

UPDATED AGENDA

PLANNING COMMITTEE AGENDA



Wednesday 29 October 2008

at 1.00 pm

in the Council Chamber
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 1st October 2008.

4. ITEMS REQUIRING DECISION

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

1. H/2007/0825 25-27 Vicarage Gardens
2. H/2008/0577 2 Delamere, Billingham
3. H/2008/0553 27 Murray Street
4. H/2008/0222 Low Newton Hanzard/High Newton Hanzard, North of A689
5. H/2008/0551 74 Caledonian Road
6. H/2008/0545 Fox Covert, Three Gates, Dalton Back Lane
7. H/2008/0513 40 Collingwood Road

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

4.3 Appeal by Mr A Richardson – 21 Lowdale Lane (H/2008/0113) – *Assistant Director (Planning and Economic Development)*

UPDATED AGENDA

5. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

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

- 1 H/2008/0534 St Paul's Church Hall, Murray Street
- 2 H/2008/0155 Adjacent Stadium (formerly Eastmans), Brenda Road

5.2 Eldon Grove Sport Centre, Eldon Grove, Hartlepool (2/2008/0392) – *Assistant Director (Planning and Economic Development)*

6. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

EXEMPT ITEMS

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

7. ITEMS REQUIRING DECISION

7.1 Enforcement Action – Youngs Recycling Group Ltd, Graythorp Industrial Estate - (*Assistant Director, Planning and Economic Development*) – Para 12

7.2 Complaints Files to be Closed – *Assistant Director (Planning and Economic Development)* – Para 6

8 ANY OTHER EXEMPT ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

8.1 Planning Condition, 26 Egerton Road, Hartlepool – *Assistant Director (Planning and Economic Development)* (paras 5 and 6)

9. FOR INFORMATION

Next Scheduled Meeting – Wednesday 26 November 2008 in the Civic Centre at 1.00pm

Site Visits – Any site visits requested by the Committee at this meeting will take place on the morning of Wednesday 26 November 2008 at 12 noon or at a time to be agreed by the Committee.

PLANNING COMMITTEE

MINUTES AND DECISION RECORD

1 October 2008

The meeting commenced at 1.00 pm in the Civic Centre, Hartlepool

Present:

Councillor Rob Cook (In the Chair)

Councillors Stephen Akers-Belcher, Stephen Allison, Shaun Cook, Bob Flintoff, Geoff Lilley, Dr George Morris, Carl Richardson and Lilian Sutheran.

Also Present in accordance with Council Procedure Rule 4.2: -
Councillor Chris McKenna as substitute for Councillor Laffey,
Councillor Gladys Worthy as substitute for Councillor Simmons

Officers Richard Teece, Development Control Manager
Richard Smith, Solicitor
Peter Frost, Traffic Team Leader
Sarah Scarr, Landscape Planning and Conservation Manager
Chris Pipe, Principal Planning Officer
Adrian Hurst, Principal Environmental Health Officer
Tony Dixon, Arboricultural Officer
Chris Scaife, Countryside Access Officer
Gill Scanlon, Planning Technician
Jo Wilson, Principal Democratic Services Officer

Also Present:
Adrian Milton, Scott Wilson

57. Apologies for Absence

Apologies for absence were received from Councillors Mary Fleet, Stan Kaiser, Pauline Laffey, Robbie Payne and Michelle Plant.

58. Declarations of interest by Members

None.

59. Confirmation of the minutes of the meeting held on 3rd September 2008

Confirmed.

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

- Number:** H/2008/0480
- Applicant:** Raven Audley Court PLC
Kingsbury Crescent Staines
- Agent:** The Design Gap 1 Scarborough Street HARTLEPOOL
- Date received:** 07/08/2008
- Development:** Change of use, alterations, partial demolition of building, extensions and new buildings to provide 84 apartments, ancillary accommodation and communal facilities to provide a care community for the elderly
- Location:** TUNSTALL COURT GRANGE ROAD HARTLEPOOL
- Representations:** Ben Kruses (agent) and Bernard Atkinson (objector) were in attendance and addressed the Committee.
- Decision:** **Planning Permission Approved but a decision on the final wording of conditions was delegated to the Development Control Manager**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose.
In the interests of visual amenity.
3. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on the 7th, 20th and 27th August and 17th and 19th September 2008 unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt
4. The hereby approved development shall only be occupied by residents over the age of 50 years old, unless otherwise agreed in writing by the Local

Planning Authority.

To ensure the site is developed in a satisfactory manner.

5. Notwithstanding the submitted plans:

- 1) A detailed schedule of repair works to Tunstall Court;
- 2) Large scale details of all new windows and doors on all new and existing buildings;
- 3) Large scale details of the conservatory/pool to the rear of Tunstall Court including details of how this will be attached to the existing building;
- 4) Large scale details/information on materials to be used on the balustrade to the undercroft and balconies on the Northern Block;
- 5) Large scale details of the eaves details to new roofs
- 6) Large scale details of all new cills and headers to windows;
- 7) Large scale details of all new canopies over doors;
- 8) Large scale details of the treatment of blanked out windows;
- 9) Final details of entrance gates and boundary treatments;
- 10) Final details of the pergolas, bin store and lift to the undercroft; shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter development shall be carried out in accordance with the approved details and be retained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure, shall be erected within the site, without the prior written consent of the Local Planning Authority.

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

7. Unless otherwise agreed in writing the scheme for the protection during construction works of all trees to be retained on the site shall be in accordance with the hereby approved arboricultural method statement ref ARB/CP/274. The scheme shall be carried out in accordance with the approved details. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.

To preserve the landscape features on the site in the interests of visual amenity.

8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with a programme of works to be agreed with the Local Planning Authority. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity.

9. All tree work shall comply with BS 3998:1989 paying particular regard to sections 13.1 "Cuts", 13.2 "Formative pruning", 13.3 "Removal of heavy branches", 13.4 "Crown reduction or re-shaping", 13.5 "Crown lifting" and 13.6 "Crown thinning". In all cases the tree(s) shall retain the symmetry of natural shape and shall not exhibit untidy branch stubs or tearing of the bark. In the interests of visual amenity.
10. Clearance of trees/shrubs identified for removal shall not be carried out during the months of March to July inclusive, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of not disturbing breeding birds or bats
11. Prior to any removal of trees and shrubs on site a survey by a suitably qualified ecologist shall be undertaken to establish the presence of any bats or breeding birds. This shall include a method statement for the timing or any removal of the trees and shrubs on the site, and provide a scheme for bird and bat boxes, all details shall be submitted to and approved in writing by the Local Planning Authority. Thereafter development shall be carried out in accordance with the approved details, unless otherwise agreed in writing. For the avoidance of doubt and in the interests of the amenities of the area.
12. The treatment of the Japanese Knotweed on the site shall be carried out in accordance with the method statement contained within the hereby approved report Japanese Knotweed Solutions dated 06/02/08, unless otherwise agreed in writing by the Local Planning Authority. If further Japanese Knotweed is identified that has not been considered previously in the report then remediation proposals for this material should be further agreed. To ensure the protection of the environment.
13. Notwithstanding the submitted details final details of 1) the alignment of parking bays; 2) the provision of 5% parking bays for disabled users; 3) secure covered cycle parking; 4) materials for the roads and footpaths; and 5) the final extent of Traffic Regulation Orders on either side of the new access shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the approved details shall be provided prior to the operation of the development, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of highway safety.
14. The roads and footpaths within the development shall be constructed to adoptable standards, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of highway safety.
15. Prior to the occupation of the first unit, the 'Travel Plan' dated July 2008 annex J of the submitted Transport Statement shall be implemented. A travel survey shall be completed and submitted to the Local Planning Authority after 6 months of first occupation of the development, or such other period as may be first agreed in writing by the Local Planning Authority, and the travel plan shall be revised in accordance with a scheme to be agreed in writing by the Local Planning Authority. The Plan shall continue in operation at all times as approved unless otherwise agreed in writing by the Local Planning Authority. In the interests of controlling vehicle congestion on the highway network.
16. Notwithstanding the submitted details prior to the development being brought into use the applicant shall enter into a community use agreement formalising community access to facilities on the site. The agreement shall include

management and maintenance arrangements, pricing policy and hours of availability. Thereafter, unless otherwise agreed in writing by the Local Planning Authority the use of these facilities shall be in accordance with the approved community use agreed throughout the lifetime of the development. To secure community use of facilities on the site.

