

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
Intro to Rep	Taylor Wimpey UK Ltd (Litchfields)	LP0025	MOD004	<p>Thank you for the opportunity to comment on the proposed Main Modifications to the draft Local Plan for Hartlepool Borough Council. We write to you on behalf of our client, Taylor Wimpey UK Limited, to provide comments on the above.</p> <p>These representations are made in the context of Taylor Wimpey's land interest at land south of Valley Drive and Hylton Road, referred to as Tunstall Farm Phase 2, and build upon the comments we made in depth at the sessions of the Examination which we attended.</p> <p>Background and Context</p> <p>Tunstall Farm Phase 2 is located within the Rural West ward in Hartlepool and extends to approximately 24.9ha of arable farmland. The majority of the site is located within Flood Zone 1, categorised by the Environment Agency as having the lowest risk of flooding.</p> <p>The site is well-served by facilities in the surrounding area, including sports facilities and schools. Local shops including convenience stores and takeaways which are a 15 minute walk from the site at the Catcote Road/Oxford Road junction.</p> <p>Further facilities including supermarkets and public houses are available at High Throston and Rift House which are approximately 2.1km north and 2.6km south east of Tunstall Farm respectively. Hartlepool town centre is also just 3.2km east of the site and hosts a train station with services throughout the North East. Bus services are also available in the local area. A range of initial technical reports and surveys have been undertaken which show there are no technical reasons that would preclude the residential development of the site, as summarised below.</p> <ul style="list-style-type: none"> • Access can be achieved off Summerhill Lane; • A Preliminary Ecology Appraisal identifies no ecological constraints 	<p>As noted at the Hearing sessions Taylor Wimpey are currently not able to access the site from Summerhill Lane as to the east of their development is a part of Summerhill Country Park allocated as a Local Wildlife Site. The land is owned by the Council and a road would effectively cut of the top element of the Local Wildlife Site. It is therefore incorrect for Taylor Wimpey to state that access can be achieved off Summerhill Lane.</p>

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				<p>that would preclude the residential development of the site;</p> <ul style="list-style-type: none"> • An Archaeological Desk Based Assessment has been undertaken and identifies no deposits that need preservation in situ; • An initial Drainage Assessment has been undertaken which has informed the indicative layout and location of SUDS; • A Phase 1 Environmental Assessment shows no findings that would preclude residential development; and • The initial Landscape Strategy shows that a residential scheme can be designed to integrate into the surrounding landscape and mitigate impacts on views and landscape character. 	
Intro to Rep	Sue Wilson (Resident)	LP0263	MOD006	<p>Thank you for your email informing me about the Main Modifications Consultation to the Hartlepool Plan.</p> <p>I have not read the lengthy plan but, in the past, have sent several emails to the local Council and Peter Kozak, Government Minister appointed to review the Wind Turbines proposals and my opposition to them. I wish to repeat the several statements I made at the time and have copied only two of them below and would like them to be taken into account again please, if such proposals are put forward this time. If you so wish, I can also send further copies and official replies.</p>	No comment.

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Intro to Rep	Home Builders Federation (HBF)	LP0234	MOD008	<p data-bbox="716 185 1753 256">Thank you for consulting with the Home Builders Federation on the Hartlepool Local Plan Main Modifications.</p> <p data-bbox="716 300 1753 568">The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.</p> <p data-bbox="716 611 1753 683">The Council will be aware that the HBF provided comments upon the previous draft of the plan, dated 3rd February 2017.</p>	No comment.

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Intro to Rep	RSPB	LP0253	MOD010	<p>Dear Sir/Madam</p> <p>Hartlepool Borough Council Local Plan Proposed Main Modifications Consultation</p> <p>Please see below the RSPB's representation on the Main Modifications to the Hartlepool Borough Council (HCB) Local Plan (Plan). Our representations include references to the following modifications:</p> <p>MM006 MM024 MM073 MM074 MM079 MM080 MM094 MM096 MM132 MM137 MM139</p> <p>and to the Habitat Regulations Assessment (HRA): Revision 4.</p>	No comment.

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Intro to Rep (Continued)	RSPB	LP0253	MOD010	<p>The RSPB previously commented on the Draft and Publication Versions of the Plan and associated HRA versions. We also submitted written Hearing Statements to the Public Examination of the Plan regarding Matters 1, 4, 13, 15, 18 and attended Hearing Session: Matter 13: Natural Environment on 11th October 2017.</p> <p>In our previous representations the RSPB set out our concerns regarding the Plan – that we considered the Plan was unsound as it lacked detail in the HRA, including insufficient assessment of the potential for policies to have an adverse effect on European Sites. The HRA document required improvement before conclusions that policies would have no adverse effect on the integrity of European sites could be reached. This raised questions about the deliverability of the Plan and therefore, its effectiveness.</p> <p>Our previous headline concerns are detailed below:</p> <ul style="list-style-type: none"> □ There is a potential for employment (EMP) policies to have an adverse effect on the Teesmouth and Cleveland Coast Special Protection Area (SPA)/Ramsar and the proposed extension to the SPA (pSPA) through individual or combined land allocations, on (or near) sites that are within (or functionally linked to) the SPA either through direct habitat loss or through indirect displacement/disturbance of SPA interest features. This was not adequately assessed in the HRA, nor did HBC offer a strategic solution to address these concerns. □ There is a potential for combined leisure, retail and tourism policies to have an adverse effect on the SPA through an increase in recreational disturbance arising from tourists/visitors. This was not adequately assessed in the HRA. □ Information provided in support of the proposed mitigation strategy 	<p>While the RSPB has asked for further consideration of the potential adverse impacts of Employment, Retail and Tourism policies and how potential Retail and Tourism impacts will be dealt with in the Mitigation Strategy and Delivery Plan, HBC considers that despite these, the Plan has passed all of the soundness tests and no further considerations are required.</p>

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				<p>was insufficient to allow an assessment of its efficacy in negating the potential effects of increased recreational disturbance arising from combined housing and leisure policies.</p>	
Intro to Rep (Continued)	RSPB	LP0253	MOD010	<p>In summary we consider that the revised HRA and policy wording has gone some way to address the above detailed concerns – in particular further assessment within the HRA and further detail on the mitigation strategy, delivery and monitoring plans. Our updated response is provided in Annex 1. These comments are made further to a helpful summary¹ of HBC responses to RSPB's Hearing Statements and a meeting with Graham Megson (HBC Ecologist) on 21st December 2017. During the meeting we were able to make suggestions as to grammatical/presentational improvements to the HRA These are not repeated but we would urge HBC to consider these amendments which are suggested in order that the HRA provides a robust, accurate and understandable assessment.</p> <p>We hope you find these comments useful. Please do not hesitate to contact us if you have any further questions.</p>	HBC has made grammatical and presentational improvements to the HRA.

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Intro to Rep	Brett Wilkinson (Stovell & Millwater)	LP0247	MOD013	<p>1. This Statement is in response to the Main Modifications to the new Local Plan and follows our comments on previous the stages as it relates to proposed housing sites at Hart Reservoir, Hartlepool and Glebe Farm, Hart. The two main documents that this submission relates to are:</p> <ul style="list-style-type: none"> • Schedule of Main Modifications to the Publication Local Plan– 14 December 2017 (Document EX/HBC/142) • Schedule of Suggested Modifications to the Policies Map – 14 December 2017 (Document EX/HBC/143) <p>2. Both sites have previously been subject to submissions under the SHLAA. Hart Reservoir was site 25 and Glebe Farm was site 2. The Hart Reservoir site is the subject of an extant planning application that is recommended for approval subject to the 106 agreement. Discussions are taking place over the contributions attached to the 106 agreement at the moment. The Glebe Farm site was not allocated as a housing site, however the farmstead and land immediately to the south of the farm have been included within the development limits of Hart Village.</p> <p>3. We can confirm that Mr Wilkinson is the owner of both sites and we are instructed by him as planning consultants on them.</p>	Noted.

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Intro to Rep	Historic England	LP0044	MOD015	<p>Consultation on Hartlepool Local Plan Main Modifications</p> <p>Thank you for consulting Historic England on the Hartlepool Local Plan Main Modifications. We have previously commented in detail on the various stages of this Plan, and thank the local authority for taking on board so many of our earlier suggestions. We would also like to reiterate our earlier comments on how well the Council has integrated heritage considerations throughout the plan, and demonstrated an excellent strategy for the historic environment, supported by the separate Hartlepool Heritage Strategy.</p> <p>With this in mind, we support the Main Modifications as follow:</p> <p>MM003 - providing clarity on strategic policies</p> <p>MM027 - providing clarity on protection of heritage assets</p> <p>MM064 - providing improved protection for heritage assets</p> <p>MM129 - improving protection for the Conservation Area</p> <p>MM133 - clarifying wording to comply with NPPF</p> <p>MM134 - providing improved protection for the setting of Conservation Areas</p> <p>MM135 - clarifying the approach to enable development.</p> <p>MM146 - improving the monitoring and evaluation.</p> <p>Thank you again for consulting Historic England, and once again we congratulate the council on its very positive approach to the historic environment.</p>	Noted.

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Intro to Rep	Gladman	LP0351	MOD016	<p>Re: Hartlepool Local Plan Proposed Main Modifications consultation</p> <p>This letter provides the response of Gladman Developments Ltd. current consultation held by Hartlepool Borough Council (HBC) on the Hartlepool Local Plan Proposed Main Modifications.</p> <p>This response is structured around the proposed modifications, providing comments in relation to the modifications and policies of particular concern.</p>	Noted.
Intro to Rep	Persimmon Homes Teesside	LP0045	MOD017	<p>This letter has been prepared by Persimmon Homes Teesside in response to the consultation on the Hartlepool Local Plan Schedule of Main Modifications (December 2017).</p> <p>Persimmon Homes have played an active role in the production of the plan to date, submitting written representations to earlier stages of the plan whilst also participating in the recent examination process. Whilst we have not sought to replicate our previous comments per verbatim, we trust that this letter will be read alongside our previous representations as many of our earlier comments and concerns continue to be relevant.</p> <p>This letter subsequently represents as our formal submission to the Schedule of Main Modifications, duly made within the required timescales. For the purposes of clarity the comments contained within this letter are raised in the order in which the matter appears within the Schedule of Main Modifications.</p>	Noted.

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MM005	Hartlepool Civic Society	LP0013	MOD012	<p>MM005/8</p> <p>The drastic reduction of the strategic gap is very disappointing. With the huge expansion of the urban area, which can only occur in one direction, due to the coastal location of Hartlepool, the strategic gap originally proposed afforded some protection and assurance for the ancient rural communities and their distinct identity.</p> <p>The most immediately at risk communities of Greatham, Hart and Newton Bewley have been afforded reduced strategic gaps though the one at Greatham does not go far enough south to ensure protection from expansion of the industrial areas.</p> <p>Another ancient community at Brierton which is also immediately at risk from already approved expansion has, however, not been granted similar protection. This is, we feel inconsistent and it is difficult to understand the reason for the lack of such protection other than Brierton is a smaller community. It is, however, a very interesting proto-village – originally a collection of farms, later joined by occasional individual houses, small holdings and a shooting range business. Most recently, there have been 2 applications for barn conversions. We would argue that for consistency this village, be it a small hamlet, deserves a strategic gap to protect its ancient lineage and growing identity.</p>	<p>HBC provided a Strategic Gap Assessment to support the proposed strategic gap at submission stage of the local plan. Unfortunately it was recommended that the extent of the strategic gap was reduced to ensure 'soundness' of the plan, this has been reflected in the proposed modifications.</p>

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MM005	Persimmon Homes Teesside	LP0045	MOD017	<p>MM005 - Paragraph 6.12</p> <p>In light of the Council's proposed modification to Policy LS1 Locational Strategy and the revision to the Policies Map, Persimmon Homes support the modification to paragraph 6.12. Notwithstanding an additional amendment to the Strategic Gap designation outlined in response to MM008, the Council's approach to the Strategic Gaps now generally reflects our earlier comments and suggestions to the plan.</p>	Noted.
MM006	Durham Bird Club	LP0222	MOD001	<p>The Club welcomes this modification but is concerned that the policy itself is not proposed to be modified to reflect this paragraph. The text may be helpful to interpret policy but it cannot be policy and we represent that the final paragraph of Policy LS1 should be modified to take account of the provisions of this particular modification. This is important as Policy NE1 states proposals should be in accord with Policy LS1.</p>	<p>Noted. HBC is satisfied with the current wording of Policy LS1 as proposed with the modifications suggested. The final paragraph refers to mitigation to meet the Habitats Regulations.</p>

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MM006	RSPB	LP0253	MOD010	<p>MM006 – Paragraph 6.26</p> <p>In our previous responses, the RSPB expressed concern regarding over reliance on Policy LS1 to conclude that individual policies would avoid a likely significant effect (LSE) on European sites. We advised against a general presumption that mitigation would be sought via the HRA process at the detailed development control application stage, rather than seeking a strategic mitigation solution at the plan making stage. The latter approach provides increased confidence and certainty to both HBC and developers that the allocations detailed within policies can be delivered - this is particularly pertinent to employment policies. Please see our further comments relating to Employment Policies in Section 5.</p> <p>Relating to retail, leisure and housing development - Policy LS1 contains the following additional wording:</p> <p><i>'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, 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'.</i></p> <p>The HRA states that with the above wording in place the policy, in itself, can be assessed as not having LSE on any internationally designated sites. The RSPB agrees with this assessment. The RSPB also welcomes that</p>	<p>HBC notes that RSPB agrees that policy LS1 does not cause Likely Significant Effect (LSE). RSPB considers that the Plan does not yet provide sufficient clarity for developers delivering against the employment, retail and tourism policies and that desirable mitigation measures are not embedded within the Mitigation Strategy and Delivery Plan . HBC agrees that the Hartlepool Mitigation Strategy and Delivery Plan was developed to address recreational disturbance and that this might not be suitable for non-recreational mitigation. Following the Main Modifications Consultation, HBC would propose an additional Main Modification to Para 6.26 (MM006) to address the</p>

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				<p>HBC is developing a strategic mitigation framework where financial contributions can be directed to mitigate for the impact of increased recreational disturbance arising from policies within the Plan. The amended wording within Policy LS1 provides a useful signpost to the framework and summary as to the range of measures that developers will be expected to contribute to. However, the RSPB is concerned that the Plan does not yet provide sufficient clarity for developers in order that they understand what is required of them in bringing plans and projects forward for application.</p>	<p>concerns raised by the RSPB: <i>The Borough Council will look to protect, manage and actively enhance the biodiversity, geodiversity, landscape character and green Infrastructure assets of the Borough. <u>Adverse effects, including recreational disturbance, can result from new housing, employment, retail, leisure and tourism opportunities as well as from housing</u>. 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</i></p>

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					<p><i>management of coastal issues and information packs. In delivering development, <u>all</u> 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>and other mechanisms</u>'.</i></p>
MM008	CPRE	LP0015	MOD002	<p>While CPRE maintains its comments regarding the advantages of Green Belt as opposed to "strategic gaps", we welcome the proposed wording here to help strengthen the protection of these areas if our previous representations are not considered to render these provisions "unsound".</p>	<p>HBC has no further comment to make in relation to this issue. The Strategic Gap evidence was presented at the hearing sessions. The Council is of the opinion that the Local Plan Strategy which sets out the Strategic Gap in addition to the other policies in the local plan will adequately protect the countryside beyond the development limits identified.</p>

