

# PLANNING COMMITTEE AGENDA



Wednesday, 21<sup>st</sup> November 2007

at 10.00 a.m.

in the Conference Suite,  
Belle Vue Community Sports and Youth Centre,  
Kendal Road, 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 24<sup>th</sup> October 2007 (*attached*)
- 3.2 To confirm the minutes of the meetings held on 25<sup>th</sup> October 2007 (*to follow*)

### 4. ITEMS REQUIRING DECISION

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

- 1. H/2007/0779 The Hour Glass Public House
- 2. H/2007/0662 Unit 3, Highpoint Park
- 3. H/2007/0598 Rossmere Way Pitches
- 4. H/2007/0756 48 and 50 Catcote Road
- 5. H/2007/0262 Brenda Road
- 6. H/2007/0663 Fern Beck
- 7. H/2007/0707 Block 23, Fleet Avenue
- 8. H/2007/0182 A689, Wynyard Park
- 9. H/2007/0627 Able UK
- 10. H/2007/0626 Able UK
- 11. H/2007/0637 Stockton Road
- 12. H/2007/0739 Lynnfield Primary School

- 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)*
- 4.4 Appeal by Primelight Advertising Limited at A19 Service Station(Southbound), Elwick – *Assistant Director (Regeneration and Planning)*
- 4.5 Headland Conservation Area Appraisal – *Assistant Director (Planning and Economic Development)*

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

**6. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**EXEMPT ITEMS**

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985

**7. ITEMS REQUIRING DECISION**

- 7.1 Enforcement Action – Longscar Centre, Seaton Carew, Hartlepool – *Assistant Director (Planning and Economic Development)* (Para 6)

**8. FOR INFORMATION**

Site Visits – Any site visits requested by the Committee at this meeting will take place immediately prior to the next Planning Committee meeting on the morning of Wednesday 12<sup>th</sup> December 2007 at 9.00am.

Next Scheduled Meeting – Wednesday 12<sup>th</sup> December 2007.

# **PLANNING COMMITTEE**

## **MINUTES AND DECISION RECORD**

24<sup>th</sup> October 2007

The meeting commenced at 10.00am  
in the Hartlepool Historic Quay, Hartlepool

### **Present:**

Councillor George Morris (In the Chair)

Councillors Stephen Akers-Belcher, Steve Allison, Jonathan Brash, Shaun Cook, Robert Flintoff, Pauline Laffey, Geoff Lilley, Robbie Payne, Chris Simmons and Gladys Worthy.

Also present: In accordance with Council Procedure Rule 4.2 (ii) Councillor Reuben Atkinson attended as substitute for Councillor Edna Wright

Officers: Richard Teece, Development Control Manager  
Peter Devlin, Legal Services Manager  
Russell Hall, Planning Officer  
Gill Scanlon, Planning Technician  
Adrian Hurst, Principal Environmental Health Officer  
Chris Roberts, Development and Co-ordination Technician  
Jo Wilson, Democratic Services Officer

### **69. Apologies for Absence**

Apologies were received from Councillors Rob Cook, Carl Richardson and Edna Wright.

### **70. Declarations of interest by members**

H/2007/0627: H/2007/0626 – Councillor Geoff Lilley declared a prejudicial interest in these items and indicated he intended to leave the meeting during their consideration.

Councillor Geoff Lilley referred to the minutes for the meeting of 29<sup>th</sup> August 2007 and indicated that his declaration of interest in planning application H/2007/0333 Wisbech Close had been incorrectly noted as prejudicial. He requested that this change be noted.

**71. Confirmation of the minutes of the meetings held on 26<sup>th</sup> September 2007.**

Confirmed.

**72. Confirmation of the minutes of the meetings held on 5<sup>th</sup> October 2007.**

Members were advised that these minutes were not yet available.

**73. Planning Applications – Assistant Director (Planning and Economic Development)**

The following planning applications were submitted for the Committee's determinations and decisions are indicated as follows:

**Number:** H/2007/0516

**Applicant:** Mrs J Shires  
THE SPINNEY HARTLEPOOL

**Agent:** ASP Associates 8 Grange Road HARTLEPOOL

**Date received:** 05/07/2007

**Development:** Erection of a rear bedroom, bathroom, kitchen/dining and bedroom with en-suite extension and a front porch and garage extension

**Location:** 9 THE SPINNEY HARTLEPOOL

**Representations:** Mrs M Alcock (Objector) was present at the meeting and addressed the Committee.

**Decision:** **Planning Permission Approved**

**CONDITIONS AND REASONS**

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
2. 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.

3. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 5th July, 20th August and 31st August 2007, unless otherwise agreed in writing by the Local Planning Authority.  
For the avoidance of doubt
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting the Order with or without modification), no windows(s) shall be inserted in the elevation of the extension(s) facing 7 or 11 The Spinney without the prior written consent of the Local Planning Authority.  
To prevent overlooking

The Committee considered representations in relation to this matter.

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<b>Number:</b>	H/2007/0634
<b>Applicant:</b>	Enterprise Inns PLC
<b>Agent:</b>	Anthony Keith Architects Ltd 19 Lansdowne Terrace Gosforth, Newcastle upon Tyne
<b>Date received:</b>	15/08/2007
<b>Development:</b>	Provision of an electric retractable awning with associated heating and lighting
<b>Location:</b>	THE HOUR GLASS PUBLIC HOUSE EAGLESFIELD ROAD HARTLEPOOL
<b>Decision:</b>	<b>Withdrawn</b>

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<b>Number:</b>	H/2007/0626
<b>Applicant:</b>	Able Uk TEES ROAD HARTLEPOOL
<b>Agent:</b>	Cobbetts LLP 1 Whitehall Riverside Leeds
<b>Date received:</b>	15/08/2007
<b>Development:</b>	Application for a certificate of lawfulness for proposed use of site for the fabrication of concrete caissons
<b>Location:</b>	ABLE UK LTD TEES ROAD HARTLEPOOL
<b>Decision:</b>	<b>Deferred for additional information</b>

**Number:** H/2007/0627

**Applicant:** Able Uk  
TEES ROAD HARTLEPOOL

**Agent:** Cobbetts LLP 1 Whitehall Riverside Leeds

**Date received:** 15/08/2007

**Development:** Application for a certificate of lawfulness in respect of existing use of site for the fabrication of concrete caissons

**Location:** ABLE UK LTD TEES ROAD HARTLEPOOL

**Decision:** **Deferred for additional information**

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**Number:** H/2007/0552

**Applicant:** Mr Chris Roberts  
Hartlepool Borough Council Bryan Hanson House  
Hanson Square Hartlepool

**Agent:** Hartlepool Borough Council Mr Chris Roberts Bryan Hanson House Hanson Square Hartlepool

**Date received:** 24/07/2007

**Development:** Retention of a security fence with ungated pedestrian opening

**Location:** FOOTPATH BETWEEN 39 40 MOUNTSTON CLOSE  
HARTLEPOOL

**Representations:** Mr Jobson and Mr Rigg (in favour of the application), Mrs Loynes and Mrs Wright (Objectors) and Sergeant Crawley were present at the meeting and addressed the Committee.

**Decision:** **A. Planning Permission Approved**

## CONDITIONS AND REASONS

1. The permission hereby granted is valid until 24 April 2008 and the fence and opening shall be removed from the site and the land restored to its former condition unless prior planning permission from the Local Planning Authority has been obtained to an extension of this period.

To enable the Local Planning Authority to assess the situation in the light of experience/in the interests of the amenities of the occupiers of nearby housing.

- B. Members recommended that two cameras be used to monitor activity in and around Mountston Close close to the fence and opening to help identify the extent of anti social behaviour and the consideration be given to reinstating a fully gated access.

The Committee considered representations in relation to this matter.

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<b>Number:</b>	H/2007/0690
<b>Applicant:</b>	J D Wetherspoon
<b>Agent:</b>	Tuffin Ferraby Taylor Strand House 169 Richmond Road Kingston Upon Thames
<b>Date received:</b>	06/09/2007
<b>Development:</b>	Provision of outside seating area to the front (resubmitted application)
<b>Location:</b>	THE WARD JACKSON CHURCH SQUARE HARTLEPOOL
<b>Representations:</b>	Ms J Dickinson (Representative of the applicant) was present at the meeting and addressed the Committee.
<b>Decision:</b>	<b>Planning Permission Approved</b>

## CONDITIONS AND REASONS

1. The use hereby approved shall be discontinued and the land restored to its former condition on or before 1st December 2008, unless the prior written consent of the Local Planning Authority has been obtained to an extension of this period.  
To enable the Local Planning Authority to assess the use in the light of experience.
2. The use of the highway in association with the adjacent licensed premises shall be restricted to the area shown hatched in red on the approved plan 14278/PL1 and shall only occur when the chairs and tables are in place on the highway.  
In the interests of public order and the amenities of the occupants of neighbouring properties.
3. The use shall not occur on any day that Hartlepool United Football Club are playing a game at home.  
In the interests of public order.

4. On any day the tables, chairs and partitions and any related items (umbrellas, bins, ashtrays etc.) shall be removed from the highway not later than 20.00 hours or sunset in Hartlepool whichever is the sooner, and shall not be replaced on the highway before 08:00 hours the following day.  
In the interests of public order and the amenities of the occupants of neighbouring properties.
5. No music shall be played in, or be piped/relayed to, the outside seating area.  
In the interests of the amenities of the occupants of neighbouring properties.
6. Drinks shall only be drunk from plastic glasses within the outside seating area hereby approved.  
In the interests of safety.

The Committee considered representations in relation to this matter.

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<b>Number:</b>	H/2007/0642
<b>Applicant:</b>	Ms Corinne Darby 9 Roseberry Mews Hartlepool
<b>Agent:</b>	Mr Malcolm Arnold 2 Siskin Close Bishop Cuthbert Hartlepool
<b>Date received:</b>	20/08/2007
<b>Development:</b>	Erection of a rear kitchen extension
<b>Location:</b>	9 ROSEBERRY MEWS HARTLEPOOL
<b>Representations:</b>	Mr Mason (Objector) was present at the meeting and addressed the Committee.
<b>Decision:</b>	<b>Planning Permission Approved</b>

## CONDITIONS AND REASONS

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 external materials used for this development shall match those of the existing building(s).  
In the interests of visual amenity.

The Committee considered representations in relation to this matter.

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**Number:** H/2007/0681

**Applicant:** MS MICHELLEMARTIN  
GRANGE HOUSE SURGERY GRANGE HOUSE  
SURGERY GRANGE ROAD HARTLEPOOL

**Agent:** SJR Architects & Interior Designers Mr David Johnson  
Suite 101 The Innovation Centre Venture Court  
Queens Meadow Business Park Hartlepool

**Date received:** 05/09/2007

**Development:** Alterations and change of use from doctors surgery to  
provide 5 self-contained studio apartments

**Location:** 22 GRANGE ROAD HARTLEPOOL

**Representations:** Mrs Sowerby (Objector) was present at the meeting  
and addressed the Committee.

**Decision:** **Planning Permission Refused**

## REASON(S) FOR REFUSAL

1. There are no on site parking facilities available at the application site. It is considered that the proposed development would therefore result in an increase in on-street parking. Grange Road is a main access road and bus route to Hartlepool town centre where pressures on on street parking are already high. As a consequence any additional on street parking would add to traffic congestion and be detrimental to highway safety and the free flow of traffic on Grange Road particularly in the evening and at weekends contrary to policies GEP1 and Hsg7 of the adopted Hartlepool Local Plan.

The Committee considered representations in relation to this matter.

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**Number:** H/2007/0537

**Applicant:** Mrs Joanne McGowan  
17 Clifton Avenue Hartlepool

**Agent:** Mr Malcolm Arnold 2 Siskin Close Bishop Cuthbert  
Hartlepool

**Date received:** 13/07/2007

**Development:** Installation of replacement upvc windows to front  
elevation

**Location:** 17 CLIFTON AVENUE HARTLEPOOL

**Representations:** Mrs McGowan (Applicant) was present at the meeting  
and addressed the Committee.

**Decision:** **Planning Permission Approved**

The Committee considered representations in relation to this matter.

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**Number:** H/2007/0643

**Applicant:** Mr D Khan  
CHATHAM ROAD HARTLEPOOL

**Agent:** Mr D Khan 33 CHATHAM ROAD HARTLEPOOL

**Date received:** 17/08/2007

**Development:** Variation of opening hours to allow opening 8 a.m. to  
11 p.m. 7 days a week

**Location:** 33 CHATHAM ROAD HARTLEPOOL

**Representations:** Mrs Kahn (Applicant) was present at the meeting and  
addressed the Committee.

**Decision:** **Planning Permission Approved**

## CONDITIONS AND REASONS

1. The permission hereby granted is valid until 24th October 2008 and the premises shall revert to the originally approved opening hours (approved under application H/2006/0096) on or before that date unless the prior written consent of the Local Planning Authority has been granted to an extension of this period.

2. The premises shall only be open to the public between the hours of 8am and 11pm Mondays to Saturdays and 8am to 4pm on Sundays during the period permitted by Condition 1.  
In the interests of the amenities of the occupiers of nearby housing.
3. All the other conditions attached to planning permission H/2006/0096 shall continue to apply.  
For the avoidance of doubt

The Committee considered representations in relation to this matter.

#### **74. Update on Current Complaints** – *Assistant Director (Planning and Economic Development)*

Members' attention was drawn to eight on-going issues, which were briefly set out in the report.

##### **Decision**

That the report be noted.

#### **75. Appeal by Mr and Mrs Hopper, Site at Meadowcroft, Elwick Road, Hartlepool** – *Assistant Director (Planning and Economic Development)*

The Development Control Manager updated members of the outcome of a recent planning appeal for Meadowcroft, Elwick Road, Hartlepool for the erection of a gatehouse. The Planning Inspectorate dismissed the appeal on the grounds that the proposed dwelling would be unduly prominent and appear inappropriate in its context. A copy of the Inspector's report was submitted for Members information.

##### **Decision**

That the report be noted.

#### **76. Appeal by Mrs Melanie Goodwin, 9 Guillemot Close, Bishop Cuthbert, Hartlepool** – *Assistant Director (Planning and Economic Development)*

The Development Control Manager updated members of the outcome of a recent planning appeal for 9 Guillemot Close, Bishop Cuthbert, Hartlepool for the erection of a rear two storey extension and a first floor extension above a garage. The Planning Inspectorate dismissed the appeal on the grounds that the proposal would unduly diminish the living conditions of the neighbouring residents. A copy of the Inspector's report was submitted for Members information.

**Decision**

That the report be noted.

**77. Appeal by Mr Laurence Masterson – Site at 14 Owton Manor Lane – Assistant Director (Planning and Economic Development)**

The Development Control Manager updated members of the outcome of a recent planning appeal for a site at 14 Owton Manor Lane for the erection of a dormer bungalow and double garage to the rear garden area of the existing bungalow. The Planning Inspectorate dismissed the appeal on the grounds that the proposed access would be unacceptable for reasons of safety and convenience. A copy of the Inspector's report was submitted for Members information.

**Decision**

That the report be noted.

**78. Local Government (Access to Information) Act 1985**

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation) Order 2006

Minute 79 – (Para 6) – This item contains exempt information under Schedule 12A Local Government Act 1972, namely, information which reveals that the authority proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment.

Minute 80 – (Para 6) – This item contains exempt information under Schedule 12A Local Government Act 1972, namely, information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Minute 81 – (Para 6) – This item contains exempt information under Schedule 12A Local Government Act 1972, namely, information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

**79. Complaint Files to be Closed - Assistant Director (Planning and Economic Development)**

The Assistant Director (Planning and Economic Development) reported on three complaint files that it was now proposed should be closed.

**Decision**

- That the case files referred to be closed/continue to be monitored as necessary
- That a letter be sent from the Planning Committee to the Planning Minister and MP Iain Wright requesting that the current position whereby it is not an offence to carry out development without planning permission where it is needed be reconsidered.

**80. Enforcement Action – Newcombs, Coronation Drive, Hartlepool** – *Assistant Director (Planning and Economic Development)*

The Assistant Director (Planning and Economic Development) reported on proposed enforcement action, should this be required, in respect of the non-compliance with conditions of planning approval by way of issuing a breach of condition notice.

**Decision**

1. That the Development Control Manager, in consultation with the Chief Solicitor and the Chair and Vice-Chair, be authorised to issue a Breach of Condition notice under section 187A of the Town and Country Planning Act (as amended) to secure the site owners compliance with conditions 2,9 and 10 of planning approval H/FUL/0187/01 if necessary
2. That a period of three months from the date the notice is served be given for compliance as materials could need to be cleared in the first instance.

**81. Enforcement Action – Land South/West of Inglefield and South of Seaton Lane, Hartlepool** – *Assistant Director (Regeneration and Planning)*

The Assistant Director (Regeneration and Planning) reported on proposed enforcement action, should this be required, in respect of the non-compliance with conditions of planning approval by way of issuing a breach of condition notice.

**Decision**

1. That the Development Control Manager, in consultation with the Chief Solicitor and the Chair and Vice-Chair, be authorised to issue a Breach of Condition notice under section 187A of the Town and Country Planning Act (as amended) to secure the site owners compliance with conditions 6,7,9 and 12 of planning approval H/2005/5440 if necessary

2. That a period of 28 days from the date the notice is served be given for compliance

GEORGE MORRIS

CHAIRMAN

**No:** 1  
**Number:** H/2007/0779  
**Applicant:** Enterprise Inns PLC Monkspath Hall Road Solihull West Midlands B90 4SJ  
**Agent:** Anthony Keith Architects Ltd 19 Lansdowne Terrace Gosforth Newcastle upon Tyne NE3 1HP  
**Date valid:** 17/10/2007  
**Development:** Provision of an electric retractable awning with associated heating (amended application)  
**Location:** THE HOUR GLASS PUBLIC HOUSE EAGLESFIELD ROAD HARTLEPOOL

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## **The Application and Site**

1.1 The application site is an existing modern public house located on the south side of Eaglesfield Road. It is bounded to the east, south and west by residential properties. To the north is Eaglesfield Road and beyond a large grassed open space. The public house is surrounded by a tarmac hardstanding.

1.2 It is proposed to install an electric retractable awning with an associated heating unit to the front, (north), elevation of the public house. The awning will be some 2m by 3m and will be located to the west side of the main entrance to the public house. In support of the application the applicant has highlighted that the application is in response to recent legislative changes, that smokers form a substantial part of the custom, and that smokers are currently lingering inconveniently around the main entrance. He considers the proposal will provide a facility for smokers whilst drawing them away from the entrance and the closest neighbour.

1.3 Members may recall an earlier application (H/2007/0634) for a larger retractable awning (4m by 4m) with associated heating and lighting which was to be located to the east side of the main entrance. This application was considered at the September Meeting of the Planning Committee when it was recommended for refusal due to concerns in relation to the impact it might have on the occupiers of neighbouring residential properties. Members asked Officers to discuss an alternative scheme with the applicant and this application has been brought forward following these discussions. The main differences are that the awning is smaller, it is located on the other side of the entrance and so is more centrally located within the façade of the public house, and only a single heater is proposed.

## **Publicity**

1.4 The application has been advertised by site notice and neighbour notification (19). The time period for representations expires on 19<sup>th</sup> November. At the time of writing two responses had been received raising no objections.

## **Consultations**

1.5 The following consultation replies have been received:



**Traffic & Transportation** - No objections.

**Public Protection** – This retractable awning is located to the front of the public house in a location that will allow it to be effectively managed from the bars as it is located in full view through the front windows. The size of the awning will only allow for its use as a smoking shelter and it is positioned as far as possible from neighbouring residential properties. The awning is capable of being retracted when the public house is closed and I would therefore have no objections to this application.

**Crime & Disorder Coordinator** – The only concerns I would have is if the awning, because of the heating and lighting, becomes a magnet for local youths- this would result in conflict between users of the premises and local youths.

**Planning Policy**

1.6 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.

Com13: States that industrial, business, leisure and other commercial development will not be permitted in residential areas unless the criteria set out in the policy relating to amenity, design, scale and impact and appropriate servicing and parking requirements are met and provided they accord with the provisions of Com8, Com9 and Rec14.

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.

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**

1.7 The main planning considerations are design/impact on the visual amenity of the area, impact on the amenity of neighbouring properties and public order.

### **DESIGN/IMPACT ON THE VISUAL AMENITY OF THE AREA**

The projecting awning will be attached to the front of the building, which faces on to Eaglesfield Road and will therefore be prominent in the street scene. The Hourglass is a modern public house with a long frontage. The awning will cover a relatively small part of the frontage and it is considered its design and appearance is acceptable. It is not considered that the awning will detract from the visual amenity of the area.

### **IMPACT ON THE AMENITY OF NEIGHBOURING PROPERTIES**

The public house site is surrounded on three sides by residential properties and it has a licence until 00:30 hours Monday to Thursday, 01:30 Hours on Friday and Saturday and until 23:30 hours on a Sunday. Any development which encourages customers to linger outside the premises, particularly late at night, has potential to disturb nearby residents, no matter how well behaved the customers may be. This was a legitimate concern with the earlier application, which was for a larger awning located only some 9m from the closest residential property.

The current proposal is for a much smaller awning, located centrally within the façade. It will be located some 18m from the closest dwellinghouse (1 Eskdale Court). It will provide a basic facility for smokers however it is considered that its smaller size will mean that it is less likely to encourage smokers and their companions to linger in large numbers for long periods. As the applicant has explained it will also draw smokers away from the entrance where they are currently congregating which is closer to the nearest neighbour.

In terms of its impact on amenity the proposal is considered acceptable.

### **PUBLIC ORDER**

The Crime & Disorder Coordinator has raised the concern that the shelter and heating afforded by the awning might attract youths, which might result in conflict with the customers. It is considered that this is essentially a management issue. If this situation does occur then it will essentially be a matter for the licensee, or other appropriate authorities to deal with as in other situations where undesirable elements trespass on the premises. The area is covered by CCTV and would be visible from the bar through the window provided curtains are not drawn. It is not considered that in its normal day-to-day use the awning will raise any significant public order issues.

It is proposed to condition the retraction of the awning when the public house is closed in order to prevent its unsupervised use.

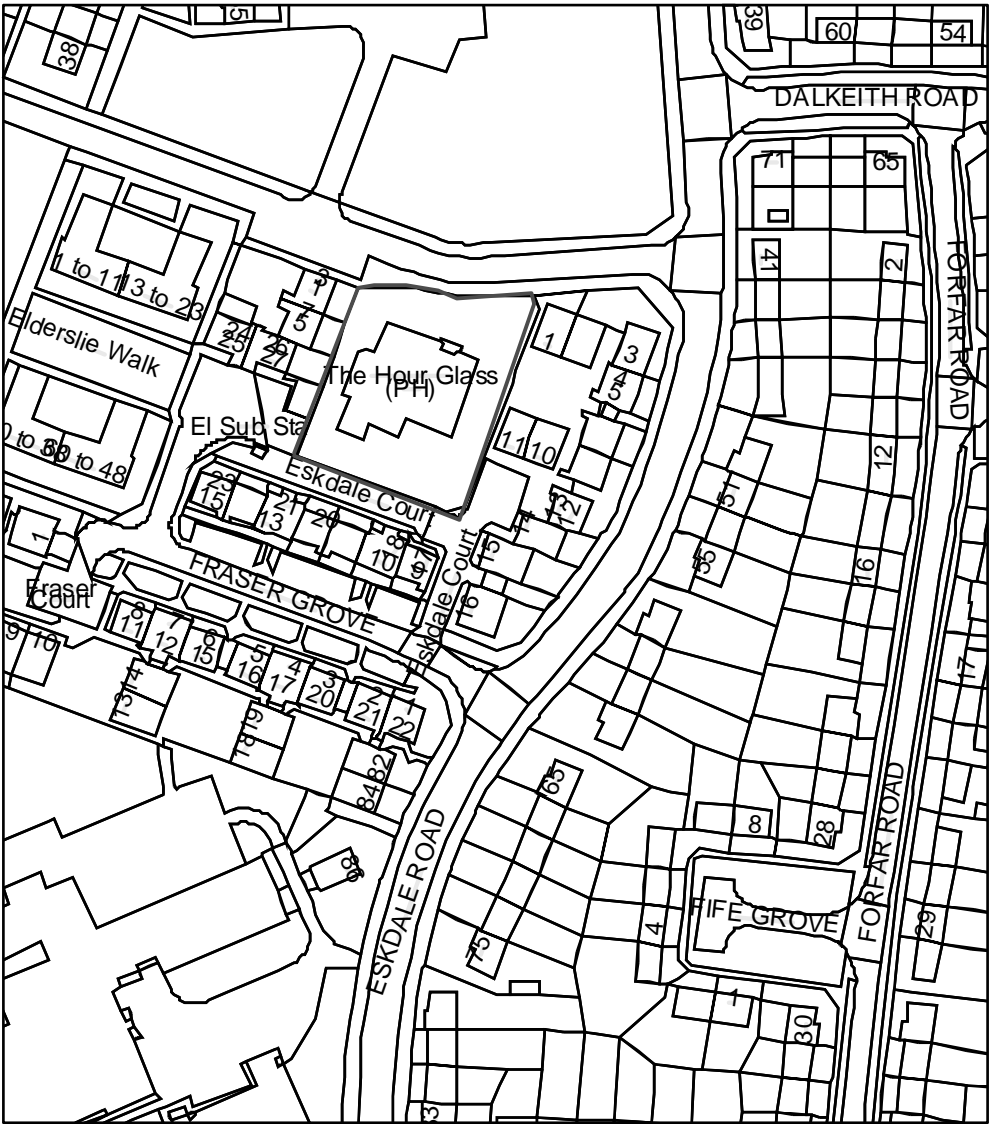
#### CONCLUSION

The proposal is considered acceptable and is recommended for approval.