17. A scheme to incorporate energy efficiency measures and embedded renewable energy generation shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

To encourage a sustainable development

18. Development shall not commence until a details scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

To ensure the discharge of surface water from the site does not increase the risk of flooding from sewers.

- 19.A. Initial Conceptual Model

The development hereby permitted shall not be commenced until a desk-top study is carried out to identify and evaluate all potential sources of contamination and the impacts on all receptors relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two copies of the study shall be submitted to and approved in writing by the Local Planning Authority.

B. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,

o archeological sites and ancient monuments;
 (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

C. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

D. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

E. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition B, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition C, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition D.

F. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term

effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with policy GEP18 of the adopted Local Plan 2006.

20. Final details of security measures to be incorporated into the scheme shall be submitted to and agreed in writing by the Local Planning Authority.

Thereafter the development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

In the interest of crime prevention.

The Committee considered representations in relation to this matter.

Number:	H/2008/0324
Applicant:	Mr T Bird Elwick
Agent:	Burns Architects Castle Eden Studios CASTLE EDEN
Date received:	22/07/2008
Development:	Alterations and conversion of outbuildings to form studio/office units and a 3 bedroomed house
Location:	LAMBS HOUSE FARM DALTON PIERCY ROAD HARTLEPOOL
Decision:	Minded to APPROVE subject to the resolution of outstanding matters relating to potential contamination issues arising from the former use of the buildings, a legal agreement under S106 of the Planning Act which ensures the occupation of the dwellinghouse is linked to the use of studio 4 at all times and that it cannot therefore be used

independently and controls the phasing of the development of the dwellinghouse so that it cannot be built in isolation and to the following conditions. A final decision on the application and conditions was however delegated to the Development Control Manager in consultation with the Chair of the Planning Committee

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The dwelling hereby approved shall not be occupied until the refurbishment and re-build of all the studio units hereby approved as indicated on plan 0713/02 rev A received by the Local Planning Authority on the 16 September 2008 are both internally and externally completed.
To ensure that the residential dwelling is not constructed and occupied independently of the commercial units in line with the aspirations of Policy Rur13 (Re-use of Rural Buildings) of the Hartlepool Local Plan and National Planning Policy Statement 7 (Sustainable Development in Rural Areas).
3. The residential dwelling hereby approved shall be occupied only in conjunction with the commercial use of studio 4 as indicated on plan 0713/02 rev A received by the Local Planning Authority on the 16 September 2008 and shall not be used independently of each other.
To ensure that that the residential dwelling remains a subordinate element of the overall development hereby approved in line with the aspirations of Policy Rur13 (Re-use of Rural Buildings) of the Hartlepool Local Plan and National Planning Policy Statement 7 (Sustainable Development in Rural Areas)
4. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 22 July 2008 and amended plan 0713/02 rev A received on the 16 September 2008, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling and studio units hereby approved shall not be extended or externally altered in any way without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure, shall be within the application site without the prior written consent of the Local Planning Authority.
In the interests of visual amenity.
7. No development shall be commenced until a scheme for the provision of visibility splays of 4.5 metres x 90 metres at the entrance to the site from Dalton Piercy Road has been submitted to and approved in writing by the

Local Planning Authority. Once agreed the visibility splays shall be provided prior to the development being brought into use and shall be maintained as such throughout the lifetime of the development.

In the interests of highway safety.

8. Notwithstanding the submitted details no development shall take place until a scheme for the parking of vehicles visiting the site has been submitted for the consideration and approval of the Local Planning Authority
In the interests of highway safety.
9. Before the development is brought into use the approved car parking scheme shall be provided in accordance with the approved details. Thereafter the scheme shall be retained for its intended purpose at all times during the lifetime of the development
In the interests of highway safety.
10. No development shall take place until a scheme for the provision of passing places along the private access road, its widening to a width of 4.1m at the access/egress to/from Dalton Piercy Road and at least 3.1m in width at all other points for vehicles has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the approved dwelling and studio units coming into use, and be retained thereafter during the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
In the interests of highway safety.
11. Notwithstanding the submitted plans the main entrance to the buildings within the application site shall be level or ramped in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. Thereafter the approved access details shall be retained during the lifetime of the development.
To ensure the access is safe and suitable for all people, including people with disabilities.
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. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity.
14. No open storage shall take place on the site unless otherwise agreed in writing by the Local Planning Authority.
In the interests of the amenities of the occupants of neighbouring properties.

15. The use hereby approved shall not commence until proposals for the storage of refuse within the site have been submitted to and approved in writing by the Local Planning Authority and all such approved details have been implemented.
In the interests of the amenities of the occupants of neighbouring properties.
16. 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.
17. The garage(s) to serve the dwelling 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.
In the interests of the amenities of the occupants of neighbouring properties.
18. The studio units hereby approved, marked blue on approved plan 0713/02 rev A received by the Local Planning Authority on the 16 September 2008 shall be used for uses falling within use Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 only or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.
In the interests of the amenities of the occupants of neighbouring properties.
19. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.
To ensure the adequate disposal of foul and surface water drainage from the development.
20. The development hereby approved shall be carried out in accordance with the bat mitigation scheme as set out in section 4 of the 'Bat and Barn Owl Survey for Outbuildings at Lambs House Farm' which was received by the Local Planning Authority on the 22 May 2008 unless otherwise agreed in writing by the Local Planning Authority.
To mitigate the effect of the proposed development upon any roosting bats in or adjacent to the site.

The Committee considered representations in relation to this matter.

Number:	H/2008/0461
Applicant:	Mr Bates DALTON PIERCY HARTLEPOOL
Agent:	Business Interiors Group 73 Church Street HARTLEPOOL
Date received:	19/08/2008
Development:	Use of land in connection with existing livery and equestrian business and erection of a detached dwelling

Location: PIERCY FARM DALTON PIERCY HARTLEPOOL

Decision: **Minded to APPROVE subject to a legal agreement under S106 of the Planning Act which ensures the occupation of the dwellinghouse is linked to the existing livery and equestrian business at all times and the following condition(s)**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The occupation of the dwelling shall be limited to a person solely or mainly employed in the business of commercial livery, currently occupying Piercy Farm together with any resident dependants.
To ensure that the dwelling is not used as general residential accommodation
3. The caravan currently located on the site shall be removed upon completion of the hereby approved dwelling.
In the interests of visual amenity.
4. A scheme for the detailed design of the storm drainage system from the proposed development shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details before the dwelling is occupied.
To ensure the site is developed in a satisfactory manner.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure, shall be erected within the curtilage of the dwellinghouse, without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or other external alterations of the dwelling or hard surfaces within the curtilage shall be constructed, erected or carried out on the site.
In the interests of visual amenity.
7. The permission hereby granted shall relate to the use of the site for the stabling and keeping of horses owned by the site owner and the stabling and keeping of horses on a livery basis only.
To ensure that the site and building operates in a way which will not be detrimental to the amenities of the occupiers of nearby houses.
8. No lessons, competitions, gymkhanas or events which would encourage visiting members of the public to the site shall be held at any time at the site without prior planning permission.

