

PLANNING COMMITTEE AGENDA



Wednesday, 6th June 2007

at 10.00 a.m.

in

West View Community Centre,
Miers Avenue, Hartlepool

MEMBERS OF PLANNING COMMITTEE:

Councillors Akers-Belcher, Allison, Brash, R Cook, S Cook, Flintoff, Kaiser, Laffey, G Lilley, J Marshall, Morris, Payne, Richardson, Simmons, Worthy and Wright

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

3.1 To confirm the minutes of the meeting held on 16th May 2007 (*attached*)

4. ITEMS REQUIRING DECISION

4.1 Planning Applications– *Assistant Director (Planning and Economic Development)*

1. H/2007/0298 Former Fina Petrol Station
2. H/2006/0846 Marine Hotel
3. H/2007/0328 Ward Jackson Pub
4. H/2007/0265 The White House
5. H/2007/0244 Ashfield Farm
6. H/2007/0093 57 Church Street
7. H/2006/0877 2 Victoria Road
8. H/2007/0235 34 The Fens
9. H/2007/0226 32 Eldon Grove

4.2 Update on Current Complaints – *Assistant Director (Planning and Economic Development)*

4.3 Appeal by Mr K Smart, Site at 7 Hylton Road, Hartlepool – *Assistant Director (Planning and Economic Development)*

5. **ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

6. **FOR INFORMATION**

Site Visits – Any site visits requested by the Committee at this meeting will take place on the morning of Monday 2nd July 2007 at 10.00 am

Next Scheduled Meeting – Wednesday 4th July 2007

No: 1
Number: H/2007/0298
Applicant: Mr J W Haygarth
Agent: The Design Gap 1 Scarborough Street HARTLEPOOL
TS24 7DA
Date valid: 05/04/2007
Development: Erection of 11 apartments with associated road works and landscaping
Location: FORMER FILLING STATION NEXT TO TRAVELLERS
REST STOCKTON ROAD HARTLEPOOL

The Application and Site

- 1.1 The application site is the former Fina petrol filling station and car wash on Stockton Road adjacent to the Travellers Rest Public House.
- 1.2 The site, which until recently was in use for the sale of motor vehicles, is located on the main southbound lane of the A689 dual carriageway.
- 1.3 Neighbouring properties include a light industrial use (sign making), public house and residential properties to the rear on Queensland Road.
- 1.4 The proposal involves the demolition of the garage and the erection of a 2½ storey building of 11 apartments. Seventeen parking spaces have been provided together with separate bin store, cycle store and general store. The existing entrance and exit to the site are to be maintained.
- 1.5 Nine of the apartments will have 2 bedrooms the remaining 2 will have one.
- 1.6 The building is of traditional design.

Publicity

- 1.7 The application has been advertised by way of neighbour letters (16) and site notice. One letter of no objection and 3 letters of objection have been received. The objectors raise the following issues:-
- a) loss of privacy to bungalows
 - b) loss of sun to garden
 - c) will affect value of properties
 - d) increase in noise
 - e) overlooking
 - f) traffic and drainage problems at the Travellers Rest should be addressed before approval is granted to apartments
 - g) existing problems with parking, flooding, bus stops, and other entrances and exits onto A689

The period for publicity has expired.

Consultations

1.8 The following consultation replies have been received:

Head of Public Protection – No objections subject to the provision of adequate sound insulation to bedrooms.

Northumbrian Water – Awaited

Engineering Consultancy – Require a desk top study.

Head of Traffic and Transportation – No objections, however suggests that parking space no 17 be omitted from the scheme in order to prevent conflict between pedestrians and vehicles. Left only turn signs should be provided in the central island opposite the exit from the site.

Planning Policy

1.9 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green edges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP3: States that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

GEP6: States that developers should seek to incorporate energy efficiency principles through siting, form, orientation and layout of buildings as well as through surface drainage and the use of landscaping.

GEP7: States that particularly high standards of design, landscaping and woodland planting to improve the visual environment will be required in respect of developments along this major corridor.

GEP9: States that the Borough Council will seek contributions from developers for the provision of additional works deemed to be required as a result of the development. The policy lists examples of works for which contributions will be sought.

Hsg5: A Plan, Monitor and Manage approach will be used to monitor housing supply. Planning permission will not be granted for proposals that would lead to the strategic housing requirement being significantly exceeded or the recycling targets not being

met. The policy sets out the criteria that will be taken into account in considering applications for housing developments including regeneration benefits, accessibility, range and choice of housing provided and the balance of housing supply and demand. Developer contributions towards demolitions and improvements may be sought.

Hsg7: States that conversions to flats or houses in multiple occupation will be approved subject to considerations relating to amenity and the effect on the character of the area. Parking requirements may be relaxed.

Hsg9: Sets out the considerations for assessing residential development including design and effect on new and existing development, the provision of private amenity space, casual and formal play and safe and accessible open space, the retention of trees and other features of interest, provision of pedestrian and cycle routes and accessibility to public transport. The policy also provides general guidelines on densities.

Planning Considerations

1.10 The main considerations in this case have been identified as

- a) the principal of the development having regard to the Hartlepool Local Plan and national policy guidance
- b) the impact of the development on the surrounding area and on the amenities of nearby residents
- c) highway related issues
- d) the design of the scheme itself

Principal of Development

1.11 The site lies within the limits to development as set out on the Hartlepool Local Plan. It is a brownfield site with former uses as petrol filling station/car wash, tyre/exhaust centre and motor vehicle sales (unauthorised). There is a valid planning consent (H/2006/0168) for a two storey 10 apartments development on this site. There are no housing number issues at this time.

1.12 A developer contribution of £5,000 has already been paid in connection with the first application. No additional payment is required.

1.13 The previous authorised use of the site has proved to be unsustainable due to the decline of the independent petrol filling station and the influx of supermarket stations. Redevelopment is therefore welcomed in principle.

Impact on the surrounding area

1.14 The site, which is currently vacant, lies adjacent to the main dual carriageway. There is a large public house to the south, a light industrial business and hot food takeaway to the north east and a car sales/industrial business to the north.

1.15 There are bungalows and houses to the rear of the site on Queensland Road.

1.16 The building, which is on 3 floors incorporating rooms in the roof space is sited towards the main road with parking to the rear.

1.17 More than minimum separation distances have been maintained between the residential properties and the new building, which is also set at an angle to the dwellings. Distances range between 22m and 38m between elevations. This is comparable for relationships between flats, houses and bungalows throughout the town. These distances are therefore considered to be acceptable in terms of the potential for visual intrusion and overlooking.

1.18 In terms of noise and disturbance, the site has previously been used as a repair garage for tyres/exhausts, as a petrol filling station with car wash and most recently for car sales. In view of this, a domestic use in the form of apartments is considered to be acceptable and should be an improvement.

Highway related issues

1.19 The existing access to and the exit from the site are to be used for the new apartments on an in and out basis. Although 17 parking spaces have been provided (16.5 required for the development) the Highway Engineer has recommended that space no 17 is omitted from the scheme to improve pedestrian access. It may be possible however to set this space further back.

1.20 As a precautionary measure it is suggested traffic signs should be erected on the central reservation of the A689, opposite the exit in order to direct vehicles to turn left onto the dual carriageway.

The design of the scheme

1.22 The apartments, which are of a traditional design, have been sited to minimise any effects on the visual amenities of residential properties to the rear and should sit well in the street scene.

RECOMMENDATION – Approve subject to the following conditions:-

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid
2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 15 May 2007, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt
3. Before the development hereby approved is commenced, the buildings shall be pegged out on site and its exact location agreed in writing by the Local Planning Authority.
In the interests of the amenities of the occupants of neighbouring properties.
4. Notwithstanding the submitted details before the development is brought into use car parking shall be provided in accordance with the final details to be first agreed in writing by the Local Planning Authority. Thereafter the approved

scheme shall be retained for its intended purpose at all times during the lifetime of the development.

In the interests of highway safety.

5. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose.

In the interests of visual amenity.

6. Details of all walls, fences and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced.

In the interests of visual amenity.

7. The development hereby permitted shall not be commenced until: a) A desk-top study is carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two copies of the study shall be submitted to and approved in writing by the Local Planning Authority. If identified as being required following the completion of the desk-top study, b) The application site has been subjected to a detailed scheme for the investigation and recording of contamination, and remediation objectives have been determined through risk assessment, and agreed in writing with the Local Planning Authority, c) Detailed proposals for the removal, containment or otherwise rendering harmless of any contamination (the 'Reclamation Method Statement') have been submitted to and approved in writing by the Local Planning Authority, d) The works specified in the Reclamation Method Statement have been completed in accordance with the approved scheme, e) If during reclamation or redevelopment works any contamination is identified that has not been considered in the Reclamation Method Statement, then remediation proposals for this material should be agreed with the Local Planning Authority.

To ensure that any site contamination is addressed.

8. A detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works.

In the interests of visual amenity.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

In the interests of visual amenity.

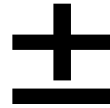
10. Unless otherwise agreed in writing by the Local Planning Authority before the development is brought into use, Department of Transport and Traffic 606 and 608 signs shall be erected on the central island opposite the exit onto Stockton Road in position to be agreed in writing with the Local Planning Authority. Thereafter the signs shall be retained during the lifetime of the development.

In the interests of highway safety.

11. Unless otherwise agreed in writing by the Local Planning Authority all bedroom windows shall consist of a minimum 6-16-4mm double glazed units fitted with acoustic trickle vents to ensure that internal noise levels do not exceed 35dBAeq.

To ensure that the building is adequately sound proofed in the interests of the amenity of future occupants.

Former Petrol Station A689



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 23/05/07
	SCALE 1:1250	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2007/0298	REV

No: 2
Number: H/2006/0846
Applicant: MR LEE DEXTER 5- 7 THE FRONT HARTLEPOOL
 TS25 1BS
Agent: SJR Architects & Interior Designers Suite 101 The
 Innovation Centre Venture Court Queens Meadow
 Business Park Hartlepool TS25 5TG
Date valid: 20/11/2006
Development: Alterations and erection of rear bedrooms extension
 above existing bedroom accommodation (AMENDED
 PLANS RECEIVED)
Location: MARINE HOTEL THE FRONT HARTLEPOOL
 HARTLEPOOL

The Application and Site

2.1 Full planning permission is sought for a rear extension and alterations to create additional bedrooms and a function room. The proposal involves the creation of 11 bedrooms by adding a storey to the existing rear extension wing of the hotel. A function room would be provided in the ground floor area of the same wing at the expense of 6 existing bedrooms but other internal alterations would be undertaken so that the overall net effect would be the provision of 6 additional bedrooms. These alterations include the incorporation of 3 dormer windows in the north and south elevations of the hotel annexe.

2.2 The applicant has submitted a design and access statement which states that the proposed development seeks to cater for the wedding market as well as increasing its viability in the thriving local accommodation market.

2.3 The hotel is a grade II listed building situated on the Front, Seaton Carew. A separate application for listed building consent will be required but has not yet been made. It is within both the designated Conservation Area and Commercial Improvement Area for Seaton Carew.

2.4 There is an existing car parking area to the side and rear of the building. The site itself is situated at the southern end of a terrace of commercial and residential properties. It is bounded to the west by an area of informal recreation space. A cluster of terraced residential properties lie to the south whilst close to the southwest of the extension area is a detached residential property known as Ashburn Cottage.

