?
- Q5 Are the boundaries and extent of the sites correctly defined?

Issue 2 – Site Delivery

The infrastructure requirements are identified in aggregated form at Appendix 1 of the LIP (pages 63-66)

- Q6 Is there evidence of need for the employment site at EMP1? Would it enhance containment at Wynyard? Would de-allocating the site undermine the sustainability of the proposed housing allocations?
- Q7 Does transport modelling work assume EMP1 is implemented? Are there consequences for highway capacity (and timing of delivery at HSG6 sites B and C) if the EMP1 site was de-allocated?
- Q8 The submissions of Wynyard Park [representation Pub0124] refer to ongoing highways modelling work. Is this progressing? Are there any outputs that can be shared or summarised into the examination?
- Q9 Does transport modelling work and engagement with Highways England demonstrate that on transport grounds, the residual cumulative impact of development at this site would not be severe? (NPPF, paragraph 32)
- Q10 Has transport modelling work assessed alternative capacities for the Wynyard site?
- Q11 In terms of Table 2 of the LIP, page 16-17 refers to Wynyard. When will (or have) the committed highways schemes been implemented? In terms of other funding sources, are those being actively investigated? Has the Council made a commitment or resolution in respect of prudential borrowing?
- Q12 What is the public transport provision (bus frequency) in Wynyard and will it serve land north of the A689? Is Wynyard part of Tees Valley Bus Network Improvement Scheme (TVBNI)?
- Q13 Would there be capacity in infrastructure and services in Wynyard to serve the planned housing growth?

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- (a) School provision: Is the proposed school at INF4 justified?
- (b) Health facilities
- (c) Leisure, public open space, allotments

Q14 Is growth in Hartlepool's sector of Wynyard dependent on infrastructure in Stockton's area and vice versa? Does the A689 present a significant barrier to connectivity within the site?

Q15 Are the proposals for Wynyard (HSG6, EMP1 and INF4) viable?

Issue 3 – Site Capacity

Q16 Is the assumed delivery in the SHLAA realistic? How will early and appreciable delivery be secured? Is the Council's assessment of timeframe for delivery aligned to that of the site developer?

Q17 What is the degree of risk that sites B and C would be delayed in terms of securing off-site road improvements? Is the design, cost and implementation of the improvements agreed? Is the solution within the control of Wynyard Park/public sector?

Q18 Can the site reasonably and sustainably accommodate additional development? Does 'approximately' in Policy HSG6 readily translate as 'at least' or is 732 dwellings effectively the sum capacity of this area? Have alternative lower or higher options been assessed/appraised, including suggestions that the site is reduced/removed?

Q19 Is it justified that Site A is exclusively for new executive housing?

Q20 Does the site provide a reasonable location for delivering custom and self-build dwellings?

Participants:

Hartlepool Borough Council
Homes and Community Agency (North Burn)
Wynyard Park
Cecil M Yuill Ltd
Highways England

Friday 6 October – AM

Matter 10 – Other Housing Sites

Policies HSG3, HSG4, HSG7 and HSG8

Issue 1 – whether the proposed housing site allocations are justified, effective and consistent with national policy.

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HSG3 Coronation Drive, Seaton Carew

- Q1 What is the basis for proposing housing at Coronation Drive, Seaton Carew? [Was this an area of public open space in the 2006 Local Plan?] How would this affect open space provision in the area? Is the approach justified and is it consistent with the NPPF?
- Q2 Is the site deliverable in terms of flood risk, contamination and ecology? Has the Council undertaken additional work to address the Environment Agency's "significant concerns" regarding potential contamination / landfill gas?
- Q3 Should additional land be released for development in this vicinity including land north of HSG3 zoned under Policy NE2e as Local Green Corridor? [Pub017]

HSG4 South West Extension

- Q4 Are the detailed requirements for the site clear and justified, including on-site education provision?
- Q5 Are the boundaries and extent of the site correctly defined?
- Q6 Are there reasonable alternatives for a larger allocation at this location?
- Q7 Are there any comments on the Council's suggested changes in response to the Persimmon Homes representation [Pub0115]?
- Q8 Can the Council confirm that safety measures at the A689/Dalton Back Lane junction are not necessary for the development of the site in the Plan to proceed?
- Q9 Does the Plan's proposal for housing at this location take account of the proximity of the gas pipeline? [see HSE letter dated 15 July 2016 – Annex1]

HSG7 Elwick Village Housing Development

- Q11 Are the criteria in the policy justified and sufficiently flexible?
- Q12 Is a landscape buffer to the north of the site justified?
- Q13 The proposal adjoins the boundary of the Elwick Conservation Area. Has the effect on the setting of this heritage asset been taken into

consideration in allocating the site? Does the policy require any specificity, in addition to criterion 4 of Policy HSG7 and over-arching national and local policy to preserve or enhance the character or appearance of conservation areas?

