

Proposed Main Modifications – 28th November 2017

The modifications below are expressed either in the form of strikethrough for deletions and underlining for additions of text or through a *description* if more appropriate. The page numbers and paragraph numbering below refer to the Local Plan Submission Document with amendments (December 2017).

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
MM001	1	1.3	The Local Development Framework will comprise documents known as Development Plan Documents (DPD's) <u>(which includes neighbourhood plans)</u> and Supplementary Planning Documents (SPD's) (see Chart 1).	To provide clarity with regards to the status of neighbourhood plans	Yes
MM002	2	Chart 1	<u>Amend chart – move neighbourhood plans to DPD list</u>	To provide clarity with regards to the status of neighbourhood plans	Yes
MM003	2	1.6	The Local Plan is the key Development Plan Document within the Local Development Framework. <u>The Local Plan sets setting</u> out the spatial vision <u>and</u> strategic objectives and strategic policies for the Borough for the next 15 years. <u>The plan contains a suite of policies to assist in delivering the spatial vision and objectives, all of the policies contained within the plan are considered to be strategic policies.</u> It has been produced following earlier consultation on the Issues and Options Discussion Paper in 2014. Chart 2 illustrates the delivery stages of the Local Plan through to adoption and is based on the timetable in the Local Development Scheme November 2016.	To provide clarity with regard to the status of the plan policies, this is of particular importance as a neighbourhood plan has to be in general conformity with the strategic policies in a local plan.	Yes
MM004	2 & 3	New paragraph 1.7	<u>Several Neighbourhood Development Plans are currently being progressed for different neighbourhood planning areas within the borough (the Rural Neighbourhood Plan, the Headland Neighbourhood Plan and the Wynyard Neighbourhood Plan). Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. All of the policies in the Local Plan are strategic policies. A neighbourhood plan attains the same legal status as the Local Plan once it has been made. At this point it comes into force as part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.</u> <i>Paragraphs 1.7 – 1.13 will require renumbering to 1.8 – 1.14.</i>	To provide clarity on the role of Neighbourhood Plans.	Yes
MM005	20	Para 6.12	<i>Amend paragraph as follows</i>	Deletion of wording to ensure soundness following recommendation from the Planning	Yes

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			The western extension of housing development beyond the existing limits can be developed in a sustainable form, however it is imperative to maintain the strategic gaps between the town and the surrounding villages, particularly in the vicinity of Hart and Greatham villages where the urban edge is in close proximity to the villages – further built development within these gaps could, over time, lead to the villages joining with the urban area and losing their identities. The strategic gap has been included to ensure the villages maintain their identities. While the immediate concern is the coalescence of Hart and Greatham villages with the urban area if not carefully managed, as the town expands at the South West Extension and High Tunstall, these developments will move the urban area towards the villages of Elwick and Dalton Piercy – as such the emerging Rural Neighbourhood plan have included a strategic gap along the western extent of the urban area. This Publication version of the Local Plan has sought to broadly reflect the Rural Plans proposal.	Inspector.	
MM006	23	Para 6.26	The Borough Council will look to protect, manage and actively enhance the biodiversity, geodiversity, landscape character and green Infrastructure assets of the Borough. <u>Recreational disturbance can result from new retail, leisure and tourism opportunities as well as from housing. Mitigation, for the recreational disturbance of European site birds, needs to be effective and should be chosen from a range of diverse and flexible measures. These include, but are not limited to, Sustainable Alternative Natural Green Space (SANGS), a financial contribution to the management of coastal issues and information packs. In delivering development, applicants should be required to demonstrate how this type of mitigation will be detailed and how costs have been identified for delivery. Mitigation will be delivered through the Mitigation Strategy and Delivery Plan.</u>	Primarily to address comments from Natural England which link to HGS1, however has been included in LS1 as the Council feel it sits more appropriately at this early point in the plan, in a policy which covers the whole of the borough. It is also in response to comments from RSPB regarding seeking of mitigation via the HRA process at detailed development control application stage. As part of the ongoing work to support the plan the Council has produced a framework where financial contributions can be directed which has been updated following the hearing sessions and agreed with Natural England.	Yes
MM007	24	KEY DRAGRAM	<i>Insert Key Diagram setting out broad areas of growth within the borough before Policy LS1.</i> <i>Appendix A in this document.</i>	To provide clarity to the reader.	Yes
MM008	25	Policy LS1	<i>Paragraph 3 of the Policy to be replaced with</i> <u>Protection will be given to the rural character of the Borough avoiding coalescence</u>	Wording for soundness following recommendation from the Planning Inspector.	Yes

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			<p><u>between the urban areas of Hartlepool and surrounding villages. To maintain the separate character of directly neighbouring rural settlements, the generally open and undeveloped nature of the following strategic gaps, as shown on the Policies Map, will be expressly protected:</u></p> <ol style="list-style-type: none"> 1) <u>Hartlepool and Hart</u> 2) <u>Hartlepool and Greatham</u> 3) <u>Billingham and Newton Bewley</u> <p><u>Development within these strategic gaps will only be permitted where:</u></p> <ol style="list-style-type: none"> (a) <u>It would not diminish the physical and/or visual separation; and</u> (b) <u>It would not compromise the integrity of the gap either individually or cumulatively with other existing or proposed development; and</u> (c) <u>The landscape setting of the settlements would not be harmed.</u> 		
MM009	25	Policy LS1	<p><u>Between 2016 and 2031 provision will be made through granting planning permission and the allocation of land in this Plan for at least 6,200 new dwellings, 4,350 net additional jobs and 1950m² retail / community floorspace.</u></p> <p>....New housing development</p>	Additional paragraph to be included in Policy LS1 to ensure the growth strategy for the town is clear.	Yes
MM010	33	Policy CC1	<p>Bullet point 2. Footnote to be inserted after Major development.</p> <p><u>* Major development is defined within the glossary in Appendix 1</u></p>	To provide clarity to the policy.	Yes
MM011	33	Policy CC1	6) Encouraging the re-use, adaptation and repair of existing buildings and vacant floors wherever possible <u>along with supporting energy efficiency improvements on existing buildings wherever possible.</u>	To better align policy with the NPPF and to reaffirm the council's commitment to supporting energy efficiency measures.	Yes
MM012	33	Policy CC1	9) Requiring that major development ¹ (either new build or conversion) must secure where viable and where the building/s allow, feasible and viable a minimum of 10% of their energy supply from decentralised and renewable or low carbon sources.	To prevent confusion regarding the word feasible, the requirement should be both feasible and viable and the two words have different meanings.	Yes
MM013	34	Policy CC1	<ul style="list-style-type: none"> • Where it can be demonstrated that it is not feasible (<u>insert footnote</u>) to provide such energy generation measures on site then the provision of the equivalent energy saving must be made by improving the building fabric or a combination of energy provision and energy saving measures that equates to the 	To provide clarity regarding what, in this instance, is meant by feasibility and viability.	Yes

¹ Major development is defined within the glossary in Appendix 1.

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			<p>equivalent of 10%.</p> <p>Footnote – feasibility, in this instance, relates to the ability to physically provide the renewable energy infrastructure. The matter of viability (which in planning terms relates to cost) is considered in the final paragraph of policy CC1.</p>		
MM014	36 & 37	New paragraphs	<p><u>7.25 Developments that will require flood risk assessments include the following:</u></p> <ul style="list-style-type: none"> • <u>in flood zone 2 or 3 including minor development and change of use</u> • <u>more than 1 hectare (ha) in flood zone 1</u> • <u>less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class, where they could be affected by sources of flooding other than rivers and the sea (for example surface water drains, reservoirs)</u> • <u>in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency</u> <p><u>7.26 The written flood risk assessment can be in any format but must include the relevant plans, surveys and assessments as well as a flooding history for the specific site. The applicant shall check with the local planning authority for any site specific requirements, e.g. for producing detailed hydraulic models.</u></p>	To address the Inspector’s comment ‘Additional supporting text after paragraph 7.25 to set out when a site specific flood risk assessment is likely to be required and the process for guiding its scope and approval’.	Yes
MM015	37	CC2	<p>1) Avoiding inappropriate development in areas at risk of flooding and directing the development away from areas at highest risk, applying the Sequential Test and if necessary the Exceptions Test, in accordance with national policy and the Hartlepool Strategic Flood Risk Assessment. Site Specific Flood Risk Assessments will be required in accordance with national policy;</p> <p>2) <u>Site Specific Flood Risk Assessments will be required in accordance with national policy</u></p>	To address the Inspector’s comment ‘Policy CC2 – the first criterion should be split so that as new second criterion is formed which is clearer on requiring site specific flood risk assessments’.	Yes
MM016	43	Policy CC4	Inclusion of following footnote after ‘including appropriate topple distances’.	Inclusion of footnote to give further clarity on the requirement in relation to topple	Yes

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			<p><u>An appropriate topple distance is the tip height + 10%. In the case of overhead lines it is whichever is the greater of the tip height + 10% or the electrical safety distance applicable to the voltage of the overhead line (source: Energy recommendation L44: Issue 1 2012: Separation between wind turbines and overhead lines: Principles of good practice – Energy Networks Association).</u></p>	distances.	
MM017	47	Para 8.6	<p><i>Insert following new paragraph as 8.6:</i></p> <p><u>The Tees Valley Combined Authority’s transport vision for the Tees Valley is ‘to provide a high quality, quick, affordable, reliable and safe transport network for people and freight to move within, to and from the Tees Valley’.</u></p> <p><u>The Combined Authority is currently developing a Strategic Transport Plan, due for publication in summer 2017. To facilitate the public consultation, ‘Connecting the Tees Valley’ has been developed, which sets out the sub-region’s transport priorities up to 2026 and explain how the Tees Valley Combined Authority wants to improve the Tees Valley’s local transport system. This document sets out the framework for the Strategic Transport Plan and invites stakeholders, interest groups and the public to help shape the final Strategic Transport Plan. In producing the Strategic Transport Plan, the Combined Authority aims to:</u></p> <ul style="list-style-type: none"> • <u>Improve local railways by having more, faster and better trains and stations, so that journeys by rail are quicker and more comfortable;</u> • <u>Maintain and improve roads so that they are safe and less congested;</u> • <u>Provide better bus services that are punctual and reliable, with improved passenger information and facilities, which provide access to where people want to go, when they want to go;</u> • <u>Provide safe walking and cycling routes to make it easier to travel on foot and by bike; and</u> • <u>Make it easier and safer to transport freight by road, rail, sea and air.</u> <p><i>Insert following footnote at page 47:</i></p> <p><u>Connecting the Tees Valley, Tees Valley Combined Authority, November 2016</u></p> <p><i>Insert the following reference in Appendix 3: List of Regional Plans, Policies, Guidance and Strategies:</i></p>	To update reference to Tees Valley Combined Authority work with respect to strategic transport and infrastructure.	Yes

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			Connecting the Tees Valley – Tees Valley Combined Authority – 2016		
MM018	49	Para 8.12	Highways England (HE) has undertaken a modelling exercise to assess the implications of the development proposals in the Local Plan on the strategic road network (SRN) and its junctions, namely the A19(T) and its various access points. With regard to the likely impact of the key housing allocation in the Local Plan on the strategic network - High Tunstall - the conclusion of the HE modelling was that the development would create “greater than 30 twoway trips – further assessment of potential impacts required”. The impact of the High Tunstall development will be mitigated by the provision of an improved link to the A19(T) at Elwick, including a bypass to the north of Elwick village and a grade separated junction on the A19(T) itself at the northern Elwick access (see policy INF1 ‘Sustainable Transport Network’ and the Local Infrastructure Plan). In relation to housing development at Wynyard, the A689 committed scheme complements the Highways England Pinch Point Programme scheme at the A689/A19 junction, allowing a number of residential schemes at Wynyard to be implemented without further highway capacity improvements. However, further capacity improvements will be required to enable further development at Wynyard to be acceptable in highway terms and deliverable over the local plan period.	In response to comments from Wynyard Park	Yes
MM019	53	Policy INF2	<i>Recommended to insert following text after ‘All schemes identified in the Local infrastructure Plan will be delivered to conform to policy LS1’:</i> Development proposals which would require the upgrading of the Church Street level crossing in order to achieve pedestrian and/or vehicular access will be expected to contribute accordingly.	In view of Network Rail comments to ensure consideration is given to the upgrade of the Church Street level crossing.	Yes
MM020	54	Para 8.23	Based on current pupil projections the Local Education Authority is confident that the number of existing secondary school sites can cater for the expected growth from new housing development over the plan period. However some developments may be required to contribute towards school enhancements or extra provision (such as additional classrooms) at these sites on the basis of the cumulative impact that the development may have on schools in that locality.	In response to comments from the Education Funding Agency to clarify how the level of need may be met.	Yes