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MM008	Hartlepool Civic Society	LP0013	MOD012	<p>MM005/8</p> <p>The drastic reduction of the strategic gap is very disappointing. With the huge expansion of the urban area, which can only occur in one direction, due to the coastal location of Hartlepool, the strategic gap originally proposed afforded some protection and assurance for the ancient rural communities and their distinct identity.</p> <p>The most immediately at risk communities of Greatham, Hart and Newton Bewley have been afforded reduced strategic gaps though the one at Greatham does not go far enough south to ensure protection from expansion of the industrial areas.</p> <p>Another ancient community at Brierton which is also immediately at risk from already approved expansion has, however, not been granted similar protection. This is, we feel inconsistent and it is difficult to understand the reason for the lack of such protection other than Brierton is a smaller community. It is, however, a very interesting proto-village – originally a collection of farms, later joined by occasional individual houses, small holdings and a shooting range business. Most recently, there have been 2 applications for barn conversions. We would argue that for consistency this village, be it a small hamlet, deserves a strategic gap to protect its ancient lineage and growing identity.</p>	<p>HBC has no further comment to make in relation to this issue. The Strategic Gap evidence was presented at the hearing sessions. The Council is of the opinion that the Localional Strategy which sets out the Strategic Gap in addition to the other policies in the local plan will adequately protect the countryside beyond the development limits identified.</p>

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MM008	Gladman	LP0351	MOD016	<p>Whilst Gladman recognise that this modification follows the recommendation provided by the Inspector, protected. It is than seeking to integrate sustainable development opportunities within the existing landscape of the surrounding area.</p> <p>Gladman note paragraph 113 of the Framework which refers to the need for criteria based policies in relation to proposals affecting protected wildlife or geodiversity sites or landscape areas, and that protection should be commensurate with their status and gives appropriate weight to their importance and contribution to wider networks. As currently drafted, Gladman believe that this element of the policy needsto be revisited to ensure that it is consistent with the approach set out within the Framework.</p>	<p>HBC is confident that the modifications as proposed relate to the updated Strategic Gap, the policy as worded does allow for development in accordance with the policy and the other related policies as set out in the plan. In relation to paragraph 113 of the NPPF, HBC note that the Natural Environment Section of the plan covers this issue.</p>

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MM008	Persimmon Homes Teesside	LP0045	MOD017	<p data-bbox="723 185 1749 256">MM008 – Policy LS1 Locational Strategy (SEE SUBMISSION FOR DETAIL OF MAPS)</p> <p data-bbox="723 264 1749 448">The amendment to the policy wording in respect of the Strategic Gaps is supported as it is considered to provide an element of ‘flexibility’ to the policy subject to meeting a number of landscape-led criteria which are designed to protect the surrounding settlements against coalescence with Hartlepool. We believe this to be a fair and logical approach.</p> <p data-bbox="723 496 1749 600">Nonetheless, we continue to believe that there are some areas of the revised Strategic Gap which continue to be unjustified, for example in relation to land at Hart Farm (Part of SHLAA Site Ref: 24).</p> <p data-bbox="723 647 1749 871">The site at Hart Farm is bound to the immediate east by the Upper Warren permission and to the south by the approved Hart Reservoir development. We believe that when the land is assessed in the context of these approved developments the site represents a sustainable and highly logical location for residential development which will facilitate the comprehensive rounding-off of residential development in this area.</p> <p data-bbox="723 919 1749 1224">As demonstrated within the Hart Farm Promotional Statement (January 2017) which was submitted to the Publication Local Plan, the site will not extend development any closer to the village of Hart than already proposed by the extant permissions. Issues relating to the proximity of the site to the nearby quarry can also be overcome through the incorporation of a strong landscape buffer along this western edge of the site. Whilst the primary purpose of this buffer will be ensure that properties do not further encroach upon the quarry than existing, it will</p>	<p data-bbox="1765 185 2170 791">HBC disagrees with the comments made by Persimmon in relation to the Strategic Gap at Hart Farm. This area is one of the most sensitive areas when it comes to coalescence of the urban edge and Hart Village, therefore the Strategic Gap is vital in this area. The development limits as drawn present a sensible edge to the urban area of Hartlepool reflecting planned development in this area.</p>

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				<p>also ensure that both visually and physically the integrity of Hart Village is preserved.</p> <p>The land is therefore not considered necessary to meet the core objectives of the strategic gap policy and therefore its inclusion should be considered unsound. On this basis we recommend that the strategic gap boundaries are further revised to match that identified below:</p>	
MM009	CPRE	LP0015	MOD002	<p>We maintain our representations that the provision of 6200 dwellings is too high a figure for the reasons we have outlined. However, if those representations are not accepted, we do not object to this modification. See also our comments to proposed modification MM040 below.</p>	<p>HBC is satisfied that the housing requirement numbers detailed in the local plan accurately reflect the need following comprehensive assessment of available evidence presented throughout the examination process.</p>
MM009	Persimmon Homes Teesside	LP0045	MOD017	<p>MM009 - Policy LS1 Locational Strategy</p> <p>We generally support the identification of the housing requirement within the policy to ensure that the growth strategy for the town is clear however we would note that there is a slight discrepancy between the Main Modifications Document (Ref: EX/HBC/142) which identifies 6,200 new dwellings here, the Submission Plan with Main and Additional Modifications document (Ref: EX/HBC/147) which identifies 6,199 new dwellings and Policy HSG1 of both documents which identifies a need for 6,150 dwellings.</p>	<p>Noted. HBC agree that LS1 should be updated to reflect HSG1 and have proposed a new Main Modification to address this. The correct figure is 6150.</p>

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MM010 - MM013	Persimmon Homes Teesside	LP0045	MOD017	<p>MM010 to MM013 - Policy CC1 Minimising and adapting to climate change</p> <p>Persimmon Homes consider the proposed modifications to be useful in terms of clarifying how the policy will be applied.</p> <p>Whilst we note that energy efficiency measures will only be sought when renewable energy is not 'feasible', we continue to be of the view that in light of the amendments to the Planning and Energy Act 2008 within the Deregulation Bill 2015 relating to sub-section (1) (c) energy efficiency, the requirement for an uplift to the fabric of a building, however compensatory, continues to be unsound given that it is contrary to national planning.</p>	<p>HBC note that due to changes in legislation is it not possible to require building fabric improvements. Policy CC1, bullet point b, uses the word `must` and HBC deem that this word does in effect place a requirement upon the developer. HBC are seeking to give developers flexibility and therefore HBC suggest that bullet point 2 of policy CC1 should be amended, through an additional Main Modification, as follows.</p> <p><i>'Where it can be demonstrated that it is not feasible to provide such energy generation measures on site then the provision of the equivalent energy saving must <u>can</u> be made by improving the building fabric or a</i></p>

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					<p>combination of energy provision and energy saving measures that equates to the equivalent of 10%.'</p> <p>HBC also suggest amending policy CC1, bullet point c, so that it reads as follows.</p> <p>'In cases where constraints do not allow any of the above <u>there is justification that the above cannot be achieved</u> then a contribution to a carbon management fund will be required.'</p>
MM012	Home Builders Federation (HBF)	LP0234	MOD008	Modification MM012 is an improvement to the policy in terms of clarity, however, the HBF still do not consider that this part of the policy is appropriate and consider that it should be deleted.	HBC have a commitment to ensuring development is more environmentally friendly, part of this is to where possible reduce energy consumption by the provision of 'greener' energy. HBC do feel that this element of the policy is valid especially as the wording clearly references both 'feasible' and 'viable'.

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MM015	Home Builders Federation (HBF)	LP0234	MOD008	Modification MM015 is generally supported. However, the HBF considers that an opportunity has been missed to amend this policy and include a viability clause within part 8 of this policy, in relation to the reductions in run-off rates.	The approach set out in the policy reflects the Strategic Flood Risk Assessment Level 1 which has been approved by the Environment Agency. Flood risk is a fundamental issue which needs to be addressed and we do not consider a viability clause is necessary or justified.

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MM016	CPRE	LP0015	MOD002	<p>CPRE remains of the view that, for the reasons given in our previous representations, Policy CC4, relating to strategic wind turbines, should be withdrawn. We are also concerned that the representations of residents from Seaton Carew who attended the EIP have not been addressed. (We note that the neighbouring council, Stockton, has, within their emerging plan at proposed Policy ENV2, specifically stated that they have not identified any site within their area as being suitable for commercial wind turbines. We believe that the two councils are very similar in topography and support the proposed stance taken by Stockton in its emerging plan.) If those concerns of residents are not accepted and the principle of this Policy, notwithstanding substantial objection, is considered to be sound then this footnote relating to topple distances is a necessary addition.</p> <p>This is clearly a very contentious proposed policy and, while we note the provisions regarding compliance with all aspects of the relevant Written Ministerial Statement, including "community backing", we maintain the representations we have already made. In addition, we note that if the provisions of the Housing White Paper are brought into effect, the WMS will, with some amendments, be incorporated into the National Planning Policy Framework. This will give the WMS an enhanced status and, we represent, makes it more important to determine whether this proposed Policy is, in fact, deliverable.</p>	<p>HBC disagrees that Hartlepool And Stockton have the same topography. The two proposed site allocations in Hartlepool have both been assessed, which has included impact on the landscape character. In addition the first paragraph of policy CC4 refers to the requirement of 'backing of the local community'. HBC remains satisfied that the evidence that has been provided through the examination process ensures that the policy is 'sound'.</p>

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MM016	Durham Bird Club	LP0222	MOD001	Although the Club did not specifically comment on Policy CC4 relating to strategic wind turbines, I did give evidence relating to night migration at the EiP. We are disappointed that the policy is not modified to refer to night surveys should it be determined that it is otherwise sound.	HBC is satisfied with the modified wording of this policy, bullet point 6 details 'impact, either individually or cumulatively, on internationally, nationally or locally important species and habitats'. If a night time survey was required as part of any identified Habitats Regulations Assessment this would be stipulated through the planning application process, the requirement of a night survey would not be required for all wind turbine development and it therefore not considered by the Council to ensure the 'soundness' of this policy.

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MM017	CPRE	LP0015	MOD002	<p>We welcome provisions to clarify strategic transport, particularly public and sustainable transport. We note that the Combined Authority is likely to be the lead authority here but we still represent that this proposed modification should clarify</p> <p>- If there are to be more railway stations, is any likely to be in Hartlepool? Should this Plan encourage where any new station should be?</p> <p>- The reference to "safe" cycling and walking routes is welcome but it should also refer to linking important "hubs" so that people can feel that they have a safe, continuous route from their home to important locations that are likely to attract people using sustainable transport. Such "hubs" are not just leisure hubs but also retail and work areas. We have also mentioned compliance with standards for sustainable transport and continue to represent that this should be reflected in any proposed modification.</p>	Noted. HBC remains satisfied that the policy wording remains fit for purpose.
MM017	Persimmon Homes Teesside	LP0045	MOD017	<p>MM017 – Paragraph 8.6</p> <p>We support the inclusion of a reference to the Tees Valley Combined Authority's work in relation to strategic transport and infrastructure in the region but note that the Strategic Transport Plan is due for consultation in 'early 2018' rather than summer 2017.</p>	Noted. HBC would be happy for this date to be updated so the sentence would read <i>"The Combined Authority is currently developing a Strategic Transport Plan, due for publication in 2018."</i>

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MM018	Wynyard Park (GVA)	LP0027	MOD007	<p>Wynyard Park support the inclusion of this additional text which clarifies the ability to deliver housing both prior to and following the delivery of highways improvements at the A19/A689. It is noted that Highways England also confirmed during the hearings and within the agreed Statement of Common Ground (3rd October) that the highway works at A19/A689 could be implemented concurrently with the proposed works at Elwick, both the bypass and the proposed interchange, though in advance of the widening of the A19 to the south of the A689. Reference to this at paragraph 8.12 may be beneficial as it will further demonstrate the deliverability of the plan.</p>	<p>HBC are happy to reflect these comments should it be felt appropriate to include them by the Planning Inspector. However it is noted that further to these comments it is HBC's understanding that it was agreed with Highways England at the Hearing sessions that works at Elwick could be undertaken concurrently with the widening works at the A19 even though the distance was slightly less than the 10km normally suggested. Whilst this isn't reflected in the Highways Statement of Common Ground the discussion did take place as there were concerns raised relating to delays to the Elwick works until after the third lane on the A19 was installed due to the restrictive nature on housing</p>