Policy HSG8 Hart Village Housing Developments

- Q14 Is Hart a sustainable location for additional development of the scale proposed in the Local Plan? Is there a shop within reasonable walking/cycling distance?
- Q15 Can services and facilities in Hart village sustainably accommodate the proposed scale of development?
- Q16 Are the junctions on the A179 for Hart capable of safely accommodating additional traffic? Are there proposals under Policy INF2 for improvement?
- Q17 Is there broad consistency between the Local Plan and Rural Neighbourhood Plan (RNP) proposals for Hart village? Is there evidence from the RNP process that the housing site at Glebe Farm (20 dwellings) would not be sound?

Issue 2 – Omission Sites

SHLAA Site 9 – East of Millbank Close (Gentoo Homes): does this site have planning permission for 15 homes? Is the site within the proposed development limit for Hart?

SHLAA Site 19 – Land east of A1086 Easington Road (Mr H Tones): submitted that site could accommodate approximately 55 dwellings to add to overall supply

- Q18 What is the ecological status of this site? Was there a re-survey in Summer 2017? Does it remain a Local Wildlife Site as set out in Policy NE1c? Is this status been reviewed by the Tees Local Nature Partnership?

SHLAA Site 65 – Tunstall Farm Phase 2 (Taylor Wimpey): submitted that the site could accommodate 400 dwellings (in lieu (in-part) of de-allocating High Tunstall)

- Q19 Explain what other alternative sites could reasonably be allocated, with reference to sustainability appraisal or in response to representations, including the omission sites above.
- Q20 Have these omissions sites been subject to sustainability appraisal?
- Q21 Would development on any of these omission sites cause such significant adverse impacts as to significantly and demonstrably outweigh the

benefits of meeting the OANs for market and affordable housing? (NPPF Paragraph 14).

Participants:

Hartlepool Borough Council
Dennis Wilson
Persimmon Homes (Teesside)
Mr Tones

Tuesday 10 October – AM

Matter 11 – Development Management Policies and Housing Delivery

Issue 1 – The soundness of specific development management policies

Policies CC1, CC2 and QP7

- Q1 Is the requirement for a minimum of 10% of energy supply from decentralised and renewable or low carbon sources sound? Is it consistent with national policy (including paragraphs 95 and 96 of the NPPF)? What are the implications of the written ministerial statement of 25 March 2015?
- Q2 Has the viability of the policies been tested?
- Q3 Is the Council suggested main modification [reference MM/CHP09/03] to “encourage” rather than “require” improvements to building fabrics above and beyond those prescribed in Building Regulations necessary for soundness?

Policy QP6

- Q4 Should the policy be expanded with an additional criterion “the proximity of major hazard establishments”? Would this add appropriate specificity to a matter that may arise under the more general criterion 11?

Issue 2 – Affordable Housing

Policy HSG9

- Q5 Is the Borough wide target for affordable housing sufficiently clear?

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- Q6 Is the requirement for 18% affordable housing on sites of 15 dwellings or more justified?
- Q7 Does it reflect the evidence on viability? Is 18% at the margins of viability? Has the viability of 18% been tested against current market conditions or does it assume an expectation of future value rises?
- Q8 Should the policy provide a guidance mix of 70% social-affordable rented housing and 30% intermediate housing as outlined in the SHMA?
- Q9 Is the policy justified and effective, particularly in terms of the effect on viability and the potential for off-site contributions? Would there be parity between on-site and off-site contributions?

Participants:

Hartlepool Borough Council
Gladman Development
Home Builders Federation
Persimmon Homes (Teesside)
Cecil M Yuill Ltd

Tuesday 10 October - PM

Matter 12 – Strategic Wind Turbine Developments

Policy CC4

Issue 1 - Whether the proposed sites at Brenda Road and High Volts are justified, effective and consistent with national policy.