#### **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 awning will be retracted at all times when the public house is not open to the public.  
In order to discourage the unsupervised use of the awning in the interest of the amenity of the area.

**The Hour Glass PH**



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>05/11/07</b>
	SCALE <b>1:1200</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <b>H/2007/0779</b>	REV

**No:** 2  
**Number:** H/2007/0662  
**Applicant:** Mr Demi Chervak High Point House 7 Victoria Avenue  
Harrogate HG1 1EQ  
**Agent:** England & Lyle Dr John England Morton House Morton  
Road Darlington DL1 4PT  
**Date valid:** 29/08/2007  
**Development:** Variation of Condition 5 of planning permission  
H/OUT/2004/0080 to allow the retail sale of footwear,  
bags, sportswear, hosiery, shoe care products, insoles  
and ancillary products  
**Location:** UNIT 3 HIGHPOINT PARK MARINA WAY  
HARTLEPOOL HARTLEPOOL

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### The Application and Site

2.1 The application relates to an existing retail unit on the High Point Retail Park and the planning history is relevant. In November 2004 an application for the renewal of the outline planning consent for the erection of a non food retail development with car park and associated servicing was approved. (H/OUT/0080/04). The approval was subject to various conditions including conditions restricting the minimum size of the units (4) and the range of goods that could be sold (5). The latter condition amongst other items restricts the sale of clothing, footwear, leather goods and fashion accessories. These conditions were imposed to help prevent any loss of trade from the town centre in order to protect its vitality and viability. In March 2005 planning permission was granted to vary the minimum size of the units to be developed. The permission allowed the minimum size of the units to be 697 sq. m. (7,500 sq ft). (H/FUL/0012/05). In August 2005 reserved matters were approved for a scheme for the erection of one unit of 2554 sq m (27,500 sq ft), and three units of 696 sq m (7,500 sq ft). The scheme has now been implemented and three of the units are occupied by a DIY retailer, a carpet retailer and a pet superstore.

2.2 The application site is the remaining vacant unit. The Retail Park is located at the junction of Middleton Road and Marina Way which pass the site to the west and south respectively. Access to the site is taken from Marina Way, to the south east corner of the site.

2.3 The applicant has marketed the unit under the existing goods restriction for some two years and has been unable to find a suitable tenant. He has however found a potential tenant who falls foul of the condition restricting the sale of certain goods. In order to accommodate the potential tenant the applicant is therefore seeking to vary condition 5 of the original planning permission to allow for the sale of footwear, bags, sportswear, hosiery, shoe care products, insoles and ancillary products.

### Publicity

2.4 The application has been advertised by site notice and neighbour notification (19). The time period for representations has expired. Two responses were received. No objections.

The period for publicity has expired.

### **Consultations**

2.5 The following consultation replies have been received:

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

**Public Protection** - No objections.

**Tees Valley Regeneration** - TVR are comfortable with this proposal subject to Hartlepool BC being satisfied that sufficient evaluation has been undertaken to justify this as an out of centre use.

**Tees Valley JSU** - No comments received.

**Network Rail** - No comment.

### **Planning Policy**

2.6 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.

**Com17:** Sets out the types of uses, subject to the effect on the viability of the town centre and to the quality of design and landscaping which would be permitted in this area including office, leisure and other uses requiring a prominent road frontage, but excluding convenience shopping. Proposals should conform to the relevant policies Com8, Com9 and Rec14.

**Com8:** States that the sequentially preferred locations for shopping development are firstly within the town centre, then edge-of-centre sites, Victoria Harbour and then other out of centre accessible locations offering significant regeneration benefits. Retail proposals over 500 square metres located outside the primary shopping area will be required to demonstrate need, to justify appropriate scale and to demonstrate that a sequential approach has been followed. All retail proposals over 2500 square

metres gross to be accompanied by a Retail Impact Assessment. For proposals between 500 and 2499 sq metres applicants should agree with the Council whether retail impact assessment is required. Legal agreements may be sought to secure rationalisation of retail provision and the improvement of accessibility and conditions will be attached to control hours of operations.

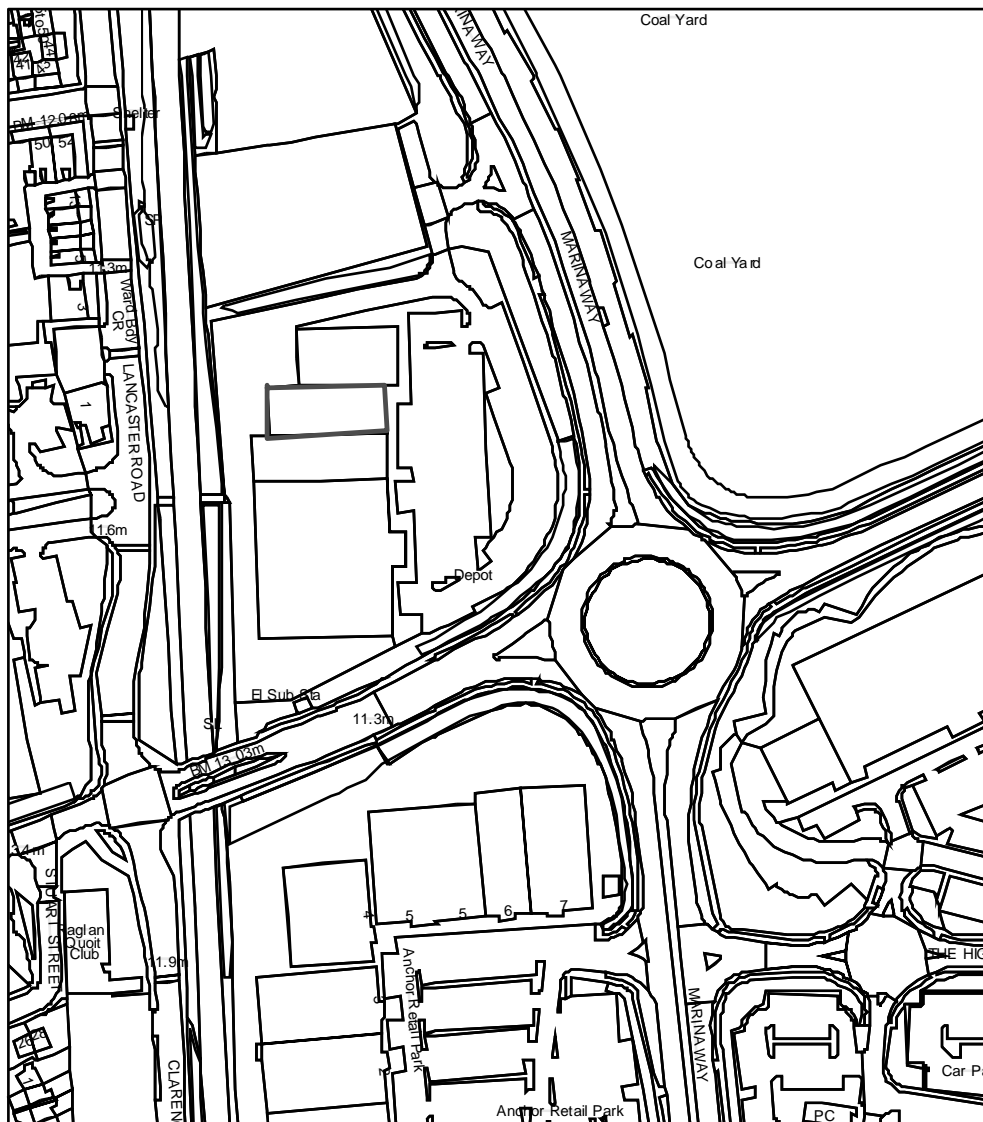
Com9: States that main town centre uses including retail, office, business, cultural, tourism developments, leisure, entertainment and other uses likely to attract large number of visitors should be located in the town centre. Proposals for such uses outside the town centre must justify the need for the development and demonstrate that the scale and nature of the development are appropriate to the area and that the vitality and viability of the town centre and other centres are not prejudiced. A sequential approach for site selection will be applied with preferred locations after the town centre being edge-of-centre sites, Victoria Harbour and then other out of centre accessible locations offering significant regeneration benefits. Proposals should conform to Com8, To9, Rec14 and Com12. Legal agreements may be negotiated to secure the improvement of accessibility.

### **Planning Considerations**

2.7 The main planning considerations are the impact of the development on the vitality and viability of the Town Centre. The Local Planning Authority are currently taking advice on this matter. It is anticipated that this advice will be available before the meeting and an update report will follow.

**RECOMMENDATION** : update report to follow.

## UNIT 3 HIGHPOINT, MARINA WAY



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>05/11/07</b>
	SCALE <b>1:2000</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <b>H/2007/0662</b>	REV



**No:** 3  
**Number:** H/2007/0597  
**Applicant:** Mr Keith Everett 14 Hamilton Road Hartlepool TS25 3ER  
**Agent:** Hartlepool Borough Council Mr Paul Jamieson Leadbitter Buildings Stockton Street Hartlepool TS24 7NU  
**Date valid:** 17/08/2007  
**Development:** Change of use from public open space to football pitches, erection of 2.2 metre high perimeter fencing and resiting of 3 existing site cabins  
**Location:** ROSSMERE WAY PITCHES ROSSMERE WAY  
HARTLEPOOL

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### **The Application and Site**

3.1 The application site is an area of amenity open space located to the south of Rossmere Way and close to Rossmere Park.

3.2 There are schools to the south and west with housing to the north and east.

3.3 The proposal involves the enclosure of public open space to increase the area available for the formal football pitches currently in use by St Francis 2000 Football Club.

3.4 The club currently leases a large area of land (which is fenced) from the Hartlepool Borough Council to facilitate football matches/games for Hartlepool children. This area of land is not available for general/informal public use.

3.5 The area of land is currently fenced with 1.2m high concrete post and mesh fences and there are three metal containers in the south west corner for storage and changing facilities.

3.6 The application proposes to erect 2.2m high weld fences around the site, increasing the playing areas from 17,550 sq.m to 20,425 sq.m, an increase of 2,875 sq.m. (16%) Approx. 750 sq.m (4%) of this would be used to re-site the storage containers further south towards the schools; 2,125 sq.m. (12%) comprise an extension of the playing area towards Rossmere Way.

3.7 The scheme would result in the provision of 5 football pitches to cater for teams aged between under 8s to under 15/16s. The club has confirmed that the usual number of pitches in use at any one time would be 3 out of 5. The 3 gates (2 pedestrian and 1 vehicular) would be locked when the pitches are not in use.

### **Publicity**

3.8 The application has been advertised by site notices (2) and neighbour letters (48).

14 letters of no objection/support have been received.

11 letters/emails of objection have been received, one petition with 43 names from 30 addresses.

The objections include:-

- a) the fence will be ugly and out of character
- b) the field should be available for public use
- c) parking problems will be made worse
- d) will look like a fort
- e) not practical and will worsen serious road safety problems
- f) site is not suited to the club
- g) will be unfair to the local community who have had free and unrestricted access to the area
- h) will take away more green open space
- i) lost potential for education related development
- j) residential properties too close to playing space
- k) will local community be excluded from using pitches informally

Copy letters B.

The period for publicity has expired.

## Consultations

3.9 The following consultation replies have been received:

**Head of Public Protection** – No objection

**Traffic & Transportation** – It appears that the number of occasions when all of the pitches will be in use at the same time will be limited. It is considered that the proposals will not exacerbate the current parking situation to such a degree that objections to the application on highway grounds could be substantiated.

**Children's Services** – Points out the planned review of Hartlepool's Primary Schools over the next year, which will obviously include the two neighbouring schools, but stresses that there is no specific proposal for these primary schools.

## Planning Policy

3.10 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.

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.

GN2: Strictly controls development in this green wedge where planning permission will only be given for development comprising extensions to existing buildings within the area, or providing ancillary facilities to recreational uses, or providing wildlife sites and subject to the effect on the overall integrity of the green wedge.

Rec4: Seeks to protect existing areas of outdoor playing space and states that loss of such areas will only be acceptable subject to appropriate replacement or where there is an excess or to achieve a better dispersal of playing pitches or where the loss of school playing field land does not prejudice its overall integrity. Where appropriate, developer contributions will be sought to secure replacement or enhancing of such land remaining.

### **Planning Considerations**

3.11 The main planning considerations in this instance are the appropriateness of the proposal in terms of the policies and proposals contained within the adopted Hartlepool Local Plan 2006, the impact of the proposal on neighbouring properties and the street scene in terms of visual amenity and on highway safety.

#### Policy

3.12 The land is allocated in the Local Plan under Policy Rec4. This policy states that the Borough Council will seek to protect existing areas of outdoor playing space. It is also recognised as part of the green space network which should be protected.

3.13 The change of use of this land from public open space to football pitches is not considered to be a departure from the Local Plan as the land will still be used as outdoor playing space and the integrity of the Owton Manor Wedge will not be harmed. The fences could easily be removed and the land re-instated to public open space at any time in the future (subject to club leases/agreements).

#### Effects on neighbouring properties and the surrounding area

3.14 The existing pitches have been used for a number of years for children's football training and matches. The pitches are currently enclosed by a small wire mesh fence to protect the playing surface from dog fouling and anti social behaviour. However this fence can easily be climbed and is unsatisfactory from a security point of view. There are 3 metal container cabins in the south west corner of the site which are used for storage and changing facilities.

3.15 The proposed new fence would enclose additional land in order to increase the club's ability to satisfy demand and access funding for further development.

3.16 The new fencing will be similar to that used at the adjacent St Teresa's school and indeed others around the town.

3.17 Apart from the additional land to the south of the existing pitches which is to be used to re-site the cabins, the largest area of land to be enclosed would be opposite 26-38 Rossmere Way. The closest the fence would be to these houses would be over 30m (98 ft). This is considered to be far enough away not to add significantly to the overall cumulative impact on noise disturbance to residents.

3.18 It is considered that the design and scale of the proposed fencing is acceptable in terms of visual amenity and should have a minimal effect on the amenities of the neighbouring properties or the area in general.

#### Lack of availability of land for general/informal public use

3.19 In terms of the change of use of the land and its exclusion from general, informal public use it is notable that there would still be a reasonable amount of land available for walking and informal play in the wider area adjacent to the site in question. It should also be noted that there is an extensive area of open space at Rossmere Park on the opposite site of Balmoral Road almost adjoining the application site. This would continue to be available for informal recreation.

3.20 In addition to the planning application publicity, substantial publicity has been carried out by Community Services. This public consultation took the form of local residents (219) receiving a copy of the proposed plans and an accompanying survey. The result of this exercise and a brief history of the site are attached as an Appendix to this report.

#### Highway Safety

3.21 Rossmere Way is a fairly wide road at over 9m (30 feet) and has dwellings on one side only. A number of objections received revolve around traffic, parking and congestion issues caused by the existing use of the area by the football club.

3.22 Whilst the Highway Engineer acknowledges these concerns, the club can use the existing pitches for the duration of its lease, without any changes to the parking arrangements..

3.23 The extensions to the playing area could have the effect of intensifying activity, however the club has stated that it is likely that only 3 pitches would be in use at any one time.

3.24 Given the anticipated usage of the pitches based on current arrangements it is considered that the additional areas would not add significantly to numbers of traffic movements.

Lost potential use of the site for education related development

3.25 The site is allocated in the Local Plan for outdoor recreation and green open space. Any proposal to develop the site for alternative use would be a departure from these policies which should only be given consideration should a separate planning application be submitted in the future.

**Conclusion**

3.26 The proposed development is not considered to be a departure in terms of planning policy. The new fences, which are similar to many fences used around schools throughout the town, are considered to be far enough away from residential properties and should have little impact on the visual amenities of the area. Although some concerns have been raised regarding the potential of the development to increase traffic congestion and parking in the area, the highway engineer is satisfied that the additional use would not significantly affect traffic flow and congestion in the area.

**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 containers hereby approved shall be removed from the site and the land restored to its former condition or before 30 November 2012 in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority unless the prior consent of the Local Planning Authority has been obtained to an extension of this period.  
The containers are not considered suitable for permanent retention on the site.

Report to: Development Control, fao Linda Wright.

From: Community Services, Suite 7, Municipal Buildings, Hartlepool

Contact Officers:

John Mennear, Assistant Director, Adult and Community Services

Andrew Pearson, Parks and Countryside Manager.

**Response to Planning Application H/2007/0597 – Rossmere Way Pitches, Rossmere Way, Hartlepool.**

St Francis 2000 FC were given a 25 year lease of Rossmere Way Recreation Ground in January, 2006 following approval given by the Portfolio Holder in April, 2005 and a successful planning application by Hartlepool Borough Council Community Services.

The Playing Pitch Strategy of March, 2004, which was approved by the Liveability Portfolio Holder on 27th May, 2004 identified that Rossmere Way Recreation Ground had pitches in an inadequate condition. It further identified that there was a need for expansion in this site to accommodate a wider variety of pitches and the Council would support this.

Due to the continued growth of the club, particularly within its junior section, an application has been submitted to extend the lease in terms of the land occupied in order to accommodate an additional junior football pitch and erect a fence around the new perimeter of the pitches. The Club has grown significantly since the existing lease was granted and this growth has been rewarded with the awarding of the status of FA Charter Standard (Community Club Status) – the first club in Hartlepool to be awarded this accreditation. This was achieved in October, 2006. The achievement of such an award was a condition of the lease being granted in the first instance.

The recent portfolio report looked at the acceptability of the extension of the formal recreation area within this locality.

A public consultation was undertaken with 219 residential properties bordering Rossmere Way Recreation Ground receiving a copy of the proposed plans and an accompanying survey.

Of the 219 consultees, a total of 89 responses were received. This represents a 41% response rate. 85% of those responding were satisfied that they had an awareness of the proposals in outline.

75% of respondents agreed, in principle, to extending the fence line to accommodate an extra junior pitch. Whilst there were some objections around residents wishing to retain dog walking land and walkway used for general

recreational purposes, the majority of respondents felt that the work that the Club do is very valuable to the community and that providing a more secure fence to the pitches will benefit the community, reduce dog fouling and reduce incidents of anti-social behaviour, such as illegal use of motorbikes on the pitches.

72% of respondents agreed with the plan to extend the land leased at the rear of the fields near St Teresa's School to provide changing accommodation, however, there were some fears expressed that these portable cabins provide a focal point for anti-social behaviour and the close proximity between the cabins and the schools. Hartlepool Borough Council Officers believe that the inclusion of the current 'dead area' within the perimeter fence will actually overcome this problem as this will become protected behind the perimeter fence.

72% of respondents indicated a level of support for the longer term proposal to build a more permanent changing facility, however, the fears regarding the location and the possible resulting anti-social behaviour was still an issue.

Overall, through the consultation and additional comments, support from the majority of the respondents was evident. However, a couple of themes that came through the consultation in this area and affecting this proposal was the possibility of an increased number of cars using the area and also general dog fouling in the area inside and outside of the fenced area. The new fence should overcome the dog fouling of the pitch and the club have negotiated weekend use of the Sure Start car park to the West, thus aiming to reduce parking issues. Whilst the pitch layout plan shows five junior pitches, these will not be in use at the same time as the league game timings are at different times of the week or weekend.

The Report went to the Culture, Leisure and Tourism Portfolio on the 12<sup>th</sup> December 2006 where the Portfolio Holder noted the results of the consultation undertaken and endorsed the proposed extension of land use and that further discussions on the adjacent school take place.

Since the report was submitted the club have met with the school and it was agreed that the club could use the school pitch as an additional junior pitch but to date no formal agreement is in place with the school. The club do have some excellent school club links with other local schools including St Cuthbert's and Rossmere Junior School where club coaches do assist the school in their after school coaching sessions and this is valued by the schools and the club. The club have also forged links with St Aidan's School and play some junior games from that site.

Informal discussions with the Football Foundation have taken place over future funding on the site and they have indicated a willingness to invest in the site once approval planning approval is gained and the lease suitably amended to cover the enlarged site.

We have no objections to the proposals being put forward by the club and feel that these developments will improve the provision of football in the area and will not have a negative impact upon the appearance of the Recreation Ground. Indeed this type of club self help development is entirely within the objectives of the Playing Pitch Strategy action plan developed and approved by the Borough Council.

**Supporting Papers:**

1. Report to Culture, Leisure and Transportation Portfolio 12<sup>th</sup> December 2006
2. Culture, leisure and Transportation Portfolio – Decision Record – 12<sup>th</sup> December 2006.



*Culture, Leisure and Transportation 12.12.06*

### **Comments**

#### **General Positive Comments**

Council should help the junior football clubs i.e. help towards better changing rooms and sponsorships. More should be done to help the under 16's new facilities should just be a start.

Great for the kids.

I agree with all proposals as I think the work Mr Keith Everett does in his own time, he keeps the children off the streets. He deserves a medal for all his hard work and I agree with the fence to keep it free of dog fouling as the children have to play on the field and train.

I feel that there should also be facilities to serve/provide hot food and drink. At the present time not many parents/carers are taking responsibility for their children.

These parents/carers are taking responsibilities, taking an interest in their child's hobby, encouraging them and supporting them in a health hobby. They should be applauded not punished.

Keep the dog walkers off, £100 fines for not cleaning up, also in Rossmere Park.

Any facilities that offer the children and youths more opportunities to interact and be occupied in a positive manner can only be of benefit for us as the community.

I hope the fence will be high enough because when they fenced it in for rugby, people used to lift their dogs over to do their jobs and a man had to go on before a match with a bucket and scoop to clean it up. I am an animal lover but I also love sport.

It is nice to look out of my window and see football not dogs fouling on the grass.

Over a hundred children of different ages, boys and girls play football and train on Rossmere field and it would be a shame not to see St Francis plans for the future achieved. Most communities in other towns would be jealous of the setup they have at St Francis and plough a lot of funding into these types of schemes.

The council should be giving them their full support and helping more with the improvements of the field not like you did with the swimming baths which my children attended which is just left empty.

*Culture, Leisure and Transportation 12.12.06*

Good to see youngsters enjoying themselves playing and training for football. A fence keeps the dogs off the field and also motorbikes. The more we can do to encourage the children to do sport the better.

Good idea for the children to be involved in sports activity prevents dog fouling.

I am pro Sport

Portable changing cabins need to be provided to bring the football facilities up to the standard the teams receive from away games. The facilities at home are non-existent and are a poor reflection on the St Francis football teams.

Anything in sport for the young must be good.

**Loss Of Green Space Concerns**

Please keep playing field as a dog free area.

I vigorously object to any changes to the field. This is directly in front of my front window and I object to looking at an 8ft fence every day. This should be rejected out of hand and any changes stopped once and for all. This is not for the good of Rossmere residents and will attract all sorts. Why stop the majority using the field for the minority.

You are cutting off the green walking area near the trees on the left hand side, this should not be done, we use this place for walking.

Will it affect dog walking areas and dog waste bins if so where are our dogs supposed to exercise?

**Car Parking Concerns**

Let them have the football pitches as long as they have somewhere to park instead of outside of my house.

I object to any further changes to the land in total in Rossmere Way.

If this is agreed it will just add to the parking on the main bus route on match and training days.

Why stop the majority or people using the area for a few. The fence will be an eye sore.

My only concern is the allocated parking area. I do feel like this is very limited as Rossmere Way can be very congested during match days and Dumfries Road can be very difficult to exit.

*Culture, Leisure and Transportation 12.12.06*

Every effort should be made to prevent parking on Rossmere Way.

Maybe in your plans you could include somewhere for all of the cars to park, because down Rossmere Way the cars are parked on both sides of the road and it makes it difficult for getting in and out of our homes. They even park on the end of the junction to our street.

Yes I think you should take some of the land from St Teresa's school because it will create more noise from the spectators and people playing football and also parking problems, we have enough with people using the church.

Because of the support the children get from the parents. I think more off road parking should be made for the cars.

More pitches – More cars. Traffic is a BIG problem now I suggest you find a better place, not near a main road.

Every Sunday at present is a nightmare down Rossmere Way, someone is going to be hurt. My drive way is constantly blocked by irresponsible parkers. The parking area allocated is not big enough so nothing will change.

We already have a problem with cars parking along Rossmere Way with Surestart and present football pitches there in no respite all this will do is make a bad situation worse. Let the football be played somewhere else enough is enough!

It is an accident waiting to happen due to the ridiculous parking at present weekends and Sundays are even worse due to church parking. Parking which you propose is not going to be anywhere near adequate, vandals on top of the huts at night damaging school property, exciting. Dumfries Road is a nightmare mainly on Sundays etc. etc. etc.

The problem with parking needs to be looked at as it has been a problem for some residents parking on the grass.

Rossmere is not big enough to hold the amount of traffic the club brings with them; even with a car park it is very dangerous. The people who run the club have no respect for anyone, they are abusive and aggressive towards our children and residents of Rossmere we have had the police out a number of times.

I would have to see that it would look like for the changing rooms, and it will cause littering after games. What we don't want is people parking in 'our' parking areas outside our houses etc. More pitches mean more parents and cars. How many cars will the car park hold?

*Culture, Leisure and Transportation 12.12.06*

I would like to see more parking facilities as Rossmere Way gets very congested on match days.

