

PLANNING COMMITTEE AGENDA



Wednesday 9th July 2008

at 10.00 am

**in Committee Room B,
Civic Centre, Hartlepool**

MEMBERS OF PLANNING COMMITTEE:

Councillors Akers-Belcher, Allison, R Cook, S Cook, Fleet, Flintoff, Kaiser, Laffey, G Lilley, Morris, Payne, Plant, Richardson, Simmons, Sutheran and Wright

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

3.1 To confirm the minutes of the meeting held on 25th June 2008 *(to follow)*

4. ITEMS REQUIRING DECISION

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

1. H/2008/0354 Wiltshire Way Car Park
2. H/2008/0322 Queens Meadow Business Park, Stockton Road
3. H/2008/0246 Titan House, York Road
4. H/2008/0285 Land adjacent to 11 Arbroath Grove
5. H/2008/0275 26 Egerton Road
6. H/2008/0364 44 Murray Street
7. H/2006/0261 Tesco Supermarket Ltd, Burn Road
8. H/2008/0320 Hartlepool Sixth Form College, Blakelock Road

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

4.3 Appeal by Mr Pattison, 16 Hutton Avenue, Hartlepool (H/2007/0681) – *Assistant Director (Planning and Economic Development)*

5. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

6. FOR INFORMATION

Next Scheduled Meeting – Wednesday 6 August 2008 in the 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 6 August 2008 at 9.00am or at a time to be agreed by the Committee.

No: 1
Number: H/2008/0354
Applicant: Hartlepool Borough Council Hanson Square Hartlepool
Agent: Kieran Bostock Hartlepool Borough Council Bryan
Hanson House Hanson Square Hartlepool
Date valid: 30/05/2008
Development: Alterations to car park and relocation of recycle bins
Location: CAR PARK WILTSHIRE WAY HARTLEPOOL
HARTLEPOOL

The Application and Site

1.1 The application site comprises landscaping and a small car park, which is currently accessed via Wiltshire Way and serves the local centre. The proposal is to alter the existing layout to incorporate a larger car park comprising 30 car parking spaces; currently this particular part of the car park has only 10. The proposal also involved the relocation of the recycling bins.

Publicity

1.2 The application has been advertised by way of neighbour letters (3), site notice and press notice. To date, there have been 3 letters of objection.

1.3 The concerns raised are:

1. Tesco's have bullied the Council
2. Not doing what the people want
3. Want an access directly from Hart Lane to the rear of the shops
4. No wagons should go into Hartside Gardens
5. Concerns regarding child safety
6. Already had one wagon parking in a garden in Hartside Gardens
7. It was agreed access to the shops via Hartside Gardens was stopped, this is a U turn
8. Cannot park outside of own house
9. Old plans were fine
10. Exit for the shops is not marked
11. The street is not wide enough to get 2 cars comfortably and safely along
12. Should be carried out as originally planned
13. Concerns about illegal parking
14. Untidy and unhappy area

Copy letters A

1.4 The period for publicity expires on the 12th July 2008.

Consultations

1.5 The following consultation replies have been received:

Public Protection – No objection
Head of Property Services – Awaiting Comments
Northumbrian Water – Awaiting Comments
Traffic and Transportation – Awaiting Comments

Planning Policy

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

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.

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.

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

Planning Considerations

1.7 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, and the appearance of the development in the streetscene in general. Highway safety issues also need to be considered.

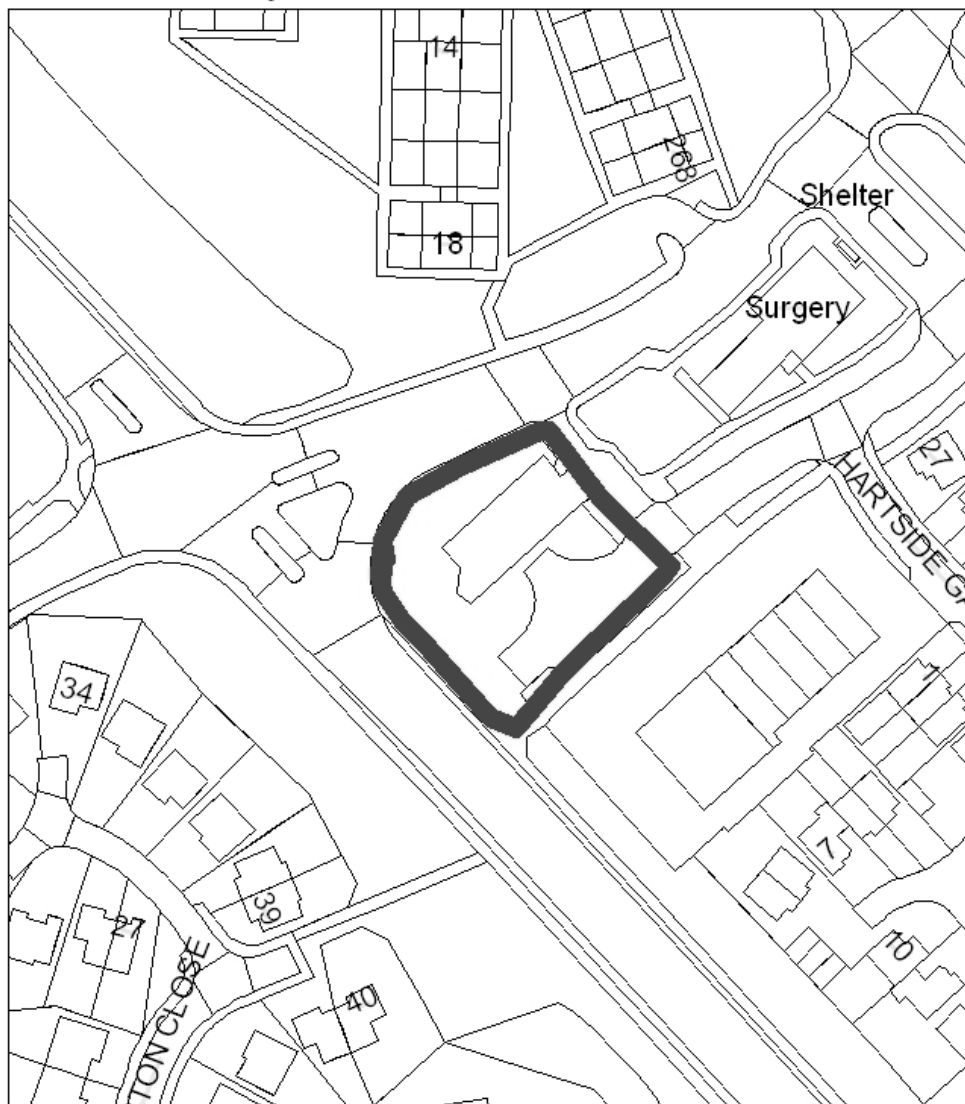
1.8 The alterations proposed would constitute a departure from the Local Plan as part of the area which is proposed to be developed is classified as a key green space. This comprises a grassed area fronting onto Hart Lane. The development would include the provision of trees, which not only would be compensatory for the loss of the existing grassed area, but would also provide a degree of screening to the proposed relocation of the recycling bins.

1.9 Traffic and Transportation comments are awaited, therefore an update report will be provided accordingly.

RECOMMENDATION – Update to follow



Wiltshire Way Car Park



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/06/08
	SCALE 1:1,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2008/0354	REV

No: 2
Number: H/2008/0322
Applicant: Deepdale Solutions Limited Stockton Road Hartlepool
TS25 5TB
Agent: Deepdale Solutions Limited Queens Meadow Business
Park Stockton Road Hartlepool TS25 5TB
Date valid: 29/05/2008
Development: Erection of 3 free-standing wind turbines
Location: QUEENS MEADOW BUSINESS PARK STOCKTON
ROAD HARTLEPOOL HARTLEPOOL

The Application and Site

2.1 The application site is located to the rear of an existing factory unit. At the moment it is a field laid to rough grassland however there is an extant permission to extend the unit and its curtilage onto this area (H/2007/0737). It is proposed to erect three turbines on the edge of a hardstanding/landscaped area which will be formed as part of that development. The wind turbines will be some 12m high to the hub with a 8m diameter blade giving an overall height to the top of the blade sweep of some 16m.

2.2 The site is located on the edge of an existing industrial estate. To the west is the Fire Brigade Headquarters which faces towards the site. To the south is a large expanse of rough ground which extends to Corus some distance away. To the east is the estate road beyond which is another factory unit. To the north is the estate road beyond which is a recently constructed commercial development which is nearing completion.

Planning History

2.3 In January 2008 planning permission was granted for the erection of an extension to the rear elevation of the factory with associated works including new accessway from existing road and hardstanding area and erection of 3 wind turbines. (H/2007/0737). The proposal included the provision of three wind turbines mounted on the roof of the building extending to some 19m in height.

Publicity

2.4 The application has been advertised by site notice, press advert and neighbour notification. The time period for representations expires on 12th July 2008.

2.5 At the time of writing a single response had been received raising no objections.

Consultations

2.6 The following consultation replies have been received:

Greatham Parish Council - No comments received.

Traffic & Transportation - No objections.

Public Protection - No objections.

Landscape Planning & Conservation - No objections.

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.

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.

Ind3: States that land is reserved for development as a business park. Proposals for business development, and for those general industrial and storage uses which do not significantly affect amenity or prejudice the development of adjoining land, will be allowed where they meet the criteria set out in the policy. Town centre uses will not be allowed unless they are primarily providing support facilities for the business park. Travel plans will be required for large scale developments.

PU7: States that renewable energy projects will generally be supported to facilitate the achievement of national targets for electricity generating capacity. In determining applications significant weight will be given to achieving wider environmental and economic benefits. Account will also be taken of the impact on the character of the area, amenity of residents, ecology and radar and telecommunications. A restoration scheme should be submitted.

Planning Considerations

2.8 The main planning considerations are impact on the amenity of neighbouring businesses, impact on the visual amenity of the area, wildlife, and TV/radio reception.

Impact on the amenity of neighbouring businesses

2.9 It is not considered that the proposal will unduly affect the future occupiers of the new units located to the north. The neighbouring units, to the east and west face towards the site, however they are located some distance from the nearest turbine,

the closest 30m plus, and given their relatively lightweight structure it is not considered that their amenity will be unduly affected.

Impact on the visual amenity of the area

2.10 The proposed turbines will be located to the rear of the existing building as extended. At their highest extent some 16m they will be slightly higher than the existing building which is some 11m high. However, given the fact that they will be located on the industrial estate close to the existing building it is not considered that they will be unduly prominent. In public views they will be seen in the context of the existing building. It should also be noted that their overall height will be less than the three turbines previously approved on the building which extended to some 19m high. In terms of their impact on visual amenity the proposal is considered acceptable.

Wildlife

2.11 The turbines will be located on the existing industrial estate on a site where turbines have previously been approved. The Ecologist does not consider that they will have a significant impact on birds or bats and has raised no objections to the proposal.

TV and Radio Reception

2.12 Wind turbines can cause TV and radio interference. Given the size and location of the turbines it is considered unlikely that they will cause any loss of reception to any residential properties which are located some distance away. However, the adjacent properties, the Fire Brigade Headquarters to the west and the adjacent business to the east are closer and might be affected. It is considered prudent therefore to impose an appropriate condition which would allow for any problems to be rectified if it can be determined that the turbines are responsible.

Conclusion

2.13 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 details and plans as submitted on 29th May 2008 as amended by the plans received at the Local Planning Authority on 26th June 2008, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt
3. No generation of electricity from the development hereby permitted shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority providing for the remediation of any interference to

radio telemetry links caused by the operation of the turbines. The approved scheme shall be implemented thereafter.

To enable the Local Planning Authority to control details of the development in the interests of visual amenity, and to comply with Policy GEP4 (Control of Pollution) of the Hartlepool Local Plan.