The Inspector notes that there are considerable volumes of representations both for and against the proposed strategic wind turbine development area at Brenda Road. The vast majority of these representations use standard template contents but have been treated as separate representations. The Inspectors questions focus on the key points raised in these submissions and the relevant national policy including the content of Written Material Statements. It is noted that the Council has provided a comprehensive response on representations to Policy CC4 within the Consultation Statement (document HLP01/4).

- Q1 What is the rationale for the proposed sites? Is it economic strategy, a reflection of demand/interest from the industry in these sites and a need to manage development consistent with national policy, part of a Borough

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commitment to addressing climate change or a combination of all of these factors?

- Q2 The Plan clearly identifies that the landscape evidence led to the identification of additional capacity at High Volts. The CPRE (representation Pub0074) submit that the Arup Study does not support development of the proposed scale proposed at High Volts. What is the justification for the additional scale of turbine development at this location?
- Q3 In relation to Brenda Road, what is the evidence to support the identification of this particular area? Have alternative locations for strategic wind turbine developments been considered south-east of Hartlepool?
- Q4 Is seven wind turbines with a potential installed capacity of 2MW each an appropriate basis on which to consider Policy CC4? Is the evidence clear that this would be the maximum number of turbines?
- Q5 Is wave and tidal technology a serious or viable renewables sector to develop or host in the coast off Hartlepool? Have there been proposals? Does the Plan directly or indirectly support off-shore renewables including the potential for tidal schemes?
- Q6 The Planning Practice Guidance⁹ refers to community backing and this is reflected in the wording of Policy CC4. In this context is community backing necessary for the identification of suitable areas in Plans or is it specifically a criteria when considering development proposals?
- Q7 In respect of the proposed site at Brenda Road, what does the level of community comment (both for and against) indicate in terms of whether Policy CC4 proposal at Brenda Road would be deliverable? Consequently, would the policy be sound, in terms of being effective?
- Q8 Has it been satisfactorily demonstrated that on-shore wind turbine structures can be accommodated at Brenda Road without significant adverse impact on residential amenity and the amenity of those employed in the Southern Business Zone (primarily relating to noise and flicker)?
- Q9 What would be the harm to local character? In what visual context do the turbines need to be considered?
- Q10 Is there evidence that the Brenda Road proposal would 'sterilise' or inhibit employment proposals within the Southern Business Zone? Conversely, is there evidence that wind turbines at this location could have a positive impact on employment and businesses in the area?

⁹ Paragraph: 033 Reference ID:5-033-150618

- Q11 Are there any likely significant effects on bird populations associated with the nearby SPAs?
- Q12 The area for Policy CC4 at Brenda Road washes over general employment land at Policy EMP3g and land for specialist employment at EMP4e. Is that deliberate and does it prejudice the economic strategy for the area?

Participants:

Hartlepool Borough Council
Cllr. James Black
Monica Vaughan
Paul Bennett
D.A. Waller
Ann Waller
Kaye Wilson
CPRE

Wednesday 11 October - AM

Matter 13 – Natural Environment

Issue 1 – Are the Plan's policies and proposals in relation to the natural environment soundly based?

- Q1 Is the reference to "ecosystems services approach" in Policy NE1 readily understood and clear to users of the Plan document?
- Q2 Is there evidence to justify protecting areas of the Borough for tranquillity and dark sky purposes? Are the environmental policies of the Plan sufficient to manage associated issues of pollution or are further changes needed?
- Q3 Would the Council's suggested change to include a reference to the emerging Natural Capital agenda be a reasonable addition to the Plan?

Issue 2 – Internationally designated sites [there is some overlap with the procedural matter 1 on HRA – see also questions 6-11 under Matter1]

- Q4 Is there agreement that the HRA process and the suggested amendments to policy wording (notably Policy LS1 and various retail, leisure and employment policies) that the appropriate assessment has been undertaken at the plan-making stage? (recognising that further project level assessment may be required for individual developments).
- Q5 Does the Plan include appropriate avoidance and mitigation measures to ensure no adverse effects on integrity from recreational disturbance arising from development?