Unhappy with proposed car parking site as too many major access on Rossmere Way already i.e. Surestart, Dumfries Road, Youth Centre etc, and near to access path to nursery, surestart and Rossmere school.

**General Concerns**

Why does he need an extension to the field he doesn't use the field to its full capacity now. He never has all of the pitches in use at one time. As for the fence there is nothing wrong with the fence that is already there. The only thing is where people are climbing over it to get onto the field because he keeps the gate locked. The porter cabins he has sited he says are used for changing purposes he is actually using one for selling tea, coffee and food.

I do not want the field fenced off so my young children cannot play on it. I do not want a high fence outside my house it will be unsightly. I do not want permanent changing facilities because the portable cabins that are there now are used for making food, which I am sure they have no licence for.

In response to your recent letter, I think the set up of the field and facilities at the moment are ok there doesn't seem to be any problems apart from St Francis (trainers) who have padlocked the gates to what I thought was a recreational area to be used by the footballers and local children. St Francis seems to think that the land belongs to them.

I think that the extension of the land and the higher fence will look an eyesore.

Not only to residents from the area but also to any passing public etc.

Local children some as young as young as 5 years old used to play on this field, now if they go on they are turned away by Francis using bully boy tactics and threats, now they have no place to play apart from Rossmere park which is secluded by trees, local parents cannot see where their kids are let alone who they are talking to.

The high fence in my opinion would act as a wind tunnel down Rossmere Way and would look very unsightly.

The proposal also takes away more green area not only by extending the pitch but also the proposed car parking space, this would not work as most cars want to be away from the pitch as soon as possible after the game so they would park on Rossmere Way or the grass as they do now.

*Culture, Leisure and Transportation 12.12.06*

Changing facilities would no doubt attract more vandalism and yobbish behaviour from youths who are not from this area but are intent on causing aggravation; these yobs would scale the fence for fun.

One Saturday morning I walked on the field to exercise my dog and I was met with a barrage of verbal abuse and threats from a trainer who told me to stay off his land, I was purely and simply taking my dog for a run out. The threatening manner that I was met with was so severe that I contacted the police who visited this man and he received a warning. I have enclosed a letter that explains this situation.

I will object to any plans put forward by St Francis if it means that the field will be locked to the residents and the public as the field is used all the time by the residents and the public in the summer.

If it is not locked I will have no objections to the plans for the fence. To my knowledge the field is a designated green belt so I object to the grass being replaced by concrete as in the off road parking.

I also think the field is big enough for their need as it is.

It is time something is done for the O.A.P the O.A.P take their dogs on the field and they clean up after them. When the kids play football they leave all their rubbish behind. We have the youth centre, we have the nursery that is all we want in this area. Why cant they go to the wreck and play? We have had prisoners of war on the wreck you have had circuses on the wreck so I cant see why the kids cannot go on there and play football on there, it is big enough.

### **Dog Fouling**

I feel the council have a duty to care for the safety and well being of all these children and a fence would go a long way to achieve this. My children play adjacent to the trees on Rossmere fields and the dog fouling is terrible many dog owners just don't pick up after themselves even when there is a bin provided. St Francis and the volunteers deserve the support of the local community and the council for all the hard work that they do.

### **Anti Social Behaviour Concerns**

Need more lighting to stop groups of youths gathering around porter cabins at night.

### **Changing Area Concerns**

I would suggest that the changing rooms should be placed near to the proposed parking space on Rossmere Way or on the spare ground near the trees on

*Culture, Leisure and Transportation 12.12.06*

Balmoral Road. I am sure this would be beneficial both for security reasons and for the emergency services.

Portable cabins have always been there, who give them permission to put them there. They have never been used as changing rooms; one of the cabins is used as a café to sell food. Putting a high fence up will make it dangerous for children because they will find a way of getting over the fence and one of them will end up hurt or losing a finger like the young boy who lost his finger last year climbing over a fence. Kids need somewhere to play don't take the field away from them.

Unhappy with these proposals as eventually it will lead to a 'CLUBHOUSE'.

**Schools Concerns**

The positioning of the porter cabins so close to a nursery and infant school is not a good idea! Why not next to the car park which would make more sense especially for the users of the facility.

As a foundation governor at St. Teresa's I am concerned about the location of the changing units being too close to the rear of the Infants buildings.

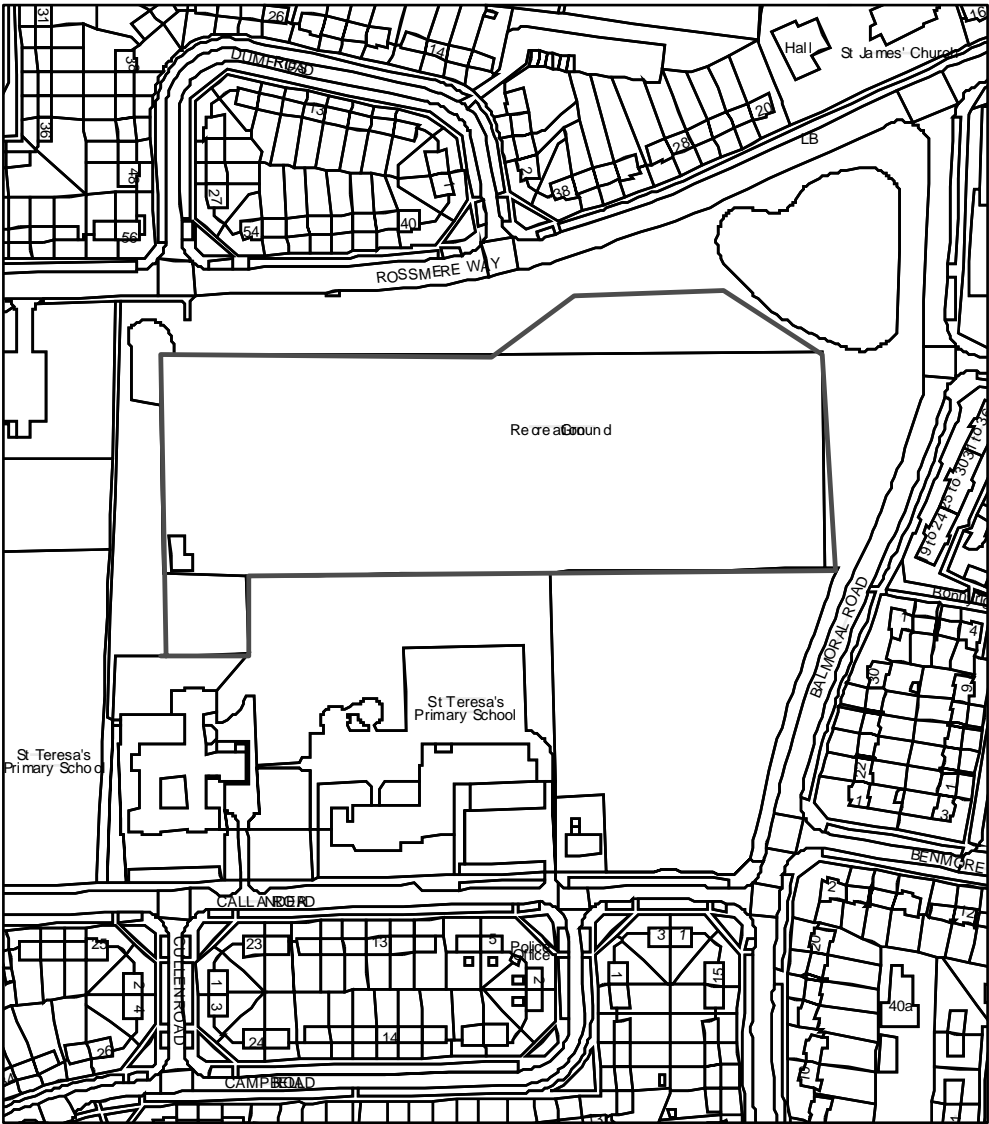
I strongly oppose the afore mentioned proposal on the grounds that:

- The existing cabins are frequented by drug users and those inhaling solvents.
- Used syringes, spray can and alcoholic bottles/cans are regularly thrown into the grounds of St Teresa's school.
- Bricks and stones have also been thrown and windows broken.
- Outdoor nursery play house has also been vandalised and broken into.
- Nursery staff have had to endure verbal abuse particularly in the summer time by youths who spend their afternoons on top of the cabins

Ps. I obviously wouldn't have these objections if the cabins were sited away from the school perimeter.



ROSSMERE WAY PITCHES



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>05/11/07</b>
	SCALE <b>1:2000</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <b>H/2007/0597</b>	REV

**No:** 4  
**Number:** H/2007/0756  
**Applicant:** Mr J Posen 4b Manor Road London N16 5JA  
**Agent:** David Stovell & Millwater Mr David Stovell 5 Brentnall  
Centre Brentnall Street Middlesbrough TS1 5AP  
**Date valid:** 12/10/2007  
**Development:** Change of use from shop to hot food takeaway  
**Location:** 48 AND 50 CATCOTE ROAD HARTLEPOOL  
HARTLEPOOL

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### **The Application and Site**

4.1 The application site is a vacant shop unit located within the Catcote Road local centre close to the junction with Oxford Road.

The shop, which has a managers flat above, has been vacant for some time. Neighbouring properties within the parade includes a supermarket, a bakery, bookmakers and one other hot food takeaway (fish and chips). There is layby parking to the front on Catcote Road and servicing to the rear.

There are residential properties opposite the shops in Catcote Road and to the north in Walpole Road. The Shakespeare public house lies to the north of the shopping parade, with the Catholic Club to the west. The proposal involves the change of use to hot food takeaway creating 2 full time and 2 part time jobs. Opening hours requested are 11.00am to 23.00pm, seven days a week.

### **Publicity**

4.2 The application has been advertised by site notice and letters to neighbours (17) 8 letters of objection have been received.

Concerns include:-

- a) already one other hot food takeaway
- b) will attract gangs
- c) food waste will be left outside
- d) will attract rats and cause odours
- e) bins have already been set alight
- f) will affect business/profits at fish and chip shop
- g) not enough parking
- h) litter problems
- i) cause traffic congestion

Copy letters A

The period for publicity has expired.



## Consultations

4.5 The following consultation replies have been received:

**Head of Public Protection** – No objections to the hours as requested. Would require the usual ventilation condition together with sound insulation for first floor flat. If chairs and tables are to be provided, toilets will be required for customers.

**Head of Traffic & Transport** – No objections.

## Planning Policy

4.6 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.

Com5: States that proposals for shops, local services and food and drink premises will be approved within this local centre subject to effects on amenity, the highway network and the scale, function, character and appearance 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.

## Planning Considerations

4.7 The main considerations in this case are the appropriateness of the proposal in terms of the policies and proposals contained within the Hartlepool Local Plan, the effect of the proposal upon the character of the area, the effect upon the amenities of occupants of nearby residential properties and highway safety.

### Policy

4.8 Policy Com5 (Local Centres) of the Hartlepool Local Plan 2006 makes provision for the development of shops, local services and food and drink premises within designated local centres, such as this, providing there is no significant adverse effect on the amenities of the occupiers of adjoining or neighbouring properties and on the highway network. Scale, function, character and appearance of the area should also be maintained.

4.9 Although there is already one hot food takeaway (A5) in the parade and a bookmakers (A2) the majority of the other commercial properties are A1 retail covering a whole range of goods and services including hair and beauty, crafts, groceries and clothing.

4.10 In view of this, it is unlikely that an additional hot food takeaway would be likely to affect either the function, character or appearance of the local centre.

### Highways

4.11 Whilst it is acknowledged that this is a very busy shopping parade, the Highway Engineer has raised no objections to the change of use to hot food takeaway. Another type of shop (A1 retail) which would not require planning consent, could open 24 hours and attract a large number of vehicle borne customers.

### Amenity

4.12 This purpose built shopping parade is situated close to the junction of two busy roads (bus routes) Catcote Road and Oxford Road where there is considerable activity for most of the day.

The nearby social club, public house, church and other late opening shops in the parade, carry this activity on into the night.

With regard to issues such as noise, disturbance, litter and odours, the Head of Public Protection has offered no objection to the proposal subject to opening hours restricted to those requested ie 11.00 to 23.00 and the standard ventilation and noise insulation conditions.

Competition and loss of trade for any existing hot food shops are not matters which can be taken into account when deciding this planning application.

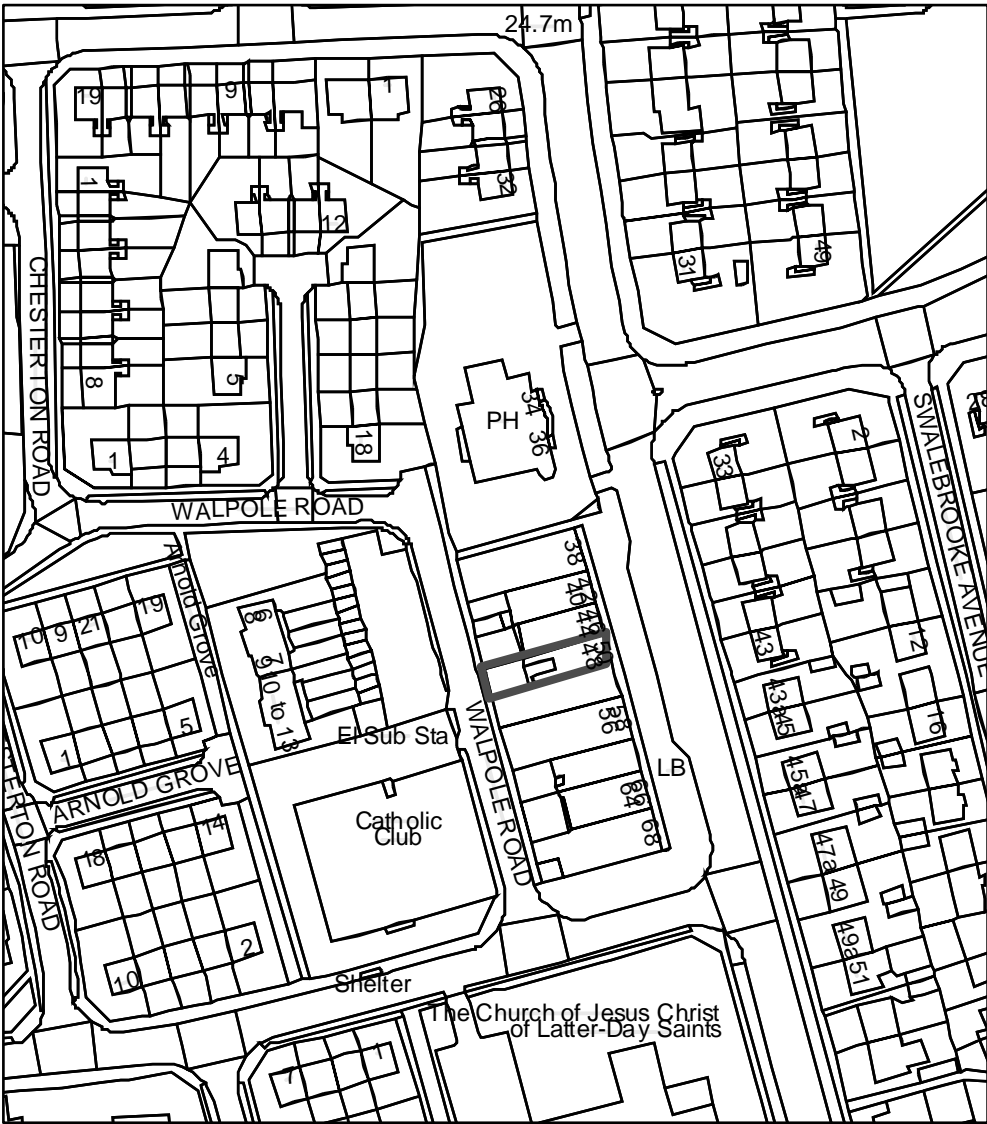
In view of the above it is considered that it would be difficult to sustain a recommendation for refusal and approval is recommended.

### **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 premises shall only be open to the public between the hours of 11.00 and 23.00 Mondays to Saturdays inclusive and at no other time on Sundays or Bank Holidays.  
In the interests of the amenities of the occupants of neighbouring properties.
3. The use hereby approved shall not commence until there have been submitted to and approved in writing by the Local Planning Authority plans and details for ventilation filtration and fume extraction equipment to reduce cooking smells, and all approved items have been installed. Thereafter, the approved scheme shall be retained and used in accordance with the manufacturers instructions at all times whenever food is being cooked on the premises.  
In the interests of the amenities of the occupants of neighbouring properties.
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 between the shop and the first floor flat. The noise insulation scheme, as approved, shall be implemented in full and retained thereafter during the lifetime of the development.  
To ensure that the building is adequately soundproofed in the interests of the amenity of the occupants of adjacent residential property.

48 50 CATCOTE ROAD



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<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>05/11/07</b>
	SCALE <b>1:1250</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG. NO <b>H/2007/0756</b>	REV

**No:** 5  
**Number:** H/2007/0262  
**Applicant:** Mr David Swales Old Durham Paper Mills Moreland Street  
Hartlepool TS25 1PQ  
**Agent:** Hartlepool BC Building Consultancy Group Mr Alan Foster  
Leadbitter Buildings Stockton Street Hartlepool TS25  
7NU  
**Date valid:** 13/06/2007  
**Development:** Use of vacant industrial land for pipe and vehicle storage  
**Location:** Land to the east of the South Works BRENDA ROAD  
HARTLEPOOL

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### **The Application and Site**

5.1 Detailed planning permission is sought to change the use of former industrial land to a storage area for steel pipes and industrial vehicles associated with the adjacent Corus Mill.

5.2 Apart from removing fly tipped waste, and trimming the surface it is not intended to change the level or characteristics of the site. No buildings are to be erected and no hard surfacing is to be applied.

5.3 The site is adjacent to Brenda Road and its intersection with the Newcastle to Middlesbrough railway. It is an unsurfaced area about 4.32 hectares in area comprising overgrown grassland. The site borders two extensive areas of semi-mature tree planting adjacent to Brenda Road. There is also some planting on the northern boundary and the far western corner of the site. The access road into the site would serve to divide it in two with pipes being stored on the land to the north and vehicles to the south.

5.4 The site is identified in the Local Plan under policy Rec 12 for outdoor recreational purposes. The proposal would therefore represent a departure from this policy and if Members are minded to approve the application, it must be notified to the Secretary of State to provide an opportunity for the application to be called in.

5.5 It is proposed to construct an earth bund adjacent to the southern boundary of the site to provide screening from the railway.

### **Publicity**

5.6 The publicity exercise is outstanding at present. To date there have been no letters received.

### **Consultation**

5.7 The following consultation replies have been received:

**Environment Agency** – No objections. There should be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters whether direct or via soakaways.

**Northumbrian Water** – Comments awaited

**Highway Engineer** - No major highway concerns

**Head of Public Protection** – No Objections

**Countryside Access Officer** – The tree covered mound, rights of way in the area and biodiversity interests all need to be protected and if possible improved and enhanced.

**Economic Development Manager** – Supports the proposed development

### **Planning Policy**

5.8 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.

GEP12: States that the Borough Council will seek within development sites, the retention of existing and the planting of additional, trees and hedgerows. Development may be refused if the loss of, or damage to, trees or hedgerows on or adjoining the site will significantly impact on the local environment and its enjoyment by the public. Tree Preservation Orders may be made where there are existing trees worthy of protection, and planning conditions will be imposed to ensure trees and hedgerows are adequately protected during construction. The Borough Council may prosecute if there is damage or destruction of such protected trees.

GEP18: States that development on potentially contaminated land will be encouraged where the extent of the contamination has been verified, remedial measures have been identified and where there will be no significant risk to occupiers of adjacent properties or adverse effect on the environment.

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.

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.

GN4: States that the Borough Council will undertake strategic landscaping schemes and woodland planting along this corridor.

PU1: Requires that development proposals be designed to ensure that there is no additional flood risk. Sustainable drainage is encouraged.

PU2: States that industrial development on this site will be approved if surface water drainage is adequate. Sustainable drainage is encouraged.

Rec12: Identifies this land for outdoor recreational purposes.

Rec9: States that a network of recreational routes linking areas of interest within the urban area will be developed and that proposals which would impede the development of the routes will not be permitted.

Tra11: Identifies this land as a safeguarded road improvement corridor where no permanent development will be permitted.

WL4: States that development which would directly or indirectly harm species protected by law and their habitats will not be permitted unless effective steps are taken to secure the protection of such species and their habitats.

WL8: States that the Borough Council will seek to minimise or avoid any significant adverse impact of a development on the nature conservation interest of a site through the use of planning conditions or obligations where appropriate.

## **Planning Considerations**

5.9 The main issues for consideration in this case are the suitability of the development in policy terms, its impact on visual amenity and nature conservation issues.

## **Policy Issues**

5.10 The site is allocated for recreational use so any industrial related storage use will be a departure from the Local Plan. However there has been a lack of proposals coming forward for the recreational use of the site. As such there is no objection in principle to the proposed storage use especially given that it is associated with the adjacent Corus operation and there would be operational benefits of the 2 companies being in close proximity to one another.

## **Visual amenity**

5.11 The site is currently open and visible from the adjacent railway line. The proposed screen bund will serve to mitigate views into the site. The bund should be planted in order to further enhance screening as part of ongoing enhancement to the railway corridor. The storage height of pipes on the site can be limited through the imposition of an appropriate condition.

5.12 As further mitigation for visual impact, officers are currently in discussion with the applicant about entering a planning agreement to securing a financial contribution towards the enhancement of the public rights of way network in the locality. This could potentially involve a footpath route through the wooded area between the site and Brenda Road. An update will be provided ahead of the meeting.

### **Nature Conservation**

A previous survey of the site recorded 112 plant species there. The Council's Ecologist confirms that the site would be likely to qualify for SNCI status. He raises no objection to the proposed development on the basis that he considers that the current biodiversity can be maintained providing that any hard surfacing is confined to iron-slag or dolomite and that a strip of natural vegetation is left around the perimeter. It is understood that the applicant proposes to retain the natural surface covering of the site however a condition can be imposed to allow for control over this matter. The perimeter woodland adjacent to Brenda Road is outside the site and is unaffected by the proposed development. Whilst there are ponds to the south of the site which are known to be populated by Great Crested newts, the ecologist does not consider that the proposal will have an adverse effect on these species.

**RECOMMENDATION** – That subject to no objections and a decision by the Secretary of State not to call in the application and if possible a planning agreement to secure financial contribution to improvements to the rights of way network 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. Any materials or articles deposited or stacked outside the building(s) shall not exceed a total height of 2 metres above ground level.  
In the interests of visual amenity.
3. 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.
4. 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.

5. No part of the site shall be surfaced or resurfaced unless it is in full accordance with details presented in a scheme to be previously agreed with the Local Planning Authority

In the interests of nature conservation

6. Prior to the site being brought into use the screen bund hereby approved shall be constructed in accordance with details to be previously submitted to and agreed in writing with the Local Planning Authority.

In the interests of visual amenity.

7. 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.

## Brenda Road



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<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>10/10/07</b>
	SCALE <b>1:5,000</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <b>H/2007/0262</b>	REV

**No:** 6  
**Number:** H/2007/0663  
**Applicant:** Mr J Odgers Beachfield Drive Hartlepool TS25 5AS  
**Agent:** Mr J Odgers 21 Beachfield Drive Hartlepool TS25 5AS  
**Date valid:** 26/09/2007  
**Development:** Change of use to provide livery service including the erection of 2 stable blocks, 1 arena and the siting of a static caravan  
**Location:** FERN BECK BRIERTON MOORHOUSE FARM DALTON  
PIERCY ROAD HARTLEPOOL

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### **The Application and Site**

6.1 Detailed planning permission is sought to change the use of a smallholding currently used for the stabling of private horses to a commercial livery at Fern Beck, Brierton Moorhouse Farm, Dalton Piercy.

6.2 The proposed development would comprise the erection of two additional stable blocks each incorporating 6 stables. This would bring the total number of stables on the site to 16. An arena is also proposed within the site some 60 x 20 metres in area to be used for the exercising of horses. The area would comprise of sand covered surface to enable dressage activities. There would be no building works involved in the construction of the arena. It is also proposed to site a caravan to allow residential occupation on the site in the interests of the care and security of the horses.

6.3 The site would continue to utilise the existing access from Dalton Back Lane which is shared with Brierton Moorhouse Farm together with a further smallholding to the south.

6.4 The applicant has submitted a business plan in support of the proposed development detailing projected income and expenditure and including a letter from potential clients who have expressed an interest in placing their horse with the applicant.

### **Publicity**

6.5 The application has been advertised by way of neighbour letters (9). To date, there have been 2 letters of no objection and 7 letters of objection to the proposed development. The objections raised are as follows:-

1. The development will result in additional traffic on what is a narrow lane to the detriment of highway safety.
2. It will not be acceptable in visual terms
3. There is too much livery in the area now
4. The development would harm the viability of other similar business'

6.6 The period for publicity has expired.

Copy letters F

### **Consultations**

**Environmental Agency** – Comments awaited

**Highway Engineers** – No objections provided sightlines are maintained

**Head of Public Protection** – no objections

**Greatham Parish Council** – Express concerns about the number of applications to develop in this area; that the proposal will detract from the open nature of the countryside; lack of use of traditional materials; the capacity of the land to support the number of horses proposed; highway safety; contrary to Local Plan Policy Rur6.

### **Planning Policy**

6.7 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.

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.