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					<p>build out this could create. HBC would propose an additional Main Modification at para 8.12, to be inserted immediately prior to the text proposed at MM018, to read: "<u>It has been agreed by Highways England that these works could take place prior to, or concurrently with, the widening of the A19 between Norton and Wynyard...</u>"</p>
MM021	Wynyard Park (GVA)	LP0027	MOD007	Wynyard Park agree with the proposed amendments relating to the deliver of a Primary School at Wynyard Park which reflects EIP discussions regarding deliverability. It also provides clarity to policy HSG6.	No comment.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM024	RSPB	LP0253	MOD010	<p>Policy QP1 details the range of measures to which planning obligations be directed. This list has been amended to include Ecological Mitigation and Networks and signposts developers to the aforementioned Mitigation Strategy and Delivery Plan. The RSPB welcomes this amendment. Additional wording also advises that further detail on planning obligation requirements is set out in the Planning Obligations Supplementary Planning Document (SPD), which (to the RSPB's knowledge) is not yet available for scrutiny. The RSPB accepts that HBC cannot provide an exhaustive list and that further mitigation measures/planning obligations may need to be considered at the planning application stage. However, we consider that the SPD and mitigation strategy should at least seek to provide developers with information on the following:</p> <ul style="list-style-type: none"> <li data-bbox="721 691 1756 758">□ A list of development types for which planning obligations may be sought towards the funding of mitigation measures. <li data-bbox="721 767 1756 834">□ A clear means to identify the extent of developer contributions required for any individual scheme. <li data-bbox="721 844 1756 991">□ The supporting information/evidence that developers would be expected to provide at planning application stage to demonstrate that their scheme complies with the requirements of the Mitigation Strategy and Delivery Plan. 	<p>The Planning Obligations SPD has not been completed. HBC note the RSPB's recommendation that, with regard to European Sites, this should include a list of development categories needing to provide planning obligations, a delivery plan for spending financial contributions and advice to developers on the supporting evidence HBC expect to be submitted with an application.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM024a	Fred Hallums (Resident)	LP0217	MOD014	<p>MMO24a w r t Delivery Risk Assessment" this document assessed the economic viability of the development types which have been identified within this Local Plan "</p> <p>The document failed to address the risk of affordability of the development types. Potential buyers may have "aspirations" to own such houses, but if they are not affordable, then surely this would impact the development viability and risk assessment.</p> <p>As you know the, revised Government guidelines on OAN methodology, scheduled for release Spring 2018, will include the need to factor in affordability as part of the housing need assessment.</p>	<p>HBC does not agree with the comment made. The submitted Deliverability Risk Assessment (EX/HBC/82) does factor in the costs in relation to different market areas. Whilst the DRA does consider affordable housing in relation to the impact on the cost of development and therefore the viability of schemes, consideration to the house types and mix of housing is based on the detail of the Council's evidence including the Strategic Housing Market Assessment. The policies of the local plan do require that a housing mix is provided across housing allocations to meet the needs of growth in Hartlepool.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM027	Persimmon Homes Teesside	LP0045	MOD017	<p>MM027 – Policy QP6 Technical Matters</p> <p>As per our previous representations to the plan, we consider the current wording to place an overly-onerous requirement on all sites to investigate and satisfactorily address each of the matters. There may be instances whereby there is no clear correlation or relevance between the site and one or more of the matters meaning that it is not material to the determination of that application. We therefore consider that the word 'all' should be removed from the policy so that it reads as follows; "Where appropriate proposals must ensure that the following matters are investigated and satisfactorily addressed..."</p>	<p>HBC does not agree with this comment. There is flexibility within the policy as it states 'where appropriate'. HBC remains of the view that these policy considerations should apply to all proposals.</p>
MM028	Home Builders Federation (HBF)	LP0234	MOD008	<p>The HBF consider that modification MM028 is an improvement to the policy QP7, and the agreement of the Council that this aspect of the policy should not be a requirement is supported. However, the HBF would still recommend that the entire paragraph in relation to the '10% above what is required by the most up to date Building Regulations' should be deleted, as it is not consistent with national policy.</p>	<p>HBC has reflected previous comments made by the HBF along with a number of developers and made changes to the policy wording as reflected in MM028. HBC has also suggested further wording in light of the Persimmon Homes response to Modification MM010 - MM013.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM028	Persimmon Homes Teesside	LP0045	MOD017	<p>MM028 – Policy QP7 Energy Efficiency</p> <p>Whilst the proposed modification means that an energy efficiency uplift is now only 'encouraged' which is considered an improvement to the policy, as per our comments in respect of Policy CC1, the request for an uplift to the fabric of a building, however compensatory, continues to be contrary to national planning and is therefore unsound.</p> <p>In line with the HBF representations, we continue to be of the view that for the policy to be justified, effective and consistent with national policy, the second paragraph should be deleted in its entirety, including the reference to "10% above what is required by the most up to date Building Regulations".</p>	<p>HBC has reflected previous comments made by the HBF along with a number of developers and made changes to the policy wording as reflected in MM028. HBC is of the opinion that the proposed wording is compliant with the NPPF and statute as it reflects the aspiration to the Local Authority to improve the energy efficiency of developments to assist in tackling climate change and fuel poverty, it does not require the improvements it encourages them should a developer not be able to comply with NPPF paragraph 96 by virtue of the design and layout of the development. The council's approach is one of flexibility but is not imposing and does not set a requirement. Furthermore it is an</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
					<p>approach that developer have accepted and in many instances requested they can do instead of re designing the layout of a scheme.</p>
MM029 & MM030	Wynyard Park (GVA)	LP0027	MOD007	<p>GVA supports these main modifications. These modifications bring clarity to the proposed housing requirement and its calculation. Specifically the focus on affordable housing delivery is supported by paragraph 029 of the Planning Practice Guidance 'Housing and Economic Development Needs Assessment' chapter which states that "the total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes." The proposed modification to specify that the 20% uplift to the housing requirement is to boost the supply of affordable housing in light of the need for such housing is therefore supported by national planning guidance. This, in GVA's opinion, allays any concerns raised at the hearing sessions that there was an element of double counting in the housing requirement and means that Policy HSG1 is fully justified, in line with national planning policy and therefore sound.</p>	No comment.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM029 & MM030	Persimmon Homes Teesside	LP0045	MOD017	<p>MM029 & MM030 - Paragraph 10.4 and Table 6</p> <p>Persimmon Homes welcome the clarification provided by the proposed modification as it now clearly expresses the purpose and reason for this 'allowance'.</p> <p>We also note and welcome the updated Table 6 reflecting the above change however we continue to be concerned that the backlog has been incorrectly calculated. As set out within our Matter 3 Hearing Statement, up to and including the 2012/13 Annual Monitoring Report, the housing requirement from 2006/07 to 2011/12 was expressed as 390 dwellings per annum based upon the Regional Spatial Strategy. This is then changed retrospectively within the 2013/14 Monitoring Report to 320 dpa before being revised down again retrospectively to 309 dpa within the 2015/16 Annual Monitoring Report.</p> <p>The reasons for these retrospective changes to the housing requirement are unknown and effectively hide a much greater backlog of housing against the adopted plan requirements of that time than that identified by the Council. The table below (See Separate Tab) identifies the net completions against the housing requirements of the time as originally identified by the corresponding Annual Monitoring Report.</p> <p>It is therefore clear that the actual 'strategic' backlog equates to 1023 dwellings rather than the 700 identified by the Council. A failure to incorporate these units within the housing requirement further risks stifling the supply of housing in the borough contrary to national policy. We therefore believe that this additional backlog should be included within the housing requirement. To meet help meet this backlog, additional land at the South West Extension, coming forward later in the plan period as per our representations to Question 6 Hearing Statement 10, should be identified for housing.</p>	<p>The figures relate to the SHMA at the time of publishing of each of the Authorities Monitoring Report. HBC does not agree that the backlog should be increased beyond the 700 outlined within the plan and believe that this figure has been adequately justified throughout the examination process.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM030	Taylor Wimpey UK Ltd (Litchfield's)	LP0025	MOD004	is welcomed as this clarifies that the 20% buffer in the housing target breakdown table relates to an uplift associated with the housing requirement to address the delivery of affordable housing. This amendment helps to clarify that this uplift is a different component to the buffer applied within the five year housing land supply calculation related to past delivery, which is a very important distinction to make.	No comment.
MM030	Park Residents Association	LP0014	MOD009	I was surprised that the backlog demand of 705 was kept. I believe the information I presented demonstrated that there was no backlog between actual delivery and the NET housing requirement based on the 2006 local plan. I believe the recognition that the future HMR delivery has to be monitored in a different way EX/HBC/113 Proposed Monitoring of Housing Delivery reinforces my conclusion.	The fact that the future HMR delivery is being monitored illustrates that the concerns that double counting could occur have been taken on board and a process put in place to ensure that housing completions and demolitions are monitored effectively going forward to ensure that no double counting occurs.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM030	Fred Hallums (Resident)	LP0217	MOD014	<p>MMO30 reference, 10.4, Affordable Housing Delivery, this sends a clear signal that there will be an imbalance(why ?) between the number of affordable homes delivered and the need as identified in SHMA, "necessitating" a 20 % buffer, equivalent to 860 dwellings over the 15 year period.</p> <p>It was my understanding that all new developments given planning permission would need to include 18 % affordable housing to balance supply and demand. Whether this was a target, or a mandatory requirement, is unclear.</p> <p>I suspect the latter, as at the Extraordinary Planning Committee Meeting on 31 Jan 2018 it was stated by the Prism representative that the High Tunstall development, comprising 1200 houses, did not allow for any affordable housing, although High Tunstall is categorised as comprising " Full Range of House Types ".</p> <p>Why should the imbalance be added on, to what is already an aspirational housing target, rather than being embodied in the 18 % criterion ?</p> <p style="text-align: center;">HSG 5 High Tunstall Strategic Housing Site, para. 8) ... "development to accord with an approved masterplan "</p> <p>It was my recollection, that at the Hearings, the Inspector requested the masterplan as a priority, to facilitate his review / approval of this development, within the context of the Local Plan. High Tunstall development design concepts (e.g. construction plan, housing mix, development phasing and deployment / integration of multiple, "second tier " construction contractors etc. etc.) as opposed to vague generalities, are distinctly lacking.</p> <p>It seems to be conspicuous by its absence, but one assumes it is in a state of advanced preparation.</p>	<p>HBC remains committed to securing affordable housing on all development of 15 dwellings or more. The developers for High Tunstall submitted a viability appraisal. The cost of providing the infrastructure contributions offset the developments ability to provide other required contributions in full. The application was minded to approve subject to the further development of the S106 agreement. There has been a commitment to the developer to re evaluate the viability over the lifetime of the development which would allow s106 monies to be directed to the delivery of affordable housing if grant funding is secured towards the grade separated junction and bypass. In addition the</p>

