

PLEASE NOTE VENUE

PLANNING COMMITTEE AGENDA



Wednesday 19 March 2008

at 10.00 am

**in the Council Chamber,
Civic Centre, 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 meetings held on 20th February 2008

4. ITEMS REQUIRING DECISION

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

1. H/2007/0904 16 Hutton Avenue
2. H/2007/0862 Eldon Grove Sports Centre
3. H/2008/0027 Unit 1 Mulberry Rise
4. H/2007/0803 Rear of 29-35 Stanmore Grove
5. H/2008/0044 6 Valley Close
6. H/2007/0872 Land next to Cleveland Reclamation, Brenda Road

4.2 Appeal – Rear of 1 and 2 Wisbech Close and 16-22 (Evens) Barford Close –
Assistant Director (Planning and Economic Development)

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

5. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

PLEASE NOTE VENUE

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 Seaton Meadows Landfill Site – *Assistant Director (Planning and Economic Development)* (Para 6)

8. FOR INFORMATION

Next Scheduled Meeting – Wednesday 16 April 2008 in the Council Chamber, Civic Centre at 10.00am.

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 16 April 2008 at 9.00am.

PLANNING COMMITTEE

MINUTES AND DECISION RECORD

20 February 2008

The meeting commenced at 10.00 am in the Civic Centre, Hartlepool

Present:

Councillor Rob Cook (In the Chair)

Councillors: Stephen Akers-Belcher, Stephen Allison, Jonathan Brash, Shaun Cook, Bob Flintoff, Geoff Lilley, John Marshall, Dr George Morris, Robbie Payne, Carl Richardson, Gladys Worthy and Edna Wright.

In accordance with Council Procedure Rule 4.2 (ii) Councillor Mary Fleet attended as a substitute for Councillor Chris Simmons.

Officers: Peter Devlin, Legal Services Manager
Stuart Green, Assistant Director (Economic Development and Planning)
Roy Merrett, Principal Planning Officer
Angela Hunter, Principal Democratic Services Officer

127. Site Visit

It was requested that consideration be given to defer application no H/2007/0862 for Eldon Grove Sports Centre which was on the agenda under item 4.1 until a site visit could be arranged.

Decision

That the application for Eldon Grove Sports Centre (H/2007/0862) be deferred to the next meeting of Planning Committee on 19 March 2008 to enable a site visit to be arranged.

128. Apologies for Absence

Apologies for absence were received from Councillors Stan Kaiser, Pauline Laffey and Chris Simmons.

129. Declarations of interest by Members

None.

130. Confirmation of the minutes of the meeting held on 23 January 2008

Confirmed.

131. Planning Applications *(Assistant Director (Planning and Economic Development))*

Number: H/2007/0559

Applicant: Miss D Anderson
FRONT STREET, HART, HARTLEPOOL

Agent: Derek Stephens, 17 Lowthian Road, HARTLEPOOL

Date received: 20/07/2007

Development: Demolition of existing cottage and outbuildings and erection of a two bedroom detached dormer dwelling with integral garage (amended application)
AMENDED PLANS RECEIVED

Location: WHITE COTTAGE, FRONT STREET, HART
HARTLEPOOL

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.
To clarify the period for which the permission is valid.
2. Details of all external finishing materials including colour finishes, shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose where required by the Local Planning Authority.
In the interests of visual amenity.
3. The development hereby approved shall be carried out in accordance with the amended site location plan and amended plan(s) no(s) N4112/06F and N4112/07E received at the Local Planning Authority on 5 December 2007 and the amended plan no N4112/5G received at the Local Planning Authority on 10 January 2008, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt
4. Unless otherwise agreed in writing with the Local Planning Authority the existing stone boundary walls shall be retained on site. The walls shall be

protected from accidental damage during development in accordance with a scheme of protection first submitted to and approved in writing by the Local Planning Authority.

In order to ensure that the archaeological interest of these features is retained and in the interests of the visual amenity of the area.

5. Prior to the commencement of development, including any demolition, a method statement shall be submitted detailing how the development including any demolition will be undertaken. The statement shall include details as to how access to, and egress from, the site for construction and demolition traffic will be achieved. It shall also detail where construction materials, and materials arising from demolition works, shall be stored before use or collection and the proposed location for the siting of any skips. Once agreed the method statement shall be strictly adhered to at all times unless otherwise agreed in writing with the Local Planning Authority.

In the interests of amenity and highway safety.

6. The developer shall give two weeks notice in writing of commencement of works to Tees Archaeology, Sir William Gray House, Clarence Road, Hartlepool, TS24 8BT, Tel: (01429) 523458, and shall afford access at all reasonable times to Tees Archaeology and shall allow observation of the excavations and recording of items of interest and finds.

The site is of archaeological interest

7. Unless otherwise agreed in writing with the Local Planning Authority the development, including any demolition, shall be carried out strictly in accordance with the Method Statement, as amended by condition 8 below, contained at G in the Consultancy Survey compiled by G White dated May-June 2007 and submitted in support of the application.

In order to ensure the risk to bats is minimised.

8. Unless otherwise agreed in writing with the Local Planning Authority no demolition works shall take place between 14th May and 14th August inclusive in any year unless a suitably qualified ecologist has surveyed the building immediately prior to demolition, confirmed that no bats are present and confirmed this in writing to the Local Planning Authority.

In order to ensure any bats are protected.

9. 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.

10. Any trees/shrubs required to be planted in association with the development hereby approved, and which are removed, die, are severely damaged, or become seriously diseased, within five years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted.

In the interests of visual amenity.

11. Prior to the commencement of development details of the proposed method of disposal of foul and surface water arising from the development shall be submitted to and approved in writing by the Local Planning Authority. The

development shall thereafter be carried out in accordance with the approved details.

In order to ensure that appropriate provision is made in the interest of the amenity of the area.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other revoking or re-enacting that Order with or without modification), no garage(s) shall be erected without the prior written consent of the Local Planning Authority.

To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property and the visual amenity of the area.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way without the prior written consent of the Local Planning Authority.

To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property and the visual amenity of the area.

14. 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 additional windows(s) shall be inserted in the elevation of the building facing Southlands without the prior written consent of the Local Planning Authority.

To prevent overlooking

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure, shall be erected within the curtilage of the dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road, without the prior written consent of the Local Planning Authority.

To enable the Local Planning Authority to exercise control in the interests of the visual amenity of the area.

The Committee considered representations in relation to this matter.

Number: H/2007/0842

Applicant: Mr S Allen
PARK ROAD, HARTLEPOOL

Agent: Mr S Allen, 166 PARK ROAD, HARTLEPOOL

Date received: 08/11/2007

Development: Retention of front boundary wall and gates

Location: 166 PARK ROAD, HARTLEPOOL

Representations: Mr S Allen (Applicant) was in attendance and addressed

the Committee.

Decision: **Planning Permission Approved**
Members decided that the boundary wall and gates were of a scale and design that was not detrimental to the Conservation Area taking into account other boundary enclosures in the area

The Committee considered representations in relation to this matter.

Number: H/2007/0823

Applicant: Mr S Edmundson
PINEWOOD CLOSE, HARTLEPOOL

Agent: Mr S Edmundson, 15 PINEWOOD CLOSE,
HARTLEPOOL

Date received: 31/10/2007

Development: Use of agricultural land as garden

Location: 15 PINEWOOD CLOSE, HARTLEPOOL

Representations: Mr M Dixon (Applicant's Representative) was in attendance and addressed the Committee.

Decision: **Planning Permission Approved**
Members considered that the development was acceptable in this particular case taking into account the specific location and dimensions of this corner plot. They considered that it would provide the potential to create a garden environment providing positive habitat value.

CONDITIONS AND REASONS

1. 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.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other revoking or re-enacting that Order with or without modification), no garage(s) or outbuildings shall be erected without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.

Number: H/2006/0621

Applicant: R Newcomb And Sons
C/O Agents

Agent: Blackett Hart & Pratt, Westgate House, Faverdale, Darlington

Date received: 08/08/2006

Development: Reclamation of land and remodelling of landform via infill and tipping of inert construction and demolition waste (continuation of use) to provide recreational events arena facility (AMENDED PLANS RECEIVED)

Location: LAND ON THE WEST SIDE OF CORONATION DRIVE
HARTLEPOOL

Representations: Mr R Hepplewhite (Agent) was in attendance and addressed the Committee.

Decision: **Planning Permission Approved**
Approve subject to a planning agreement requiring a commuted sum towards the maintenance of the arena areas, footpath and parking area for 10 years from the completion of reclamation works including landscaping, to no materially different objections being received within the outstanding publicity period, and to the following conditions

CONDITIONS AND REASONS

1. Unless otherwise agreed in writing with the Local Planning Authority and subject to the following conditions the development hereby permitted shall cease and all restoration works detailed within the planning application supporting statement - October 2007 shall be completed on or before 20 February 2012. The site shall by this time have been cleared of all plant, machinery, and any other structures used in the operations.
The granting of a longer permission could unnecessarily inhibit the restoration of the site to the detriment of local amenities.
2. The site shall be used only for the deposit of non-putrescible, non-hazardous construction waste and no noxious sludge, chemicals or toxic forms of waste shall be deposited thereon.
For the avoidance of doubt.
3. The deposit of waste shall cease at a height whereby the subsequent spreading of capping material and soil will result in the finished contours as indicated in the revised restoration scheme approved under drawings

NT03400/Figure 6d, NT03400/Figure 8c, NT03400/Figure 9c, NT03400/Figure 10c and NT03400/Figure 11c.

To ensure the satisfactory restoration of the site.

4. Prior to the commencement of development a scheme detailing dust suppression measures shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall thereafter be implemented to the satisfaction of the Local Planning Authority and retained during the operational life of the site.

In the interests of the amenities of the area

5. Except with the previous written consent of the Local Planning Authority, the operations authorised by this permission shall only be carried out between the hours of 0700 to 1800 hours Mondays to Fridays, 0700 to 1200 hours on Saturdays and on no time on Sundays or Bank Holidays.

In the interest of the amenities of the area.

6. Unless otherwise agreed in writing with the Local Planning Authority notwithstanding the submitted details a comprehensive scheme for handling foul and surface water drainage generated as a result of the development shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The approved details shall be implemented in accordance with a timescale to be agreed in writing by the Local Planning Authority prior to the commencement and development.

To ensure that proper means are provided for the disposal of foul sewage and surface water and to protect the integrity of the railway.

7. Unless otherwise agreed in writing with the Local Planning Authority prior to the commencement of development details of all boundary fencing and site security arrangements shall be submitted to and approved in writing by the Local Planning Authority. Thereafter all approved works shall be fully implemented prior to the commencement of any infilling works unless otherwise agreed in writing with the Local Planning Authority.

In the interests of visual amenity and site security

8. A detailed scheme for landscaping and tree and shrub planting shall be submitted to, and approved by, the Local Planning Authority before the development hereby approved is commenced. The scheme must specify 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 to the satisfaction of the Local Planning Authority upon completion of the development.

In the interests of visual amenity.

9. Any trees or shrubs required to be planted in association with the development hereby approved, and which are removed, die, are severely damaged, or become seriously diseased, within five years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted.

In the interests of visual amenity.

10. Any restored area within the application site which is affected by surface ponding or by local settlement shall be infilled and regraded to an even contour as required by the restoration scheme or, with the prior approval of the Local Planning Authority, be rectified by additional drainage works.