2.5 Further drawings have been submitted detailing amendments to the window design of the southern elevation of the new storey. The proposal would now be to utilise oriel shaped windows incorporating partly obscured glazing with the intention of preventing the rear elevation and yard area of Ashburn Cottage being overlooked.

Publicity

2.6 Following the submission of amended drawings, one letter of objection to the development has been received citing the following points:

- 1) The height of the building would have a dominating presence. Three storeys would not be in keeping with a listed building in a Conservation Area. At present glare from halogen lighting associated with the extension is considerable lighting should be positioned with thought given to neighbouring residents.

4 letters of no objection

Copy letters D

The period for publicity has expired.

Consultation

2.7 The following consultation replies have been received:

Head of Public Protection – No objection subject to the incorporation of adequate noise attenuation measures to prevent noise breakout from the function room

Highway Engineer – No objections. The site is within an area served by public car parks.

Northumbrian Water – No comments received

Planning Policy

2.8 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

Com6: States that the Borough Council will encourage environmental and other improvement and enhancement schemes in designated commercial improvement areas.

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green wedges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP2: States that provision will be required to enable access for all (in particular for people with disabilities, the elderly and people with children) in new developments

where there is public access, places of employment, public transport and car parking schemes and where practical in alterations to existing developments.

GEP3: States that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

HE1: States that development will only be approved where it can be demonstrated that the development will preserve or enhance the character or appearance of the Conservation Area and does not adversely affect amenity. Matters taken into account include the details of the development in relation to the character of the area, the retention of landscape and building features and the design of car parking provision. Full details should be submitted and regard had to adopted guidelines and village design statements as appropriate.

HE2: Encourages environmental improvements to enhance conservation areas.

HE8: States that traditional materials and sympathetic designs should be used in works to listed buildings and to adjoining or nearby properties affecting the setting of the building. These should be in keeping with the character and special interest of the building. Those internal features and fittings comprising an integral part of the character of the building should be retained where practical. Alterations to part of a listed building will only be approved where the main part of the building is preserved or enhanced and no significant features of interest are lost.

To3: States that commercial and leisure developments within this area will be permitted where they are sympathetic to the character of the area and in keeping with its development as a seaside resort.

To9: Identifies the town centre and Marina, Victoria Harbour, the Headland and Seaton Carew as areas for new accommodation and promotes the enhancement of existing facilities.

Planning Considerations

2.9 The main considerations in this case are the principle of the development taking into account the building's position within the Seaton Carew Conservation Area and commercial improvement area and the impact of the privacy and light of local residents. The suitability of the development in terms of the grade II listed status of the building will need to be the subject of a separate application for listed building consent which is yet to be lodged.

2.10 The original building is prominently situated on The Front. The proposed alterations mainly concern the rear extension which was granted planning permission in 1989. The extension is visible through a large gap in the terrace immediately south of the building and also at greater distance from Seaton Lane to the north. The proposed works would not however utilise a full additional storey height, partly incorporating the roof space. This would serve to limit the additional height of the building. Whilst the proposed development is modern in appearance it needs to be considered in the context of the modern existing extension. The additional height of the extension would be limited to some 1.8 metres and would

continue to be less than the height of and therefore subservient to the original building. Photomontages will be displayed at the meeting.

2.11 There is a concern that the new extension should not dominate the existing building and as a consequence adversely affect the character or appearance of the conservation area. It is considered that the photomontages demonstrate that this will not be the case. The proposed incorporation of dormer windows are also considered to be acceptable. The proposals are not therefore thought to adversely affect the character of the Conservation Area.

2.12 The extended part of the building is some 13 metres from the nearest residential dwelling, Ashburn Cottage to the south. Concern was originally expressed by the resident of this property that the rear windows and outdoor yard area of her property would be overlooked. The scheme has been amended to incorporate oriel windows with obscure glazing to safeguard against overlooking. An end window nearest to the property in question has been relocated to the rear elevation of the building where it would overlook only the car park and recreation ground beyond which is considered to be acceptable. The extension lies to the north of Ashburn Cottage and as such is not considered to lead to an adverse effect on light to that property.

2.13 The proposed extension would look onto a blank gable of the property, Corners Court to the north and over a small patio and courtyard area associated with this building. Whilst the patio area could be overlooked to a degree due to the additional building storey some 7 metres away there would be no direct views available into habitable rooms associated with this property. Plans are currently under consideration which would see this area taken into an extension to the property. There are no windows proposed facing the hotel. The property owner has raised no objection to the development.

2.14 The remaining objector to the scheme lives at 2 Station Lane, situated some 68 metres away from the site. Given the distance of this property from the site and the relatively small increase in height of the building proposed an objection on grounds of the dominance of the extension is not considered to be sustainable.

2.15 The Head of Public Protection raises no objection to the proposals subject to the incorporation of noise attenuation measures to prevent noise escaping from the proposed ground floor function room. Concerns raised with regard to lighting associated with the extension can be controlled through condition.

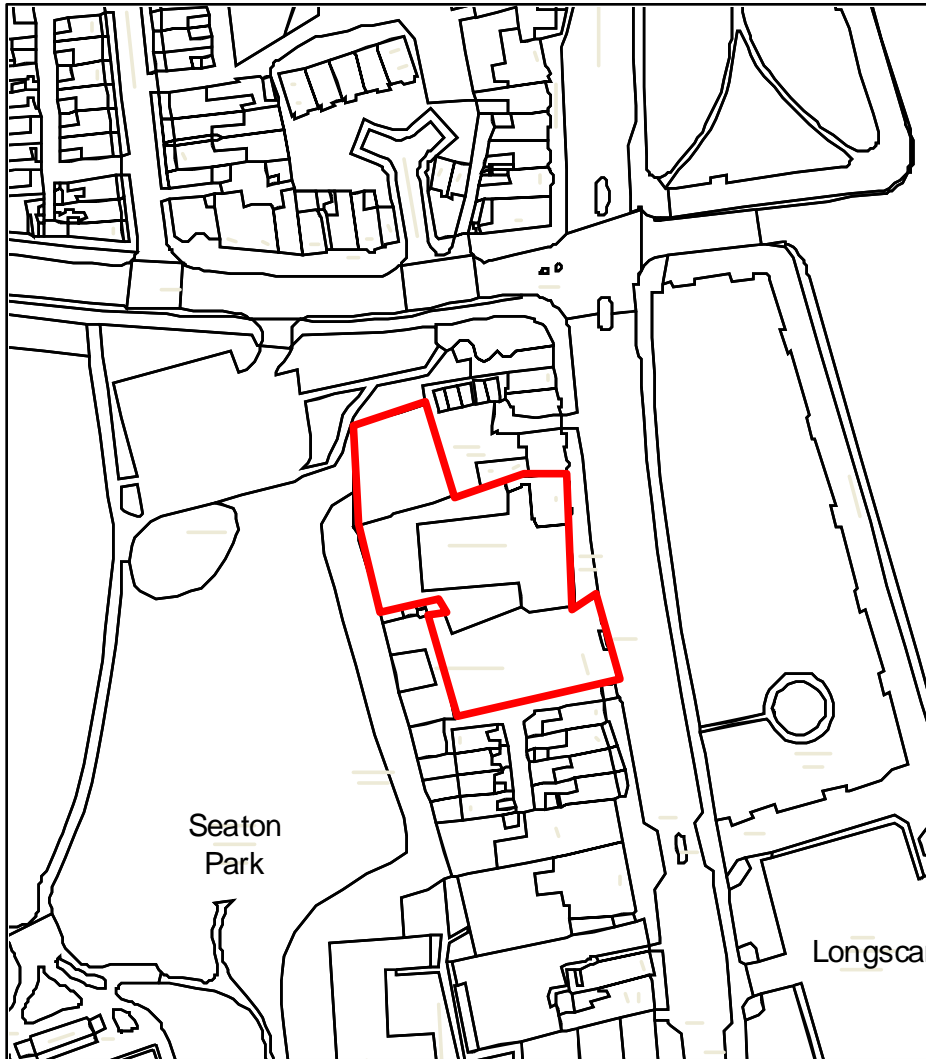
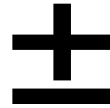
2.16 The development is considered to be an economic development opportunity within a commercial improvement area. Whilst acknowledging the various concerns it is considered that there is no practical alternative to accommodate an extension. On balance approval is therefore recommended.

RECOMMENDATION – APPROVE subject to the following conditions:-

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.

- To clarify the period for which the permission is valid
2. The proposed obscure glazing as detailed on drawing no 3D shall be installed before the extension is first occupied and shall thereafter be retained for the lifetime of the development.
Protection of privacy.
 3. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose.
In the interests of visual amenity.
 4. Prior to the commencement of the development hereby approved, the building shall be provided with noise insulation measures, details of which shall be submitted for the consideration and approval of the Local Planning Authority. The scheme shall ensure adequate protection is afforded against the transmission of noise from the function room. The noise insulation scheme, as approved, shall be implemented in full and retained thereafter during the lifetime of the development.
In the interests of the amenities of the occupants of neighbouring properties.
 5. Details of external lighting associated with the extension shall be submitted to an agreed with the Local Planning Authority prior to the development being brought into use.
In the interests of residential amenity.

Marine Hotel



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<p>HARTLEPOOL BOROUGH COUNCIL</p>	DRAWN GS	DATE 23/05/07
	SCALE 1:1250	
<p>Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT</p>	DRG.NO H/2006/0846	REV

No: 3
Number: H/2007/0328
Applicant: J D Wetherspoon PLC Reeds Crescent Watford Herts
 WD1 1QH
Agent: Strand House 169 Richmond Road Kingston Upon
 Thames KT2 5DA
Date valid: 01/05/2007
Development: Installation of new canopy to rear of building
Location: 3 9 CHURCH SQUARE HARTLEPOOL

The Application and Site

3.1 The application site is an existing public house located within the Church Street Conservation Area. It lies on the east side of Church Square between a beauty salon/school and a new agent with flats above. Opposite in the centre of Church Square is Christ Church a Grade II* listed building and to the northeast on the opposite side of the road is a grade II listed statue of Ralph Ward Jackson.

3.2 It is proposed to add a small glazed canopy the rear of the building. The canopy will be erected over the three rear doors. It will extend some 6m along the façade above the doors and project some 1.5m from the building. The applicant states that the purpose of the canopy is to provide shelter to customers wishing to use the beer garden. It will also keep the access dry and free of debris and encourage the use of the courtyard area in a wider range of weather conditions. Whilst not stated the canopy could also function as a smoking shelter.

Planning History

3.3 The site has a long and complicated planning history.

3.4 In June 2002 permission for the change of use of the building from banking premises to A3 (food and drink) use was approved (H/FUL/0101/02 refers). Condition 2 attached to the approval restricted the hours of operation to between 9.00am and 12.00 midnight.

3.5 In February 2004 planning applications for alterations to the elevations (H/FUL/0283/04) and alterations to the land to the rear of the premises (H/FUL/0290/04) were allowed on appeal. An appeal against the refusal of an application for the installation of three Jumbrellas (H/FUL/0433/04) in the rear beer garden was however dismissed by the same Inspector. The Inspector concluded that the Jumbrellas would be likely to extend the circumstances and time people would spend in the beer garden and would therefore extend the time during which noise from people in the beer garden would be likely to arise and cause disturbance to nearby residential properties.