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					development is required by condition to be in general conformity with the concept plan set out in HSG5.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM032	Taylor Wimpey UK Ltd (Litchfield's)	LP0025	MOD004	<p>states that the Council considers that it can demonstrate a five year housing land supply in the first five years of the Plan but there is a shortfall of around 150 dwellings at the end of the plan period. The Council address this by stating it is: "confident that this is a nominal shortfall and that over the course of the plan period it will be addressed."</p> <p>The above makes clear that, as drafted, the Local Plan will fall short of meeting even the minimum housing needs of the Borough. It is irrational, unacceptable and unsound to plan for a shortfall when there are additional suitable and sustainable sites available within the Borough. This includes our client's site at Tunstall Farm, which would help address this shortfall.</p> <p>The approach currently adopted (i.e. a shortfall) does not comply with the requirement set out in the NPPF that Local Planning Authorities (LPAs) must: "ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing..." (paragraph 47) and that Local Plans must "plan positively for the development and infrastructure required in the areas to meet the objectives, principles and policies of this Framework" (paragraph 157).</p> <p>Indeed, paragraph 157 of the NPPF is unambiguous in setting out that it is crucial that Local Plans: "allocate sites to promote development and the flexible use of land, bringing forward new land where necessary..."</p> <p>Therefore, it is clear even with this Main Modification that the Plan would continue to be unsound. The preparation of a new Local Plan provides Hartlepool Council with a fantastic opportunity to lead from the front in terms of proactively setting the growth agenda for the Borough. A Plan that, as currently drafted, takes a cautious approach to delivery is not aligned to national planning policy and is also failing to plan positively.</p>	<p>It is clear from the information in the Local Plan details that this shortfall is within years 10-15 of the plan period, as detailed in Table 7. This is the period in the plan that there is least certainty over deliver given the unpredictability of future market delivery. In line with national guidance it is expected that a review of the local plan would take place prior to reaching this period in the lifetime of the plan. However Hartlepool has an established history of delivering windfall sites and is confident that this will help towards ensuring this shortfall is met.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM032 & MM036	Persimmon Homes Teesside	LP0045	MOD017	<p>MM032 & MM036 - Paragraph 10.6 and Table 8</p> <p>Persimmon Homes continue to believe that the Council's current approach is flawed. Notwithstanding our comments above, the updated trajectory clearly identifies a 150 unit shortfall overall at the end of the plan period and a significant shortfall in the last 5 years of the plan. Whilst we recognise that a plan review may be undertaken to resolve this issue at a later date, in the interests of good planning we consider it important to provide a degree certainty to developers, landowners and the public by identifying sufficient sites to meet its housing target in full, particularly when there are suitable, available and achievable sites.</p> <p>We therefore recommend the allocation of land at Hart Farm to fill this shortfall. As per our previous representations, we consider the land at Hart Farm to represent a sustainable and deliverable residential opportunity. The site would naturally form a continuation of the Upper Warren development late in the plan period at which point the need for additional units is clearly evidenced. With the ongoing committed development at Hart Reservoir also to the south, the site effectively forms an infill opportunity which will help tie the two sites together.</p> <p>A Promotional Document has previously been produced and submitted to the Council in support of the allocation of the site. This document was supported by a range of non-technical assessments which demonstrated that the perceived barriers preventing the site from coming forward for development could be overcome. The statement demonstrates that an appropriate buffer can be achieved with the</p>	<p>It is clear from the information in the Local Plan details that this shortfall is within years 10-15 of the plan period, as detailed in Table 7. This is the period in the plan that there is least certainty over deliver given the unpredictability of future market delivery. In line with national guidance it is expected that a review of the local plan would take place prior to reaching this period in the lifetime of the plan. However Hartlepool has an established history of delivering windfall sites and is confident that this will help towards ensuring this shortfall is met.</p> <p>Therefore HBC do not consider that there is a need to identify any additional housing allocations. In addition HBC remain confident that LS1 sets out</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
				<p>nearby quarry to protect the amenity of adjacent residents whilst any development can maintain the separation Hartlepool and Hart Village inline with Policy LS1 of the emerging Plan through the inclusion of a strong structural landscaping along the western boundary.</p> <p>The site is therefore considered to be sustainable and has the potential to be development in a manner fully compliant and compatible with the wider objectives of the emerging Local Plan whilst ensuring that the Council can meet its housing needs in full.</p>	<p>the Strategic Gap as it is required to protect against coalescence of the villages, in particular Hart, Greatham and Newton Bewley.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM036	Taylor Wimpey UK Ltd (Litchfield's)	LP0025	MOD004	<p>reiterates this shortfall setting out that: <i>“There 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.”</i></p> <p>The Council has not taken a cautious approach. Conversely, as set out by the Council at Appendix 14, the Council has included this windfall allowance based on <u>“specific intelligence”</u> that <u>“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”</u> (Lichfield's' emphasis).</p> <p>This represents an optimistic and uncertain approach whereby sites that do not have planning permission, or do have planning permission but the Council think it is unlikely to be delivered, are being included in the housing delivery trajectory. If these sites do not deliver, this instantly doubles the existing shortfall to over 300 units, or around 80% of one year's requirement (based on the Council's OAN of 410dpa). This is not a sound approach to producing a Local Plan. This does not reflect NPPF paragraph 48 which sets out that: <i>“Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply . Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends ,</i></p>	<p>It is clear from the information in the Local Plan details that this shortfall is within years 10-15 of the plan period, as detailed in Table 7. This is the period in the plan that there is least certainty over deliver given the unpredictability of future market delivery. In line with national guidance it is expected that a review of the local plan would take place prior to reaching this period in the lifetime of the plan. However Hartlepool has an established history of delivering windfall sites and is confident that this will help towards ensuring this shortfall is met. Looking back at delivery over the past 10 years or so, most housing delivery in the town could be classified as windfall delivery as the 2006 Local Plan did not include</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
				<p><i>and should not include residential gardens.” (Lichfield’s’ emphasis).</i></p> <p>The current approach does not meet the identified housing need, nor does it provide flexibility to adapt to change, particularly if some sites do not deliver as anticipated. In order to ensure that the Plan is sound <u>we strongly recommend that additional sites are allocated for housing development, and Table 8 is updated accordingly. We recommend that our client’s site is allocated for approximately 400 new homes and that this is included within Table 8 in order for the Plan to be sound.</u> As demonstrated through our previous representations throughout the stages of preparation of the Local Plan, the site is available, suitable and sustainable for housing development and could deliver 30dpa from 2023/24 onwards – thereby addressing the Council’s shortfall which they readily admit and currently plan for.</p>	<p>any greenfield development on the edges of the urban area and relied mainly on the brownfield site at Victoria Harbour - this shows that windfall developments are common place and likely to happen over the plan period. Therefore HBC do not consider that there is a need to identify any additional housing allocations. It must again be re-iterated that there are serious concerns in terms of the Tunstall Farm 2 proposals in terms of access to the site and the impact it would have on the Summerhill Country Park. The land is not in the ownership of Taylor Wimpey and is not currently considered deliverable.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM034 & MM035	Persimmon Homes Teesside	LP0045	MOD017	<p>MM034 & MM035 – Paragraph 10.14 & Table 7</p> <p>Notwithstanding our comments above, we accept and agree that it is important for Table 7 to be updated to reflect the current position.</p> <p>Given that the table is attempting to identify the general trajectory of sites throughout the plan period based upon the 'Baseline Housing Trajectory', the general five year land position in the short, medium and long term as well as the current 5 year land supply position, we find the table difficult to interpret and note a number of discrepancies.</p> <p>We believe the table would be clearer to interpret if it were only to identify the trajectory of sites and the Council's five year land supply position for the remaining plan period.</p> <p>Line B allows for the under-delivery which has occurred since the start of the plan period in 2016 to be picked up and redistributed throughout the plan period using the Council's preferred Liverpool Method. In order to avoid 'double counting' we therefore consider that Line B under the year 2016/17 should read 185 units (i.e. the number of units which were delivered). The shortfall here in our view would be the 'Baseline Housing Trajectory' minus the number of units that were delivered which in this case would equate to 165 units which using the Liverpool Method would result in an additional 12 units per annum over the remaining 14 years of the plan period. This would be picked up by the remaining columns of Line B. This approach should also be used in respect of Line C to ensure that both trajectories clearly aim to deliver the housing target.</p>	<p>The Council disagrees with the comments made. We consider that the table includes the information discussed at the Hearing sessions in a logical manner which illustrates projected delivery from a range of sources on an annual basis. We also disagree with the comments in relation to the shortfall from the first year of the plan period. The shortfall was in fact 235 (420-185) - this shortfall has then been spread across the plan period at 17 additional units per year in line B under the Liverpool Method. In terms of the five year supply the Council has indicated both a five year supply from the start of the plan period and also from 2017-22 to illustrate that in both cases it is met. The Council therefore believes the table as set out</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
				<p>As we have now passed the start date of the plan (2016/17) we do not consider it necessary to identify the now out of date position in terms of a five year land supply for the first five years of the plan. We therefore recommend that the lines titled '5 Year Supply Accordance' should have a start date of the current year (2017/18).</p> <p>We have updated Table 7 to reflect the comments above and included it within Appendix A of this letter for the Council's consideration and comment. We consider this revised approach to more clearly demonstrate the Council's current five year land supply position over the plan period.</p>	<p>In the Main Mods Consultation is correct and accurate.</p>
MM036	Wynyard Park (GVA)	LP0027	MOD007	<p>Wynyard Park note the amendments to table 8 which reflect the subsequent planning consent at the "North Pentagon" (HSG6a). Part of HSG6 is now a commitment.</p>	<p>No comment.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM037	Taylor Wimpey UK Ltd (Litchfield's)	LP0025	MOD004	<p>paragraph 10.21 states that, strategic backlog (i.e. backlog before the start of the plan period) was added to the OAN and spread across the plan period going forward (the Liverpool method). A further under delivery of 307 dwellings since the start of the plan period has been identified by the Council and added to the baseline requirement. Whilst previously the Council sought to spread the “new” under delivery over the first five years (the Sedgefield method), at the Examination in Public the Council's position changed to the Liverpool method for “consistency”. As per the Main Modifications, the Council is now seeking to spread this new under delivery across the plan period (Liverpool method).</p> <p>Planning Practice Guidance is clear that LPAs: <i>“should aim to deal with any undersupply within the first 5 years of the plan period where possible [Sedgefield]. Where this cannot be met in the first 5 years, local planning authorities will need to work with neighbouring authorities under the duty to cooperate.”</i> (PPG Paragraph 035 Ref ID 3-035-20140306)</p> <p>PPG is clear that the Sedgefield method is the preferred approach to deal with past under supply. Whilst that does not preclude the Liverpool method being adopted, in this instance, there is no evidence that the Liverpool approach would be necessary or more suitable, nor is there evidence that the LPA has sought to work with neighbouring authorities to deal with this.</p> <p>Our strong view remains that the Sedgefield method is more appropriate for the Plan to adopt. The Sedgefield method is particularly applicable in this instance as Graph 1 at Appendix F of the Plan demonstrates that the Council anticipates higher levels of housing</p>	<p>The Council, as set out during the discussions at the Hearing session, believes that sound justification has been set out for adopted the Liverpool Method in terms of housing delivery. As the housing delivery within the plan is reliant on larger, more strategic sites which in turn require significant infrastructure investment in the local and strategic road network these sites will take a number of years to bring forward to a point of maximum delivery on site. In terms of Graph 1, it is clear that the early years of the plan are much more heavily reliant on existing planning permissions with delivery on allocated sites beginning to accelerate during the middle part of the plan period - again this is reflective of the time taken</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
				<p>delivery in the earlier stages of the Plan. It is therefore not a sound approach to spread past delivery across the plan period, particularly given there is a planned shortfall of housing delivery in the later years of the Plan. The Council's justification for switching to the Liverpool method for under delivery, to ensure consistency, is not a justification supported by Planning Practice Guidance or national planning policy. Both promote under supply being met as soon as possible, and in fact, clear supporting text within the Plan can explain the different approaches taken in order to clarify how strategic backlog and new under delivery is accounted for.</p> <p><u>On the above basis, we also recommend that modifications are made to the policies map to identify our Client's site at Tunstall Farm (Phase 2)</u></p>	<p>to bring forward strategic sites and strategic infrastructure. Again, the Council do not consider it necessary to include the Tunstall Farm 2 site on the Policies Map.</p>
MM039	Taylor Wimpey UK Ltd (Litchfield's)	LP0025	MOD004	<p>Whilst the clarification of the minimum housing requirement being a net figure in MM039 is welcomed, our view remains that the Plan as drafted does not ensure a sufficient supply of land for housing delivery. This simply highlights the significance of the Council's strategy to fail to achieve even this figure.</p>	<p>HBC remains confident that the policies as set out in the plan will support the achievement of the Housing Requirement.</p>
MM039	Home Builders Federation (HBF)	LP0253	MOD010	<p>The HBF consider that the proposed modification, MM039, is an improvement to policy HSG1, providing clarity to the policy in relation to the minimum net housing requirements.</p> <p>However, the HBF continues to have concerns in relation to the delivery of homes, with the future potential supply identified now at an even lower level than identified in the publication document. Therefore, the addition of an additional policy in relation to ensuring a sufficient supply of housing land is welcomed.</p>	<p>No comment.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM039	Persimmon Homes Teesside	LP0045	MOD017	<p>MM039 – Policy HSG1 New Housing Provision</p> <p>Persimmon Homes object to the current wording of the policy. As the plan only identifies a supply of 5,989 units, a shortfall of 161 dwellings against the requirement, the policy is therefore factually incorrect when it states;</p> <p><i>“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 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 <u>to, as a minimum, meet the net housing need requirement identified below</u> . All sites are suitable, available and deliverable and are illustrated below:”</i></p> <p>As set out above, to overcome this issue, we therefore recommend that the Plan identifies additional sites such as Hart Farm and the South West Extension Phase 2 to ensure that as a minimum, it can meet the net housing need requirement in full across the plan period.</p>	<p>It is clear from the information in the Local Plan details that this shortfall is within years 10-15 of the plan period, as detailed in Table 7. This is the period in the plan that there is least certainty over deliver given the unpredictability of future market delivery. In line with national guidance it is expected that a review of the local plan would take place prior to reaching this period in the lifetime of the plan. However Hartlepool has an established history of delivering windfall sites and is confident that this will help towards ensuring this shortfall is met. Therefore HBC do not consider that there is a need to identify any additional housing allocations.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM040	CPRE	LP0015	MOD002	<p data-bbox="721 185 1756 762">we note that this is a new policy HSG1a which was agreed at the hearing. CPRE was not present during this session but we draw attention to our previous representations about housing numbers and the OAN. We also drew attention to the figure in the Government's method of calculation published on September 14th which showed for Hartlepool an indicative annual assessment of 213 houses per annum as opposed to the Council's figure of 290. While we have accepted that this is "indicative" and within a consultation document and, of course, that the Submission Plan pre-dates the Government Consultation, we continue to represent that the OAN proposed by Hartlepool is too high. As a result, we represent that the proposed Policy HSG1a should also address, if there is a shortfall in delivery, the reasons for it. If indeed the government's figure for Hartlepool is found to be a more reasonable figure, then we represent that any review of the Plan should be able to address this and amend the OAN accordingly.</p> <p data-bbox="721 804 1756 992">If our representations that the OAN is too high is not accepted, we represent that point 3) in this proposed policy should be amended to say that any partial review of the Plan should include an option to reduce the OAN to a figure in line with the Government's calculation if the demand for housing does not indeed match the Council's figure.</p>	<p data-bbox="1762 185 2181 488">HBC are of the view that the OAN and housing requirement presented in view of the evidence prepared by HBC and examined as part of the examination process is correct.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM040	Wynyard Park (GVA)	LP0027	MOD007	<p>Wynyard Park welcome the inclusion of a new policy to facilitate the review of housing land supply across the plan period and the mechanism for identifying additional land for housing delivery should there be a requirement to do so. Under criterion 3 of the policy HSG1a it is noted that a review of the Local Plan, including a review of allocated employment land is one method of boosting housing supply "if exceptional circumstances prevail". In its current form the definition of exceptional circumstances is ambiguous and could prevent delivery in the future when it is required unless the exceptional circumstances are defined. In order for the policy to be sound, it should accord with the principles of the NPPF paragraph 22 which states: "Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities"</p>	<p>The Council considers that Policy Hsg1a as drafted clearly sets out how housing delivery will be monitored and the steps that will be taken should there be issues of under delivery. MM146 sets out a monitoring framework which also gives further information on this matter. The housing growth within the plan is predicated on economic growth over the plan period which, in the Council's opinion, requires the employment allocations put forward - if less economic development were to occur and less land was available, this would have a consequential knock on effect on the housing requirement and this would need to be reviewed at the time.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM040 (Continued)	Wynyard Park (GVA)	LP0027	MOD007	<p>Indeed, based on the above and in the absence of a definition of exceptional circumstances within the supporting text, GVA would request that criterion 3 be amended as follows:</p> <p>"A partial review of the Local Plan, including options for safeguarded land including allocated employment land will be undertaken if exceptional circumstances prevail or where there is no reasonable prospect of the land being used for its allocated employment use" (This modification would also accord with the approach set out in MMO73a later in the consultation document).</p> <p>With regard to the final paragraph in modification MM040, it is noted that in the unlikely event that infrastructure delivery is materially delayed it will be necessary to implement the measures in Policy HSG1a. However, for the avoidance of doubt and in order to clarify that this a separate scenario to general under delivery on sites for reasons that do not relate to infrastructure delay, it is suggested that inclusion of the word "also" as follows will achieve this:</p> <p>"Any material delay in the implementation of infrastructure necessary to sustain housing delivery , which would lead to under delivery of supply, would also inform whether the range of measures set out above are triggered".</p>	<p>It is not considered the proposed change to criteria 3 is necessary in order to make the plan sound. As noted above the employment allocation at Wynyard is seen as critical to the economic growth plans of Hartlepool and the Tees Valley and the Council will work with the landowners to bring forward economic development on the site. The Council does not consider the word also is needed within the final paragraph of the policy as it considers that it would be the failure to deliver necessary infrastructure which would lead to a failure to deliver on housing and would then trigger the need for one of the 3 criteria.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM040	Home Builders Federation (HBF)	LP0234	MOD008	As identified in relation to Policy HSG1 the HBF has concerns in relation to the delivery of homes and potential supply of housing land. Therefore, the addition of this policy is welcomed. However, the implementation of this policy is key, and at present the HBF have concerns that it will not be sufficient to tackle issues of housing delivery efficiently and effectively. It is still considered that more flexibility should be built into the supply at this stage, rather than putting it off for a later plan review.	HBC are happy that the approach taken with the inclusion of HSG1a addresses concerns over housing supply.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM040	Park Residents Association	LP0014	MOD009	<p>A significant factor in the demand and housing supply is the House Market Renewal (HMR) initiative involving 1,950 houses to be demolished over the plan period.</p> <p>The policy HSG1a does not refer to the proposal set out in EX/HBC/113 Proposed Monitoring of Housing Delivery which has been developed to avoid double counting of demolitions related to the HMR initiatives when monitoring the delivery of the plan.</p> <p>HSG1a should make reference to the Indicator H1 Housing delivery at HMR sites estimated at 65 a year and the Indicator H2: Annual Net Housing Delivery (excluding demolitions and replacements on HMR sites) of 345 per annum.</p>	<p>Note comment regarding reference to Monitoring Framework, however feel reference would perhaps be best included as a footnote to table 6 which gives the Housing Target Breakdown. Would suggest an additional Main Modification (MM030/1) to read: "<u>In relation to demolitions and replacement on Housing Market Renewal sites indicators H1 and H2 within the Monitoring Framework and the Proposed Monitoring for Housing Delivery definition following table 1 in the Monitoring Framework (Appendix 12 of the plan).</u>"</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM040	Gladman	LP0351	MOD016	<p>In principle, Gladman are generally supportive of the introduction of Policy HSG1a which seeks to ensure a sufficient supply of housing land will be maintained over the plan period should monitoring reveal that there is a shortfall in housing supply. However, Gladman are concerned that the mechanisms listed do not go far enough to address any shortfall in an expedited manner. Indeed, the preparation of interim position statements, development briefs and/or a partial review of the Local Plan will require time to prepare and implement meaning that should a shortfall arise, this will leave the Council in a precarious situation in which it cannot plan positively to meet any housing shortfall in a timely fashion. Although undertaking these measures may be necessary, a more positive and proactive approach would be through the implementation of a criteria based approach which would allow development opportunities to come forward to meet development needs and act as contingency should sites not come forward as anticipated. Indeed, a similar approach was taken in the recent Inspector's Report to the South Derbyshire Local Plan Part 2 (September 2017) which recommended main modifications to similar issues and stated at paragraph 21: Nevertheless, to ensure the effectiveness of the Plan to adapt to rapid change which might lead to a shortfall in housing land supply, main modifications are necessary to Policy BNE5 (MM36) and its explanatory text (MM37). These modifications include and justify a new criterion (iii) in the policy to allow for development outside of settlement boundaries where it would be unavoidable, such as the Council being unable to demonstrate a 5-year land supply. Such an amendment would add an appropriate degree of additional flexibility to the Plan to adapt to changing circumstances and meet the district development needs, in</p>	<p>The Council believe the approach proposed is worded in an acceptable manner which will allow the Council to ensure a sufficient supply of housing land, allowing the Council to respond in an appropriate and timely manner should monitoring show the policies within the plan are failing to deliver the necessary housing levels.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
				<p>away which would be consistent with sustainable development, without comprising the overall spatial strategy of the Plan.</p> <p>Gladman believe that MM040 should take a positive approach to growth similar to the above where development opportunities that are well related to existing settlement limits in instances where the Council is unable to demonstrate a 5 year housing land supply. It is imperative that the Local Plan plans for suitable contingency that will allow sustainable sites to come forward at any time the Council is unable to demonstrate a 5 year housing land.</p>	