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- Q6 The submitted HRA refers to the RSPBs pathway-receptor model and Natural England [representation Pub00129] refers to a 6km 'buffer zone'. In practical terms is it agreed that all housing proposals within the Borough would result in a likely significant effect on Coastal SPAs and SAC from recreational disturbance?
- Q7 Are SANGS accepted as part of a wider package for mitigation for recreational disturbance? Is there any merit in undertaking further research specific to the habitats here?
- Q8 Is the Council proactively seeking to deliver/secure the mitigation measures that the HRA work identifies and are there coordinated strategies and mitigation actions for the two coastal SPAs and SAC to which developer contributions can be assigned? In terms of research and monitoring is there any on-going or programmed work and is development expected to contribute towards its cost?
- Q9 Have mitigation measures been considered as part of the plan-wide viability assessment work?
- Q10 What is the status / timeframe of the proposed extension to the Teesmouth and Cleveland Coast SPA (pSPA)? Should the HRA be updated to reflect the pSPA and should it be identified on the proposed Policies Map?
- Q11 Are employment land proposals under EMP4c and EMP6 deliverable in terms of the pSPA and other local ecological designations?
- Q12 Given the focus of the Tees estuary for specialised industries, is there a clear strategy (e.g. through the Tees Estuary Partnership) to enable their adaptation and expansion in a way which avoids conflict with the sensitive ecological value of the area?

Issue 3 - Landscape & Green Infrastructure

- Q13 Is the concept of a Special Landscape Area (in Policy NE1) justified by the evidence and consistent with the NPPF (paragraph 17 – the intrinsic character and beauty of the countryside, paragraph 109 – protecting and enhancing valued landscapes, and paragraph 113 – criteria based policies for landscape areas (reflecting hierarchy))?
- Q14 Should Policy NE4 on ecological networks be illustrated on the Policies Map by virtue of having a spatial application?
- Q15 Is the evidence on playing pitches up-to-date? Has the 2012 strategy been updated?

Hartlepool Local Plan Examination 2017

- Q16 What is the appropriate approach to land east of Catcote Road between Hartlepool VI Form College and West Hartlepool's RFC ground? Is it outdoor sports space?
- Q17 Is the Council proposing amendments to the wording of the criteria in Policy NE5 in response to the representation from Sport England [Pub 0089]. Are these revisions necessary for soundness (consistency with national policy)?

Participants:
Hartlepool Borough Council
CPRE
RSPB
Durham Bird Club
Natural England

Wednesday 11 October - AM

Matter 14 – Flood Risk

Issue 1 – Are the Plan's policies and proposals in relation to water quality, management and flood risk soundly based?

- Q1 Are any of the allocated sites located within flood zones 2 or 3¹⁰? Has additional flood risk assessment work been undertaken in response to the representations of the Environment Agency [representation Pub0101]?
- Q2 Where employment and retail development is proposed within flood zones 2 and 3 has a sequential approach been undertaken to explore other possibilities to accommodate this development in areas of lower risk?
- Q3 Has adequate account been taken of existing and future water quality in preparing the Plan and its policies? Should there be a reference in Policy QP6?
- Q4 Does the Plan reflect the work on developing the Local Standards for Sustainable Drainage?

Participants:
Hartlepool Borough Council
Environment Agency

Wednesday 11 October 2017 – PM

Matter 15 – Plan Viability

¹⁰ The Environment Agency submit that the affected allocations are: sites in EMP3, sites in EMP4, EMP5, EMP6, RC3, RC7, RC12 and RC14.

Hartlepool Local Plan Examination 2017

Please note the Council is assembling additional evidence on plan-wide viability (see Council letter of 25 May 2017 (EX/HBC/12)). This will be made available on the Examination website after 18 August 2017. The Inspector will pose supplementary questions in due course which will be circulated in advance of the hearing session.

Issue 1 – Has the preparation of the Plan ensured that collectively its policies and proposals are viable and deliverable? (NPPF paragraphs 173-177). Is there a reasonable prospect that necessary infrastructure to support the Plan’s proposals will be delivered in a timely fashion?

- Q1 Is the Council’s evidence on infrastructure and viability, up-to-date and robust? Does it demonstrate that the Plan, as submitted, is deliverable in this regard? Is it consistent with the advice in the Planning Practice Guidance on ‘Viability and Plan Making’¹¹
- Q2 Does the viability assessment work take account of all the Plan’s policy requirements? Does it show that there would be a competitive return to developers and landowners?
- Q3 In addition to funding from development, how will other agencies and organisations will be involved in delivering this spatial Plan? What level of commitment/agreement is there? Are there review mechanisms given the changeable nature of funding? Explain what funding is currently secured and what funding gap remains.
- Q4 Are there contingencies for the potential non-delivery of infrastructure? Is the Plan sufficiently flexible to deal with this?
- Q5 Is Policy QP1 justified, effective, positively prepared and consistent with national policy? Does it reflect available viability evidence?
- Q6 It has been submitted that 1455 dwellings (sites HSG5, 5a and 7) will contribute to funding the Elwick bypass and grade separated junction resulting in a £12,400 contribution per dwelling. Is this a reasonable analysis? What about site HSG3(3)?
- Q7 What is the intention of the Planning Obligations SPD, having regard to paragraph 153 of the NPPF?
- Q8 Is the Council still contemplating the possibility of introducing CIL?