3.6 In December 2005 planning permission was granted to vary the hours of operation to permit longer opening hours of the building. (H/2005/5884).

3.7 In May 2007 planning permission for the use of the pavement to the front of the premises as an outdoor seating area was refused for reasons relating to the amenity of nearby occupants. (H/2007/0218).

Publicity

3.8. The application has been advertised by site notice neighbour notification (26) and in the press. The time period for representations expires on 13 June 2007. At the time of writing no representations had been received.

Consultations

3.9 The following consultation replies have been received:

Head of Public Protection - No objection.

Traffic & Transportation - There are no major highway implications with this application.

Planning Policy

3.10 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

Com12: States that proposals for food and drink developments will only be permitted subject to consideration of the effect on amenity, highway safety and character, appearance and function of the surrounding area and that hot food takeaways will not be permitted adjoining residential properties. The policy also outlines measures which may be required to protect the amenity of the area.

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green edges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP2: States that provision will be required to enable access for all (in particular for people with disabilities, the elderly and people with children) in new developments where there is public access, places of employment, public transport and car parking schemes and where practical in alterations to existing developments.

GEP3: States that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

HE1: States that development will only be approved where it can be demonstrated that the development will preserve or enhance the character or appearance of the

Conservation Area and does not adversely affect amenity. Matters taken into account include the details of the development in relation to the character of the area, the retention of landscape and building features and the design of car parking provision. Full details should be submitted and regard had to adopted guidelines and village design statements as appropriate.

HE2: Encourages environmental improvements to enhance conservation areas.
 Rec 13: States that late night uses will be permitted only within the Church Street mixed use area, or the south west area of the Marina subject to criteria relating to amenity issues and the function and character of these areas. Developer contributions will be sought where necessary to mitigate the effects of developments.

Planning Considerations

3.11 The main planning considerations are considered to be the impact on the character and appearance of the building Conservation Area and impact on the amenity of neighbouring properties.

Impact on the character and appearance of the building and Conservation Area

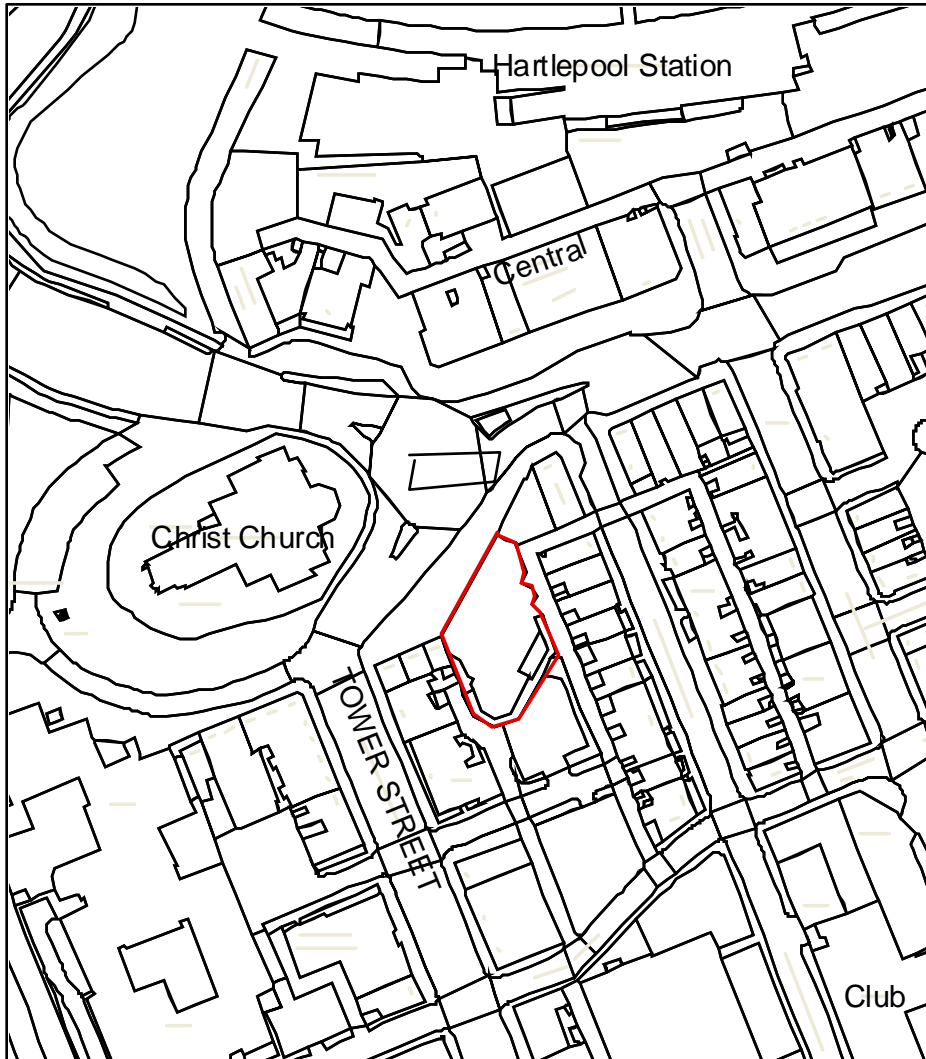
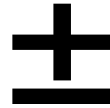
3.12 The building is a large modern building. The canopy is relatively small and is located at a low level to the rear of the building. It is considered that it will add additional interest to the rear façade and that it will have an acceptable impact on the character and appearance of the building and the Conservation Area

Impact on the amenity of neighbouring properties

3.13 The public house is located in a terrace which includes businesses, in some cases with flats above. To the rear at 22 Scarborough Street, some distance away, is a house whilst the former Ords building again some distance away to the rear is in the process of being converted to flats. The public house use is existing, and the area as a whole, as one of the main leisure areas of the town attracts a good deal of activity extending into the evening. The canopy is small and narrow and located close to the rear of the building. The Head of Public Protection has not objected to the proposal and further clarification of his position is anticipated. In addition public consultations are still outstanding. In these circumstances an update report will be provided.

RECOMMENDATION – Update to follow

Ward Jackson PH



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<p>HARTLEPOOL BOROUGH COUNCIL</p>	DRAWN GS	DATE 01/05/07
	SCALE 1:1250	
<p>Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT</p>	DRG.NO H/2007/0328	REV

No: 4
Number: H/2007/0265
Applicant: Mitchell & Butlers Retail Ltd
Agent: The JTS Partnership Number One The Drive Great Warley Brentwood CM13 3DJ
Date valid: 24/04/2007
Development: Retention of 2 Jumbrellas on front forecourt
Location: THE WHITE HOUSE WOOLER ROAD HARTLEPOOL

The Application and Site

4.1 The application relates to the White House, a public house with restaurant and conference room. The premises are subject to an opening hours restriction (9:00 – 23:30). At its meeting on 29 March 2006, the Planning Committee granted temporary permission for the retention of 2 jumbrellas at the site to enable any impacts arising from their presence on nearby residents to be assessed. This permission has now expired and this application is to retain the jumbrellas on site.

4.2 The front of the premises comprises an external patio area used as a beer garden. In this area two large ‘jumbrellas’ have been installed. These structures provide shelter, lighting and heating and serve to extend the night time use of this area.

4.3 The White House is situated in a predominantly residential area. The premises adjoin the rear garden areas of existing properties on both Relton Way and Wooler Road.

Publicity

4.4 The application has been advertised by way of neighbour letters (7). To date, there have been three letters objecting to the development. The concerns raised are:

- 1) Encourages late outdoor drinking and associated noise and disturbance after children’s bedtime. There is no time restriction in place with both lighting and heating not going off until after 12pm.
- 2) There can be up to 150 people on the patio at peak times and it is claimed that people continue to use this area after closing time.
- 3) Mitchell and Butler’s promise “to take very seriously their role as a good neighbour” is non-existent.
- 4). The advent of the smoking ban will lead to the increased use of the umbrellas as a smoking shelter which will expose residents to increased disturbance. Smoking should be discouraged in all public places.
- 5) The outdoor drinking area has taken 10 much needed parking spaces. Overflow cars now park on Wooler Road and Park Avenue causing more noise as owners retrieve their cars.

- 6) Planning permission was turned down for an outdoor drinking area at the Golden Lion yet we have this intolerable situation which has grown over the last few years.
- 7) If the jumbrellas are rejected and the heaters provided it will add to Hartlepool's commitment to improving its green footprint.

Copy letters B

The period for publicity has expired.

Consultations

4.5 The following consultation replies have been received:

Head of Technical Services – Jumbrellas do not affect layout of car park. No major highway implications.

Head of Public Protection & Housing – I have not received any complaints concerning noise and disturbance since the temporary approval was given for these jumbrellas. With the introduction of the smokefree legislation on 1st July 2007 the jumbrellas may make it more comfortable for smokers to use particularly in the winter months. However it is unlikely that smokers would be deterred from using this area even without the heated jumbrellas and I would therefore find it difficult to sustain an objection to this application.

Planning Policy

4.6 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green wedges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP3: States that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

Planning Considerations

4.7 The main considerations in this case are the effects the extension of the period of time customers are likely to spend in the external patio area would have on the amenities of local residents and the impact on the character of the Park Conservation Area.

4.8 The two 'jumbrellas' are relatively substantial structures that provide a canopy area under which customers can be seated or stand. They include a heating component. It is considered that they create a distinct sense of enclosure, as well as providing some protection from the weather. The 'jumbrellas' extend the circumstances in which, and thus period of time that, people are likely to spend in this external patio area. Residents have cited disturbance and nuisance associated with the increase in outside drinking since the putting up of the 'jumbrellas'.