- In the interests of visual amenity and the maintenance of the playing pitches.
11. Prior to the commencement of development, details of all storage arrangements for all imported material shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the areas for storage, maximum storage heights and the duration of proposed storage. Thereafter no material shall be kept on site outside the agreed area or period of storage.
In the interests of visual amenity.
 12. Unless otherwise agreed in writing with the Local Planning Authority prior to the commencement of the development hereby approved, a scheme to provide for the monitoring and treatment of any landfill gas arising from the development shall be submitted to, and approved in writing, by the Local Planning Authority. Thereafter, the approved scheme shall be fully implemented throughout the life of the development and for a period of two years following the completion of landfill activities, unless otherwise agreed in writing with the Local Planning Authority.
To prevent pollution of the local water environment through the uncontrolled discharge of any landfill gas.
 13. Unless otherwise agreed in writing with the Local Planning Authority no material shall be tipped within 5 metres of the railway boundary and the restored tip shall rise at a slope of no more than 1 vertical to 3 horizontal from the 5 metre stand-off.
In the interests of railway safety.
 14. A wheel washing facility in a location and in accordance with details to be first submitted to and approved in writing by the Local Planning Authority shall be provided on site before the use hereby approved commences, unless otherwise agreed in writing by the Local Planning Authority. Thereafter the wheel washing facility shall be retained operational during the life of the development and shall be available for use at all times.
To prevent waste material being carried onto the highway.
 15. Unless otherwise agreed in writing with the Local Planning Authority the development shall progress in full accordance with the proposed phasing plan NT03400/Figure 3. The site shall be progressively restored and subject to aftercare measures as each phase of development is completed in accordance with details to be previously agreed in writing with the Local Planning Authority.
In the interests of the amenities of the area
 16. Slope gradients on the site shall at no time exceed those shown on sectional drawings NT03400/Figure 8c, NT03400/Figure 9c, NT03400/Figure 10c and NT03400/Figure 11c.
In the interests of slope stability.
 17. Notwithstanding the submitted details, unless otherwise agreed in writing with the Local Planning Authority final details of screen bunding to the south and eastern boundaries of the site shall be submitted to and agreed by the Local Planning Authority prior to the commencement of development. The agreed details shall be implemented in accordance with a timescale to be agreed prior to the commencement of development.
In the interests of visual amenity
 18. There shall be no incineration or burning of waste materials on site.

- In the interests of the amenities of the area.
19. Notwithstanding the proposed restoration scheme shown on plan NT03400/Figure 6d final details of the specification and route for the footpath through the site shall be submitted to and agreed with the Local Planning Authority prior to the commencement of development. Unless otherwise agreed in writing with the Local Planning Authority, the approved footpath shall thereafter be implemented by 20 February 2012 .
In the interests of residential amenity.
 20. Notwithstanding the proposed restoration scheme shown on plan NT03400/Figure 6d final details of the specification for the proposed car park shall be submitted to and agreed with the Local planning Authority prior to the commencement of development. Unless otherwise agreed in writing with the Local Planning Authority, the approved car park shall thereafter be implemented by 20 February 2012.
In the interests of residential amenity.
 21. If in the opinion of Local Planning Authority the working should become abandoned or the operations hereby approved should cease for a period of 6 months, the site shall be restored by the operator in accordance with an agreed restoration scheme or any other such scheme as may be submitted to and agreed in writing with the Local Planning Authority.
To ensure satisfactory restoration of the site in the interests of visual amenity.

The Committee considered representations in relation to this matter.

Number: H/2007/0904

Applicant: Mr Jonathon Pattison
Usworth Park, Usworth Road, Hartlepool

Agent: The Design Gap Limited, Mr Graeme Pearso, 1
Scarborough Street Hartlepool

Date received: 12/12/2007

Development: Change of use, first floor rear extension and alterations including demolition of rear single storey extension to provide 7 apartments and erection of a rear single storey extension to provide an additional 2 apartments

Location: 16 HUTTON AVENUE, HARTLEPOOL

Decision: **Deferred for a site visit**

- Number:** H/2007/0862
- Applicant:** Mr Thomas Rayner
Eldon Grove Tennis Club, 15 Greenbank Court,
Hartlepool
- Agent:** Eldon Grove Tennis Club Mr Thomas Rayner, 15
Greenbank Cour, Hartlepool
- Date received:** 21/11/2007
- Development:** Erection of a building to house 2 indoor tennis courts,
siting of a changing room/toilet portakabin, alterations to
car park and provision of security fencing
- Location:** ELDON GROVE SPORTS CENTRE, ELDON GROVE,
HARTLEPOOL
- Decision:** **Deferred for a site visit**
- Number:** H/2007/0883
- Applicant:** Mr Alain Bechkok
Three Rivers Housing Association, Three Rivers House,
Abbeywood Business Park, Durham
- Agent:** Mackellar Architecture Ltd, Mr Alain Bechkok, 77-87
Thorne House West Road, Newcastle upon Tyne
- Date received:** 03/12/2007
- Development:** Erection of a supported living scheme for adults
comprising 10 no flats with shared communal facilities
and offices with associated parking for cars and cycles
- Location:** LAND AT SURTEES STREET, HARTLEPOOL
- Representations:** Representatives from Three Rivers Housing Association
(Applicant) and Mr A Thorne (Objector) were in
attendance and addressed the Committee.
- Decision:** **Planning Permission Refused**

REASONS FOR REFUSAL

- 1 The development would result in vulnerable people being placed in an inappropriate location, by virtue of the proximity of the site to institutional

- and night time uses, contrary to policies GEP1 and GEP3 of the Hartlepool Local Plan.
- 2 In the opinion of the Local Planning Authority the proposed development would prejudice the comprehensive planning and future potential development of the surrounding area adjacent to Surtees Street and Charles Street.
 - 3 It is considered that the proposed development would be out of keeping in this predominantly industrial and commercial area and that activities from those uses would not be conducive to a good living environment for the occupants of the supported living scheme particularly by way of poor outlook, noise and general disturbance. As such the proposed development is contrary to policies GEP1 and Hsg12 of the adopted Hartlepool Local Plan.

The Committee considered representations in relation to this matter.

Number: H/2007/0860

Applicant: Mr G Wilkinson
Biotex Ltd, Biotex, Mainsforth Terrace, Hartlepool

Agent: Jacksonplan Limited, Mr Ted Jackson, 7 Amble Close, Hartlepool

Date received: 22/11/2007

Development: Outline application for a two-storey residential/nursing home including new vehicular access

Location: LAND ADJACENT TO GARDNER HOUSE, BRIERTON LANE, HARTLEPOOL

Decision: **Planning Permission Approved subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 to secure a financial contribution towards the creation of a public bridleway and towards woodland planting and subject to the following conditions**

CONDITIONS AND REASONS

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 layout, scale, external appearance and landscaping (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 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 all receptors 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 Redamation Method Statement, then remediation proposals for this material should be agreed with the Local Planning Authority.
To ensure that any site contamination is addressed.
4. 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.
5. The development shall not commence until full details of the access are submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be brought into use until the approved access arrangements have been completed in accordance with the approved details.
In the interests of highway safety.
6. Details of all walls, fences and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced.
In the interests of visual amenity.
7. Notwithstanding the approved plans a scheme for refuse and cycle storage shall be submitted to and agreed 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.
8. The development hereby approved shall incorporate 'secured by design' principles. Details of proposed security measures shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details.
In the interest of crime prevention.

9. The proposed building shall not exceed 2 storeys in height.
In the interests of visual amenity.
10. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the approved details and timetable agreed.
To prevent the increase risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.
11. A scheme to incorporate energy efficiency measures and embedded renewable energy generation shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
To encourage sustainable development
12. No development shall take place until details indicating existing and proposed levels, including finished floor levels have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall conform with the approved details.
In the interests of visual amenity.
13. Prior to the commencement of works on site a scheme detailing a wheel washing facility for use during the construction period shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the approved scheme shall be used during the construction period, unless otherwise agreed in writing with the Local Planning Authority.
In the interests of amenity.

The Committee considered representations in relation to this matter.

Number: H/2007/0757

Applicant: Heerema Hartlepool
Greenland Road, Hartlepool

Agent: Heerema Hartlepool, Greenland Road, Hartlepool

Date received: 15/11/2007

Development: Erection of 2 new buildings, one for cutting and preparing steel plate and sections and the other for a blast and paint facility and associated car parking (AMENDED NOISE ASSESSMENT DETAILS AND FURTHER INFORMATION)

Location: HEEREMA FABRICATION, GREENLAND ROAD,
HARTLEPOOL

Decision: **Authority granted to Assistant Director (Planning and Economic Development) to finally determine**

this application under the Council's scheme of delegation subject to the lifting of the Environment Agency's objection, to any conditions it would wish to impose in the interests of environmental protection and flood control, to no objections being received as a result of the outstanding publicity exercise and to the following conditions

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. 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.
3. 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.
4. The development being approved shall not be brought into use until the extended parking area hereby approved has been implemented.
In the interests of highway safety.
5. 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.
6. No material or articles shall be deposited or stacked outside the building(s) except in areas and at stacking heights to be first agreed in writing with the Local Planning Authority.
In the interests of visual amenity.
7. 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.
8. Unless otherwise agreed in writing with the Local Planning Authority the buildings hereby approved shall be removed from the site and the land restored to its former condition on or before 16 June 2020 in accordance with a scheme of work to be submitted to and approved in writing by the

Local Planning Authority unless prior consent has been obtained to an extension of this period.

The buildings are not considered suitable for permanent retention on the site given its relationship to the phasing of the Victoria harbour Masterplan.

9. With the exception of the proposed doors to the eastern elevation of the buildings, and notwithstanding the provisions of the 1995 Town and Country Planning (General Permitted Development) Order there shall be no other doors windows or openings added to the building unless otherwise agreed in writing with the Local Planning Authority.

In the interest of containing noise emissions from the development.

10. All cutting, preparation, blasting, painting and fabrication work and use of plant shall take place within the buildings unless otherwise agreed in writing by the local planning authority.

In the interests of residential amenity

11. All the doors to the buildings shall be kept shut at all times during which industrial processes are being undertaken within the building.

In the interests of residential amenity

12. Unless otherwise agreed in writing with the Local Planning Authority no activity shall be carried out on the site between the hours of 8:00pm and 7:00am unless the level of noise measured at points x, y and z as marked on the plan by a sound level meter conforming to class 1 (precision grade) as specified by IEC 61672. with a response setting of fast, does not exceed:-

x 37 dB LA eq 5 min/47 dBLA max

y 39 dB LA eq 5 min/49 dBLA max

z 42 dB LA eq 5 min/52 dBLA max

In the interests of residential amenity

13. Any piling undertaken on the site associated with construction of the buildings hereby approved must only take place between the hours of 8:00am and 6:00pm. Monday to Friday. 8:00am to 1:00pm on a Saturday and at no time on a Sunday or Bank Holiday.

In the interests of residential amenity

14. Prior to the development hereby approved being brought into use cycle parking provision shall be implemented in accordance with a scheme to be previously agreed in writing with the Local Planning Authority.

In the interests of residential amenity

15. Prior to the development hereby approved being commenced a travel plan including timescale for implementation shall be submitted to and agreed in writing with the Local Planning Authority.

In the interests of encouraging access to the site by means other than the car.

16. Unless otherwise agreed with the Local Planning Authority no clearance or construction works shall be commenced during the period March-July unless a survey demonstrating that no breeding birds are present on the site has been undertaken.

In the interests of nature conservation.

The Committee considered representations in relation to this matter.

Number: H/2007/0908

Applicant: Housing Hartlepool, Stranton, Hartlepool

Agent: Browne Smith Baker, Morton House, Morton Road, Darlington

Date received: 11/12/2007

Development: Erection of 3, 3 bedroom terraced houses and 4, 2 bedroom semi-detached bungalows

Location: LAND BETWEEN 29-31, 41-43 and 53-55 PINE GROVE HARTLEPOOL

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.
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 development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 31st January 2008, 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 all receptors, 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 Redamation 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 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.
6. Final details of the external store(s) 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.
7. The development hereby approved shall incorporate 'secured by design' principles. Details of proposed security measures shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development. Thereafter the scheme shall be implemented in accordance with the approved details.
In the interests of crime prevention.

The Committee considered representations in relation to this matter.

Number: H/2008/0031

Applicant: MANOR RESIDENTS ASSOCIATION, KILMARNOCK ROAD, HARTLEPOOL

Agent: Mr Ron Calvert, Oak Lodge, Brierton Lane, Billingham

Date received: 15/01/2008

Development: Erection of a single storey extension to provide creche and entrance lobby

Location: MANOR RESIDENTS ASSOCIATION, KILMARNOCK ROAD, HARTLEPOOL

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.
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.

The Committee considered representations in relation to this matter.

Number: H/2007/0914

Applicant: Housing Hartlepool, Stranton, Hartlepool

Agent: Browne Smith Baker, Morton House, Morton Road, Darlington

Date received: 18/12/2007

Development: Erection of 3, 4 bedroom houses and 1 bungalow for a disabled person

Location: LAND IN IVY GROVE HARTLEPOOL

Decision: **Planning Permission Approved subject to the following conditions and to no objections being received from Northumbrian Water or as a result of the outstanding public consultation exercise**

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. 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 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 all receptors 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 Redamation Method Statement, then remediation proposals for this material should be agreed with the Local Planning Authority.