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MM021	54 & 55	Para 8.24	With regard to primary school provision there are concerns over the capacity of existing provision, particularly in the north west of the town. A new, oneform entry primary school will therefore be required as a result of the proposed housing development at High Tunstall. Elsewhere, a one-form-entry new primary school is <u>also</u> to be provided as part of the approved South West Extension development on an site that has sufficient land for it to be expanded into a two-form-entry primary school in the future. At Wynyard, a temporary primary schools is currently sited within Hartlepool however a one-form-entry new two-form entry primary school is to be constructed <u>to the south of the A689</u> , within Stockton-on-Tees. <u>As Wynyard develops out, there will also be a need for an additional new primary school to the north of the A689, within Hartlepool. The scale of new primary school provision, whether these are to be one-form or two-form entry, will be determined based on need and whether these are delivered by the Council or the Education Funding Agency (EFA).</u> In other areas of the town, where housing developments are assessed to have an impact on a local school, whether primary or secondary, in line with the Planning Obligations Supplementary Planning Document, contributions may be required to increase the capacity of existing schools.	In response to comments from the Education Funding agency, to remove direct reference to the size of specific future primary school provision as this is yet to be agreed. Correction of typographical errors.	Yes
MM022	57	Policy INF3	<i>Update policy to read:</i> Proposals for other uses on the site will only be permitted provided that they: 1) do not compromise the ability to meet current and anticipated health and related uses on the site, and 2) do not have a significant adverse effect on the amenity of occupiers of adjacent or nearby properties <u>More vulnerable development will not be allowed within flood zone 2 or flood zone 3.</u>	To address the Inspector’s comment ‘Policy INF3 – to reflect SFRA sequential test recommendation.’	Yes
MM023	57	Policy INF4	<i>Update policy to read:</i> 1) Protect, maintain and improve existing facilities where appropriate and practicable; <u>and</u> 2) Require and support the provision of new facilities to serve developments and to remedy any existing deficiencies.	Clarity on the intent of the policy.	Yes

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MM024a	63	9.6	<p>Additional text added to paragraph 9.6:</p> <p><u>In preparation of this Local Plan, further work on development viability was undertaken through the development of the Deliverability Risk Assessment (DRA) document. This document assessed the economic viability of the development types which have been identified within this Local Plan. The DRA considered the constraints and costs of delivering in the current economic climate and then considered the cost implications of planning obligations on development viability. The evidence assumed a ‘worst case scenario’ to cost assumptions, based on local development indicators, standard development cost assumptions and through taking professional advice from local Agents and Borough Council officers.</u></p>	To address modification identified in Inspectors Post Hearing Advice	Yes
MM024	64	Policy QP1	<p>The Borough Council will seek planning obligations where viable and deemed to be required to address the impacts arising from a development. Planning obligation requirements are set out in the Planning Obligations Supplementary Planning Document. Planning obligations may be required for the following:</p> <ul style="list-style-type: none"> • Affordable Housing; • Children’s Play / Play Facilities; • Playing pitches & Outdoor Sports / Exercise Provision; • Built Sport Facilities; • Highway and Rail Infrastructure and Sustainable Transport Measures; • Education Provision; • Community Facilities; • Green Infrastructure; • Training and Employment; • Heritage (protection / preservation / interpretation); • Maintenance; • Housing Market Renewal; • Flood Protection; • Renewable Energy & Energy Efficiency Measures; • Ecological Mitigation & Networks; • <u>Suitable Alternative Natural Green Space and/or Mitigation for recreational disturbance on the Teesmouth and Cleveland Coast SPA – Mitigation guided by the Council’s Endorsed Mitigation Strategy and</u> 	Agreed policy wording update on policy following Matter 15 hearing session. Also to update to refer to the Endorsed Mitigation Strategy and Delivery Plan as required by the Inspectors Post Hearing Advice	Yes

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			<p><u>Delivery Plan which sets out the funding formula for mitigation</u></p> <ul style="list-style-type: none"> • Suitable Alternative Natural Green Space and • Mitigation for recreational disturbance on the Teesmouth and Cleveland Coast SPA/ Ramsar. <p><u>The detail on the planning obligation requirements is set out in the Planning Obligations Supplementary Planning Document.</u></p> <p>This list is not exhaustive and other mitigation / contributions may be required to make the development acceptable in planning terms. In addition priorities set out in any made Neighbourhood Plan will be taken into account.</p> <p>In certain circumstances, if it is illustrated that the development is providing a significant regeneration benefit, such as the clearance of a problem building or renovation of a heritage asset, there may be an opportunity to reduce the developer contributions associated with that development, e.g. through the Vacant Building Credit.</p> <p>The sub-division of sites to avoid planning obligations is not acceptable. Where it is considered sub-division has taken place to avoid reaching thresholds within the Planning Obligations SPD the <u>wider contiguous</u> development will be viewed as a whole.</p> <p>Any contributions will be secured by relevant parties entering into a legal agreement with the Borough Council or through unilateral undertakings.</p>		
MM025	69	Policy QP3	<p><i>Recommended inserting the following text after point 6:</i></p> <p><u>7) Recognise the wider benefits that safety improvements at level crossings can bring about.</u></p>	In line with comments from Network Rail.	Yes
MM026	69	Policy QP3	<p>To maintain traffic flows and safety on the primary road network no additional access points or intensification of use of existing access points, other than new accesses associated with development allocated within this Local Plan, will be permitted on the following roads – A19(T), A689, A179. And A178 (south of Seaton Carew to Brenda Road/Tees Road roundabout) unless these have the approval of Highways England and/or the highways authority. This should be in conjunction</p>	To provide visual clarity with regards to where the roads mentioned in the policy are located.	Yes

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			with the proportionate provision of sustainable travel modes. <u>All roads to which this policy relates are shown on the policies map.</u>		
MM027	76	Policy QP6	<p>... Where appropriate all proposals must ensure that the following matters are investigated and satisfactorily addressed:</p> <ol style="list-style-type: none"> 1) The status of any agricultural land and its importance to the Borough; 2) Development should take account of previously contaminated land including from historic landfill sites; 3) Any matters regarding flood risk, both on and off site, throughout the design life of the site; 4) The presence of any landscape features and in particular protected trees; 5) The presence of any heritage assets, <u>including any impact upon their significance</u> and the setting; 6) The location of any high voltage overhead cables and gas, oil, water and other high pressure pipelines; 7) The operation of air traffic and radar systems; 8) The effects on, or impact of, general disturbance including noise, vibration and dust, fumes, smell, and air <u>and water</u> quality. 9) The water supply system is adequate, surface and foul main drainage is dealt with in a sustainable manner; 10) The effects on wildlife and habitat; and 11) The requirement to satisfy the relevant planning requirements of statutory consultees. 	In line with Historic England and Environment Agency comments.	Yes
MM028	79	Policy QP7	If by virtue of the nature of the development it is not possible to satisfy the above criteria then <u>the Borough Council would encourage</u> an attempt must to be made to improve the fabric of the building 10% above what is required by the most up to date Building Regulations (Not the Building Regulations applicable at the time of submitting the initial building notice).	In view of comments from the Home Builders Federation, Gladman Developments and Persimmon Homes, it is agreed this aspect of the policy should not be a requirement.	Yes
MM029	83	Para 10.4	10.4 The SHMA has been used to help establish the need for new housing to be provided in the Borough over the next 15 years which is confirmed in the document "Planning Policy Framework Justification November 2015." This document has been produced by Hartlepool Borough Council to help illustrate the position in relation to a five year	To address the Inspector's comment that the 20% uplift in the housing requirement be presented as an uplift primarily addressing affordable housing delivery.	Yes

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			<p>supply of housing in line with paragraph 47 of the NPPF and prior to the adoption of the new Local Plan. The SHMA Addendum states that an appropriate housing target would be approximately 290 net additional dwellings per annum going forward over the next 15 years. Taking the SHMA housing target as a starting point, it is also important to consider:</p> <ul style="list-style-type: none"> • Demolitions likely to take place over the plan period (this has been assessed by HBC Housing Services Team) and reflects the ongoing aspiration to continue successful housing market renewal initiatives within the central area. • A 20% buffer to allow for flexibility if sites stall and to help address the affordable housing shortfall • Affordable Housing Delivery: <u>There will be an imbalance between the number of affordable homes delivered in the Borough and the need for affordable homes identified in the SHMA. To reduce this imbalance a 20% buffer has been included in the housing requirement. The buffer will deliver both affordable and market housing but its primary purpose is to increase affordable housing delivery.</u> 														
MM030	83	Table 6: Housing Target Breakdown	<table border="1"> <thead> <tr> <th data-bbox="607 983 1016 1121">Housing Target Breakdown</th> <th data-bbox="1016 983 1207 1121">Annual Dwellings</th> <th data-bbox="1207 983 1435 1121">Total Dwellings Over 15 Years</th> </tr> </thead> <tbody> <tr> <td data-bbox="607 1121 1016 1222">SHMA Housing Requirement using Target Breakdown</td> <td data-bbox="1016 1121 1207 1222">240</td> <td data-bbox="1207 1121 1435 1222">3600</td> </tr> <tr> <td data-bbox="607 1222 1016 1324">Historical Backlog from 2006 Local Plan</td> <td data-bbox="1016 1222 1207 1324">47</td> <td data-bbox="1207 1222 1435 1324">705</td> </tr> <tr> <td data-bbox="607 1324 1016 1394">OAN Total Requirement</td> <td data-bbox="1016 1324 1207 1394">287</td> <td data-bbox="1207 1324 1435 1394">4305</td> </tr> </tbody> </table>	Housing Target Breakdown	Annual Dwellings	Total Dwellings Over 15 Years	SHMA Housing Requirement using Target Breakdown	240	3600	Historical Backlog from 2006 Local Plan	47	705	OAN Total Requirement	287	4305	To address the Inspector’s comment that the 20% uplift in the housing requirement be presented as an uplift primarily addressing affordable housing delivery and to ‘round up’ the housing target	Yes
Housing Target Breakdown	Annual Dwellings	Total Dwellings Over 15 Years															
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			Replacement of Demolitions (assuming 50% on site windfall replacement)	65	975			
			20% Affordable Housing Delivery Buffer and Affordable Housing Allowance	57	860			
			Proposed Annual Housing Target	409-410	6135-6150			
MM031	83	Para 10.5	The most recent Housing housing permissions and planning applications that benefit from a resolution to approve subject to the signing of a s.106 agreement considered deliverable within the plan period total 3,678 2,225 (includes North Pentagon allocation which now has planning permission) . Therefore this Local Plan allocates sites for an additional 2406-3,585 new homes over the plan period to ensure the need is met. It must be noted that this need is not considered a ceiling, purely a figure to meet need.				To address the Inspector’s comment ‘The introduction to chapter 10 on Housing will need updating and in particular Tables 7 and 8 and the trajectory at Graph 1’ and also to ‘round-off’ percentage numbers.	Yes
MM032	84-85	Paragraph 10.6	As the Council has not achieved the advocated housing target (at the time) consistently over the last 10 years, in accordance with NPPF paragraph 47 the Borough Council accepts that there has been a record of persistent under delivery of housing. As a result there is a requirement to increase housing provision over the first five years by an additional 20% (moved forward from later in the plan period). This essentially means that the Borough Council needs to demonstrate a six year supply instead of a five year supply over the same period. Table 2 illustrates the housing delivery scenario over the next 15 years bearing in mind the 20% frontloaded buffer allowance. Table Seven provides a trajectory which demonstrates that there is more certainty over housing delivery in the first five years of the plan period given knowledge of ongoing developments. The table illustrates that even with the frontloading of sites from later in the period the Borough Council can deliver the necessary housing need. The table shows that the average annual housing requirement of 410 dwellings has been staggered over the plan period. This is because several of the housing allocations are strategic sites for				Introductory text to chapter updated to reflect Inspector’s comments.	Yes

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			<u>which there will be a significant lead-in period before they start to deliver completed dwellings. The table shows that the Borough Council can demonstrate a five year supply of deliverable housing sites for the 1st five years of the plan period. It also shows that there is a shortfall of circa 150 dwellings at the end of the plan period. However, the Borough Council is confident that this is a nominal shortfall and that over the course of the plan period it will be addressed. Appendix 14 provides additional text clarifying how the housing land supply has been calculated.</u>																		
MM033	84	Para 10.8	The provision requires a minimum total of 6,135 6,150 new dwellings to be built over the plan period, equating to an average of 409 410 dwellings per year and factors in demolitions and previous undersupply.	To 'round-up' the housing target.	Yes																
MM034	85	Para 10.14	<i>Update following to include:</i> 10.14 The above mix of sites and existing permissions is reflected in the trajectory in table 7 below. <u>The methodology for Table 7 is set out in Appendix 14.</u> Methodology included as Appendix 14, set out in this document as Appendix E.	Inclusion to reflect Planning Inspectors actions.	Yes																
MM035	86 & 87	Table 7	<i>Updated Table 7 inserted.</i>	Updated Table 7 inserted to reflect Inspector's comments.	Yes																
MM036	88	Table 8	<table border="1"> <thead> <tr> <th>Housing Site Source</th> <th>Approximate Additional Dwelling Capacity</th> <th>Land Type</th> <th>% Provision of dwelling requirement of 6,150 dwellings</th> </tr> </thead> <tbody> <tr> <td>Existing Urban Area</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Extant Planning Permissions <u>and site subject to s.106</u></td> <td><u>1283-1670</u></td> <td>Mixed</td> <td><u>20.7</u> 27%</td> </tr> <tr> <td><u>Windfalls</u></td> <td><u>179</u></td> <td><u>Mixed</u></td> <td><u>3%</u></td> </tr> </tbody> </table>	Housing Site Source	Approximate Additional Dwelling Capacity	Land Type	% Provision of dwelling requirement of 6,150 dwellings	Existing Urban Area				Extant Planning Permissions <u>and site subject to s.106</u>	<u>1283-1670</u>	Mixed	<u>20.7</u> 27%	<u>Windfalls</u>	<u>179</u>	<u>Mixed</u>	<u>3%</u>	To address the Inspector's comment 'The introduction to chapter 10 on Housing will need updating and in particular Tables 7 and 8 and the trajectory at Graph 1' and also to 'round-off' percentage numbers.	Yes
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			Urban Local Plan Sites	169 188	Mixed	2.7 3%		
			Existing Urban Area Sub Total	1452 2037		23.4 33%		
			Urban Edge Extensions					
			Extant Planning Permissions <u>and site subject to s.106</u>	2040 282	Greenfield	32.9 4.5%		
			<u>South West Extension</u>	1260	<u>Greenfield</u>	20.5		
			High Tunstall Extension	1200	Greenfield	19.4 19.5%		
			Quarry Farm 2	220	Greenfield	3.5%		
			Urban Edge Extensions Sub Total	3460 2962	<u>Greenfield</u>	55.8 48%		
			Wynyard					
			Extant Permissions	402 215	Greenfield	6.5 3.5%		
			<u>Wynyard Park North</u>	400	<u>Greenfield</u>	6.5		
			<u>Wynyard Park South</u>	232	<u>Greenfield</u>	3.5		
			Wynyard Extension Sub Total	1134 847		18.3 13.5%		
			Villages					
			Extant Permissions	68 58	Mixed	1.1 1%		
			Elwick Sites	35	Greenfield	0.6 0.5%		
			Hart Sites	50	Greenfield	0.8 1%		
			Villages Sub Total	153 143		2.5		