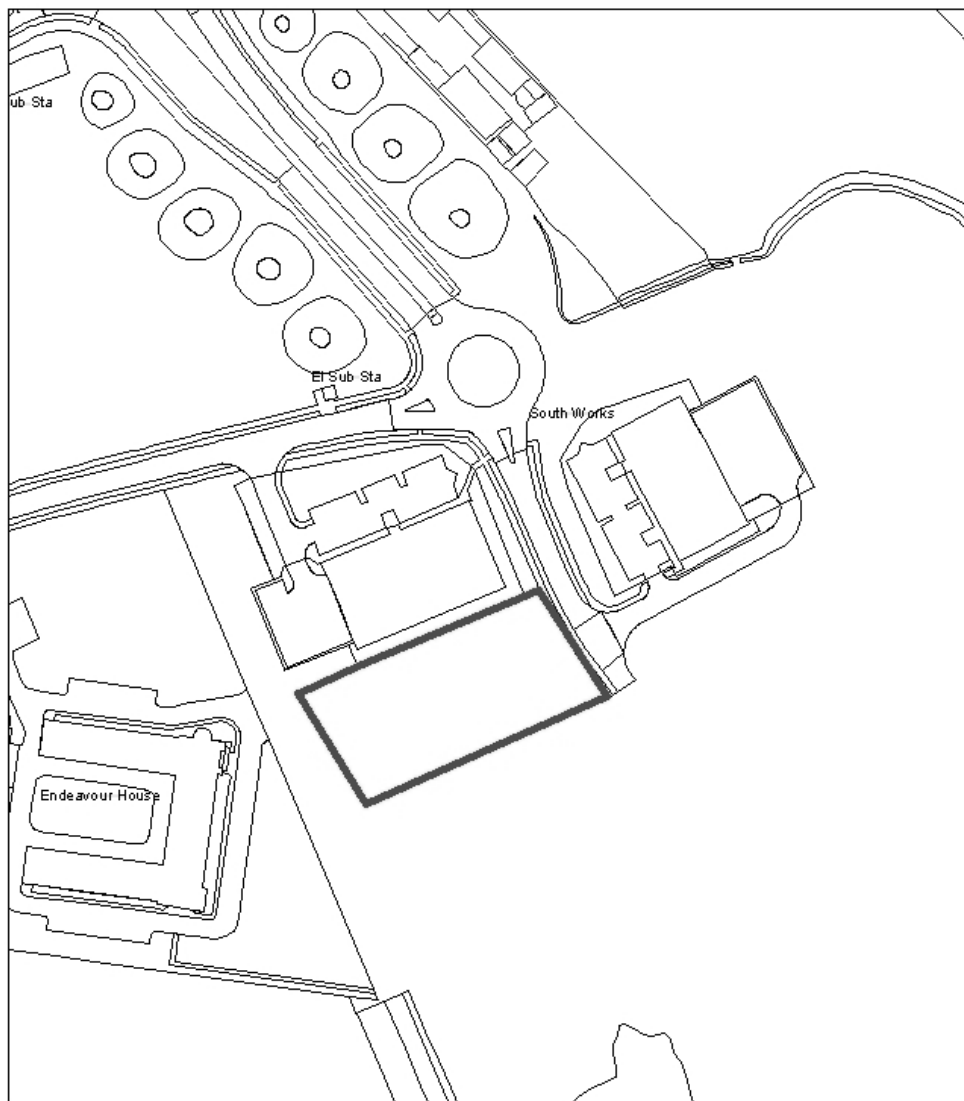
4. No generation of electricity from the development hereby permitted shall take place until a report detailing a scheme for the investigation and alleviation of any electromagnetic interference to TV reception, which may be caused by the operation of the wind turbine hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The recommendations stated in the report shall be followed and, where necessary, and upgrading works implemented.

To enable the Local Planning Authority to control details of the development in the interests of visual amenity, and to comply with Policy PU7 (Renewable Energy Development) of the Hartlepool Local Plan.

5. Unless otherwise agreed in writing by the Local Planning Authority the turbines hereby approved shall be removed from the site within 28 days after any cease to be used for the purposes of generating electricity. In the interests of visual amenity.



Queen's Meadow Business Park



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/06/08
	SCALE 1:2,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2008/0322	REV

No: 3
Number: H/2008/0246
Applicant: Montague Estates (Titan) Ltd Tower Street Hartlepool
 TS24 7HJ
Agent: Building Design (UK) Ltd Suite 1 Tayson House Methley
 Road CASTLEFORD WF10 1PA
Date valid: 18/04/2008
Development: Alterations to provide 49 apartments
Location: TITAN HOUSE YORK ROAD HARTLEPOOL
 HARTLEPOOL

Background

3.1 This application was deferred at the last meeting to give the applicant the opportunity to address the Committee. The original report updated as necessary is reproduced below.

The Application and Site

3.2 The application site is located at the junction of York Road and Park Road within the town centre area of Hartlepool.

3.3 This is a 6 storey commercial property which has remained mostly vacant for many years.

3.4 There are commercial uses on the ground floor including shops, offices and health and beauty. The surrounding area is mostly commercial, the nearest houses in Dalton Street having been cleared or boarded up.

3.5 The proposal involves alterations and the change of use of the upper floors to provide 49 apartments.

3.6 A new glazed entrance lobby with ramp and canopy will be provided at street level with 9 units on the first floor and 10 on each of the remaining 4 floors.

3.7 This will comprise 29 studio apartments, 8 no 1 bed apartments and 12 no 2 bed apartments, all accessed by stairs and lifts. These units will be for sale at prices targeting affordable housing and first time buyers.

3.8 The external appearance of the building will be altered. This will include new double glazed windows and cladding.

3.9 A secure bin store is to be created within the existing area for car parking which is located in Dalton Street.

3.10 No additional parking for the new apartments has been included in this application. Negotiations are underway between the applicant and Hartlepool

Revival for additional land to be made available in the near future to provide a minimum of 25 parking spaces for the development. This would be subject to a separate planning application.

Publicity

3.11 The application has been advertised by site notice and letters to neighbours (13). To date there have been 3 letters of no objection, one letter of support and one letter with comments and one letter of objection. The objector has concerns that there are enough empty apartments in the town and the building is an eyesore which should be “raised to the ground”.

The period for publicity has expired.

Copy Letter B

Consultations

3.12 The following consultation replies have been received:

Northumbria Water	- No objections
Public Protection	- No objections
Traffic & Transport	- No objections
Anti Social Behaviour Officer	- No comments
Hartlepool Revival	- Awaited

Planning Policy

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

Com1: States that the town centre will be developed as the main shopping, commercial and social centre of Hartlepool. The town centre presents opportunities for a range of commercial and mixed use development subject to policies Com2, Com8 and Com9. Proposals for revitalisation and redevelopment should improve the overall appearance of the area, and also public transport, pedestrian and cycleway facilities and linkages. The Borough Council will encourage the enhancement of existing or creation of new open spaces and will seek to secure the reuse of vacant commercial properties including their use for residential purposes. Proposals for A3, A4 and A5 uses will be subject to policies Com12 and Rec13 and will be controlled by the use of planning conditions.

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

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

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

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

Hsg5: A Plan, Monitor and Manage approach will be used to monitor housing supply. Planning permission will not be granted for proposals that would lead to the strategic housing requirement being significantly exceeded or the recycling targets not being met. The policy sets out the criteria that will be taken into account in considering applications for housing developments including regeneration benefits, accessibility, range and choice of housing provided and the balance of housing supply and demand. Developer contributions towards demolitions and improvements may be sought.

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

Hsg8: States that proposals for the residential use of upper floors will be approved where they do not prejudice the further development of commercial activities. Parking requirements may be relaxed.

Planning Considerations

3.14 The main planning considerations in this case are the appropriateness of the proposal in terms of the policies and proposals contained within the Hartlepool Local Plan 2006, the impact of the development upon neighbouring properties and on the street scene in general and on highway safety.

3.15 In terms of national policy, Government Planning Policy Statement 1 : Delivering Sustainable Development states that good planning practice should actively promote regeneration and accessibility (location and physical access) and the enhancement of the quality, character and amenity value of the urban area. This

includes the efficient use or re-use of existing resources and seeks to encourage bringing back vacant and under used previously developed land and buildings into beneficial use.

3.16 PPS 3 (Housing) also promotes the re-use of previously developed land for housing in order to minimise the amount of Greenfield land being used for development.

3.17 Policy Hsg5 of the Local Plan highlights the need to provide a variety of housing to meet demands from all sectors of the community. While in housing need terms there is a significant supply of flats/apartments in the town, the proposed re-use of this building will have a positive effect on the regeneration of this part of the town centre area.

3.18 Policies Hsg7 and Hsg8 both advocate the re-use of upper floors of commercial buildings provided that there are no detrimental effects on adjacent properties.

3.19 It is considered therefore that there would be significant regeneration benefits for the area in the re-development of this building which has previously been highlighted as a major 'eye-sore' in the town. In view of the above, the re-use of this building for residential accommodation is considered to be appropriate.

Effect on neighbouring properties and the street scene

3.20 The physical alterations for the refurbishment will improve the visual amenities of the building itself and the area in general.

3.21 The property which is very prominent in the street scene, can be viewed from a wide area and it is therefore considered that its re-use and refurbishment will have a positive effect on its image, the street scene in general and on other commercial uses in the area.

Highway Considerations

3.22 As previously mentioned, there is no additional parking included in this application. However, as this is a town centre site, no additional parking is formally required.

3.23 The building is located on the main commercial street and very close to Middleton Grange Shopping Centre, where there is easy access to employment, shops, leisure facilities and public transport.

3.24 The agent has stated that an agreement has been reached between the applicant and Hartlepool Revival for land to the rear in Dalton Street to provide a minimum of 25 car parking spaces in the near future.

3.25 This is land that has been cleared and has previous approvals for car parking. This area together with land to be cleared on the north side of Dalton Street is now a low priority area in the Hartlepool Revivals town centre regeneration plans.

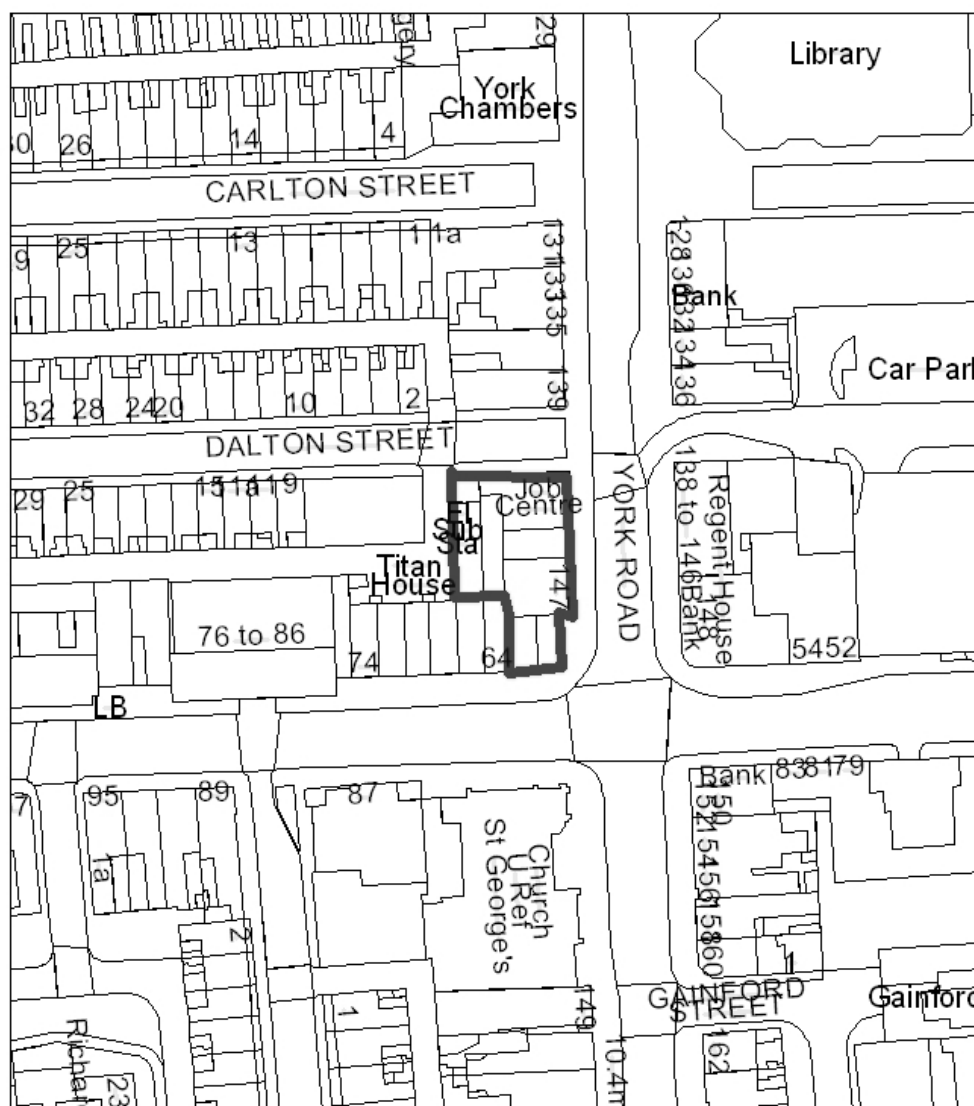
3.26 A formal planning application will be necessary for the provision of private car parking and it is likely that some landscaping/planting will be required within the scheme.

Other issues

3.27 With regard to the comments made by the occupant of the upper floor of the Park Road wing of Titan House, the blocking up of the doorway would not be a planning matter.