Rur1: States that the spread of the urban area into the surrounding countryside beyond the urban fence will be strictly controlled. Proposals for development in the countryside will only be permitted where they meet the criteria set out in policies Rur7, Rur11, Rur12, Rur13 or where they are required in conjunction with the development of natural resources or transport links.

Rur11: States that farm diversification schemes will be permitted where any adverse effects on the best and most versatile agricultural land are minimised, existing farm buildings are reused, there is no significant detrimental effect on amenity, they do not

generate significant additional traffic onto rural roads and where they are consistent in their scale with their rural location.

Rur12: States that isolated new dwellings in the countryside will not be permitted unless essential for the efficient functioning of viable agricultural, forestry, or other approved or established uses in the countryside and subject to appropriate siting, design, scale and materials in relation to the functional requirement and the rural environment. Replacement dwellings will only be permitted where existing accommodation no longer meets modern standards and the scale of the development is similar to the original. Infrastructure including sewage disposal must be adequate.

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.

Rur3: States that expansion beyond the village limit will not be permitted.

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**

6.8 The main considerations in this case are the compatibility of the development with policies in the Local Plan, visual impact, highway safety and drainage.

### Policy Issues

6.9 The Hartlepool Local Plan defines the limits of the urban fence of Hartlepool and also the village envelopes. Policy Rur 1 seeks to strictly control the spread of the urban area into the surrounding countryside. The policy exists so as to retain open areas between Hartlepool and Billingham and between Hartlepool and the villages of Greatham, Elwick, Hart and Dalton Piercy.

6.10 Similarly the Local Plan, within Policy Rur 3, defines village envelopes seeking to restrict the limits beyond which they are able to expand in order to maintain their attractiveness as small communities. The Policy states that expansion beyond the defined village envelopes will not be permitted.

6.11 The proposed development lies outside the defined urban fence and outside any village envelopes. It is located within the open countryside.

6.12 The Government's Planning Policy Statement 7 (PPS7) – Sustainable Development in Rural Areas, states at para. 10 that isolated new dwellings in the

countryside will require special justification for planning permission to be granted. The starting point for considering whether a temporary agricultural dwelling would be acceptable is the guidance provided at Annex A of the Statement. It should satisfy the following criteria:-

- (i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);
- (ii) functional need
- (iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;
- (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (v) other normal planning requirements, e.g. on siting and access, are satisfied.

6.13 Policy Rur 12 of the adopted Local Plan states that new dwellings will not be permitted in the open countryside unless they can be justified in both functional and financial terms and then subject to satisfactory siting, design, scale and materials. These provisos reflect the approach taken in the Government's PPS7.

6.14 The various criteria referred to in national planning guidance as listed above are considered in turn below.

#### Evidence of intention

6.15 The applicant has, following a previous planning permission developed a stable block for the accommodation of four private horses, enclosed grazing land to form a paddock for the horses and has constructed a track to gain access to the smallholding. There is clearly evidence that the applicant is involved in horse care and it is considered that there is a genuine intention to develop the site for business purposes.

#### Functional need

6.16 A review of the general planning appeal record shows that in a number of cases there has been support for a residential presence on the site of horse related enterprises.

6.17 At a Sussex site in 1998, an Inspector recognised that it would be physically possible for someone to work and run stables without living there although it would not be easy. He went on to find however that "a livery business depends largely on client confidence and whilst there are many stables, particularly those

accommodating mainly DIY or grass liveries without any dwellings on them, I consider it unlikely that the business would thrive on this particular site without clients knowing that there were the management and security advantages of someone living on site”.

6.18 There is therefore recognition amongst Planning Inspectors that there can be a functional need for a livery operation to be supported by a residential presence on that site.

6.19 It is considered that there is a functional justification for the proposed development in the interests of security and animal welfare. It is considered that a residential presence would help to support the livery business helping it to operate more efficiently through allowing greater confidence to store equipment in a single location and improving client confidence. It is also possible that this would enable a greater range of livery services to be offered by the applicant including exercising the animals in addition to simply housing them.

#### Financial considerations

6.20 To help evaluate the financial viability of the proposed business, the applicant has submitted a business plan which remains under consideration at this time. An update report will be provided in time for the meeting.

#### Availability of alternative accommodation in the locality

6.21 There are no existing dwellings available on the smallholding itself and as previously reported, resorting to alternative off-site accommodation would mean that the security advantages of living on site would be lost.

#### Visual impact

6.22 The proposed buildings ie two stables and caravan would be situated on the most elevated part of the site. This area is quite flat in character falling away southwards towards the beck and eastwards.

6.23 Despite the elevated position of the site the surrounding landscape is quite undulating in character. Furthermore there are no public rights of way in the immediate vicinity of the site. The effect of this is that the majority of views to the site are either from distance and/or are screened by trees/hedges or the form of the land itself. The most prominent view of the site is considered to be when approaching along Dalton Back Lane from the south although this view would be short lasting to motorists driving northwards. Given that the proposed buildings would be of single storey height and that there is scope for planting to be undertaken to help mitigate the visual impact of the development is not considered to be significantly harmful.

6.24 The proposed stables are to be of render and timber construction and are considered to be acceptable in design terms. The proposed caravan would comprise metal cladding and would not be suitable for retention on a permanent

basis. However it is considered suitable for the purposes of temporary occupation on the site

#### Highway issues

6.25 There are no objection to the proposed development from the Highway Engineer on safety grounds subject to maintenance of existing sightlines at the egress from the site onto Dalton Back lane.

#### Drainage

6.26 The views of the Environment Agency and Northumbrian Water are awaited and will be reported to the meeting.

#### **Other Matters**

#### Welfare of Horses

6.27 There is no objection from the Council's animal welfare officer to the proposals.

#### Policy Rur6

6.28 Greatham Parish Council have raised concerns that the development would be contrary to Policy Rur6. This policy is concerned with the protection of buildings used for certain rural services and is not therefore relevant to this application.

**RECOMMENDATION** – Update report to follow



## FERN BECK, DALTON PIERCY



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<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>05/11/07</b>
	SCALE <b>1:10,000</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <b>H/2007/0663</b>	REV

**No:** 7  
**Number:** H/2007/0707  
**Applicant:** Mr Alistair Scott Oriel House Bishop Street STOCKTON-ON-TEES TS18 1SW  
**Agent:** Jomast Developments Ltd Mr Alistair Scott Oriel House Bishop Street STOCKTON-ON-TEES TS18 1SW  
**Date valid:** 14/09/2007  
**Development:** Provision of 8 no two-storey penthouses on upper floors (resubmitted application)  
**Location:** BLOCK 23 FLEET AVENUE HARTLEPOOL HARTLEPOOL

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## The Application and Site

7.1 In 2003 the Committee granted planning permission for a mixed development comprising apartments, business related uses and retailing on land at the marina. Planning permission is sought to vary the design and content of one of the apartment blocks, Block 23 located to the south of Fleet Avenue.

7.2 Since the development was originally approved in 2003, minor amendments to the design of Block 23 were approved in August 2004 under the scheme of delegation. These details comprised 24 apartments and 8 two storey penthouses on the upper floors. Further modifications were the subject of a recent successful planning application. This involved deleting the penthouses and replacing them with 16 apartments which meant that there would be a net gain of 8 units (40 in total). The grant of planning permission was however subject in this case to a planning agreement requiring the applicant to omit 8 previously approved residential units from elsewhere in the wider development. The purpose of this requirement was to ensure that there would be no overall net gain in units in an area subject to high parking demand which might otherwise result in highway safety problems due to parking congestion.

7.3 The current proposal is to replace the previously approved apartments on the top floor of the block with two storey penthouses. In this case the upper floor of the penthouses would occupy the roof space of the block. The number of units would remain as previously approved i.e 40

7.4 Excluding the accommodation in the roof space the height of the building would remain at 5 storeys as approved.

7.5 40 spaces would be allocated to the development, one space per apartment. It is also proposed for each floor of the building to be served by a lift.

7.6 The footprint of the building, which is U-shaped, would remain the same as already approved. The overall height of the building would be approx 18.2 metres. The frontage elevations are to incorporate curved roof details.

## **Publicity**

7.7 The application has been advertised by way of neighbour letters (47) and a site notice. To date there have been 4 letters of no objection and 1 letter of objection raising concerns about parking congestion in the locality.

Copy Letters E

The period for publicity has expired.

## **Consultations**

7.8 The following consultation replies have been received:

**Highway Engineer** – No major highway implications

**Head of Public Protection** – No objection

**Environment Agency** – Comments awaited

**Northumbrian Water** – Comments awaited

## **Planning Policy**

7.9 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 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.

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.

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**

7.9 The main issues for consideration in this case are the proposed mix of accommodation in the impact of the development on the amenities of nearby residents and the availability of car parking space.

### Policy Issues

7.10 A Strategic Housing Market Assessment has recently been undertaken and this identifies that there is a market demand for flats, particularly from newly forming households within the town although it is noted that this degree of interest in apartments is heavily out-weighed by aspirations towards houses. The Assessment acknowledges the level of existing planning permissions for flats and apartments and states that the “on-going programme of flat/apartment development needs to be very carefully monitored” and that “new development will easily offset the shortfalls evidenced and excess supply could result in under-occupation and market distortions”. Policy Hsg5 highlights the need for the provision of a variety of housing types to meet the needs of all sectors of the community. There are substantial numbers of flats approved or intended within the Marina and Victoria Harbour areas but it is not certain that all of these will be provided as market forces will shape the final mix. That said acknowledging the need for variety in locations each case should be looked at on its merits.

7.11 Having regard to the immediate area there are 141 flats under construction in the Stranton Ward (this includes the former Co-op) and outstanding permissions for 854 further apartments (mainly within the Marina). The Marina area is characterised in part by purpose built apartments.

7.12 Turning to the merits of this scheme in regeneration terms the supporting text to policy Hsg5 on managing housing supply lists developments considered to offer the greatest regeneration benefits as follows:

- i) redevelopment of cleared housing areas;
- ii) conversion of individual vacant industrial or commercial buildings, particularly those situated in prominent locations;
- iii) demolition and redevelopment of sites of vacant, unused and derelict commercial and community buildings located in residential areas;
- iv) development of untidy and unused land located within and causing problems in residential areas;

- v) developments for special needs housing; and
- vi) developments providing housing which is under-represented in the town.

7.13 The applicant has provided an explanation as to why they are seeking to revert to the provision of an element of penthouse accommodation within the block. They state that the currently proposed penthouses are different in character incorporating loft bedrooms and note that “the situation has now changed to the extent that the Mayflower House penthouses are now all occupied”.

7.14 It is considered that the proposal represents a positive step as it will serve to increase the mix of housing types available which would be consistent with the Local Plan Strategy on managing housing supply.

#### Highway Issues

7.15 The level of parking provision in the development would be approximately 1 space per unit which is consistent with the level of provision within the part of the site to the north of Fleet Avenue. The Highway Engineer has not objected to the proposal. It is however considered to be important to secure an overall reduction in the number of units within the wider development through a planning agreement with the developer, in order to control parking demand. This would be consistent with the terms of the previous planning permission.

#### Residential amenity

7.16 The building would be within the already approved roof heights and at 5 storeys would be similar in scale to nearby units varying between 4 and 6 storeys. The development would be in keeping with the character of its surroundings.

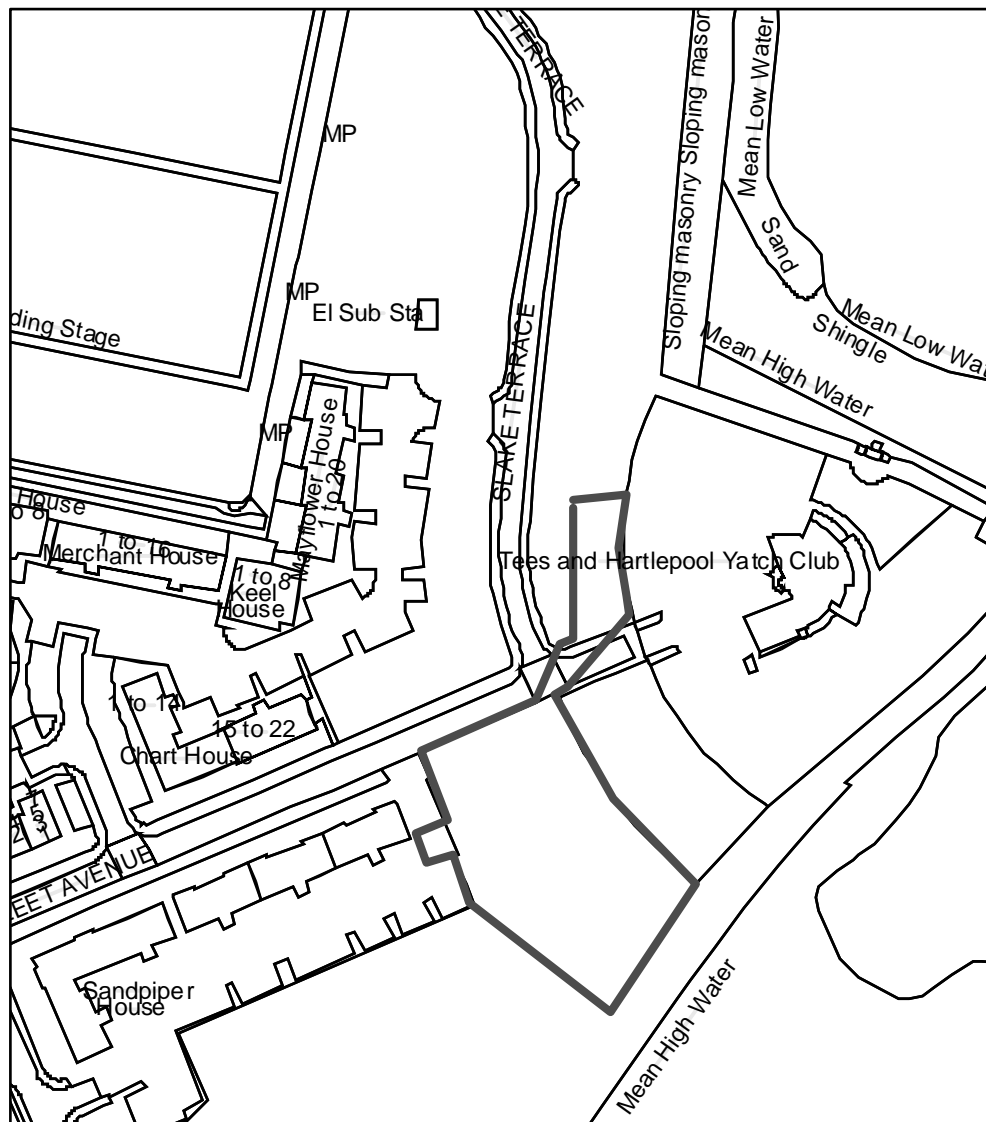
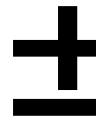
7.17 A separation distance of more than 20 metres would be maintained between habitable room windows in opposing blocks. This would be in keeping with separation guidelines in the Local Plan.

**RECOMMENDATION** – Approve subject to no objections from outstanding consultees, to the following conditions and to a planning agreement to reduce the quantity of residential units in the wider scheme by 8 units

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. 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.
3. The car parking spaces shown on the plan hereby approved shall be provided prior to the development being brought into use.  
In the interests of highway safety.

4. Floor levels should be set no lower than 5.00m AOD.  
To protect the development from flooding.
5. No part of the development shall commence unless the Local Planning authority is satisfied that there is adequate capacity in the foul and surface water drainage system to accommodate the foul and surface water flows arising from that part of the development.  
To ensure the adequate foul and surface water drainage facilities are available to serve the development.
6. Notwithstanding the submitted details final details for the storage of refuse shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be made available for use before the building they are designed to serve is brought into use and shall thereafter be retained for the intended purpose at all times during the life of the development.  
To ensure adequate facilities are available to serve the development/in interests of the visual amenities of the area.
7. Details of the provision for cycle parking to serve the development shall be submitted to and agreed by the Local Planning Authority prior to the development being commenced.  
To encourage alternative means of transport to and from the site

## Block 23 Fleet Avenue



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>10/10/07</b>
	SCALE <b>1:1,250</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <b>H/2007/0707</b>	REV

**No:** 8  
**Number:** H/2007/0182  
**Applicant:** Wynyard Park Ltd  
**Agent:** Spawforths Junction 41 Business Court East Ardsley  
 Leeds WF3 2AB  
**Date valid:** 05/03/2007  
**Development:** Reserved matters submission pursuant to previously approved outline planning application H/VAR/0006/00 for a business park including details of siting and storey heights to accommodate 275205 sq m of business (B1) floor space and part submission of landscaping framework under condition 3 of outline planning permission H/OUT/0583/96  
**Location:** Land north of the A689 Wynyard Park Wynyard Billingham

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## The Site

8.1. The site to which this application relates is 107.6 ha of open agricultural land to the north of the A689 at Wynyard. The site is bounded to the west by the Newton Hanzard Plantations, to the north by Close Beck and adjoins Swart Hole Plantation to the East.

8.2. The proposed business park straddles the administrative boundary of Stockton and Hartlepool. The proposed buildings to which this application relates are located within Hartlepool, with only part of the existing access road from the eastern roundabout on the A689 falling within Stockton's boundary.

8.3. The application site includes a redundant farm house known as 'High Newton Hanzard'. The residential element of the Wynyard Estate lies to the south of the application site on the opposite side of the A689 dual carriageway.

## Site History

8.4 As members may be aware there is a complex planning history associated with the both the residential and business element of the former Wynyard Estate.

8.5 In 1987 an outline application for a Business Park, Exhibition and Showground, Museum, Craft Village, Lake and Recreation Area, and Holiday Village on land to both the north and south of the A689 was approved.

8.6 In 1991 some of the reserved matters were discharged through the preparation of the overall layout concept for the site and the structure planting arrangements. The original outline application was also modified to allow the provision of executive housing on the land to the south of the A689.



8.7 In 1996 an outline planning application (H/OUT/0583/96) was submitted for the site to which this application relates, to seek approval for the provision of 125ha of Business Park for B1 (light industry/research/office), B2 (General Industry) and B8 (Storage and Distribution). This application was approved in March 1997 subject to a number of planning conditions, a copy of the decision notice is attached as appendix A. In 2000 a planning application was submitted to extend the period for the submission of reserved matters approval for a period of 10 years. This application was approved and all other conditions relating to the 1997 outline planning approval were retained.

8.8 A similar outline planning application for B1, B2 and B8 development was submitted at approximately the same time for the adjacent site (75ha) to the east within Stockton Borough Council's boundary, this application followed the same principles and is subject to similar planning conditions. This was also subject to an application to extend the period for the submission of reserved matters.

8.9 Condition 3 of the outline approval required the submission of a broad master plan to demonstrate the disposition of the main buildings, the landscaping and landform framework, the phasing of the development and access arrangements. In 2005 a broad master plan was submitted to both Hartlepool Borough Council and Stockton Borough Council to discharge the relevant planning condition upon the respective outline planning approvals for the development of a Business Park on adjacent sites. Both Local Planning Authorities were satisfied with the information submitted and the condition was subsequently discharged. The broad master plan as discussed above forms the basis of this reserved matters application for member consideration.

8.10 A reserved matters approval has been granted recently for part of the site within Stockton for 11,149sqm of B1, B2 and B8 commercial properties, construction work is currently underway.

### **The Application**

8.11 This application seeks reserved matters approval for the siting and storey heights of the buildings to which the outline planning approval (H/OUT/0583/96) and the subsequently agreed broad master plan relate. The application also includes the part submission of the landscaping framework under condition 3 of the outline planning approval (H/OUT/0583/96) to agree a landscaping framework for the land which adjoins the A689.

8.12 The application seeks approval for the provision of 275,205sqm of B1 business floor space within a mix of 2,3 and 4 storey detached buildings. Approval of the design and external appearance of the buildings is not being sought within this application and will instead be subject to further reserved matters submissions.

8.13 The area of land to the north of the site, which was indicated as potential B2 (General Industry) and B8 (Storage and Distribution) upon the agreed broad master plan does not form part of this reserved matters application. The supporting text states that this land will only be brought forward for development upon completion of all B2/B8 units at the adjacent site and at the Wynyard One development.

8.14 An Environmental Statement, Design and Access Statement, Travel Plan Framework and an Access Statement Report have accompanied the application. In addition the applicant proposes a financial contribution towards off site highway improvements in the A19/A689 corridor and to provide sustainable transport measures (see Highways Issues section).

## Publicity

8.15 The application has been advertised by way of neighbour letters (740), site notice (4) and press notice. To date, there have been 20 letters of objection and 10 letters of no objection.

The concerns raised are:

1. Would like to be assured that appropriate measures to deal with traffic at peak times are introduced and the road capacity increased before further development along the A689 takes place.
2. Exacerbate current rush hour traffic congestion.
3. Fails to see the need for a business park to be built on what is essentially a greenfield site when there are more than enough in Billingham, Stockton and Hartlepool that could be developed.
4. Increased traffic will have a detrimental effect on the environment in terms of noise and air pollution.
5. Buildings above the existing tree line and would be visually obtrusive and detrimental to the quality of the rural environment and those properties, which enjoy views of the countryside.
6. Light pollution.
7. Vast areas of car parking must include good quality landscaping.
8. At present the A689 is the only way to reach A1 and A19, at peak times it can take 20mins to join the A19.
9. The sheer size of the Business Park will make it a nightmare at peak times.
10. A689 already under pressure to accommodate existing traffic levels
11. Delay of 25 + mins to gain access to the A19 especially at rush hour
12. Any accident exacerbates the situation.
13. Provision of traffic lights always causes even greater delays
14. The development on the Samsung site of buildings with a floor area of over a ¼ of a million sq ft is untenable without a major roadwork development of not only the A689 but also the A19
15. In the event of full occupancy of this area the additional vehicles coming and going could be up to 1,000 per day all using the A689/A19 – traffic will grind to a halt and traffic using the slip roads on the A19 Wolviston Roundabout could create a very dangerous situation.
16. Why build on a Greenfield site when ample brownfield available?
17. Is the development needed?
18. Unless major road improvements are proposed for the roads concerned this proposal will prove to be a nightmare for commuters and businesses alike.
19. There have been a rise in the number of fatal and serious road accidents on this stretch of the A689 since we moved here in 1993 (between A19 and turn off for Butterwick) which believe is due in some part to the increased traffic

- flow due to the building of the distribution centre accessed from the roundabout which feeds old Samsung.
20. The increase in traffic would make it impossible to egress our property due to traffic flow and make entry into it even more dangerous than it already is.
  21. Whilst no objection to the development in itself we would like assurances and action on points of traffic safety from the council.
  22. A number of properties along the A689 towards County Durham have had a slip lane introduced to assist with safety.
  23. Unless the road network is substantially altered I feel the congestion in the area will be intolerable.
  24. Traffic flow on the A689 linking it to the A19, are there any plans to provide access to and from the estate to ease congestion.
  25. Traffic is already bad enough without new developments creating more traffic.
  26. Increase traffic congestion on the A689 during peak times.
  27. Concern over emergency vehicles being delayed and put life at risk.
  28. How much rural land has to be given up?
  29. No objection in principle but the extra business will cause increased traffic on an already heavily congested road.
  30. In the long term this will detract from the business units and houses in the immediate area.
  31. The area is becoming far too developed at the expense of the surrounding countryside.
  32. Increased traffic will heighten noise levels.
  33. Have concerns if the business park affected house prices in any way.
  34. Already a lot of business park facilities, other buildings not fully utilised.
  35. About time we left green belts alone and concentrate on development in inner towns where people can walk to work and be environmentally friendly.
  36. A689 is already backed up at peak times and was not designed for the amount of traffic.
  37. The development will not be needed, old Samsung is not yet complete so why another.
  38. This proposal will force people to leave Wynyard.

The period for publicity has expired.

## Consultations

8.16 The following consultation replies have been received:

**Economic Development Manager** – Supports the application providing the standard of design, layouts and landscaping are consistent with a high quality business park.

**Head of Public Protection** – No objection

**Landscape Planning and Conservation** – No objection

**Engineering Consultancy** – No objection

**Head of Traffic and Transportation** – No objection, has accepted at this time that the proposals suggested by the Highways Agency are the most appropriate to manage traffic generated by this development. Happy with the Travel Plan approach suggested.

**Northumbrian Water** – No objection

**Highways Agency** – Have raised no objection to the scheme given that it is a reserved matters submission. They have indicated that the proposed off site highway works '*will definitely provide a benefit to both the local and trunk road network*'.

**Natural England** – No objection subject to conditions

**Transco** – No objection but have highlighted that National Grid has a Deed of Grant of Easement for a nearby pipeline. No development will be permitted within the easement strip.

**Environment Agency** – No objection.

**North East Assembly** – Consider the proposal to be in conformity with RPG1 and submission draft RSS. The principle of development has already been granted. The approval of siting and storey heights would not cause conflict with regional planning policy. The development should be phased in a way that the viability of regeneration schemes in the urban centres of Hartlepool, Middlesbrough and Stockton are not compromised. The use of demand management measures in order to maximise the utilisation of public transport is consistent with submission draft RSS and is supported. LPA should address renewable energy efficiency measures and SUDS.

**Cleveland Archeology** – No objection. Highlight that a suitable condition has been attached to previous consents, which is still relevant.

**One North East** – No objection

**Cleveland Police** – Comments, highlight that by using “secure by design” standards and CCTV would greatly reduce the prospective crime on this development from the outset and conform with Section 17 of the Crime and Disorder Act.