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM040 (Continued)	Gladman	LP0351	MOD016	<p>Furthermore, the Hartlepool Local Plan should include a trigger mechanism to ensure any remedial action is taken should monitoring reveal that the Plan is not enabling the level of development that is required to meet the needs of the area. If the Council intend to undertake a review of the Local Plan then this policy should be clear, easily understandable, and effective, by setting achievable targets for the completion of the review. Specifically the triggers for the review need to be meaningful and contain an end date that is in the control of the local planning authority. The policy should also include consequences for failing to meet the target dates. In this regard, Gladman refer to the North West Leicestershire Local Plan (adopted November 2017) as an example of an effective and implementable review policy. Policy S1 states:- <i>"The Council will continue to work collaboratively with the Leicester and Leicestershire Housing Market Area (HMA) authorities to establish the scale and distribution of any additional provision that may be necessary in North West Leicestershire and elsewhere in the HMA as a result of the inability of one or more authority to accommodate its own needs as identified in the Leicester and Leicestershire Housing and Economic Development Needs Assessment. The District Council will commence a review of this Local Plan (defined as being publication of an invitation to make representations in accordance with Regulation 18 of the Town and Country (Local Planning) (England) Regulations 2012) by the end of January 2018 or within 3 months of the adoption of this Local Plan (whichever is the later). The Plan Review will be submitted for examination within two years from the commencement of the review. In the event that the reviewed plan is not submitted within two years</i></p>	<p>It is not considered such a policy is needed or justified. The Council does not consider there is a shortage of available land that could potentially be suitable for additional housing if needed as illustrated throughout the discussions at the Hearing sessions. If a plan review is needed, the Council believes this could be carried out in a timely manner bringing forward any additional land to address delivery issues which may occur. The Council does not consider it requires a policy which links it to neighbouring authorities as it considers it will be able to address under delivery in a timely manner should it occur. It is considered that Policy Hsg1a is sound as currently drafted and when read in conjunction with the</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
				<p><i>then this Local Plan will be deemed out of date."</i></p> <p>The Council should modify the policy in light of the above comments and example policy. Ensuring an effective review policy is in place is of fundamental importance and should not be overlooked.</p> <p>I hope you have found this response to be constructive. Should you require any further information please do not hesitate to contact me.</p>	Monitoring Framework.
MM040	Persimmon Homes Teesside	LP0045	MOD017	<p>MM040 – Policy HSG 1A Ensuring a Sufficient Supply of Housing Land</p> <p>Persimmon Homes welcome the addition of the policy which aims to ensure that a sufficient supply of housing land is maintained throughout the plan period by identifying the options and triggers available to the Council should their position falter.</p>	No comment.
MM041	CPRE	LP0015	MOD002	<p>This proposed new sentence states that the council will ensure consistency with the ultimate government calculation for Hartlepool. This appears to accept the tenor of the representations we have made. We support this proposed modification and believe that our representation above is consistent with this proposal.</p>	No comment.
MM044	Persimmon Homes Teesside	LP0045	MOD017	<p>MM044 – Diagram 1 (Now Diagram 2)</p> <p>Persimmon Homes support the amendments made to Diagram 2 which reflect our discussions at the Examination in Public.</p>	No comment.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM045 & MM046	Persimmon Homes Teesside	LP0045	MOD017	<p data-bbox="721 185 1753 256">MM045 & MM046 – Policy HSG4 The South West Extension Strategic Housing Site</p> <p data-bbox="721 261 1753 413">Following the discussions at the Examination in Public, whilst Persimmon Homes consider the proposed amendments an improvement to the policy, we do not consider them to reflect the current resolution to approve subject to a Section 106.</p> <p data-bbox="721 456 1753 874">As set out within our Matter 10 Hearing Statement, bullet-point 3(a) of the policy states that 2.7 hectares of land will be set aside for Primary Education provision. Whilst land measuring 2.7 hectares has been identified towards the centre of the site, following comments from the HSE received as part of the application process regarding the gas pipeline which runs north to south through the area it has been necessary to identify this land for both educational use and playing pitches. We have subsequently identified an area of land within this 2.7 hectares that is sufficient to accommodate up to a 2 form entry primary school should it be required alongside the playing pitches. We therefore recommend that the policy is amended to read as follows:</p> <p data-bbox="721 917 1753 989"><i>“Safeguarded land for up to a 2 form entry Primary Education provision (Use Class D1) in accordance with policy INF4, and...”</i></p> <p data-bbox="721 1032 1753 1225">We also consider that greater clarity can also be provided to bullet-point 4 by clearly stating that land is to be safeguarded as part of the development for the full north to south link road between the A689 and Brierton Lane. This amendment is necessary as the link road connecting the Southern Access Road with the Northern Access Road can only be</p>	<p data-bbox="1760 185 2179 914">The proposed change does not relate to a Main Modification and therefore do not consider it is appropriate to agree the change. Similarly the proposed change in relation to the link road does not relate to a Main Modification. The Policies map clearly indicates, by way of a yellow line, the safeguarded land necessary to deliver the elements of the link road (those areas being outside of the current planning permission (subject to s106 completion)).</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
				delivered on adjoining land out with the application site. The application and proposals for this first phase of the South West Extension therefore cannot deliver the link road, only safeguard a route for it.	
MM055	Wynyard Park (GVA)	LP0027	MOD007	With regard to the inclusion of paragraph 10.47, Wynyard Park agree with this approach and that the concept plan was agreed with Officers during the hearing process. However, as stated within Wynyard Park's representations and during the hearing process, the concept plan is indicative with regard to the final location of INF4 facilities, housing and green/open spaces. It is requested that the word indicative be included either prior to the words "Wynyard Concept Plan" or that a note stating "indicative" be included on the Concept Plan itself at appendix D (MM057).	HBC satisfied that the current wording within the local plan and the additional text set out in MM060 which allows flexibility for alternative uses once the community infrastructure has been provided to be adequate to address this issue.
MM056 & MM058	Wynyard Park (GVA)	LP0027	MOD007	These amendments, inclusive of the 2,263 dwelling trigger were agreed as part of the SOCG and their inclusion in the schedule of modifications is welcomed by Wynyard Park. This will ensure there are no delays to delivery in the short term as a result of the previous policy wording.	No comment.
MM059 & MM060	Wynyard Park (GVA)	LP0027	MOD007	It is agreed that these minor modifications reflect the suggested changes at the hearing session and will allow for appropriate flexibility in delivering the allocation.	No comment.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM061	Wynyard Park (GVA)	LP0027	MOD007	This modification is welcomed by Wynyard Park and important to ensure that there is the appropriate balance between delivering housing on the allocation and maximising the amount of developable housing land without restricting the ability to deliver the required INF4 facilities. This modification was agreed during the hearing session (Matter 9) on Wynyard Park.	No comment.
MM061	Hartlepool Civic Society	LP0013	MOD012	<p>MMOO61</p> <p>This change causes concern as, uniquely for Wynyard, it appears to provide alternative use, including housing, for land covered by POLICY INF 4 – provision of community facilities. This would surely risk encouraging the squeezing/compaction of such community facilities in order to allow for yet more housing. Is there to be any minimum area requirement for such facilities?</p> <p>Bearing in mind the relative isolation of Wynyard there can be no compromising on the quality and provision of community facilities for what is ultimately a new town.</p>	HBC supports the intention to secure community services at Wynyard. Policy INF4 sets out an allocation for these facilities however it offers the flexibility for other land uses to be considered should all of the community facilities as required and agreed with Wynyard Park be delivered. The provision of community facilities would be subject to planning permission, through this process acceptable space requirements will be considered.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM062	Wynyard Park (GVA)	LP0027	MOD007	<p>With regard to the proposed criterion 9 of the Policy, Wynyard Park recall the agreement to include a concept plan in order to establish parameters and guide the delivery of the allocation but do not recall the need for the preparation of a more detailed masterplan in order to accord with policy HSG6. It was explained during the hearing sessions that an approved masterplan would likely change in practice during the plan period as Wynyard Park respond to market demand, which could in turn result in conflicts with criterion 9 or the need for various iterations of a masterplan over the plan period. As such it was suggested and agreed that a concept plan would be the most appropriate means of progressing as this would establish the general parameters for development and secure the requirements of criteria 4,5,6,7 and 8 of the policy whilst retaining appropriate levels of flexibility in delivery. As such it is respectfully requested that criterion 9 is amended to state:</p> <ul style="list-style-type: none"> - "Development to generally accord with the key principles set out in the indicative concept diagram contained in the Plan". 	<p>It is HBCs understanding that the requirement was for the development of a masterplan for development at Wynyard to determine how the area would develop over the plan period. Therefore do not agree with the suggestion made to reword MMO62.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM067	Brett Wilkinson (Stovell & Millwater)	LP0247	MOD013	<p>Glebe Farm (SEE SUBMISSION FOR DETAIL OF MAPS)</p> <p>4. We confirm the inclusion of the Glebe Farm buildings and paddock to the south within the development limits of Hart Village. The farmstead includes one dwelling and planning permission for a barn conversion.</p> <p>5. In regard to Glebe Farm the main modifications are;</p> <ul style="list-style-type: none"> • MM067 - page 117 - Policy HSG8 • PM/CMP10/03 - Policy HSG8 <p>6. These modifications relate to the inclusion of a landscape buffer which is shown on the policies map and referenced within the policy text. The policies map amendment is shown below.</p> <p>7. It would seem sensible to us that the landscape buffer that has been included on the western boundary of allocation HSG8b be removed and instead follow the limits to development along the south east corner to assist with the inclusion of Glebe Farm within the development limits and so that it joins up with the landscape buffer surrounding allocation HSG8a. We feel this would create a stronger boundary between the Village and the countryside. The text within Policy HSG8 states;</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.</p> <p>8. We feel if the phrase 'site boundaries' was replaced with 'development limits' this would be sufficient to address the map amendment we have suggested.</p>	<p>Agree to these suggestions regarding the landscape buffer at Hart Village.</p> <p>Additional Main Modification to criteria 2 of Policy Hsg8 to read: "A landscape buffer, as defined by the development limits site boundaries and illustrated on..." As a result of this change, there will also be a corresponding update to the Policies Map in relation to the landscape buffer at Hart Village.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM073	RSPB	LP0253	MOD010	<p>5. Employment Policies MM073 – Policy EMP 3</p> <p>The RSPB notes the following additional wording to Policy EMP3. Please also see our further comments relating to Natural Environment Policies. <i>'All proposals must be considered against all relevant policies in the plan. In particular, policy NE1, given the close proximity of some of the employment sites listed within this policy to designated sites for nature conservation'</i>.</p>	No comment.
MM076	Durham Bird Club	LP0222	MOD001	<p>We are disappointed that there is no modification of this policy to ensure that the highly sensitive sites around the nuclear power station should be subject to the other provisions in the Plan relating to biodiversity in general and offsetting in particular. While we acknowledge that the Plan must be read as a whole, as this site will be subject to different procedures we represent that there should be a reference to these provisions in the second paragraph. In our letter of 31 January 2017 relating to Policy EMP5, we did refer to the reports of the Natural Capital Committee. These have now been mentioned elsewhere in the modifications and we represent that there is a case for a mention to be made here as well.</p>	<p>The preamble to the policy does cover this and as stated the plan should be read as a whole and therefore the issue is addressed elsewhere in the plan. In addition - there is little control over the identified site, given that it would be a National Infrastructure project.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM079 & MM080	RSPB	LP0253	MOD010	<p>The RSPB notes amendments to policy wording as follows: '3) any above surface structures are limited in scale, not visually prominent and will be designed with flat roofs to replicate habitat loss'. The removal of this wording has been previously agreed as it represents an unacceptable solution to SPA habitat loss. However, MM080 states: <i>'In order to make any underground storage deliverable, access will need to be for 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.'</i> The RSPB considers that this is an acceptable solution providing evidence that tenure of the area of land in question is secured and is, itself, not functionally linked to the SPA.</p>	<p>This refers to MM077. Whilst HBC accepts that the wording: '3) any above surface structures are limited in scale, not visually prominent and will be designed with flat roofs to replicate habitat loss' does not represent best practice for compensating SPA habitat loss and that due to the possibility of Natural England not approving this measure in a future HRA for a development application, it is felt that this could be clarified by adding to the end of criteria 3 a statement that no buildings will be permitted within the SPA. This will still ensure that any buildings proposed on the white land are developed in a manner that improves the biodiversity on none SPA land. As such an additional Main Modification is</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
					<p>proposed to the end of criteria 3 to read "<u>No built development will be permitted on SPA land.</u>" HBC notes that RSPB accepts that there is an area of Greenabella Marsh from which EMP6 can be accessed. This piece of land is neither SPA or pSPA. The site is primarily rank grassland and is not functional land. The WeBS counts for this sector involve birds on the saline lagoons (wader roost, wigeon and teal) and some large pools (wildfowl and little egret). HBC does not consider it necessary for the access land to be in the same ownership. If it is in different ownership, the policy still applies and an access arrangement would be necessary. <u>An additional modification to the Policies Map will be made to</u></p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
					map will be made to illustrate where the access to the EMP6 site should be from to avoid SPA land.
MM081	CPRE	LP0015	MOD002	We welcome the amendments to this paragraph, particularly the proposal to include "tranquillity" in the text.	No comment.
MM084	CPRE	LP0015	MOD002	We note that it is now specifically intended to protect Best and Most Versatile Land by referring to Grades 1, 2 and 3a. We support this proposed modification but represent that the issues raised in our letter of 31 January 2017 on Policy RUR3 (which relate to the loss of agricultural land to biofuels rather than food production) remain valid.	HBC note the comments but remain confident that the wording of the policy is fit for purpose.
General comments on Retail, Leisure and Tourism Policies	RSPB	LP0253	MOD010	<p>The RSPB remains concerned that the HRA has not sufficiently assessed the potential impacts arising from increased recreational disturbance upon the Teesmouth and Cleveland Coast SPA arising from retail, leisure and tourism policies. Further to our comments above, we also consider that current policy wording does not provide sufficient consistency or clarity for potential developers as to what is expected of them to mitigate for these impacts.</p> <p>HRA Section 5 – HRA Stage 1 Screening Part B: Further analysis of the Hartlepool Local Plan policies for LSE on European Sites (page 51-52) RC12 – The Marina Retail and Leisure Park RC14 – Trincomalee Wharf Retail and Leisure Park LT2 – Tourism Development in the Marina</p>	HBC considers that the Plan has passed all of the soundness tests and no further assessment is required.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM093	Durham Bird Club	LP0222	MOD001	Although the Club did not comment on these provisions of the Plan and particularly on policy RC14, the proposal to increase the public's knowledge of the sensitive sites in this area is to be welcomed.	No comment.
MM094	RSPB	LP0253	MOD010	<p>The HRA has screened out the above policies for LSE and these are not further assessed within the Appropriate Assessment (AA). The assessment of impacts to the SPA concludes that these policies may give rise to greater recreational footfall within the SPA and recreational use of the water body, which are either within the current SPA or the proposed marine extension to the SPA (pSPA). Policy wording has been amended as follows:</p> <p><i>'Where appropriate, the Council will seek the provision of interpretation to increase public understanding of the Teesmouth and Cleveland coast SPA and Ramsar'.</i></p> <p>The RSPB welcomes wording within policies that seek to provide facilities for the observation and interpretation of wildlife, habitats and the environment. We also accept the HRA assessment that the proposed marine extension of the SPA is mainly for the benefit of foraging Common Tern - which show a high tolerance for existing activities. However, the HRA also suggests that the West Harbour island and West Harbour shore are utilised during high and low tides foraging and roosting. Therefore, HBC should be satisfied that an increase in (or diversification of) activities arising from these policies will not lead to LSE and can be screened out of further assessment. We do not consider that HBC has sufficiently assessed this within the current wording.</p> <p>Further, if mitigation measures are required, HBC should provide evidence that provision of interpretation (as detailed above) alone would be effective in mitigating the impacts identified. Whilst specific impacts may not be known until the planning application stage, it would be prudent for the Council to consider the need for additional wording to reflect that additional mitigation measures may be required</p>	HBC is satisfied that potential adverse impacts on the West Harbour roost island and exposed low tide shoreline from retail and tourism policies, were adequately screened out at HRA stage 1 (screening) and stage 2 (Appropriate Assessment).