To ensure that any site contamination is addressed.

4. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 22nd January, 31st January and 6th February 2008, unless otherwise agreed in writing by the Local Planning Authority.

For the avoidance of doubt

5. Before the development commences the approved parking bays adjacent the hereby approved bungalow shall be provided in accordance with the approved details.

In the interests of highway safety.

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

In the interests of visual amenity.

7. Final details of the external store(s) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be provided in accordance with the approved details.

In the interests of visual amenity.

8. The development hereby approved shall incorporate 'secured by design' principles. Details of proposed security measures shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details.

In the interests of crime prevention.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way without the prior written consent of the Local Planning Authority.

To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.

10. A landscape management plan including management responsibilities and maintenance schedules for the landscape area adjacent to the parking spaces which are not within the curtilage of the hereby approved dwellings shall be submitted to and agreed in writing by the Local Planning Authority before any of the dwellings are occupied. Thereafter the landscape management plan shall be carried out as approved.

In the interests of visual amenity.

11. 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.

12. 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.
13. The proposed gable window serving bedroom 1 as detailed on the approved plan for the bungalow shall be glazed with obscure glass which shall be installed before the dwelling is occupied and shall thereafter be retained at all times while the window exists.
To ensure the site is developed in a satisfactory manner.
14. Notwithstanding the submitted plans the final location of the proposed velux rooflight shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details.
To ensure the site is developed in a satisfactory manner.
15. Unless otherwise agreed in writing with the Local Planning Authority the development hereby approved shall not be commenced until a scheme for the alterations of the public sewer including timescale has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be carried out in accordance with the approved plans, unless otherwise agreed in writing by the Local Planning Authority.
To ensure the site is developed in a satisfactory manner.

The Committee considered representations in relation to this matter.

132. Adjournment of Planning Committee Meetings (Planning Working Group)

A Planning Working Group had been created at meeting of the Planning Committee on 23 January 2008 and this Working Group had met on 4 February 2008 to discuss the issue of the duration of Planning Committee meetings.

A number of issues were considered by the Working Group and included the use of colour plans for Members consideration at the meetings and the fact that some delay was incurred due to Members failing to confine themselves to the consideration of material planning considerations. A lengthy debate had taken place in relation to the appointment of substitutes at Planning Committee meetings. It was suggested that it was only necessary for a Member to automatically send a substitute if the quorum of the meeting was likely to be affected. However, should a substitute be appointed, steps should be taken to ensure that the substitutes have all the relevant information made available, including any information raised in previous considerations of the matter. The Working Group had considered that the provision of a guillotine for Planning Committee meetings was not appropriate at the

current time.

A discussion ensued in which Members felt that the issue of Members having to leave Planning Committee meetings might be eased if there were no other Council meetings organised on the same day. The Working Group acknowledged the excellent chairing skills of the current Chairman of Planning Committee and the importance of attendance at Member training sessions, especially for new Members early in the new municipal year.

Decision

- (i) That the following views be referred to the Constitution Committee:
 - a) That the provision of a guillotine for Planning Committee meetings was not to be introduced at the current time.
 - b) That no other Member meetings be arranged for the same day as Planning Committee
- (ii) That coloured copies of the presentation to be given by the Planning Officers be provided to Members at the meeting.
- (iii) That in the interests of achieving consistency in decision-making, information relating to earlier discussions by the Planning Committee on similar applications be included in the Officer's report.

133. **Appeal by Mr Jackson, Site at 53 Applewood Close** (*Assistant Director (Planning and Economic Development)*)

The purpose of this report was to inform Members of the outcome of a planning appeal lodged against the refusal of planning consent for the erection of a detached bungalow with integral garage (H/2007/0005) at 53 Applewood Close, Hartlepool. The appeal was decided at an informal hearing when the Inspector allowed the appeal. The application for costs was dismissed. A copy of the decision letter was attached as an Appendix.

134. **Appeal by Mr L Masterton, Site at 14 Owton Manor Lane** (*Assistant Director (Planning and Economic Development)*)

The purpose of this report was to inform Members that a planning appeal had been lodged against the refusal of planning consent for the erection of a detached bungalow and detached double garage (H/2007/0746) at the rear of 14 Owton Manor Lane. The appeal would be decided by written representations and authority was requested to contest the appeal.

Decision

That the appeal be contested.

135. Update on Current Complaints *(Assistant Director (Planning and Economic Development))*

The Principal Planning Officer drew Members attention to 16 on-going issues that were being investigated. Brief details were set out in the report.

Decision

That the report be noted.

136. 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 137 – Enforcement Action – 204 Raby Road (Para 12) This item contains exempt information under Schedule 12A Local Government Act 1972, namely information advice received, information obtained or action taken in connection with legal proceedings by or against the Council or in determination of any matter affecting the Council.

Minute 138 – Enforcement Action – 8 Duke Street (Para 12) This item contains exempt information under Schedule 12A Local Government Act 1972, namely information advice received, information obtained or action taken in connection with legal proceedings by or against the Council or in determination of any matter affecting the Council.

Minute 139 – Seaton Meadows Landfill Site (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.

137. Enforcement Action - 204 Raby Road *(Assistant Director (Planning and Economic Development))*

The report informed Members of an apparent breach of planning control at 204 Raby Road, Hartlepool. Details of the report and subsequent discussion were included within the exempt section of the minutes.

Decision

Details were included within the exempt section of the minutes.

138. Enforcement Action – 8 Duke Street *(Assistant Director (Planning and Economic Development))*

The report informed Members of an apparent breach of planning control at 8 Duke Street, Hartlepool. Details of the report and subsequent discussion were included within the exempt section of the minutes.

Decision

Details were included within the exempt section of the minutes.

139. Seaton Meadows Landfill Site *(Assistant Director (Planning and Economic Development))*

The report outlined the current planning position in relation to Seaton Meadows landfill site and asked Members to decide whether to instigate enforcement action should this be required.

Decision

Details were included within the exempt section of the minutes.

CHAIRMAN

No: 1
Number: H/2007/0904
Applicant: Mr Jonathon Pattison Usworth Park Usworth Road
Hartlepool TS25 1PD
Agent: The Design Gap Limited Mr Graeme Pearson 1
Scarborough Street Hartlepool TS24 7DA
Date valid: 12/12/2007
Development: Change of use, first floor rear extension and alterations
including demolition of rear single storey extension to
provide 7 apartments and erection of a rear single storey
extension to provide an additional 2 apartments
Location: 16 HUTTON AVENUE HARTLEPOOL

Background

1.1 The application was deferred at the last Planning Committee to allow Members to conduct a site visit.

The Application and Site

1.2 The application site is a vacant property formerly known as Mount Oswald Residential Care Home for the Elderly located on the north side of Hutton Avenue. The property is a large Victorian House, which was converted to a care home some time ago; there is currently a large single storey extension at the rear. Current access to the property can be gained via 2 entrances off Hutton Avenue and the site can also be accessed via the rear alley (which has alley gates). The property lies within the Grange Conservation Area and there are trees to the front of the site, some of which are protected by a tree preservation order.

1.3 The application proposes the conversion of the main house into 7 apartments, which would involve extensions above the two single storey offshoots/extensions connected to the main house at the rear, and the alterations and insertion of some doors/windows at the rear and side of the property. The application also proposes the demolition of the large rear single storey extension and erection of a smaller single storey extension in its place to provide 2 additional apartments. The only alteration proposed to the front of the property is the removal of the lower front step at the entrance to the main house and resurfacing.

1.4 Nine car parking spaces are proposed within the site, 3 to the front and 6 to the rear.

Publicity

1.5 The application has been advertised by way of neighbour letters (17), site notice and press notice. To date, there have been 9 letters of objection (2 from the same objector)

The concerns raised are:

- i) The project will cause stress, anxiety and disruption to adjacent occupiers and obstruction to their homes.
- ii) Noise, dust, dirt during construction process.
- iii) Traffic congestion as there are ongoing traffic and parking problems.
- iv) Excessive timescales involved in the conversion.
- v) The development may be out of keeping with the conservation area.
- vi) Excessive noise levels, vehicles and unsocial hours another 9 homes will bring.
- vii) Are the properties to be leasehold or freehold, and concerns regarding types of residents they may have to endure as neighbours.
- viii) Insertion of windows will overlook rear garden of objector's property, therefore invading their privacy.
- ix) Raising the roofline over the rear single storey offshoot will cause overshadowing of neighbouring property
- x) The bungalows may be an improvement but they seem very close to the boundary wall.
- xi) Blocking sunlight to the rear of Grange Road rear garden.
- xii) Extra traffic in the back alley and concerns because children play in this alley.
- xiii) Security issues with regard to the access to the alley whilst building.
- xiv) That the parking area proposed at the rear will not be used.
- xv) Several apartments may have more than one car and also visitors causing increase demands on limited street parking spaces.
- xvi) Regarding noise, airborne pollution and construction traffic, and wants control over construction times, limitations on airborne pollution during construction, limitation on access for demolition/rebuilding of the rear annex to the back lane imposed if application is successful.
- xvii) Other properties in the street are in multiple occupation and this will increase parking problems.
- xviii) The new extension would start beyond the objectors building line although it is an improvement on the present extension.
- xiv) There are enough houses converted into flats and apartments in this area already. Such developments have contributed to the social decline of what was, not long ago a decent residential area.

Copy letters B

The period for publicity has expired.

Consultations

1.6 The following consultation replies have been received:

Northumbrian Water – no objection

Head of Public Protection – no objection

Traffic and Transportation – no objection

Planning Policy

1.7 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.

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.

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

HE4: Identifies the circumstances in which demolition of buildings and other features and structures in a conservation area is acceptable - where it preserves or enhances the character or appearance of the conservation area, or its structural condition is such that it is beyond reasonable economic repair. Satisfactory after use of the site should be approved and committed before demolition takes place.

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

Planning Considerations

1.8 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 2006 outlined above and in particular the impact of the proposals upon neighbouring properties, in terms of outlook, dominance, appearance, overshadowing, privacy and in terms of noise and disturbance and the appearance of the development in the streetscene and on the character of the conservation area in general. The Impact on trees and highway safety issues also need to be considered.

Local & National Guidance

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

1.10 The proposed scheme should be considered in relation to policy Hsg 7 of the adopted Hartlepool Local Plan 2006 - Conversion for residential uses. It is considered that the conversion of buildings formerly in other uses can provide appropriate accommodation for smaller households and for the increasing number of young people living on their own. Again the proposal is in line with the principles of these policies.

Effects on neighbouring properties

1.11 The main building is to be maintained with little alteration. The proposed first floor extensions above the existing off shoots are considered to be subservient to the main house. The proposed extension adjacent No. 18 Hutton Avenue does project further down the site at 1st floor level however it is similar to others within close vicinity, and therefore is not out of keeping with the dwelling or area in general. There are no side windows proposed in this extension. Furthermore there is considered to be a trade off between this and the reduction in the extent of development along the side boundary due to the redevelopment of the rear ground floor extension. The affect of the first floor extension on light to the rear of No. 18 Hutton Avenue would be limited as the rear of the property is north facing. Whilst the garden area might be expected to experience a greater degree of overshadowing due to the additional extension this is not considered likely to unduly effect amenities because of the restricted size of the extension and length of the garden in question.

1.12 The scheme does include the insertion of an additional first floor window in the rear elevation of the main house, and the movement of 2 existing windows. The scheme also includes windows in the rear elevations of the first floor extensions, however it is considered that the location of the proposed windows would not be detrimental to the amenities of the adjacent residents in terms of overlooking and loss of privacy.

1.13 There are existing windows which are proposed to be incorporated into the conversion, however first floor gable windows which are proposed to serve a different type of room compared to the existing layout which might lead to a greater potential for

overlooking are proposed to have the lower half obscured. This is to restrict overlooking whilst retaining natural light. It is considered that the development would not have a detrimental affect on the neighbouring properties in terms of overlooking or loss of privacy.

1.14 The single storey extension to the rear although large is substantially smaller than the existing extension and is considered to be a more appropriate design. It will provide for greater separation with the rear of properties on Grange Road. The removal of the single storey extension will release a substantial area to the rear, which is proposed to accommodate the new single storey extension, 9 car parking spaces and a small garden area.