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document				
			<table border="1" data-bbox="577 201 1444 264"> <tr> <td data-bbox="577 201 969 264">Total Dwelling Delivery</td> <td data-bbox="969 201 1160 264">6,199 5,989</td> <td data-bbox="1160 201 1294 264"></td> <td data-bbox="1294 201 1444 264">100 97%¹</td> </tr> </table> <p data-bbox="560 331 1467 480">¹There is a shortfall of circa 150 dwellings over the plan period. However, the Council has been very cautious in its approach to windfalls and only included an allowance based on intelligence about specific sites. Given past trends in respect of windfall developments, this shortfall is a nominal one.</p>	Total Dwelling Delivery	6,199 5,989		100 97% ¹		
Total Dwelling Delivery	6,199 5,989		100 97% ¹						
MM037	89 & 90	New Paragraph 10.20 – 10.23	<p data-bbox="560 515 1225 544"><i>New Section Title and following new paragraphs to be added.</i></p> <p data-bbox="560 580 1088 609"><i><u>The five year supply of deliverable housing sites</u></i></p> <p data-bbox="560 646 1435 738"><u>10.20</u> Table 7 shows how the Council has projected housing delivery over the plan period. The following different sources of housing supply are listed within Table 7:</p> <ul data-bbox="678 746 1444 943" style="list-style-type: none"> • <u>Planning permissions</u> • <u>Sites which the Council has resolved to grant planning permission for subject to the signing of a Section 106 Agreement.</u> • <u>Urban Local Plan Sites</u> • <u>Rural Local Plan Sites</u> • <u>Windfalls</u> <p data-bbox="560 979 1449 1337"><u>10.21</u> Table 7 also shows how the five year supply of deliverable housing sites has been calculated for each of the five year periods covered by the plan and the current five year plan period (2017 to 2022). When the objectively assessment of housing need (OAN) was undertaken a ‘strategic’ backlog of housing under-delivery of 705 dwellings (net figure) was identified. Since the plan period began further under-delivery of 307 dwellings (net figure) has occurred. The strategic housing backlog was included in the OAN and spread across the plan period (the ‘Liverpool’ method) and therefore forms part of the baseline housing requirement for the plan period. The additional backlog has been added to the baseline housing requirement and also spread across the plan period.</p> <p data-bbox="560 1374 1420 1402"><u>10.22</u> Paragraph 47 of the NPPF states that local planning authorities should</p>	To provide further clarity on the five year supply of deliverable housing sites.	Yes				

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
			<p><u>add a buffer of 5% or 20% to the five year housing supply requirement depending on whether or not there has been persistent under-delivery. The Council accepts that there has been a record of persistent under-delivery (this will be kept under review through the annual monitoring process) and has therefore added a buffer of 20% to the requirement for the five year period 2017 to 2022. Also in accordance with NPPF paragraph 47 this has been moved forward from later in the plan period, rather than increasing the requirement over the whole of the plan period.</u></p> <p><u>10.23 In the interest of clarity, the NPPF paragraph 47 buffer is completely separate from the 20% 'affordable housing delivery buffer' identified in Table 6. The affordable housing delivery buffer forms part of the baseline housing requirement. The NPPF paragraph 47 buffer has been frontloaded to the housing requirement at the front of the plan period by the reducing the housing requirement at the back of the plan period. So it has not altered the baseline housing requirement.</u></p> <p><u>10.24 Table 7 shows that the NPPF paragraph 47 buffer has been added to the whole of the housing requirement for the period 2017 to 2022 (including that part of the requirement comprising backlog for previous under-delivery. Therefore the NPPF paragraph 47 buffer has demonstrably been added to the backlog as well as the baseline housing requirement. The Council will continue to operate this approach for the annual updates of the five year supply of deliverable housing sites.</u></p> <p><i>The subsequent paragraphs in the Housing Chapter will be renumbered accordingly.</i></p>		
MM038	91 & 92	Graph 1	<i>Update of Graph 1: Graph 1: Delivery Trajectory of Housing Sites over the Next 15 Years. Detailed as Appendix F in this document.</i>	Update to reflect update to trajectory.	Yes
MM039	93	Policy HSG 1	The Borough Council will seek to ensure that new housing provision in the borough is delivered through housing sites that have already been permitted, newly	To ensure clarity that figures are net totals.	Yes

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document																																
			<p>identified sites both within the urban areas and on the edge of the urban area, villages in the rural area and sites elsewhere in the borough to, as a minimum, meet the <u>net</u> housing need <u>requirement identified below</u>. All sites are suitable, available and deliverable and are illustrated below:</p> <table border="1" data-bbox="593 331 1429 646"> <thead> <tr> <th data-bbox="593 331 1205 459">Existing Urban Area</th> <th data-bbox="1211 331 1429 459">Approximate Dwelling Provision</th> </tr> </thead> <tbody> <tr> <td data-bbox="593 464 1205 528">Extant Residential Planning Permissions <u>and sites subject to s.106</u></td> <td data-bbox="1211 464 1429 528"><u>1,283 1,670</u></td> </tr> <tr> <td data-bbox="593 533 1205 564"><u>Windfalls</u></td> <td data-bbox="1211 533 1429 564"><u>179</u></td> </tr> <tr> <td data-bbox="593 569 1205 601">Urban Local Plan Sites</td> <td data-bbox="1211 569 1429 601"><u>169-188</u></td> </tr> <tr> <td data-bbox="593 606 1205 638">Total Urban Area Provision</td> <td data-bbox="1211 606 1429 638"><u>1,452 2,037</u></td> </tr> </tbody> </table> <table border="1" data-bbox="593 678 1429 1152"> <thead> <tr> <th data-bbox="593 678 1205 774">Urban Edge and Village Sites</th> <th data-bbox="1211 678 1429 774">Approximate Dwelling Provision</th> </tr> </thead> <tbody> <tr> <td data-bbox="593 778 1205 842">Extant Planning Permissions <u>and sites subject to s.106</u></td> <td data-bbox="1211 778 1429 842"><u>2,510 555</u></td> </tr> <tr> <td data-bbox="593 847 1205 879"><u>South West Extension</u></td> <td data-bbox="1211 847 1429 879"><u>1,260</u></td> </tr> <tr> <td data-bbox="593 884 1205 916">High Tunstall</td> <td data-bbox="1211 884 1429 916">1,200</td> </tr> <tr> <td data-bbox="593 920 1205 952">Wynyard Park <u>North</u></td> <td data-bbox="1211 920 1429 952"><u>732 400</u></td> </tr> <tr> <td data-bbox="593 957 1205 989"><u>Wynyard Park South</u></td> <td data-bbox="1211 957 1429 989"><u>232</u></td> </tr> <tr> <td data-bbox="593 994 1205 1026">Quarry Farm</td> <td data-bbox="1211 994 1429 1026">220</td> </tr> <tr> <td data-bbox="593 1031 1205 1062">Elwick Village</td> <td data-bbox="1211 1031 1429 1062">35</td> </tr> <tr> <td data-bbox="593 1067 1205 1099">Hart Village</td> <td data-bbox="1211 1067 1429 1099">50</td> </tr> <tr> <td data-bbox="593 1104 1205 1136">Total Rural Provision</td> <td data-bbox="1211 1104 1429 1136"><u>4,747 3,952</u></td> </tr> </tbody> </table> <table border="1" data-bbox="952 1157 1429 1209"> <tbody> <tr> <td data-bbox="952 1157 1205 1209">Overall <u>Net Housing Requirement</u> Total</td> <td data-bbox="1211 1157 1429 1209"><u>6,199 6150</u></td> </tr> </tbody> </table>	Existing Urban Area	Approximate Dwelling Provision	Extant Residential Planning Permissions <u>and sites subject to s.106</u>	<u>1,283 1,670</u>	<u>Windfalls</u>	<u>179</u>	Urban Local Plan Sites	<u>169-188</u>	Total Urban Area Provision	<u>1,452 2,037</u>	Urban Edge and Village Sites	Approximate Dwelling Provision	Extant Planning Permissions <u>and sites subject to s.106</u>	<u>2,510 555</u>	<u>South West Extension</u>	<u>1,260</u>	High Tunstall	1,200	Wynyard Park <u>North</u>	<u>732 400</u>	<u>Wynyard Park South</u>	<u>232</u>	Quarry Farm	220	Elwick Village	35	Hart Village	50	Total Rural Provision	<u>4,747 3,952</u>	Overall <u>Net Housing Requirement</u> Total	<u>6,199 6150</u>		
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MM040	93 & 94	New Policy HSG1a	<p><i>To be inserted after MM/CHP10/13</i></p> <p><u>HSG1a: Ensuring a Sufficient Supply of Housing Land</u></p> <p><u>A sufficient supply of housing land will be maintained over the plan period in order to ensure the delivery of the overall housing requirement as outlined in Policy</u></p>	Requirement of new policy agreed at hearing session.	Yes																																

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			<p><u>HSG1. The rate of housing delivery and supply will be assessed through the annual monitoring process, with performance being measured against the housing trajectory (Table 7). If monitoring demonstrates that the number of completed dwellings falls below the cumulative target over the appropriate 12-month monitoring period (1 April to 31 March), the Council will prioritise the delivery of housing in the subsequent monitoring periods. This will be ensured through appropriate mechanisms which, depending on the scale and nature of potential under-delivery, will include:</u></p> <ol style="list-style-type: none"> <u>1) Preparation of an interim position statement and drawing on evidence from the Housing and Economic Land Availability Assessment (HELAA), which will be undertaken and updated as required, to identify additional housing land;</u> <u>2) Preparation of development briefs and use of the Council’s powers to support delivery, such as Compulsory Purchase Orders and, where appropriate, working in partnership with landowners and developers to support delivery. and/or</u> <u>3) A partial review of the Local Plan, including options for safeguarded land including allocated employment land will be undertaken if exceptional circumstances prevail.</u> <p><u>The Plan contains a range of proposals relating to housing, including the South West Extension, Quarry Farm and High Tunstall sites that are crucial to the delivery of the overall locational strategy and the Wynyard Park sites that are crucial to the shared ambition of Hartlepool and Stockton on Tees Borough Councils to see the Wynyard settlement developed as a sustainable community. The Council will work with developers and other stakeholders to ensure the timely development of these strategic proposals, including the associated key infrastructure requirements. Any material delay in the implementation of infrastructure necessary to sustain housing delivery, which would lead to under-delivery of supply, will inform whether the range of measures set out above are triggered. This process will ensure that plan-led corrective measures are put in place at the appropriate time.</u></p>		
MM041	94	10.25	<p><i>Additional supporting wording to support new policy HSG1a.</i></p> <p><u>10.25 The Government has consulted on a proposed housing delivery test and the</u></p>	Requirement of new policy agreed at hearing session.	Yes