**Hartlepool Water** – No objection

**Emergency Planning Officer** – No objection

**Elwick Parish Council** – have expressed regret at the further building on a green field site and the loss of three archaeological sites.

**Grindon Parish Council** – No comments received.

**Sedgefield District Council** – No objection

**Stockton Borough Council** – No objection

**Tees Valley Joint Strategy Unit – No objection**

**GONE – No objection**

**Health and Safety Executive – Do not advise against the application being approved.**

**Planning Policy**

8.17 The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this reserved matters 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.

GEP10: Encourages the provision of public art and craftwork as an integral feature of new development.

GEP12: States that the Borough Council will seek within development sites, the retention of existing and the planting of additional, trees and hedgerows. Development may be refused if the loss of, or damage to, trees or hedgerows on or adjoining the site will significantly impact on the local environment and its enjoyment by the public. Tree Preservation Orders may be made where there are existing trees worthy of protection, and planning conditions will be imposed to ensure trees and hedgerows are adequately protected during construction. The Borough Council may prosecute if there is damage or destruction of such protected trees.

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.

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.

Ind1: States that land is reserved for development as a business park. Proposals for business development, and for those general industrial and storage uses which do not significantly affect amenity or prejudice the development of adjoining land, will be allowed where they meet the criteria set out in the policy. Town centre uses will not be allowed unless they are primarily providing support facilities for the business park. Travel plans will be required for large scale developments. The creation and maintenance of features of nature conservation interest and landscaping and woodland planting will be sought through planning conditions and legal agreements.

PU1: Requires that development proposals be designed to ensure that there is no additional flood risk. Sustainable drainage is encouraged.

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.

Rur18: States that rights of way will be improved to form a network of leisure walkways linking the urban area to sites and areas of interest in the countryside.

Rur20: States that development in this special landscape area will not be permitted unless it is sympathetic to the local rural character in terms of design, size and siting and building materials and it incorporates appropriate planting schemes.

Tra10: Identifies road junctions where improvement schemes will be carried out. Further junction improvements will be made along A689/A179 corridor.

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.

Tra19: States that residential and industrial estates should be designed to ensure adequate access by modes of transport other than the car. Where appropriate, developer contributions will be sought towards improved public transport and alternative transport accessibility.

Tra5: States that provision will be made for a comprehensive network of cycle routes and that new housing and industrial development and highway and traffic management schemes should take account of the need to provide links to the network.

Tra6: States that developments attracting large numbers of visitors or employees should provide on site, secure and convenient cycle parking provision.

## Planning Considerations

8.18 The main considerations in this instance are the appropriateness of the application in terms of the policies and proposals held within the Hartlepool Local Plan, the effect upon the natural environment, visual amenity and highway issues.

## Policy Considerations

8.19 This is an application for approval of reserved matters in line with a previously approved outline planning permission and agreed master plan for the site. The principle of the development on the site and its scale has already been established. The objections raising issues of the principle of the development are therefore not material to the consideration of this application.

8.20 The proposed Business (B1) use and the siting of the proposed buildings conforms to the scope of the original outline planning approval and the subsequently agreed broad masterplan for the site. It is consistent with policy Ind 1 (Wynyard Business Park) of the Hartlepool Local Plan. The site is highlighted as a prestige employment site within policy 19 of the submission draft Regional Spatial Strategy (RSS). The Government Office for the North East have confirmed that on this basis this application for reserved matters approval does not need to be referred to them.

8.21 Both policy Ind1 of the Hartlepool Local Plan and condition 6 of the outline planning approval (H/OUT/0583/96) require that no buildings on the site shall cover more than 25% of the area of any one development plot. The proposed plans indicate that the cumulative footprint of the buildings upon the individual development plots range from 7.513 % (plot C) to 13.877% (Plot F) and are therefore considered acceptable.

8.22 The applicant has decided not to seek reserved matters approval for the development of two plots within the wooded area of the south west corner of the site, which are identified for development on the outline planning approval. The applicant is willing to enter into a S106 Agreement to relinquish the site from any future development. Officers welcome this approach as it will enable the retained woodland to add amenity value to the rest of the site.

## Environmental Impact Assessment

8.23 As stated previously an Environmental Statement (ES) has been submitted alongside the application. This is unusual for a reserved matters submission. However, following a recent European Courts of Justice ruling in *R v London Borough of Bromley, ex-parte Barker* 4/5/06 and *Commission v UK* it was held that in some circumstances an EIA may be required at the reserved matters stage of a development proposal. DCLG guidance was issued in June 2006 which allows a LPA to screen a development, regardless of whether an EIA was carried out at outline stage, to establish whether all of the likely significant environmental effects had been considered. As an EIA was not carried out at outline application stage and the siting and storey heights including proposed floor areas were not indicated upon

the original approved plans or supporting information, an EIA is required in this instance.

8.24 The Environmental Statement considered the effects of the proposed development upon the following issues:-

- Landscape and Visual Impact
- Ecology
- Geology, Hydrogeology and Hydrology
- Noise and Vibration
- Air Quality Assessment
- Archaeological and Heritage Assessment
- Socio–Economic Effects

8.25 A table summarising the environmental impact of the proposal along with required and proposed mitigation measures is attached as appendix 1 .

8.26 The following considerations relate to the issues which have been assessed in detail within the ES and the relevant responses from consultees which have been received.

### **Landscaping and Visual Amenity**

8.27 As stated above a substantial landscaping strip is proposed between the buildings close to the southern boundary of the site and the A689. This is a requirement of the original outline planning approval (condition 3 of H/OUT/0583/96). The application before you does not seek approval for detailed landscaping within the development areas themselves.

8.28 The proposed landscaping framework sets out tree planting areas, provision of a wildflower meadow, amenity grass areas and ponds. The landscaping framework is accompanied by a management and maintenance plan.

8.29 The Council's Ecologist and Arboricultural Officer have studied the proposed landscaping framework and associated Management and Maintenance Plan and are satisfied. It is considered that the proposed landscaping framework will soften the impact of the proposed development into the surrounding countryside and give the appearance of a prestige development within a parkland setting, which was envisaged in the original outline approval for the site.

8.30 It is acknowledged that given the scale of the proposed development and the massing of the proposed buildings, a substantial element of the development will be visible from the views and vistas of the surrounding areas in particular along the A689 corridor to the south of the site. However, taking into account the significant undulating ground levels upon the site, the proposed landscaping proposals along the A689, the siting of the proposed buildings and the associated separation distances (ranging from approximately 35m up to 100m) to the A689, it is considered unlikely that the proposed buildings will appear unduly dominant upon the landscape and in particular the A689 corridor.



8.31 Whilst it is acknowledged that the changing ground levels across the application site will ensure that the proposed storey heights do not appear monotonous it is considered prudent to ensure that the storey heights of the buildings fronting the A689 are varied to add visual interest. A planning condition has been suggested that will ensure that no more than 2 buildings adjacent to each other fronting on to the A689 shall be of the same storey height to ensure that the massing of the development is minimised as far as practical. It is important to note that the external appearance of the units will be subject to a further reserved matters planning application.

8.32 The proposed siting of the buildings and the associated floorspace will allow the views through the site from surrounding vantage points, it will also give scope for significant planting areas around the proposed buildings to further enhance the parkland setting. The siting of the buildings along the A689 frontage will go some way to screen the proposed parking areas for the site from the A689 and will further enhance the quality of the external appearance of the site.

8.33 Both the East Lodge and West Lodge (residential properties located on the south side of the A689) face directly onto the application site. Whilst the separation distances from their front elevation to the nearest proposed building is in excess of 80m, given the scale of the proposed development it is considered prudent to ensure, by way of planning condition, that the buildings directly opposite are limited to a height of no more than two storeys. It is considered that this will go some way to avoid any unnecessary dominance or outlook issues. The applicant has raised no objection to such a condition.

## Ecology

8.34 The ES concludes that provided that the proposed mitigation measures, are carried out the scheme would have '*no significant residual impacts on the ecological features present on the site*'. The proposed planting framework along the A689 is key to mitigating the loss of the existing habitats. The supporting information indicates that the detailing of the proposed planting framework was directly influenced by the outcome of a Phase One Habitat Survey and the Ecological assessments which were carried out on the site to mitigate against the loss of any natural habitats. Natural England and the Council's Ecologist are satisfied with the survey work undertaken to inform the ES and have raised no objection to the proposed development providing that the mitigation measures proposed are carried out. It is your officer's opinion that the proposed mitigation measures can be required and suitably enforced through a S106 Agreement.

## Geology, Hydrogeology and Hydrology

8.35 A number of mitigation measures are proposed to minimise the geological, hydrological and hydrogeological impacts of the proposed development during both the construction and operational phases. These measures include best practice techniques. The Environment Agency, Natural England, Hartlepool Water, Northumbrian Water and the Council's Engineering Consultancy have raised no objection to the proposed development.

8.36 In relation to the management of flood risk, the applicant has indicated that a sustainable urban drainage system (SUDs) will be created at the site. This will utilise a range of measures including the use of pervious surfaces and the use of basins and ponds (for water storage) to reduce run-off from the proposed built environment, which could impact on both surface water and ground water. The Environment Agency has confirmed that the flood risk assessment is acceptable in principle. The applicant has indicated that the final design of some of the proposed mitigation measures will be undertaken at a later date and has suggested a planning condition is attached to any approval that requires the applicant to submit a scheme for surface water drainage works. There is an existing condition (condition 13) upon the outline planning approval to which this application relates which requires the submission and approval of a scheme and a programme of implementation to accommodate surface water and foul drainage (including trade effluent) generated by the development prior to any development commencing on site. It is therefore not considered necessary in this instance to condition this matter further as it can be suitably controlled through the condition upon the outline permission.

### **Noise and Vibration**

8.37 The main noise and vibration impacts associated with the proposal will arise from the use of plant equipment during the construction phase and the noise generated from traffic associated with the site once the development is completed.

8.38 Given that the site is physically detached from the residential element of Wynyard by way of the A689 dual carriageway it is considered unlikely that the construction works would lead to significant detrimental effects upon the living conditions of the occupiers of the residential properties in terms of noise and vibration generation. The ES outlines a number of mitigation measures and best practice techniques that will be adopted through the construction phase to limit noise and vibration disturbance. This can also be controlled through a S106 agreement.

8.39 In terms of the noise generated from the completed development it is considered unlikely that increased traffic flows along the A689 associated with the proposed development would lead to detrimental disturbance issues to either the occupants of the nearby residential properties, workplaces or the local ecology given that the development will be accessed directly off the existing well used road network.

8.40 The Head of Public Protection, Natural England and the Council's Ecologist have raised no objection or comments in relation to noise and vibration generation.

### **Air Quality**

8.41 A detailed air quality assessment has been undertaken. The ES has identified two main potential issues associated with the proposal in terms of air quality. They are the potential effect of construction related dust and emissions from motorised traffic associated with the development.

8.42 As there are residential properties located along the A689 (Former Gate Houses) and within close proximity to the A689, there is significant potential for dust

associated with excavation works to become an issue in terms of air quality. The ES has acknowledged this issue and has highlighted a number of mitigation measures, including the provision of wheel washing facilities and water bowzers to dampen excavation sites, to reduce any air quality issues associated with the construction phase. The mitigation measures proposed will be controlled through a S106 Agreement.

8.43 Predicted traffic generation associated with the development has been calculated and is detailed within the applicant's Access Statement Report. The figures have been used to assess the effect of the increased motorised traffic upon air quality. The ES concludes that the development will not have a significant effect at the site or the surrounding area.

8.44 The Head of Public Protection and the Environment Agency have raised no objection to the proposal and have raised no comments or suggested conditions regarding air quality.

### **Archaeological and Heritage Assessment**

8.45 The assessment, which has been undertaken and submitted as part of the Environmental Statement highlights the need for a phased programme of archaeological mitigation. Tees Archaeology concurs with the reports findings. The Sites and Monuments Officer has indicated that the principal aims of the approach are to record medieval earthwork remains and the 19<sup>th</sup> century farm at Newton Hanzard, and to evaluate other areas for as yet unidentified remains.

8.46 The Officer considers that the work can be suitably controlled by way of a planning condition. As a planning condition (Condition 15) on the outline planning approval restricts any development commencing until the applicant has secured the implementation of programme of archaeological work to be carried out in accordance with a written scheme which has been approved in writing by the LPA, it is not considered necessary to attach a further planning condition. The proposed mitigation measures will be secured through a S106 Agreement.

### **Socio-Economic Effects**

8.47 As the application site is allocated as industrial land within the Hartlepool Local Plan and is identified within the existing Regional Planning Guidance as a 'premier' division strategic site and as a prestige employment site in the emerging Regional Spatial Strategy, It is considered that the principle of B1 (Business) development is acceptable at this location.

8.48 As members will appreciate, a development of this scale, in this location brings with it an opportunity to create a prestige employment development and with it opportunity for a substantial number of jobs. The applicant's supporting information estimates that on completion of the proposed accommodation, there will be circa 10,500 jobs at the site. They anticipate that 3,500 will be new and 7,000 will be safeguarded. There will of course be significant employment opportunities during the construction phase.

8.49 The applicant is willing to enter into a S106 Agreement to establish a Local Labour Charter with the Council to use reasonable endeavours to promote and recruit employees from the Borough.

8.50 The North East Assembly has indicated that the siting and storey heights proposed do not cause any conflict with regional planning policy. They do however recommend that the development be phased so that it does not compromise the viability of regeneration schemes in the urban centres of Hartlepool, Middlesbrough and Stockton on Tees. The supporting information submitted by the applicant indicates a 3 phase development approach, phase 1 – 2007-2011, phase 2 2012-2016 and phase 3 2016- 2021. Given the scale and nature of such a development it is considered that development will take place in line with market requirements and will be developed on a phased basis.

8.51 The Council's Economic Development Manager has indicated his support for the principle of the development.

### **Highway Issues**

8.52 It is acknowledged that a development of this nature will inevitably increase the number of trips to and from the site by cars and commercial vehicles. Residents of the Wynyard residential estate have raised a number of objections. The objections relate mainly to the potential for further traffic congestion upon the A19/A689 junction during peak am and pm hours.

8.53 At the time of the granting of outline planning approval the Highways Agency raised no objection to the proposal and there were no requirements placed upon the developer to undertake any offsite highway improvements to mitigate the increased traffic flows as a result of the development.

8.54 Whilst this application only seeks approval of reserved matters, the applicant has acknowledged the potential increase in traffic upon the local and strategic road network and has volunteered to enter into a S106 Agreement to provide £1.68m contribution towards off site highway improvements.

8.55 A recent study (March 2007) commissioned by the Highway Agency has looked into the provision of vehicle priority measures along the A689/A19 junction to respond to development pressures upon it. The study has taken into account major committed development (North Burn, Wynyard Park, Wynyard One, Wynyard Golf Club and Victoria Harbour) which could have a direct effect upon traffic flows upon the A689/A19 junction. The study has highlighted a number of measures, which could be undertaken individually or as part of a complete scheme to ease congestion and delay upon the junction. The study indicates an overall cost of £6,408m. The measures include the provision of High Occupancy Vehicle Lanes (HOV) along the A689 (west of the A19), an A19 HOV slip lane (leading to the A689 westbound) and signalisation of the Wynyard One roundabout.

8.56 The works suggested in the HA study are independent from, but will complement, the works required from the Victoria Harbour development (which

include the provision of bus lanes and the signalisation and widening of the A19/A689 roundabouts and the A689/A1185 roundabouts).

8.57 The applicant has volunteered £1.68m towards offsite highway works identified within the recent HA study. This payment relates to the business park site within the Hartlepool boundary and the adjacent business park in Stockton. For clarification this includes the land identified for future development directly to the north of this application site, which was identified for B2/B8 development in the same original outline planning approval, and the adjacent Helios Slough/Tees Valley Ventures/Wynyard Sites, some of which are currently under construction (B1, B2 and B8 use) and also the Wynyard One site which is substantially complete. The applicant has offered this figure based on the anticipated traffic flows indicated within the study which are directly attributable to the proposed development (up to 2016). Both the Highways Agency and Stockton Borough Council have welcomed this contribution.

8.58 An exercise has been undertaken by the Highways Agency to establish the most efficient and effective way that the contribution could be used upon the A689/A19 corridor. The results of the exercise have indicated that the following improvements would bring about the most effective measures to reduce congestion upon the section of the A689 from the application site towards the A19 (including the A19/A689 roundabout).

	Description of Works
1	Signalisation of the A19/A689 roundabout in line with a scheme to be first agreed by HBC, SBC and the Highways Agency
2	Signalisation of the Wynyard One roundabout in line with a scheme to be first agreed by HBC, SBC and the Highways Agency.
3	Dependant on the remainder of £1.68m contribution the provision of a HOV lane on the west bound carriageway of the A689 from A19 and/or the signalisation of the eastern roundabout serving the application site. All details to be first agreed by HBC, SBC and Highways Agency.

8.59 Whilst the signalisation of the A19/A689 roundabout is to be a requirement of the Victoria Harbour development it is considered prudent, given the differing timescales and phasing associated with its implementation, that the works are undertaken using Wynyard Park voluntary contribution and that further works are carried out from the Victoria Harbour development along the A689/A19 corridor in lieu of this. Wynyard Park has offered a financial contribution towards the signalisation works to the A19/A689 roundabout upon the first occupation of a B1 unit upon the application site.

8.60 The Highways Agency has not objected to the proposal and has considered that the proposed works to be undertaken as a result of the offered financial contribution will *'definitely provide a benefit to both the local and trunk road network.'* (HA response 06/11/2007).

8.61 The Head of Traffic and Transportation has raised no objection to the proposal and has commented that at this time the proposals suggested by the Highways Agency are the most appropriate to manage traffic generated by this development.

## **Internal Highway Arrangements**

8.62 The access to the site is to be taken from the existing roundabouts upon the A689. The access to the site was secured through the original planning approval.

8.63 The plans submitted with this application indicate a single carriageway spine road through the application site to link the east and west roundabouts. The phasing plan indicates the phase 1 of the development (approx 90,000 sqm) will be accessed solely from the eastern roundabout. The applicant has confirmed that an emergency access scheme will be made available throughout the development of phase 1, it is likely to utilise an existing track which dissects the site. A planning condition will be attached to any approval to agree final details of this measure. A planning condition is also proposed to be attached to any approval to ensure that buildings constructed upon phase 2 or 3 of the development are not occupied until the spine road linking the eastern and western access points is completed and is made available for use by employees and visitors to the site.

8.64 The proposed parking provision is 7,931 spaces which is significantly less than that of the Council's maximum parking standard which would allow 9,173. The reduced parking provision may go some way to encouraging alternative modes of transport to the site and car sharing. The Head of Traffic and Transportation has raised no objection to the proposed parking provision

## **Travel Plan**

8.65 The applicant has volunteered to enter into a S106 Agreement to provide a Travel Plan for the site to reduce the impact of travel and create a more sustainable development. The proposed Travel Plan element of the proposal has been revised since originally submitted. The applicant has offered to make available a fund of £150,000 to be used for substantive measures/initiatives to achieve the targets set out in an Area Wide Travel Plan (to be agreed). The use of the fund shall be first agreed with the Council and may include such measures as the provision of a bespoke bus service to the site from the centres of Stockton and Hartlepool and establish a car sharing database.

8.66 The applicant has confirmed that a Travel plan Co-ordinator will be employed at the site throughout the lifetime of the development and that the £150,000 fund will not be used to pay for that post.

8.67 The Traffic and Transportation section are satisfied with the travel plan proposal. Work is currently ongoing between the Highways Agency, the Council and Wynyard Park Ltd at the existing Wynyard One Site to create a travel plan framework. It is anticipated that the travel plan framework required as part of this application will complement it to create an overall Wynyard Travel Plan in an attempt to make the site more sustainable.

## **Conclusions**

8.68 In conclusion it is considered that the proposed use, amount of floorspace, siting and plot coverage are consistent with the outline planning approval (H/OUT/0583/96) and the agreed masterplan for the site.

8.69 It is considered that, subject to the requirements of the suggested planning conditions and the mitigation measures proposed within the ES, it is unlikely that the development would lead to a significant detrimental effect upon the natural environment.

8.70 The proposed storey heights, subject to an application to agree external appearance, in conjunction with the siting of the buildings and the planting proposals along the A689 are considered appropriate to the surroundings and will create the feel of a prestige high quality business park as envisaged within the Hartlepool Local Plan and the emerging Regional Spatial Strategy.

8.71 Officers and the Highways Agency welcome the voluntary contribution to off site highway improvements and development and implementation of a Travel Plan Framework. It is considered that the works suggested by the Highways Agency are the most appropriate to manage traffic generated by the development and will provide a benefit to the local and trunk road network.

8.72 For the reasons stated above this reserved matters application is recommended for approval subject to the suggested planning conditions and the signing of a satisfactory S106 agreement created around the content of the Heads of Terms as set out below.

**RECOMMENDATION** – That the Committee is minded to approve subject to the following conditions and a planning agreement.

#### 1) Scope of the approval

This decision relates solely to the approval of reserved matters for the siting and storey heights of buildings to create B1 accommodation within development areas A,B,C,D,E,F,G as indicated on the Site Reference Plan 06026/04 Revision C received by the Local Planning Authority on the 2 March 2007 and part discharge of condition 3 both of outline planning approval H/OUT/0583/96. This approval does not supersede the requirement for the submission of the remainder of reserved matters details and the remaining conditions of the original outline planning approval H/OUT/0583/96. All conditions on this approval relate to the 'site' as per the application made on the 2 March 2007.

Reason:- Clarification of permission and avoidance of doubt.

#### 2) Use Restriction:-

The buildings to which this application relates shall only accommodate uses of a type included in B1 a,b,c of the Town and Country Planning Use Classes (Amendment) Order 2005 (or any subsequent amending legislation).

Reason: - For the purposes of clarification and avoidance of doubt.

**3) Maximum Storey Heights:-**

No building upon the site shall exceed 4 storeys in height.

Reason:- In the interests of visual amenity.

**4) Differing storey heights:-**

Notwithstanding the submitted details, buildings B13, B12, B11 within development area B shall not exceed a height of 2 storeys unless otherwise agreed in writing by the Local Planning Authority.

Reason: - In the interests of visual amenity.

**5) Differing storey heights :-**

Except as provided for in condition 4 above, notwithstanding the submitted details no more than 2 buildings adjacent to each other fronting on to the A689 shall be of the same storey height unless otherwise agreed in writing by the Local Planning Authority. For clarification this includes buildings B8 – B10, C5 – C8 and D8 – D14 as indicated on plan 06026/04 Rev C received by the Local Planning Authority on the 2 March 2007.

Reason:- In the interests of visual amenity.

**6) Maximum Floorspace:-**

The approval hereby granted shall relate to a maximum cumulative gross floor space of 275,205m<sup>2</sup>. The applicant shall maintain records of the total cumulative gross floor space created at any one time which shall be available to the Local Planning Authority on request.

Reason:- In the interests of highway safety.

**7) Car Parking Provision**

The approval hereby granted shall relate to a maximum total number of car parking spaces of 7,911. The applicant shall maintain records of the total cumulative number of parking spaces created at any one time, which shall be available to the Local Planning Authority on request.

Reason:- In the interests of highway safety.

**8) Landscaping (A689 Frontage Works):-**

The landscaping of the area of land between the A689 and plots B,C and D on the associated plans shall be implemented in accordance with the details indicated on drawing no 2391-01-04 and the Landscape and Boundary Treatments for plots



adjacent to the A689 '*Management and Maintenance Plan*' which were received by the Local Planning Authority on the 02 March 2007 unless otherwise agreed in writing by the Local Planning Authority. Notwithstanding the submitted details the planting along the A689 within development plot D shall be undertaken prior to the commencement of construction on site. The planting along the A689 within development plots C and B as indicated on the above mentioned plan shall be undertaken and completed before or no later than 6 months after the completion of 50% of phase 1 of the development unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants which within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To ensure satisfactory landscaping to improve the appearance of the site in the interests of visual amenity.

### **9) Protection of Trees**

No development shall take place until a scheme for the protection during construction works, of all the trees to be retained on the site and in accordance with the approved landscaping scheme in accordance with BS 5837:1991 (Trees in relation to construction), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details and particulars before any equipment, machinery or materials (other than equipment, machinery and materials necessary for the discharge of this condition) are brought on to the site for the purposes of the development. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.

Reason:- In the interests of the health and appearance of the preserved tree(s).

### **10) Emergency Access**

Prior to the commencement of development details of this shall be submitted to the Local Planning Authority of an emergency access for agreement. This emergency access shall be provided and once complete shall be retained until phase 1 of the development is complete or upon the completion of the internal link road linking the east and west access points to the site with the A689 whichever is the sooner unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interest of health and safety upon the site.

### **11) Phasing**

The buildings hereby approved shall be constructed in accordance with the phasing plan (Ref 06026/11/A dated 28/11/06) set out within figure 2.7 of Part 1 of the

accompanying Environmental Statement received by the Local Planning Authority on the 2 March 2007 unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interests of visual amenity.

## 12) Completion of Link Road

No buildings shall be occupied within phases 2 and 3 of the development hereby approved as indicated on the phasing plan (Ref 06026/11/A dated 28/11/06) set out within figure 2.7 of Part 1 of the accompanying Environmental Statement received by the Local Planning Authority on the 2 March 2007 until the road linking the east and west access points to the site with the A689 has been completed and is made available for use by employees and visitors to the site unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interests of highway safety

## S106 Agreement Heads of Terms

### Offsite Highway Works

Wynyard Park Ltd covenants

Prior to achievement of the respective trigger points in the schedule below, the Offsite Highway Works specified in that schedule, or such other works to be agreed by the Council, shall be implemented at the cost of Wynyard Park Ltd, in accordance with details to be agreed by the Council, subject to the total cumulative cost of such works not exceeding £1.68m at (Nov 07) prices.