1.15 In terms of the affect the conversion and extensions may have on adjacent neighbouring properties it is considered that the development is of a scale and design which would not be detrimental to the neighbouring properties in terms of overshadowing, overlooking, appearance, dominance or loss of privacy as highlighted above. There is an existing screen wall along the side boundary with no 18 Hutton Avenue.

1.16 The change of use from residential home to flats may generate additional comings and goings to the property however it is considered that the proposed conversion would be unlikely to give rise to any significant noise and disturbance issues. The Head of Public Protection has no objection to the scheme.

Conservation

1.17 The property is located within the Grange Conservation Area and is subject to an Article 4(2) direction, which restricts development to the front of the building. The proposal suggests a minor external alteration to the front of the property which comprises removal of the bottom step on the entrance porch and grading of the land to ensure that there is no conflict between pedestrians and the car parking spaces provided within the front of the site. It is considered that the principle of this is acceptable and a condition requiring final details can be imposed.

1.18 With regard to the scale and nature of the proposed extensions at the rear it is considered that this scheme would remove a large unsympathetic extension to the rear of the property therefore improving the building.

1.19 The first floor extensions at the rear are in keeping with the scale of the main house. The proposed single storey extension is large however it is of a scale, which would not adversely affect the character of the conservation area.

1.20 The Landscape and Conservation Manager has not formally objected to the development although there were some initial reservations regarding the design of the rear single storey extension. However after conducting a site visit and given that the original house has been altered to a large degree with the loss of original windows and roofing materials, the Landscape and Conservation Manager is satisfied and has suggested conditions should the application be approved. These have been incorporated below.

Trees

1.21 There are trees situated to the front of the property, one of which is afforded legal protection by virtue of it being located within a conservation area and 5 of which are covered by a Tree Preservation Order. These trees will be unaffected by the proposed development. There are no objections to the scheme from the Council's Arboricultural Officer.

Highway Issues

1.22 Hutton Avenue is included within the Council's residential parking scheme. The property is less than 400 metres away from the Main Bus Priority route, which has very good transport links to the rest of the town.

1.23 The maximum parking requirements for this development would be 14 off-street parking spaces. The applicant has provided 9 off-street spaces, 1 space per apartment. This is considered acceptable due to the very good transport links at York Road and also the fact that occupiers of the proposed development could apply for visitor permits under the Council's parking scheme.

1.24 The applicant should provide 5 cycle parking spaces, which are safe, secure and covered, this can be controlled via condition.

1.25 It is considered that the development would lead to an increase in usage of the back lane due to 6 parking spaces being proposed within the rear of the application site, the Head of Traffic and Transportation does not object to this.

Other Issues

1.26 The type of occupiers is not a material planning consideration.

1.27 Concerns have been raised regarding the stress and anxiety the proposed development could have on adjacent occupiers. It is anticipated that there would be some level of disruption associated with the conversion and extension to the building however this is inevitable on any development site. Concerns have been raised relating to the timescales, hours of the construction work and dust generated by the development. It is considered that the concerns raised about construction hours and dust levels should they be realised in this case would most appropriately be addressed through nuisance legislation administered by the Public Protection Division.

1.28 A neighbour has stated that limitations should be imposed if the application is successful requiring a time limit on the completion of the build. It is considered that it would be unreasonable to impose such a condition.

1.29 In relation to the concerns raised regarding the security of the rear alley during the construction works it should be noted that the functioning of the alley gates is left to individuals in the area to open and close as necessary and is not within the control of the Council.

1.30 An objection has been received from the Hartlepool Civic Society stating that there are enough houses converted into flats and apartments in this area already and that such developments have contributed to the social decline of what was, not long ago a decent residential area. There are no objections however in policy terms to this proposal.

Conclusion

1.31 Having regard to the policies identified in the Hartlepool Local Plan 2006 above and in particular consideration of the effects of the development on the amenity of neighbouring properties and in terms its relation to the existing dwellinghouse, streetscene and conservation area in general the development is considered satisfactory.

RECOMMENDATION – APPROVE subject to the following conditions

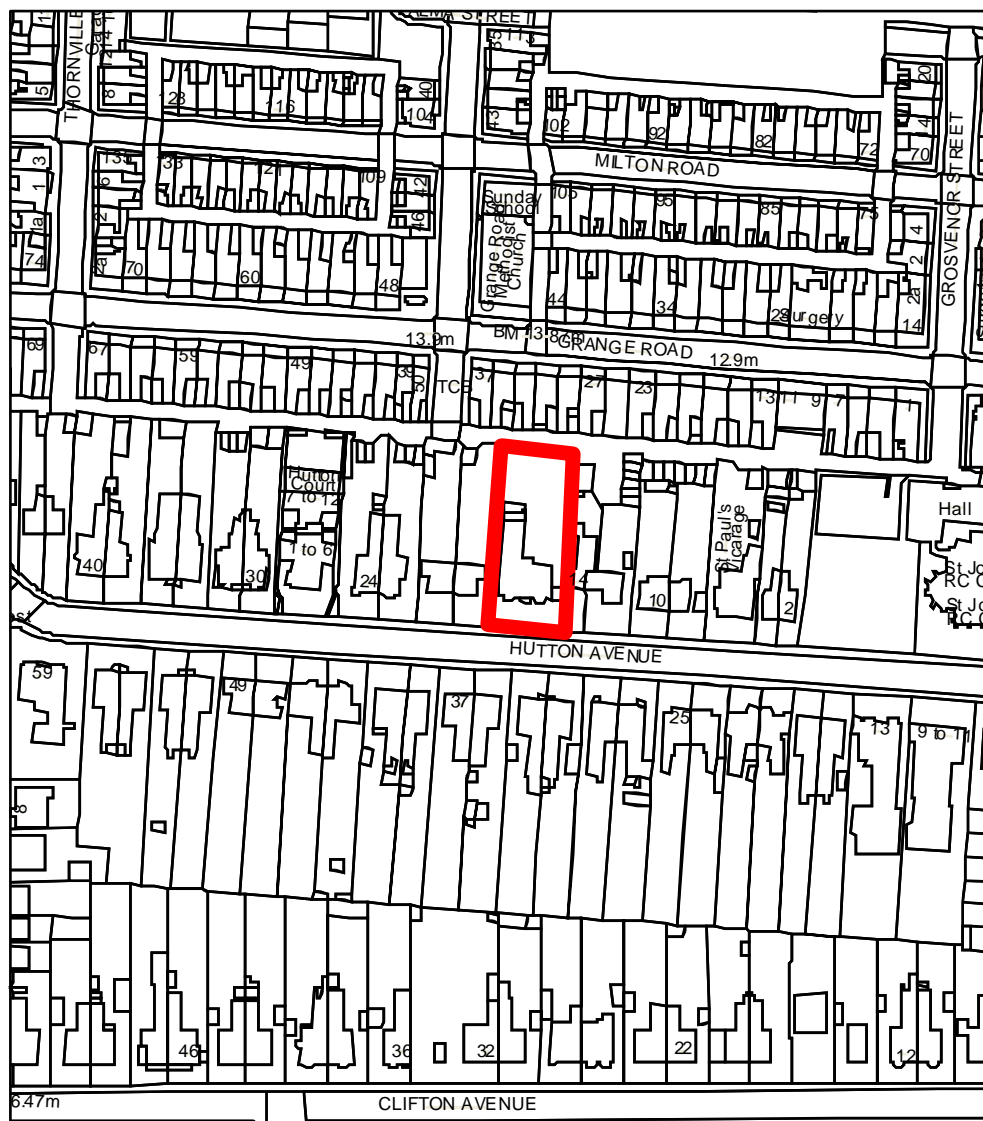
1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The external materials used for this development shall match those of the existing building(s) in terms of size, colour, bonding pattern and mortar.
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 31st January 2008, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt
4. The guttering used for this development shall match that of the existing building(s).
In the interests of visual amenity.
5. The detail of the projecting eaves brick corbel to support the guttering shall be repeated on the proposed first floor extension(s).
In the interests of visual amenity.
6. Notwithstanding the submitted plans a scheme for the location and design of the refuse storage and 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 prior to the development being brought into use, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity.
7. 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.
8. A detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and

be implemented in accordance with the approved details and programme of works.

In the interests of visual amenity.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity.
10. The window(s) facing 18 Hutton Avenue shown on the approved plan as installed with obscure glass in the lower panes shall be so fitted before the development is occupied and shall thereafter be retained at all times while the window(s) exist(s).
To prevent overlooking
11. Notwithstanding the submitted plans final details of the electric entrance gate to the rear shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity.
12. Notwithstanding the submitted plans final details (including sections) for the resurfacing of the area in front of the porch shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
To ensure the site is developed in a satisfactory manner.

16 Hutton Avenue



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

| | | |
|---|------------------------------|-------------------------|
| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 06/02/08 |
| | SCALE 1:1,200 | |
| Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT | DRG.NO H/2007/0904 | REV |

No: 2
Number: H/2007/0862
Applicant: Mr Thomas Rayner 15 Greenbank Court Hartlepool TS26 0HH
Agent: Eldon Grove Tennis Club Mr Thomas Rayner 15 Greenbank Court Hartlepool TS26 0HH
Date valid: 21/11/2007
Development: Erection of a building to house 2 indoor tennis courts, siting of a changing room/toilet portakabin, alterations to car park and provision of security fencing
Location: ELDON GROVE SPORTS CENTRE ELDON GROVE HARTLEPOOL

Background

2.1 The application was deferred at the last Planning Committee to allow Members to conduct a site visit.

The Application and Site

2.2 The application site is a vacant sport centre, which is currently, accessed via Eldon Grove, there are existing outdoor tennis courts within the application site, which are proposed to be resurfaced. The application proposes the demolition of the existing sports centre and the construction of a tennis facility with associated fencing.

2.3 The proposed building would be steel framed with plastic coated cladding. The proposal also includes the installation of a porta kabin to house changing facilities.

2.4 The application proposes to retain the front boundary of the site, whilst widening the existing entrance. The proposal includes the provision of 11 parking spaces, which include 2 disabled parking spaces within the existing car park.

Publicity

2.5 The application has been advertised by way of a press notice, site notice (2), neighbour letters (36). To date, there have been 3 letters of no objection, 10 letters of objection (2 of which are from objectors who have already submitted objections) and a 1 petition of objection with 5 signatures.

The concerns raised are:

1. The proposed building is akin to a very large warehouse, is totally out of keeping with a residential area
2. Why build a place of that size there, when there are several similar building which are empty dotted around the town's trading estates
3. Quality of life will be affected i.e. loss of day/sunlight
4. Not happy that a community sports and social centre is to be demolished and replaced by a private club

5. The tennis club should alter their existing land over the road
6. The plans are different to the ones which were given to residents
7. The loss of car parking places, which will add to the congestion already taking place at school times
8. Potential danger to the children in the adjacent school during demolition and subsequent construction on site
9. Building proposed will be an eyesore
10. The caretakers home is within very close proximity to the school. There are concerns regarding living on a building site and concerns regarding being central to the proposed activities
11. Hours of use
12. Floodlighting is unacceptable
13. Noise nuisance
14. Traffic concerns
15. Building is out of character
16. Although the agent has stated it will be similar to the facility in Ripon, that centre is not within a residential area
17. This should be built on the outside of the town or in a trading estate, not in the middle of a housing estate
18. Parking is a serious problem, the volume of traffic in the Grove is dangerous at certain times of the day, any activity which would increase the traffic problem should be refused
19. Siting of a porta kabin is unsuitable in a residential area
20. Regarding the size of the building and its proximity to residential properties
21. The height of the proposed building is approximately twice that of the original sports centre
22. Floodlighting would be intrusive to privacy and would cause environmental pollution
23. Access problems regarding the maintenance strip between the proposed building and boundary with properties on Belmont Gardens
24. Emergency access will be restricted by the development to properties on Belmont Gardens
25. Regarding impact on quality of life
26. The loss of the existing centre would mean a loss of amenities to the area
27. The construction materials do not blend with a residential area with Victorian style properties
28. The fencing is allotment standard and unsuitable and out of character with the rest of the Grove
29. A tented structure of this size may generate significant random windage effects on the adjacent playground/gardens and may represent a personal hazard
30. The site is too small to accommodate a structure of this size
31. In isolation this proposal is unacceptable however when considered with recently approved planning applications, the loss of trees and front gardens to 2 properties opposite the site it amounts to a destruction of the amenities of the Grove, worthy of independent review
32. Regarding access to objectors boundary wall
33. Objectors property bounds the site and the current fence does not prevent balls striking his property
34. Current problems in terms of noise associated with tennis courts

- 35. Concerns that elderly residents who attend dance classes will have to travel further to other sports centres
- 36. The Council has not acted in the best interests of the public when they decided to sell the sports centre
- 37. Concerns that should this application be approved there may be more of a similar design scattered around the town which would be deplorable.