- To ensure that the site and building operates in a way which will not be detrimental to the amenities of the occupiers of nearby houses.
9. Final details for the layout of the parking area associated with the livery shall be submitted to and agreed in writing by the Local Planning Authority.
In the interests of visual amenity and highway safety.
 10. A detailed scheme for landscaping and tree and shrub planting in accordance with the objectives of the Tees Forest shall be submitted to, and approved by, the local planning authority before the development hereby approved is commenced. The scheme must specify types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented to the satisfaction of the local planning authority upon completion of the development.
In the interests of visual amenity.
 11. Any trees or shrubs required to be planted in association with the development hereby approved, and which are removed, die, are severely damaged, or become seriously diseased, within five years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted.
In the interests of visual amenity.
 12. There shall be no burning of materials or waste at the site
In the interests of the amenities of the occupants of neighbouring properties.
 13. Within 3 months of approval, a scheme for the storage and removal of manure arising from the stabling and keeping of horses at the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and thereafter the storage of manure shall only take place in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.
In the interests of the amenities of the occupants of neighbouring properties.
 14. No fixed jumps shall be erected at the site.
In the interests of the amenities of the occupants of neighbouring properties.
 15. Details of the siting of any temporary jumps to be used in the exercising of horses kept at the site shall be first agreed in writing by the Local Planning Authority. Temporary jumps shall thereafter only be sited in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
In the interests of the amenities of the occupants of neighbouring properties.
 16. No floodlight(s) or tannoy system(s) of any type shall be used or erected at the site.
In the interests of the amenities of the occupants of neighbouring properties.
 17. The mature hedge to the east of the application site shall be maintained at a minimum height of 4metres, and no part shall be removed unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity and to protect the health of the hedge.
 18. Other than the existing access through the hedge on the eastern boundary no excavations, construction or hardstanding shall be carried out within 3metres of the centre line of the hedge to the east of the application site, unless otherwise agreed in writing by the Local Planning Authority.
In order to protect the health of the hedge.
 19. The hedge along the southern boundary shall be fully gapped up and grown to be maintained at a height of 4metres ,in accordance with details to be

agreed as part of the details required by condition 10 above unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity.

The Committee considered representations in relation to this matter.

Number:	H/2008/0427
Applicant:	Mr AFAZELI ESHTON WYNYARD
Agent:	G R Henderson Architectural Design Gordon Henderson 20 Conway Road Redcar
Date received:	14/07/2008
Development:	Erection of an attached 2 storey gymnasium and bedroom with en-suite extension
Location:	5 ESHTON WYNYARD
Decision:	Planning Permission Approved subject to the following Conditions

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The external materials used for this development shall match those of the existing building(s).
In the interests of visual amenity.
3. The proposed windows at first floor level in the north-western (rear) elevation of the extension shall be glazed with obscure glass which shall be installed before the extension is brought into use and shall thereafter be retained at all times while the windows exist.
To prevent overlooking.
4. The development hereby approved shall be carried out in accordance with the amended drawings Number 2, Revision B; Number 3, Revision B received on 28.08.08, unless otherwise agreed in writing by the Local Planning Authority
For the avoidance of doubt
5. Details of a landscaping strip to be planted along the common boundary between 5 Eshton and 11 Gledstone, including the size and type of planting and a programme of works, shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The landscape strip shall be provided in accordance with the approved details.
To prevent overlooking

6. 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.
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Number: H/2008/0496

Applicant: Hartlepool Borough Council
Church Street Hartlepool

Agent: Hartlepool Borough Council Neighbour Services 1 Church Street Hartlepool

Date received: 13/08/2008

Development: Removal of horse chestnut tree (T5) covered by a Tree Preservation Order

Location: BLACKPATH CATCOTE ROAD HARTLEPOOL

Decision: **TPO Consent Approved subject to the following Conditions.**

CONDITIONS AND REASONS

1. The tree to be removed (T5) shall be replaced with two trees of a size and species and in a location to be first agreed in writing by the Local Planning Authority. A programme for replanting shall also be agreed in writing by the Local Planning Authority.
In the interests of visual amenity.
2. 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.
3. A site visit shall be arranged between the person who will carry out the work and the Council's Arboricultural Officer prior to the work beginning and with 48 hours prior notice of the intention to carry out the works in order to establish the final extent of the works.
In the interests of the health and appearance of the preserved tree(s).

The Committee considered representations in relation to this matter.

61. Tree Preservation Order No 185 – 3 Bathgate Terrace
(Assistant Director (Planning and Economic Development))

Members were asked to confirm a Tree Preservation Order (TPO) relating to a sycamore tree located within the cartilage of 3 Bathgate Terrace, Hartlepool. The tree had previously been subject to protection under TPO 171 (covering five trees on Bathgate Terrace) made under emergency powers on 30th July 2004. However following objections Planning Committee had decided not to confirm the TPO. Since this non-confirmation Bathgate Terrace had been included in Stranton Conservation Area as designated in September 2004. Under the Town and Country Planning Act 1990 anyone proposing to cut down or carry out work on a tree in a conservation area must give the Local Planning Authority six weeks' prior notice in order for consideration to be given as to whether a TPO should be made.

On 12th June 2008 notification was received to fell the sycamore at 3 Bathgate Terrace. An evaluation of the tree and it's suitability for inclusion in a TPO was carried out. The results showed that the tree was suitable for inclusion. As four years have elapsed since the last consideration of a TPO in respect of this tree TPO 185 was made under the Council's emergency powers on 30th July 2008. Details were given within the report of concerns raised against the TPO by residents and the response of the Arboricultural Officer to these concerns.

Decision

That the Tree Preservation Order no 185 be confirmed without modification, consideration having been given to the representations.

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

The Assistant Director (Planning and Economic Development) drew Members attention to fifteen ongoing issues, which were being investigated

Decision

That the report be noted.

63. Appeal by Mrs Martin, 22 Grange Road, Hartlepool (H/2007/0681) *(Assistant Director (Planning and Economic Development))*

The Assistant Director (Planning and Economic Development) reported that a planning appeal had been lodged against the refusal of Hartlepool Borough Council for the change of use from doctor's surgery to form five

self contained studio apartments at 22 Grange Road, Hartlepool. The appeal had been decided by written representations and allowed by the Planning Inspectorate. The inspector concluded that the proposal would not materially harm highway safety or the free flow of traffic on Grange Road. A copy of the decision letter was appended to the report.

Decision

That the decision of the Planning Inspectorate be noted.

64. Appeal by Legato Properties Ltd, Land at Wynyard Woods, Wynyard Estate, Billingham (H/2008/0015)
(Assistant Director (Planning and Economic Development))

A planning appeal had been lodged against the refusal of Hartlepool Borough Council for the erection of two detached dwellings on land within Wynyard. The appeal was to be decided by written representations and authority was therefore requested to contest the appeal.

Decision

That the Assistant Director (Planning and Economic Development) be authorised to contest the appeal.