	Description of Works	Trigger point
1	Signalisation of the A19/A689 roundabout in line with a scheme to be first agreed by HBC, SBC and the Highways Agency	The first occupation of a B1 unit upon the site.
2	Signalisation of the Wynyard One roundabout in line with a scheme to be first agreed by HBC, SBC and the Highways Agency.	To be agreed
3	Dependant on the remainder of £1.68m contribution the provision of a HOV lane on the west bound carriageway of the A689 from A19 and/or the signalisation of the eastern roundabout serving the application site. All details to be first agreed by HBC, SBC and Highways Agency.	To be agreed

## **Travel Plan**

### **Wynyard Park Ltd**

- Prior to the first occupation of the development to submit and obtain approval from the Council for an Area Wide Travel Plan. The Area Wide Travel Plan shall be used to guide the production of subsidiary travel plans by subsequent developers/tenants. Subsidiary travel plans shall be prepared for B1 developments of a gross internal floorspace greater than 2,500m<sup>2</sup>. Subsidiary travel plans shall be submitted to the Council within 6 months of occupation and shall include the elements listed in the Area Wide Travel Plan definition. Developers/tenants of units smaller than this level are not required to prepare their own travel plan but shall complement the Area Wide Travel Plan.
- Wynyard Park Ltd shall use all reasonable endeavours to carry into effect the recommendations set out in the Area Wide Travel Plan with the intentions of meeting the aspirations set out therein.
- To submit a revised area-wide travel plan twelve months after occupation of 25% of units within phase 1 of the development and thereafter at 3 year intervals. Such revisions should incorporate all reasonable endeavours that have been undertaken in accordance with the preceding original Area Wide Travel Plan.

### **Area Wide Travel Plan Definition**

A scheme to be agreed between the Council and Wynyard Park Ltd which shall include the following elements:

- Introduction
- Development site information
- Baseline transport data, including commitment to undertake employee survey
- Objectives, targets and indicators, including monitoring of progress against targets for reduction in car travel to the site.
- Implementation, including a detailed action plan of initiatives to achieve associated targets within a given timescale
- Management of the Travel Plan, including the role of the Travel plan Co-ordinator and establishment of travel plan network.
- Monitoring and Review including who is responsible to oversee the implementation of the Travel Plan and how performance will be measured.

The Area Wide Travel Plan shall be specific to the application site but shall wherever possible complement the overall Wynyard Travel Plan Framework covering the area indicated on the attached plan no ..... A Travel Plan Co-ordinator is required to be employed by Wynyard Park Limited to oversee the implementation of the Area Wide Travel Plan throughout the lifetime of the development. The Co-ordinator may oversee the implementation of a travel plan on both the site to which this application relates and the overall Wynyard Travel Plan Framework if necessary.

Subsidiary travel plans shall include a range of initiatives and measures as per the elements listed in the Area Wide Travel Plan definition.

In addition to the above, the developer must make available a fund of £150,000 (at Nov 07 prices) to be used by the Travel Plan Co-ordinator for substantive measures/initiatives, which shall first be agreed with the Council, towards achievement of targets set out in the Area Wide Travel Plan. This will include the provision of a bespoke bus service that will operate to and from locations, and at a frequency, to be first agreed with the Council. It will also include the promotion of car sharing through the establishment of a car sharing database. This fund shall not be used to pay for the employment of a Travel Plan Co-ordinator.

### **Relinquish sites within the original approval.**

The two sites within the wooded area to the south west of the site marked red on the attached plan shall be relinquished from any future development.

### **Mitigation Measures**

To carry out, either through the discharge of outstanding planning conditions where appropriate or under the provisions of this agreement all mitigation measures identified in table 6.1 chapter 6 mitigation measures of the Environmental Statement Part 1 received by the Local Planning Authority on 2 March 2007. All details shall be first submitted to and approved in writing by the Local Planning Authority.

### **Local Labour Charter**

Wynyard Park Ltd covenants:

Shall use reasonable endeavours working in conjunction with the Council and/or any appropriate local recruitment agencies to be agreed with the Council to promote and recruit employees from the borough required for and during the construction of the Development,

That it shall use reasonable endeavours to promote and recruit employees from the Borough for the subsequent operation of the facilities created the Development; and

That it will submit a Recruitment and Training Charter to the Council for its approval prior to Commencement of the Development. The Recruitment and Training Charter will provide a template for a Method Statement to be used by subsequent developers and operators of the facilities created by the Development to establish targets and detailed measures to deliver the Charter's commitments.

Wynyard Park will use reasonable endeavours to ensure that subsequent developers submit a Method Statement to be agreed by the Council and Wynyard Park Ltd prior to the commencement of any construction contract or similar operation.

Wynyard Park Ltd and the Council covenant to review and agree on the form and content of the Recruitment and training Charter at two-yearly intervals to ensure that it continues to provide an appropriate framework for targeted recruitment and training with regard to the progress of the Development and the local labour market context.

### **Local Planning Authority exercise to default powers**

For the purpose of enabling the LPA to exercise default powers, the applicant will co-operate with and provide necessary information to the Local Planning Authority and any agent or contractor of the Local Planning Authority instructed to advise the Local Planning Authority or to undertake work on behalf of the LPA in default of compliance by the Applicant.

### **Appendix 1 – Summary of Environmental Impact**

Nature of Impact	Significance of Impact	Mitigation Measures	Residual Impact	Cumulative /Interaction
Landscape and Visual Impacts				
Impact on Wynyard LCC	Significant	Planting along southern boundary and other on site landscaping	Significant	Not Significant
Impact on Billingham Beck LCA	Not Significant	No mitigation required as impact is not assessed as significant	Not Significant	
Impact on Butterwick / Shotton LCA	Not Significant	No mitigation required as impact is not assessed as significant	Not Significant	
Impact on Embleton / Amerston LCA	Not Significant	No mitigation required as impact is not assessed as significant	Not Significant	
Impact on viewpoint 1 High point on access road by new office	Slight/Negligible	No mitigation required as impact is not assessed as significant	Slight/Negligible	
Impact on viewpoint 2. Low Newton Hanzard Farm house (south side)	Major/Moderate	Planting along southern boundary and other on site landscaping	Major/Moderate	
Impact on viewpoint 3. Bridge on Castle Eden Walkway	Minor	No mitigation required as impact is not assessed as significant	Minor	
Impact in viewpoint 4. The Wynyard Pyramid	Major/Moderate	Planting along southern boundary and other on site landscaping	Minor	
Impact on viewpoint 5. Golf Course 14 <sup>th</sup> hole by bund	Minor	No mitigation required as impact is not assessed as significant	Minor	
Impact on viewpoint 6. Flatts Lane Country Park	Minor	No mitigation required as impact is not assessed as significant	Minor	
Ecology				

Nature of Impact	Significance of Impact	Mitigation Measures	Residual Impact	Cumulative /Interaction
Loss of arable and grassland habitat.	Significant Adverse	A large area of soft estate will remain. In particular the southern edge of the site will be landscaped to include wildflower meadow to provide a continuous area of species rich grassland. Also wetland habitat will be created through the use of SUDs	Not significant	Disturbance to bats and loss of other habitats such as woodland are likely to be potentially significant impacts both during construction and while proposed mitigation measures become established. Many of the mitigation measures for these features are related to active woodland management of remaining areas, replanting in new areas and diversification of the woodland edge habitats. Until these measures are established, any adverse impacts on these features would be compounded by works in other parts of the wider site.
Loss of woodland habitat.	Not Significant	Landscaping will create new areas of woodland that will compensate for areas lost as well as increasing the area of woodland on the site. In addition areas of woodland that bound the site will be managed to improve their value.	Significant Beneficial	
Loss of bat roosts due to demolition of buildings and removal of mature trees	Significant Adverse	Works for demolition and tree removal will be undertaken in months when there is a reduced risk of hibernating bats or mating roosting bats. A watching brief will also be in place. The roosts that are lost will be replaced by the installation of bat boxes.	Not Significant	
Loss of bat foraging habitat	Major Permanent	Mitigation will be implemented through the landscape management plan. This will comprise diversification of woodland edges; softening of coniferous woodland edges with broadleaved planting, maintaining foraging corridors where possible and leaving dead trees and deadwood where it is safe to do so. Lighting will also be directional and shielded to avoid illuminating woodland edges.	Not Significant	
Impacts on badger activity of setts	Not significant	It is considered unlikely that badgers will be located on site. In order to ensure no impacts occur badger resurvey of all areas of woodland up 100m from the edge of woodland prior to construction commencing	Not Significant	
Disturbance to breeding birds during construction activities	Significant Adverse	Construction activities involving clearance will be undertaken outwith the breeding bird season. If work must commence and ecologist will be involved in ensure areas are clear of breeding birds.	Not Significant	

Nature of Impact	Significance of Impact	Mitigation Measures	Residual Impact	Cumulative /Interaction
Loss of breeding bird habitat.	Significant Adverse	Mitigation would be implemented in the form of replacement habitats and improved management of the soft estate	Not Significant	
Disturbance to wintering birds during the construction activities	Negligible	No mitigation proposed as impact is not significant.	Not Significant	
Geology, Hydrology and Hydrogeology Impacts – Construction Stage				
Soil compaction from use of vehicles and machinery	Moderate	Construction techniques and machinery will be used which will minimise soil compaction	Minor	By undertaking the site management and housekeeping procedures, the impact of effects such as sediment run-off or contamination by pollutants, is reduced to insignificant or minor significance to potential receptors and other sites should ensure that appropriate drainage solutions are in place.
Increase in surface runoff from soil compaction from use of vehicles and machinery	Minor/Moderate	Construction techniques and machinery will be used which will minimise soil compaction	Minor	
Change in flow velocities of watercourses due to works near watercourse	Minor/Moderate	Minimise operations next to water courses. Appropriate design of structures and use of construction materials which will minimise impact	Minor	
Increased erosion and subsequent changes in bed and bank stability of streams due to works near watercourse	Moderate	Minimise operations next to water courses. Appropriate design of structures and use of construction materials which will minimise impact	Minor	
Removal and/or mixing of soil due to earthworks	Moderate	Minimal excavation of soil. Use of practices which will minimise impact to soil structure.	Minor	
Increased sedimentation in watercourses due to earthworks	Moderate	Minimise work adjacent to water courses. Construct temporary barriers where necessary. Use appropriate materials handling and storage techniques.	Minor	
Pollution from suspended material	Moderate	Minimise work adjacent to water courses. Construct temporary barriers where necessary. Use appropriate materials handling and storage techniques.	Minor	



Nature of Impact	Significance of Impact	Mitigation Measures	Residual Impact	Cumulative /Interaction
Disturbance of and release of contaminated soil due to earthworks	Moderate	No contaminated soil identified at the site. Construction practices will minimise the potential for release of contaminants to soil/water environment.	Minor	
Pollution from spills or leaks of fuel, oil and construction materials	Moderate	Use appropriate materials handling and storage techniques.	Minor	
Reduction in Water Table due to temporary drainage works	Moderate	Use of SUDs techniques	Insignificant	
Changes to groundwater distribution and flow due to temporary drainage works	Moderate	Use of SUDs techniques	Insignificant	
Geology, Hydrology and Hydrogeology Impacts – Operational Phase				
Rapid transfer of rainwater to watercourse via drains resulting from hard standing and site drainage to Newton Hazard Beck and tributaries of Close Beck and groundwater	Moderate	Use of SUDs techniques	Minor	By undertaking the site management and housekeeping procedures, the impact of effects such as sediment run-off or contamination by pollutants, is reduced to insignificant or minor significance to potential receptors and other sites should ensure that appropriate drainage solutions are in place.
Changes to flow regimes in watercourse downstream of development resulting from hard standing and site drainage Newton Hazard Beck and tributaries of Close Beck and groundwater	Moderate	Use of SUDs techniques	Minor	

Nature of Impact	Significance of Impact	Mitigation Measures	Residual Impact	Cumulative /Interaction
Reduction in groundwater recharge resulting from hard standing / site drainage to Newton Hazard Beck and tributaries of Close Beck and groundwater	Moderate	Use of SUDs techniques	Insignificant / Minor	By undertaking the site management and housekeeping procedures, the impact of effects such as sediment run-off or contamination by pollutants, is reduced to insignificant or minor significance to potential receptors and other sites should ensure that appropriate drainage solutions are in place.
Changes in deposition regime, from changes and possible increase in sediment input from soil erosion resulting from hard standing and site drainage to Newton Hazard Beck and tributaries of Close Beck and groundwater	Moderate	Use of SUDs techniques	Insignificant / Minor	
Pollution from spills or leaks of fuel, oil and waste to Newton Hazard Beck and tributaries of Close Beck	Moderate	Construction of appropriate drainage structures and bunding to contain releases. Use of SUDs to attenuate contaminants.	Minor	
Pollution from spills or leaks of fuel, oil and waste to groundwater	Moderate	Construction of appropriate drainage structures and bunding to contain releases. Use of SUDs to attenuate contaminants.	Insignificant / Minor	
Sediment – loading of watercourses from use of machinery to Newton Hazard Beck and tributaries of Close Beck	Moderate	Construction of silt traps and use of SUDs	Minor	
Noise and Vibration				

Nature of Impact	Significance of Impact	Mitigation Measures	Residual Impact	Cumulative /Interaction
Potential effects of construction noise on residential properties	Minor/Negligible	No mitigation required as impact is not assessed as significant. However best practice will be used during construction to minimise noise impacts further	Negligible	Impacts on various sections of the A689 will be a minor impact and will not be significant.
Potential effects of operation noise on residential properties	Minor/Negligible	No mitigation required as impact is not assessed as significant.	Negligible	
Air Quality Impacts				
Dust during Construction Phase	Moderate - Temporary	A construction dust management plan will be developed which will set out best practice to mitigate any potential impacts from dust.	Minor	Insignificant with mitigation
Traffic emissions from the proposed development traffic when site becomes operational	Minor	The assessment indicates a small increase or no change in the pollutant concentrations as a direct result of the proposed development; therefore no mitigation measures are required.	Insignificant / Minor	
Archaeological and Heritage Impacts				
Loss of medieval ridge and furrow feature at High Newton Hanzard.	Moderate	Compliance with the Archaeological Written Scheme if Investigation developed by Tees Archaeology, which comprises a tiered approach of mitigation measures	Minor	Cumulative impacts associated with the loss of medieval 'ridge' and furrow will be minor in significance due to the Written Scheme of Investigation by Tees Archaeology that is a condition on the outline planning permission of the wider area.
Loss of High Newton Hanzard farm steading	Major	A Historic Building Record Survey will be carried out prior to any removal works.	Moderate	
Impact on setting of High Burntoft Deserted Medieval Village	Negligible	Does not have a wider landscape setting, and therefore not considered significant under the EIA regulations, so no mitigation is proposed.	Negligible / Minor	
Impact on setting of 19th century Cart Shed, High Burntoft	Negligible	Does not have a wider landscape setting, and therefore not considered significant under the EIA regulations, so no mitigation is proposed.	Negligible / Minor	
Impact on potential	Moderate/Major	Compliance with the Archaeological Written Scheme if	Moderate /	

Nature of Impact	Significance of Impact	Mitigation Measures	Residual Impact	Cumulative /Interaction
unknown subsurface archaeology/monuments		Investigation developed by Tees Archaeology, which comprises a tiered approach of mitigation measures	Major	
<b>Socio Economic Impacts</b>				
Employment Opportunities (Job Creation) – Construction Phase	Major	No mitigation required	Major	The benefits in terms of employment opportunities, indirect employment, endogenous growth, recreational activity and public services will be even further enhanced by the proposed accommodation at Wynyard Hartlepool through the creation of a mix of provision.
Employment Opportunities (Job Creation) – Operational Phase	Major	No mitigation required	Major	
Indirect Employment Spin Offs	Major	No mitigation required	Major	
Endogenous growth of existing businesses	Major	No mitigation required	Major	
Impact on Local Economy	Major	No mitigation required	Major	
Recreational Accessibility	Minor	No mitigation required	Minor	
Public Services Enhancement	Minor	No mitigation required	Minor	
Loss of Agricultural Land	Minor	No mitigation required	Minor	

**No:** 9  
**Number:** H/2007/0627  
**Applicant:** Able Uk TEES ROAD HARTLEPOOL TS25 2DB  
**Agent:** Cobbetts LLP 1 Whitehall Riverside Leeds LS1 4BN  
**Date valid:** 15/08/2007  
**Development:** Application for a certificate of lawfulness in respect of  
existing use of site for the fabrication of concrete caissons  
**Location:** ABLE UK LTD TEES ROAD HARTLEPOOL  
HARTLEPOOL

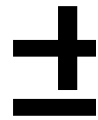
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## Background

9.1 This application was deferred at the last meeting for additional information. No additional information has been received to date.

**RECOMMENDATION** - Defer

## Able UK



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<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>11/10/07</b>
	SCALE <b>1:10,000</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <b>H/2007/0626</b> <b>H/2007/0627</b>	REV

ABLE UK  
H/2007/0626  
H/2007/0627



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<b>HARTLEPOOL</b> BOROUGH COUNCIL	DRAWN <b>JT</b>	26/9/07
	SCALE <b>1:500</b>	
Department of Regeneration and planning Bryan Hanson House, Hanson Square, Hartlepool, TS24 7BT	DRG.NO	REV

**No:** 10  
**Number:** H/2007/0626  
**Applicant:** Able Uk TEES ROAD HARTLEPOOL TS25 2DB  
**Agent:** Cobbetts LLP 1 Whitehall Riverside Leeds LS1 4BN  
**Date valid:** 15/08/2007  
**Development:** Application for a certificate of lawfulness for proposed use of site for the fabrication of concrete caissons  
**Location:** ABLE UK LTD TEES ROAD HARTLEPOOL  
HARTLEPOOL

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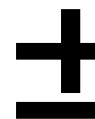
### Background

This application was deferred at the last meeting for additional information. No additional information has been received to date.

**RECOMMENDATION – Defer**



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<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>11/10/07</b>
	SCALE <b>1:10,000</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <b>H/2007/0626</b> <b>H/2007/0627</b>	REV

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<b>HARTLEPOOL</b> BOROUGH COUNCIL	DRAWN <b>JT</b>	26/9/07
	SCALE <b>1:500</b>	
Department of Regeneration and planning Bryan Hanson House, Hanson Square, Hartlepool, TS24 7BT	DRG.NO	REV

## Able UK



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<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>11/10/07</b>
	SCALE <b>1:10,000</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2007/0626 H/2007/0627	REV

**No:** 11  
**Number:** H/2007/0637  
**Applicant:** mr paul rayner 30 stockton road hartlepool ts25 1rl  
**Agent:** SJR Architects & Interior Designers Mr David Johnson  
Suite 101 The Innovation Centre Venture Court Queens  
Meadow Business Park Hartlepool TS25 5TG  
**Date valid:** 24/08/2007  
**Development:** Erection of 18 two bedroom apartments ( 3 storey) with  
associated car parking (outline application)  
**Location:** 30 STOCKTON ROAD HARTLEPOOL

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### The Application and Site

11.1 The application site comprises a large single storey building currently trading as a DIY and bathroom fittings store which fronts onto Stockton Road on the corner of Westbourne Road. The surrounding area to the east comprises the busy commercial street of Stockton Road, some with residential flats above. To the south, west and north are residential properties, predominantly houses. The surrounding area comprises a mix of 2 and 2 ½ storey properties.

11.2 The application proposes the demolition of the current building and the erection of 18, 2 bedroom flats with associated car parking. The application is for outline consent however the siting of the building, design, means of access and landscaping are to be considered at this stage. The external appearance of the building has been reserved for subsequent consideration should this application be approved. The proposed building is 3 storeys and 'L' shaped.

The proposal includes provision of 18 car parking spaces located to the rear, which are proposed to be accessed via a new vehicular entrance on Westbourne Road.

### Publicity

11.3 The application has been advertised by way of neighbour letters (33) and site notice. To date, there have been 1 letter of objection and 1 letter of comment.

The concerns raised in the objection are:

1. Noise and dust during demolition of property and rebuild.
2. Access to the objector's property being disrupted during the construction time.
3. Domination of the area by larger than average building.
4. Loss of satellite, TV signals due to large building.
5. Noise from 18 flats, across the road.
6. Noise and disruption by traffic entering/exiting the car park.
7. Parking is inadequate.
8. Experience difficulties now entering and leaving our property due to inconsiderate people parking on double yellow lines opposite the objectors drive, or people parking too close to the objectors drive access.

The concerns raised by the letter of comment are:

1. The development would seem to have the potential to 'raise the tone' of the area, which would have benefits.
2. Concerns there may be problems with demand for parking.
3. Concerns about different rules for different people regarding parking.  
However it should be noted that the author has since confirmed via e-mail, that he realises that parking standards vary depending on the area of the town.
4. Concerns about the size of the parking bays.

Copy Letters C

The period for publicity has expired.

## Consultations

11.4 The following consultation replies have been received:

**Head of Public Protection** no objection

**Traffic and Transportation** comments that the development is proposed to be erected on adopted highway, this would require a stopping up order at the Magistrates Court. Further details are required regarding the refuse storage, an amended scheme has been submitted for consideration.

**Engineering consultants** no objection subject to a site investigation, a section 80 notice would be required for the demolition of the existing building.

**Cleveland Police** no objection, comments receiving relating to secured by design initiative.

**Economic Development** Awaiting response

**New Deal for the Communities** object on the grounds that 'tenure blindness' may exacerbate the problems associated with the private rented sector nearby. There is evidence that densely packed residential area nearby, where some properties are divided into flats is prone to anti-social behaviour and criminal damage. NDC have invested in businesses for economic and employment reasons.

**Northumbrian Water** no objection

## Planning Policy

11.5 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.

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.

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.

Hsg3: States that the Council will seek to tackle the problem of imbalance of supply and demand in the existing housing stock through programmes of demolition, redevelopment, property improvement and environmental and street enhancement works. Priority will be given to West Central and North Central areas of the town.

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.

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**

11.6 The main planning considerations in this instance are the appropriateness of the proposal in terms of the policies and proposals contained within the adopted Hartlepool Local Plan 2006, the impact of the proposals upon neighbouring properties and on streetscene in general and highway safety considerations.

## **Local & National Guidance**

In terms of National Planning Policy, PPS3 – Housing promotes the re-use of previously developed land for housing in order to minimise the amount of greenfield land being taken for development. In principle therefore this proposal is in line with this policy.

11.7 The Council has commissioned a Strategic Housing Market Assessment. The report identifies that there is a market demand for flats, particularly from newly

forming households within the town although it is noted that this degree of interest in apartments is heavily out-weighted by aspirations towards houses. The Assessment acknowledges the high level of existing planning permissions for flats and apartments and states that the “on-going programme of flat/apartment development needs to be very carefully monitored” and that “new development will easily offset the shortfalls evidenced and excess supply could result in under-occupation and market distortions”. Policy Hsg5 highlights the need for the provision of a variety of housing types to meet the needs of all sectors of the community. There are substantial numbers of flats under consideration or approved within the Marina or intended within Victoria Harbour areas but it is not certain that all of these will be provided, as market forces will shape the final mix. That said acknowledging the need for variety in locations each case should be looked at on its merits.

11.8 The applicant has indicated that he wants these flats to provide quality affordable units, therefore there are on-going discussions regarding the provision of affordable units within this development site. An update report will be provided.

#### Effect on Neighbouring Properties and the area in general

11.9 The scale of the proposed flats is 3 storey with the main frontages facing onto Stockton Road and Cornwall Street. Each flat has 2 bedrooms and can be accessed by via pedestrian entrances from Stockton Road, Cornwall Street and the associated car park to the rear of the site.

11.10 There is a small landscaped area proposed in front of the main elevation fronting Stockton Road, with a small wall proposed surrounding the site, with 2 pedestrian entrances shown from Stockton Road and one from Cornwall Street.

11.11 Discussions are in progress with the developer regarding a planning agreement to secure a financial contribution towards improvement of play facilities in the area. This will also be covered in the update report.

11.12 The plans do indicate the external appearance of the proposed flats however at this stage such information is provided for illustrative purposes only. This element of the scheme has been reserved for future consideration in the event that the application is successful and can therefore only be viewed as illustrative to give an indication of the appearance of the building.

11.13 Separation distances between the proposed apartments and the neighbouring properties are acceptable and in line with the Council's guidelines.

11.14 The site is within a mixed use area, the scale and siting of the proposed building is not considered to have a detrimental effect on the neighbouring properties or the streetscene in general.

11.15 It is considered that the proposed development would not be significantly detrimental to the neighbouring properties in terms of noise associated with the car parking area due to the area being mixed use in character.

### Highway Considerations

11.16 The Head of Traffic and Transportation considers that the 18 proposed car parking spaces (which include 2 disabled spaces) are adequate for the proposed flats, as there are good transport links available nearby. Cycle storage is also proposed to be located within the site.

11.17 There has been a concern raised that the proposed refuse storage may conflict with a car parking space, however there is scope to relocate this storage area, an amended plan has been submitted for consideration.

### Other Issues

11.18 An objector has raised concerns relating to noise and dust during the construction work. With regard to the concerns raised in terms of noise the Council's Public Protection Team are able to monitor and if necessary tackle construction related noise nuisance.