Copy letters A

The period for publicity has expired.

Consultations

2.6 The following consultation replies have been received:

Engineering Consultants - No comment

Traffic and Transportation - No objection

Property Service - No objection as the Council has obtained Cabinet approval to lease the land to this applicant

Public Protection - No objection subject to an hours restriction on the use to no later than 21:00hrs

Community Services – No objection

Northumbrian Water - No objection

Cleveland Police - No objection however has concerns about the proposed location of the cycle storage

Planning Policy

2.7 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.

Planning Considerations

2.8 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 outlined above and in particular the impact of the proposals upon neighbouring properties, in terms of outlook, dominance, appearance, overshadowing and privacy, and the appearance of the development in the streetscene in general. Highway safety issues also need to be considered.

Affect on Neighbouring Properties and Surrounding Area

2.9 The site has previously been in use as a sports and leisure facility and the indoor courts will provide a valuable all weather tennis facility. However concerns have been raised regarding the scale and visual impact of the main structure on what is a predominately residential area.

2.10 The proposed building for the 2 indoor tennis courts is large being 37m in length and 34m in width. The structure has a pitched roof which is 4.93m to the eaves and 10.95m to the ridge. The existing sports centre proposed for demolition is by comparison some 5.8m in height.

2.11 The proposed structure is 2metres from the rear boundary of properties on Belmont Gardens, however is considered to be consistent with the separation distances contained within the adopted Hartlepool Local Plan 2006. The structure which is large and not residential in character is of a functional design similar to others of its type elsewhere within the country.

2.12 The height of the building is dictated by the internal space requirements set by Lawn Tennis Design Specifications. The Lawn Tennis Association have confirmed that the size of the building complies with their standards.

2.13 The proposed porta kabin is relatively small some 3m in width, 10m in length and 2.9m in height (flat roof). The agent has indicated that this building is a short term measure until funding is available to erect a permanent brick building.

2.14 It should be noted that no floodlighting is proposed with this application. In terms of noise and disturbance the Head of Public Protection has no objection to the scheme subject to usage of the tennis courts to be no later than 9pm. This can be controlled by condition.

2.15 The fencing within the site is proposed to be similar to the school boundary at a height of 2.4metres and is considered to be acceptable for the proposed use of the site and not detrimental to the amenities of the neighbouring residents or the streetscene in general. A condition for final details can be conditioned should the application be approved.

2.16 There are mature trees along the front of this site, adjoining Eldon Grove. The most significant of these is a semi-mature Ash tree in the corner adjacent to Eldon Grove Primary School.

2.17 Collectively the trees form an attractive feature along the front of the sports centre. There are no plans to remove any trees along the frontage of the site, however should the application be approved it is considered that additional trees would be welcomed along the front to offset the domineering presence of the new building.

Highways

2.18 The scheme proposes 11 parking spaces, including 2 disabled parking spaces within the existing car park and the widening of the access to that car park to allow two vehicles to pass one another. It is also proposed to relocate the footpath. It is considered that the proposed use as tennis courts will generate less vehicle movements than the previous use as a sports hall, therefore the level of car parking proposed and the widening of the access is considered acceptable. The Head of Traffic and Transportation has no objection to the scheme and is satisfied in terms of access arrangements for emergency vehicles.

Other Issues

2.19 In terms of security Cleveland Police have no objection to the scheme, however do have concerns regarding the proposed location of the cycle storage between the rear of the tennis centre and the boundary with Belmont Gardens. Concerns are raised as this location would have poor natural surveillance and has the potential to be misused. It is considered that security measures and the final location and design of the cycle storage could be subject to conditions should the application be approved.

2.20 In terms of the potential danger during demolition, an approved contractor would carry out the work and where applicable e.g. the areas adjacent to neighbouring properties, would undertake work by hand to a safe level before completing by machinery. It should be noted that planning consent is not required for the demolition of the sports centre.

2.21 With regard to the concerns raised regarding similarly designed buildings being scattered around the town, it should be acknowledged that every application is determined on its own merits and in this instance it is considered that should this application be successful it would not present a precedent.

2.22 The Community Services Division has confirmed that the provision of indoor tennis is mentioned in the Indoor Sports Strategy. The facility is supported by the County Sports Partnership, Sport England and the Lawn Tennis Association as an excellent way of securing an Indoor Tennis development centre for Hartlepool. This facility would then feed into the superior facilities at Middlesbrough for those talented individuals who wish to go further.

2.23 The Indoor Sports Facility Strategy supports the principle of refocusing and renewing old sports facilities. Tennis development would therefore fit this policy objective. The existing facilities are either private or public outdoor tennis courts with limited good weather/seasonal use. An indoor facility brings greater flexibility with the possibility of year round activity and furthermore provides a strategic role as a 'town-wide' facility.

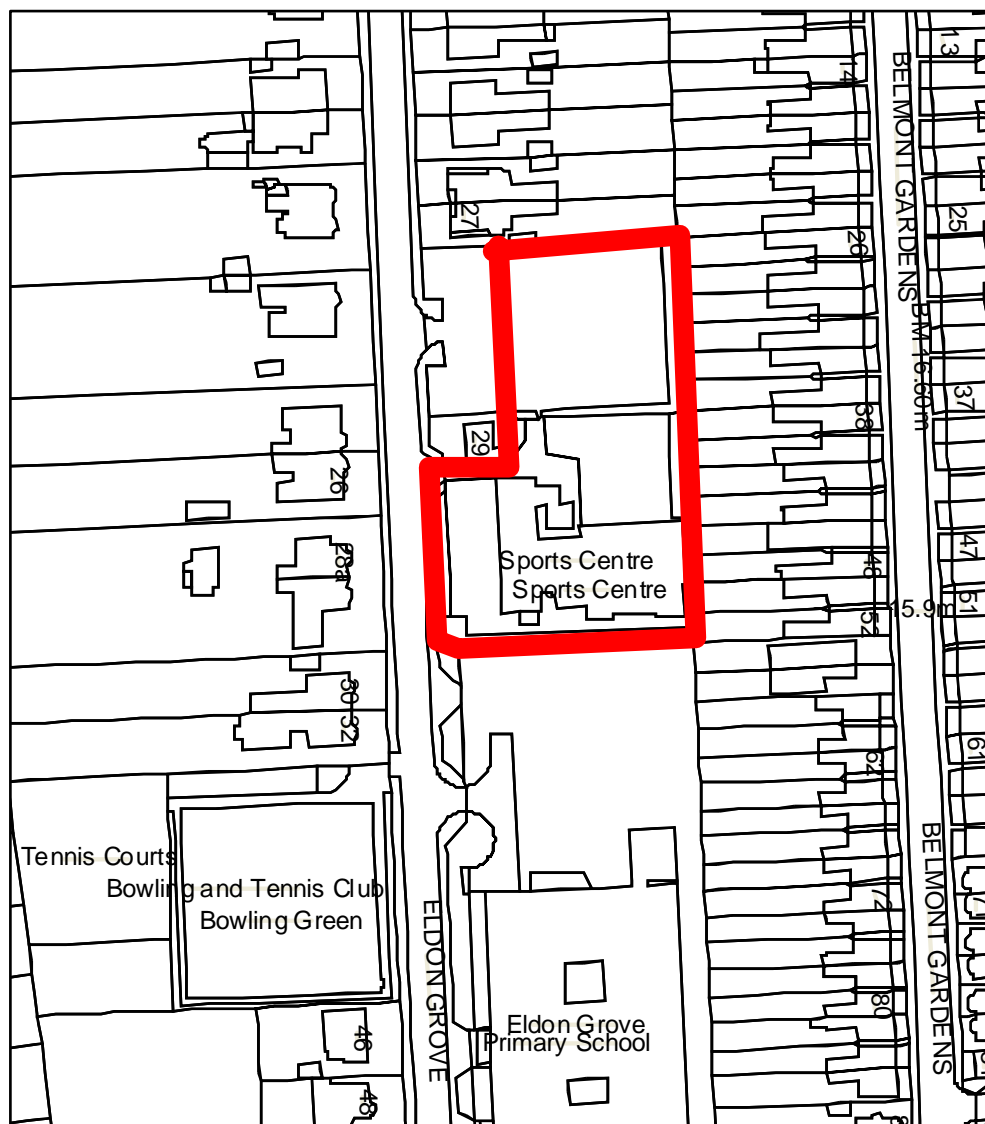
2.24 Although there are reservations in terms of the design of the building in that it is not residential in character, the building is a functional design similar to others of its type elsewhere within the country and it is considered that such a facility would benefit the town.

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. 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 21st November 2007 and 16th January 2008, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt
4. Notwithstanding the submitted plans a scheme for the siting, design and the final number of cycle parking spaces within the site shall be submitted and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details.
In the interest of sustainable transport and visual amenity
5. 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.
6. The porta kabin building hereby approval shall be removed from the site and the land restored to its former condition on or before 3 years from the date of this approval in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority unless prior consent has been obtained to an extension of this period.
The building is not considered suitable for permanent retention on the site.
7. The indoor tennis courts shall only be in use between the hours of 9am and 9pm, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of the amenities of the occupants of neighbouring properties.
8. 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.

9. A detailed scheme of tree planting along the frontage of the site 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, 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.
10. No development shall take place until a scheme for the protection during construction works of all trees to be retained on the site, in accordance with BS 5837:2005 (Trees in relation to construction - Recommendations), 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 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.
In the interests of the health and appearance of the preserved tree(s).
11. Final details of security measures to be incorporated into the development 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, unless otherwise agreed in writing with the Local Planning Authority.
In the interests of crime prevention
12. The hereby approved buildings shall be painted in a colour to be agreed with the Local Planning Authority within 3 months from the date of completion of works and retained in that colour, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity.
13. Notwithstanding the submitted plans a scheme for an entrance canopy/porch 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, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity.

Eldon Grove



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

| | | |
|---|------------------------------|-------------------------|
| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 06/02/08 |
| | SCALE 1:1,200 | |
| Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT | DRG.NO H/2007/0862 | REV |

No: 3
Number: H/2008/0027
Applicant: Oakdene Capital (Hartlepool) Challenge Way Blackburn
 BB1 5QB
Agent: Oakdene Capital (Hartlepool) Challenge House
 Greenbank Business Park Challenge Way Blackburn
 BB1 5QB
Date valid: 11/01/2008
Development: Change of use from A1 (retail) to hot food takeaway (A5)
Location: UNIT 1 MULBERRY RISE MIDDLE WARREN

The Application and Site

3.1 The application site is a small unit within the newly erected retail building within the Local Centre on land on the corner of the Middle Warren estate bounding the A179/Clavering roundabout. A site plan will be shown at the meeting.

3.2 The Local Centre is bounded to the north by the A179, to the west by Merlin Way, which is the main distributor road for Middle Warren; to the south an area has been identified for a future local centre extension and to the east residential development.

3.3 The car park serving both the public house (45 spaces) and retail units (33 spaces) are accessed via an entrance on Merlin Way.

3.4 The retail element comprises a building which is single storey and split internally to form a 743 square metre floor space convenience foodstore, which is occupied by Sainsbury's and 2 smaller units of 92.9 square metres in floor space each. This application proposes to change the use of one of the smaller units to a hot food takeaway.

Publicity

3.5 The application has been advertised by way of neighbour letters (49) and a site visit. To date, there have been 2 letters of no objection 1 letter of comment and 8 letters of objection.

The concerns raised are:

1. The need for a hot food takeaway
2. Increase in crime
3. Gangs congregating around the unit
4. It will spoil the area
5. Would demean the area which is a highly prestigious estate
6. Litter and vermin
7. Other uses would be more useful and fitting to the estate
8. Vandalism

9. The Council is getting a track record for passing application without regard for what sort of legacy they are leaving...stop turning Hartlepool into a money grabbing sewer.
10. Increase in traffic parking on Merlin Way
11. Increase in traffic, concerns regarding potential accidents
12. Fast food could mean Chinese, Indian, fish and chips or pizza hut
13. Anti social behaviour
14. Late night noise pollution

The letter of comment did not object to the change of use however would object if the takeaway would cause litter in the street or gathering of gangs of youths. The author of the letter does not like the look of the building and would like it to be camouflaged with trees.