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
				and (where appropriate) to allow for developer contributions to the Mitigation Strategy relating to proposals arising from these policies.	
MM096	Durham Bird Club	LP0222	MOD001	Although the Club did not comment on these provisions of the Plan and particularly on policy RC14, the proposal to increase the public's knowledge of the sensitive sites in this area is to be welcomed.	No comment.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM096	RSPB	LP0253	MOD010	<p>The HRA has screened out the above policies for LSE and these are not further assessed within the Appropriate Assessment (AA). The assessment of impacts to the SPA concludes that these policies may give rise to greater recreational footfall within the SPA and recreational use of the water body, which are either within the current SPA or the proposed marine extension to the SPA (pSPA). Policy wording has been amended as follows:</p> <p><i>'Where appropriate, the Council will seek the provision of interpretation to increase public understanding of the Teesmouth and Cleveland coast SPA and Ramsar'.</i></p> <p>The RSPB welcomes wording within policies that seek to provide facilities for the observation and interpretation of wildlife, habitats and the environment. We also accept the HRA assessment that the proposed marine extension of the SPA is mainly for the benefit of foraging Common Tern - which show a high tolerance for existing activities. However, the HRA also suggests that the West Harbour island and West Harbour shore are utilised during high and low tides foraging and roosting. Therefore, HBC should be satisfied that an increase in (or diversification of) activities arising from these policies will not lead to LSE and can be screened out of further assessment. We do not consider that HBC has sufficiently assessed this within the current wording.</p> <p>Further, if mitigation measures are required, HBC should provide evidence that provision of interpretation (as detailed above) alone would be effective in mitigating the impacts identified. Whilst specific impacts may not be known until the planning application stage, it would be prudent for the Council to consider the need for additional wording to reflect that additional mitigation measures may be required and (where appropriate) to allow for developer contributions to the Mitigation Strategy relating to proposals arising from these policies.</p>	<p>HBC is satisfied that potential adverse impacts on the West Harbour roost island and exposed low tide shoreline from retail and tourism policies, were adequately screened out at HRA stage 1 (screening) and stage 2 (Appropriate Assessment).</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM132	RSPB	LP0253	MOD010	<p>Policy LT5 has been amended to include the following: <i>'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'.</i></p> <p>The HRA states: <i>'Mitigation: The need for Planning Obligations for static caravans has been added to mitigate against increased recreational disturbance caused by holiday makers who have been encouraged to visit the coast, the policy wording in QP1 – Planning obligations has been strengthened so that a financial contribution is required. This will apply to static caravan site berths and will be used for management along the coast, including wardening where appropriate'.</i></p> <p>The RSPB welcomes this modification to policy wording. We urge HBC to consider applying the same approach to other leisure and tourism policies.</p>	<p>HBC considers that the other leisure and tourism policies do not require this specific wording as development and its consequences are largely unknown (with caravan parks - LT5 - this is much clearer) . Other leisure and tourism policies are covered in this respect, by the amended wording in Para 6.26.</p>
MM136	CPRE	LP0015	MOD002	<p>We welcome the proposal to refer to the emerging Natural Capital agenda.</p>	<p>No comment.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM137 & MM138	Durham Bird Club	LP0222	MOD001	Again we welcome these modifications but are disappointed that our representations regarding “Homes for Nature” do not appear to have been included. As I stated at the EIP, this phrase is based on the RSPB's Homes for Nature but I mean it in a more general sense. I attach an article in the latest issue of Nature's Home relating to a housing development in Buckinghamshire. This is the sort of thing I was meaning and represent that this should become standard in all development, not a “one-off”.	HBC regards the habitat protection and biodiversity enhancement measures that it seeks through planning as providing the core habitats and corridors for the wildlife that can be expected to benefit and that this is securing and providing 'homes for nature'. These measures include integral bat roost bricks, integral swift nesting bricks, gaps in fences for hedgehogs, animal pipeline under roads and on-site habitat creation and enhancements - the same measures plus more, that are highlighted in the article referred to (RSPB Nature's Home magazine, Spring 2018 page 41). The actual phrase 'Homes for Nature' is not a recognised scientific term. It is an RSPB campaign that may go out

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
					of use during the lifetime of the Local Plan and for that reason is not considered a robust term.
MM137	RSPB	LP0253	MOD010	<p>MM137 – Biodiversity and designated sites</p> <p>The RSPB notes and welcomes the additional wording within paragraph 16.16 namely:</p> <p><i>'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 birds and development affecting them may need to be mitigated. The Borough Council will therefore adopt a precautionary approach to such proposals.'</i></p>	No comment.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
MM139	RSPB	LP0253	MOD010	<p>MM139 – Policy NE1</p> <p>The RSPB notes and welcomes the additional wording within paragraph 2a namely:</p> <p><i>'2a) 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 and delivered via the Hartlepool Mitigation Strategy and Delivery Plan. '</i></p> <p>Mitigation for impacts upon internationally designated sites need to address the specific impacts arising from proposed development. It is important to note that the Mitigation Strategy has been designed to address the issue of recreational disturbance upon the Teesmouth and Cleveland Coast SPA. It may not be appropriate to seek developer contributions towards the Mitigation Strategy in all cases.</p>	<p>HBC agrees that the Hartlepool Mitigation Strategy and Delivery Plan was developed to address recreational disturbance and that this might not be suitable for non recreational mitigation. HBC has amended the wording in Para 6.26 (MM006/1) to expand delivery options. The amended wording is: <i>The Borough Council will look to protect, manage and actively enhance the biodiversity, geodiversity, landscape character and green Infrastructure assets of the Borough. <u>Adverse effects, including recreational disturbance, can result from new housing, employment, retail, leisure and tourism opportunities as well as from housing</u>. Mitigation, for the recreational</i></p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
					<p>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, <u>all</u> 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>and other mechanisms</u>'. Point B within Policy NE1 has been updated to reflect that other mechanisms may be appropriate for</p>
MM145	CPRE	LP0015	MOD002	We welcome the proposal to define Natural Capital as per this proposed	Noted.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
Other	Durham Bird Club	LP0222	MOD001	<p>With regard to the Habitats Assessment, I accept we have largely left this to RSPB to comment on. However, I note the fairly lengthy references in Table 5 to the Little Tern breeding colony in Beadnell and the wardens who protect them but the rather brief reference in Table 3 to this species at Crimdon and no reference to the wardens there. Indeed, in Table 1, as far as the Teesmouth and Cleveland Coast is concerned, there is only a reference to “Little Tern” as opposed to “breeding Little Tern”.</p> <p>Given the importance of the Crimdon Little Tern colony, possible the second most important breeding colony in the country, and its proximity to the Hartlepool boundary, should there not be more emphasis on this in this part of the Assessment? We note the comments at Table 24 relating to Little Tern and the subsequent proposals to fund wardens but this is very late in this document and we represent that the “scene should have been set” much earlier in it.</p>	<p>Table 5 sets out the interest features for the Northumbria Coast SPA European Site. The additional wording regarding Little terns was added in response to an earlier modification where HBC justified why this SPA/Ramsar had been screened out of the HRA (it emphasises that the Little tern colony in that SPA is 80km to the north. The Crimdon Dene Little tern colony falls within the Teesmouth & Cleveland Coast SPA and this is covered in Table 2 (not 3) where the words 'Little tern <i>Sternula albifrons</i> (Eastern Atlantic - breeding)' clearly show the status of this species. While all Little tern colonies are important, the Crimdon Dene colony is not the second most important in England, with more</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
					<p>productive colonies in Dorset, Norfolk and Northumberland (at least). The HRA goes on to give the Crimdon Dene Little tern colony great consideration, e.g. it is highlighted for specific mitigation measures in Appendix 5 (Table 4) - 'Hartlepool Local Plan Mitigation Strategy and Delivery Plan'. HBC considers that the Little tern colony has been given appropriate consideration, having been screened against all of the policies that could have had an adverse impact upon it.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
Other	Monica Vaughan (Resident)	LP0050	MOD003	<p>Thank you for providing HBC update on the proposed town plan.</p> <p>In relation to the wind turbines we believe we have demonstrated on more than one occasion that the proposal does not have community backing and that this should be removed from the plan.</p> <p>We note that Stockton has stated there will be no wind turbines on shore in their town plan and we believe Hartlepool should adopt the same stance.</p> <p>If this is not the case then it should be stipulated that full consultation, including reports on health risks and relevant noise reports be produced and given due consideration and that an exit strategy should be included as part of any agreement to ensure the costs of decommissioning of any turbines are incorporated in a sound contract. I agree with the proposed statement on topple distances if the policy remains.</p>	<p>HBC note the approach taken by neighbouring Stockton-on-Tees Borough Council, however remain of the view that the landscape of the two local authorities is not identical and therefore a like for like comparison can not be made. HBC have undertaken comprehensive landscape assessment to identify the two appropriate wind turbine allocations. Policy CC4 states that development 'can demonstrate that they have the backing of the local community following consultation'. In addition, the criteria set within the policy ensures that any development will meet the policy requirements and address any identified issues.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
Other	Taylor Wimpey UK Ltd (Litchfield's)	LP0025	MOD004	<p>Conclusion</p> <p>The above provides a summary of how, whilst some Main Modifications are welcome and supported, there remains areas of concern whereby the Local Plan remains unsound as currently drafted. In the context of a national housing crisis and a pressing need for “investing in the region's residential and cultural assets will help to attract and retain the best talent to ensure long-term sustainable increases in productivity and growth” (Northern Powerhouse, 2017), we consider these to be fundamental areas of concern that can and should be addressed in further amendments to the Plan that are required.</p> <p>Our Client's site, Tunstall Farm Phase 2, is a suitable, sustainable and available site for housing development. There are no insurmountable constraints to the site or its development within the plan period. The housing site allocations put forward in Table 8 (together with windfall allowances) would fail to deliver a housing supply sufficient to achieve the sustainable growth of Hartlepool.</p> <p>It is therefore necessary to increase the range of housing allocations to ensure that the Plan is sound and that a five year housing land supply is maintained at all times. The addition of the Tunstall Farm Phase 2 site to the housing allocations would ensure the Council have a sound plan that fully accords with the NPPF.</p> <p>Drawing these points together, we request that:</p> <ul style="list-style-type: none"> • additional sites are allocated for housing development and Table 8 updated accordingly. • our client's site, Tunstall Farm Phase 2, is allocated for approximately 400 new homes and that this is included in Table 8; and • modifications are made to the policies map to identify our Client's site 	<p>For the reasons set out in response to the Main Modifications above, the Council do not believe that any additional housing sites are needed. Concerns over the access to the Tunstall Farm 2 site have also been set out above and remain a significant concern in relation to the insertion of the site as an allocation.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
				<p>a Tunstall Farm (Phase 2) for new housing provision. We ask that these representations are given full consideration and subsequently incorporated in order for the Council to progress the Local Plan to the next stage.</p>	
Other	Environment Agency	LP0031	MOD005	<p>Main Modifications to the Hartlepool Publication Local Plan Thank you for giving us the opportunity to comment on the above consultation. We consider the Main Modifications to the Hartlepool Publication Local Plan to be legally and procedurally compliant and sound. We have no further comments to make in respect of this consultation.</p>	Noted.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
Other	Sue Wilson (Resident)	LP0263	MOD006	<p data-bbox="721 185 1048 220">03.08.16 to Peter Kozak</p> <p data-bbox="721 225 1753 336">I wrote to you on 26th November 2015 and 7th January 2016 regarding my objection to the planning applications for the erection of three large wind turbines at Seaton Carew in close proximity to my home.</p> <p data-bbox="721 341 1753 488">I understood that wind turbines would not be built near people's homes without their consent and agreement and I wish to express my disbelief that, should their current application fail, the applicants have submitted plans to erect six smaller turbines.</p> <p data-bbox="721 493 1753 954">I should again like to lodge my objection to these as we do not want turbines of any shape, form or size close to our homes. There are numerous turbines out at sea, close to Redcar, very visible from our part of the coastline and cannot understand why they cannot be erected at sea if they have to be built at all. We further understand that they do not always function correctly but the applicants appear to be more interested in the lucrative Government subsidies than the public's wishes. I am particularly concerned about the noise emitted from the turbines, especially as I believe the wind will carry this incessant noise to a greater distance to that declared by the applicant. The shadow flicker will also have a great effect upon us as we particularly enjoy using our west-facing garden.</p> <p data-bbox="721 959 1753 1216">I also do not believe that there have been enough, in-depth studies of the effect upon wild-life currently breeding in the surrounding area. There are sand dunes, fields with grazing cattle, a seal colony in the Tees estuary and Saltholme Nature Reserve with wetlands and hides for birdwatching and cannot believe there will be no adverse effects upon them. There are numerous species of birds on the local links golf course, which leads to the dunes, and very many birdwatchers are very often</p>	<p data-bbox="1760 185 2179 1106">HBC note that no new applications have been recieved for wind turbines the proposed allocated site to the south of Seaton Carew. The proposed allocation has a comprehensive criteria set in policy CC4. The local plan has been through an extensive consultation process giving opportunity for comments on the Strategic Wind Turbine allocations to be made. As a result of concerns raised through consultation on the publication local plan, the area of the allocation to the south of Seaton Carew was reduced with the number of turbines being seen as appropriate also reduced to 4 from 6.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
				<p>seen in this vicinity. Studies made in Denmark showed that wind turbines built there had an effect upon a nearby mink farm whereby the animals ceased to breed. Such studies should be carried out in depth in this country before agreement is given for wind turbines to be built.</p> <p>The rush for plans to be submitted and passed seems to be happening far too quickly and coincides with the Government's proposals to withdraw funding and/or grants for the projects. They seem intent on beating deadlines rather than take into consideration residents' wishes. Sadly this also seems to be in line with our Council's lack of notification about the intention to build the turbines. On checking with various householders and local businesses, there was a distinct lack of notification and one local business man said that eight separate envelopes, all addressed to his business, were delivered on the same day in the same post when nearby residential properties received none!</p> <p>□</p>	

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
Other (Continued)	Sue Wilson (Resident)	LP0263	MOD006	<p>25.11.15 to Peter Kozak I must admit that I'm not appealing against the Council's decision to allow planning permission in any official capacity, merely as a householder and resident of Seaton Carew for 37 years. We lived in our previous home for four years and then my husband joined ten other men in 1980 in a small self-build scheme to jointly erect our small cul-de-sac of 20 houses. Building a home in this way gave all the men at 'The Wickets' a much greater sense of pride and also an inestimable sense of protection. We do not want great towering wind turbines in such close proximity and were never informed by the Council of their intention to pass such an application. The first we were aware of this was when our local Councillor posted his own flyers through our doors. The consultation process was absolutely zero and, we believe, carried out in a very underhand and inappropriate manner. None of the 20 residents in our grove had any inkling of such a huge development and immediately signed a petition to oppose it. The petition was very quickly circulated to other residents in the short time we had and overwhelmingly supported.</p> <p>My husband and I together with several friends and neighbours attended a Planning meeting at the local Civic Centre but it was cancelled at the last minute, leaving 40 or so of us to return home despondent. Another meeting was arranged for the following week but our local Councillors were unable to attend to represent us due to prior commitments. The meeting which did take place was utterly disgraceful and I complained to the Chief Solicitor, Peter Devlin, about</p>	No comment.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
				<p data-bbox="721 185 1756 544">disgraceful and I complained to the Chief Solicitor, Peter Devlin, about it. There was a huge 'thug' element to it with certain members of the Planning committee 'playing' to that crowd. Certain Councillors were careful enough not to speak as their comments would have been minuted but our spokesman was ridiculed by mock laughter and infantile gestures. We felt that people had been strategically placed throughout the hall, many of whom causing intimidation to those sitting next or close to them. Some had to be removed due to their aggressive and confrontational behaviour but merely returned through another door when the Usher turned his back.</p> <p data-bbox="721 549 1756 932">There is already quite a large wind turbine farm off the coast in Seaton Carew and their presence does blot our lovely coastline but their height does not even match that of the proposed turbines to be built within two miles of our homes. The sizes of the proposed turbines exceed the height of Blackpool Tower and would be the highest in the whole of England. We cannot understand how they have been passed in such close proximity to many residential homes. The thought of it is extremely worrying and depressing. We cannot begin to imagine the non-stop noise which will come from them and the health effects which may be caused.</p>	

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
Other (Continued)	Sue Wilson (Resident)	LP0263	MOD006	<p>Seaton Carew is a wonderful place to live and bring up children. We are close to the sea, having beaches and sand dunes within five minutes of our homes and all aspects of nature which go with such a location. We also have a prestigious Links Golf Course which was built in 1874 hosting many national competitions. Indeed, whilst walking there last night, my son and I noticed a large owl flying at the side of the Golf Course. There are varieties of birds too numerous to mention and a regular flock of geese which fly from the Tees Road area to a large pond in central Seaton twice a day. I do believe that the wind turbines will affect all this behaviour. Approximately two miles to the south of the proposed turbine site, we have seals in the estuary. When we first moved to Seaton it was headline news in our local Hartlepool Mail that the seals were breeding in that area; the first time in many years. I also fear that the effect of the turbines on our seal colony could be similar to that of the effect of turbines in Denmark on a local mink farm whereby the mink ceased breeding due to the close proximity. This effect may also be felt by the large herd of grazing cattle near the Tees Road.</p> <p>I do not think that adequate studies have been carried out in this respect and that the proposers of such a scheme even care about local people or the magnificent wild life which exists so close to it. We also have Saltholme, which is a wetlands nature reserve, approximately three or so miles away from this site. This is a wonderful wildlife sanctuary</p>	No comment.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
				<p>which receives visitors from far and wide. I cannot understand how or why developers would want to compromise this, although I suppose with the lucrative grants which support the schemes, the element of human greed rears its ugly head and overrides more important matters. Seaton Carew has recently had three new housing developments. I wrote to the builders who were also unaware of the wind turbine proposals and were going to contact Hartlepool Borough Council. Indeed, to cope with the growing population, our local primary school has almost doubled in size to accommodate more children. I cannot see that people would wish to move to or remain in Seaton with such an horrendous development so close to our homes and possibly affecting their and their children's health and wellbeing.</p> <p>Please consider this personal and heartfelt plea in the rather emotive way in which I have expressed it. I can obtain all the technical details to back this up but would rather submit my personal sentiments as it affects me and my family, friends and neighbours so deeply. Thank you for the time you have taken to read this.</p>	