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
			<p><u>Council will ensure that the operation of Policy HSG1a is consistent with whatever final form this takes.</u></p> <p><i>The subsequent paragraphs in the Housing Chapter will be renumbered accordingly.</i></p>		
MM042	97	10.35	<p><i>Additional paragraph under Urban Local Plan Sites / Allocations.</i></p> <p><u>The development of Briarfields has the potential, along with the High Tunstall and Quarry Farm housing developments, to add to the high number of cars passing through Elwick Village. In order to mitigate this traffic impact improvements are proposed to the highway network.</u></p>	To address the Inspector’s comments regarding the need to ensure consistency regarding contributions for the cost of the Elwick Bypass and junction.	Yes
MM043	98	Policy HSG3	<p><i>New criterion at end of policy:</i></p> <p><u>The development of Briarfields will be expected to contribute, on a pro-rata basis with High Tunstall (HSG5), Quarry Farm 2 (HSG5a) and (HSG7) Elwick Village, to the provision of the grade separated junction and bypass to the north of Elwick Village.</u></p>	To address the Inspector’s comments regarding the need to ensure consistency regarding contributions for the cost of the Elwick Bypass and junction.	Yes
MM044	100 & 101	Diagram 1 (now diagram 2)	<p><i>(see Appendix B below)</i></p> <p><i>Agree to amend Diagram to show school land under Policy INF4 (Community Facilities).</i></p> <p><i>Also agree to amend the key on Diagram 2 to read:</i> <u>Indicative route of land</u> safeguarded land for <u>the</u> future road.</p> <p><i>In addition the amended diagram addressed concerns raised in relation to the clarity of the route of the proposed road.</i></p>	In view of comments from Persimmon Homes and discussions at the hearing session, the Council agree to amend Diagram 2 accordingly.	Yes
MM045	102	Policy HSG4	<p><i>Recommended reword:</i></p> <p>The South West Extension benefits from full permission for 144 dwellings and outline permission for 1116 dwellings (subject to completion of S106 Legal Agreement) and covers approximately 97.25 hectares. The development will be phased over the plan period, with applications being determined in strict</p>	Wording agreed at Matter 10 Hearing session.	Yes

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
			accordance with the following criteria:		
MM046	102	Policy HSG4	4) An access road through the site connecting the A689 and Brierton Lane with appropriate vehicular, pedestrian and cycle linkages to the adjoining urban area will be provided .	In response to comments from Persimmon Homes.	Yes
MM047	104	Para 10.42	<i>Additional paragraph under High Tunstall and Quarry Farm Extension to the Urban Area:</i> <u>10.42 The NPPF states that planning should be genuinely plan led and set out a positive vision for the future and the Borough Council supports a masterplanning approach to major development. The vision for this site is illustrated on the concept plan (see Diagram 3) and it is essential that a masterplan is agreed with the Council and that development is carried out in accordance with it.</u>	To address the Inspector’s comment regarding additional supporting text to explain the role of the Concept Plans and the need for a masterplanning approach	Yes
MM048	TBC	HSG5	<i>Inclusion of concept diagram (Diagram 3) – Included in this document as Appendix C.</i>	Inclusion outcome of hearing session on Matter 8	Yes
MM049	106	Policy HSG5	<i>Update following wording:</i> The development will be phased over the plan period, with applications being determined in strict accordance with the following criteria:	Amended to ensure consistency in policy wording in the Housing Section of the Local Plan.	Yes
MM050	106	Policy HSG5	<i>Update text as follows:</i> 4) Approximately 12.00ha of multifunctional green infrastructure will be provided including <u>the required level of SANGS</u> , formal and informal leisure, education related sports provision and recreational facilities will be allocated, developed and managed as a strategic green wedge, as defined on the Proposals Map <u>Policies Map</u> and in accordance with policies NE1-5. Planning Permission will only be given for developments which relate to the use of land within the green wedge as parkland or other amenity, recreational or landscaped open space, or for allotments or wildlife purposes.	Update to provide clarity and to reflect need for SANGS as identified through the development of the Habitats Regulations Assessment.	Yes
MM051	107	Policy HSG5	<i>Insert new criteria to the policy</i>	Wording agreed at Matter 8 Hearing session.	Yes

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
			<p><u>8) Development to accord with the key principles set out in concept diagram contained in the Plan; development to accord with an approved masterplan.</u></p> <p><u>9) Landscape and Visual Impact Assessment (LVIA) to be provided given edge of settlement location.</u></p>		
MM052	107	Policy HSG5	The Local Infrastructure Plan gives further detail on the infrastructure requirements linked to the site and Legal agreements will ensure the LGF (or alternative) funding for the road improvements linking to the A19(T) and associated Elwick grade separated junction is paid back by each of the phases <u>of the High Tunstall development, along with contributions from Quarry Farm 2 (HSG5a), Elwick Village (HSG7) and Briarfields (HSG3(3))</u> , on a pro rata basis.	Considered appropriate to reference Quarry Farm 2, Elwick Housing Site and Briarfields in policy wording for clarification.	Yes
MM053	107	Policy HSG5a	<p><i>Update following wording:</i></p> <p>The development will be phased over the plan period, with applications being determined in strict accordance with the following criteria:</p>	Amended to ensure consistency in policy wording in the Housing Section of the Local Plan.	Yes
MM054	108	Policy HSG5a	<p><i>Insertion of additional detail on Criterion 4 of the policy:</i></p> <p>4) Approximately 3ha of multifunctional green infrastructure will be provided, <u>which will accommodate the provision of the required level of SANGS</u>. This will include formal and informal leisure and recreational facilities which will be allocated, developed and managed as amenity open space and green corridors in accordance with policy NE2. Planning Permission will only be given for developments which relate to the use of the land as parkland or other amenity, recreational or play space, landscaped open space, or for allotments or wildlife purposes.</p>	Wording agreed at Matter 8 Hearing session.	Yes
MM055	109	10.47	<p><i>Additional paragraph under Wynyard Park Housing Developments:</i></p> <p><u>10.47 Both Hartlepool and Stockton-on-Tees Borough Councils are committed to ensuring that Wynyard is developed as a sustainable settlement including affordable housing, green infrastructure, cycling links and built sports provision. Both Councils are committed to future masterplanning which will take place following the completion of Local Plans. The masterplan will provide a strong</u></p>	To address the Inspector’s comment regarding additional supporting text to explain the role of the Concept Plans and the need for a masterplanning approach	Yes

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
			<u>framework to guide development and the Wynyard Concept Plan (see Diagram 4) provides a high level visual illustration of the vision.</u>		
MM056	109	Para 10.48	<p><i>Text to be updated as follows. NB. Page numbers and paragraph numbers will vary following main and additional modifications.</i></p> <p>The capacity of the road network has been an issue and Highways England (HE) has been involved in assessing the impact developments in the area will have on the strategic road network. Discussions have been ongoing with HE to assess the impact of the proposed allocations, and necessary improvements to the road network are highlighted within the Local Infrastructure Plan and will need to be secured as part of the developments. <u>To ensure delivery of housing in Hartlepool Borough, and to provide a degree of flexibility, it has been agreed between Hartlepool BC, Stockton BC and Highways England that the trigger for the mitigation measures at the A19 / A689 interchange should be the cumulative total of dwellings at Wynyard (both north and south of the A689) and the SW Extension, as modelled up to the total of 2,263 dwellings.</u></p> <p>Presently the development at the North Pentagon (<u>HSG6a</u>) within the policy is able to proceed, however, the other two sites (<u>HSG6b and HSG6c</u>) necessitate the need for improvements at the A19 junction including an additional lane for eastbound traffic to allow two lanes of traffic heading south onto the A19 and also the need for a pedestrian bridge adjacent to the main road junction. <u>The trigger for commencing these improvements at Wynyard will be reached upon the delivery of 2,263 dwellings across the identified committed development sites.</u></p>	Amended wording was agreed within the SOCG between Hartlepool Borough Council, Highways England and Wynyard Park relating to infrastructure delivery (EX/HBC/93).	Yes
MM057	111	HSG6	<i>Inclusion of concept diagram (Diagram 4) – Included in this document as Appendix D.</i>	Inclusion outcome of hearing session on Matter 9	Yes
MM058	112	Policy HSG6	<p><i>Update Policy wording to the following:</i></p> <p>Development will be phased over the plan period, with site A available prior to any of the off-site road infrastructure improvements. Sites B and C are linked to the provision of off-site road infrastructure improvements, as identified in the Local Infrastructure Plan and as agreed with Highways England. <u>Any development at Sites B and C which exceeds the agreed cumulative trigger of 2,263 dwellings across Wynyard Park, Wynyard Village and the South West Extension on and will not be permitted to commence prior to the installation of the highway</u></p>	Amended wording was agreed within the SOCG between Hartlepool Borough Council, Highways England and Wynyard Park relating to infrastructure delivery (EX/HBC/93).	Yes

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
			improvements.		
MM059	112	Policy HSG6	<i>Recommended reword:</i> Reserved matters <u>Planning</u> applications will be determined in strict accordance with the following criteria:	Reworded following agreed changes at hearing session.	Yes
MM060	112	Policy HSG6	1) No more than 6.7ha of land will be developed for new executive housing and associated infrastructure at the North Pentagon. Densities within this area will be restricted to a maximum of 15 dwellings per hectare. The development will incorporate a minimum of approximately 2.12ha of green infrastructure, informal open space and recreational and leisure land including the provision of a skate park <u>or suitable alternative play provision</u> on land adjacent to the play area associated with the southern pentagon area;	In response to comments from Wynyard Park to ensure the policy allows for an appropriate degree of flexibility.	Yes
MM061	113	Policy HSG6	New text following final bullet point of criterion 4: <u>Alternative uses, including housing, will only be considered on land covered by Policy Ind4 once all of the community facilities considered necessary to form a sustainable community have been delivered.</u>	To provide an element of flexibility in terms of acceptable uses of Inf4 land once all of the community facilities have been provided and to reflect verbal position / agreement from the Hearing sessions.	Yes
MM062	113	Policy HSG6	<i>Insert new criteria to the policy</i> <u>9) Development to accord with the key principles set out in concept diagram contained in the Plan; development to accord with an approved masterplan.</u>	Wording agreed at Matter 9 Hearing session.	Yes
MM063	113	Policy HSG6	<i>Recommended reword:</i> In order to ensure that necessary utilities infrastructure is delivered in a timely manner a phasing plan should be submitted as part of the <u>any</u> initial planning applications.	Reworded following agreed changes at hearing session.	Yes
MM064	115	Policy HSG7	<i>Recommended reword:</i> The following site at Elwick Village is allocated for a total of approximately 35 dwellings as illustrated on the proposals map:	Reworded following agreed changes at hearing session.	Yes

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
			<ul style="list-style-type: none"> • Potters Farm / North Farm – 2.07ha - approximately 35 dwellings. <p>The development will be phased over the plan period, with applications being determined in strict accordance with the following criteria:</p> <ol style="list-style-type: none"> 1) No more than 1.67ha of land will be developed for new housing. The development will incorporate a minimum of 0.40ha of green infrastructure, informal open space and recreational and leisure land; 2) The site will be accessed via Elwick Road at the North Farm access. No access will be permitted from the new bypass or via the village green 3) A landscape buffer, as illustrated on the proposals map, will be created between the site and the bypass to the north. No built incursion into the landscape buffer will be permitted other than for uses intrinsically linked to its use as a landscape buffer. 4) Development proposals for the site will be expected to take account of, respect and <u>conserve the significance and setting of</u> protect the adjacent heritage assets. 5) Appropriate pedestrian and cycle linkages to the adjoining areas of countryside and linking to Hartlepool along Elwick Road will be required as part of the residential development, along with a contribution towards a subsidised bus service to help maximise the sustainability of the site. <p>Specific site requirements, including design, access arrangements and development phasing will be secured through planning conditions and planning obligations secured through legal agreements where appropriate.</p>		
MM065	115	Policy HSG7	<p><i>Recommended to insert after criterion 5:</i></p> <p><u>6) The development will be expected to contribute, on a pro-rata basis with High Tunstall (HSG5), Quarry Farm 2 (HSG5a) and Briarfields (HSG3(3)), to the provision of the grade separated junction and bypass to the north of Elwick Village.</u></p>	In view of comments from Cecil M Yuill Ltd, it is agreed that reference to the proposed bypass of Elwick village would be appropriate in policy HSG7.	Yes

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
MM066	117	Policy HSG8	<p><i>Update the following wording:</i></p> <p>The two developments will be phased over the plan period, with applications being determined in strict accordance with the following criteria:</p>	Reworded following agreed changes at hearing session.	
MM067	117	Policy HSG8	<p><i>Recommended reword:</i></p> <p>The two developments will be phased over the plan period, with applications being determined in strict accordance with the following criteria:</p> <p>2) A landscape buffer, as defined by the site boundaries and illustrated on the Proposals Map Policies Map will be created between the Glebe Farm site and the bypass A179 to the south. No built incursion into the landscape buffer will be permitted other than for uses intrinsically linked to its use as a landscape buffer. <u>A further landscape buffer will be provided to the north of the Nine Acres site to ensure a buffer between development and the open countryside.</u></p> <p>3) An area of land to the east within the eastern area of the Nine Acres site will be developed as a formal area of green infrastructure and designated under Policy NE2 to protect it from development in the future. Housing proposals for the overall site will be expected to be designed so that they overlook the green space to increase security. Planning permission will only be given for developments which relate to the use of land as protected green space or other amenity, recreational or landscaped open space.</p>	Reworded following agreed changes at hearing session and clarity on bypass being A179.	Yes
MM068	118	Para 10.50	<p><i>Update wording as follows:</i></p> <p>The previous 2012 Tees Valley SHMA identified an affordable housing need in the Borough of 27.5%. The 2015 SHMA continues to identify areas of affordable housing need in the Borough and advocates an annual affordable housing delivery target of approximately 144 dwellings. Compared to the net additional dwelling provision target of 400 410 (adjusted from the 325 proposed in the SHMA to take account of demolitions and previous under-delivery), the net affordable housing delivery target is approximately 36% 35%.</p>	Updated working to amend topographical error.	Yes