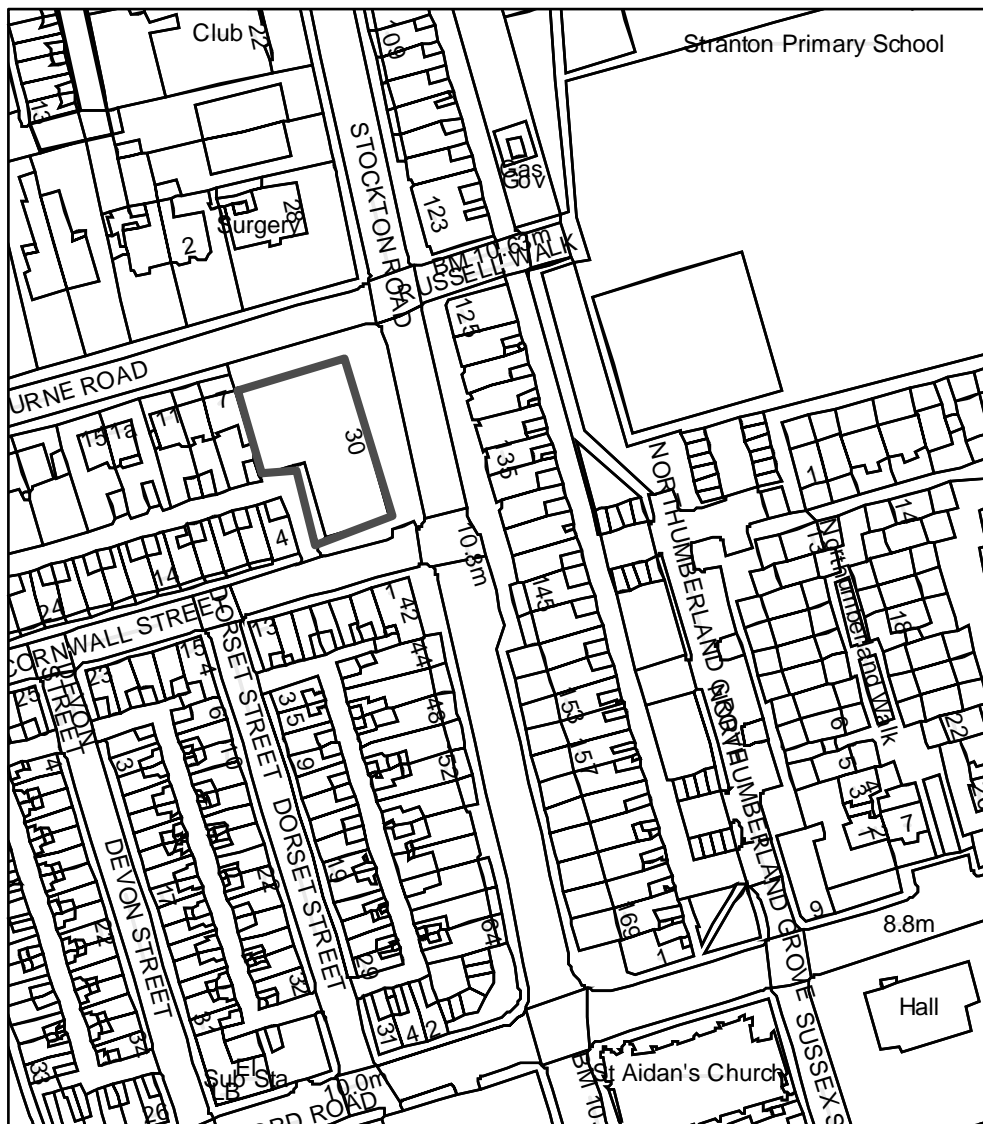
11.19 There was also a concern raised that the development could restrict access to the objectors drive; this is a civil matter beyond the remit of planning control. It should be acknowledged that there is no evidence to suggest that the construction of this building would cause the loss of satellite or TV signals due to size of the building; the scale of this building is similar to others within the town.

The applicant has indicated that the site will incorporate secured by design principles; Cleveland Police has no objection to the scheme.

### **RECOMMENDATION – UPDATE TO FOLLOW**



### 30 Stockton Road



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<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>10/10/07</b>
	SCALE <b>1:1,250</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <b>H/2007/0637</b>	REV

**No:** 12  
**Number:** H/2007/0739  
**Applicant:** Mr Julian Penton The Arches 79 Park Road Hartlepool  
 ts24 7pw  
**Agent:** anthony walker and partners mr guy rawlinson st josephs  
 business centre west lane killingworth village newcastle  
 upon tyne ne12 7bh  
**Date valid:** 12/10/2007  
**Development:** Provision of new play facilities landscaping, fencing,  
 lighting to multi-use games area and widening of  
 pavement to Sheriff Street  
**Location:** LYNNFIELD PRIMARY SCHOOL GROSVENOR  
 STREET HARTLEPOOL

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### The Application and Site

12.1 The application site is Lynnfield Primary School. The scheme is proposed by the school itself and Hartlepool New Deal for Communities. The application proposes a number of elements the main element of the scheme is that a strip of the school grounds adjacent to Sheriff Street, which currently comprises grass and hedgerow, is proposed to be developed into a combination of a soft and hard play area. New fencing is proposed around the boundary of the school in the location of the proposed new play area.

12.2 The footpath on the southern side of Sheriff Street (adjacent the school) is proposed to be widened by 3metres and tree planting is proposed adjacent to this widened footpath. A new pedestrian entrance is proposed to access the play area from Sheriff Street. There is an existing pedestrian entrance to the south of 43a Sheriff Street (in the side alley), it is proposed to close this entrance and form a new entrance in the fencing to the east of 43a Sheriff Street. Improvements are also proposed to the main school entrance.

12.3 There is currently a tarmaced area within the existing playing field of the school which is proposed to be marked up as a multi-use games area, MUGA fencing at a height of 3metres and lighting is also proposed around this (MUGA).

12.4 It is proposed to retain the hedgerow which runs around the boundary of the playing field (except for the northern boundary), it is proposed to make good where there are gaps in the hedgerow and also provide seating around the playing field.

A CCTV system is proposed to cover the school site.

### Publicity

12.5 The application has been advertised by way of neighbour letters (77) and site notices (2). To date, there have been 4 letters of no objection, 4 letters of objection and 3 letters of comment.

The concerns raised in the objection letters are:

1. The siting of the benches could cause a nuisance being located near to bedroom windows.
2. Excess noise from the new gates due to people coming and going, parking already restricted and this park will cause more problems.
3. There is no need for the proposal, things should be fixed that need fixing, e.g. potholes in the rear of Milton Road.
4. No need to widen the pavement on Sheriff Street.
5. There is a possibility that the trees could block out light to the objectors side window.
6. No parking places at the entrances could be a problem.
7. Concerns it could become a haven for teenage drinking and drug addicts, problem with teenagers hanging around the school already.

The concerns raised in the letters of comment are:

1. Maintenance of the play area and who is going to stop it from been vandalised.
2. Benches close to bedroom window could attract people to drink into the late hours.
3. It's a school not an open park.
4. People could and are taking their dogs into the school grounds and leaving mess where children play.
5. Unruly elements can cause unsocial behaviour.
6. NDC as one of its aims does attempt to improve the life of residents and it is hoped that measures are in place to prevent any such behaviour.

The period for publicity has expired.

## **Consultations**

12.6 The following consultation replies have been received:

Neighbourhood Services – no objection

Traffic and Transportation – no objection

Public Protection – discussions are on going in relation to the provision of lighting to the MUGA

Cleveland Police – no objection, comments on security initiatives

Sport England – no objection, subject to conditions

## **Planning Policy**

12.7 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.

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.

Rec4: Seeks to protect existing areas of outdoor playing space and states that loss of such areas will only be acceptable subject to appropriate replacement or where there is an excess or to achieve a better dispersal of playing pitches or where the loss of school playing field land does not prejudice its overall integrity. Where appropriate, developer contributions will be sought to secure replacement or enhancing of such land remaining.

### **Planning Considerations**

12.8 The main planning considerations in this instance are the appropriateness of the proposal in terms of the policies and proposals contained within the adopted Hartlepool Local Plan and in particular the impact of the proposals upon neighbouring properties, the streetscene in general and on the playing field itself. Highway safety issues also need to be considered.

#### Affect on the neighbouring properties, streetscene in general

12.9 The main design for the playing field at Lynnfield School is concentrated in the area adjacent to Sheriff Street. It is basically a combination of soft and hard play area with subtle changes in levels. Planting is proposed to define the boundary of the playing area and a boulevard approach is proposed along the pavement facing Sheriff Street.

12.10 The proposed development includes the planting of a large number of trees and shrubs of a wide selection of species and sizes and it is considered that the landscaping would provide for a significant improvement to the streetscene in terms of amenity.

12.11 Concerns have been raised by a resident that the trees proposed on the widened pavement may block light from the objectors side window, it should be noted that the property is some 21metres away from the nearest tree proposed on the widened footpath. It is considered that the planting of trees would not have a detrimental affect on the neighbouring property in terms of loss of light.

12.12 Concerns have been raised in terms of the location of the seats in relation to the neighbouring properties it should be noted that there is back lane between the properties and the seats, which would give a degree of separation. It is envisaged that the proposed play ranger(s) and the proposed CCTV would provide additional

on site surveillance. In addition it is proposed that should this application be successful a community use agreement could be conditioned which could assess how the school playing areas were used after 6 months with a view to provide additional security measures if any were required.

12.13 The demarcation and fencing proposed around the area of tarmac currently located within the playing field would improve the facility and provide a functional MUGA, however discussion are on-going regarding the provision of lighting to this MUGA. It is anticipated that this will be resolved by the meeting and a reported in an update report.

#### Affect on the playing field

12.14 Although the play area would reduce the amount of playing field for the school Sport England have no objection to the scheme based on the upgrade of the MUGA, which is considered to be of sufficient benefit to the development of sport as to outweigh the detriment cause by the loss of the playing field.

12.15 It is considered that the proposal would improve the provision of play facilities within the area; therefore it is considered that the scheme would not have a detrimental affect on the playing field.

#### Traffic and Transportation

12.16 There are no objections to the proposed use on the school field providing that the MUGA proposed lighting does not shine onto the highway, as this may have highway safety implications. It should be acknowledged that the lighting scheme for the widened footpath and the MUGA is being prepared by the Council's highway team and therefore should not compromise highway safety.

12.17 The extension of the footpath would be transferred from the school to the Traffic and Transportation Team for highway dedication.

#### Crime prevention

12.18 Play areas have the potential to generate crime and antisocial behaviour and increase the fear of crime in the community. They are also vulnerable to crime, being spoiled and suffering damage, which is expensive to repair. As a result of this abuse, the investment in playing areas, their use and their contributions to quality of life in the community can be seriously reduced. Crime pattern analysis for the area show higher than average rates of crime and anti-social behaviour.

12.19 There are concerns from Cleveland Police regarding the number of access points into the school grounds, it should be noted that there is one additional entrance proposed into the site. However should the application be successful a community use agreement with an assessment period of 6 months post operating of the scheme may enable additional security measures to be included in the scheme if it is shown that there are problems. Cleveland Police have no objection to the scheme and provide comments relating to secured by design initiative.

12.20 Concerns have been raised by residents in terms of anti-social behaviour however it is envisaged that the onsite presence in the form of play rangers who would patrol the school grounds as well as the proposed CCTV cameras would contribute to the security of the site. The community use agreement could also assess any problems (once operational) and additional security measures could be included if necessary as previously discussed in this report.

12.21 In terms of the seating around the boundary of the school, it is considered that given there is a hedgerow between the boundary fencing and the proposed seating that the seats would not compromise the boundary fencing in terms of security.

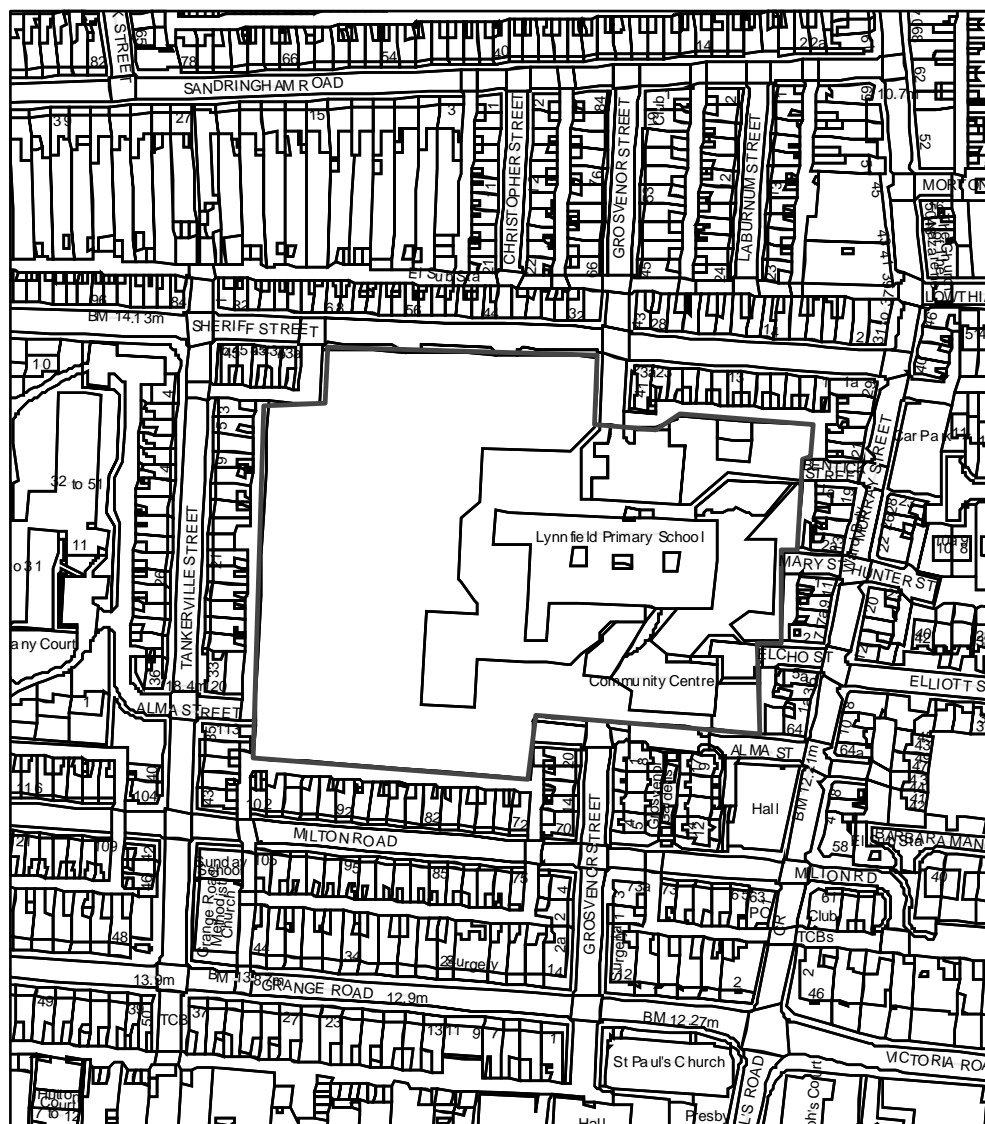
### Conclusion

12.22 The Local Neighbourhood Action Plan highlights the need for safe play areas for children as a key community priority, and specifically identified Lynnfield School as an appropriate location particularly in light of the lack of any other green space in the area. Local residents, including children have been involved in designing the scheme through a lengthy consultation process.

12.23 It is considered that this scheme has the potential to improve the quality of play facilities within the area, however as there on-going discussion regarding the lighting of the MUGA, it is anticipated that this will be resolved prior to the planning committee and reported accordingly.

### **RECOMMENDATION – UPDATE TO FOLLOW**

## LYNNFIELD PRIMARY SCHOOL



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<b>HARTLEPOOL</b> <b>BOROUGH COUNCIL</b>	DRAWN <b>GS</b>	DATE <b>05/11/07</b>
	SCALE <b>1:2000</b>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <b>H/2007/0739</b>	REV

**No:**  
**Number:** H/2007/0662  
**Applicant:** Mr Demi Chervak High Point House 7 Victoria Avenue  
Harrogate HG1 1EQ  
**Agent:** England & Lyle Dr John England Morton House Morton  
Road Darlington DL1 4PT  
**Date valid:** 29/08/2007  
**Development:** Variation of Condition 5 of planning permission  
H/OUT/2004/0080 to allow the retail sale of footwear,  
bags, sportswear, hosiery, shoe care products, insoles  
and ancillary products  
**Location:** UNIT 3 HIGHPOINT PARK MARINA WAY  
HARTLEPOOL HARTLEPOOL

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## UPDATE REPORT

This application appears on the main agenda at item 2.

The recommendation was left open as a consultation was outstanding. The response is still awaited. It is recommended therefore that consideration of the application be deferred.

## **RECOMMENDATION - Defer**



**No:**  
**Number:** H/2007/0663  
**Applicant:** Mr J Odgers Beachfield Drive Hartlepool TS25 5AS  
**Agent:** Mr J Odgers 21 Beachfield Drive Hartlepool TS25 5AS  
**Date valid:** 26/09/2007  
**Development:** Change of use to provide livery service including the erection of 2 stable blocks, 1 arena and the siting of a static caravan  
**Location:** FERN BECK BRIERTON MOORHOUSE FARM DALTON  
PIERCY ROAD HARTLEPOOL

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### **Update report**

The applicant has provided a business plan. This remains under consideration with a view to establishing whether the proposal has been planned on a sound financial basis. Clarification is being sought with regard to projected income and expenditure.

**Recommendation – Defer to allow for further consideration**

**No:**  
**Number:** H/2007/0707  
**Applicant:** Mr Alistair Scott Oriel House Bishop Street STOCKTON-ON-TEES TS18 1SW  
**Agent:** Jomast Developments Ltd Mr Alistair Scott Oriel House Bishop Street STOCKTON-ON-TEES TS18 1SW  
**Date valid:** 14/09/2007  
**Development:** Provision of 8 no two-storey penthouses on upper floors (resubmitted application)  
**Location:** BLOCK 23 FLEET AVENUE HARTLEPOOL  
HARTLEPOOL

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## **UPDATE REPORT**

### Outstanding consultation responses

Environment Agency – Comments awaited

Northumbrian Water – Comments awaited

### Clarification

The main Committee report referred to a planning agreement with the developer in order to reduce the quantity of apartments in the wider scheme by 8 units in line with the previous Committee decision. The applicant has confirmed he is willing to enter into such an agreement.

For clarification the primary purpose of this agreement is to help secure a greater variation of housing types rather than to control parking demand as stated in the main report. The agreement would assist with reducing parking demand though the Highway Engineer raises no objection to the proposal on grounds of parking capacity.

### **Recommendation – As main report**

**No:** 8  
**Number:** H/2007/0182  
**Applicant:** Wynyard Park Ltd  
**Agent:** Spawforths Junction 41 Business Court East Ardsley  
 Leeds WF3 2AB  
**Date valid:** 05/03/2007  
**Development:** Reserved matters submission pursuant to previously  
 approved outline planning application H/VAR/0006/00 for  
 a business park including details of siting and storey  
 heights to accommodate 275205 sq m of business (B1)  
 floor space and part submission of landscaping framework  
 under condition 3 of outline planning permission  
 H/OUT/0583/96  
**Location:** Land north of the A689 Wynyard Park Wynyard  
 Billingham

## UPDATE REPORT

1. Since the original report was created there have been further discussions based around the offsite highway works which could be carried out using the £1.68m contribution volunteered by Wynyard Park Ltd.
2. The Highways Agency have undertaken further highways modelling assessments and have identified works that would be of greater benefit to the local and trunk road network than those already suggested.
3. The revised suggested works and associated trigger points are as follows:-

Payment 1 £500,000	Signalisation of the A19/A689 intersection along with works to the Wynyard One roundabout circulatory carriageway to allow for right turning traffic, in line with a scheme to be first agreed by HBC,SBC and the Highways Agency	Trigger Point 1 - Upon first occupation of a B1 units upon the site.
Payment 2 £300,000	Works to the Wolviston roundabout in line with a scheme to be first agreed by HBC, SBC and the Highways Agency	Trigger Point 2 - On full occupation of Phase 1 Wynyard Park
Payment 3 £440,000 or 50% of the Remaining pot of Money whichever is the greater payment	Contribution for the provision of a HOV lane along the A689 between the application site the A19 All details to be first agreed by HBC, SBC and Highways Agency.	Trigger Point 3- Upon occupation of 50% of floorspace on Phase 2 Wynyard Park
Payment 4 £440,000 or 50% of the Remaining pot of Money whichever is the greater	Contribution for the provision of a HOV lane along the A689 between the application site and the A19. All details to be first agreed by HBC,SBC and Highways Agency.	Trigger Point 4 - Upon full occupation Phase 2 Wynyard Park
<b>Total Contribution £1.68 million</b>		

4. The broad locations of the proposed works is shown in appendix 1.
5. It is considered at this time that both the broad scope of the works and the associated trigger points are acceptable and will benefit the local and strategic road network.
6. The applicant has agreed to provide the financial contribution towards the signalisation of the A19/A689 roundabout and works to the Wynyard One roundabout upon the first occupation of a B1 (Business) Unit upon the application site. Both the Head of Traffic and Transportation and the Highways Agency welcome this approach.
7. Given the timescales associated with the 'building out' of a development of this nature and scale, it is considered prudent to re-assess the suitability of the suggested works and payments (within the 1.68m total) at trigger points 2,3 and 4 so that the most effective highway improvement measures can be created in a specific response to the highway circumstances at that time. The S106 Agreement will be suitably worded to allow this degree of flexibility. Both the Highways Agency and the Head of Traffic and Transportation Section support this approach.

**RECOMMENDATION** – That the Committee is minded to approve subject to the conditions set out in the original committee report and a planning agreement based around the revised Heads of Terms set out below.

## Heads of Terms

### Offsite Highway Works

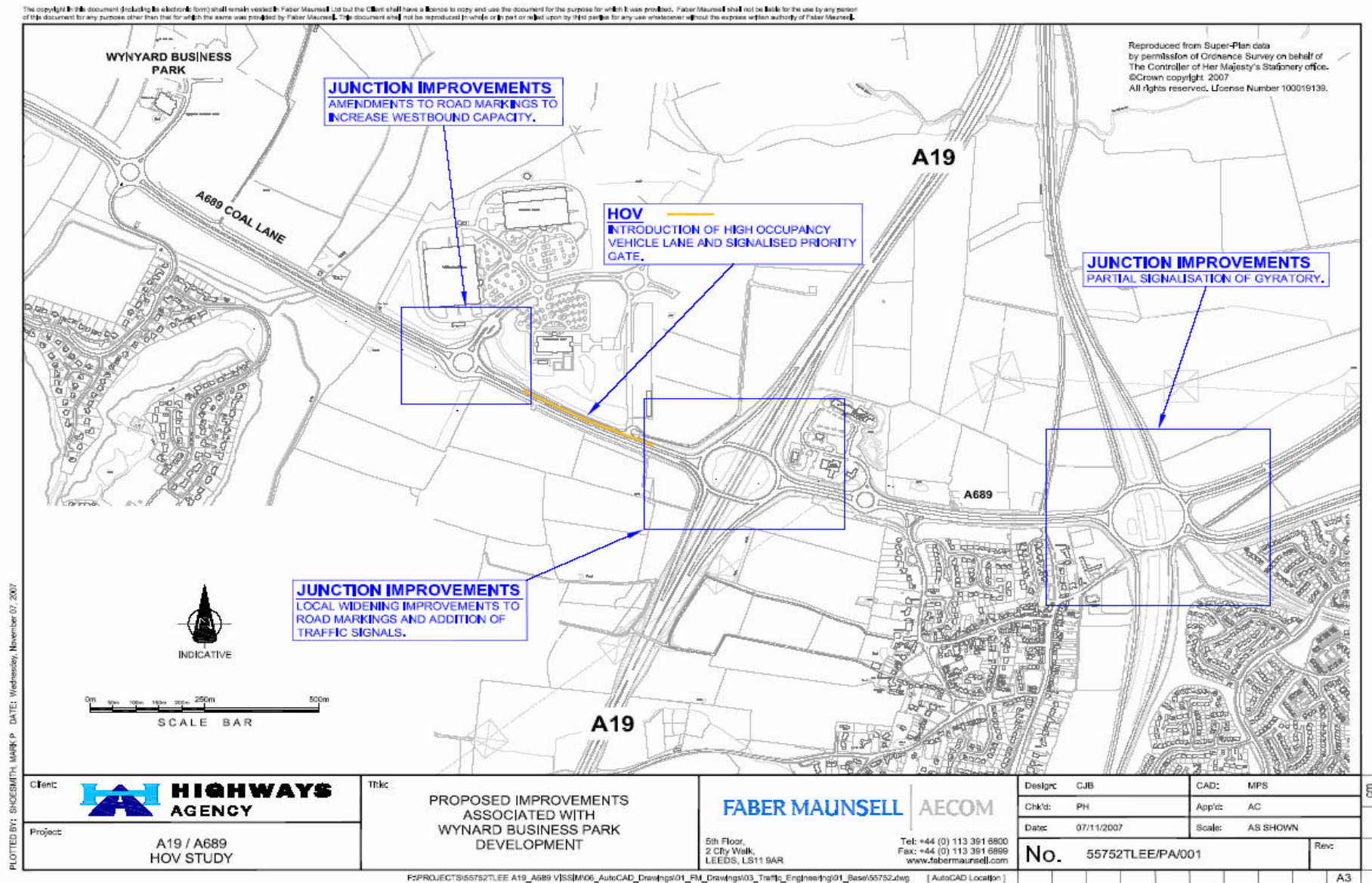
#### Wynyard Park Ltd covenants

Prior to achievement of the respective trigger points in the schedule below, the Offsite Highway Works specified in that schedule, or such other works to be agreed by the Council, shall be implemented at the cost of Wynyard Park Ltd, in accordance with details to be agreed by the Council, subject to the total cumulative cost of such works not exceeding £1.68m at (Nov 07) prices.