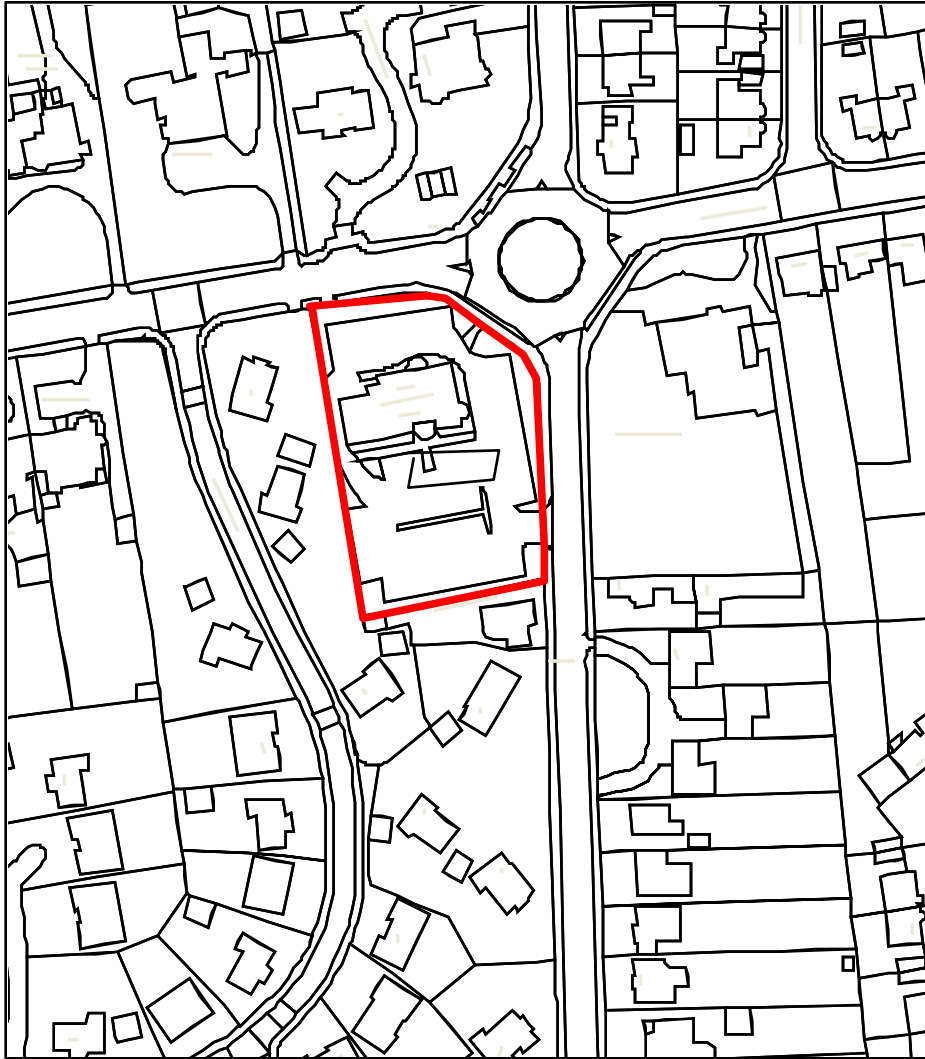
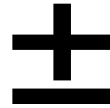
4.9 It was previously accepted that the development had the potential to extend the duration over which noise from people in the external patio area could give rise to disturbance to nearby residential properties particularly those adjoining the site. The Head of Public Protection has reported that no complaints about noise and disturbance have been received since the original grant of planning permission. Notwithstanding this residents have raised concerns that the advent of the smoking ban may serve to make the jumbrellas more attractive as a refuge area for smokers. As the use of the development has not been tested in the context of the smoking legislation it is recommended that a temporary planning permission be granted for a further year to allow the impact to be assessed.

4.10 While the premises are located within the Park Conservation Area, the Conservation Officer has raised no objections to the development.

RECOMMENDATION – APPROVE subject to the following condition(s):

1. The jumbrellas hereby approved shall be removed from the site and the land restored to its former condition on or before 30 June 2008 in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority unless approval has been obtained to an extension of this period.
To enable the Local Planning Authority to assess the impact if any of the jumbrellas especially in view of impending smoking byelaws.

The White House



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<p>HARTLEPOOL BOROUGH COUNCIL</p>	DRAWN GS	DATE 23/05/07
	SCALE 1:1250	
<p>Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT</p>	DRG.NO H/2007/0265	REV

No: 5
Number: H/2007/0244
Applicant: Mr M Ashton Hillcrest Grove Elwick Village Hartlepool
Agent: Business Interiors Group 73 Church Street
 HARTLEPOOL TS24 7DN
Date valid: 28/03/2007
Development: Variation of the original approval (H/2006/0333) to provide
 licensed clubhouse to the caravan site
Location: ASHFIELD FARM DALTON PIERCY ROAD
 HARTLEPOOL HARTLEPOOL

The Application and Site

5.1 This application follows the approval of planning permission for a touring caravan and camping site, which was approved by Members on 8th August 2006. The application is for the variation of the original approval (H/2006/0333) to provide a licensed clubhouse at Ashfield Farm caravan site.

5.2 Ashfield Farm is located approximately 1 km to the north east of Dalton Piercy and consists of a smallholding. The site adjoins a paddock along its eastern boundary, also in the applicant's ownership. The overall holding is part of a cluster of holdings which are being used for various commercial and rural related enterprises.

5.3 The application relates to a small section of the 'L' shaped building located in the north west corner of the site. The building was previously approved as an office, store and staff room.

5.4 The site is accessed from Dalton Back Lane via a track some 300m in length.

Publicity

5.5 The application has been advertised by way of neighbour letters (9). The application has also been advertised in the Hartlepool Mail (19th April 2007) and a site notice was erected at Dalton Back Lane on 11th April 2007. To date, there have been 3 objections from the surrounding residents. In addition a Member has requested that this application be determined by the Planning Committee.

5.6 The concerns raised are as follows:

- i) Object to a licence to serve the general public instead of just the temporary occupants of the caravan park.
- ii) In the event of any misbehaviour the police resources will be unnecessarily stretched because of the location.
- iii) Access concerns
- iv) Object to alcohol being served over a twelve hour period, seven days a week. Touring Caravaners who want to drink until midnight can surely

stay at urban caravan sites or sites associated with Public Houses. Touring Caravaners who do not want to be disturbed by late drinking will welcome a rural site with no alcohol facilities.

- v) Object to any music, live or piped, being played outside at any time in the peace of the countryside.
- vi) effectively a proposal to create a public house in the middle of a rural area.
- vii) It would risk setting a precedent which would make it difficult for the Authority in the future to resist further and even more inappropriate commercial developments in and around this locality.

One further objector has written in opposition to the application for the licence which will be considered separately by the Council's Licensing Committee. Notwithstanding this the letter is marked for the attention of the planning department and the concerns raised must therefore be considered as part of this application.

Additional concerns raised are as follows:

- i) The use of the clubhouse as a licensed premises will not be sustained by the occupiers of a rural caravan site. Others will use the premises. This site can only be accessed by motor vehicle over the same roads. More vehicles, unquantifiable in number, on narrow dangerous roads.
- ii) There is the potential for a crime issue in respect of licensed premises – drink driving, careless driving etc, all of which will add to the police burden.
- ii) The infrastructure surrounding the site is already grossly inadequate to deal with the seventy caravans for which you have already granted permission. Accidents and bodily injury, or worse, are inevitable.

The period for publicity has now expired.

Consultations

5.7 The following consultation replies have been received:

Dalton Parish Council – Verbal communication with Eric Benson dated 19th April 2007 confirmed that the Parish Council do not wish to object to the application.

Northumbrian Water – No objections

Environment Agency – No objections

Tees Forrest Protection Group – No objections

Hartlepool Access Group – No objections

Traffic and Transportations Section – No objections providing the proposed use is for users of the caravan park only.

Highways Agency – No objections

Environmental Health – No objections providing a condition restricting the use of the clubhouse to residents of the caravan park only and an opening hours restriction no later than midnight is attached to any approval. Separate staff sanitary accommodation will also have to be provided.

Planning Policy

5.8. The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

Com12: States that proposals for food and drink developments will only be permitted subject to consideration of the effect on amenity, highway safety and character, appearance and function of the surrounding area and that hot food takeaways will not be permitted adjoining residential properties. The policy also outlines measures which may be required to protect the amenity of the area.

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green wedges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP2: States that provision will be required to enable access for all (in particular for people with disabilities, the elderly and people with children) in new developments where there is public access, places of employment, public transport and car parking schemes and where practical in alterations to existing developments.

GEP3: States that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

To10: States that proposals for touring caravan sites will only be approved where they do not intrude into the landscape and subject to highway capacity considerations, the provision of substantial landscaping and availability of adequate sewage disposal facilities.

Planning Considerations

5.9 In essence the application is for the conversion of the eastern limb of the already approved 'L' shaped building towards the north of the site to a small licensed clubhouse.

5.10 The total floor space to which the clubhouse relates is approximately 71.5 square metres (5.5m x 13m). In context and given the already approved application

for the siting of 68 caravans and camping facilities, it is unlikely such a small area would be used for any other purpose than for use by the residents residing at the caravan park. A condition can however ensure this is the case.

5.11 Concerns from the surrounding neighbours have been expressed regarding noise and the effect on the rural aspect of the site. As part of the original application for the caravan site a condition requiring the erection of an acoustic fence in this location, was attached to the approval. Whilst the acoustic fence has not yet been erected this is a requirement to which the Local Authority have control. As such on completion of the building works the applicant will be required to install a suitably designed acoustic fence, which will minimise the noise emitted from the site. Given the size of the proposed clubhouse facility it is considered that this method of mitigation would go a long way to minimise any disturbance in terms of noise impact on the surrounding residents. In addition an hours restriction on the club house, a restriction on the formation of any outside drinking area and the playing of music outside the building and a limit on the licensed area itself are suggested as further measures to limit any disturbance.

5.12 With regards to the effect of the proposals on the surrounding highways network, the application is unlikely to give rise to any significant increase in traffic in the immediate locality. Members are reminded that the use of the site as a caravan and camping site has already been approved and the application relates specifically to the provision of a clubhouse. The Council's highways department have returned no objections to the application providing a suitably worded condition restricting the use of the clubhouse for the caravan site residents only, is attached to any approval.

5.13 In conclusion when assessed against the criteria outlined by the relevant planning policies contained within the Hartlepool Local Plan 2006 no conflict occurs. In addition the Governments Planning Policy Statement 7 (Sustainable Development in Rural Areas) is supportive of tourism development in countryside areas providing that this is not to the detriment of the area.

5.14 When assessed as a single element, the proposed clubhouse is unlikely to have any significant impact on the area and on the surrounding residents. The application is therefore recommended for approval subject to the conditions set out below.

RECOMMENDATION – APPROVE SUBJECT TO THE FOLLOWING CONDITIONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid
2. The development hereby approved shall be used as a licenced club house associated with the touring caravan and camp site and shall only be used by occupiers of caravans and tents on the site and for no other purpose.
In the interests of the amenity of the area
3. The licenced club house hereby approved shall only be open between the months of March and October between the hours of 11am to 11pm, Monday -

Saturday, and 11am to 10pm on Sunday and shall be closed at all other times.

In the interests of the amenity of the area

4. The drinking area hereby approved shall be limited to the area edged red on the plan accompanying this decision notice and no alcohol shall be consumed anywhere else within the building.

In the interests of the amenities of the area.