Copy letters C

The period for publicity has expired.

Consultations

3.6 The following consultation replies have been received:

Head of Public Protection – No objection subject to restricting the hours of opening and a standard condition concerning the extract vent and filtration system.

Traffic and Transportation – No objection

Cleveland Police – No objection subject to appropriate CCTV camera coverage

Planning Policy

3.7 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.

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

3.8 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

3.9 Policy Com 5 (Local Centres) of the Hartlepool Local Plan 2006 makes provision for the development of shops, local services and food and drink premises within 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.

3.10 The retail building is split into 3 units, unit 1 the subject of this application, unit 2 is currently unoccupied and unit 3 a large unit occupied by Sainsbury's. The local centre also includes a public house, the Tall Ships. In view of the current uses existing or approved within the local centre, it is unlikely that the addition of a hot food takeaway would affect its function, character or appearance.

Highways

3.11 The proposed use would be located in a shopping parade with off-street parking available. The parking requirements are similar to the planning permission granted for the unit. The highways engineer has raised no objections to the change of use to hot food takeaway.

Amenity

3.12 This purpose built Local Centre is situated adjacent residential properties within the Middle Warren residential estate. It is not considered that the change of use would not have a detrimental affect on the amenities of neighbouring properties.

3.13 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 previously imposed on the retail units i.e. 10.00 to 23.00 Monday to Saturday then 10:00 to 17:00 Sundays and Bank Holidays and the standard ventilation condition. Although the applicant has requested longer opening hours (in line with the Public House) it is considered that the restriction on hours should be limited due to the shop being located within close proximity to the housing to the rear and that a takeaway would attract a much more transient customer base than the Public House.

3.14 Crime and the fear of crime are material planning considerations, which can be taken into account in the consideration and determination of any planning application. There are no known existing problems with anti social behaviour in this area, however it has been recommended by Cleveland Police that CCTV cameras would provide an effective deterrent regarding potential issues of crime and disorder. This can be controlled via condition.

Other Issues

3.15 The application proposes the change of use of one of the units within a retail development. The appearance of the building is not the subject to this planning application.

Conclusion

3.16 Having regard to the policies identified in the Hartlepool Local Plan 2006 above and in particular consideration of the effects of the development 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 the development is considered satisfactory.

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 10:00 and 23:00 Mondays to Saturdays inclusive and between the hours of 10:00 and 17:00 on Sundays and 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. For the avoidance of doubt the area for the storage of refuse identified under the planning application H/2006/0816 to the rear of the retail units shall be

used in association with this unit, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of the amenities of the occupants of neighbouring properties and in terms of visual amenity.

5. A scheme detailing the location and design of CCTV cameras shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be carried out in accordance with the approved details.

In the interest of crime prevention

No: 4
Number: H/2007/0803
Applicant: Northumbrian Water Ltd Abbey Road Pity Me Durham
 DH1 6PJ
Agent: Mott MacDonald St Anns Wharf 112 Quayside
 Newcastle Upon Tyne NE1 3DX
Date valid: 22/11/2007
Development: Installation of a control kiosk, vent stack and fencing to
 serve an underground storage tank and pumps as part of
 flood relief scheme
Location: REAR OF 29-35 STANMORE GROVE HARTLEPOOL
 HARTLEPOOL

The Application and Site

4.1 The application is for the installation of a control kiosk, vent stack with palisade fencing around the equipment to serve an underground storage tank and pumps as part of a flood relief scheme. The underground equipment does not require planning consent. The location for the equipment is on land to the rear of 29-35 Stanmore Grove.

4.2 The reason for the proposal is that at present several properties in Glentower Grove have suffered from internal and external flooding as a result of insufficient sewer capacity. The new control kiosk, pumps and underground storage tank will replace the existing control kiosk, pumps and pumping station which are located in Glentower Grove.

4.3 Planning permission was granted in 2007 to locate a new control kiosk outside No. 66 Glentower Grove, however due to concerns regarding Health and Safety during construction of the tank the development cannot proceed.

Publicity

4.4 The application has been advertised by way of site notice and neighbour letters (13). To date, there have been 3 letters of no objection and 4 letters of objection.

The concerns raised are:

1. Smells which may be released from the vent stack
2. Potential noise
3. Pipes will be inspected visually on a regular basis and therefore this could cause damage to the alley way
4. Could the gases released be harmful or cause irritation
5. Dust and debris during construction works
6. Fencing is not aesthetically pleasing
7. Vent stack will be an eyesore
8. Regarding the emptying of the tank
9. Heavy machinery may damage the road which has recently been resurfaced

10. Access is narrow could machinery cause damage
11. How the tank will be installed
12. Should be a designated parking area for maintenance vehicles
13. Should be sited closer to the railway lines
14. Regarding the potential effect on the drains in Stanmore Grove
15. Disruption during construction

Copy Letters D

4.5 A revised plan has been submitted which relocates the proposed vent stack further away from the properties in Stanmore Grove in an area adjacent to the railway embankment. Letters have been sent to neighbouring properties detailing this change in the application, the period for publicity expires prior to the meeting. Should any representations be made during this time it shall be reported accordingly.

Consultations

4.6 The following consultation replies have been received:

Engineering Consultants - no objection

Public Protection - no objection

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

Planning Policy

4.7 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.

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.

GN3: Strictly controls development of this area and states that planning permission will only be granted for developments relating to open space uses subject to the effect on visual and amenity value and character of the area, on existing uses, the continuity of the green network and on areas of wildlife interest.

Planning Considerations

4.8 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 outlined above and in particular the impact of the proposals upon neighbouring properties, in terms of the appearance of the development, noise, potential smells, drainage network and in the streetscene in general. Highway safety issues also need to be considered.

Affect on the neighbouring properties and surrounding area

4.9 The kiosk and fencing is proposed on land adjacent the rear alley of Stanmore Grove approximately 3metres from the rear boundary wall of properties in Stanmore Grove and 18metres from the rear of the properties themselves. The site is adjacent land used to house garages and allotments/garden land. The underground tank does not require planning permission.

4.10 The proposed kiosk is a standard design for Northumbrian Water and will be used to house an electrical control panel which will be linked to pumps located in the new underground tank, the length is 3metres, width 1.9metres and the height is 2.1metres. It is proposed to surround the kiosk with 2.4metre high palisade fencing. The fencing covers a small area 3.8 by 3metres and would not be widely visible as such it is considered that the fencing and kiosk are acceptable in terms of siting and design.

4.11 The vent stack will be used to release vapours from everyday sewer flows, stored in the underground tank. The revised plans for the proposed vent stack (which is 7.425metres high) will be seen against the backdrop of the railway embankment and can be coloured to minimise its appearance, it is approximately 62metres from the rear of the dwellings on Stanmore Grove therefore it is considered it will not be visually intrusive. There is a similar vent stack in Eldon Grove, within the conservation area and directly adjacent residential properties this has been in place for a number of years, and is not considered to be detrimental to the area in terms of visual amenity.

4.12 With regarding the potential for noise, disturbance and smells during operation of the equipment the case officer and a Public Protection officer visited a similar site in Middlesbrough when the pumps were operational and no smells or noise were observed.

4.13 Concerns were raised regarding the potential affect the installation could have on the drainage network of Stanmore Grove. However Northumbrian Water have confirmed that pumped return flows from the storage tank will discharge into the gravity sewer in the front street of Stanmore Grove and this operation will be controlled via a level monitoring device in the receiving sewer to ensure that flows are only pumped once sewerage flows and levels have receded.

4.14 Although there have been reports by a resident from Stanmore Grove regarding flooding to the rear of their property, Northumbrian Water have investigated the public sewer system in the immediate area via CCTV and identified a localised structural defect, this could explain the history of periodic blockages and Northumbrian Water will deal with this as a separate issue.

4.15 It is therefore considered unlikely that the properties in Stanmore Grove would be at risk of flooding due to hydraulic incapacity in the network.

Highway Issues

4.16 The application proposes improvements to the access road from Stanmore Grove to the application site in the form of a bitumen macadam surface. Currently the access is uneven. The application also proposes that an area above and adjacent the underground tank will be surfaced in the same material in order to provide off street parking for maintenance vehicles. In terms of highway safety the Head of Traffic and Transportation has stated that there are no major highway implications with this application.

Conclusion

4.17 Having regard to the policies identified in the Hartlepool Local Plan 2006 above and in particular consideration of the effects of the development on the amenity of neighbouring properties in terms of the appearance of the development, noise, potential smells, drainage and in the streetscene in general the development is considered satisfactory.

RECOMMENDATION – APPROVE subject to no substantially different objections being received within the publicity period and the following conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 24th October 2007 and 28th February 2008, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt
3. Notwithstanding the submitted plans the colour of the vent stack, kiosk and fencing shall be agreed in writing by the Local Planning Authority. Thereafter the colour shall be retained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity.

Rear of Stanmore Grove



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

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| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 05/02/08 |
| | SCALE 1:1,200 | |
| Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT | DRG.NO H/2007/0803 | REV |

No: 5
Number: H/2008/0044
Applicant: Mr Mrs Evans VALLEY CLOSE HARTLEPOOL TS26 0AU
Agent: Derek Stephens 17 Lowthian Road HARTLEPOOL TS24 8BH
Date valid: 18/03/2008
Development: Demolition of existing dwelling and erection of a detached dwelling with integral garage (amended scheme)
Location: 6 VALLEY CLOSE HARTLEPOOL

The Application and Site

5.1 It is proposed to demolish an existing dwellinghouse and replace it with a larger dwellinghouse. The new dwellinghouse will accommodate a double garage, games room, lounge, utility, kitchen, dining/living area and garden room at ground floor. At first floor a master bedroom with ensuite, a bathroom and two bedrooms will be accommodated. On the second floor, which will be accommodated in the roof space a study, bedroom and shower room will be provided. Three rear dormers will serve the second floor accommodation. The main part of the dwellinghouse (the three storey part) will extend to 8.6m to the ridge, and 5.2m to the eaves its frontage will be 13.5m wide and it will be 11.5m wide front to back. To the side and rear single storey extensions will be accommodated. The main façade of the building will be set back some one metre relative to the existing property. Access will be taken from Valley Close with the existing access widened and a turning head accommodated within the site.

5.2 The application site is located in the north east corner of a culdesac on a large corner plot. It is currently occupied by a relatively modern two storey dwellinghouse with a single storey garage. The cul de sac is made up of modern detached dwellings which include two storey dwellinghouses and bungalows. To the west of the application site is a two storey dwellinghouse, it has a single storey garage on the closest boundary. It has been extended to the rear through the addition of a conservatory. To the east is a similar two storey dwellinghouse which again is set on a generous corner plot. It is orientated at right angles to the proposed house and faces the site with a blank gable. It is set at a slightly lower level than the application property. It has also been extended to the rear through the addition of a garden room/conservatory.

Related applications

5.3 An earlier application for the demolition of the dwellinghouse and the erection of a dormer bungalow on the site was received in September 2007 and later withdrawn at the request of the applicant (H/2007/0695).

Publicity

5.4 The application has been advertised by site notice and neighbour notification (12). To date, eight representations summarised below have been received. The time period for representations has expired.

Three letters of no objection have been received. One of the writers comments that the development will enhance the estate, another that it is a waste.

One letter from an individual not objecting but raising concerns. The writer raises the following issues.

- Delicate condition of road surface.
- Valley road is narrow and access will be impeded.
- Access for services, rubbish etc must be protected.

Four letters of objection. The writers raise the following issues

- Concerns over safety & disturbance (noise, dirt, dust, traffic) during demolition/construction.
- Loss of privacy
- Boundary treatments must be in keeping and not detrimental to number 7
- Unduly large and out of keeping
- Loss of light
- Proximity to boundaries.
- Loss of trees
- Over development
- Lack of architectural merit
- Lack of control and interest from council once developments are approved.

Copy letters E

Consultations

5.5 The following consultation replies have been received:

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

Northumbrian Water - No objections.