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
Other	Home Builders Federation (HBF)	LP0234	MOD008	<p>Policy QP6: Technical Matters</p> <p>The HBF are disappointed that the Council has not taken the opportunity to address their concerns and amend the introduction to this policy. The HBF recommend that it would be more appropriate for the policy to start '<i>Where appropriate all proposals must ensure that the following matters are considered, and where appropriate, investigated and satisfactorily addressed:</i>' The HBF consider that whilst the issues identified are likely to be relevant to many applications it is unlikely all of the identified matters will require investigation on every occasion.</p>	<p>HBC does not agree with this comment. There is flexibility within the policy as it states 'where appropriate'. HBC remains that these policy considerations should apply to all proposals.</p>
Other (Continued)	Home Builders Federation (HBF)	LP0234	MOD008	<p>Future Engagement</p> <p>I trust that the Council will find these comments useful as it continues to progress its Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry.</p> <p>The HBF would like to be kept informed of the progress of the Inspectors Report and the adoption of this document. Please use the contact details provided below for future correspondence.</p>	<p>Noted.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
Other	Taylor Wimpey UK Ltd (Litchfield's) - addendum representation	LP0025	MOD004	<p>We write further to our representation submitted on 26 January 2018 (reference: 22987/03/MHE/JN/15298994v1).</p> <p>At the Examination in Public (EiP) and within the Council's Opening Statement (EX/HBC/85) the Council made clear that:</p> <ul style="list-style-type: none"> • There is a need for a variety of infrastructure improvements over the plan period to support the allocations within the plan. • The most important piece of infrastructure is the proposed new grade-separated junction and bypass to the north of Elwick Village which will address access to Hartlepool from the A19, address safety issues and reduce traffic levels through Elwick Village, thus allowing housing growth to the west of Hartlepool. • To deliver this infrastructure early in the plan period the Council anticipated that funding would come from the National Productivity Investment Fund (NPIF) (for £10million) and the Housing Infrastructure Fund (HIF) (£8m). • The back-up position to deliver this infrastructure if funding bids were not successful was prudential borrowing by the Council and repayment through s106 payments. <p>Since submitting the aforementioned representation, the successful Marginal Viability Housing Infrastructure Fund Projects have been announced. Hartlepool Council is not one of the 133 successful Local Authorities, meaning that the £8m anticipated to help deliver the required infrastructure early in the plan period to enable housing growth to the west of Hartlepool has not been secured.</p> <p>This reaffirms our position stated at the EiP that the infrastructure required to allow the proposed housing allocations to the west of Hartlepool is not assured and other housing allocations that do not rely on such</p>	<p>It is correct to note that unfortunately the Council was unsuccessful in the bids for grant funding for NPIF and HIF funding, however, as set out during the Hearing sessions the option to Prudentially Borrow the money to implement the infrastructure works upfront and then recoup the money through s106 payments has been approved by Full Council. The applications for High Tunstall (1200 homes) and Quarry Farm 2 (220) were reported to Planning Committee in January and minded to approve subject to the completion of s106 agreements. In total these developments will repay just over £17,000,000 of the prudential borrowing. A smaller development at Southbrooke Farm is also minded to approve subject</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
				<p>infrastructure are required. This is particularly pertinent given the Council's back up position relies on funding secured through S106 payments from other developments. No evidence has been provided to demonstrate that this very substantial shortfall could be made up from contributions from the promoters of each development site and that such contributions would not render the sites unviable. This compounds the existing need (highlighted in our earlier representation) that more sites need to be allocated now to deliver housing, because, as currently drafted, the Plan's Housing Delivery Trajectory identifies a shortfall, which is not a sound approach.</p>	<p>to a S106 agreement which will secure a further £168,000 towards the repayment of the prudential borrowing. The Council is also liaising with the Department for Transport in relation to a potential future round of NPIF funding to understand how our bid could have been improved to hopefully ensure an element of grant funding is drawn down which would then enable some of the highway infrastructure contributions to be re-directed to other developer contributions.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
Other	Taylor Wimpey UK Ltd (Litchfield's) - addendum representation (continued)	LP0025	MOD004	<p>For the reasons set out in previous representations and at the EiP, our client's land interest at Tunstall Farm represents a suitable, sustainable and available site for housing development. The development is not dependent on the proposed bypass and will make financial contributions to junctions where appropriate. This is particularly relevant because, as currently drawn on the proposals map, land safeguarded for a future road (INF2) includes the western part of our client's land. We trust that this representation, alongside our previous representation are given full consideration and subsequently incorporated in order for the Council to progress the Local Plan to the next stage.</p>	<p>The Tunstall Farm site would be dependent on the bypass and would be expected to contribute if a decision was made to include the site in the plan. This is as the bypass would be used to access the A19 from the site, particularly for north bound traffic, but also for south bound traffic at certain times of the day when Catcote Road is heavily congested due to the schools along the road. As noted above a recent small development on Summerhill Lane has been required to contribute.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
Other	Coal Authority	LP0042	MOD011	<p data-bbox="721 185 1756 220">Hartlepool Local Plan - Main Modifications</p> <p data-bbox="721 264 1756 331">Thank you for your notification received on the 15 December 2017 in respect of the above consultation.</p> <p data-bbox="721 376 1756 443">I can confirm that the Coal Authority has no specific comments to make on the Main Modifications proposed.</p>	Noted.
Other	Persimmon Homes Teesside	LP0045	MOD017	<p data-bbox="721 525 1756 560">Summary</p> <p data-bbox="721 564 1756 826">Whilst Persimmon Homes support a number of the proposed modifications, considering them to provide greater clarity and context to the policies, there continues to be a number of issues relating to the Housing Requirement and Energy Efficiency which remain unresolved from earlier iterations of the plan. These concerns go to the heart of the Council's housing strategy and are fundamental to the soundness of the plan.</p> <p data-bbox="721 871 1756 1098">It is important that all policies are based upon a robust evidence base and are positively prepared, justified, effective and consistent with national policy. Persimmon Homes are happy to assist with this process where we can and on this note are happy to discuss further any of the comments made within this or our previous representations which we still stand by.</p> <p data-bbox="721 1142 1756 1209">We would kindly request to be kept informed of progress with the Hartlepool Local Plan and/or any of its supporting documentation.</p>	No comment.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
Other	Joan Bell (Resident)	LP2209	MOD018	<p>Re: Site Ref HSG7</p> <p>We have been informed by our agent Mr R Fordy that each property to be built on the North Farm site will incur an extra cost of £12,000.00 per plot which will go towards the proposed Elwick Village bypass. As the proposed development site is within the village boundary it will not have the need to use the bypass.</p> <p>We feel that this imposed levy is unfair considering that the Elwick Village bypass not only splits our small family farm in half but does not provide any benefit to the additional houses that may be built on this site.</p> <p>We have also learnt that the land associated with the bypass construction will be procured by compulsory purchase which is completely out with our control.</p>	<p>Whilst the site lies within the village the site and future owners will benefit from the bypass in that it will create a safe access and egress from the A19 trough the provision of the grade separated junction. As such it is considered entirely legitamate to require the development to contribute to the bypass in the same manner other developments that require the bypass for safety and congestion issues are required to contribute.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
Other	Martin Baines (Resident)	LP0307	MOD019	<p>Dear madam,</p> <p>I have perused the document "Schedule of Main Modifications to Local Plan" published 12/17 by HBC and I can find no reference to my comments sent to you on 24/01/17 in particular the reference to Hartlepool United FC ground in the Local Plan. Will this remain as a one line reference with no indication of what is planned for the future.</p> <p>Apparently there was a meeting with the council leader and representatives of Hartlepool United Supporters Trust (HUST) and an ACV (?) was discussed which covers contravention of the Localism Act 2011 section 95 (1).</p>	<p>HBC have updated the designation of the football ground to NE2d to include a wider designation beyond just the pitch, this is in light of previous comments made through the consultation process. The local plan supports the continued use of the football club. The operational concerns relating to the future of Hartlepool Football Club are beyond the scope of the Local Plan.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
HRA	RSPB	LP0253	MOD010	<p>HRA Section 6 – HRA Stage 2 – Appropriate Assessment (page 71-72) Section 6.4.3.9 – Policy LT1 – Leisure and Tourism Section 6.4.3.10 – LT3 – Development of Seaton Carew</p> <p>The HRA concludes that Policies LT1 and LT3 alone and leisure and tourism policies in combination would lead to LSE arising from increased recreational disturbance and that mitigation is required – this is further assessed within the AA – which includes the following statements: <i>‘Leisure and tourism developments will only be approved where recreational disturbance (e.g. walkers with dogs) is not identified as an issue impacting upon European Directives, Sites of Special Scientific Interest and Special Protection Areas unless mitigation can be identified.’</i> and <i>‘Summerhill Country Park, along with other Council run recreational green spaces, is indirect SANGS, in that developers can make a financial contribution to HBC, to increase the capacity of these sites for recreational use as a mitigation measure.’</i> and <i>‘Overall, Hartlepool BC recognises the need to balance leisure and tourism with nature conservation and has identified that mitigation is required to offset LSE’</i></p> <p>The RSPB considers that assessing Leisure and Tourism developments on a case by case basis for their potential to increase recreational disturbance of the SPA, may provide an effective solution if the developer is able to make a financial contribution to HBC’s Mitigation Strategy (such as with Policy LT5). This would be preferable to seeking to mitigate at a site level. However, it is important to mitigate for specific</p>	<p>HBC is satisfied that assessing leisure and tourism developments on a case by case basis is sound (especially as these are unknowns) given that HBC has amended the wording to Para 6.26. Amended wording makes it clear that any developments from any sector must mitigate for adverse impacts and allows this to be done strategically across European Sites, rather than on the development site. The amended wording is: <i>‘The Borough Council will look to protect, manage and actively enhance the biodiversity, geodiversity, landscape character and green Infrastructure assets of the Borough. <u>Adverse effects, including recreational disturbance, can result from new</u></i></p>

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				<p>impacts, therefore, depending on the type of development, contribution to access management measures rather than alternative green spaces, might be more appropriate. In addition to the above, HBC could consider seeking developer contributions from any development proposals that would increase the number of accommodation units within the defined distance parameters detailed within Table 3 of the Mitigation Strategy. However, please see our advised alternative approach regarding the application of these parameters.</p>	<p><i>housing, employment, 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, <u>all</u> 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>and other mechanisms</u>'.</i></p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
HRA (Continued)	RSPB	LP0253	MOD010	<p>4. Housing Policies HRA Section 6 – HRA Stage 2 – Appropriate Assessment (page 75) Section 6.4.4 Indirect AEOI on European Sites – Issue – Loss of Functional Land Section 6.4.4.10 – Housing Policies</p> <p>The RSPB previously raised concerns that the HRA (as worded) suggested some sites allocated for new housing may be functionally linked to the SPA but evidence was not available to allow for a robust assessment. In the absence of such evidence, the precautionary principle should be applied. The amended wording within the HRA provides further insight as to the current suitability of each site for SPA birds. With this additional assessment the RSPB is satisfied that the housing allocations need not be assessed any further as to their potential to give rise to loss of habitat that is functionally linked to the SPA.</p>	No comment.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
HRA (Continued)	RSPB	LP0253	MOD010	<p>HRA Section 5 – HRA Stage 1 Screening Part B: Further analysis of the Hartlepool Local Plan policies for LSE on European Sites (page 48)</p> <p>The assessment of Policy EMP3 has been amended within the HRA. The RSPB previously raised concerns that the HRA (as worded) suggested some sites allocated by Policy EMP3 may be functionally linked to the SPA but this had not been adequately assessed within the HRA nor has adequate evidence been presented to allow for a robust assessment. In the absence of such evidence, the precautionary principle should be applied. Amended wording within the HRA provides further insight as to the current suitability of sites allocated by EMP3 to support SPA birds. With this additional assessment and the above wording in place, the RSPB is satisfied that EMP3 allocations need not be assessed any further as to their potential to give rise to loss of habitat that is functionally linked to the SPA.</p>	No comment.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
HRA (Continued)	RSPB	LP0253	MOD010	<p>HRA Section 6 – HRA Stage 2 – Appropriate Assessment (page 73 - 75)</p> <p>Section 6.4.4 Indirect AEOI on European Sites – Issue – Loss of Functional Land</p> <p>Section 6.4.4.1</p> <p>Changes to policy wording to provide clarity to developers regarding how to meet the requirements of the Habitat Regulations are to be welcomed. However, we consider that this does not constitute strategic mitigation in itself.</p> <p>The RSPB has previously advised against deferral to the planning application stage to assess potential impacts from new development. We gave this advice whilst acknowledging that some impacts can only be determined once development comes forward. However, we encourage the development of a strategic solution at the Plan stage which includes mitigation for foreseeable impacts arising from allocations (including cumulative impact) should all allocated sites be developed. This includes loss of land that is functionally linked to the SPA.</p> <p>The RSPB welcomes encouragement of industrial companies to consider impacts from site development in their long term planning and also participation in the Tees Estuary Partnership (TEP). However, as HBC has recognised likely impacts arising from development of allocated sites, it is incumbent upon HBC to seek a strategic solution. Failure to do so affects the deliverability of allocated sites, and thus the Plan itself.</p> <p>The TEP Habitat Banking Scheme is in its early stages of development and does not yet represent a deliverable and effective strategic solution here. Individual allocations (detailed below) represent problems in that some of these sites are (or could be) functionally linked to the SPA although there is insufficient data available to be conclusive in some cases.</p>	HBC considers that the Plan has passed all of the soundness tests and no further assessment is required.