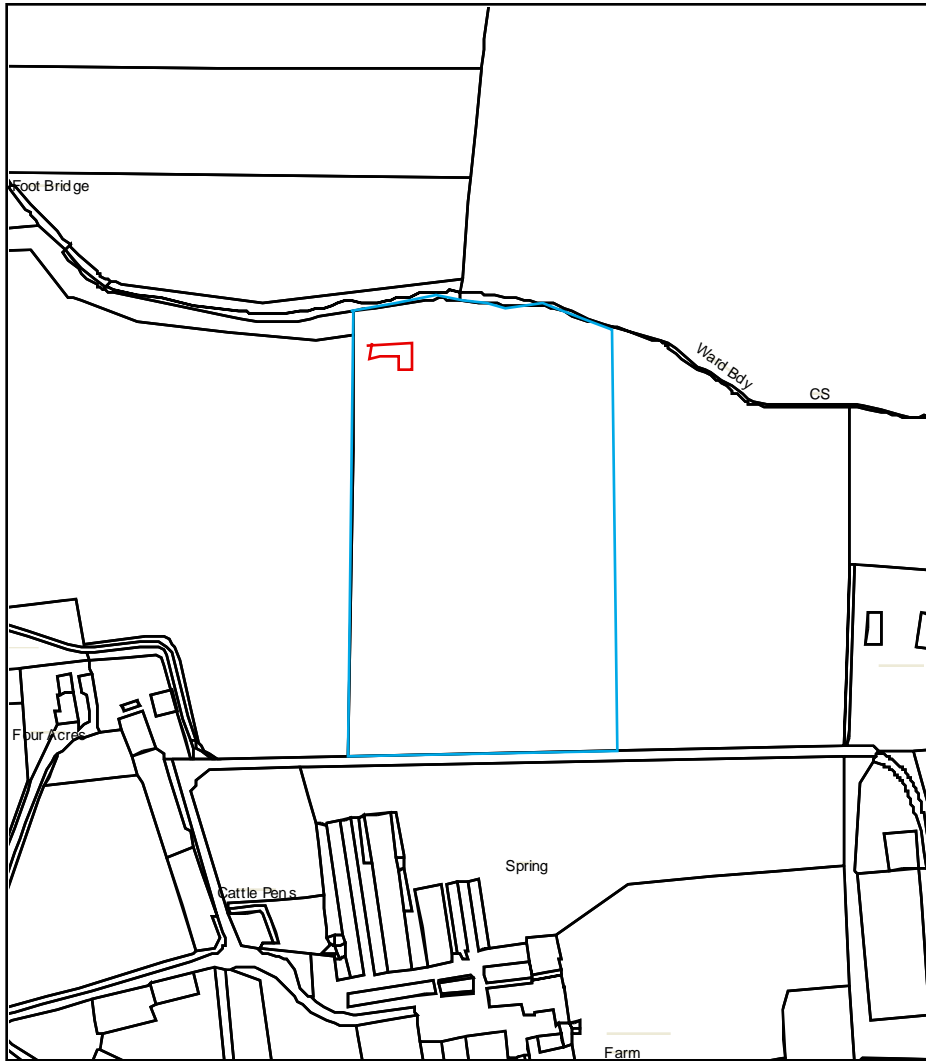
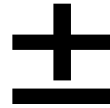
5. No area surrounding the club house shall be used as an amenity area beer garden or outside drinking area without the grant of a further specific permission from the Local Planning Authority.

In the interests of the amenities of the area.

6. No music shall be piped or relayed to the outside from within the building

In the interests of the amenities of the area.

Ashfield Farm



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<h1>HARTLEPOOL</h1> <h2>BOROUGH COUNCIL</h2>	DRAWN GS	DATE 23/05/07
	SCALE 1:2500	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2007/0244	REV

No: 6
Number: H/2007/0093
Applicant: Florian Valentin Ipate CHURCH STREET HARTLEPOOL
 TS24 7DX
Agent: Brian Watson 28a Church Street HARTLEPOOL TS24
 7DH
Date valid: 15/02/2007
Development: Alterations to front elevation of the property including
 installation of roller shutters, provision of new windows
 and additional glazing to ground floor frontage
Location: 57 CHURCH STREET HARTLEPOOL HARTLEPOOL

The Application and Site

6.1 The site to which the application relates is a mid terraced property located in the Church Street Conservation Area. The property is a Thai restaurant, located in area that has many commercial properties including restaurants and bars.

6.2 This application seeks consent for the alterations to the front elevation of the property including installation of roller shutters, provision of new windows and additional glazing to the ground floor frontage. The application proposes to remove UPVC windows, on the second floor of the building and the plywood panels from the shop front, replacing them with sliding sash windows and glass panels respectively. The application also proposes the provision of new sliding sash windows on the first floor. The application is part retrospective due to the roller shutters being already fixed to the front fascia.

Publicity

6.3 The application has been advertised by way of neighbour letters (2), 1 site notice and 1 newspaper advertisement. To date, there have been no letters of objection.

The period for publicity has expired.

Consultations

6.4 The following consultation replies have been received:

Landscape and Conservation: No objections to alterations to windows there are objections to the proposed roller shutters which contravene Supplementary Note 5 of the Hartlepool Local Plan

Planning Policy

6.5 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green edges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP2: States that provision will be required to enable access for all (in particular for people with disabilities, the elderly and people with children) in new developments where there is public access, places of employment, public transport and car parking schemes and where practical in alterations to existing developments.

GEP3: States that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

HE1: States that development will only be approved where it can be demonstrated that the development will preserve or enhance the character or appearance of the Conservation Area and does not adversely affect amenity. Matters taken into account include the details of the development in relation to the character of the area, the retention of landscape and building features and the design of car parking provision. Full details should be submitted and regard had to adopted guidelines and village design statements as appropriate.

HE2: Encourages environmental improvements to enhance conservation areas.

Planning Considerations

6.6 The main planning issues in this case are the appropriateness of the proposal in terms of the policies and proposals contained within the Hartlepool Local Plan, the impact of the proposal on the neighbouring properties, the street scene generally, with respect to the Church Street Conservation Area.

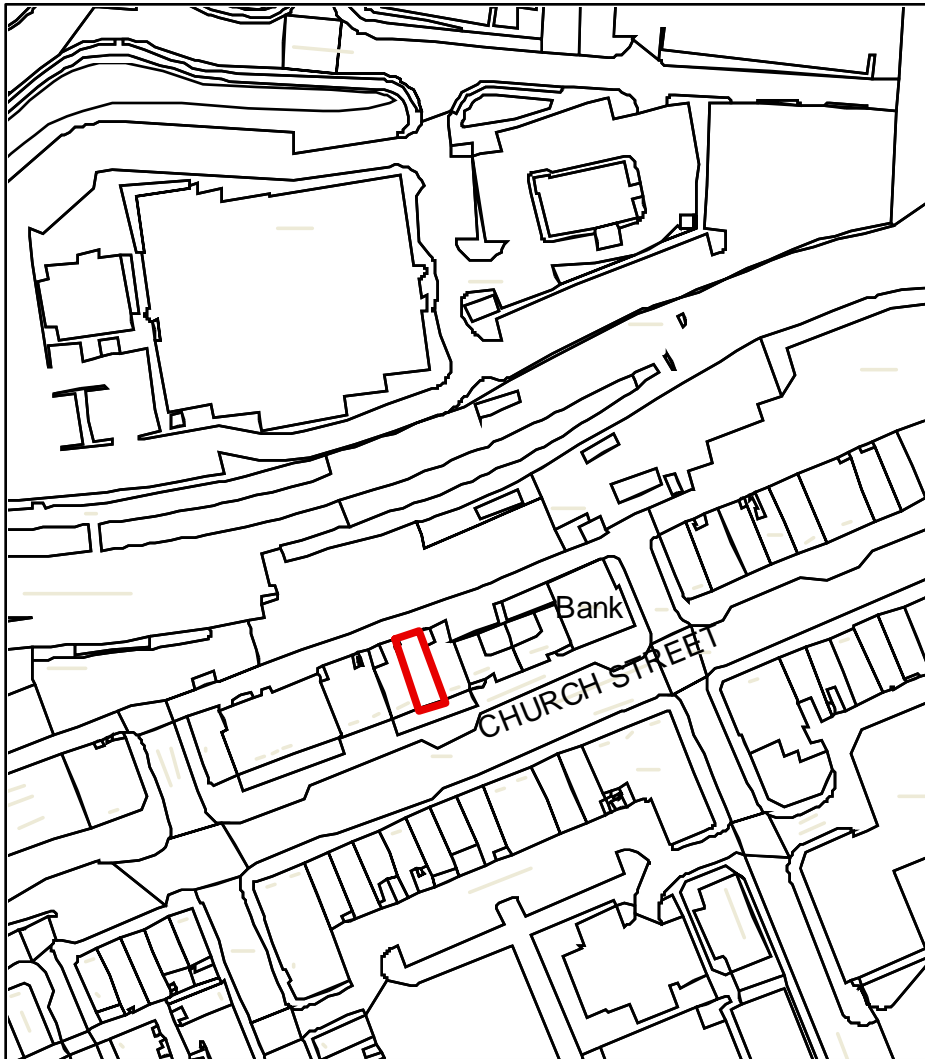
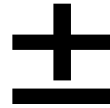
6.7 The design of the proposed alterations of the front elevation of the property, including installation of new windows and additional glazing to the ground floor frontage, are considered acceptable and are to be welcomed. They are broadly typical of frontages within the Church Street Conservation Area, with the use of traditional materials.

6.8 Supplementary Note 5 in the Hartlepool Local Plan indicates that within Conservation Areas roller shutters should be integrated into the overall design, with the roller shutter box concealed unobtrusively behind a new shop fascia and with guides concealed behind pilasters to the shop front. This is clearly not the case here. The application has confirmed that all of the original detailing remains and is undamaged. He believes that a built in shutter would destroy the existing fascia and shop front. He also refers to other examples in the Conservation Area. The Landscape and Conservation Manager considers alternative arrangements such as gates and shutters would be more appropriate.

RECOMMENDATION - REFUSE

It is considered that the roller shutters mask the traditional fascia and pilasters of the shop front to the detriment of the character and appearance of the shop and the Church Street Conservation area contrary to policies GEP and HE1 of the adopted Hartlepool Local Plan.

57 Church Street



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<p>HARTLEPOOL BOROUGH COUNCIL</p>	DRAWN GS	DATE 23/05/07
	SCALE 1:1250	
<p>Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT</p>	DRG.NO H/2007/0093	REV

No: 7
Number: H/2006/0877
Applicant: Mr T Wilkinson
Agent: The Design Gap 1 Scarborough Street HARTLEPOOL
 TS24 7DA
Date valid: 18/12/2006
Development: Removal of condition 5 of planning approval
 H/FUL/0778/03 and condition 7 of planning approval
 H/2006/0493 to allow unrestricted use of function room
 and seating area
Location: 2 VICTORIA ROAD HARTLEPOOL HARTLEPOOL

Update

7.1 The application was deferred at the meeting of the 21 March 2007 for further discussion with the applicant. He has indicated that he wants the current application to be considered as submitted. The original committee report is reproduced below.

7.2 A planning application (H/2006/0876) is currently under consideration for the provision of retractable glazed panelling to the previously approved outside seating area. Officers are seeking further clarification as to the exact details of this installation.

The Application and Site

7.3 A application H/FUL/0778/03 changed the use of the first floor of the property to a function room with bar facilities. Condition 5 of the approval restricted the hours of opening to 9am to midnight any day of the week.

7.4 Planning approval H/2006/0493 granted consent for alterations to a previously approved scheme for the conversion to a public house, including alterations to elevations and the creation of an external seating area. Condition 7 of the approval restricts the hours of use of the external seating area up until 8:00pm or sunset whichever is sooner each day.

7.5 This application seeks consent to remove condition 5 of planning application H/FUL/0778/03 and condition 7 of planning approval H/2006/0493.

7.6 The application site is the former gas show room located upon the junction of Victoria Road and Avenue Road. It is a two-storey end terraced property with a single storey element to the rear. The site is located upon a terrace of two-storey drinking establishments, which front Victoria Road. It is currently being converted to provide a bar and function room.

Planning History

7.7 In addition to the two planning applications discussed above the premises has been subject to a number of planning applications relating to its use as a public house.