RECOMMENDATION – APPROVE subject to the following condition(s)

1. The development to which this permission relates shall be begun not later than five 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 use hereby approved shall not commence until further details for the storage of refuse within the site have been submitted to and approved in writing by the Local Planning Authority and all such details have been implemented.
In the interests of the amenities of the occupants of neighbouring properties.
4. The scheme shall incorporate energy efficiency and sustainability measures, the details of which shall be first submitted to and approved 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.
In the interests of sustainable development.
5. Prior to the commencement of the development hereby approved, the building shall be provided with noise insulation measures, details of which shall be submitted for the consideration and approval of the Local Planning Authority. The scheme shall ensure adequate protection is afforded against the transmission of noise between the commercial uses and the residential accommodation. The noise insulation scheme, as approved, shall be implemented in full and retained thereafter during the lifetime of the development.
To ensure that the building is adequately soundproofed in the interests of the amenity of the occupants of adjacent residential property.
6. Unless otherwise agreed in writing by the Local Planning Authority the alterations to the elevations of the building shall be completed before any of the apartments hereby approved are first occupied
In the interests of visual amenity.

TITAN HOUSE

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 27/05/08
	SCALE 1:1000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2008/0246	REV

No: 4
Number: H/2008/0285
Applicant: Hartlepool Borough Council Victoria Road Hartlepool
Agent: Hartlepool Borough Council Building Consultancy
Leadbitter Buildings Stockton Street Hartlepool
Date valid: 09/05/2008
Development: Provision of a parking area (retrospective application)
Location: LAND ADJACENT TO 11 ARBROATH GROVE
HARTLEPOOL HARTLEPOOL

The Application and Site

4.1 The application seeks to provide off street parking within an area of public open space at the end of a cul-de-sac adjacent to 11 Arbroath Road.

4.2 This is a part retrospective application, the laying of tarmac has been carried out but no formal layout has been provided. This will be obtained by condition.

Publicity

4.3 The application has been advertised by way of neighbour letters (15) a site notice and a press advert. To date, there has been 1 letter of no objection.

The period for publicity has expired.

Consultations

4.4

Head of Traffic and Transportation – No objection subject to a formal layout being submitted.

Planning Policy

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

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

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

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

GN6: Resists the loss of incidental open space, other than in the exceptional circumstances set out in the policy. Compensatory provision or enhancement of nearby space will be required where open space is to be developed.

Planning Considerations

4.6 The main planning considerations in this instance are the appropriateness of the proposal in terms of the policies and proposals contained within the adopted Hartlepool Local Plan outlined above and in particular whether the change of public open space will have an effect upon the street scene and the amenity of the area.

4.7 The proposal involves the formation of car parking in a residential area, where many of the houses do not have any off-street parking, and parking takes place on the highway and on grass verges. This is not an unusual situation and the Council has sought to provide more formalised parking throughout various areas of the town by for example removing small grass verges. This enables the local residents to park their vehicles off the highway. This proposal affects a small incidental area of open space within Arbroath Grove. There are still areas of public open space to be retained.

4.8 The loss of this small piece of public open space and use for parking will clearly benefit local residents and should not have a significant detrimental effect upon the amenity of the area. There is scope to plant the area behind the tarmac to soften its appearance and compensate in part of the loss of the grassed area.

4.9 The area is a small piece of land, which is identified as public open space and therefore has to be referred to the Government Office for the North East (GONE) as a departure from the Hartlepool Local Plan.

4.10 It is therefore recommended that the Members indicate that they are minded to Approve the application subject to the following conditions and the application being referred to GONE.

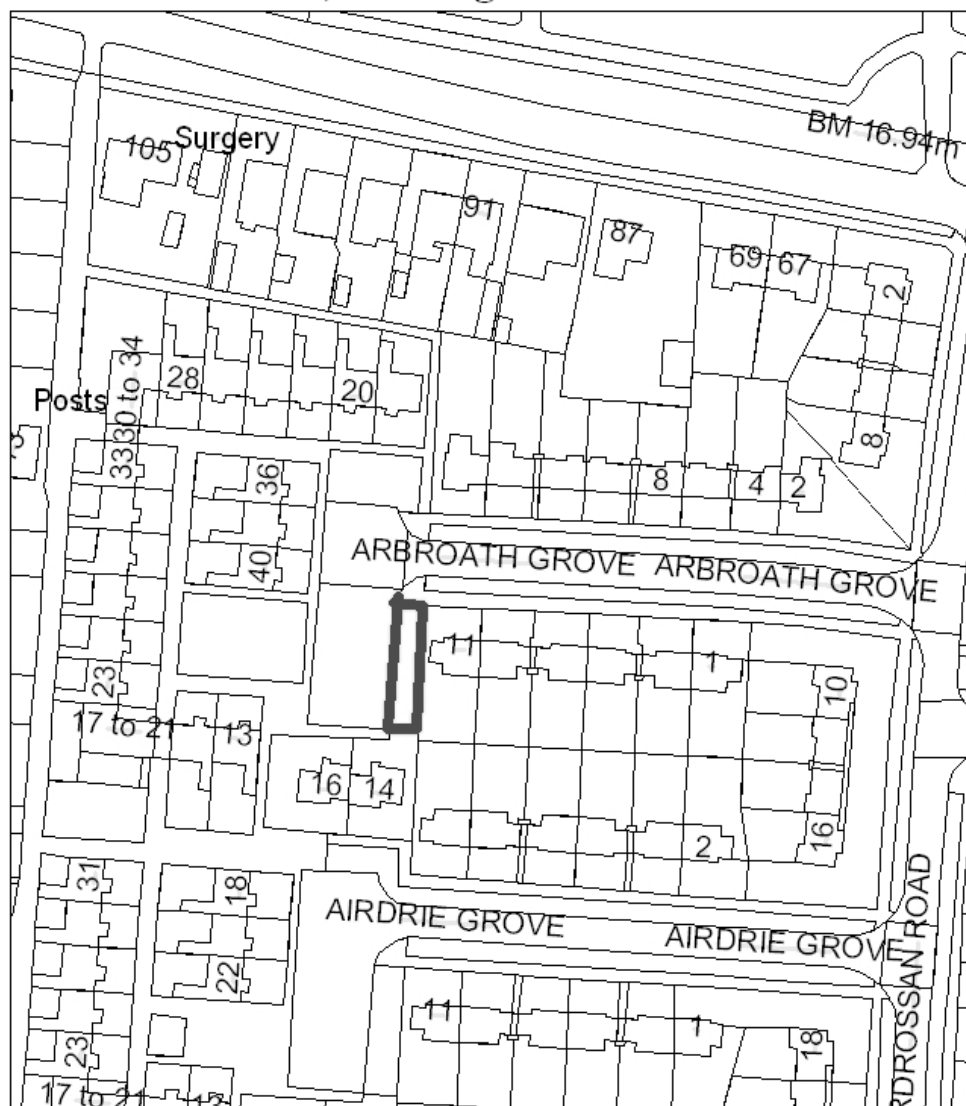
RECOMMENDATION – APPROVE subject to the following conditions

1. Within one month of the permission being granted an approved scheme for formal layout of the parking area and a schedule of works and time scales shall be submitted to and agreed in writing to the Local Planning Authority. In the interests of highway safety.
2. A scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of the 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.



Arbroath Grove, Parking Area



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/06/08
	SCALE 1:1,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2008/0285	REV

No: 5
Number: H/2008/0275
Applicant: Mr R M Mayes EGERTON ROAD HARTLEPOOL TS26 0BW
Agent: ASP Associates 8 Grange Road HARTLEPOOL TS26 8JA
Date valid: 10/06/2008
Development: Amendment to planning approval H/2007/0650 for alterations and extensions to provide a double garage, new entrance, kitchen/dining area, cloakroom, 3 additional bedrooms with 2 en-suites and bedroom extension, to provide an additional kitchen window on west elevation and an obscurely glazed first floor ensuite bathroom window on the east elevation (amended description).
Location: 26 EGERTON ROAD HARTLEPOOL HARTLEPOOL

The Application and Site

5.1 The site to which this application relates is a substantially extended two-storey detached dwellinghouse located within a predominantly residential area. The property has a garden to both the front and rear with high close-boarded fencing to all boundaries.

5.2 The property is bounded to the east and west by single storey bungalows and to the rear by detached two-storey residential properties.

5.3 This application relates to an amendment to a previously approved scheme (H/2007/0650) for the erection of a two-storey extension to the front and side to create a ground floor double garage, entrance hall, kitchen/dining area and cloakroom and a first floor extension to create 3 bedrooms and an en-suite bathroom. The extension has recently been undertaken and the external works appeared to be substantially complete at the time of the officer site visit.

5.4 This application seeks retrospective consent for the provision of an additional ground floor window in the west (side) elevation of the extension to serve the kitchen. It also seeks retrospective consent for the provision of an obscurely glazed first floor window in the east elevation to serve an en-suite bathroom.

5.5 The additional kitchen window was indicated upon the approved ground floor layout plans following an amendment to correct discrepancies relating to the eastern elevation of the extension, however it was not shown on the approved elevational details. Following consultation with the Council's Chief Solicitor it was established that the additional kitchen window, given the discrepancies, did not benefit from a planning consent.

5.6 This application has been amended since originally submitted to seek retrospective consent for the provision of another window which has also been

added without consent, an en-suite window at first floor. This window was indicated on the original proposed plans, but was subsequently removed from the plans which were approved. Photographs from both windows will be displayed at the meeting.

5.7 A re-consultation exercise has been undertaken to advertise the amendment to this application.

Publicity

5.8 The application has been advertised by way of neighbour letters (8). To date, there have been 3 letters of objection received in relation to the additional window in the west elevation. To date no letters of objection have been received regarding the additional window in the east elevation.

5.9 The concerns raised are:

1. My chief concerns have always been and still remain the obtrusive size of the building and subsequent infringement on privacy. In my opinion an additional window is unnecessary as a French window and two more windows are already included in the design plan. An additional window exacerbates the problem.
2. The first floor window in the side elevation facing 28 Egerton Road does not comply with the approved planning permission as a fixed (unopenable) sash window has not been installed.
3. The objector has made reference to the extension which has been undertaken at 26 and the development at 21 Egerton Road which he considers to be overdevelopment, he considers that the area is being progressively destroyed by overdevelopment on a grand scale.
4. The construction of 'an additional window in the west elevation' would cause no. 28 to be overlooked and there would be loss of privacy for the occupants of no. 28.
5. In this road we have already suffered from the effects of extraneous building.
6. Developers should not be allowed to do this, due to the intrusion of privacy for number 28 as well as it will set a precedent to others to try difficult issues afterwards.

5.10 The period for comments expires prior to the meeting. Any further letters of objection or comments will be tabled at the meeting.

Planning Policy

5.11 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.

Planning Considerations

5.12 The main planning considerations in this instance are the appropriateness of the additional windows in terms of the policies and proposals held within the Hartlepool Local Plan, in particular the effect upon the amenities of the occupants of the surrounding residential properties by way of overlooking and the visual effect of the additional windows upon the character of the property and in turn the streetscene.

Residential Amenity

5.13 The two windows in question will be considered in turn.

Ground Floor Kitchen Window

5.14 The additional kitchen window in the side (west) elevation is located next to a clear glazed kitchen window of the same size, which was granted planning consent as part of the two storey extension. It was considered that the approved kitchen window would be unlikely to lead to detrimental overlooking issues given the close-boarded boundary fencing which runs along the shared boundary with 28 Egerton Road. Moreover, it was considered that hedging and planting within the curtilage of 28 Egerton Road would further screen views from the window and as such it would be unlikely that detrimental overlooking issues would be created.

5.15 As the additional window in question is located further towards the rear of the extension that the window benefitting from consent, it is considered that the potential for overlooking from the window upon the rear elevation of 28 Egerton is reduced given the increase separation distance. It is considered that in light of the boundary treatments, the distance of the window from the boundary (approx 3.3m) and the associated existing planting, that the window is acceptable and is unlikely to lead to detrimental overlooking issues upon the occupants of the neighbouring properties once the extension becomes occupied.

First Floor En- Suite Window

5.16 It is acknowledged that the additional first floor window serving the en-suite on the east elevation of the property faces the side elevation of 24 Egerton Road. However, there are a number of substantial trees along the shared boundary of 24 which will substantially screen any views from the window. Moreover given that the window in question is at first floor, is obscurely glazed and taking into account the physical relationship with no. 24 (first floor window facing onto the side elevation of a single storey bungalow) it is not considered that any detrimental overlooking issues

will be created upon the living conditions of the occupants of the neighbouring property.

5.17 A planning condition has been suggested to be attached to any approval to ensure that window remains obscurely glazed throughout the lifetime of the development.