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Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
MM069	119	Title	Amend title as follows: Hartlepool Affordable Housing Viability Assessment (2015)	Update to reflect the use of two evidence bases.	Yes
MM070	119	10.66	<i>Inclusion of the following as an additional paragraph below 10.52:</i> <u>10.66 In preparation of this Local Plan, further work on development viability was undertaken through the development of the Deliverability Risk Assessment (DRA) document. This document assessed the economic viability of the development types which have been identified within this Local Plan. The DRA considered the constraints and costs of delivering in the current economic climate and then considered the cost implications of planning obligations (including affordable housing) on development viability. The evidence assumed a 'worst case scenario' to cost assumptions, based on local development indicators, standard development cost assumptions and through taking professional advice from local Agents and Borough Council officers.</u> Requirement to update following paragraph numbers.	Inclusion of text to include reference to the Deliverability Risk Assessment as an additional evidence base.	Yes
MM071	119	10.6	<i>Update text as follows:</i> 10.57 10.53 The findings of the this most recent evidence base, <u>which details that affordable housing requirements can be met</u> ; are generally supported by recent planning applications where the Borough Council has been successful in securing affordable contributions in the region of 15-18% on greenfield sites over the past two-three years. In order to ensure that any future developments are viable and not stifled by an onerous affordable housing requirement , the <u>affordable housing</u> policy is flexible enough to have regard to prevailing market conditions. This method will allow both for the maximisation of affordable housing on site and the viability of schemes aiding delivery in the long term.	Update to reflect the use of two evidence bases.	Yes
MM072	126	Policy HSG13	<i>Reword policy to the following:</i> Proposals for the provision of Gypsy and Travellers and Travelling Showpeople sites will be approved where the <u>following criteria are met: there is no significant</u>	Change to policy updated following hearing session on Matter 16.	Yes

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			<p>detrimental effect on the amenity of the occupiers of adjoining or nearby land uses. It would be required that:</p> <ol style="list-style-type: none"> 1) There is adequate access to the site and provision for parking, turning and servicing within the site. 2) The site is accessible to education, health, welfare and employment infrastructure. 3) The site is neither subject to unacceptable pollution by reason of noise, dust, fumes or smell, nor to potential nuisance or hazard created by existing or approved commercial or industrial activities. 4) The site is adequately screened and landscaped to ensure the development does not have a detrimental impact on the visual amenity of the area, including any natural and historic assets or features, and provides sufficient privacy and security while not isolating the community from the rest of the settled community. 5) If required, the size of the site is large enough to accommodate mixed or separate residential and business uses and additional parking space for extra caravans, cars and lorries. 6) Adequate space is available within the site to accommodate grazing animals to minimize any impact on neighbouring sites. <u>7) There is no negative impact upon the relationship with existing and proposed neighbouring land uses and the amenity of occupiers of adjoining or nearby properties.</u> 		
MM073a	137	Para 11.31	<p><u>Add additional paragraph:</u></p> <p><u>11.31 In line with national guidance where there is no reasonable prospect of a site being used for the allocated employment use, it may be appropriate to consider alternative uses, with such applications being treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.</u></p>	To address Inspectors Post Hearing Advice.	Yes
MM073	138	Policy EMP3	<p><i>Include the following working to the end of the policy:</i></p> <p><u>All proposals must be considered against all relevant policies in the plan. In particular policy NE1, given the close proximity of the some of the employment</u></p>	Inclusion of wording to ensure that policy links directly to the Natural Environment Policy.	Yes

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			<u>sites listed within this policy to designated sites for nature conservation.</u>		
MM074	139	Para 11.36	In the south east of the Borough some of the specialist industrial land is located adjacent to or close to sites of international, national or local importance for nature conservation, including the Teesmouth and Cleveland Coast Special Protection Area/Ramsar site, Teesmouth National Nature Reserve and several Sites of Special Scientific Interest. European and UK legislation require these sites to be protected from development that may have a significant impact on their nature conservation interest. Industrial development near these areas may be restricted or be required to provide appropriate mitigation and/or compensation measures in order to meet the requirements of the Habitat Regulations. <u>In order to demonstrate strategic commitment to conserving European Sites, industrial companies will be encouraged to join INCA and participate in the Tees Estuary Partnership. If EMP4 sites are developed, this is likely to adversely impact upon neighbouring pSPA and SPA land. Construction and operation will need to mitigate adverse impact on European Sites, for example through timing of works and companies should consider this in their long-term planning.</u>	In response to RSPB comments	Yes
MM075	140	Policy EMP4	<i>Recommended to insert the following text after criterion 2</i> 3 <u>Development of essential infrastructure must avoid areas of high hazard unless supported by a Flood Risk Assessment that demonstrates that flood risk can be effectively managed throughout the lifetime of the development.</u>	Recommendation from the Flood Risk Exception Test (document reference EX/HBC/30)	Yes
MM076	142	Policy EMP5	<i>Recommended to insert the following text as the final paragraph in the policy</i> <u>Development of essential infrastructure must avoid areas of high hazard unless supported by a Flood Risk Assessment that demonstrates that flood risk can be effectively managed throughout the lifetime of the development.</u>	Recommendation from the Flood Risk Exception Test (document reference EX/HBC/30)65	Yes

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MM077	142	Policy EMP6	Amend wording as follows: 3) any above surface structures are limited in scale, and not visually prominent <u>and will be designed with flat roofs to replicate any habitat lost.</u>	Updated following work on the Habitats Regulations Assessment.	Yes
MM078	142	Policy EMP6	<i>Recommended to insert the following text after criterion 3</i> <u>Proposals for the storage of toxic substances will not be allowed.</u> <u>Development of essential infrastructure must avoid areas of high hazard unless supported by a Flood Risk Assessment that demonstrates that flood risk can be effectively managed throughout the lifetime of the development.</u>	Recommendation from the Flood Risk Exception Test (document reference EX/HBC/30)65	Yes
MM079	143	Policy EMP6	<u>In order to make any underground storage deliverable, access will need to be from the portion of Greenabella Marsh that has no Natural Environment allocation, which will avoid the need for a structure to be built on the SPA. There is such a piece of land which adjoins the A178 and the EMP6 sites.</u>	In view of RSPB comments, it is considered that this will avoid stages 3 and 4 of the Habitat Regulations.	Yes
MM080	143	Policy EMP6	<i>Include following wording:</i> <u>Access to the sites is indicated on the Policies Map.</u>	Updated following work on the Habitats Regulations Assessment.	Yes
MM081	147	Para 12.20	In the rural area outside the development limits, beyond the agricultural permitted development rights, development should only <u>may</u> be permitted where it is essential for the purposes of agriculture, forestry, public infrastructure or to meet the social needs of the local community. This and other development that is appropriate to a rural area and supports the rural economy, agricultural diversification, rural tourism and leisure developments may be permitted where it respects the <u>tranquility and</u> character of the local countryside and does not have a significant impact on visual amenity in the setting of the landscape or <u>on</u> the local road network.	It is considered that reference to tranquillity should be made in view of CPRE comments.	Yes
MM082	148	Policy RUR1	<i>Update policy wording to the following:</i> 1) Be in accordance with the Hartlepool Rural Neighbourhood Plan and any other made neighbourhood plan;	Removal of word to acknowledge that Neighbourhood Plans can hold 'weight' prior to being formally 'made'.	Yes

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MM083	150	Policy RUR2	The New Dwellings Outside of Development Limits SPD provides detailed guidance on the principle of a new dwelling in the countryside. <u>For new dwellings in the rural area, further to the criteria set out in this policy, the development must have regard to the provisions of the New Dwellings Outside of Development Limits Supplementary Planning Document</u>	To provide greater clarity with respect to the criteria set out within RUR2.	Yes
MM084	153	Policy RUR4	<i>Recommended to add following text after criterion 7:</i> <u>8) The proposal does not involve a significant, irreversible loss of the best and most versatile agricultural land, those areas classed as grades 1, 2 and 3a in the Agricultural Land Classification.</u>	In response to concerns from Greatham Parish Council and in line with emerging policy RUR3 (Farm Diversification).	Yes
MM085	163	Policy RC1	<i>Reword policy as follows:</i> The Borough Council has identified and defined a hierarchy of retail and commercial centres that will offer a variety of sites that are economically attractive, diverse and in appropriate sustainable locations and/or locations where connectivity can easily be enhanced throughout the Borough. The defined hierarchy and sequential preference of the centres, for main town centre uses in the Borough are identified in table 14 and on the proposals map and are detailed below: 1) The Town Centre, then; 2) Edge of Town Centre Areas and Retail and Leisure Parks then; 3) Local Centres. Proposals for main town centre uses, not located within a designated centre will be required to provide a robust sequential test. The test must consider all of the Borough’s designated centres and follow the sequential hierarchy. Where it is established that no suitable sites are available within the designated centres, an alternative acceptable location may be a location accessible by a choice of means of transport and/or which offers significant regeneration benefits. Proposals for main town centre uses, within a local centre, <u>in excess of with a floor area of 300m² floor space</u> or above, will be required to provide a robust sequential	Clarification of policy wording. Correction to provide clarity on policy intention and ensure aligned with justification in preamble.	Yes

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			<p>test. The test must consider all of the Borough’s designated centres and follow the sequential hierarchy. Where it is established that no suitable designated centres are available to accommodate the proposals, an alternative centre, accessible by a choice of transport and/or which offers significant regeneration benefits, may be acceptable.</p> <p>Proposals for main town centre uses, within an edge of centre or retail and leisure parks, with a floor area of below 250m² or above, will be required to provide a robust sequential test. The test must consider all of the Borough’s designated centres and follow the sequential hierarchy. Where it is established that no suitable designated centres are available to accommodate the proposals, an alternative centre, accessible by a choice of transport and/or which offers significant regeneration benefits, may be acceptable.</p> <p>Proposals for retail, leisure and office development located in local centres, in excess of <u>with a floor area of</u> 300m² floor space or above, will be required to provide a robust retail impact assessment. In some instances it may be necessary to assess the impact of the proposal on the Town Centre, other designated centres and village businesses and community facilities. Proposals which would undermine Town Centre vitality and viability will not be permitted.</p> <p>Proposals for retail, leisure and office development with a floor area of 200m² or above, not located in the Town Centre or a local centre, will be required to provide a robust retail impact assessment. In some instances it may be necessary to assess the impact of the proposal on the Town Centre and other designated centres. Proposals which would undermine Town Centre vitality and viability will not be permitted.</p>		
MM086	166	Policy RC2	Business will not be permitted to operate between the hours of 11.30pm and 7am unless they are located within the late night uses area, as identified on the polices map.	For clarity with regard to the late night uses area (policy RC17).	Yes

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MM087	167	Policy RC2	<p><i>Recommended that the following text is inserted:</i></p> <p><u>'More Vulnerable' (See National Planning Practice Guidance flood risk vulnerability classification) development will not be allowed within Flood Zone 2 and 3a unless supported by a Flood Risk Assessment that demonstrates that flood risk can be effectively managed throughout the lifetime of the development.</u></p>	Recommendation from the Flood Risk Exception Test (document reference EX/HBC/30)	Yes
MM088	170	Diagram 5	Update of Edge of Town Centres Areas diagram.	Reflect changes to area 8.	Yes
MM089	175	Policy RC5	<p><i>Recommended that the following text is inserted:</i></p> <p><u>'More Vulnerable' (See National Planning Practice Guidance flood risk vulnerability classification) development will not be allowed within Flood Zone 2 and 3a unless supported by a Flood Risk Assessment that demonstrates that flood risk can be effectively managed throughout the lifetime of the development.</u></p>	Recommendation from the Flood Risk Exception Test (document reference EX/HBC/30)	Yes
MM090	178	Policy RC7	<p><i>Recommended that the following text is inserted:</i></p> <p><u>'More Vulnerable' (See National Planning Practice Guidance flood risk vulnerability classification) development will not be allowed within Flood Zone 2 and 3a unless supported by a Flood Risk Assessment that demonstrates that flood risk can be effectively managed throughout the lifetime of the development.</u></p>	Recommendation from the Flood Risk Exception Test (document reference EX/HBC/30)	Yes
MM091	184	Policy RC11	<p><i>Recommended that the following text is inserted:</i></p> <p><u>'More Vulnerable' (See National Planning Practice Guidance flood risk vulnerability classification) development will not be allowed within Flood Zone 2 and 3a unless supported by a Flood Risk Assessment that demonstrates that flood risk can be effectively managed throughout the lifetime of the development.</u></p>	Recommendation from the Flood Risk Exception Test (document reference EX/HBC/30)	Yes
MM092	185	Para 13.91	The Marina allocation in this Local Plan includes the water within the Marina. The water and waterfront are important features which the Borough Council seeks to ensure remain attractive features. The Borough Council wish to see the water enhanced with the provision of water based activities, connectivity infrastructure such as water taxis and the waterfront visually improved. Allowing built development on and/or over the water could hamper the opportunities to develop water based activities and the Borough Council will seek to strictly control any development on/over the water. Allowing poor design and poor connectivity	Additional wording in line with comments of the Environment Agency.	Yes