Participants:

Hartlepool Borough Council
Gladman Developments

¹¹ PPG Paragraphs 005-015 starting at Reference ID:05-015-20140306

Home Builders Federation
Persimmon Homes (Teesside)
Cecil M Yuill Ltd
High Tunstall Homes
Wynyard Park

Wednesday 11 October – Late PM

Matter 16 Gypsies and Travellers

Issue 1 – The soundness of gypsy and traveller provision in the Plan

Policy HSG13

See also correspondence exchange in the Inspector’s initial observations (EX/INS/3) and the Council’s response (EX/HBC/2) including commentary on this matter.

- Q1 Is the 2014 Gypsy & Travellers Accommodation Assessment up-to-date and does it provide a robust and justified evidence base? Does it remain up-to-date in light of the Planning Policy for Traveller Sites (August 2015) including the aims at paragraph 4 and the change in the policy definition of “gypsies and travellers” at Annex 1?
- Q2 Is there any evidence that the Plan should make provision for pitches or short stay stopping sites (transit sites) in line with Planning Policy for Traveller Sites?
- Q3 Are the criteria in Policy HSG13 appropriate, justified and consistent with national policy? (is criterion 4 justified?)
- Q4 Should Policy HSG13 include any locational specificity when assessing an application for ‘windfall’ provision?
- Q5 Is the Plan compliant with the public sector equality duty in relation to gypsies, travellers and travelling show-people?

Participants:

Hartlepool Borough Council

Thursday 12 October 2017 – AM

Matter 17 – Other Site Specific Related Matters

- Q1 Is the delineation of NE2e correct at the R Newcomb & Sons site? Are any amendments being proposed by the Council? What is the intention of the amendments sought by R Newcomb & Sons?

Participants:

Hartlepool Borough Council
R Newcomb & Sons

Thursday 12 October 2017 - AM

Matter 18 Monitoring and Implementation

Issue 1 - Does the Plan set out a clear and robust framework for delivery and monitoring?

A number of representations on the published plan raised concern that there was no monitoring and implementation framework for the Plan. The Inspector encourages those who have raised such concerns to look at document [HLP01/3] – the Local Plan Implementation and Monitoring Framework – which accompanied the Publication Plan. The Council is proposing (see MM/APP12/01 in document EX/HBC/19) that the Framework is embedded in the Plan as an appendix.

- Q1 Is the proposed monitoring framework robust and effective? What are the intended mechanisms and timescales for monitoring the implementation and effectiveness of the policies and proposals in the Plan?
- Q2 Does it provide for co-operation and participation and are appropriate participants involved? Are the Duty to Cooperate bodies embedded in the delivery/ monitoring of the Plan?
- Q3 Are suitable arrangements in place for reviews at appropriate times? Is it clear when monitoring will trigger action? Is it sufficiently clear how the Plan will be monitored? If not, could it be made clearer?
- Q5 Does the monitoring framework include an indicator/monitor of development approved within HSE consultation zones? [i.e. number approved contrary to HSE advice].
- Q6 Having regard to NPPF, paragraph 153, is there a clear and justified need for additional supplementary planning documents?

Participants

Hartlepool Borough Council

Thursday 12 October - PM

Matter 19 – Closing Session

Issue 1 - Main Modifications

Q1 Are there any main modifications to the submitted Plan which are necessary for soundness in addition to those identified in document EX/HBC/19 as a result of:

The updated evidence base;

Statements of Common Ground or Statements prepared for the hearings;
and

As result of discussion during the examination hearings.

Q2 Is the Council proposing a separate set of amendments to the Policies Map?

Q3 What is the Council's process for finalising main modifications? Is there delegated authority or a need for Member approval? Are there associated timetabling issues?

Issue 2 – Next Steps

The Inspector will outline timeframes for next steps, including, but not limited to, any additional evidence, finalising any main modifications and accompanying Sustainability Appraisal and Habitats Regulation Assessment work, consultation on any main modifications and a broad indication of report delivery to the Council.

Participants:

Hartlepool Borough Council