Character/Visual Amenity

5.18 Given the siting of the building upon the plot, in particular the distance from the road frontage, it is considered very unlikely that the two windows in question will be visible from the surrounding public vantage points.

5.19 The external appearance, scale and proportion of the windows in question are considered appropriate to the main dwelling and as such it is not considered that they detract from the character of the dwelling and in turn do not detract from the character of the street scene.

Other Matters

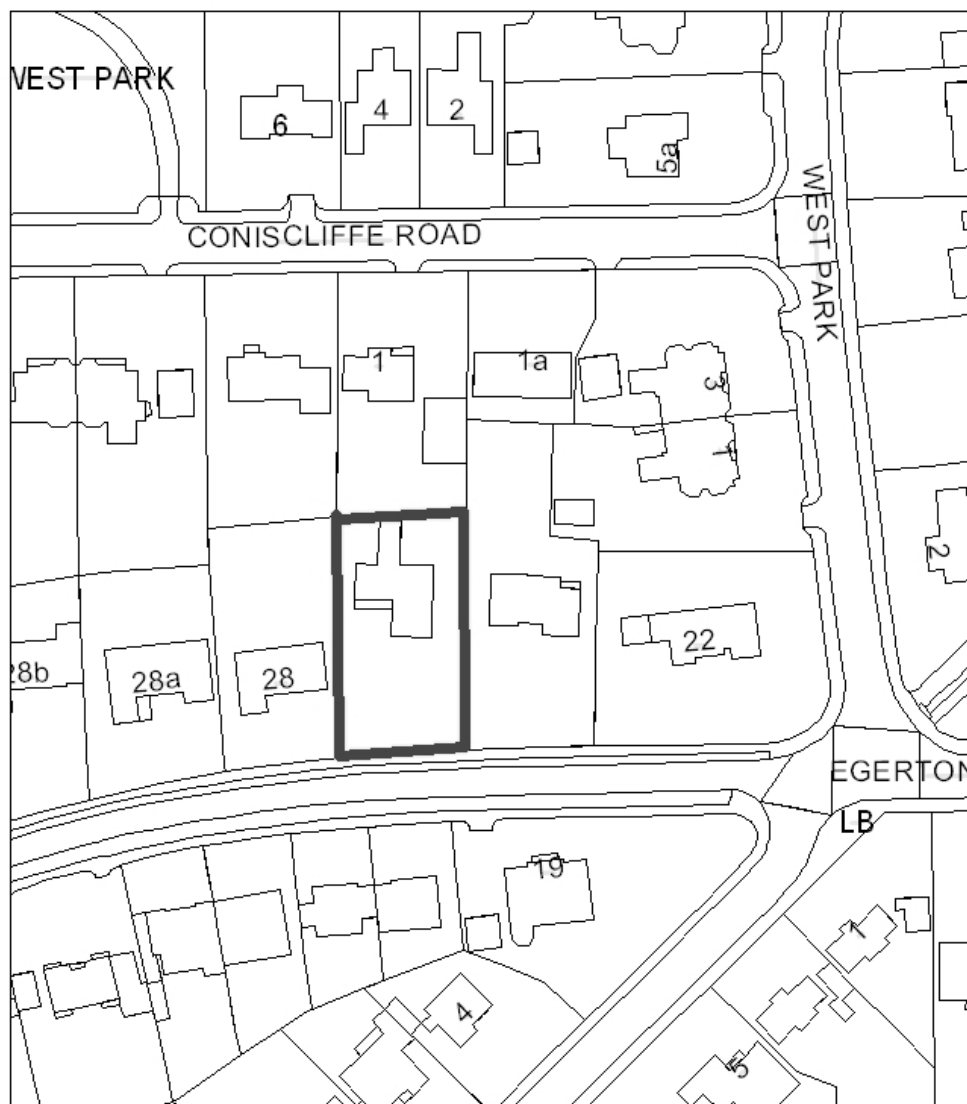
5.20 Issues raised by objectors with regard to the enforcement of planning conditions on the original planning approval are not material to the determination of this application and are being investigated separately.

Conclusion

5.21 It is considered that for the reasons stated above and subject to a planning condition which requires the first floor window to remain obscurely glazed throughout the lifetime of the development the application is recommended for approval.

5.22 It is important to highlight at this point that there is a planning condition attached to the planning approval for the extension (H/2007/0650) restricts the provision of any additional windows upon the elevations of the dwelling facing 24 and 28 Egerton Road without the prior written consent of the Local Planning Authority. It is necessary to repeat this condition in this instance and other relevant conditions from that permission are also recommended.

RECOMMENDATION – Given that the period of publicity has not yet expired and that further consideration of appropriate planning conditions is required, an update report will follow.

26 EGERTON ROAD

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 27/05/08
	SCALE 1:1000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2008/0275	REV

No: 6
Number: H/2008/0364
Applicant: Mr A Khan Grange Road Hartlepool TS26
Agent: Mr A Khan 59 Grange Road Hartlepool TS26
Date valid: 09/06/2008
Development: Change of use from cafe (A3) to cafe with hot food
takeaway service (A3A5)
Location: 44 MURRAY STREET HARTLEPOOL HARTLEPOOL

The Application and Site

6.1 The site to which the application relates is a two and a half storey mid terrace commercial property located within the designated Murray Street Local Centre. The premises is bounded to the north and south by commercial properties and commercial properties are also located directly opposite. The Murray Street public car park is located nearby off Oxley Street.

6.2 This application follows a planning approval (H/2007/0584) in October 2007 for the change of use of the premises to an Indian Café to operate between 9am and 6pm everyday of the week. The applicant has recently sought to extend the hours of opening of the premises from 9am until 10pm daily through planning application H/2008/0210. However, following the receipt of correspondence from interested parties, an Officer site visit and discussions with the applicant it has been established that a hot food takeaway service with an element of delivery is operating alongside the authorised café use.

6.3 This application seeks to regularise this mixed use through the submission of this planning application. The application seeks to operate the mixed use between 9am and 10pm every day of the week.

6.4 The applicant has submitted a supporting statement, which indicates that he is finding it difficult to deal with demand from the public for service after 6pm on an evening. The document also states that regular customers visit the premises between office hours and at a lunchtime and take the food away. A 45 signature petition of support for the extension of opening hours accompanies the application.

Publicity

6.5 The application has been advertised by way of neighbour letters (7) and a site notice. To date no letters of objection have been received, however the period of publicity has not yet expired at the time of writing this report. The period for publicity expires prior to the Committee meeting and as such an update report will be provided should any letters of objection be received.

Consultations

6.6 The following consultation replies have been received:

Head of Public Protection – No objection

Head of Traffic and Transportation – No objection

Cleveland Police – No objection but has advised that takeaways can act as gathering point for youths with associated anti-social behaviour. The Officer has recommended that a temporary 12 month approval to monitor any associated problems (should there be any) as he feels that this would ensure the premises is appropriately run. The Officer has also suggested that a CCTV system should be installed.

Community Safety Officer – No objections but have questioned if there have been any complaints regarding noise and disturbance from the existing operations.

Anti-Social Behaviour Unit – Have indicated they have no records associated with the property.

Planning Policy

6.7 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.

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

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

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

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

Planning Considerations

6.8 The main considerations in this instance are the appropriateness of the proposal in terms of the policies and proposals within the Hartlepool Local Plan in particular the potential effect of the proposal upon the amenities of the occupants of surrounding properties, the character and vitality of the Murray Street Local Centre and highway safety.

Policy Considerations

6.9 Policy Com5 (Local Centres) of the Hartlepool Local Plan 2006 makes provision for food and drink premises including restaurants and cafés (A3), drinking establishments (A4) and hot food takeaways (A5) within designated local centres, providing that there is no significant adverse effect on the amenities of the occupiers of adjoining or neighbouring properties and the highway network. The policy also requires the potential effect of the proposal upon the function, character and appearance of the area to be considered.

6.10 In light of Policy Com 5 it must be acknowledged that the sale of hot food to takeaway from such a premises in this location is acceptable in principle in terms of the land use allocations of the Hartlepool Local Plan.

6.11 In this instance given that the premises has an authorised use as a Café which has been implemented, it is not considered that the appearance of the area will be altered as a result of proposal.

6.12 The main issue in this instance is whether the comings and goings associated with the sale of the hot food to takeaway will be detrimental to the function and character of the area. It is considered that as the Murray Street Local Centre is clearly a busy, well used, local centre with a number of hot food takeaways and retail units which open in the early evening it is not anticipated that proposed mixed use, given that the existing use already involves the cooking of hot food to order, would be detrimental to its function and character.

Highway Safety

6.13 In terms of highway safety, the Council's Traffic and Transportation Section have raised no objection to the hot food takeaway service and the extension in opening hours. It is noted that there is an existing public parking area meters away (Oxely Street) and on street parking provision in the immediate vicinity of formal parking bays.

Amenity Issues

6.14 The application site is joined from the north by a charity shop and to the south by a butchers. It is acknowledged that there is a residential flat above the premises,

however this is associated with the ground floor use. The applicant has confirmed that sound insulation measures have been provided within the ground floor ceiling to protect the amenities of the flat above. The application site has an alleyway to the rear, which detaches it from the residential properties of 51 and 49 Lowthian Road.

6.15 Given the hours of use sought, the commercial nature of the area and in light of the number of takeaway uses within the surrounding area (which operate until later in the evening than the proposed use) it is not considered that the opening hours or the provision of a hot food takeaway service would bring about any significant detrimental noise and disturbance issues upon the amenities of the occupiers of nearby residential properties at times of the day when they would reasonably expect a degree of peace and quiet. The Head of Public Protection has confirmed that they have not received any odour or noise complaints regarding the existing operation being carried out at the property.

6.16 Issues relating to anti-social behaviour are often cited by objectors when commenting upon applications for uses, which involve the sale of hot food. Crime and the fear of crime are material planning considerations.

6.17 It is not considered that concerns about anti-social behaviour could be substantiated given the lack of any existing evidence attributable to the existing use at the premises. Both the Police's Crime Prevention Officer and the Council's Community Safety Officer have considered this proposal. The Crime Prevention Officer has commented that anti-social behaviour issues associated with hot food takeaways can be associated with those which are open later than the hours sought in this application. In light of this the officer has suggested that a temporary approval for the use for months would allow the use to be monitored. Officers consider that this approach is prudent in this instance and a suitably worded planning condition has been suggested below. It is considered that a requirement for CCTV at this time given the recommendation for a temporary permission in first instance would be excessive.

Litter Generation

6.18 Litter is also often an issue raised by objectors in relation to hot food takeaway uses. It is considered that in this instance Murray Street has a number of public litter bins and as such it not considered that this is a significant issue in this instance.

Conclusion

6.19 It is considered that proposed use and hours of operation are acceptable subject to the conditions set out below. The application is therefore recommended for approval.