65. Appeal by Mr Bechkok, Three Rivers Housing Association for land at Surtees Street, Hartlepool (H/2007/0883)
(Assistant Director (Planning and Economic Development))

A planning appeal had been logged against the refusal of Hartlepool Borough Council to allow the erection of a supported living scheme for adults comprising 10 flats with shared communal facilities and offices with associated parking for cars and cycles on land at Surtees Street. The appeal was to be determined by the written representations procedure and authority was therefore requested to contest the appeal.

Decision

That the Assistant Director (Planning and Economic Development) be authorised to contest the appeal.

66. Appeal by Mr A Ross, 11 Newlands Avenue, Hartlepool H/2008/0043 *(Assistant Director (Planning and Economic Development))*

A planning appeal had been lodged against the refusal of Hartlepool Borough Council to allow the erection of a two-storey extension to the side including integral garage and a rear single storey kitchen extension and detached garage (amended scheme) at 11 Newlands Avenue. The appeal was to be determined by the written representations procedure and authority was therefore requested to contest the appeal.

Decision

That the Assistant Director (Planning and Economic Development) be authorised to contest the appeal.

67. H/2007/0918 Trincomalee Wharf *(Assistant Director (Planning and Economic Development))*

The Assistant Director (Planning and Economic Development) reminded members that they had considered this application in June 2008. At that time they had been minded to approve the application subject to conditions and a legal agreement under section 106 of the Planning Act. A final decision on the details of the agreement and the finalisation of the conditions had been delegated to the Development Control Manager in consultation with the Chair. However given that the retail element represented a departure from the adopted Hartlepool Local Plan and the terms of the Shopping Floorspace Directive the application was referred to the Secretary of State for consideration in the first instance.

The Secretary of State had now responded concluding that her intervention would not be justified as there was not sufficient conflict with planning policies on the above matters or any other sufficient reason to warrant calling-in the application for her determination. The application would therefore remain with Hartlepool Borough Council for decision.

Decision

That the decision of the Secretary of State be noted and the decision of the Planning Committee that the details of the agreement and condition be delegated to the Development Control Manager in consultation with the Chair be reaffirmed.

68. Able UK Ltd, TERRC Facility, Tees Road, Hartlepool
(Assistant Director (Planning and Economic Development))

The Assistant Director advised members that four applications had previously been approved for a variety of works and uses at the TERRC Site in Graythorp in November 2007, including ship dismantling. These permissions were subject to a number of conditions and a Section 106 agreement. Similar applications had been subsequently approved in May 2008 by the Secretary of State following a public inquiry. Since then officers and the Council's consultant advisor's Scott Wilson had been liaising with the developer about the discharge of the conditions and the terms of the 106 agreement.

Adrian Milton, representative from Scott Wilson, advised members that under the current inspection regime random inspections were undertaken at irregular intervals in connection with the MARAD contract. These inspections could be announced or unannounced but approximated to one visit per week. An independent asbestos specialist, Franks Porlock Consulting Limited, were under contract to Able UK and had commenced thorough testing of the infrastructure and make-up of each MARAD ship berthed at the facility and air monitoring of the site. The asbestos removal process had commenced under the supervision of Franks Porlock using method statements and approved working practices subject to inspection by the Health and Safety Executive. The information and reports by Franks Porlock were also reviewed by Scott Wilson as part of their inspector role. To date Scott Wilson had identified no significant concerns relating to the procedures, record keeping and activities associated with asbestos removal and general site operations.

The Health and Safety Executive and Environment Agency were also visiting the site regularly to ensure national guidelines were being adhered to while dealing with asbestos. In addition there were a number of other monitoring regimes in operation on the site, details of which were given within the report.

In response to queries from members Mr Milton advised that Scott Wilson were not on site 24/7. The company was not currently working 24/7. In this event Franks Porlock would remain on site. It was felt unnecessary at this time for Scott Wilson to provide a constant presence given the level of onsite supervision/activity on site but guidance would be sought from the Planning Committee if this altered.

Decision

That the report be noted.

69. Any other items which the Chairman considers are urgent

The Chairman ruled that the following item should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B)(4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

70. Park Conservation Area Appraisal *(Assistant Director (Planning and Economic Development))*

The Assistant Director (Planning and Economic Development) advised that an appraisal of the Park Conservation Area had recently been carried out by consultants North of England Civic Trust. Their work was informed by a steering group comprising local groups, Ward Councillors and Officers who fed advice and local knowledge into the project. Details were given within the report of the process. The final document which was available for viewing on the Council website, looked at the location, setting and historic development of the Park. Detailed examination was given of three sections before outlining measures that could be taken to manage the conservation area incorporated into a Conservation Area Management Strategy setting out proactive policies as a tool to manage any issues arising within the Park Conservation Area. Specific details were given within the report.

Decision

That the report and recommendations of the final Park Conservation Area Appraisal document be noted.

71. Local Government (Access to Information) Act 1985.

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

Minute 72 – Seaton Meadows Landfill Site (Para 5 and 6) - This item contains exempt information under Schedule 12A Local Government Act 1972, namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and information which reveals that the authority proposed to give under any enactment a notice under or by virtue of which requirements are imposed on a person.

Minute 74 – Definitive Map Modification Order – Manor Road to Elwick Road - Update (Para 5) - This item contains exempt information under

Schedule 12A Local Government Act 1972, namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

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

The Development Control Manager presented a report which provided Members with an update on the Seaton Meadows Landfill Site. Details are included within the exempt section of the minutes.

Decision

That the report be noted.

73. Any other exempt items which the Chairman considers are urgent

The Chairman ruled that the following exempt item should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B)(4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

74. Definitive Map Modification Order – Manor Road to Elwick Road - Update (*Adult and Community Services Department*)

The Countryside Access Officer presented a report which provided Members with an update on the progress of the Definitive Map Modification Order – Manor Road to Elwick Road. Details are included within the exempt section of the minutes.

Decision

Included within the exempt section of the minutes.

The meeting concluded at 15:30 pm

CHAIRMAN

No: 1
Number: H/2007/0825
Applicant: Mrs E Leck Stockton Road Hartlepool TS25 1RL
Agent: Mrs E Leck 18 Stockton Road Hartlepool TS25 1RL
Date valid: 17/08/2008
Development: Provision of roller shutters to front and security grilles to rear
Location: 25 27 VICARAGE GARDENS STOCKTON ROAD
 HARTLEPOOL HARTLEPOOL

The Application and Site

1.1 The application site is a vacant shop unit located in a parade of shops. It is located in the Stranton Conservation Area. The shops in the parade have a variety of modern and original shop fronts some of which incorporate roller shutters/shutters. The right hand side of the unit to which this application relates retains its original bow fronted window. It appears the left hand side of the unit has been altered in the past and a fascia and roller shutter added.

1.2 Planning permission is sought for the erection of electric security shutters with external boxes to the original bow window in the shop front and external window grilles to a rear window of the property.

Publicity

1.3 The application has been advertised by site notice, neighbour notification and in the press.

1.4 Two letters of representation has been received. One writer does not indicate his view. The other writer, the owner of an adjoining property, does not object to shutters however he does strongly object if the shutters are going to obscure any part of the pillars or Corbells in the front doorway of his property.

Copy letter A

Consultations

1.5 The following consultation responses have been received

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

Planning Policy

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

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

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

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

HE2: Encourages environmental improvements to enhance conservation areas.