Engineering Consultancy - No objections. Section 80 notice required from demolition

Planning Policy

5.6 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.

Hsg10: Sets out the criteria for the approval of alterations and extensions to residential properties and states that proposals not in accordance with guidelines will not be approved.

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

5.7 The main issues are considered to be design/impact on the street scene, impact on the amenity of neighbouring properties, highways and trees

DESIGN/IMPACT ON THE STREET SCENE

5.8 The application site stands within a modern cul-de-sac development which includes dwellinghouses of varying scales/designs including bungalows and two storey houses. The house currently occupying the site is a modern dwellinghouse which whilst it is a more modest property is of little architectural merit. The proposed design and appearance of the dwellinghouse whilst different to the that of the neighbouring houses is considered acceptable in this location.

5.9 The proposed dwellinghouse is undoubtedly larger than the existing dwellinghouse and the other houses within the street. The main three storey part will extend to some 8.6m to the ridge, and 5.2m to the eaves its frontage will be 13.5m wide and it will be 11.5m wide back to front. In comparison the main two storey part of the house adjacent at 5 Valley Close is some 7.6m to the ridge some 5m to the eaves with a frontage of some 9.4m and has a back to front width of some 8m. However it is a large corner site and it is considered that it can accommodate a property of this scale. The proposed house is also set slightly further back (one

metre) on the site than the existing dwellinghouse and is relatively discretely located in the corner of the cul-de-sac. In terms of its footprint, taking into account the single storey projections to the side and rear, it is some three times larger than the neighbouring property, and the concerns expressed in relation to the scale are understandable. However the single storey projections, which contribute significantly to the footprint will be located to the rear and side and will not therefore be readily apparent in the street scene. The cul-de sac includes bungalows and two storey houses and so there is already a variety of scale apparent in the street scene. It should also be remembered that, whilst the proposed house is of a greater height and width than its neighbours, the addition of a relatively modest two storey side extension of 3-4m on any of the neighbouring properties, an application which is typically allowed throughout the Borough, would bring them closer in scale, in terms of the frontage width, to the proposed house. In conclusion whilst it is acknowledged that the proposed house is larger than the existing and neighbouring properties, it is considered that the site can accommodate a dwellinghouse of this scale, and that the differences in size and scale are not so excessive as to warrant refusal of the application. It is concluded that the proposed house will have an acceptable impact on the street scene.

IMPACT ON THE AMENITY OF NEIGHBOURING PROPERTIES

5.10 The property adjacent to the west, 5 Valley Close, is gable ended onto the site. It has a single storey garage on the closest side. It is orientated with its main elevations facing north and south and has only secondary windows in the closest gable facing towards the site. The gable to gable distance between the proposed house and the neighbour is some 5.6m. The proposed house is larger than the existing, it will extend closer to the boundary of the property and project further to the rear. There is therefore potential for the property to affect this neighbour. Only ground floor gable windows are proposed in the part of the new house directly facing the neighbour and these will be screened by existing boundary treatments. It is not considered therefore that the privacy of the neighbour will be unduly affected. It is considered that there may be some additional loss of morning light to the gable/gable windows and rear patio/garden of the neighbours property. However given the design of the proposed house, intervening garage and the orientation of the properties it is not considered that this neighbour will be unduly affected in terms of loss of light, privacy or outlook or in terms of any overbearing effect.

5.11 The property adjacent to the east, 7 Valley Close, is set at a slightly lower level than the application site. It is oriented at right angles to the proposed dwellinghouse with its main elevations facing east and west. Its north gable which faces the site is blank. The proposed house is to the north of this neighbour and it is not considered that light to this neighbour will be affected by the development. The gable of the proposed dwellinghouse faces the extensive side garden of the neighbour whilst there are no first floor windows in the gable, ground floor lounge and garden room windows face the neighbours garden. The boundary is screened by a fence and bushes however given the difference in levels the neighbour is concerned that the garden will be overlooked. The windows are located some 6 to 18m off the common boundary. Notwithstanding the differences in levels, given the distance of the windows off the boundary, the screening afforded by the existing boundary treatments and planting, and the fact that it is part of the neighbours extensive

garden rather than the dwellinghouse which is most directly affected, the relationship is not considered unreasonable. It is proposed in any case to condition the final agreement of boundary treatments. The closest front bedroom and gamesroom windows will look across the front garden of the neighbours property however this is the public face of the property which is already overlooked from the street, whilst views towards the neighbours front windows will be possible these will be oblique and the relationship is considered acceptable. In conclusion, it is not considered that the proposed house will unduly affect the amenity of this neighbour in terms of loss of light, privacy, outlook or in terms of any overbearing effect.

5.12 To the rear the site is bounded by the gardens of properties which front onto Egerton Road. Objections have been received from 37, 39, and 41. The boundary here is relatively well screened by trees and bushes and these properties have large rear gardens. The closest part of the proposed house, is a single storey garden room which will be set some 10.6m off the rear boundary. The main part of the dwellinghouse will be set some 20.6m off the proposed boundary. The gardens of the neighbouring dwellinghouses (39 & 41) are again in excess of 20m long. The separation distances are therefore well in excess of current guidance which requires that a 20m separation distance is maintained between principle elevations. Notwithstanding the fact that the house extends to three stories, with rooms in the roof space served by rear dormers given the separation distances it is not considered that the proposed dwellinghouse will unduly affect the amenity of the properties to the rear in terms of loss of light, privacy, outlook or in terms of any overbearing effect.

5.13 Several neighbours have raised objections in relation to nuisance/disruption which may arise during demolition and building works. As with all development sites, it is inevitable that the development will cause some disruption to neighbours particularly those in Valley Close, however it is not considered that this would warrant refusal of the application. Issues of obstruction and nuisance can be dealt with by the appropriate authorities should they arise.

TREES

5.14 The site contains a number of trees particularly along its boundaries, none of which are subject to protection orders. The plans indicate that it is proposed to remove five small evergreen trees on the west boundary. The removal of the trees is not necessary to accommodate the development however they are small, not readily visible from outwith the site and of little amenity value. In terms of impact on trees the proposal is considered acceptable.

HIGHWAYS

5.15 The development accommodates two parking spaces and a double garage. In highway terms the proposal is considered acceptable and no objections have been raised by Traffic & Transportation.

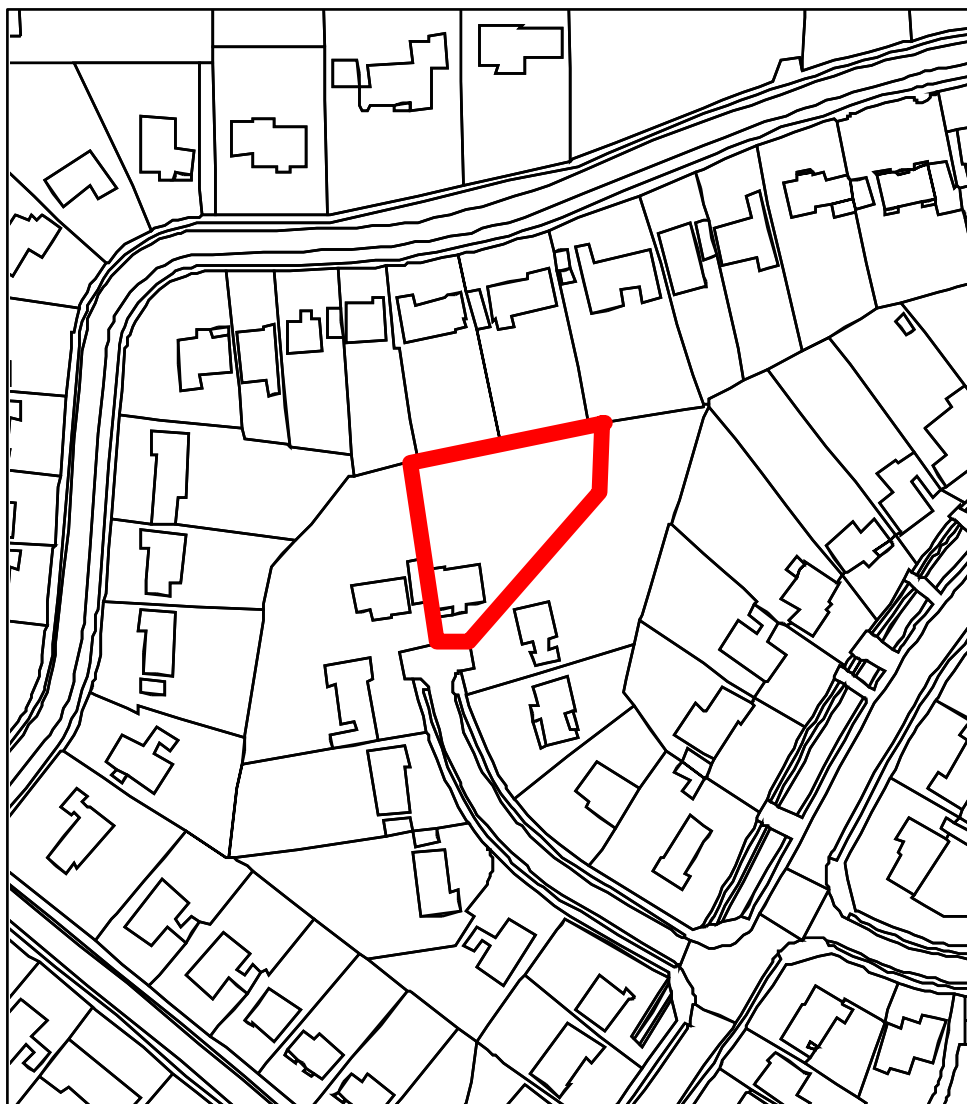
CONCLUSION

5.16 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 development hereby approved shall be carried out in accordance with the plans and details received at the Local Planning Authority on 18th January 2008 as amended in respect of the elevations by the drawing N4134/03D, and by the drawing entitled proposed street scene elevations both received at the Local Planning Authority on 19th February 2008, unless otherwise agreed in writing by the Local Planning Authority
For the avoidance of doubt
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure, shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road, without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
5. The drive and turning area shown on the approved plan shall be surfaced in tarmac or such other materials as may be agreed in writing with the Local Planning Authority.
In the interests of highway safety.
6. Unless otherwise agreed in writing with the Local Planning Authority details of all walls, fences and other means of boundary enclosure, including screen planting, shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced. The enclosures so approved shall be erected prior to the first occupation of the dwellinghouse. Any agreed screen planting shall be planted in the first planting season following the occupation of the dwellinghouse.
In the interests of visual amenity and the privacy of neighbouring properties.
7. Any trees/shrubs required to be planted in association with the development hereby approved, and which are removed, die, are severely damaged, or become seriously diseased, within five years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted.
In the interests of visual amenity.
8. 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.

9. 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 additional windows(s) shall be inserted in the elevations of the dwellinghouse facing 5 or 7 Valley Close without the prior written consent of the Local Planning Authority.
To prevent overlooking
10. Before any construction works begins on the new dwelling house, including any excavations for foundations, it shall be pegged out on the site and its exact location agreed in writing by the Local Planning Authority. The developer shall give 24 hours prior notification of his/her intention to peg out the proposed building on the site for an officer site visit to be arranged to check the setting out.
In the interests of the amenities of the occupants of neighbouring properties.

6 Valley Close

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

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| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 07/03/08 |
| | SCALE 1:1,250 | |
| Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT | DRG.NO H/2008/0044 | REV |

No: 6
Number: H/2007/0872
Applicant: Mr A l'Anson Dunbar Road Hartlepool
Agent: Mr A l'Anson 70 Dunbar Road Hartlepool
Date valid: 10/12/2007
Development: Change of use to use as haulage depot and erection of a detached storage building
Location: LAND NEXT TO CLEVELAND RECLAMATION BRENDA ROAD HARTLEPOOL HARTLEPOOL

The Application and Site

6.1 This application is for the change of use of vacant land to a haulage depot and the erection of a detached single storey steel framed storage building. The application site is an area of land located on the west side of Brenda Road, directly adjacent to the south entrance to the Corus steelworks site.

6.2 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.

Publicity

6.3 The application has been advertised by way of neighbour notification (2) and site notice. The time period for representations has expired. No responses were received objecting to the application.

Consultations

6.4 The following consultation replies have been received:

Traffic and Transportation - No objections to the proposal subject to conditions with regard to the design and upgrading of the access to the site.