RECOMMENDATION – Approve (subject to the following conditions):-

- 1) The use hereby granted is valid until 9 July 2009 and the premises shall revert to the originally approved use as a café only and the associated opening hours (approved under application H/2007/0584) on or before that date unless the

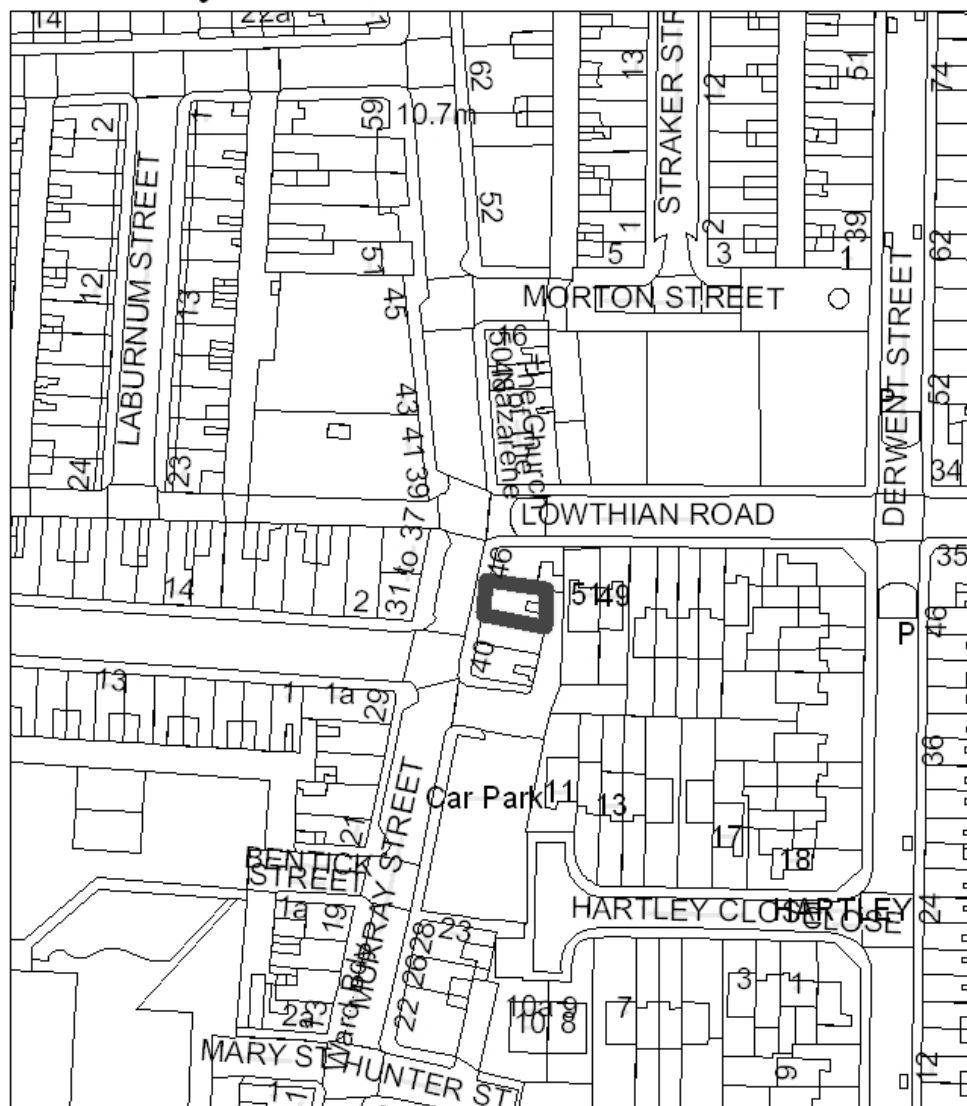
prior written consent of the Local Planning Authority has been granted to an extension of this period.

To enable the Local Planning Authority to assess the use in the light of experience.

2. For the avoidance of doubt the premises shall only be open to the public between the hours of 9.00am - 10.00pm any day of the week during the period permitted by condition 1.
In the interests of the amenities of the occupants of neighbouring properties.
3. Within one month of the date of this permission a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to and approved in writing by the Local Planning Authority . Once agreed the scheme shall be either installed or retained(if existing is considered acceptable) as such throughout the lifetime of the development. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturers instructions.
In the interests of the amenities of the occupants of neighbouring properties.



44 Murray Street



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/06/08
	SCALE 1:1,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2008/0364	REV

No: 7
Number: H/2008/0261
Applicant: TESCO PLC
Agent: TNEI Service Ltd Mrs Sarah Bough Milburn House Dean
Street Newcastle upon Tyne NE1 1LE
Date valid: 29/04/2008
Development: Proposed erection of 1 no micro wind turbine in car park
Location: TESCOS SUPERMARKET LTD BURN ROAD
HARTLEPOOL

The Application and Site

7.1 The applicant, Tesco PLC, is seeking planning permission for the erection of a 10.6m high micro wind turbine at the Tesco Store on Burn Road, Hartlepool. The turbine is vertically driven and will have a capacity of 6 kilowatts. It will produce enough electrical power to supply the equivalent of around four average UK households, and would prevent, on an annual basis, the emission to the atmosphere of approximately 24 tonnes of carbon dioxide.

7.2 It is intended for the electricity created by the turbine will be fed into the store, reducing its consumption and, therefore, the store's carbon footprint. This application is one of many submitted by Tesco throughout the UK.

Publicity

7.3 The application was advertised by way of site notice and neighbour notification (61). The time period for representation has expired. At the time of writing this report, three responses have been received, one of which raises the following concern:

"I do not object in principle; my concern is that some wind turbines emit noise – a low level buzz or hum and I would not want to have to put up with this when it was in operation. If there will be such noise nuisance from it effecting my home or garden then it would be no problem."

Consultations

7.4 The following consultation replies have been received:

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

Public Protection – No objections.

One Northeast – Awaited.

Planning Policy

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

Dco2: States that the Borough Council will pay regard to the advice of the Environment Agency in considering proposals within flood risk areas. A flood risk assessment will be required in the Environment Agency's Flood Risk Zones 2 and 3 and in the vicinity of designated main rivers. Flood mitigation measures may be necessary where development is approved. Where these are impractical and where the risk of flooding on the land or elsewhere is at a level to endanger life or property, development will not be permitted.

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.

Ind8: States that the Borough Council will encourage environmental and other improvement and enhancement schemes in designated industrial improvement areas.

PU7: States that renewable energy projects will generally be supported to facilitate the achievement of national targets for electricity generating capacity. In determining applications significant weight will be given to achieving wider environmental and economic benefits. Account will also be taken of the impact on the character of the area, amenity of residents, ecology and radar and telecommunications. A restoration scheme should be submitted.

Government Guidance (PPS22 – Renewable Energy) supports the development of wind turbines, a target has been set to achieve 10% of national electricity generating capacity from renewable resources by 2010. The locations of such developments throughout England should be capable of satisfactorily addressing environmental, economic and social impacts.

Planning Considerations

7.6 The key areas of consideration in this instance are:

- National and Local Planning Policy
- Potential impacts on highway safety
- Impact of noise on residential amenity

- Visual impact
- Impacts on wildlife
- TV and Radio Interference

National and Local Planning Policy

7.8 It is considered that the application is compliant and does not conflict with policies Dco2, GEP1, GEP3, Ind8 and PU7 of the adopted Hartlepool Local Plan. The proposals reflect the guidance and principles in national Planning Policy Statement 22: Renewable Energy which supports the development of wind turbines and would contribute towards the Government aims of achieving 10% of national electricity generating capacity from renewable resources by 2010.

Highway Safety

7.9 The Head of Traffic and Transportation has had the opportunity to view the proposal and raises no major highway concerns.

Residential Amenity

7.10 It is considered that the ample separation distances associated with the development to surrounding residential properties and the design of the turbine is such that it is unlikely that the noise created will not be of a significant level. The Council's Head of Public Protection has raised no objections.

Visual Impact

7.11 It is considered that the turbine is located in a predominantly commercial area, and as such is well related to its surroundings and is unlikely to appear dominant or incongruous. The development will be well screened by well established planting upon the western boundary. In terms of any potential impact when viewed from the north of the site it is considered that the turbine will blend in well with the existing Tesco store and petrol station and is unlikely to be obtrusive. The colour of the turbine (should the application be approved) is to be agreed in writing with the LPA, it is considered this will further help the turbine to be assimilated into the existing streetscene.

7.12 Within the supporting documentation the applicant has stated that each WindRotor turbine has an anticipated lifespan of at least 15 years. A 15 year temporary permission is not considered appropriate or reasonable in this instance. Instead, a condition has been attached requiring the turbine to be removed within 28 days should it cease to be used for the purposes of generating electricity.

7.13 The closest residential properties are situated approximately some 115 metres to the west of the proposal site, it is considered unlikely given the ample separation distances and screening upon the western boundary that the wind turbine will have an unacceptable visual impact.

Impacts to Wildlife

7.14 The Councils Ecologist considers it unlikely that the wind turbine will have an impact on bats or birds.

TV and Radio Interference

7.15 The construction of wind turbines has often led to cases of TV and radio interference. Should planning permission be granted suitable conditions are suggested that would require any problems to be rectified by the developer if it can be determined that the turbine is directly attributed

Summary

7.16 Having assessed the application on its individual merits and within the context of national, regional and local planning policies it is considered that the proposed turbine in view of its scale, size, design and location will not have a significant detrimental impact on the visual amenity of the area or the streetscene in general. Furthermore, given the ample separation distances associated with the proposal it is unlikely that the turbine will detrimentally affect the surrounding properties in the vicinity.

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. No generation of electricity from the development hereby permitted shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority providing for the remediation of any interference to radio telemetry links caused by the operation of the turbines. The approved scheme shall be implemented thereafter.
To enable the Local Planning Authority to control details of the development in the interests of visual amenity, and to comply with Policy GEP4 (Control of Pollution) of the Hartlepool Local Plan.
3. No generation of electricity from the development hereby permitted shall take place until a report detailing a scheme for the investigation and alleviation of any electromagnetic interference to TV reception, which may be caused by the operation of the wind turbine hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The recommendations stated in the report shall be followed and, where necessary, and upgrading works implemented.
To enable the Local Planning Authority to control details of the development in the interests of visual amenity, and to comply with Policy PU7 (Renewable Energy Development) of the Hartlepool Local Plan.
4. Within 28 days of the wind turbine becoming redundant it shall be removed from the site.
In the interests of visual amenity.

5. Full details of a scheme for protective barriers surrounding the wind turbine to be submitted to and agreed in writing by the Local Planning Authority and installed within one month of the wind turbine being erected.
In the interests of visual amenity and safety of the general public.
6. In accordance with the details submitted as part of the application, the development hereby permitted shall be finished in white – RAL 9016 and thereafter so maintained in white – RAL 9016 unless an alternative is first approved in writing by the Local Planning Authority.
In the interests of visual amenity.



THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<h1>HARTLEPOOL</h1> <h2>BOROUGH COUNCIL</h2>	DRAWN GS	DATE 26/06/08
	SCALE 1:3,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2008/0261	REV

No: 8
Number: H/2008/0320
Applicant: HARTLEPOOL SIXTH FORM COLLEGE BLAKELOCK ROAD HARTLEPOOL TS25 5PF
Agent: Jefferson Sheard Architects Fulcrum 2 Sidney Street Sheffield S1 4RH
Date valid: 21/05/2008
Development: Part demolition of existing college buildings, construction of new college accommodation, refurbishment of retained building and landscaping and creation of new car park
Location: HARTLEPOOL SIXTH FORM COLLEGE BLAKELOCK ROAD HARTLEPOOL HARTLEPOOL

The Application and Site

8.1 The site to which this application relates is the Hartlepool Sixth Form College on Blakelock Road. The College site, including the playing fields, measures 9.4ha.

8.2 The existing College site is made up from a number of buildings from various eras, including a number of portable temporary buildings which have been provided as a result of expansion over recent years. The main frontage of the college is made up of the former Merchant's House, which currently houses the College's reception, administration and library. The building is south facing with a lawned area directly to the front. The buildings and lawned area are surrounded by a mature grove of trees.

8.3 The site is bounded to the south and east by the residential properties, to the west by playing fields which abut Catcote Road and to the north by the Burn Valley Gardens.

8.4 This application seeks consent for the part demolition of the existing college and the erection of new accommodation to the front and side of the original Merchants House which is to be retained.

8.5 A significant proportion of the proposed new accommodation is to be provided by a two-storey 'horse-shoe' shaped block located in front of the Merchant's House. The new build accommodation will be attached to the Merchant's House by way of a glazed atrium. This will ensure that the Merchant's House frontage is retained and conserved.

8.6 A two-storey L-shaped block is proposed to the rear and side of the former Merchant's House to create teaching space and a new sports hall.

8.7 The plans indicate the provision of a reconfigured car park and an option for demolition of the existing Arts Block to the south of the application site to create a coach drop off and turnaround area.

8.8 The existing vehicle access to the site is to be retained, whilst the accompanying plans indicate that temporary access for construction traffic during the construction works will be taken from Catcote Road.

8.9 Overall the proposed development (including the former Merchant House) is to create 9230sqm of floor area which it is suggested will enable the college to remain competitive in the educational market and consequently facilitate high quality learning.

8.10 Along with the associated plans and elevations this application has been accompanied by a Design and Access Statement, Arboricultural Pre-development Survey and Implications Assessment, Green Travel Plan and an Ecological Assessment. Plans will be displayed at the meeting.

Publicity

8.11 The application has been advertised by way of neighbour letters (108), site notice (3) and press advert. To date, 11 letters of no objection, 2 letters of objection, a 14 signature petition querying the scheme and 1 letter of comments have been received.

8.12 The concerns raised are:

1. Position of car park to rear garden – it will no longer be tranquil
2. Traffic and noise problems
3. Groups of students hanging around
4. Why demolish a perfectly good building?
5. Coach turning point
6. Existing on-street parking problems on Kingsley Avenue, Blakelock Road and Shelley Grove
7. Insufficient car parking spaces
8. Need to have coach parking within college grounds

Petition – 14 properties:

1. Information is inadequate, therefore unable to make an informed decision

Comments

1. Already in a busy road...
2. Will it disturb access to property and create noise?
3. If no change to circumstances, then don't object

The period for publicity expires before the meeting.

Consultations

8.13 The following consultation replies have been received:

Head of Property Services – Comments awaited

Northumbrian Water – No objection

Engineering Consultancy – Has recommended that ground investigation works are carried out prior to development and that a Section 80 demolition Notice under the Building Act 1984 will be required to be submitted to the Council covering the intended demolition .