Planning Considerations

1.7 The main planning considerations are the impact of the development on the visual amenity of the area and the character and appearance of the Conservation Area.

1.8 The applicant has been asked to provide further information to clarify concerns as to how the arrangement proposed will be accommodated on the curved shopfront. The fascia and corbels of the porch of the neighbouring property also do not appear to leave enough space for the installation of a roller shutter in the part of the applicant's bow window approaching the neighbouring property. The neighbour has raised concerns in relation to this detail and again the applicant has been asked to provide further clarifying information. It is hoped this will be available at the meeting.

1.9 This property is located within the Stranton Conservation Area. Local Plan policy HE1 states

'Proposals for development within a conservation area will be approved only where it can be demonstrated that the development will preserve or enhance the character or appearance of the area and where the development does not adversely affect the amenities of occupiers of adjoining or nearby properties.'

1.10 Further Supplementary Note 5 of the local plan makes reference to Shopfronts, particular with regard to those in the Church Street and Seaton Carew, however it is relevant in this instance. It states

‘If security shutters are required, the roller shutter box should be concealed unobtrusively behind a new shop fascia and with guides concealed behind pilasters to the shop front. The roller shutter should be integrated into the overall design’

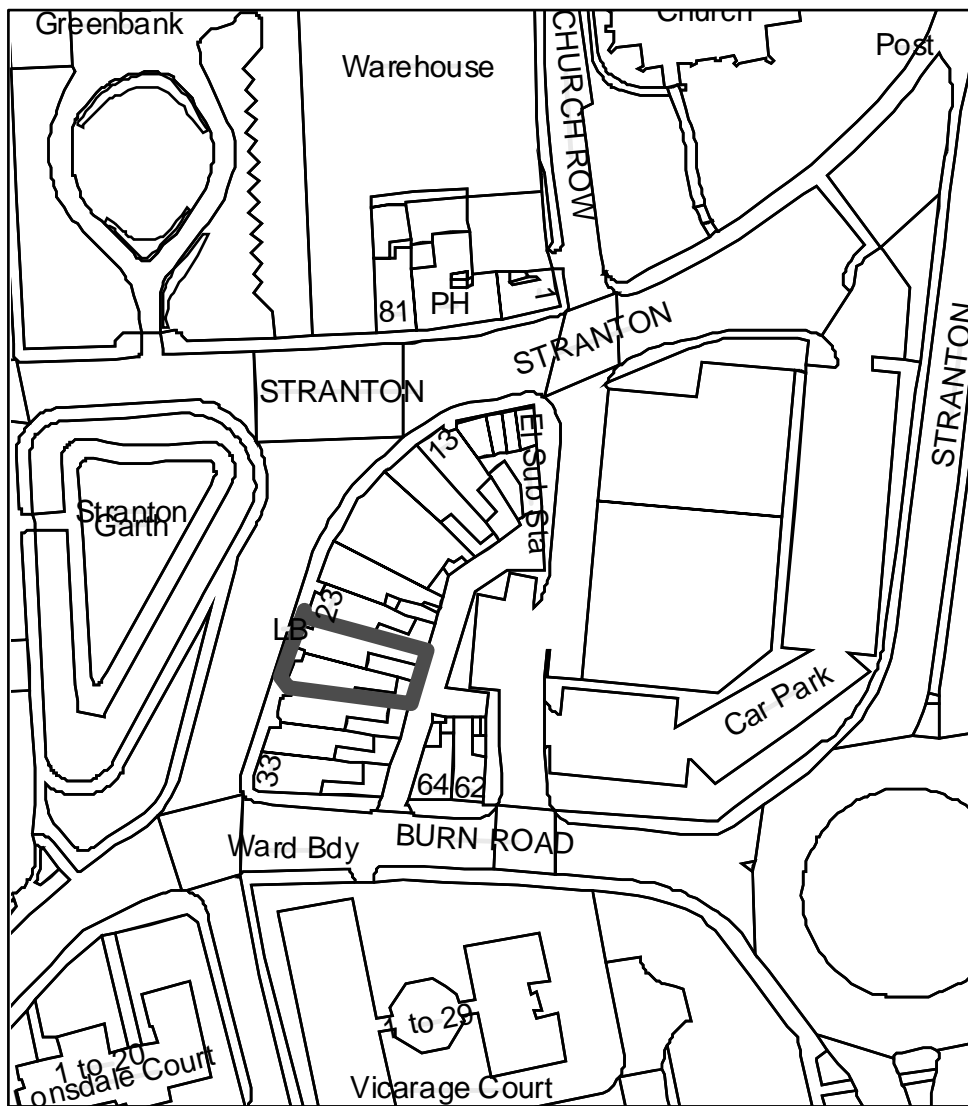
1.11 It is considered the installation of the grilles to the rear window is acceptable. However notwithstanding the outstanding clarifying information it is considered that the attachment of the box shutters to the front of this property would mask the shopfront. The window affected is one of the few remaining windows within this parade that has remained largely unaltered. The proposal would alter the character of this property, and would not preserve or enhance the character or appearance of the area.

1.12 The applicant has been asked to consider toughened glazing and internal shutters in order to provide enhanced security issues at the property. It is considered that the current proposal however is contrary to policy HE 1 of the Local Plan.

RECOMMENDATION - REFUSE for the following reasons :-

It is considered that the attachment of the box shutters to the front of this property would mask the shopfront. The window affected is one of the few remaining windows within this parade that has remained largely unaltered. The proposal would alter the character of this property, and would not preserve or enhance the character or appearance of the Stranton Conservation Area contrary to Policy HE1 of the Hartlepool Local Plan 2006.

25 - 27 Vicarage Gardens



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<h1>HARTLEPOOL</h1> <h2>BOROUGH COUNCIL</h2>	DRAWN GS	DATE 13/10/08
	SCALE 1:1000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2007/0825	REV

No: 2
Number: H/2008/0577
Applicant: MR R Atwal
Agent: HC Dsigns 206 North Road Darlington DL1 2EN
Date valid: 24/09/2008
Development: Provision of a rear first floor balcony (amended application)
Location: 2 DELAMERE BILLINGHAM BILLINGHAM

The Application and Site

2.1 The application site is a large modern dwellinghouse located in a large plot. To the north and south are similar large detached properties again on large plots. To the east is landscaping which forms the fringe of this part of the estate. The boundaries are formed by low estate type fencing which allows open views across the neighbouring plots.

2.2 It is proposed to extend the property to the rear to accommodate a single storey garden room and WC to the rear with a balcony above which also projects beyond the garden room on pillars. The submitted plans show that the balcony will serve a bedroom and French Doors are shown inserted to connect the two. A spiral staircase will also allow access from the garden. The application is part retrospective.

2.3 The plans submitted differ from what has been erected on site. The spiral staircase is shown emerging from below the balcony on the submitted plans whilst it has actually been attached to the rear elevation. The balcony wall is lower and has a coping and railings but no pillars on the submitted plans but has been erected slightly higher with no coping and pillars. Discussions on site with the applicant also indicate that he no longer wants French Doors connecting the balcony to the bedroom instead a window is proposed. Amended plans will be required. There are however issues under the Building Regulations and further discussions are needed about the detailing of the development.