Landscape & Conservation - has stated that the part of the site proposed for the storage building and the parking of vehicles is currently hard standing with no ecological interest.

Head of Public Protection & Housing - No objections to the proposed development.

Northumbrian Water - No objections to the proposed development.

Planning Policy

6.4 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.

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.

Rec12: Identifies this land for outdoor recreational purposes.

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

Planning Considerations

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

6.6 The site is allocated for recreational use so the proposed use as a haulage yard 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 and given the close proximity of adjacent industrial sites operating similar uses the proposed use is considered to be acceptable.

6.7 It is proposed that the storage building be sited within the southwestern corner of the application site. The proposed building has a total floor area of 209 square metres with a height to the eaves of the pitched roof of 4.24 metres. This is in keeping with the design and appearance of other industrial units in the vicinity. There are no concerns relating to the visual impact of the proposed building, as the public highway will be a distance of approximately 46m from the front elevation. The siting of the proposed storage building is considered to be acceptable in this location.

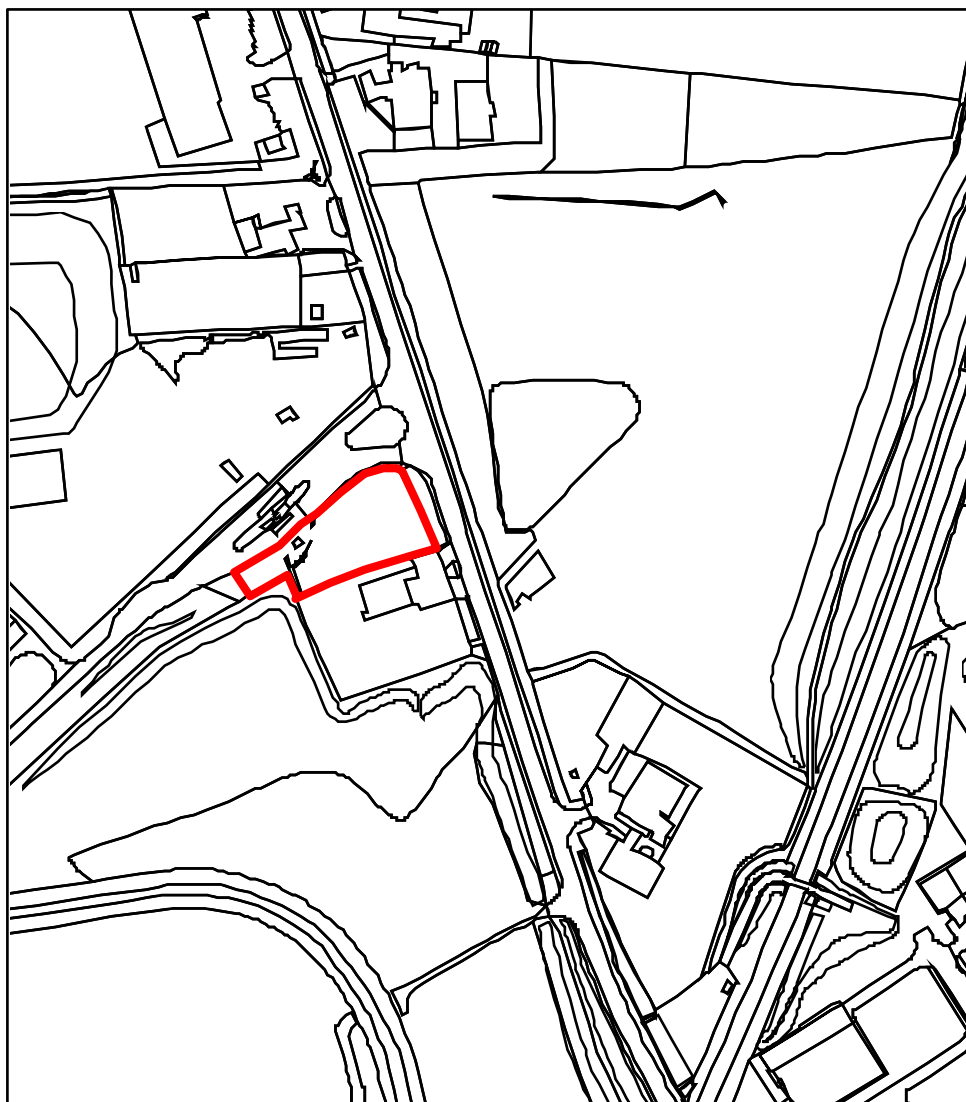
In terms of its design the structure is considered to be acceptable in relation to the surrounding street scene. The proposed building is of a cavity wall construction with standard profiled cladding to the external walls and roof, which would be considered acceptable in design terms in this location.

RECOMMENDATION -

That subject to a decision by the Secretary of State not to call in the application, 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. 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.
3. 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.
4. The development hereby approved shall not be brought into use until an industrial crossing incorporating a 12 metre radius has been constructed in accordance with details to be previously agreed by the Local Planning Authority. The approved crossing shall be retained for the lifetime of the development.
In the interests of highway safety.
5. No development shall be commenced until a scheme for highway improvements to provide right hand turn markings at the entrance to the site from Brenda Road has been submitted to and approved in writing by the Local Planning Authority. The approved right hand turn markings shall be retained for the lifetime of the development.
In the interests of highway safety.
6. The scheme for highway improvements to provide right hand turn markings at the entrance to the site from Brenda Road shall be carried out in accordance with the approved details before any part of the development is brought into use.
In the interests of highway safety.

Land in Brenda Road



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| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 07/03/08 |
| | SCALE 1:3000 | |
| Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT | DRG.NO H/2007/0872 | REV |

Report of: Assistant Director (Planning and Economic Development)

Subject: APPEAL – REAR OF 1 AND 2 WISBECH CLOSE
AND 16-22 (EVENS) BARFORD CLOSE

1. PURPOSE OF REPORT

A planning appeal was lodged against the refusal of planning consent for the incorporation of public open space land into the curtilages of properties for use as domestic gardens at the rear of 1 and 2 Wisbech Close and 16-22 (evens) Barford Close, South Fens.

The appeal was decided by written representations and the inspector subsequently allowed the appeal.

A copy of the decision letter is attached as an appendix.



Appeal Decision

Site visit made on 11 February 2008

by **Graham E Snowden** BA BPhil Dip
Mgmt MRTPI

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.gsi.gov.uk

Decision date:
25 February 2008

Appeal Ref: APP/H0724/A/07/2057712

Land at rear of 1 and 2 Wisbech Close and 16-22 Barford Close, Hartlepool TS25 2LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs T Allen against the decision of Hartlepool Borough Council.
- The application Ref H/2007/0333, dated 23 April 2007, was refused by notice dated 17 September 2007.
- The development proposed is a change of use from public open space to domestic garden and incorporation of land into curtilages of 1 and 2 Wisbech Close and 16, 18, 20 and 22 Barford Close.

Decision

- I allow the appeal, and grant planning permission for the change of use from public open space to domestic garden and incorporation of land into curtilages at 1 and 2 Wisbech Close and 16, 18, 20 and 22 Barford Close, Hartlepool TS25 2LW in accordance with the terms of the application, Ref H/2007/0333, dated 23 April 2007, and the plans submitted therewith, subject to the following conditions:
 - The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - Details of all walls, fences and other means of boundary enclosure shall be submitted to and approved in writing by the local planning authority and the development shall thereafter be carried out in accordance with the approved details.
 - The four existing trees on the site shall be retained, unless otherwise agreed in writing with the local planning authority.
 - No development shall begin until arrangements have been made for the removal of the hard surface of the remaining path from the northern boundary of the appeal site to the existing footpath linking Brandon Close with Barford Close and the subsequent grassing over of this area. Such arrangements shall include provision for the carrying out of the work within 12 months of the incorporation of the appeal site into adjacent domestic gardens.

DEPT. OF REGENERATION & PLANNING
BRYAN HANSON HOUSE, HANSON SQUARE

27 FEB 2008

HANDED TO

REPLY

FILE No

Appeal Decision APP/H0724/A/07/2057712

Main Issue

2. The main issues are whether the proposal, involving the loss of incidental open space and a pedestrian through route, would have a detrimental effect on the character and appearance of the area and, if so, whether there are other benefits, which would outweigh any harm caused.

Reasons

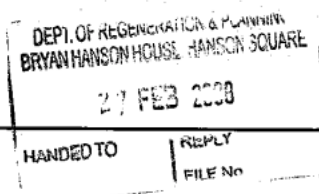
3. The footpath runs north-south to the rear of properties fronting Brandon/Wisbech Close to the west and Barford Close to the east. It links two footpaths running east-west between the two streets. It is flanked by incidental open space, but this is a characteristic and abundant feature of the whole of the estate and I do not consider that the space, in this instance, being largely hidden at the rear of existing properties, makes a vital contribution to the overall character of the area. Its loss would not, therefore, conflict with the relevant provisions of Policy GE1, saved from the Hartlepool Local Plan (Local Plan).
4. Local Plan Policy GN6 seeks to resist the loss of areas of incidental open space except where, among other things, it can be demonstrated that it is detrimental to the amenities of adjoining properties. Apart from some graffiti, there was no evidence, at the time of my site visit, of the appeal site being used for antisocial activity. Nevertheless – and despite some local difference of opinion – I consider that the photographic evidence produced and the comments of the Police satisfactorily demonstrate that the area has been a source of nuisance to adjacent residents. I consider, therefore, that the proviso in Policy GN6 is satisfied and that this counts heavily in favour of the present proposal.
5. I also note that the footpath is located where clear views along its length are not available and the disposition of flanking boundary walls and fences creates hidden corners, rendering the route potentially unsafe, particularly after dark. Alternative, only slightly less convenient, but safer, shortcuts exist in the vicinity and this has reinforced my view that the closure of the route would be acceptable.
6. Policy GN6 suggests that where open space is lost, the Council will impose conditions or seek obligations to ensure compensatory provision. However, no conditions have been suggested by the Council and, given the level of incidental open space in the area, I do not consider that compensatory provision is essential in this instance. Nor do I consider that allowing the appeal would set a precedent, as each proposal has to be considered on its merits and particular circumstances apply in the present case.
7. I agree with the Council that the design of any proposed means of enclosure, particularly where this would abut the public domain, should be controlled and I have imposed a condition to give effect to this. I also consider that the retention of the four semi-mature trees on the site is desirable, to maintain the character of the area. Again I have imposed an appropriate condition, but cannot see what useful purpose would be served by asking the appellant to submit a detailed tree survey.

Appeal Decision APP/H0724/A/07/2057712

8. The implementation of the appeal proposal would leave a truncated footpath link north of the site and I can understand comment suggesting the need for this to be removed and grassed over to blend with the adjacent landscaping. This land is not under the control of the applicant, but I consider that a condition requiring arrangements for such work to be put in place is possible and desirable, in the interests of the appearance of the area. I have imposed a condition accordingly.
9. Subject to these conditions, for the reasons set out above, and having regard to all other matters raised, I conclude that the proposal would not have a detrimental effect on the character and appearance of the area and that the appeal should be allowed.

G E Snowden

INSPECTOR



Report of: Assistant Director (Planning and Economic Development)

Subject: UPDATE ON CURRENT COMPLAINTS

1. PURPOSE OF REPORT

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

- 1 An anonymous complaint about the alleged sub-division of a unit at a commercial property on Whitby Street.
- 2 A neighbour complaint about an alleged erection of a garage at a property on Lister Street.
- 3 A Councillor complaint about the alleged non-compliance with approved plans at a site on Masfield Road.
- 4 An anonymous complaint about the alleged works to form disabled toilet at a site on St Pauls Road.
- 5 An Officer complaint about the unauthorised advertisements at various sites on Belle Vue Way.
- 6 A neighbour complaint about the unauthorised conversion from retail to flats at a property on Southburn Road
7. A neighbour complaint about an alleged unauthorised extension at a property on North Drive.
- 8 An investigation was commenced following concerns regarding the non-compliance with approved plans at a development on Park Road.
- 9 An investigation was commenced following neighbours concerns regarding running a business from home at a residential property on Fenton Road.

10 A neighbour complaint about the alleged non-compliance with approved plans at a development on Egerton Road.

11 A neighbour complaint about the alleged non-compliance with approved plans at a property on Manor Road.

3. RECOMMENDATION

3.1 That Members note this report.