Traffic and Transportation – Comments awaited

Cleveland Police – No objections with comments

Public Protection – Comments awaited

Education – Comments awaited

Planning Policy

8.14 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.

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

GN1: Seeks the development, protection and enhancement of a network of green spaces in the urban area and linking to the open countryside.

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

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

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

Planning Considerations

8.15 The main considerations in the determination of this application are the appropriateness of the proposal in terms of the policies and proposals held within the Hartlepool, in particular the effect of the development upon visual amenity and landscaping of the site, residential amenity and highway safety.

8.16 While there a number of outstanding consultation responses associated with this proposal given the scale of the development, its importance to the future of the College and associated timescales related to funding there is a need to bring this application to Members attention as soon as practicable.

As the application is still being considered, the period of publicity has not expired and that responses are still awaited an update report will follow.

RECOMMENDATION – Update report will follow.



6th Form College, Blakelock Road



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/06/08
	SCALE 1:6,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2008/0320	REV

No: 1
Number: H/2008/0354
Applicant: Hartlepool Borough Council Hanson Square Hartlepool
Agent: Kieran Bostock Hartlepool Borough Council Bryan
 Hanson House Hanson Square Hartlepool
Date valid: 30/05/2008
Development: Alterations to car park and relocation of recycle bins
Location: CAR PARK WILTSHIRE WAY HARTLEPOOL
 HARTLEPOOL

UPDATE

Since the writing of the report the outstanding consultation replies below have been received:

Head of Traffic and Transportation – There are no major highway implications with the increase in the number of parking bays.

Property Services – no comments

Northumbrian Water – comments awaited

One further letter of objection has been received, it does not raise any new issues and is from someone who has already objected. I attach a copy of the objection at the end of this report.

In terms of the objections received that relate to the wider access arrangements these do not specifically relate to this application. They point out the overall scheme is not being developed as per the previous plans which included the provision of a new vehicular access to the shops from Wiltshire Way, which would ease current delivery problems. The Council's Traffic and Transportation Team have confirmed that this scheme relied on cooperation with private land owners. Exhaustive negotiations have broken down. Therefore without landowners agreement the previous scheme cannot be implemented.

In terms of this application, which is to provide 20 additional car parking spaces and relocation of recycling bins, it is considered that there are no highway implications and therefore approval is recommended.

RECOMMENDATION – Minded to approve subject to no substantially different objections being received prior to the expiry of the publicity and no objection from Northumbrian Water and the following conditions. However as a departure the application should be referred to the Secretary of State for consideration in the first instance.

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 incorporate the landscape plan and details received by the Local Planning Authority on 24th June 2008, unless otherwise agreed in writing by the Local Planning Authority.

- For the avoidance of doubt
3. If within a period of five years from the date of the planting of any tree that tree, or any tree planted as a replacement for it, is removed, uprooted, destroyed, dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
In the interests of visual amenity.
 4. Notwithstanding the submitted plans a scheme for screening of the recycling bins 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.

From: Development Control
Sent: 27 June 2008 19:21
To: Development Control
Subject: Comment Received from Public Access

Application Reference No. : H/2008/0354
Site Address: CAR PARK WILTSHIRE WAY HARTLEPOOL TS24 0XP HARTLEPOOL
Comments by: Mr & Mrs Simon

From:
13
Hartside Gardens
Throston
Hartlepool

TS26 0XU
Phone: 01429860432
Email: steph0doris@yahoo.co.uk
Submission: Objection

Comments: As residents of Hartside Gdns since the houses were first built, we are strongly against the new planning application. As a small community we agreed that the original Phase 2 plan would be the best option for the area. After nothing had happened well after the start date, we contacted the council on a few occasions. We were told that the money for this phase had ran out and once there was more money the new changes would be made. Once again we waited and waited and after ringing the council again with no joy we have now been informed from a neighbour that the plans have changed due to the shop owners rejection and that the area will just be left as it is, with a bit of tidying up! This is an absolute disgrace, not only have we not been informed of the changes but if things are left as they are it has created an even bigger problem than first thought, this WILL result in an accident that could be fatal. As the residents are the people who are around this area on a daily basis, the accident is more likely to happen to one of us!

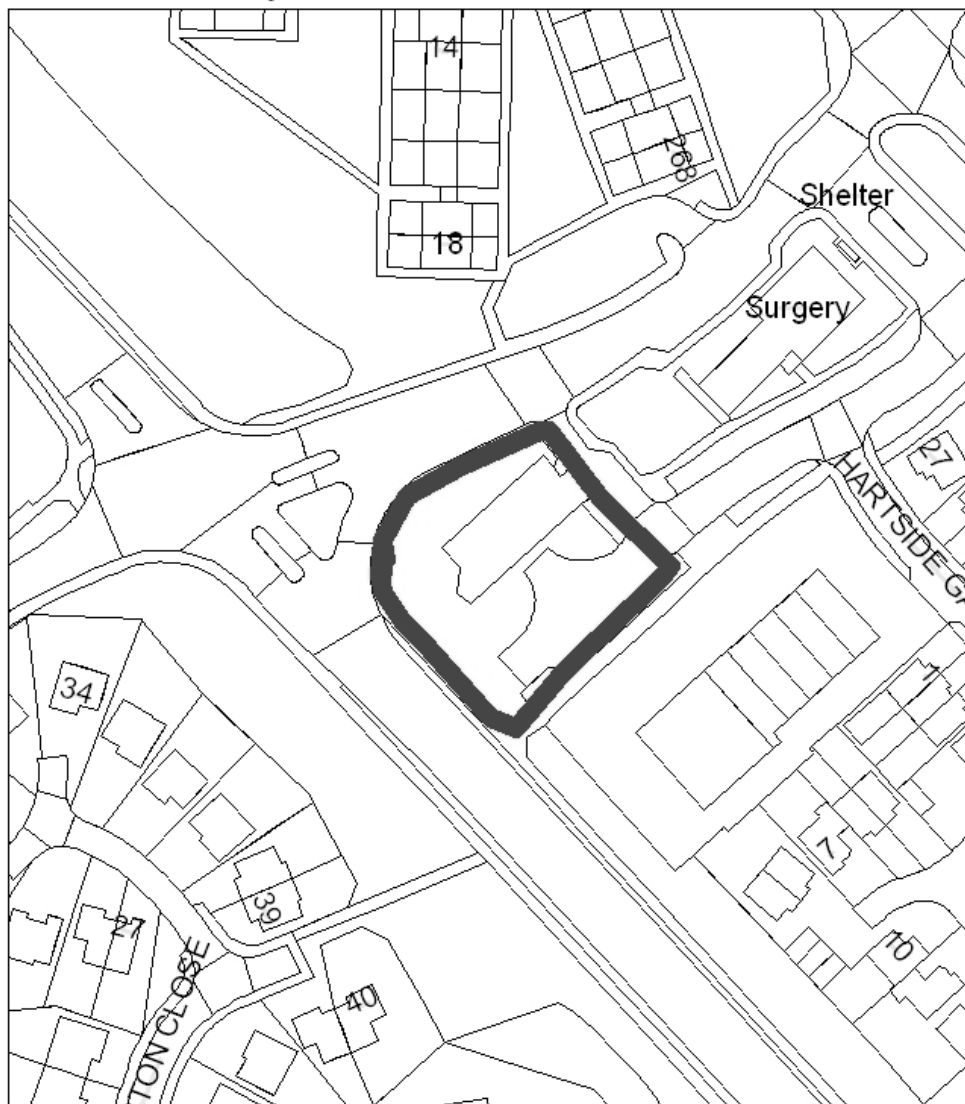
The shops were to get a new entrance separate to the street, the street is not wide enough to get 2 cars safely along, drivers come out of the shops exit without a glance to the right, there are no road markings on the shops exit road, this is a residential area-not the type of place designed for this much volume of traffic. This is just a short list of the problems not to mention the wagon that landed in someones garden. Since the end of Wiltshire Way has been closed off cars are now double parking on either side all the way down the road (this has dbl yellows) it is a complete blind spot for us on Hartside Gdns as you can't see whats coming when you pull out. A new entrance would stop this.

We cannot believe that plans are allowed to be changed without actually informing the people who it involves the most, we can't stress enough that this is a huge accident waiting to happen. How can someone who does not deal with the problem be allowed to put these plans through. The council should listen to their own people who live at the heart of this problem instead of angry shop owners who think they might lose out on a bit of cash. Surely we are more important, at the end of the day they think they might lose a bit of cash, we know someone will end up losing a life!

Understandably money will be involved but we pay our council tax to live here to and we did not pay for a huge problem like this, since Tesco came the traffic has increased by a vast amount. It also does not help when some council employees such as bin lorries double park in this bad area to eat their lunch and recycle bins are overflowing with rubbish. What is the point of paying council tax and having resident meetings if the council don't seem interested in the wellbeing of local residents. We are disgusted with the sly attitude towards this matter and will be contacting our local councillor among others to change this plan.



Wiltshire Way Car Park



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/06/08
	SCALE 1:1,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2008/0354	REV

No: 5
Number: H/2008/0275
Applicant: Mr R M Mayes EGERTON ROAD HARTLEPOOL TS26 0BW
Agent: ASP Associates 8 Grange Road HARTLEPOOL TS26 8JA
Date valid: 10/06/2008
Development: Amendment to planning approval H/2007/0650 for alterations and extensions to provide a double garage, new entrance, kitchen/dining area, cloakroom, 3 additional bedrooms with 2 en-suites and bedroom extension, to provide an additional kitchen window on west elevation and an obscurely glazed first floor ensuite bathroom window on the east elevation (amended description).
Location: 26 EGERTON ROAD HARTLEPOOL HARTLEPOOL

Update

1.1 Since the creation of the original report there have been no further letters of objection or comments received. The period of publicity expires prior to the date of the meeting. Any further letters of objection or comments received before the meeting will be tabled.

1.2 As stated in the original report the application is recommended for approval subject to a number of planning conditions. Given that this application seeks an amendment to previously approved scheme it is necessary to repeat a number of conditions in this instance. The suggested conditions are set out below:-

- i) For the avoidance of doubt the alterations to the development allowed by planning approval H/2007/0650 hereby approved shall be carried out in accordance with the amended plans 1498/4 rev H and 1498/5 rev G received by the Local Planning Authority on the 1 July 2008, unless otherwise agreed in writing by the Local Planning Authority.
Reason – For the avoidance of doubt and in the interests of the amenities of the occupants of the surrounding residential properties.
- ii) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order with or without modification), no additional window(s) shall be inserted in the side elevations of the dwelling facing 24 and 28 Egerton Road without the prior written consent of the Local Planning Authority.
Reason:- To prevent overlooking upon the neighbouring properties.
- iii) Unless otherwise agreed in writing by the Local Planning Authority the first floor en-suite window in the elevation of the property facing 24 Egerton Road, hereby approved, shall be obscurely glazed and shall remain as such throughout the lifetime of the development.
Reason:- To prevent overlooking upon the neighbouring properties.

- iv) Unless otherwise agreed in writing with the Local Planning Authority prior to the occupation of the extension hereby approved the windows in the side elevation of the property serving bedrooms 1 and 3 as indicated on drawing no 1498/4 Rev H and 1498/5 Rev G received by the Local Planning Authority on the 1 July 2008 shall be obscurely glazed and fixed (unopenable) so that the window and frame cannot be opened. Once installed the windows shall remain as such throughout the lifetime of the development.
Reason:- To prevent overlooking.
- v) Notwithstanding the submitted details, prior to the occupation of the extension hereby approved a scheme to obscure views from the first floor window serving the bathroom in the side elevation facing 24 Egerton Road as indicated upon plan 1498/4 rev H and 1498/5 received by the Local Planning Authority on the 1 July 2008, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include the provision of obscure glazing and a method to fix the window to restrict views upon the above mentioned property. Once agreed the window shall be provided in accordance with the agreed scheme prior to the bathroom being brought into use and shall be retained as such throughout the lifetime of the development.
Reason:- To prevent overlooking.
- vi) The garage(s) hereby approved shall only be used for purposes incidental to the use of the dwellinghouse and no trade or business shall be carried out therein
Reason:- In the interests of the amenities of the occupants of neighbouring properties.