Background

2.4 In October 2007 planning permission was granted for the erection of a garden store extension and the provision of a rear first floor balcony. The proposed single storey store was to be located on the south east side of the building. The balcony projecting some 2.4m from the rear of the property was to be located on the rear north east elevation of the building. It was to serve a bedroom with French Doors inserted to connect the two. A condition on the approval required the provision of a screen on the side facing the neighbour (1 Delamere). (H/2007/0560)

2.5 In June 2008 a complaint was received that the approved garden room was not being erected in accordance with the approved plans. The matter was investigated and it was confirmed that the garden room was not in accordance with the approved

plans. The applicant was advised to submit revised plans for consideration and these have recently been received, neighbours re-notified and the amended plans are under consideration.

2.6 In September 2008 however a further complaint was received that the approved balcony was not being erected in accordance with the approved plans. The matter was investigated and again it was confirmed that the balcony was not in accordance with the approved plans. Given the nature of the deviations from the approved plans the applicant was advised that the alterations could not be considered as an amendment to the original approval. The applicant was advised to stop work and either return the balcony to that approved or to submit a retrospective application to seek the retention of the unauthorised works.

2.7 As indicated, a separate investigation is also being undertaken by the Council's Building Control Section.

Publicity

2.8 The application has been advertised by neighbour notification (2). The time period for representations expires on 21st October 2008.

2.9 At the time of writing a single letter of objection from the occupier of a neighbouring property had been received. The writer raises the following issues:

- Structure unduly large, aesthetically unpleasing and out of character.
 - Loss of light
 - Loss of privacy to lounge and garden.
 - Given its size it will be used as an entertainment space, accommodate large numbers of people resulting in noise pollution and loss of privacy.
 - Staircase is out of keeping. Noise and loss of privacy from people using the staircase.
 - Shell of structure and ground floor room has been constructed over existing drains. Concrete base has been erected over the existing drains. Concerned at quality of works and impacts on the drainage system. Do the works conform to the building regulations?
 - Lack of compliance with Health & Safety regulations during the build.
 - Blatant disregard for the local planning laws is unacceptable.
 - Request council rejects amended application and takes immediate enforcement action to remove the unauthorised works.
- Copy letters C

Consultations

2.10 The following consultation response have been received.

Parish Council - No comments to make

Planning Policy

2.11 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

2.12 The main issues are considered to be design and the impact on the amenity of adjacent properties.

DESIGN

2.13 The proposed alterations are located to the rear of the property and are seen in the context of the larger main house. Strictly in terms of their design and appearance the proposals are considered acceptable.

IMPACT ON THE AMENITY OF ADJACENT PROPERTIES

2.14 The policies of the existing Local Plan require amongst other things that in considering applications account should be taken of the impact of the development on the amenities of the occupiers of adjoining or nearby properties. Current policy guidance states that in the case of semi-detached or detached dwellings a two-storey rear extension with a projection of up to 2.5 m will normally be permitted provided that it is offset a significant distance from the neighbouring property (typically half the property width). A larger extension may be allowed where a greater degree of separation exists. In the current case the proposed extension will project 5.2m from the part of the rear wall of the property to which it is attached and would be some 5.5 to 6.5 metre from the boundary with the neighbouring property to the west. The main rear elevation of the closest neighbouring property most directly affected (1 Delamere) is oriented to face away from the applicant's property and it faces the site with its gable elevation which at ground floor has two small secondary lounge windows and a side elevation window of a rear conservatory, and two small windows at second and third storey level. Given the separation distances and the orientation of the properties it is considered difficult to maintain that the proposal would have a significant impact on the amenity of the neighbour in terms of loss of light or outlook from their house. Views towards the other immediate neighbour (3 Delamere) are largely screened by the existing house and given the separation distances is not considered that the proposal will unduly affect the amenity of this

neighbour in terms of loss of light, outlook, privacy, noise on any issues relating to over dominance.

2.15 The balcony however will be located close to the garden boundary and potentially its use would have an intrusive impact on the gardens particularly of the immediate neighbour (1 Delamere). Any individual on the balcony, or the associated staircase, would enjoy extensive views over the rear gardens of the neighbouring properties and towards the side of the neighbouring house. Whilst a small balcony projecting 2.4m and serving a bedroom, with a side screen was considered acceptable it is considered that the larger balcony now proposed projecting 5.2m with separate access from the garden would be used differently and more intensively, and that any adverse affect in terms of overlooking, general disturbance including noise and intrusion would be consequently be amplified. In its current form the proposal could not be supported. Discussions however are ongoing on whether the proposals could be amended to include some form of visual/acoustic screen on the side facing 1 Delamere and the re-siting of the spiral staircase.

Other Matters

2.16 The objector raises various matters which stray into other regimes of control. In particular the quality of the works the impact on the drains, whether the works comply with the building regulations and whether in undertaking the works the builders are complying with the relevant Health & Safety Legislation. The Council's Building Control Section are undertaking a separate investigation into alleged breaches of the building regulations including the impact on the drains. In relation to issues relating to alleged breaches of Health & Safety Regulations this is essentially a matter either for the applicant, his builder or the Health & Safety Executive.

RECOMMENDATION – update to follow

2 Delamere, Wynyard



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<h1>HARTLEPOOL</h1> <h2>BOROUGH COUNCIL</h2>	DRAWN GS	DATE 13/10/08
	SCALE 1:1000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2008/0577	REV

No: 3
Number: H/2008/0553
Applicant: Mr Habib Ullah MURRAY STREET HARTLEPOOL TS26 8PF
Agent: Mr Habib Ullah 27 MURRAY STREET HARTLEPOOL TS26 8PF
Date valid: 17/09/2008
Development: Variation of planning condition 2 of planning approval H/2006/0906 to allow opening on Sundays and Bank Holidays 10 a.m -11 p.m.
Location: 27 MURRAY STREET HARTLEPOOL HARTLEPOOL

History

3.1 Members granted permission in December 2006 for the change of use of 27 Murray Street to a hot food takeaway (H/2008/0906). The application was approved subject to 6 conditions. Condition 2 of the approval sought to restrict the hours of operation from 10am – 23.30 pm Mondays – Saturdays and at no other time on Sundays, Bank or Public Holidays.

3.2 An application in November 2007 sought to vary condition 2 to allow opening on Sundays and Bank Holidays. A one year temporary permission was granted under delegated powers to allow the premises to be open to the public on the aforementioned days between 10am to 11pm so that the effect of the additional hours of opening could be assessed in the light of experience.

Application

3.3 The one year temporary permission expires on 26th November 2008. This application therefore seeks consent to vary condition 2 of planning approval H/2006/0906 permanently to allow opening on Sundays and Bank Holidays between the hours of 10am – 11pm.

Site

3.4 The site to which this application relates is a two storey mid-terraced commercial property located within the Murray Street Local Centre. The property is adjoined by commercial properties at either side it would appear that both of the adjoining properties have residential units above. The Murray Street public car park is directly opposite.

Publicity

3.5 The application has been advertised by way of neighbour letters (10) and a site notice. To date, there have been 2 letters of objection received.

The concerns raised are:

1. No parking spaces
2. Its bad enough having to put up with existing opening times
3. We have to put up with cars pulling up and going away till well after 11pm nightly for 6 days a week
4. Smells after 6pm are unbearable
5. To allow the takeaway to open 7 days a week means we will not get a days break at all.
6. We have noticed since the takeaway opened we are getting overrun with flies, we did not have this problem before the takeaway was opened.

The period for publicity has expired.

Copy letters B

Consultations

3.6 The following consultation replies have been received:

Head of Public Protection – I have not received any complaints nor am I aware of any problems relating to the operation of this take-away since it opened. It has operated with a temporary permission allowing it to open on Sundays and Bank Holidays for the last 12 months. I could therefore have no objections to this application.