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			along the waterfront could hamper the experience of visitors therefore any development should form a strong relationship between building/s and water's edge. <u>The Estuary Edges: Ecological Design Guidance which has been developed by the Environment Agency will be relevant for some types of development.</u>		
MM093	186	Para 13.100	Advertising within the Marina plays a vital role in informing visitors what is on offer within the area and assists in capturing visitors for longer stays and increasing the spend whilst in the area. Currently the advertising within the Marina is limited and outdated. The Borough Council will encourage and support applications that seek to improve the overall signage quality across the area, particularly signs that are reflective of the area's history and/or function <u>and that promote the area's internationally important birds.</u> Poor quality signage will be resisted due to the detrimental impact it has on the visual amenity of the area.	This will increase public awareness of SPA birds.	Yes
MM094	188	Policy RC12	Insert the following wording in the policy: <u>Where appropriate the Council will seek the provision of interpretation to increase public understanding of the Teesmouth and Cleveland Coast SPA and Ramsar.</u>	Updated following work on the Habitats Regulations Assessment.	Yes
MM095	189	Policy RC12	<i>Recommended that the following text is inserted:</i> <u>'More Vulnerable' (See National Planning Practice Guidance flood risk vulnerability classification) development will not be allowed within Flood Zone 2 and 3a unless supported by a Flood Risk Assessment that demonstrates that flood risk can be effectively managed throughout the lifetime of the development.</u>	Recommendation from the Flood Risk Exception Test (document reference EX/HBC/30)	Yes
MM096	193	Policy RC14	Insert the following wording in the policy: <u>Where appropriate the Council will seek the provision of interpretation to increase public understanding of the Teesmouth and Cleveland Coast SPA and Ramsar.</u>	Updated following work on the Habitats Regulations Assessment.	Yes
MM097	193	Policy RC14	<i>Recommended that the following text is inserted:</i> <u>'More Vulnerable' (See National Planning Practice Guidance flood risk vulnerability classification) development will not be allowed within Flood Zone 2 and 3a unless supported by a Flood Risk Assessment that demonstrates that flood risk can be effectively managed throughout the lifetime of the development.</u>	Recommendation from the Flood Risk Exception Test (document reference EX/HBC/30)	Yes
MM098	199	Policy RC16	<i>Recommended that the following text is inserted:</i> <u>'More Vulnerable' (See National Planning Practice Guidance flood risk vulnerability</u>	Recommendation from the Flood Risk Exception Test (document reference EX/HBC/30)	Yes

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
			<u>classification) development will not be allowed within Flood Zone 2 and 3a unless supported by a Flood Risk Assessment that demonstrates that flood risk can be effectively managed throughout the lifetime of the development.</u>		
MM099	200	Policy RC17	<p>For businesses operating after 11.30pm and before 2am 7am the late night uses area identified on the proposals map will be the only appropriate location in the borough for:</p> <ul style="list-style-type: none"> • <u>Shops (A1)</u> • Restaurants and Cafes (A3) • Drinking Establishments (A4) • Hot Food Takeaways (A5) • Nightclubs and Theatres (Sui Generis) • Assembly & Leisure (D2) • Business (B1) <p><u>No businesses will be allowed to operate from 2am to 7am.</u></p>	<p>Restricting operational hours to 2am ensures planning policy is aligned with licensing policy. This ensures that the Council, as a whole, are working collaboratively to tackle the problems associated with the night time economy.</p> <p>A1 units have been introduced as if they did operate until 2am within this area is envisaged that there would be no likely harm. Any concerns with regard to the sale of alcohol would be managed through the licensing regime.</p> <p>The final sentence has been added for clarity that no businesses can operate past 2am or before 7am.</p>	Yes
MM100	201	Policy RC17	In order to adequately develop the immediate Church Street area and protect and enhance the Church Street Conservation Area the above uses, and other uses, will only be permitted providing that they do not adversely affect the character, appearance, function and amenity of the, property and the surrounding area and that they are in accordance with the Green Infrastructure and Planning Obligations SPDs.	Grammatical corrections	Yes
MM101	201	Policy RC17	<p><i>Recommended that the following text is inserted:</i></p> <p><u>'More Vulnerable' (See National Planning Practice Guidance flood risk vulnerability classification) development will not be allowed within Flood Zone 2 and 3a unless supported by a Flood Risk Assessment that demonstrates that flood risk can be effectively managed throughout the lifetime of the development.</u></p>	Recommendation from the Flood Risk Exception Test (document reference EX/HBC/30)	Yes
MM102	205	Policy RC18	<p>Insert new sub area.</p> <p><u>3) Museum Road/ South Lauder Street sub area - no A5 uses will be permitted</u></p>	Officer oversight as sub area was not show in Publication draft.	Yes

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MM103	205	Policy RC18	3) 4) Church Street east sub area - the amount of A5 floorspace should not exceed 10% 13%	Mathematical re calculation	Yes
MM104	205	Policy RC18	4) 5) Church Street West – the amount of A5 floorspace should not exceed 5%	Sub area re-numbering	Yes
MM105	205	Policy RC18	5) 6) Park Road sub area - the amount of A5 floorspace should not exceed 4% 8%	Retail survey re calculation	Yes
MM106	205	Policy RC18	6) 7) Victoria Road sub area – the amount of floorspace should not exceed 2%	Sub area re-numbering	Yes
MM107	205	Policy RC18	7) 8) York Road North sub area - the amount of A5 floorspace should not exceed 2% 3%	Retail survey re calculation	Yes
MM108	205	Policy RC18	8) 9) York Road South sub area - the amount of A5 floorspace should not exceed 2% 3%.	Retail survey re calculation	Yes
MM109	205	Policy RC18	7) 9) York Road edge of centre - the amount of A5 floor space should not exceed 6% 7%	Retail survey re calculation	Yes
MM110	206	Policy RC18	Insert space break between local centre 5 (Stockton Road/Spring Gardens) and 6 (Brierton Lane)	To provide break between areas where no A5 uses are permitted and areas that have a threshold set.	Yes
MM111	206	Policy RC18	7) 9) Belle View Vue Way - the amount of A5 floorspace should not exceed 7% 17%	Officer typo in publication draft	Yes
MM112	206	Policy RC18	8) 9) Brus Corner - the amount of A5 floorspace should not exceed 17% 10%	Retail survey re calculation	Yes
MM113	206	Policy RC18	9) 9) Brenda Road/Sydenham Road - the amount of A5 floorspace should not exceed 3% 4%	Mathematical re calculation, figure has been rounded up instead of rounding down as would be the case if following the mathematical rule. Best option is to round up as floorspace cannot be rounded down if it already exists.	Yes
MM114	206	Policy RC18	10) 9) Catcote Road - the amount of A5 floorspace should not exceed 15% 9%	Retail survey re calculation	Yes
MM115	206	Policy RC18	11) 9) Chatham Road - the amount of A5 floorspace should not exceed 18% 17%	Retail survey re calculation	Yes
MM116	206	Policy RC18	13) 9) Duke Street North - the amount of A5 floorspace should not exceed 35% 32%	Retail survey re calculation	Yes
MM117	206	Policy RC18	15) 9) Fens Shops – the amount of A5 floorspace should not exceed 7% 13%	Recent application approved on appeal.	Yes

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MM118	206	Policy RC18	18 • King Oswy - the amount of A5 floorspace should not exceed 10% 9%	Retail survey re calculation	Yes
MM119	206	Policy RC18	20 • Murray Street - the amount of A5 floorspace should not exceed 13% 10%	Retail survey re calculation	Yes
MM120	206	Policy RC18	22 • Northgate/Durham Street - the amount of A5 floorspace should not exceed 14% 10%	Retail survey re calculation	Yes
MM121	206	Policy RC18	Insert • Owton Manor East - the amount of A5 floorspace should not exceed 13%	Officer omission at publication stage	Yes
MM122	207	Policy RC18	Insert • Owton manor West - the amount of A5 floorspace should not exceed 12%	Officer omission at publication stage	Yes
MM123	207	Policy RC18	24 • Oxford Street - the amount of A5 floorspace should not exceed 10% 9%	Retail survey re calculation	Yes
MM124	207	Policy RC18	25 • Powlett Road/Lancaster Road - the amount of A5 floorspace should not exceed 44% 43%	Retail survey re calculation	Yes
MM125	207	Policy RC18	27 • Raby Road/ Brougham Terrace - the amount of A5 floorspace should not exceed 176%	Retail survey re calculation	Yes
MM126	207	Policy RC18	29 • Stockton Road/Cornwall Street - the amount of A5 floorspace should not exceed 186%	Retail survey re calculation	Yes
MM127	207	Policy RC18	<i>Recommended that a new section 'Villages' is introduced which will read:</i> <u>A maximum of 1 hot food takeaway will be permitted within the limits to development of each of the villages in order to provide a local service to the village and where this is demonstrably supported locally.</u> <i>It is also recommended that the text at 'All other locations' is amended to read:</i> Hot food takeaways will not be permitted outside of any designated retail or commercial centre <u>or the limits to development of any village.</u>	It is agreed that the policy needs to be more flexible in balancing the achievement of the policy aims with supporting rural services.	Yes
MM128	216	Policy LT1	Major leisure and tourism developments in Hartlepool which are likely to attract large numbers of visitors will be expected to locate within the Town Centre, <u>the Mill House Edge of Town Centre Area</u> or the Marina.	The Borough Council acknowledges that there is a strong case for Policy LT1 Leisure and Tourism also being applied as an overlapping designation to this area.	Yes
MM129	217	Policy LT1	Seaton Carew will be promoted and developed as a tourism destination which showcases and protects the EU designated bathing waters and Seaside Awards. Regeneration schemes which improve the vitality and viability of Seaton Carew whilst <u>protecting and enhancing the Conservation Area and</u> the settlement's open	Amended to reflect Historic England advice.	Yes

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			seaside character and protecting the Conservation Area will be promoted and actively supported by the Local Authority.		
MM130	218	Policy LT1	<i>Recommended that the following text is inserted:</i> <u>'More Vulnerable' (See National Planning Practice Guidance flood risk vulnerability classification) development will not be allowed within Flood Zone 2 and 3a unless supported by a Flood Risk Assessment that demonstrates that flood risk can be effectively managed throughout the lifetime of the development.</u>	Recommendation from the Flood Risk Exception Test (document reference EX/HBC/30)	Yes
MM131	219	Policy LT2	<i>Recommended that the following text is inserted:</i> <u>'More Vulnerable' (See National Planning Practice Guidance flood risk vulnerability classification) development will not be allowed within Flood Zone 2 and 3a unless supported by a Flood Risk Assessment that demonstrates that flood risk can be effectively managed throughout the lifetime of the development.</u>	Recommendation from the Flood Risk Exception Test (document reference EX/HBC/30)	Yes
MM132	223	Policy LT5	Insert the following wording in the policy: <u>Where appropriate the Council will seek the provision of a financial contribution under Planning Obligations, to manage recreation on the Teesmouth and Cleveland Coast SPA and Ramsar.</u>	Updated following work on the Habitats Regulations Assessment.	Yes
MM133	229	Policy HE1	The Borough Council will seek to refuse proposals which lead to substantial harm to, or result in the total loss of significance of, a designated heritage asset unless it is evidenced that the harm or loss is necessary to achieve substantial public benefit ² <u>in accordance with national policy.</u>	Clarity to ensure that the policy is consistent with National Policy.	Yes

² Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework ([Paragraph 7](#)). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
MM134	232	Policy HE3	<p><i>Additional text included in second and third paragraph.</i></p> <p>In determining applications within Conservation Areas <u>and within their setting</u> particular regard will be given to the following:</p> <ol style="list-style-type: none"> 1) The scale and nature of the development in terms of appropriateness to the character of the particular conservation area; 2) The design, height, orientation, massing, means of enclosure, materials, finishes and decoration to ensure development is sympathetic to and/or complementary to the character and appearance of the conservation area; 3) The retention of original features of special architectural interest such as walls, gateway entrances and architectural details; 4) Retention of existing trees, hedgerows and landscape features and appropriate landscaping improvements incorporated into design proposals; 5) The protection of important views and vistas and settings within and into / out of the conservation area; 6) Car parking, where required, should be located, designed and landscaped in such a way as to minimise impact on the character and appearance of the heritage asset, and 7) Guidance provided in relevant Conservation Area appraisals, management plans, visual assessments, design statements and supplementary planning documents. <p>Proposals for demolition within Conservation Areas will be carefully assessed, the Borough Council will only permit the demolition of buildings and other features and structures in a Conservation Area if it can be demonstrated that:</p> <ol style="list-style-type: none"> 1) The removal would help to conserve and/or enhance the character, appearance and significance of the Conservation Area, <u>and</u> 2) Its structural condition is such that it is beyond reasonable economic repair, or 3) The removal is necessary to deliver a public benefit which substantially outweighs the impact on the significance of the heritage asset. 	<p>Clarity following the hearing session that the paragraph also covers setting of the Conservation area.</p> <p>Addition of wording to ensure clarity on how the three points in the list apply.</p>	Yes
MM135	238	Policy HE7	In exceptional circumstances where a heritage asset is at risk and requires significant repairs to maintain or enhance its heritage value and the cost for repair	Inclusion of caveat in Policy HE7 is considered acceptable in line with Historic England	Yes