- (i) H/FUL/0319/00 – Change of use from gas show room to an A3 use (public house/restaurant) - Refused
- (ii) H/FUL/0510/00 – Change of use and alterations to form café bar on the ground floor. This application was approved and is currently being implemented.
- (iii) H/FUL/0466/03 – Change of use from approved first floor office use to use as a licensed premises was refused but allowed on appeal. Prior to the determination of the appeal, an additional planning application which was identical to the appeal application was re-submitted and approved by Members (H/FUL/0778/03).
- (iv) H/FUL/0832/03 – Erection of a two-storey bar/restaurant and function room/conference room. This application involved the demolition of the existing property and was approved (and is extant).

Publicity

7.8 The application has been advertised by way of neighbour letters (5) and site notice. There have been no letters of objection received

The period for publicity has expired.

Consultations

7.9 The following consultation replies have been received:

Head of Public Protection and Housing :- No objection, he considers that it would be difficult to sustain an objection to this application given the number of neighbouring licensed premises that now have licences until 4:00am. He believes licensing controls provide adequate protection here.

Head of Traffic and Transportation:- No objection as the site is located within the town centre for parking.

Planning Policy

7.10 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

Com1: States that the town centre will be developed as the main shopping, commercial and social centre of Hartlepool. The town centre presents opportunities for a range of commercial and mixed use development subject to policies Com2, Com8 and Com9. Proposals for revitalisation and redevelopment should improve the overall appearance of the area, and also public transport, pedestrian and

cycleway facilities and linkages. The Borough Council will encourage the enhancement of existing or creation of new open spaces and will seek to secure the reuse of vacant commercial properties including their use for residential purposes. Proposals for A3, A4 and A5 uses will be subject to policies Com12 and Rec13 and will be controlled by the use of planning conditions.

Com12: States that proposals for food and drink developments will only be permitted subject to consideration of the effect on amenity, highway safety and character, appearance and function of the surrounding area and that hot food takeaways will not be permitted adjoining residential properties. The policy also outlines measures which may be required to protect the amenity of the area.

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green edges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP2: States that provision will be required to enable access for all (in particular for people with disabilities, the elderly and people with children) in new developments where there is public access, places of employment, public transport and car parking schemes and where practical in alterations to existing developments.

GEP3: States that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

Rec13: States that late night uses will be permitted only within the Church Street mixed use area, or the southwest area of the Marina subject to criteria relating to amenity issues and the function and character of these areas. Developer contributions will be sought where necessary to mitigate the effects of developments.

Planning Considerations

7.11 The main planning considerations in this case are the appropriateness of the proposal in terms of the policies and proposals within the Hartlepool Local Plan and the impact of the proposal upon the living conditions of residential properties in the locality.

7.12 The two elements of the application will be considered in turn below :-

Removal of Condition 5 of planning approval H/FUL/0778/03.

7.13 The ground floor use of the premises as a café/bar is not subject to a restrictive planning condition regarding hours of operation. It has recently been granted a license allowing the sale of alcohol until 4:00am every day of the week.

7.14 Since the original change of use planning application was determined for the first floor of the premises there has been a significant shift in the licensing laws. The nearby drinking establishments and the ground floor of the application site have license conditions which allow opening hours until -

- (i) 2 Victoria Road (ground floor only) – 4:00am all week
- (ii) Time and Tide – 4:00 am all week
- (iii) 42nd Street – 4:00 am all week
- (iv) Loons – 4:00am all week (ground floor only)
- (v) Bar Paris- 4:00am all week
- (vi) Cactus Jacks – 4:00 a.m. all week
- (vii) Yates – 2:30am all week
- (viii) Bar One – 2:00am Thursday through Sunday (midnight the other days)

7.15 It should be noted that none of these properties have any planning restriction on opening hours.

7.16 While Policy Rec13 of the Hartlepool Local Plan 2006 makes provision for late night uses only within the Church Street mixed-use area or the southwest area of the marina it is considered that given the hours of operation associated with the surrounding drinking establishments (including the ground floor of the application site) and a lack of objection from the Council's Head of Public Protection, a refusal could not be sustained on policy grounds in this instance.

7.17 The closest residential properties to the site are dwelling houses in Errol Street and the flats above retail units in York Road which are approximately 90m and 45m away respectively. As there are a number of licensed premises in between the application site and the nearby residential properties which can stay open until 4:00am it is not considered that by removing the condition in question it will create a significant increase in the potential for noise and disturbance upon the living conditions of the occupants of these residential properties.

Removal of Condition 7 of planning approval H/2006/0493.

7.18 The applicant seeks to remove this condition to allow the use of the approved external seating area in conjunction with the licence attached to the ground floor of the premises.

7.19 The applicants supporting design and access statement makes reference to the external seating area being created to overcome the forthcoming legislation regarding smoking in bars and restaurants. In addition the applicant feels that by restricting the use of the external seating area to 8:00pm or sunset will force patrons to leave the establishment, which may limit the success of the venture.

7.20 The Council's Head of Public Protection has raised no objection to the proposed removal of the condition.

7.21 Given the distance of the seating area to the nearby residential properties and subject to the planning condition precluding amplified music to the external area being retained, it is not considered that an objection could be sustained on noise and

disturbance grounds. The external seating area will be subject to control under the licensing laws and nuisance powers.

7.22 The Council's Principle Licensing Officer has highlighted that should there be a problems with the use of the external seating area then either the planning department, environmental health or the police can ask for a condition to be added to the licence to control it further.

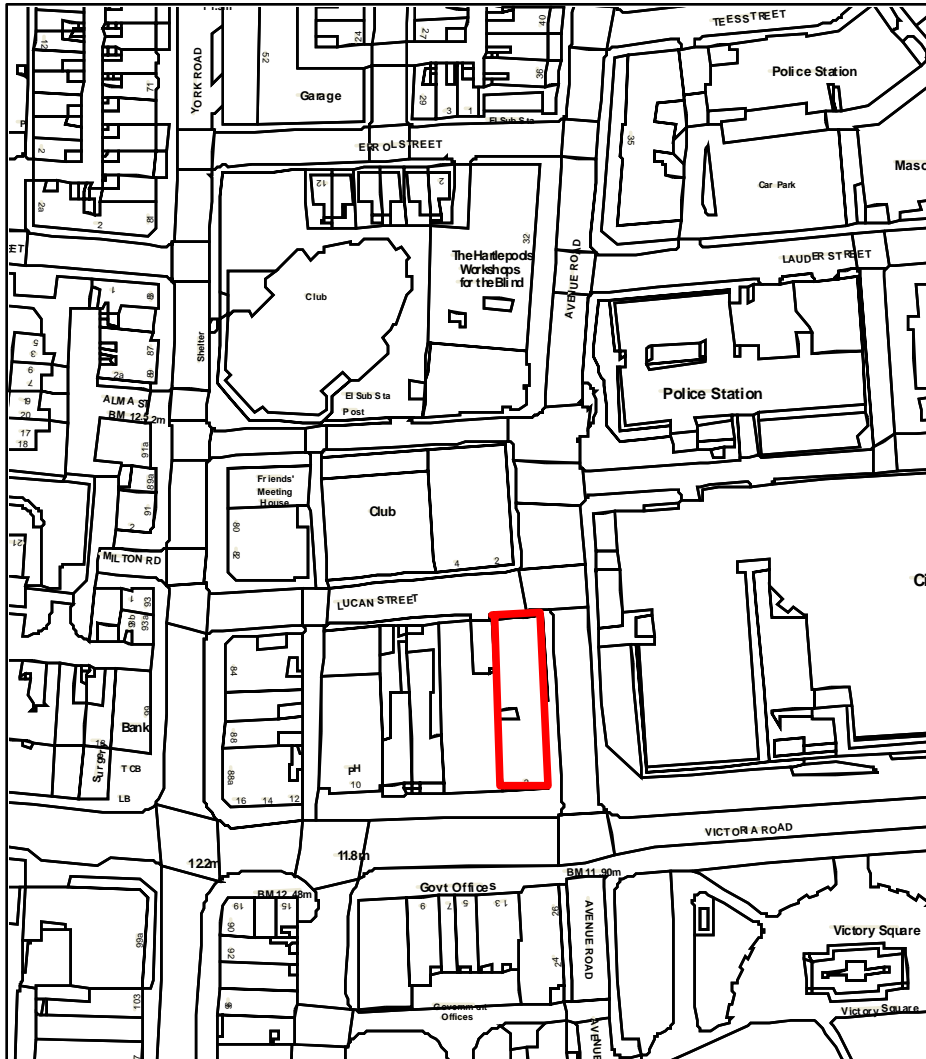
Conclusion

7.23 It is for the reasons stated above that the application is recommended for approval.

RECOMMENDATION - Approve

1. The permission shall relate to the removal of condition 5 of planning approval H/FUL/0778/03 and condition 7 of planning approval H/2006/0493 and all other planning conditions attached to those permissions shall still apply.
REASON:- For the avoidance of doubt.

2 Victoria Road



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<h1>HARTLEPOOL</h1> <h2>BOROUGH COUNCIL</h2>	DRAWN GS	DATE 6/2/07
	SCALE 1:1250	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2006/0877	REV

No: 8
Number: H/2007/0235
Applicant: Mr P Lamb THE FENS HARTLEPOOL TS27 3AH
Agent: Smith & Graham Church Square Chambers Church
Square Hartlepool TS24 7HE
Date valid: 29/03/2007
Development: Use of wasteland as garden area
Location: 34 THE FENS HARTLEPOOL HARTLEPOOL

The Application and Site

8.1 The application is for the incorporation of wasteland into the garden area of 34 The Fens, Hart. The land is divorced from worked farmland by a ditch.

8.2 The site is defined as being between the settlement limits of Hart and Hartlepool, within an area defined as Tees Forest on the Hartlepool Local Plan Proposals Map. For assessment purposes the site is classified as open countryside although given the surroundings in practical terms the site is semi rural.

Publicity

8.3 The application has been advertised by way of neighbour letters (1). A site notice was also erected at the footpath adjacent to the site on 11th April 2007. There have been no objections or adverse comment and one letter of support has been received as follows:

- i) I fully agree with the ecology report provided and feel that the land would greatly benefit from being converted into a garden. The land in its present state is currently no benefit to anyone so I feel that this planning application should be approved.

Copy letter E

The period for publicity has expired.

Consultations

8.4 The following consultation replies have been received:

Urban Policy – No objections

Parish Council – No comments received

Traffic and Transportation – No objections

Landscape Planning and Conservation – The land that would be incorporated into a garden area under this proposal comprises an area of species – poor grassland

and nettles. There are no trees, shrubs or wetland on this land and it is of negligible value for ecology or visual amenity. Incorporation into a garden area might even improve it in these respects. Consequently I have no objections to this proposal.

Planning Policy

8.5 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green wedges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP7: States that particularly high standards of design, landscaping and woodland planting to improve the visual environment will be required in respect of developments along this major corridor.

Rur14: States that proposals within the Tees Forest should take account of the need to include tree planting, landscaping and improvements to the rights of way network. Planning conditions may be attached and legal agreements sought in relation to planning approvals.

Rur7: Sets out the criteria for the approval of planning permissions in the open countryside including the development's relationship to other buildings, its visual impact, its design and use of traditional or sympathetic materials, the operational requirements agriculture and forestry and viability of a farm enterprise, proximity of intensive livestock units, and the adequacy of the road network and of sewage disposal. Within the Tees Forest area, planning conditions and obligations may be used to ensure planting of trees and hedgerows where appropriate.