Head of Traffic and Transportation – No objections

Planning Policy

3.7 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.

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.

Planning Considerations

3.8 The main considerations in this instance are the appropriateness of the proposal in terms of the policies and proposals contained within the Hartlepool Local Plan, the effect of the extended hours of operation upon the amenities of the occupants of the nearby residential properties and highway safety.

3.9 Whilst the use of the unit as a hot food takeaway has already been established through the previous planning application (H/2008/0906), and the days/hours of operation of which permission is sought have been in use for the past 11 months (following the grant of a 1 year temporary permission (H/2007/0734)), it is important to again consider the proposed extension of hours against policy Com12 (Food and Drink) and Policy Com5 (Local Centres) of the Hartlepool Local Plan.

Character, Function and Appearance

3.10 It is important to note that there are a number of hot food takeaways along Murray Street which have been allowed Sunday opening, these include 3,5,7a and Unit 43 C Murray Street. In particular, a recent appeal decision at 34a Duke Street has allowed Sunday opening where the hot food unit adjoins a 2 storey residential property and is located outside a designated local centre.

3.11 As the application only seeks to allow opening on Sundays and Bank Holidays between the hours of 10am – 11pm to an existing use that can already open during the majority of the week and taking into account further hot food takeaways which open on a Sunday on Murray Street, it is considered unlikely that the character, function and appearance of the area would change significantly should this application be approved.

Highway Safety

3.12 The Head of Traffic and Transportation has considered that it is likely that there will be less vehicle movements upon Murray Street on a Sunday than the rest of the week and as such he does not consider that an objection could be sustained on highway safety grounds. A nearby neighbour has objected to the proposal stating a lack of car park spaces. It is of note however that the Murray Street public car park is directly opposite.

Public Protection

3.13 The Head of Public Protection has commented on the application and states no complaints or problems relating to the operation of the take-away have been received since its opening. This period includes the temporary permission which included opening on a Sunday and Bank Holidays. As such, he has no objections to this application.

3.14 Notwithstanding the objections to the planning applications for this site the Local Planning Authority have no record of complaints regarding the operation of the hot food takeaway.

Amenity

3.15 It is acknowledged that the upper floors of the adjoining commercial properties occupy residential uses and as such the amenity/living conditions of those occupying the properties must be taken into consideration. A letter of objection has been received from a nearby neighbour raising the following concerns:

- Its bad enough having to put up with existing opening times
- We have to put up with cars pulling up and going away till well after 11pm nightly for 6 days a week
- Smells after 6pm are unbearable
- To allow the takeaway to open 7 days a week means we will not get a days break at all.
- We have noticed since the takeaway opened we are getting overrun with flies, we did not have this problem before the takeaway was opened.

3.16 With regard to the concerns raised it is considered that the use already operates for the majority of the week. It is not considered that a refusal, in light of the comments received from both the Head of Public Protection and the Head of Traffic and Transportation, could be sustained on any of the abovementioned concerns.

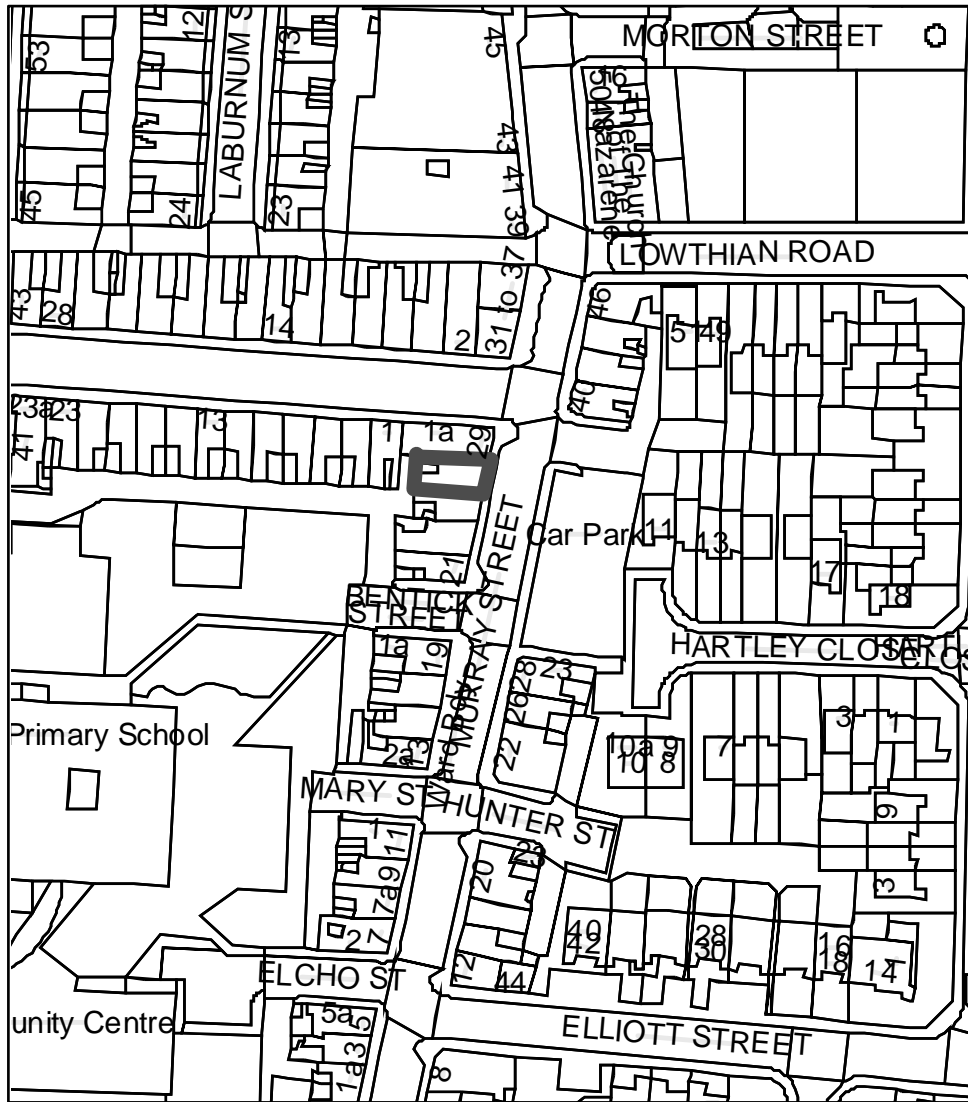
Conclusion

3.17 In light of the comments received from the Head of Public Protection, the Head of Traffic and Transportation and given that the use has operated on Sundays and Bank holidays for approximately 11 months without complaints to both the Local Planning Authority and Public Protection (Environmental Health) it is considered unlikely that the permanent use of the premises on a Sunday and Bank Holidays would lead to a significant detrimental effect upon the amenities of the occupants of the nearby residential properties.

RECOMMENDATION – APPROVE Subject to the following conditions:

1. The premises shall only be open to the public between the hours of 10am to 11:30pm Monday to Saturday and 10am to 11pm on Sundays and Bank or public Holidays.
In the interests of the amenities of the occupants of neighbouring properties.
2. All the conditions attached to planning permission H/2006/0906 shall continue to apply.
In the interests of the amenities of the occupants of neighbouring properties.