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HRA (Continued)	RSPB	LP0253	MOD010	<p>6.4.4.2 EMP4a - Hartlepool Port</p> <p>Whilst the wording within the HRA has not been substantially amended, the RSPB would like to reiterate and build upon our previous position regarding the allocation of this site:</p> <p>RSPB advice is that the behaviour described within the HRA (that Lapwings would readily roost on roofs) is atypical. Furthermore, it would set a dangerous precedent to suggest that loss of ground roosting habitat could be mitigated for by the roofs of new or existing development. Regarding the suggestion that the site be monitored for evidence of this behaviour, we advise that, monitoring is an essential element of any mitigation strategy, however monitoring of a site to establish baseline evidence is not, in itself, a strategic mitigation solution. We strongly suggest that the Council's focus should be on current use of the site by SPA species; its current suitability for roosting SPA species and potential impacts of its loss. This includes the proximity of feeding areas and the availability of alternative roost sites.</p> <p>The RSPB has previously advised that the Council take reasonable steps to establish whether this site is functionally linked to the SPA – given the previous suggestion that a significant number of Lapwing have utilised the site for roosting. However, more recent site visits have not recorded any SPA species. In order to add weight to this more recent monitoring it would be helpful to have further detail as to survey effort. Coupled with an assessment of the site – this may be sufficient to rule out potential adverse impacts from developing the site.</p>	<p>HBC has undertaken further, ad hoc, surveys of this site and now has enough data to enable a more robust assessment (eight visits in winter 2017-18, all states of tide). No roosting or foraging SPA birds have been recorded and HBC considers that this data removes the need to apply the precautionary principle. HBC assesses that this site is not functionally linked to the SPA and that potential adverse impacts are ruled out. HBC does not have enough evidence to determine whether roof roosting lapwings is typical or atypical. This behaviour has been scientifically documented in the British Birds paper initially referred to. However, HBC has not recorded this behaviour. Consequently HBC agrees</p>

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					with RSPB that this statement sets a 'dangerous precedent' and has removed this remark from the HRA.
HRA (Continued)	RSPB	LP0253	MOD010	<p>6.4.4.2 EMP4b - West of Seaton Channel</p> <p>The HRA assessment of this site acknowledges that EMP4 extends to the boundary of the SPA, but excludes the SPA itself. However, although the suitability of this site to support SPA species has diminished through lack of management, the HRA currently states that part of the allocated site is functionally linked to the SPA. In further assessing the potential impacts of this allocation, therefore, it would be prudent for HBC to present further evidence as to current use of the site by SPA birds.</p>	<p>Winter bird surveys on the EMP4b site (Greenabella Marsh Local Wildlife Site + an area with no nature conservation designation) in 2017, noted a small number of SPA birds using two of the five freshwater ponds. These included 1 swan, 2 grebes, 2 coot and 43 ducks. Based on Tees WeBS counts, these are assessed as being of low significance in terms of functional land and HBC is satisfied that the HRA is robust and that the Local Plan has passed all the tests of soundness.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
HRA (Continued)	RSPB	LP0253	MOD010	<p>6.4.4.4 EMP4c – Phillips Tank Farm</p> <p>The HRA states:</p> <p><i>'At the time of the initial screening exercise, Phillips Tank Farm was land allocated approximately 600m from the Teesmouth and Cleveland Coast SPA/ Ramsar at its nearest point. An area of EMP4c land outside the perimeter of the current operational site (in the south-west corner) has been set aside to be managed as mitigation for the loss of habitat for SPA birds, as part of a development of a Liquefied Natural Gas (LNG) plant in the neighbouring borough of Stockton-on-Tees. This planning permission and the compensation works have not been enacted. This area is functionally linked to the Teesmouth & Cleveland Coast SPA/ Ramsar. Any EMP4c development on this area would need to provide compensation for its current use by SPA/ Ramsar birds and provide such alternative compensation for the development of the LNG plant as is allowed under that permission, should it go ahead. The proposed T&CC pSPA creates a spatial area with overlying Special Industries and Natural Environment policies. The area includes wildlife designations of International Site, National Site and Local Site. The site is a long-standing industrial site, which forms part of the owning company's portfolio. The company may wish to use this land in future for biodiversity offsetting, which would be compatible with its nature conservation designation. The site has been under dual designated in previous Local Plans as the site has been allocated for Specialist Industries and as a Local Wildlife Site. Hartlepool BC believes that the allocation is fair and workable. There exists a substantial and on-going benefit to nature conservation and should the land be developed, this benefit must be transferred elsewhere, giving SPA continuity.</i></p>	<p>HBC is satisfied that the dual allocation situation is acceptable and that, on balance, the land owning company is more likely to use the land for biodiversity banking than for industry. However, should the company wish to pursue the latter, there is due process in place - HRA stage 3 (Alternative solutions) and HRA stage 4 (the IROPI test and compensation agreed by the SoS). The outcome would be determined by the SoS.</p>

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
				<p><i>Mitigation: The policy wording and strategic principles laid down in the Local Plan are robust enough to deal with any specialist industry development on the site.'</i></p> <p>The RSPB would like to reiterate our former advice that consideration should be given to removing individual sites from the allocations map - where new development would likely result in an adverse effect that cannot be mitigated - unless HBC is satisfied that such a development would meet the requirements of Article 6(4): (i) there are no alternative solutions; (ii) the damage is justified for imperative reasons of overriding public interest (IROPI) and (iii) they have secured the necessary compensatory measures to ensure the overall coherence of the Natura 2000 network is maintained. The land allocated by EMP4 at Phillips Tank Farm is (in part) within the proposed terrestrial extension of the Teesmouth and Cleveland Coast SPA (pSPA). Formal consultation on the proposed extension is likely to be March 2018. At this point HBC will need to treat the land as if designated, in accordance with the NPPF. This means, therefore, that development undertaken on this site could represent the destruction of SPA habitat (an adverse impact on site integrity that cannot be mitigated on site) which would require compensatory measures - subject to the scheme meeting the tests on no alternative solutions and IROPI – detailed above. For the avoidance of doubt, the RSPB considers that it is unlikely that development of this site (where it overlaps with the pSPA) will be able to satisfy the requirements of these legal tests. This impacts upon the deliverability of this allocation.</p>	

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HRA (Continued)	RSPB	LP0253	MOD010	<p>6.4.4.9 EMP4 – In combination</p> <p>The HRA states: <i>'Hartlepool Council recognises that development at any of the sites allocated under this policy has the potential to have an adverse effect through construction, operational and decommissioning noise, vibration, dust, vehicle and people movements and other damaging impacts and that these require mitigating.'</i></p> <p>The RSPB agrees with the further assessment within the HRA of EMP4 sites (other than those listed above) and consider that these need not be considered further. We also agree that the potential impacts listed above may only be assessed at the planning application stage. However, the HRA further states: <i>'For information: Four of the current occupying companies (PD Ports, Venator, Phillips and Able UK) are members of the TEP and is a proactive member of INCA. These companies are party to the strategic conservation of European Sites and are committed to managing non-industry critical areas for biodiversity as demonstrated by site management plans for nature conservation. This is relevant as it engages them with nature conservation strategy.'</i></p> <p>A HRA is an evidence-based assessment of the potential impacts of a plan or project. The conservation activities of the companies mentioned are acknowledged and welcomed, however, unless habitat improvement or creation by such companies form part of a strategic mitigation solution, it is not appropriate to suggest that these activities have any bearing within the context of a Habitat Regulations Assessment.</p>	<p>RSPB endorsement is noted. HBC agrees that a company's membership of the TEP and INCA are not evidence based and re-affirms that this issue was raised only as a point of information, to demonstrate that HBC acknowledges a good working arrangement (built on trust) is advantageous to strategic thinking. HBC is satisfied that there is enough evidence presented in the HRA for a conclusion of no adverse impacts and that the Local Plan meets all of the tests for soundness.</p>

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HRA - Appendix 7	RSPB	LP0253	MOD010	<p>HRA Appendix 7 – Hartlepool SANGs Guidance</p> <p>This document provides further guidance as to requirements for on-site SANGs – that is SANGs delivered by housing developers within new residential sites. The guidance states that:</p> <p>'Research for the Thames Basin Heaths SANGS requirements found that a large proportion of dog walkers spend less than an hour on site and walk up to 2.5km. It is reasonable to assume that these dog walker basic needs are consistent across the country and to use them as a standard'. The RSPB agrees with this statement as a starting point, but ongoing monitoring work will give the opportunity to ground-truth this and should be followed up on as part of the implementation of the scheme. We also suggest that a minimum size of 2 hectares be specified and that sites should be free from noise from main roads.</p> <p>Relating to off-site (Council run) SANGs we would like to re-iterate our previous advice, that is:</p> <p>Further detail regarding the promotion of Summerhill Country Park (and other sites) as alternative green spaces is required. In particular, whether measures are proposed that would increase the efficacy of these sites to divert recreational pressure away from coastal designated e.g. improving access to and facilities within sites. Whilst these measures have not been costed the RSPB is encouraged to see that they do form part of a list of future measures which will be integrated within the strategic mitigation framework to which developer contributions can be targeted.</p>	<p>The HBC SANGS guidance has been amended to add that SANGS should be at least 50m away from an A road. However, HBC consider that a minimum size requirement of 2 Ha may be counter-productive, in that it is better to provide space for the 'daily dog walk' at 1.5 Ha then not provide it and force dog walkers to go off site.</p> <p>Experience over the last year has shown that due to a strong desire by developers to maximise the number of houses on a site, the inclusion of SANGS is only being offered for very large housing applications, where HBC would seek a minimum of 2 Ha. HBC notes the RSPB comment supporting the commitment to incorporate work to establish the carrying</p>

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					capacity of HBC owned recreational sites and to identify opportunities to be funded through mitigation. It is intended that this work will be added to the Mitigation monitoring strategy which is in-prep.

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Mitigation Strategy and Delivery Plan	RSPB	LP0253	MOD010	<p>7. Mitigation Strategy and Delivery Plan</p> <p>7.1 Evidence and Analysis</p> <p>HRA Stage 2 – Appropriate Assessment (page 60)</p> <p>Section 6.4.3 Indirect AEOI on European Sites – Issue – Recreational Disturbance</p> <p>It is important that available evidence provides a robust baseline as to the current level of recreational disturbance and SPA bird populations/distribution. Coupled with appropriate monitoring this information can be used to assess the effectiveness of mitigation measures. The RSPB considers that this section offers a useful insight into issues that need to be considered but it does not currently come to any useable conclusion. We further discuss the requirement for a robust monitoring plan in Section 7.2.</p> <p>7.2.2 Suggested funding formula (Table 3)</p> <p>The RSPB previously noted that the funding formula per house is, in part based on the travel distance from the development site to the coast. We can understand HBC's reasoning for taking this approach. However, HBC has been unable to provide further explanation as to how the differing contribution bands have been calculated (i.e. whether they are underpinned by visitor survey or any other evidence) or been able to provide a map to indicate which dwellings fall into a contribution zone (or not). In the absence of this information, the RSPB foresees that HBC will have problems communicating and administering this model. In addition, the current approach may result in developments which once met the criteria no longer doing so should the situation change – that is changes to road network or new footbridge(for example) or vice versa. Therefore, the RSPB recommends a simpler approach – that is a suitable</p>	<p>HBC is comfortable with the adopted funding formula and has used this for six current housing applications, where it has worked effectively, leading to financial agreements. HBC considers that mapping its agreed bands is too problematic and would not be pictorially clear. While some new roads are anticipated, HBC is satisfied that these will not drastically change any of the commuting distances between housing and the protected coast. A bespoke project to gather evidence on recreational demand is assessed as being un-necessary, would take a considerable amount of time to complete and would not be good value for money. HBC agrees that robust monitoring of HRA</p>

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				buffer (based on robust evidence) around the SPA which captures all residential (or other) developments which are likely to add to recreational disturbance of the SPA. This model provides a greater level of certainty and clarity for the developer.	mitigation measures is desirable and has built this into its Monitoring Strategy. HBC will implement the minimum number of effective monitoring measures needed, to ensure value for money.
Mitigation Strategy and Delivery Plan	RSPB	LP0253	MOD010	<p>7.2 HRA Appendix 5 - Hartlepool Local Plan Mitigation Strategy and Delivery Plan</p> <p>The RSPB refers the Inspector to our Hearing Statement relating to Matter 13: Natural Environment (in particular questions 5 and 7) and to further discussion at the hearing session relating to the same matter. We have revisited our previous position and make further comment below:</p>	Noted.

MM Ref	Organisation	LP Ref	Mod Ref	Comments	HBC Response
Mitigation Strategy and Delivery Plan (Continued)	RSPB	LP0253	MOD010	<p>7.2.1 Suitable Alternative Green Spaces (SANGs)</p> <p>The RSPB was concerned that the Mitigation Strategy was over-reliant on the use of SANGs and considered that a key question to answer was whether the mitigation proposed will work to attract people away from the SPA. If local users of the SPA are choosing to do so because of its coastal character then the alternative open space being offered would need to mimic that character. If, however, the local users are choosing the coast because it offers the nearest conveniently accessible local space then there is a prospect that the use of SANGs may work. At the time of writing the Council hadn't presented sufficient evidence to help answer this question.</p> <p>We further suggested that a rigorous monitoring package will need to be put in place on all SANGs sites - to provide a baseline of use; to ensure that the levels of usage at the SANGs go up and to ensure that the levels of usage on the SPA stay the same or reduce. It is only through such monitoring that the necessary confidence in the effectiveness of the mitigation measures can be obtained. In the event that the monitoring did not show such a pattern of use it would be essential to undertake further research work and put in place alternative mitigation measures that would ensure that the integrity of the SPA is protected. HBC has shared with the RSPB a draft monitoring plan which is in its very early stages. This plan requires much development before its efficacy can be assessed. We have had the opportunity to provide further advice to HBC as to how the monitoring plan might be developed to this end. For information, this builds upon previous comments provided in RSPB's submitted Hearing Statement relating to Matter 18: Monitoring and Implementation.</p>	<p>The monitoring plan for the Mitigation Strategy is in preparation and HBC welcomes RSPB advice and input. HBC is seeking a monitoring plan that is effective and value for money.</p>

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Policies Map	Brett Wilkinson (Stovell & Millwater)	LP0247	MOD013	<p>Hart Reservoir (SEE SUBMISSION FOR DETAIL OF MAPS)</p> <p>9. We confirm the Hart Reservoir site is presently the subject of a planning application (H/2015/0354). This was approved at committee subject to a 106 agreement. The contributions attached to the 106 agreement are currently been discussed which we hope can be resolved soon. Only part of the site where housing is planned has been included within the developments and excluded from the strategic gap. Much of the site is still outside the development limits and within the strategic gap.</p> <p>10. In regard to Hart Reservoirs the main modification is;</p> <ul style="list-style-type: none"> • PM/CHP06/03 - Policy LS1 <p>11. This modification relates to the reduction in the extent of the strategic gap. Much of the strategic gap has been removed with only three areas retained surrounding existing villages that are close to the main Hartlepool conurbation. The map amendment is shown below with regard to Hart Reservoirs.</p> <p>12. Whilst we are supportive of the reduction in the strategic gap we feel that a further and slight amendment to the boundary at Hart Reservoirs would more clearly respect the pattern on the ground and the emerging position. The map below was part of our previous submission in which we were seeking the slight amendment to the boundary of the strategic gap o redefine it to follow the line of Hart Lane which we say is a more defensible boundary. The modification only relates to the strategic gap and we believe that all the planning application site which is shown by</p>	<p>The changes to the Strategic Gap reflect the areas identified within the Strategic Gap evidence base and the findings of the Planning Inspector in his Interim Findings which required the Council to reduce the Strategic Gap. We do not consider any further amendment is needed or justified. The Council considers the range of housing sites within the Plan to be appropriate and considers that the amendments to the Strategic Gap required by the Inspector do give a greater flexibility to bring further sites forward if a partial plan review is needed as a result of under-delivery against the housing targets. The Development Limits have been amended on the Policies Map to</p>

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				<p>the pink line on the map below could be removed from it.</p> <p>13. On a general policy comment we suggested in our previous submissions we believe the housing supply is overly reliant on large housing allocations. A number of which are heavily reliant on works to the highways infrastructure which would be expensive. If these works for whatever reason, including finance, were not viable it would prevent a number of developments. The strategic gap which abuts the main conurbation of Hartlepool restricts development in a sustainable location where it might be necessary for future housing to develop, due to failures elsewhere. This would particularly apply to land that abuts Hartlepool in the vicinity of the Hart Reservoirs site.</p> <p>14. We would support a further reduction in the strategic gap around the Hart Reservoirs site where it abuts Hartlepool Town as we feel this would be beneficial for the development plan and provide a contingency.</p> <p>15. If the Inspector does not agree we would ask that at least the site shown above outlined in pink be removed from the strategic gap as it relates to an extant planning permission which is recommended for approval and any development or retention of open space could be secured through conditions attached to the planning approval.</p>	<p>include areas of the site where there is housing development - it is not considered a further change is needed to include other land owned by the applicant such as the reservoir which will remain as part of the development.</p>