Planning Considerations

8.6 The relevant planning policies are considered in detail below:

8.7 Policy GEP1 is the general environmental policy for Hartlepool and is therefore applicable to most applications. The policy seeks to protect the environment in terms of the impact of development as well as seeking to protect the visual appearance and the amenity of surrounding neighbours.

8.8 In a supporting statement the applicant has stated that the land will be enclosed within their domestic curtilage and will be maintained by them. Currently the site appears to be an area of neglect and given its location (between the A179 and no. 34 The Fens) is not actively farmed. It is therefore considered that the incorporation of wasteland into the applicant's garden area could enhance the overall visual

appearance of the surrounding area. This would be in accordance with the overall aims of Policy GEP1.

8.9 Policy GEP7 seeks to protect the visual environment along the frontages of the main approaches. The A179 West View Road to the south of the applicant's site is specifically mentioned in this policy. As above it is considered that the site has the potential to be visually improved by the granting of this application. The proposals therefore accord with Policy GEP7.

8.10 Policy Rur14 seeks to encourage the planting of native species in the areas defined as Tees Forest. The policy states that *'in this respect, planning conditions may be attached and legal agreements sought in relation to planning approvals'*. The applicants state that they intend to plant trees and hedges along the boundary to act as a natural buffer from traffic noise. Whilst there is no reason to dispute the fact that this will happen, given the location, it is considered that a landscaping condition to establish the applicant's intent with regards to planting would not be unreasonable.

8.11 Policy Rur7 is key to the determination of this application. The supporting text indicates that in open countryside any development should be compatible with its rural surroundings. A number of factors are identified in the policy to ensure this.

8.12 The policy reinforces that in Tees Forest areas the Council will seek legally binding agreements, as appropriate, to ensure the planting of trees and hedgerows in association with new development. As the application proposes no physical development as such and there is scope to ensure a sensitive planting scheme the development is considered compatible with its rural surroundings. Suitably worded conditions and covenants that would prevent the site from being developed without consent from the relevant authorities and a landscape condition, would ensure this would apply at all times.

8.13 In terms of the status of the site the land is separated from the actively farmed field to the rear by a ditch. As such the site is not actively farmed nor does there appear to be any incentive for this to occur. A logical use for the site relates to its inclusion into the domestic curtilage of no. 34 The Fens. It is considered that its use as garden area would not constitute a departure from the Local Plan in the specific circumstances of this case.

8.14 Members will be aware of a similar situation at Nine Acres where planning permission for the incorporation of land within the open countryside into residents gardens was refused planning permission and subsequently dismissed at appeal. The Nine Acres site sought to incorporate 0.16ha of grade II farmed agricultural land to the rear garden areas of the east and west dwellings along the street. The Inspector concluded that the loss of grade II agricultural land and the proposed encroachment into open countryside would be clearly contrary to National and Local Planning Policy.

8.15 In this case the proposals are fundamentally different in that the development would enclose a redundant space between the applicant's property and the A179. In addition no loss of active agricultural land will occur.

8.16 In conclusion it is considered that there are no positive social, environmental or economical benefits of the site to anyone in the surrounding area. As such the application presents the Local Authority with an opportunity to enhance the visual appearance of the site without conceding any form of physical development. The site will be enhanced by planting and landscaping which complies with the fundamental aims of the relevant National and Local Planning Policy guidance. The application is therefore recommended for approval subject to the conditions set out below.

RECOMMENDATION - APPROVE

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.

To clarify the period for which the permission is valid

2. A detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The scheme shall provide for hedging to the eastern and southern boundaries of the site. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works.

In the interests of visual amenity.

3. Notwithstanding the provisions of Article 3 and Class A, B, C, D, E, F, G of Part 1 and Class A, B, C of Part 2 of the Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no buildings or structure(s) shall be erected or provided within the application site.

In the interests of visual amenity.



Land adjacent 34 The Fens



THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

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HARTLEPOOL BOROUGH COUNCIL	DRAWN JT	DATE 24 May 2007
	SCALE 1:1250	
Department of Regeneration and planning Bryan Hanson House, Hanson Square, Hartlepool, TS24 7BT	DRG.NO H/2007/0235	REV

No: 9
Number: H/2007/0226
Applicant: Mr M Mathuru Elwick Road Hartlepool TS26 0DD
Agent: Stephenson Johnson & Riley Suite 101 The Innovation Centre Venture Court Queens Meadow Business Park HARTLEPOOL TS25 5TG
Date valid: 22/03/2007
Development: Change of use and alterations to provide 4 self contained flats
Location: 32 ELDON GROVE HARTLEPOOL HARTLEPOOL

The Application and Site

9.1 Detailed planning permission is sought for the change of use of a residential care home to 4 flats. The three storey building would be split to accommodate two of the flats at ground floor level with two above. External alterations to the building would be minimal, consisting of blocking up various existing openings and minor alterations to some of the existing windows and doors. A conservatory would be constructed within an existing alcove at the side of the building to serve one of the flats.

9.2 Off street parking would be provided for 6 cars to the rear of the site accessible via a single width driveway adjacent to the building. The driveway entrance is to be widened in order to allow vehicles to pass one another without the need to reverse back onto Eldon Grove.

9.3 The remaining rear garden would be sub-divided into four self-contained areas to serve the respective flat occupiers.

9.4 In support of the planning application the applicant makes the following points:-

1. It became unviable to continue operating the premises as a small residential care home due to the change in operating criteria and competition from modern purpose built accommodation.
2. Converting the premises back to a single dwelling would be unviable, as would conversion to two or three flats which would not be sellable.
3. Conversion of the premises to bedsits, or for the care of residents with mental health, drug or alcohol related problems would be viable but are not preferred options.

Planning History

9.5 The site has previously been the subject of an application for change of use to 5 flats. Planning permission was refused on 7 December 2006 under the delegated procedures on grounds of inadequate car parking layout; adverse impact on the amenities of adjoining properties from increased comings and goings; disturbance to flat residents resulting from passing vehicles and the risk of vehicles, unable to pass

one another on the narrow drive, being forced to reverse onto Eldon Grove to the detriment of highway safety.

Publicity

9.6 The application has been advertised by way of neighbour letters (16). To date, there have been 3 letters of objection. Further publicity is currently being undertaken with regard to the proposed amendments to the driveway entrance.

9.7 The concerns raised are:

1. The development is too dense for the site and would add to existing parking congestion problems on the street. It would be seriously disruptive at peak traffic hours.
2. Will flats be rented or privately owned.
3. Inadequate access to and egress from the site. Drive is too narrow and therefore unsafe.
4. Adequate sound attenuation within the building could not be achieved.
5. Conversion of the building to flats with associated works would be out of character with other properties in the street.
6. Adverse impact on amenities due to noise / disturbance and loss of privacy.
7. Tandem development is not preferred within the Local Plan.
8. Access for emergency vehicles would be further compromised on an already congested street.
9. The arrangements to share a communal garden would be unusual.
10. Activity patterns will cause noise at unsociable hours and generate security problems.
11. This is a family house with an extension suitable as a granny flat.

Copy letters C

The period for publicity expires after the meeting

Consultations

9.8 The following consultation replies have been received:

Highway Engineer – The applicant has provided 6 parking spaces for the proposed development this is acceptable. The previous use was a residential home, which had 9 residents and 5 members of staff on duty. The parking requirement would have been 4 spaces. The proposed development would have increased vehicular movements than the previous use but not a significant increase to affect the existing flow of traffic in Eldon Grove.

However I do have concerns regarding the width of the access road along the side of the property. The width should be a minimum 4.1 metres to allow two-way flow of vehicles. The proposed passing bay at the site entrance results in a narrow and tight layout and I still have concerns that a vehicle entering the development may reverse onto Eldon Grove to allow another vehicle to pass. There may be scope to further widen the entrance to help vehicles manoeuvre around the passing bay.

Head of Public Protection – No objections

Planning Policy

9.9 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green edges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

GEP3: States that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

Hsg7: States that conversions to flats or houses in multiple occupation will be approved subject to considerations relating to amenity and the effect on the character of the area. Parking requirements may be relaxed.

Tra16: The Council will encourage a level of parking with all new developments that supports sustainable transport choices. Parking provision should not exceed the maximum for developments set out in Supplementary Note 2. Travel plans will be needed for major developments.

Planning Considerations

9.10 The main considerations in this case are the impact of the development on highway safety as a result of parking demand, the impact on the amenities of residents as a result of comings and goings and the relationships between habitable rooms in adjoining properties. The potential future use of the property is also an important material planning consideration.

Amenity and highway safety issues

9.11 Site visits to the property in connection with both the present and previous applications have revealed that there is significant parking congestion along this part of Eldon Grove.

9.12 The highway engineer has identified parking problems in this location and also the lack of convenient access to public transport (the nearest service is half hourly and runs along Arncliffe Gardens – approximately 10 minutes walk from the site). As such the difference in parking demand between existing and proposed uses and the practicality of further space being provided within the curtilage to increase the level of off-street parking are important considerations.

9.13 The applicant has previously stated that when the residential care home was operational there were up to 4 staff working in the building at any one time and 9 residents. Allowing for visitors it is considered that this arrangement would be unlikely to generate as much traffic as might be expected in association with the proposed development (for which the highway engineer would recommend the provision of 6 spaces) although the differences are likely to be marginal.

9.14 The site benefits from a large rear garden and as such the requisite parking provision could be entirely provided at the rear of the site (providing an existing single garage is demolished) whilst still leaving sufficient outdoor amenity space.

9.15 Whilst there is some hardstanding at the rear of the building on which cars could park at present this would need to be expanded to accommodate the requisite off-street parking area. It is considered that the proposed level of car would alter the existing noise climate of the locality. However whilst the parking levels at the rear of the property would be the same as the previously refused application for five flats, there would no longer be a need for two parking spaces at the front.

9.16 A further issue is the single width driveway to the side of the property. This would potentially result in conflict between vehicles travelling in opposite directions, which in turn might present a highway safety hazard with cars reversing onto Eldon Grove between cars parked on street. The proposal to overcome this conflict through widening the driveway entrance and incorporating a passing bay remains under consideration.

Viability of converting the building to fewer flats.

9.17 The need to ensure that the building does not become obsolete in the long term which would cause its condition to progressively deteriorate is a material planning consideration. However this should not be overstated.

9.18 The applicant states that he is proposing the least number of flats possible in order to make the project viable. Certainly the size of property is such to appear to support this assertion.

9.19 The number of flats proposed is likely to have an impact on the quantity of traffic using the access driveway and the amount of activity at the rear of the property. Notwithstanding this it is considered that if the number of flats were reduced still further to three, this may not have a direct impact on traffic levels due to the potential increase in the size of the flats.

9.20 Although the activity associated with increased parking was a reason for planning permission being refused for five flats, on balance it is considered taking into account the fact that the previous use involved some vehicular activities at the rear of the site, the potential to incorporate an acoustic fence and planting to help minimise disturbance to neighbours and the need to secure the reuse of the building, that this is satisfactory with the reduced numbers of flats proposed.