No: 8
Number: H/2008/0320
Applicant: HARTLEPOOL SIXTH FORM COLLEGE BLAKELOCK ROAD HARTLEPOOL TS25 5PF
Agent: Jefferson Sheard Architects Fulcrum 2 Sidney Street Sheffield S1 4RH
Date valid: 21/05/2008
Development: Part demolition of existing college buildings, construction of new college accommodation, refurbishment of retained building and landscaping and creation of new car park
Location: HARTLEPOOL SIXTH FORM COLLEGE BLAKELOCK ROAD HARTLEPOOL HARTLEPOOL

Update

8.1 Since the original report was created there are still a number of outstanding matters that require consideration. A Bat Survey and a Tree Protection Plan are still awaited from the applicant. Moreover in light of the comments of the Head of Traffic and Transportation, which will be discussed below, amendments have been requested from the applicant.

8.2 A scheme of phasing for the development has also been submitted.

8.3 Traffic & Transportation and Public Protection advice has also been received as follows.

Traffic and Transportation – Comments received. The response has highlighted that the development will have highway implications and that consideration should be given to improving the existing access on Blakelock Road for pedestrians and vehicles as it is considered that this would improve access for coaches and buses accessing the adjacent council facilities. The Officer has highlighted that parking on Blakelock Road is already an issue for local residents and the increased number of students may exacerbate the problem further and has suggested that the car park should be made larger to accommodate more students. He has also requested that the proposed cycle parking should be located closer to the college building in the interest of reducing the fear of crime and promoting sustainable modes of transport.

Public Protection – Informally no objection

Planning Considerations

8.4 The main considerations in the determination of this application as previously indicated are the appropriateness of the proposal in terms of the policies and proposals held within the Hartlepool Local Plan, in particular the effect of the development upon visual amenity and landscaping of the site, residential amenity and highway safety.

8.5 In light of the comments of the Traffic and Transportation Section, the applicant has been invited to amend the current proposed plans to increase the proposed parking provision on site, re-locate the proposed cycle storage and improve the existing access into the site from Blakelock Road. An amended scheme is anticipated and will be subject to a re-consultation exercise.

8.6 In addition a Bat Survey and Tree Protection Plan are also awaited from the applicant. It is anticipated that the Bat Survey will acknowledge that bats are present on the site and that it will propose mitigation measures to adequately re-locate any roosts. The Bat Survey and associated mitigation will need to be considered in detail by the Council's Ecologist. Planning conditions can be utilised to secure any necessary mitigation.

Principle of Development

8.7 The site is located within an area of Green Wedge protected by policy GN3 (Protection of Key Green Spaces) of the Hartlepool Local Plan. The development however will be entirely within the curtilage of the existing college and will not impinge upon the surrounding formal playing fields or the protected green space to the north. The principle of the re-development and the siting of the proposed new built element of the college is considered acceptable in this instance.

Visual Amenity

8.8 The design of the proposed college accommodation is considered acceptable. Officers consider that this is an opportunity to create a bold development within a heavily landscaped setting. The development recognises by the proposed retention and refurbishment of the Merchants House the quality landscaping on the site which will make efficient use of the site whilst retaining and enhancing the key features of the original building on site (i.e. the Merchants House).

Landscaping

8.9 An arboricultural pre-development survey and implications assessment and plan indicating trees on site to be removed as part of the re-development has been submitted with the application. The detailed comments of the Council's Arboricultural Officer are anticipated upon the receipt of the outstanding Tree Protection Plan.

8.10 It is acknowledged that a number of trees to be removed from the site to facilitate the development, however the majority of the existing trees will be retained and as such the special landscape character of the site will be preserved. The proposed plans indicate the provision of additional landscaping to the proposed parking areas and the creation of a landscaped buffer along the eastern boundary of the site which abuts Brinkburn Court. Given that the existing car park area to the east of the college is currently flush with the boundaries of the residential properties officers welcome this.

Residential Amenity

8.11 The siting of the proposed development is considered acceptable given the substantial separation distances involved, the dense landscaping to be retained on the site and the two storey scale of the proposed structures. It is for these reasons that it is considered unlikely that detrimental overlooking, overshadowing or outlook issues will be created upon the amenities that the occupants of the surrounding residential properties enjoy.

8.12 Given that an amended parking scheme is anticipated, further consideration of noise and disturbance issues will be undertaken. In its current proposed forms it is considered unlikely that the siting of the building and the proposed car parking areas, notwithstanding a potential increase in student numbers, would give rise to noise and disturbance issues above those that are currently experienced.

Highway Considerations

8.13 As stated above amended plans are anticipated with regard to parking provision within the site, the access to the site from Blakelock Road and cycle storage. The final views of the Head and Traffic and Transportation will be sought in the light of the amended plans.

8.14 The current plans indicate the provision of a temporary construction access across the playing fields to the west of the site and onto Catcote Road via the existing access for West Hartlepool Rugby Club. The proposed access road is to be 7m wide with a grasscrete temporary surface. The proposed plans indicate that the access road will not dissect the existing formal playing pitches but will instead follow the northern boundary of the site.

8.15 The Head of Traffic and Transportation has raised no objection to the temporary construction access. It is however acknowledged that Catcote Road is a heavily trafficked road at the peak hours associated with the schools along it. It is for this reason that this element of the scheme needs very careful consideration.

Other Matters

8.16 The proposed plans indicated two options for the provision of a contractors compound. One is directly to the west of the Merchants House and would require the removal of a number of trees (which would be replanted upon completion) or upon a playing field to the east. The comments of Sport England are awaited, this matter will be considered in light of these comments and can be controlled by planning condition.

RECOMMENDATION – A further update will be provided at the meeting.

Report of: Assistant Director (Planning & Economic Development)

Subject: UPDATE ON CURRENT COMPLAINTS

1. PURPOSE OF REPORT

- 1.1 Your attention is drawn to the following current ongoing issues, which are being investigated. Developments will be reported to a future meeting if necessary.
- 1.2 Councillor complaint regarding the erection of single storey flat roofed extension on Broadfield Road.
- 1.3 Neighbour complaint regarding the siting of a stack for extraction unit installed, on property on Oxford Road.
- 1.4 Neighbour complaint regarding the erection of a CCTV camera at Burn Valley Allotments.
- 1.5 Neighbour complaint regarding operating a business from property on Wooler Road.
- 1.6 Anonymous complaint regarding the alterations of a frontage including illuminated sign on Church Street.
- 1.7 Councillor complaint regarding works to convert former restaurant in Seaton Carew.
- 1.8 Neighbour complaint regarding the erection of brick building to rear of a property in Armadale Grove.
- 1.9 Officer complaint regarding the erection of an extension at 2 properties on West View Road.
- 1.10 Anonymous complaint regarding advertising a business from home on Egerton Road.
- 1.11 Complaint regarding the erection of a rear boundary fence on Victoria Place.
- 1.12 Officer complaint regarding the installation of UPVC windows to the rear of the property on Montague Street.
- 1.13 Officer complaint regarding the installation of UPVC windows to the rear of the property on Friarage Gardens.

- 1.14 Neighbour complaint regarding an extension is not being built to approved plans at Wynyard.
- 1.15 Neighbour and Officer complaint regarding the untidy state of a garage block, security fence needs repair and tipping of waste on Sandwich Grove/Wentworth Grove.
- 1.16 Councillor complaint regarding alterations to create two flats on Collingwood Road.
- 1.17 Neighbour complaint regarding the erection of cricket nets at Rosebank.
- 1.18 Neighbour complaint regarding the erection of fence on Grassholme Road.
- 1.19 Officer complaint regarding the extension to a detached garage at a property in West View Road.
- 1.20 Officer complaint regarding the erection of a single storey extension on South Drive.
- 1.21 Neighbour complaint regarding untidy land on Cresswell Drive.
- 1.22 Officer complaint regarding dumping of waste on land at Maritime Avenue.
- 1.23 Neighbour complaint regarding the erection of a free standing structure in back garden on Park Road.
- 1.24 Anonymous complaint regarding the installation of roller shutters on Shrewsbury Street.
- 1.25 Neighbour complaint regarding a garage being used to store building material on Stockton Road.
- 1.26 Neighbour complaint regarding the erection of a 2m fence at front of property on Forester Close.
- 1.27 Anonymous complaint regarding the erection of boundary enclosure fronting property at Fenton Road.
- 1.28 Officer complaint regarding drainage details for a site on Dalton Back Lane.

2. **RECOMMENDATION**

- 2.1 Members note this report.

Report of: Assistant Director (Planning and Economic Development)

Subject: APPEAL BY MR PATTISON 16 HUTTON AVENUE
HARTLEPOOL (H/2007/0681)

1. PURPOSE OF REPORT

- 1.1 A planning appeal has been lodged against the refusal of Hartlepool Borough Council for the change of use from vacant residential care home to form 9 self contained apartments at 16 Hutton Avenue, Hartlepool.
- 1.2 The appeal has been withdrawn by the appellant.

No: 9
Number: H/2007/0714
Applicant: Mr A Wilks Penhill Road Bexley Kent
Agent: ASP Associates 8 Grange Road HARTLEPOOL TS26 8JA
Date valid: 14/09/2007
Development: Alterations and change of use to provide 12 self contained flats with associated car parking
Location: 10 THE GREEN SEATON CAREW HARTLEPOOL HARTLEPOOL

The Application and Site

1.1 The application site is a grade II listed building located on the west side of The Green in the Seaton Carew Conservation Area. The property is currently in use as a 28 bed care home and has been extended, most significantly to the rear, where a modern two storey wing extends at right angles to the older part of the building. To the rear of the building is a paved/garden area. The application site is bounded to the south by a listed building which is currently in use as a bed and breakfast business. To the north end of the site is an existing vehicular access beyond which are listed residential properties, garaging and a parking court. To the west the boundary is formed by a high concrete panel fence/wall beyond which are modern residential properties. In the north west corner of the site the buildings are of a lower scale and abut the gardens of neighbouring properties.

1.2 Full planning permission is sought to convert the property into 12 self contained flats. In terms of external alterations the most significant alterations include.

1. The widening of the access through the partial demolition/alteration of an attached outbuilding. The creation of a vehicular access, in the form of a ground floor underpass, through the rear modern wing and the formation of a rear car park.
2. The provision of a first floor infill extension link between the older building and the modern wing in the centre of the site.
3. A single storey extension in an enclosed courtyard in the rear (north west) corner of the site.
4. The insertion of two new windows and a door, and alterations to a window in the main north gable of the property.
5. The insertion of two windows in the sides of a projecting bay on the north side of the building.
6. Various rooflights will be reinstated.
7. Alterations of former coach house doors to form windows.

1.3 Internally twelve new flats will be accommodated, ten two bed room and two one bedroom flats. The internal alterations will include the removal of various internal walls and a staircase. Extensions (see above), internal partition walls/ subdivisions and the installation of bathrooms, toilets and kitchens are also proposed. A second floor attic area will be retained by the owner for domestic storage.

1.4 In support of the application the applicant advises that “due to the vast amount of nursing homes throughout Hartlepool the trade is rapidly declining and unless some alternative use for the building is found immediately there is a possibility of the property closing and falling into a state of dilapidation”

Relevant Planning History

1.5 Planning permission was granted in May 1987 for the conversion of the building from a hotel to a residential care home for the elderly. (H/FUL/0127/87). Listed building consent was subsequently granted for the installation of a lift shaft (H/LBC/423/87) and for various internal alterations (H/LBC/18/88 & H/LBC/0192/88).

1.6 In January 1990 planning permission and listed building consent was granted for the demolition of outbuildings and the erection of a new two storey rear wing. (H/FUL/0457/89 & H/LBC/0458/89).

1.7 In April 1996 planning permission and listed building consent was granted for the erection of a smoking room to rear and rendering of 1st floor sluice window. (H/FUL/0032/96 & H/LBC/0033/96).

Publicity

1.8 The application as originally submitted was advertised by site notice, neighbour notification and in the press.

1.9 Four letters of objection were received the objectors raise the following issues:

1. Parking provided is inadequate. Traffic and parking are already a problem on the green, twelve flats would exacerbate the problem. Additional traffic will create an unacceptable level of noise.
2. Noise and fumes from tenants/vehicles/car park.
3. Increased amount of litter and smells from additional bins.
4. Elderly residents lives will be disrupted as they will have to move out.
5. Use of narrow access day and night.
6. Bin area insufficient.
7. Changes to beautiful building/ Impact on listed building,
8. Can flats be restricted to owner occupiers only to prevent sub letting.
9. Deterioration of the area when properties are not privately owned.
10. Loss of excellent community spirit on the Green.

1.10 Amended plans were advertised by neighbour notification. Six letters of objection were received. The time period for representations has expired. The objectors raise the following the issues.

1. Access inadequate, narrow and past gable end of neighbours property
2. Disturbance from use of narrow access day and night.
3. Noise and fumes from tenants/vehicles/car park.
4. Concerns that tenants will be disruptive.