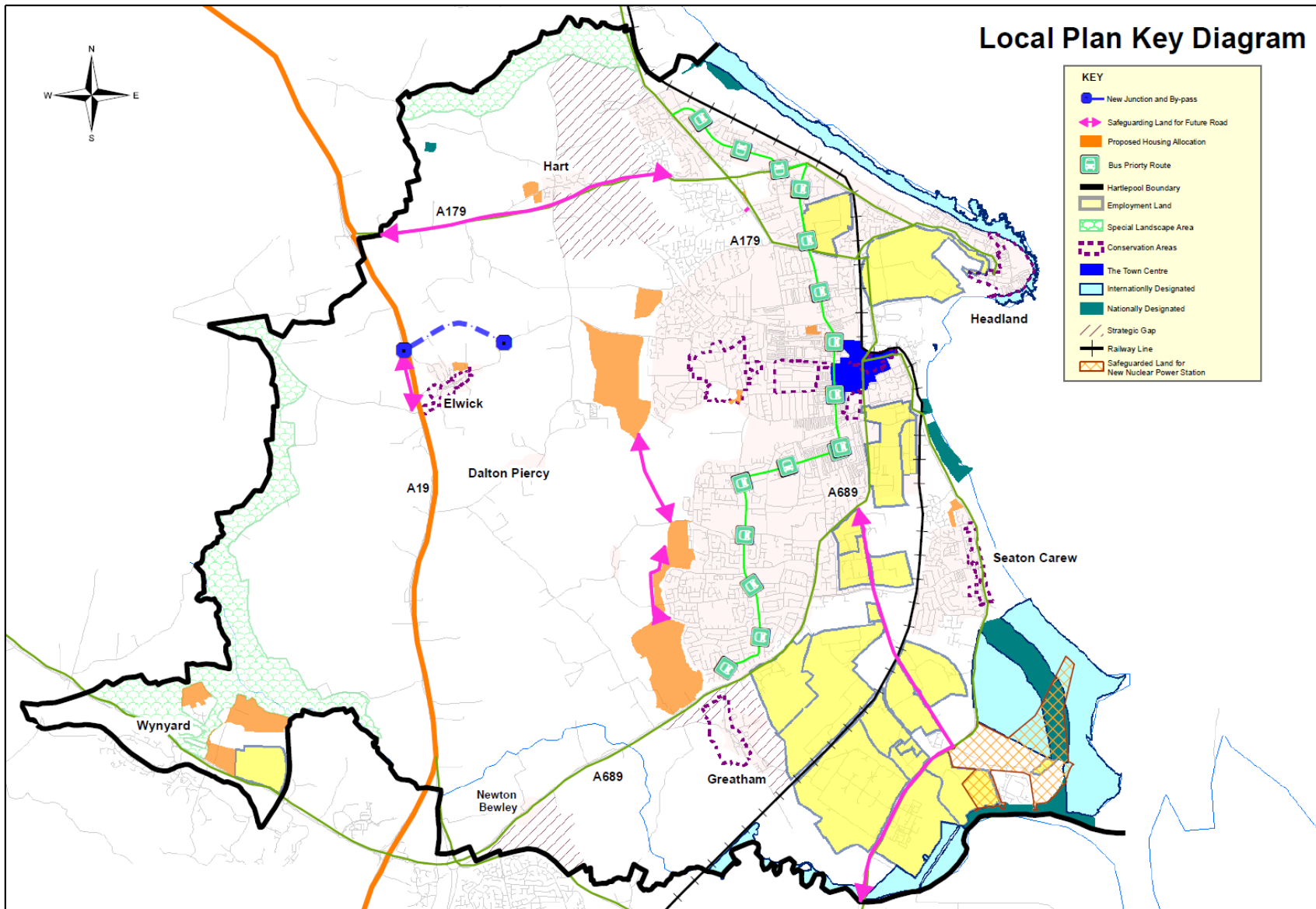
Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
			<p>and/or investigation is undeliverable by any other means, the redevelopment of the wider site may be considered. However this will only be an option when the proposed development does not create substantial harm or total loss of significance of a heritage asset. In the case of less than significant harm to the heritage asset it must be demonstrated that any loss and/or harm is necessary and outweighed by the need to achieve substantial public benefit.</p> <p><u>Where is it evidenced that risk has come about as the result of deliberate neglect or damage, enablement development will not be supported.</u></p>	comments.	
MM136	239	Para 16.1	<p><u>In line with the Government’s emerging Natural Capital agenda</u>, the Borough Council recognises the important role that Hartlepool’s natural environment plays in enhancing people’s quality of life and improving quality of place. The benefits of a high quality natural environment run as a cross-cutting theme through many of the policies and proposals of the Local Plan. A high quality environment can:</p> <ul style="list-style-type: none"> • Encourage more people to live and work in Hartlepool • Complement efforts to attract new economic growth and investment • Help to increase the number of visitors and boost the tourism economy • Provide more opportunities for leisure and recreation with consequent benefits for people’s health and well-being • Support measures to adapt to and mitigate against the potential impacts of climate change 	To strengthen the preamble to the chapter to include reference to Natural Capital in view of CPRE comments.	Yes
MM137	243	16.16	<p><i>Update paragraph to the following:</i></p> <p>16) While the protection of internationally and nationally important nature conservation sites is clearly set out in existing legislation and guidance, the Borough Council will have regard to the indirect effects of developments proposed beyond the boundaries of these designated sites. For example a housing development could result in increased numbers of uncontrolled visits for dog walking or other activities which in turn could have a detrimental impact on the interest features of the site. In such cases it may be possible for example, to make alternative provision for such activities, reducing pressure on and potential damage to, nature conservation interests. <u>Some sites are close to internationally important sites and are used by birds which are an interest feature. These sites are functionally important to protected</u></p>	Update of wording following correspondence with RSPB.	Yes

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
			<u>birds and development affecting them may need to be mitigated.</u> The Borough Council will therefore adopt a precautionary approach to such proposals.		
MM138	2.45	Para 16.23	The concept of biodiversity accounting or offsetting may offer a future role in providing compensation for development which results in a loss of nature conservation value. Biodiversity accounting is a methodology offering potential to recognise and quantify the environmental impact of development, and generating extra investment for habitat creation by appropriate compensation schemes. A key principle of biodiversity accounting is that it is only after avoidance, mitigation and on-site compensation have been fully investigated that any residual environmental damage can be considered for compensation off-site. Biodiversity accounting needs to show measurable outcomes that are sustained over time. A pilot scheme has been operating with six local authorities in England and the evaluation of this pilot has provided some encouraging lessons for applying biodiversity accounting in practical situations <u>In 2012 Defra commissioned eight biodiversity offsetting pilots in six areas and these ran until 2014. Evaluation of the pilot has provided some encouraging lessons for applying biodiversity accounting in practical situations. At least one environmental consultancy is actively promoting biodiversity offsetting in the planning sector and has developed a 'metric' for assessing all the relevant criteria.</u>	In response to comments from the Durham Bird Club to update reference to biodiversity offsetting.	Yes
MM139	251	Policy NE1	<i>Update policy wording to the following:</i> a) Internationally designated sites: these sites receive statutory protection. Development not connected to or necessary for the enhancement and/or management of the site will not be permitted unless it meets relevant legal requirements; A precautionary approach will be taken towards developments that may have indirect impacts on internationally designated sites and appropriate mitigation measures or contributions to avoid detrimental impacts will be sought <u>and delivered via the Hartlepool Mitigation Strategy and Delivery Plan.</u>	Update following action agreed at the Hearing Session on Matter 13.	Yes
MM140	252	Policy NE1	7) Existing woodland and trees of amenity value and nature conservation value are protected, and an increase in tree cover will be sought in appropriate locations in line with the Borough Council's Tree Strategy. Areas of ancient woodland, including ancient semi-natural woodland (ASNW), plantations on ancient	In light of comments from the Woodland Trust and following advice from the Council's Arboricultural Officer.	Yes

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			woodland sites (PAWS), and <u>aged ancient</u> or veteran trees outside ancient woodland, will be protected unless there are exceptional circumstances. The Borough Council will also ensure that development does not result in the loss of or damage to ancient woodland (including ASNW and PAWS) by requiring the implementation of a buffer of at least 15 metres between development and the ancient woodland site (depending on the size of the site). <u>For ancient or veteran trees, a buffer 15 times the stem diameter or 5 metres beyond the drip line of the leaf canopy should be maintained, whichever is the greater.</u>		
MM141	253	Policy NE1	<p><i>Update policy wording to the following:</i></p> <p>13) All development proposals must have regard to the landscape character of the Borough. All development proposals, through the careful, sensitive management and design of development will ensure that the character, distinctiveness and quality of the Borough's landscape is protected and, where appropriate, enhanced. Any development within the Special Landscape Areas as defined on the Proposals Map Policies Map or which will have a visual impact on those areas will be required to demonstrate that they are in keeping with the area and will not have an adverse impact on the area's landscape character.</p>	Update of wording following suggested amendment from the Planning Inspector.	Yes
MM142	266	Policy NE5	<p>3) where there is up to date, robust evidence (through for example an Open Space/Recreation Assessment <u>or the Playing Pitch Strategy</u>) that demonstrates an excess of provision of playing fields, or their re-location achieves a better dispersal of provision which meets the requirements of users and the local community, or</p> <p>4) where <u>a proposed development, including</u> school expansion or re-building, takes place and the loss of some playing fields does not adversely affect the quantity, quality or use of those playing fields <u>any playing pitches or any other sporting facilities on the site.</u></p> <p><u>5) where the provision of built sport facilities will result in the loss of playing pitches, the development is of greater benefit to sport than the playing pitches it will replace and the needs for which clearly outweigh the loss.</u></p>	In light of comments and advice from Sport England and to ensure the policy is in line with Sport England's exception tests.	Yes
MM143	272	Appendix 1: Glossary of Terms	<p><i>Recommended to insert:</i></p> <p><u>Constructive Conservation - Constructive Conservation is a positive, well-informed</u></p>	In response to Historic England comments	Yes

Modification Reference	Page No.	Policy/Site/ Para/Fig	Text with Proposed Modification	Reason for change	Change in Document
			<u>and collaborative approach to conservation. It is a flexible process of helping people understand their historic environment and using that understanding to manage change.</u>		
MM144	273	Appendix 1: Glossary of Terms	<i>Recommended to insert:</i> <u>Ecosystems Services Approach - The functions of ecosystems that are vital to support human life and health and well-being through provisioning, regulating, supporting and cultural services. These include the creation of soil and the production of food, water and medicines; climate control, including floodwater storage; nutrient cycling and crop pollination and spiritual, cultural, educational and recreational benefits.</u>	In response to Planning Inspectors requested actions.	Yes
MM145	281	Appendix 1: Glossary of Terms	<i>Recommended to insert:</i> <u>Natural capital - Natural capital refers to the elements of the natural environment which provide valuable goods and services to people. The Government focus that the state of natural capital matters, not just because people enjoy the aesthetic elements of landscapes and wildlife of England, but because of the wide-ranging economic benefits that natural assets provide when managed well.</u>	In response to CPRE comments.	Yes
MM146	295	Appendix 12	<i>Inclusion of Monitoring Framework as Appendix to Local Plan document, changes made within the document to reflect discussions at the Hearing Session on Matter 18 have been identified in red within the Monitoring Framework.</i>	To ensure monitoring framework is included in Local Plan document in light of advice from the Planning Inspector.	Yes
MM147	296	Appendix 13	<i>Inclusion of Appendix document providing full list of policies within the 2006 Hartlepool Local Plan which will be superseded by this local plan.</i>	To ensure clarity on policy position following adoption of the 2016 Local Plan.	Yes