Payment 1 £500,000	Signalisation of the A19/A689 intersection along with works to the Wynyard One roundabout circulatory carriageway to allow for right turning traffic, in line with a scheme to be first agreed by HBC,SBC and the Highways Agency	Trigger Point 1 - Upon first occupation of a B1 units upon the site.
Payment 2 £300,000	Works to the Wolviston roundabout in line with a scheme to be first agreed by HBC, SBC and the Highways Agency	Tigger Point 2 - On full occupation of Phase 1 Wynyard Park
Payment 3 £440,000 or 50% of the Remaining pot of Money whichever is the greater payment	Contribution for the provision of a HOV lane along the A689 between the application sitethe A19. All details to be first agreed by HBC, SBC and Highways Agency.	Trigger Point 3- Upon occupation of 50% of floorspace on Phase 2 Wynyard Park
Payment 4 £440,000 or 50% of the Remaining pot of Money whichever is the greater	Contribution for the provision of a HOV lane along the A689 between the application site and the A19. All details to be first agreed by HBC,SBC and Highways Agency.	Trigger Point 4 - Upon full occupation Phase 2 Wynyard Park
<b>Total Contribution £1.68 million</b>		

With regard to the other heads of terms, these remain as set out in the main report.

## Appendix 1 – Plan showing the location of suggested improvement works



**No:**  
**Number:** H/2007/0637  
**Applicant:** mr paul rayner 30 stockton road hartlepool ts25 1rl  
**Agent:** SJR Architects & Interior Designers Mr David Johnson  
 Suite 101 The Innovation Centre Venture Court Queens  
 Meadow Business Park Hartlepool TS25 5TG  
**Date valid:** 24/08/2007  
**Development:** Erection of 18 two bedroom apartments ( 3 storey) with  
 associated car parking (outline application)  
**Location:** 30 STOCKTON ROAD HARTLEPOOL

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## UPDATE REPORT

As stated in the original report the applicant has indicated that the flats are to provide affordable units, however there was a concern that there was no mechanism to retain the units at an affordable price for future eligible households.

The applicant is agreeable to enter into a legal agreement to provide 6 out of the 18 units as affordable units. In this respect the agreement would require the accommodation to include these 6 units to be social rented housing owned and managed by a registered social landlord; such as Endeavour Housing or Housing Hartlepool etc.

Although there are a large number of flats proposed or under construction in Hartlepool there is currently an under supply of intermediate housing which is not met by the market and involve a range of tenures. It is proposed that the scheme could provide ? of the overall units as affordable, which has potential as a way forward in providing units to begin to address the market needs, and which can be retained as such via the legal agreement.

If any of the 6 affordable units are unable to be sold/leased as per the terms of the legal agreement, developer contributions for these units could be paid, £10,000 per unit, which could be allocated to provide affordable housing within Hartlepool. Early indications suggest that the 6 units could be completed as affordable units without the need for the fall back of developer contributions.

The legal agreement would also include developer contributions towards the upgrade or improvement of off site play facilities of £400 per unit (totalling £7200).

### Highways

As indicated in the original planning committee report an amended scheme, indicating the revised location for the refuse storage has been assessed by the Councils Traffic and Transportation team, who raise no objection to the proposal subject to a condition regarding final design of the storage area so the gates do not to open out onto the highway.



## Economic Development

The Council's Economic Development Team are concerned with the proposed loss of a prominent commercial property in an area that has recently received extensive grant support through New Deal for the Communities. They consider that the area is a small but popular shopping area and the loss of such a substantial building may have a detrimental effect on the surrounding business community.

The applicant has supplied a statement regarding the current use of the premises, in which he states that the premises has not drawn the expected custom as people are drawn towards the larger retail parks taking the need away from very large shop premises such as 30 Stockton Road. The applicant has indicated that many businesses in this property prior to Raynors DIY have failed, the last one going bankrupt. The applicant has indicated that he intends to relocate Raynors to a more suitable location i.e. trading estate within the Hartlepool area.

It is considered that the DIY showroom may not be sited in the best location for this type of use.

## Conclusion

Having regard to the policies identified in the Hartlepool Local Plan 2006 and in particular consideration of the effects of the development on the amenity of neighbouring properties and its effect on the streetscene and the town in general and in terms of highway safety the development is considered satisfactory.

**RECOMMENDATION** - APPROVE subject to the completion of a legal agreement and the following conditions:

1. Application for the approval of the reserved matters referred to below must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) the expiration of five years from the date of this permission; or (b) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.  
To clarify the period for which the permission is valid.
2. Approval of the details of the external appearance of the building (herein after called the "reserved matters") shall be obtained in writing from the Local Planning Authority.  
To clarify the period for which the permission is valid.
3. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 29th September and 5th November 2007, unless otherwise agreed in writing by the Local Planning Authority.  
For the avoidance of doubt
4. 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.

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. 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.
7. 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.
8. 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.
9. 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.
10. Notwithstanding the submitted details hereby approved a final scheme for the refuse storage shall be submitted to and approved in writing by the Local

Planning Authority, thereafter the scheme shall be implemented in accordance with the approved details.

In the interests of visual amenity and highway safety.

11. Notwithstanding the submitted details hereby approved a final scheme for the cycle storage shall be submitted to and approved in writing by the Local Planning Authority, thereafter the scheme shall be implemented in accordance with the approved details.

In the interests of visual amenity.

12. The development hereby approved shall incorporate 'secured by design' principles. Details of proposed security measures comprising the installation of external lighting shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to commencement of use.

In the interest of crime prevention.

13. The proposed building shall not exceed 3 storeys in height.  
In the interests of visual amenity.

**No:**  
**Number:** H/2007/0739  
**Applicant:** Mr Julian Penton The Arches 79 Park Road Hartlepool  
ts24 7pw  
**Agent:** anthony walker and partners mr guy rawlinson st josephs  
businesss centre west lane killingworth village newcastle  
upon tyne ne12 7bh  
**Date valid:** 12/10/2007  
**Development:** Provision of new play facilities landscaping, fencing,  
lighting to multi-use games area and widening of  
pavement to Sheriff Street  
**Location:** LYNNFIELD PRIMARY SCHOOL GROSVENOR  
STREET HARTLEPOOL

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## UPDATE REPORT

The original committee report indicated that there were on-going discussions regarding the lighting of the Multi-Use Games Area. (MUGA)

As indicated in the original report, Sport England's position of not objecting to the scheme was based on the consideration that the upgrade of the MUGA, would provide sufficient benefit to sport to outweigh any detriment caused by the loss of the playing field to provide the play area. However Sport England required 2 conditions to be attached to the application if it were successful, 1) requiring a community use agreement 2) requiring the floodlighting to the MUGA to be in accordance with the details first to be agreed within the LPA and Sport England.

Although the application proposes lighting to the MUGA this lighting is not a floodlit type but an adapted street light scheme. Should floodlighting be proposed there would be concerns from the Council's Public Protection Team in terms of the potential affect on the amenities of the adjacent residential properties. The MUGA is in close proximity to residential properties, approximately 25metres away from the nearest property.

It is considered that the lighting condition required by Sport England is not practical in this instance and that on balance the provision of the improved play facilities with a lighting scheme for the MUGA, albeit one that does not meet Sport England's specifications, would still benefit the school, and the wider community in general. This benefit would be without the potential detrimental affect to the neighbouring properties caused by bright floodlighting. The provision of the facilities for the wider community use can be controlled through a planning condition requiring an appropriate agreement.

## Conclusion

Having regard to the policies identified in the Hartlepool Local Plan 2006 and in particular consideration of the effects of the development on the amenity of neighbouring properties and its effect on the streetscene in general the development is considered satisfactory.

However the imposition of a condition to require floodlighting is not considered appropriate and under such circumstances Sport England object to the scheme. Therefore if Members are minded to approve the scheme it would be necessary to refer the application to the Government Office of North East to provide an opportunity for it to be called in.

**RECOMMENDATION** – MINDED TO 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 hereby approved new fencing to the northern boundary shall be coloured in accordance with details to be submitted to and agreed by the Local Planning Authority and thereafter the scheme shall be carried out and retained in accordance with the approved details.  
In the interests of visual amenity.
3. Notwithstanding the submitted details a scheme for the final design of the fencing for the Multi-Use Games Area shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be carried out in accordance with the approved details.  
In the interests of visual amenity.
4. Notwithstanding the submitted details a scheme for the final design and specification of the lighting for the Multi-Use Games Area shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be carried out in accordance with the approved details.  
In the interests of the amenities of the occupants of neighbouring properties.
5. The lighting approved for the Multi-Use Games Area shall not operate past 9pm daily.  
In the interests of the amenities of the occupants of neighbouring properties.
6. A scheme for the final details and locations for the CCTV cameras shall be submitted to and agreed in writing by the Local Planning Authority prior to the operation of the development. The scheme shall be implemented in accordance with the approved details and thereafter retained during the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.  
In the interests of crime prevention.
7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the completion of the development. 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.

8. Prior to the operation of the development a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of pricing policy, hours of use, access by non-school users/members, management and security responsibilities and include a mechanism for review. The approved scheme shall be implemented in accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.  
To secure community use of the facilities on site.
9. The Community Use Scheme referred to in condition 8 shall include a mechanism for the review of the operation and use of the facilities, with a view to provide additional security measures if deemed necessary. The date of first operation of the facilities shall be provided in writing to the Local Planning Authority and the first review shall take place 6 months from this date, unless otherwise agreed in writing by the Local Planning Authority.  
In the interests of crime prevention.

**Report of:** Assistant Director (Planning & Economic Development)

**Subject:** UPDATE ON CURRENT COMPLAINTS

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**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 An investigation was commenced following officer concerns regarding the non compliance with conditions attached to a planning permission on Thomlinson Road.
- 2 A neighbour complaint about an alleged non-compliance with approved plans at a property on Brandon Close.
- 3 A neighbour complaint about an alleged change of use of land at Spenser Grove
- 4 A neighbour complaint about an alleged unauthorised wall on Park Road
- 5 A neighbour complaint about an alleged sub division of a property in Hart Village
- 6 A neighbour complaint about an alleged unauthorised fence on West View Road
7. An investigation was commenced following officer concerns regarding the unauthorised insertion of windows to a property on St Hildas Street.
- 8 A neighbour complaint about an alleged unauthorised porch on Shelley Grove
- 9 A neighbour complaint about an alleged non-compliance with a planning condition attached to a planning permission on Seaton Lane
- 10 A neighbour complaint about an alleged unauthorised wall on Frensham Drive
- 11 A neighbour complaint about an alleged unauthorised shed at a property on Powlett Road
- 12 A neighbour complaint about an alleged unauthorised canopy structure on West View Road
- 13 An investigation was commenced following officer concerns regarding the non compliance with conditions restricting the hours of operation attached to a planning permission on Thomlinson Road

**3. RECOMMENDATION**

3.1 Members note this report.

**Report of:** Assistant Director (Planning & Economic Development)

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

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**1. PURPOSE OF REPORT**

- 1.1 To inform members that the Planning Inspectorate has confirmed a date, time and venue for the hearing in relation to the above appeal.
- 1.2 The appeal relates to an application for the demolition of an existing bungalow and the erection of two dwellinghouses and a detached garage which was refused in March 2007 (H/2006/0891).
- 1.3 The appeal hearing will take place from 10.00am on 22<sup>nd</sup> January 2008 it will take place in Conference Rooms 2 & 3 at Bryan Hanson House. Consultees, ward councillors and those who made representations have been informed.

**2. RECOMMENDATION**

- 2.1 That members note the date, time and venue of the hearing.

**Report of:** Assistant Director (Regeneration and Planning)

**Subject:** APPEAL BY PRIMELIGHT ADVERTISING LIMITED  
AT A19 SERVICE STATION ( SOUTHBOUND),  
ELWICK

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**1. PURPOSE OF REPORT**

- 1.1 The Local Planning Authority has received notice of the Inspector's decision in relation to a planning appeal at the above site. The proposal was for a freestanding double sided illuminated advertisement display unit.
- 1.2 The appeal has been allowed. The Inspector concluded that the sign would be unlikely to distract the attention of road users providing they were taking reasonable care for their own and others safety.
- 1.3 A copy of the Inspector's decision letter is appended to the report for information.

**2. RECOMMENDATION**

- 2.1 That the report be noted





## Appeal Decision

Site visit made on 25 September 2007

by **D B Leeming**

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

☎ 0117 372 6372  
email: enquiries@pins.gov.uk

Decision date:  
**10 OCT 2007**

**Appeal Ref: APP/H0724/H/07/1201814**

**A19 Services (Southbound), Elwick, Hartlepool, TS27 3HH**

- The appeal is made under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992 against a refusal to grant express consent.
- The appeal is made by Primelight Advertising Limited against the decision of Hartlepool Borough Council.
- The application Ref H/2007/0347, dated 26 April 2007, was refused by notice dated 26 June 2007.
- The advertisement under appeal is a double-sided, freestanding illuminated display unit.

### Decision

1. I allow the appeal and grant express consent for the double-sided, freestanding, illuminated display unit at A19 Services (Southbound), Elwick, Hartlepool, TS27 3HH in accordance with the terms of the application, Ref H/2007/0347, dated 26 April 2007, and the plans submitted with it, for five years from the date of this decision, subject to the standard conditions in Schedule 2 to the Regulations.

### Main Issue

2. The Council raise no objection to the advertising unit on grounds of amenity. However, on the advice of the Highways Agency (HA), they have refused consent on highway safety grounds. The main issue therefore is the effect of the unit on road user safety.

### Reasons

3. The advertisement unit was in position when I visited the site. Along with a number of other freestanding advertisements associated with the service station and adjacent diner/restaurant, it is on a section of the open grassed frontage to this commercial enclave alongside the trunk road. It is, however, set slightly behind the line of the larger totem sign for the service station and some distance back from the main road, alongside the access slip to the services.
4. Given the set back position of the unit from the road and its relatively small size compared to other signs nearby, it seems to me to be unlikely that drivers travelling past the site will attempt or be able to read the advertisements displayed on it. As the appellants indicate, its north-facing display would only be readily viewed when on the access slip road into the services. It seems to me that its essentially pedestrian scale effectively limits assimilation of the messages on either face of the unit to users of the services.

Appeal Decision APP/HU/24/H/07/1201814

5. The HA refer to advice in Appendix B to the Annex to Circular 5/92 (now 03/2007) that all advertisements are intended to attract attention of road users and consequently present a potential road safety hazard. However, this advice goes on to say, amongst other things, that there are less likely to be road safety problems if the advertisement is a normal poster panel. I note from PPG 19 that the assumption is that the primary purpose of an advertisement is to attract attention and that it should not therefore automatically be assumed that an advertisement will distract the attention of passers-by. In my view, even in the event that the attention of passing drivers on the A19 is attracted to the unit, its relatively small size would prevent more than a momentary glance.
6. Taking all these matters together, I consider that the presence of the unit is unlikely to distract the attention of road users provided they were taking reasonable care for their own and others' safety.
7. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

*David Leeming*

INSPECTOR

**Report of:** Assistant Director (Planning & Economic Development)

**Subject:** HEADLAND CONSERVATION AREA APPRAISAL

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## **1. PURPOSE OF REPORT**

- 1.1 To provide information to the Planning Committee on the appraisal of the Headland Conservation Area that has recently been carried out. This report will provide details of the findings of the appraisal.

## **2. BACKGROUND**

- 2.1 Appraisals are a means of assessing the key factors contributing to the appearance and character of existing and potential conservation areas, local authorities are encouraged to undertake periodically conservation area appraisals. There is no formal requirement for the form and content of appraisals, or the methodology to be used, but typically appraisals cover such subjects as historical development of the area, archaeological significance, prevalent building materials, the character of open spaces, the quality and relationships of buildings and also of trees.
- 2.2 Given that much of the recent and current debate in Hartlepool has focussed on the Headland Conservation Area, it was felt that undertaking an appraisal of this area was a priority. Such an appraisal would provide an opportunity to review the condition, appearance and character of the conservation area and its constituent parts, to assess the extent to which traditional materials and features remain intact and to refine policy priorities. It would be an important part of such processes to include consultations with local residents and other interested parties.
- 2.3 Consultants Scott Wilson (formerly Ferguson McIlveen) were commissioned to carry out the appraisal of the conservation area. Their work was informed by a steering group which comprised local groups, Ward Members and officers. The group guided the appraisal process and fed advice and local knowledge into the project.

## **3. APPRAISAL PROCESS**

- 3.1 The aims of the appraisal were to:
- To demonstrate how the history of the area is reflected in its present day character and linked to the broader heritage context of the town of Hartlepool.

- To identify the nature and extent of the special character of the conservation area.
  - To identify those areas where the special character retains its integrity and those where loss has occurred.
  - To make recommendations for policies to improve and enhance the conservation area.
  - To identify the need, if any, for further assessment and recording of the conservation area.
- 3.2 The appraisal process included an initial photographic survey of the conservation area. This was carried out by the Council's photographer and included photographs of all residential listed buildings and properties covered by an Article 4 Direction. An analysis of this survey was carried out as part of the appraisal to assess the level of change in houses within the conservation area.
- 3.3 Scott Wilson carried out their own assessment of the conservation area. This included considering the historic development of the area and an assessment of the area including open spaces, public realm and defining areas of individual character in 'character zones'.
- 3.4 Three rounds of public consultation were carried out to feed into the process. Initially questionnaires were sent out to all properties in the St Hilda's Ward with drop off boxes through out the area. Of the 805 questionnaires that were sent out in the conservation area as part of the first round of consultation 10% residents responded with a further 4% living outside the area replying from the 2,195 questionnaires that were delivered. Further to this residents were invited to drop into the Borough Hall to take part in focus groups looking at what residents thought about the conservation area including possible boundary amendments. 58 residents attended this event.
- 3.5 The second round of consultation took the form of leaflets to all properties outlining feedback from the first consultation. Residents were invited to two meetings at the Borough Hall to outline the information received in the first consultation and further investigate how residents would like to see some of the issues raised resolved. 40 residents attended this event with 36 complete questionnaires, 25 of these were from residents who lived in the conservation area.
- 3.6 The third consultation took place in a bus in various locations across the conservation area. The purpose of the event was to feedback to residents the information from the previous two consultations and put forward recommendations. 51 residents dropped into the consultation and 34 questionnaires were eventually returned.
- 3.7 Scott Wilson has produced a document based on their surveys of the area, the analysis of the photographic survey and the feedback from the residents. Alongside this document a companion document detailing the consultation which has been carried out has been produced. Both documents can be

viewed on the Council's website and copies have been left in the Members Room.

#### **4 SUMMARY OF THE DOCUMENT**

- 4.1 The document considers the location and setting of the Headland and looks at the local context. In particular it examines how the area sits within the wider Tees Valley area, and its current physical character. Following on from this is a review of the historic development of the Headland and an examination of the area's archaeology.
- 4.2 Further to this a spatial analysis of the area is carried out. This considers characteristics such as the spaces within the area, focal points, strong edges and corners, and views. Alongside this a character analysis has been carried out considering prevalent building materials in properties and public realm, street furniture, and biodiversity. In addition non-tangible contributions are considered such as public events.
- 4.3 The area is analysed in detailed character areas. These seven distinct areas include a central zone around the Borough Hall, promenade Terraces, the Town Moor and Modern Infill Housing. Also fed into these character areas is an analysis of the photographic survey that was carried out. This indicates which areas have been subject to change and where the original character of the area may be lost.
- 4.4 The report provides suggestions for future actions within the area. These include the following.

##### Boundary changes

There was much public support for the proposed inclusion of the Heugh Breakwater in the Conservation Area. It was considered that the Breakwater is one of the main landmarks of the Headland and there is concern amongst residents who responded that it is being left to fall into disrepair. Although conservation area status would not offer a great level of protection, the report indicates that the Breakwater's inclusion would reinforce the importance of the structure to the character of the area.

##### Use of Modern Materials

The most debated issue throughout the consultation exercises has been the use of modern materials on building within the conservation area. The views received through consultations have been diverse with some believing they should be able to do what they want to their properties while others wish traditional materials within the Conservation Area to be strictly preserved; there was a significant majority of respondents supporting the use of modern materials. It was concluded however that it is important that the character of the Headland is not lost through inappropriate alterations, so any modern materials used must replicate traditional solutions, as closely as possible, in the design, dimensions, detailing and method of window opening. The report suggests that before any Council policy is amended it will be necessary to thoroughly research the types of windows and doors

available in modern materials, and investigate whether the design and quality are suitable for the Headland.

#### More Information

It was a common concern that residents and businesses on the Headland have not received sufficient information about the Conservation Area, Listed Buildings or the Article 4 Direction and the implications each of these has on property owners. The report recommends that a suite of leaflets should be put together on the area and should policy be amended in the future residents should receive information on this. Alongside this, dialogue should be set up with estate agents and solicitors to provide them with information to pass on to prospective buyers.

#### Derelict Buildings

A number of derelict and empty listed buildings in the conservation area have a detrimental impact on the character of the Headland. The report recommends that the Council continue to work on the derelict buildings on the Headland and where viable uses cannot be found consider recommending demolition. It also proposes that the Council explores ways of communicating to the residents of the Headland any progress regarding these buildings.

#### Street Furniture

The report recommends that the work in investment in street furniture is continued.

#### Traffic

A common cause for concern amongst residents is parking and traffic flow on the Headland. The report recommends that the Council explores options for easing traffic problems within the area.

#### Conservation Area Advisory Committee

A Conservation Area Advisory Committee (CAAC) currently operates borough – wide to debate strategic policy issues regarding the eight conservation areas in Hartlepool. The Mayor has previously agreed to the formation of a Headland CAAC focusing on issues affecting the Headland but discussion about its precise remit and composition has not been finalised. The report recommends that such a committee is established in the Headland as soon as possible.

#### Management

The report acknowledges that change is an inevitable component of most conservation areas; the challenge is to manage change in ways which maintain and, if possible, strengthen an area's special qualities. The character of conservation areas is rarely static and is susceptible to incremental, as well as dramatic, change. Positive management is essential if such pressure for change, which tends to alter the very character that made the area attractive in the first place, is to be limited. It is suggested that proactively managing the Headland Conservation Area will be an essential way of preserving and enhancing its character and appearance in

the future. Management topics to be addressed include enforcement and monitoring changes, buildings at risk and thematic policy guidance e.g. on windows and / or doors.

## **5 NEXT STEPS**

- 5.1 The recommendations within the report outlined above will be dealt with by various parties. The next steps to be taken in each case are outlined below.

### Boundary Change

The proposed boundary amendment to include the Heugh Breakwater within the conservation area requires further formal consultation with residents, stakeholders and the Port Authority for their views on the proposal. In addition this Committee would be invited to comment on the amendment. Once these comments have been received they will be taken to the Portfolio Holder with a final recommendation. Should the amendment be agreed this would then be advertised in the local press and London Gazette to formally extend the area.

### Modern Materials

The use of modern materials within conservation areas is currently being considered by the Planning Working Party. It is proposed that this work would continue incorporating the comments that have been received in response to the consultation that has been carried out. With regard to this it is suggested that a report is presented to the Portfolio Holder for comment when a clear indication of a proposed policy guidelines have been developed. This can then be reported to this Committee who would finally agree any proposals.

### More information

The provision of further information for residents of the area will be pursued. In particular this would be linked to any new policy guidelines that are introduced through the Planning Working Party. This would be taken to the Portfolio Holder for comment and finally this Committee for agreement.

### Derelict buildings

This recommendation is relevant to both the Planning Committee and the Portfolio Holder depending on the circumstances of each building therefore it will be reported back to the relevant decision parties when necessary.

### Street Furniture and Traffic

Future work in line with the recommendations in the report will be brought back to the appropriate Portfolio Holder for agreement.

### Headland Conservation Area Advisory Committee

As outlined above further discussion regarding the precise remit and composition of a Headland Conservation Area Advisory Committee has yet to be finalised. This will be pursued with the relevant local interests, in the context of the established Borough-wide CAAC, and brought back to the Portfolio Holder in due course for agreement.

### Management

Management of the conservation area is relevant to both the Portfolio Holder and the Planning Committee and can be influenced by the decisions made on issues such as derelict buildings, street furniture, and planning applications. This recommendation encapsulates many of the issues outlined above and is relevant to both the Planning Committee and the Portfolio Holder as an ongoing issue to be considered when appropriate.

- 5.2 With regard to the particular issues relevant to the Planning Committee the first item to be addressed is the proposed boundary amendment. A report will be brought back to this committee seeking views on this proposal should consent be given for consultation by the Portfolio Holder.
- 5.3 The consideration of the use of modern materials is an ongoing issue which is currently being considered by the Planning Working Party and will be returned to this committee when appropriate.

## **6 RECOMMENDATION**

- 6.1 That the Planning Committee notes the report and recommendations of the final Headland Conservation Area Appraisal document.