5. Parking provided is inadequate. Traffic and parking are already a problem on the green, twelve flats would exacerbate the problem. Additional traffic will create an unacceptable level of noise.
6. Peaceful conservation area, additional traffic would breach this peace and would not be in keeping with the conservation area ethos.
7. Area is peaceful and tranquil additional 12 properties would ruin the area.
8. Elderly residents will be disrupted as they will have to move out.

One letter was also received from a neighbour whom whilst not objecting raised concerns in relation to the potential for noise from the tenants on site.

Copy letters C

The period for publicity has expired.

Consultations

1.11 The following consultation replies have been received.

Northumbrian Water - No objections

Public Protection - No objections.

Traffic & Transportation – The maximum parking requirements for the apartments is 1.5 spaces per apartment and total number off-street allowed would be 18 spaces. The applicant has provided 14 off-street spaces. The Green is also located near to good transport links for other parts of the town. The applicant has also provided secure cycle parking, the details to be conditioned. It would be difficult to sustain an objection on the grounds of parking due to the number of off-street parking provided and the good transport links available. The layout of the parking bays is acceptable. Please note that the residents of The Green have opted out of the Council's residential parking scheme and enforcement of the parking will be no longer in place after 31st October 2008.

Planning Policy

1.12 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.

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

HE2: Encourages environmental improvements to enhance conservation areas.

HE9: States that the change of use of a listed building which preserves or enhances its character or special interest and its setting will only be approved where there is no significant detrimental effect on amenity.

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

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

Planning Considerations

1.13 The main planning considerations are considered to be policy, impact on the character and appearance of the listed building/adjacent listed buildings, impact on the character and appearance of the conservation area, impact on the amenity of adjoining occupiers and highways.

Policy

1.14 The site lies within the limits to development in an area where residential uses are acceptable in principle. In policy terms the proposed use is considered acceptable in this location.

Impact on the character and appearance of the listed building/adjacent listed buildings

1.15 The building is grade II listed and the proposal involves various internal and external alterations and extensions to the building in order to accommodate the proposed use. The main alterations are listed above. The Conservation Officer has examined the proposal and has raised no objections to the proposal but has advised that any approval include appropriate conditions. In terms of its impact on the character and appearance of the listed building/and adjacent listed buildings the proposals are considered acceptable.

Impact on the character and appearance of the Conservation Area

1.16 The building is prominently located in the Seaton Carew Conservation Area. To a large extent the main public façade of the building onto the Green will be unaffected by the works with the alterations limited in this respect to the removal/alteration of outbuildings at the northern end of the site to accommodate a widened access. Whilst alterations are also proposed to the north gable, and to the doors of the former coach house, these parts of the building are set back from the main façade and the alterations proposed are considered acceptable in this context. The Conservation Officer has raised no objections to the proposal and it is not considered that the proposed development will detract from the character and appearance of the Conservation Area. Its continued use is to be welcomed.

Impact on the amenity of the adjoining occupiers

1.17 The site is surrounded by residential properties. For the most part the conversion of the buildings is contained within the existing buildings which are already mostly in residential use, save for two small extensions, and the additional effect on the neighbours due to the conversion, in terms of their impact on privacy, outlook, light and overbearing effect are therefore limited.

1.18 In terms of the neighbour to the south, 11 The Green, this property faces the side with a blank gable and there is a substantial wall/range of outbuildings along the shared rear boundary. The parts of the applicants building which face directly towards this neighbour are already in residential use and are screened by the wall/outbuildings at ground floor or located some distance off the boundary (21m) at first floor. It is not considered that the proposal will unduly affect this neighbour in terms of loss of light, privacy, outlook or in terms of any overbearing effect.

1.19 In terms of the neighbours to the west, 115-121 Lawson Road, the rear of these properties face towards the site at close quarters and in parts (115, 117, 119 Lawson Road) the walls of the buildings to be converted abut these properties. The boundary is otherwise formed by a substantial wall/concrete panel fence. It is not proposed to insert any openings in the abutting walls. The only extension proposed which could affect these neighbours is the addition of a single storey element, this will face west towards the boundary however it will be some 6m off the boundary and will be screened at ground floor by a substantial wall. The other parts of the applicants building which face directly towards these neighbour are already in residential use and for the most part with the exception of a velox window, where windows are present at first floor are a substantial distance off the boundary (18m). It is not considered that the proposal will unduly affect these neighbours in terms of loss of light, privacy, outlook or in terms of any overbearing effect.

1.20 In relation to the neighbour to the north, 9 The Green, this neighbour faces the site with a largely blank gable save for a small first floor window and there are substantial walls along the boundary. The extension/alterations proposed introduce additional windows and doors in the north elevation which face towards this property. At ground floor these will be screened by the boundary wall or face the blank gable. At first floor one of the new windows a bedroom window will face the largely blank gable of the neighbours property and views towards the gable window will be oblique

at some 9m distant. An existing first floor en-suite window further along the gable which will serve as an ensuite bathroom can be conditioned as obscure glazed. Still further along the elevation a new first floor bedroom window in the infill extension will face towards the rear yard of the neighbour however it is some 10.5m off the boundary and there are other first floor windows in the existing modern wing which are closer and from which similar views would be afforded. Given the existing situation, the physical relationship and the suggested condition it is not considered that the proposal will unduly affect this neighbour in terms of loss of light, privacy, outlook or in terms of any overbearing effect.

1.21 Objections and concerns have been received from the occupiers of neighbouring properties in relation to the noise and disturbance from the occupiers of the flats and from the use of the access and car park. The property benefits from an extant use as care home and the vehicular access to the side is existing. Whilst this passes the neighbours gable and rear garden the gable is blank at ground floor and there is a substantial boundary wall which should limit any impact. The access and the proposed rear car parking area to the rear are bounded by substantial walls/concrete panel fences whilst the properties most directly affected are bungalows (119/121 Lawson Road) which should help to ameliorate any effect. The Head of Public Protection has raised no objections to the proposal and it is not considered that the normal use of the car park will unduly affect the amenity of the adjacent properties. In relation to the occupation of the buildings themselves, there are already in residential (care home) use, and again it is not considered that the use of the buildings for residential purposes would unduly affect the amenity of the adjacent residential occupiers. Any nuisance that does arise can where appropriate be dealt with under the relevant legislation.

Highways

1.22 A number of residents have raised concerns regarding the highway impacts of the development. The existing care home has only restricted off street parking available to it. The applicant's supporting statement identifies 5 parking spaces along the existing access to the side and suggest that the care home has eight parking permits for visitors parking in the street. The proposal allows for the creation of a rear car park of twelve car parking spaces with an additional two visitor spaces located adjacent to the access to the north side of the building. Traffic & Transportation have raised no objection to the proposal, they consider it would be difficult to sustain an objection on parking grounds given the off street parking provided and the good transport links available. In highway terms the proposal is considered acceptable.

Other Matters

1.23 Objectors have raised concerns in relation to the welfare of elderly residents who will have to find alternative accommodation. This is unfortunate, however, it is not considered to be a planning matter, whether the application is approved or refused the Local Planning Authority has no powers to compel the care home to stay open.

Conclusion

1.24 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 amended plans received on 30th May 2008, unless otherwise agreed in writing by the Local Planning Authority
For the avoidance of doubt
3. Notwithstanding the details submitted no development shall commence until a schedule of works for internal and external repairs, including a methodology for the repair of the ceiling to the lounge of flat 2, has been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved schedule.
In the interests of the character and appearance of the listed building and the Conservation Area.
4. Unless otherwise agreed the external materials used for this development shall match those of the existing building(s).
In the interests of visual amenity.
5. Notwithstanding the details submitted no development shall commence until large scale details showing the stud walling to protect the fire place, and the new panelling, both to flat 2, have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.
In the interests of the character and appearance of the listed building.
6. Notwithstanding the details submitted no development shall commence until large scale details of all new windows, doors and door surrounds, including materials and finishes, have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.
In the interests of the character and appearance of the listed building.
7. The area(s) indicated for car parking on the plans hereby approved shall be provided before the use of the site commences and thereafter be kept available for such use at all times during the lifetime of the development.
In the interests of the amenities of the occupants of neighbouring properties and highway safety.
8. Notwithstanding the details submitted details of all walls, fences and other means of 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. The use hereby approved shall not commence until the proposals for the storage of refuse within the site shown on the approved plans have been implemented.
In the interests of the amenities of the occupants of neighbouring properties.
10. 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 development without the prior written consent of the Local Planning Authority.

To prevent overlooking

11. The proposed ensuite window(s) serving flat 8 facing 9 The Green 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(s) exist(s).

To prevent overlooking

12. 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.

13. 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.

14. Prior to the development being brought into use secure cycle parking shall be provided on the site in accordance with details first submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority the cycle parking so approved shall be retained for the lifetime of the development.

In the interests of highway safety.

15. The second floor roofspace identified as a storage area to be retained by the applicant, shall be used only for domestic storage and shall not be used for residential accommodation, or any business or other purpose, without the prior written consent of the Local Planning Authority.

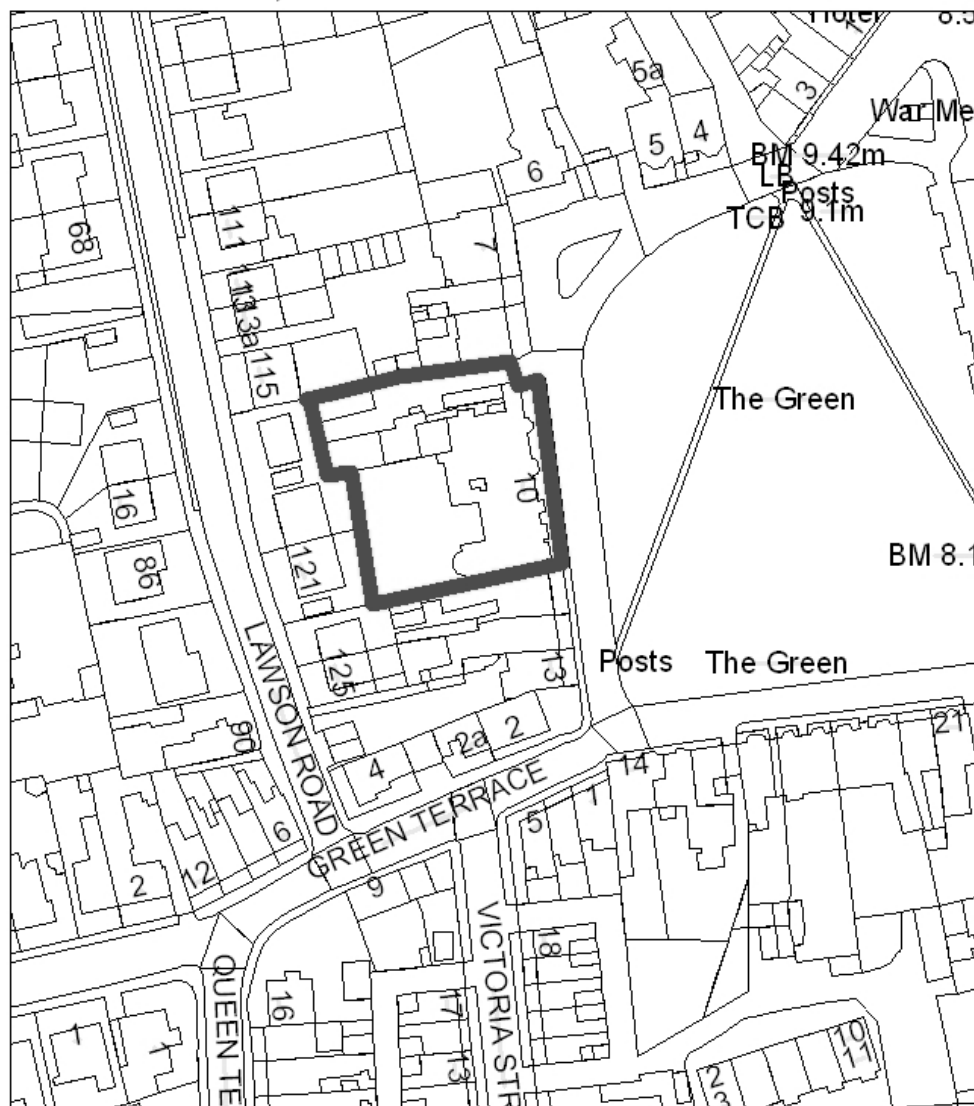
In order that any alternative uses proposed can be properly considered and in the interests of the amenity of neighbouring properties.

16. Prior to the commencement of development details of the proposed on site working hours of construction workers implementing the permission shall be submitted and approved in writing by the Local Planning Authority, thereafter works on site shall be restricted to the approved hours unless otherwise agreed in writing by the Local Planning Authority.

In the interests of the amenity of neighbouring residents.



10 The Green, Seaton Carew



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/06/08
	SCALE 1:1,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2007/0714	REV