Appendix A

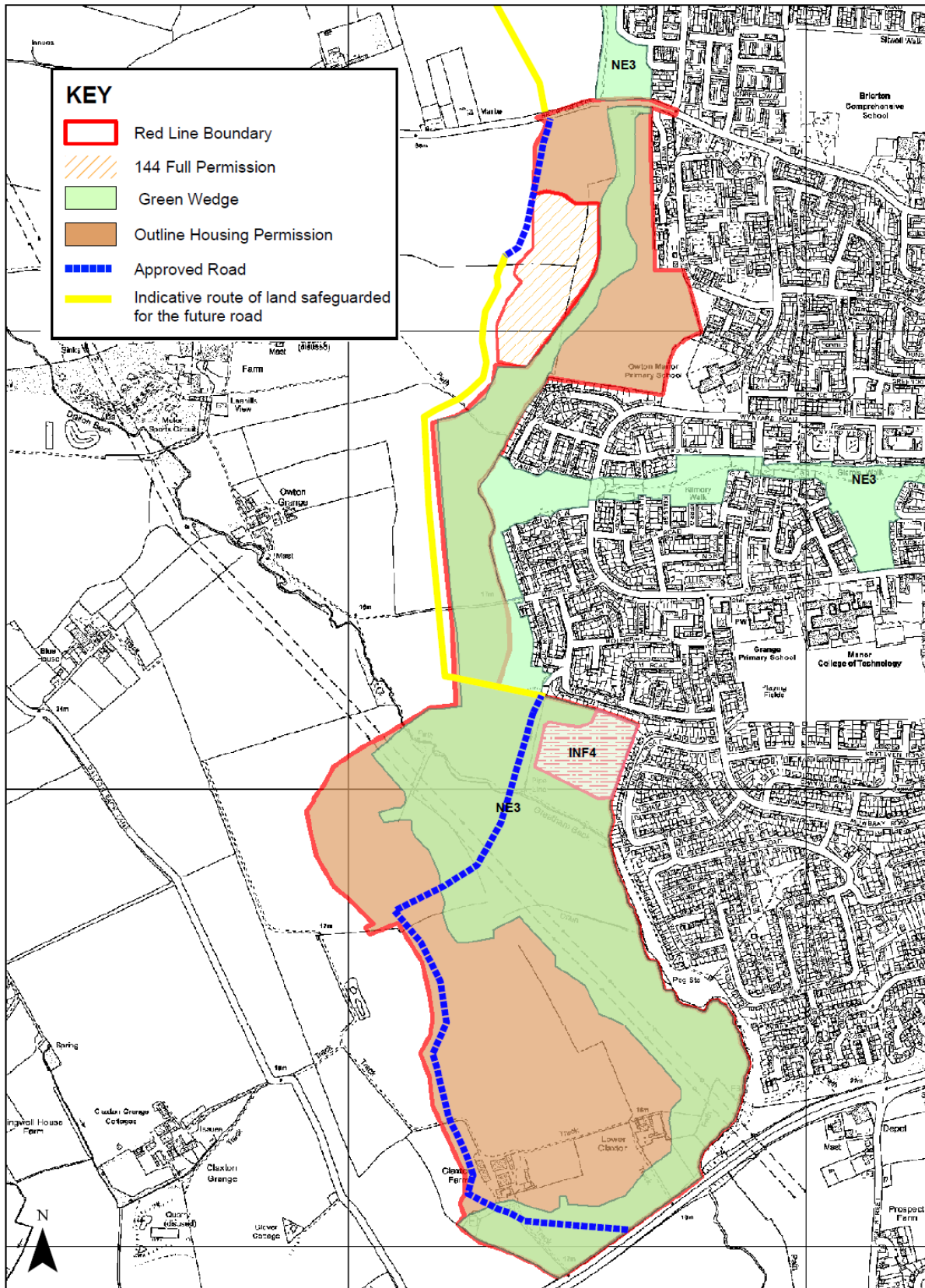


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Scale N/A

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Appendix B



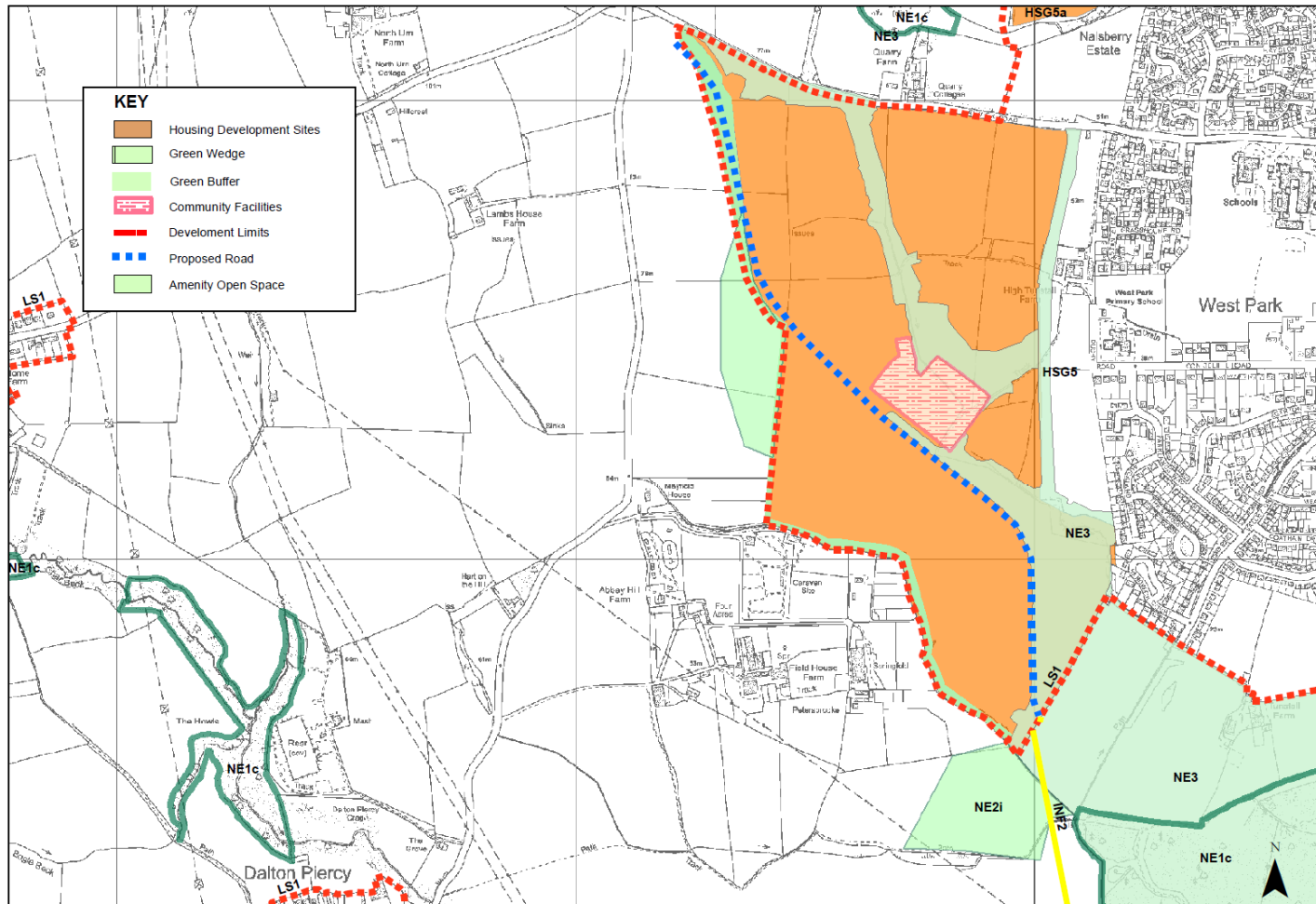
KEY	
	Red Line Boundary
	144 Full Permission
	Green Wedge
	Outline Housing Permission
	Approved Road
	Indicative route of land safeguarded for the future road

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Appendix C

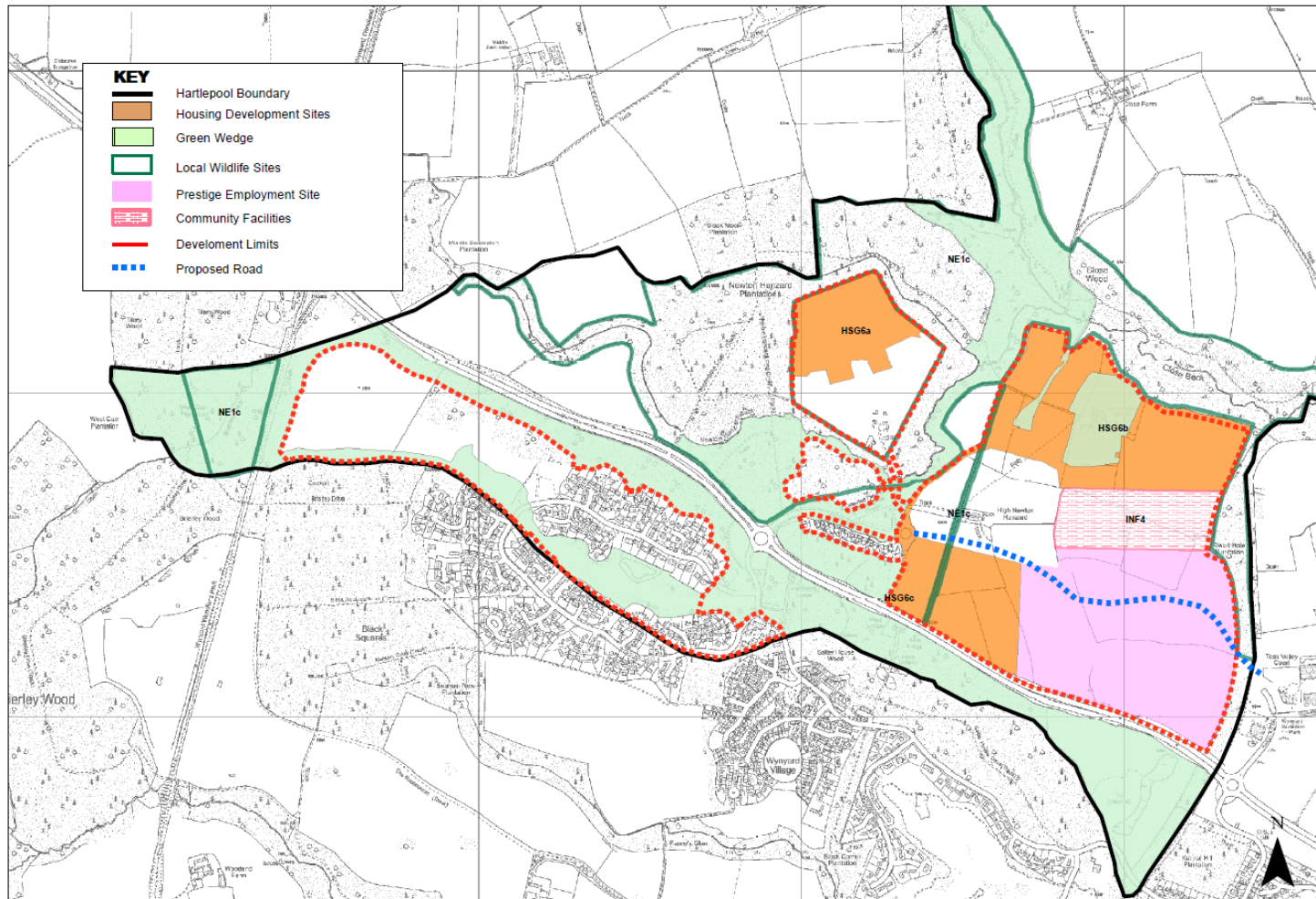


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Appendix D



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Appendix E

Appendix 14: Table 7 methodology**(A) Baseline housing target**

The housing requirement for the plan period is 6150 dwellings. Pro-rata this is 410 dwellings per annum. However, in order to take account of the lead-in period for the strategic housing sites that the Council has allocated the housing trajectory has been staggered with an annual requirement for the first five years of 350 dwellings, an annual requirement for years 6-10 of 400 dwellings and an annual requirement for years 11-15 of 480 dwellings. For clarity, the annual housing requirement includes the following elements:

- 20% affordable housing delivery buffer
- Strategic (i.e. pre-2016) housing under-delivery backlog carried forward

(B) Add under-delivery 2016-2017 (Liverpool method)

Under-delivery which has occurred since 2016 has to be added to the housing target. There was under-delivery of 235 dwellings in 2016-2017. This has been added to the annual housing targets by spreading it over the plan period (the Liverpool method). So (B) is the baseline housing target plus the 2016-17 under-delivery.

(C) 20% NPPF paragraph 47 buffer target

Paragraph 47 of the NPPF states that local planning authorities should identify and annually update a supply of sufficient deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and completion in the market for land. Where there has been a record of persistent under-delivery of housing, the buffer should be increased to 20%.

For the period up to 1st April 2017 there has been a record of persistent under-delivery. Therefore a buffer of 20% has been added to (B) for years 1 to 6. As the NPPF states that this should be brought forward from later in the plan period, the same number of dwellings has been subtracted from (B) for years 11 to 15. So (C) is the baseline housing target plus both post-2016 under-delivery carried forward and the NPPF Para 47 buffer target.

Explanatory note - windfalls

It will be noted that the housing delivery sources in table 7 includes windfalls. These have been previously referred to in the Council's housing trajectory work as specific

sites. However, the Local Plan Inspector suggested at the hearing for Matter 7 – Housing Supply that these might be considered as windfalls. HBC officers have reflected on this suggestion and consider that there is compelling evidence that windfall sites will continue to come forward. An allowance has therefore been made based on specific intelligence that there are sites which will come forward as windfalls. Such intelligence includes the following:

- Sites owned by HBC and which do not have a planning permission for housing or do have a planning permission but the planning permission is unlikely to be delivered but which HBC Estates have advised that there will be housing delivery on the sites.
- Sites where there is strong developer interest and where development would be consistent with local and national planning policy.

The sources for the windfall allowance are therefore land owned by HBC Estates and which there is strong evidence will be developed for residential purposes and sites where there has been active discussions between HBC officers and developers or agents and there is clearly a strong commitment to implement a residential scheme on the site. In adopting this approach HBC officers have sought to avoid reliance upon past trends continuing but rather base windfall delivery projections on specific intelligence about potential windfall sites.

Appendix F **Graph 1: Delivery Trajectory of Housing Sites over the Next 15 Years**