Other issues

9.21 The proposals would be to access three of the flats from the front of the building, with a single flat accessed at the rear. This may generate a large number of pedestrian movements passing side facing windows serving habitable rooms (i.e. living rooms and bedrooms) of flats. It is considered that this is not ideal but not unusual.

9.22 Concerns with regard to noise encroachment to adjoining rooms could be overcome through a planning condition requiring the installation of sound-proofing works. This is not therefore considered to be a sustainable reason for refusal.

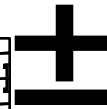
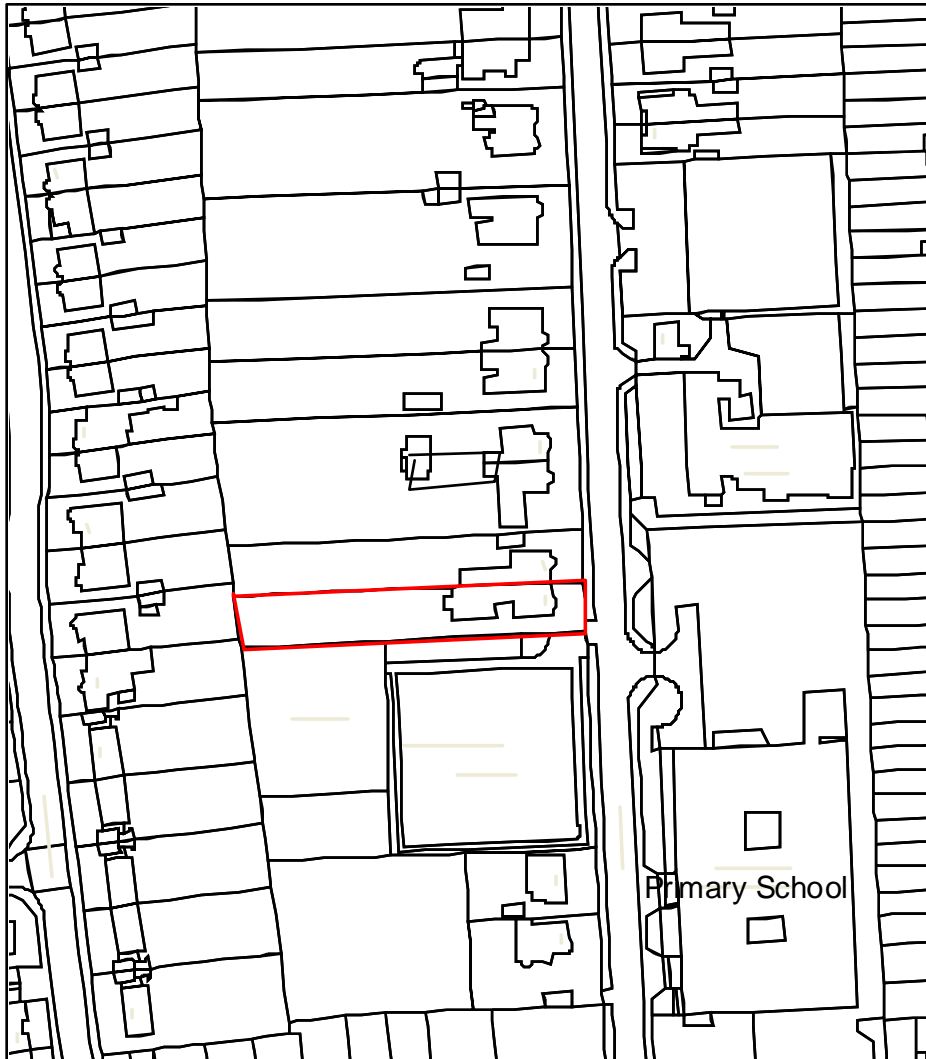
9.23 Concern with regards to the activity patterns of flat residents relative to care home residents is unsubstantiated.

9.24 Concerns with regard to access for emergency vehicles, the identity of flat occupiers or the effect on the character of the area of the proposed development are not considered to be sustainable in this case.

9.25 Whilst the Council's Local Plan seeks to discourage tandem development, the proposed scheme is to convert an existing building and not to construct any further buildings at the rear of the property. It would not therefore strictly constitute tandem development, however the kind of associated traffic conflicts that can arise from several vehicles sharing a single access driveway have been considered earlier in the report.

RECOMMENDATION – In view of the proposed incorporation of passing bay still being under consideration an update report will be provided.

32 Eldon Grove



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<h1>HARTLEPOOL</h1> <h2>BOROUGH COUNCIL</h2>	DRAWN GS	DATE 01/05/07
	SCALE 1:1250	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2007/0226	REV

No: 3
Number: H/2007/0328
Applicant: J D Wetherspoon PLC Reeds Crescent Watford Herts
 WD1 1QH
Agent: Strand House 169 Richmond Road Kingston Upon
 Thames KT2 5DA
Date valid: 01/05/2007
Development: Installation of new canopy to rear of building
Location: 3 9 CHURCH SQUARE HARTLEPOOL

UPDATE

This application appears on the main agenda at item 3.

The recommendation was left open to allow for the clarification of the views of the Head of Public Protection and as public consultations were outstanding.

Publicity

Four representations have been received all no objections. The time period for representations expires on 13th June 2007.

Consultations

Head Of Public Protection & Housing - With the advent of the smokefree legislation which comes into force on 1st July 2007 it is inevitable that smokers will congregate outside of the premises whether there is a shelter provided or not. The provision of a canopy to the rear should allow the situation regarding smokers to be properly managed and controlled which would not be the case if the smokers congregated outside the front of the premise. The rear doors are fitted with self closers and can be controlled by registered door supervisors. Notwithstanding the appeal decision (in relation to the Jumbrellas) this canopy is only 1.5m in depth and further away from residents than the beer garden and I am therefore of the opinion that it is not unacceptable in these circumstances.

Planning Considerations

It is acknowledged that the provision of Jumbrellas in the beer garden was previously resisted for reasons relating to amenity and that this decision was upheld on appeal. The Head of Public Protection has conceded that given the forthcoming legislation it is inevitable that smokers will congregate outside the premises to the front or rear whether there is shelter provided or not. In terms of the extant planning permissions on the site there are no restrictions which would prevent the use of the rear beer garden by smokers between 9.00 am and 12.00 midnight with or without the proposed canopy. The Jumbrellas included lighting and heating and were of a nature which would encourage people to linger in the beer garden late into the evening. The canopy is less commodious, it is of a relatively small projection and located over the existing doors. It is located closer to the building and further away

from residential properties to the rear than were the Jumbrells. It is considered it will encourage smokers to stay closer to the building and allow for them to be more closely supervised than would otherwise be the case.

It is recommended that permission be granted. The expiry date for representations is 13th June 2007 and the recommendation takes account of this.

RECOMMENDATION – APPROVE – subject to the conditions outlined below and subject to no objections being received before the expiry date for representations on 13th June 2007.

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby approved shall be carried out in accordance with the plans and details submitted as amended by the letter from the agent dated 30th April 2007 confirming that the Jumbrells shown on drawing no 14728/01 do not form part of the application and by the plan received under cover of the letter from the agent dated 24th May 2007 redefining the boundaries of the site in red, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt
3. For the avoidance of doubt this planning approval relates only to the provision of the rear canopy attached to the existing building and does not relate to the provision of Jumbrells.
For the avoidance of doubt

No: 9
Number: H/2007/0226
Applicant: Mr M Mathuru Elwick Road Hartlepool TS26 0DD
Agent: Stephenson Johnson & Riley Suite 101 The Innovation Centre Venture Court Queens Meadow Business Park HARTLEPOOL TS25 5TG
Date valid: 22/03/2007
Development: Change of use and alterations to provide 4 self contained flats
Location: 32 ELDON GROVE HARTLEPOOL

UPDATE REPORT

1 Details have been provided showing the driveway entrance widened and the provision of a vehicle passing place. The intention of this is to try to avoid a need for vehicles to reverse back out onto Eldon Grove.

2 These final details are currently out to consultation with the deadline for comments expiring shortly after the Committee meeting.

3 The Highway Engineer has raised concerns in the past that the proposed passing place may not be enough to ensure that vehicles would not reverse onto the road in order to allow other vehicles to pass. He has however verbally raised no objection to the proposal subject to the 5 metre driveway entrance width being provided and a minimum of 3 metres between the passing bay and the building. The revised plans show this.

Further considerations

4 Whilst the use of the passing bay cannot be guaranteed it is considered that the space is practical and usable. Also considering that parking provision at the rear of the site is limited to 6 vehicles there are likely to be relatively few occasions when conflicts between vehicles wishing to pass one another would arise.

5 The widening of the driveway entrance is not considered to be detrimental to the character of the street scene.

6 The scheme is therefore considered to be acceptable.

Recommendation

Approve subject to the following conditions and to no further material objections being received prior to the publicity / consultation deadline.

- 1 The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid

- 2 Before the development is brought into use the approved car parking scheme shall be provided in accordance with the approved details. Thereafter the scheme shall be retained for its intended purpose at all times during the lifetime of the development.
In the interests of highway safety.
- 3 Unless otherwise agreed with the Local Planning Authority, prior to the development hereby approved being brought into operation sound insulation measures shall be undertaken in accordance with a scheme to be previously agreed with the Local Planning Authority in order to protect residents of any adjoining premises against noise disturbance.
In the interests of the amenities of the occupants of neighbouring properties.
- 4 The development hereby approved shall be carried out in accordance with the amended plan(s) no(s) 04 Rev. C received on 29 May 2007, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
- 5 Details of noise attenuation measures in relation to the proposed car parking area at the rear of the property shall be submitted to and approved in writing by the Local Planning Authority before any of the flats hereby approved are occupied. Thereafter the measures or their equivalent shall be retained during the lifetime of the development.
In the interests of the amenities of the occupants of neighbouring properties.

Report of: Assistant Director (Planning & Economic Development)

Subject: UPDATE ON CURRENT COMPLAINTS

1. PURPOSE OF REPORT

1.1 Your attention is drawn to the following current ongoing issues, which are being investigated. Developments will be reported to a future meeting if necessary:

- 1 A neighbour complaint about the alleged operation of a business from a domestic residence on Hillcrest Grove.
- 2 An investigation has commenced to check compliance with planning conditions at a landfill and recycling site on Coronation Drive.
- 3 An officer complaint about an extension to the rear of commercial premises on Holt Street.
- 4 A neighbour complaint about the cladding of a property on Raby Road.
- 5 An officer complaint about an untidy building on Lancaster Road.
- 6 A neighbour complaint about the erection of a garden structure in Harvester Close.
- 7 A neighbour complaint about the non-compliance with the approved plans at a development on Town Wall the Headland.
- 8 A neighbour complaint about the non-compliance with a condition attached to a planning approval on The Vale.

3. RECOMMENDATION

Members note this report.

Report of: Assistant Director (Planning & Economic Development)

Subject: APPEAL BY MR K SMART SITE AT 7 HYLTON ROAD, HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 A Planning appeal has been lodged against the recent refusal of the Planning Authority to grant planning permission for the demolition of the existing property and the erection of two detached houses with one associated garage at 7 Hylton Road (H/2006/0891).
- 1.2 The appeal is to be decided by the hearing procedure and authority is therefore requested to contest the appeal.

2. RECOMMENDATION

- 2.1 That authority be given to officers to contest this appeal.