27 Murray Street



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<h1>HARTLEPOOL</h1> <h2>BOROUGH COUNCIL</h2>	DRAWN GS	DATE 13/10/08
	SCALE 1:1000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2008/0553	REV

No: 4
Number: H/2008/0222
Applicant: Wynyard Park Ltd Wynyard Avenue Wynyard Billingham
 TS22 5TB
Agent: Lister Associates Westminster St Marks Court Teesdale
 Stockton on Tees TS17 6QP
Date valid: 07/04/2008
Development: Provision of access road and associated works
 (Resubmitted application)
Location: LOW NEWTON HANZARD/HIGH NEWTON HANZARD
 NORTH OF A689

The Application and Site

4.1 The site to which this application relates forms part of the Wynyard Business Park development to the north of the A689 at Wynyard and is located within the administrative boundaries of both Stockton and Hartlepool. The site is located to the west of the former Samsung site and to the north of the residential element of the Wynyard development.

4.2 The application seeks detailed consent to upgrade and extend the existing 7.3m wide access road (known as Glenam Road) to a dual carriageway with intermittent roundabout junctions to provide access to individual development plots at the Wynyard Business Park site.

4.3 The accompanying Access Road Report states that the proposed development is to allow the upgrade of the existing carriageway to a dual carriageway to increase capacity within the development site and to limit congestion on both the internal and adjacent local road network.

4.4 As the proposed development relates to land within Stockton and Hartlepool applications have been submitted to both Authorities for consideration.

4.5 A high pressure gas main (HPGM) runs through part of the application site, underneath the existing access road. As part of the planning submission the applicant proposes to create an impact protection slab underneath the proposed widened access road and above the HPGM.

Publicity

4.6 The application has been advertised by way of neighbour letters (9) and a site notice. Stockton Borough Council have also undertaken a consultation exercise involving neighbour consultations (16). Whilst no objections have been received by Hartlepool LPA, Stockton, to date, have received 9 letters of objection.

4.7 The concerns raised are:

1. 'Objection due to the lack of information to the future use of the road'.
 2. 'This application is unlawful as all full consultation process has not been followed to allow local residents to object. The correct lawful process has not been followed, with alternative sites not being looked at'.
 3. 'This is another example of the destruction of a woodland/Greenfield site which will destroy the habitat of thousands of wildlife while at the same time introduce even more traffic and fumes onto an already overburdened A689'
 4. 'Why do we need another access than is already there? This will just mean more disruption with traffic on an already overused A689'
 5. Wynyard Housing estate only has the A689 for access. The queues of traffic are already far too heavy and often results in long queues at the roundabout in question'
 6. 'After seven hours of brain surgery last year I thought I would be able to relax here knowing the estate is safe. Not anymore'
 7. 'The right to peaceful enjoyment of our homes is being threatened'
 8. 'I object to this application on the grounds that it will constitute overdevelopment adjacent to a road that cannot cope with present levels of peak time traffic, and additional vehicle movements will only worsen this'.
 9. 'the traffic problems during peak hours are already at a high level for the area more road works creating a standstill traffic will cause air pollution and back onto the A19 which is already at saturation point'
 10. 'the reason for this application is unclear I reside in Wynyard and can not see the relevance of this access the disruption it will cause to traffic for no apparent reason is incomprehensible.'
 11. 'I object to this access road due to the lack of information to the future use of this road'.
- Copy Letters G

The period for publicity has expired.

Consultations

4.8 The following consultation replies have been received:

Head of Public Protection – No objection

Highway Agency – No objections

Elwick Parish Council – Comments – 'The congestion on the A689 will increase considerably with this development on the side of the A689. The Council trusts you have plans to relieve the present morning rush hour problems where the traffic is already backed up to this roundabout'

Stockton Borough Council – No objection

Head of Traffic and Transportation – No objections

Engineering Consultancy – No objections

National Grid – No objection subject to appropriate conditions.

Health and Safety Executive (Gas and Pipeline Inspector) – No objection subject to appropriate conditions.

Planning Policy

4.9 Local Planning Policy. 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.

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

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

Regional Planning Policy - North East of England Plan Regional Spatial Strategy to 2021

Policy 20 of the Regional Spatial Strategy identifies the land allocated for business development at Wynyard within both Hartlepool and Stockton as a Key Employment Location. These are sites which are to be developed with a particular strategic function. Wynyard Business sites, as a whole, are identified as a 200 hectare location being developed for the prestige electronics and high technology sectors.

Planning Considerations

4.10 The main considerations in this instance is the appropriateness of the proposal in relation to the policies and proposals held within the Hartlepool Local Plan in particular the effect of the proposed development upon highway safety, visual amenity, the effect upon the ecology and safety of people travelling to the site.

Highways

4.11 The supporting Access Road Report has taken into account the committed development that is to be served off the existing access road layout. This includes the detailed and outline planning consents within both the Hartlepool and Stockton elements of this site. The applicant's Highway Consultants consider the upgrade necessary as a consequence of the forecast traffic flows of the existing and proposed developments located within and adjacent to Wynyard Park. The report has concluded that the proposed works will facilitate the capacity required within the site to limit congestion on both the internal road network of the site and upon the adjacent local road network (A689).

4.12 Members will recall the grant of reserved matters planning consent earlier this year to secure the siting and storey heights for the creation of approximately 3million sqft of B1 business floorspace (H/2007/0182) within the boundary of Hartlepool. This consent secured with it £1.68m towards off site highway improvements along the A689/A19 corridor and £150,000 towards travel plan initiatives for the Wynyard Park development (in both Stockton and Hartlepool).

4.13 The Head of Traffic and Transportation of the Council and the Highway Engineer of Stockton Borough Council have raised no objection to the proposed development. It is considered that the layout of the roads, footpaths which include 3.8m wide segregated footway/cycleway and the associated visibility splays are acceptable. Moreover the pedestrian and cycle crossing points are considered to be located at suitable locations.

4.14 With regard to the objections that have been received by Stockton Borough Council for the application they are considering, it is necessary to again stress that the rationale behind this application has been explained in detail in the supporting Access Road Report which has been submitted alongside the planning application.

4.15 In light of the above it is considered that the provision of additional highway capacity within the site will have a positive effect in reducing congestion upon the A689 as the Wynyard Business Park development is built out. It is therefore

considered very unlikely that the proposed development itself will bring about detrimental highway safety conditions.

Visual Amenity

4.16 The application has been accompanied by a landscaping proposal which incorporates the provision of tree and shrub planting along the central reservation of the proposed carriageway, significant planting upon the proposed roundabouts and the provision of grass verge areas along the carriageways with significant tree and shrub planting upon them. The planting proposals are welcomed and it is considered they will create the high quality landscaped business park that has always been envisaged for this site and is aspired to within policies of the Hartlepool Local Plan and the Regional Spatial Strategy.

4.17 It is considered that the provision of the proposed roundabouts and central reservations and their respective planting will significantly improve the visual amenity value of the site both internally and from existing public vantage points.

Ecology

4.18 An Environmental Summary has been submitted alongside this application.

4.19 It is acknowledged that an amount of woodland will be removed to facilitate the provision of the roundabout and widened access road through the Swart Hole Plantation. It is considered that the loss of woodland is minor in relation to the overall retention of trees on the site. In addition it is considered that the additional planting of the site secured through the previous reserved matters application by way of a S106 Agreement and that proposed as part of this application will mitigate the loss.

4.20 The Council's Ecologist and Arboricultural Officer have raised no objections to proposed development.

Health and Safety

4.21 As stated above, a high pressure gas main (HPGM) known as No 6 Little Burdon to Billingham, runs under the existing access road (Glenam Road) into the site. As the proposed works involve the widening of the section of the existing road it is important that the necessary measures are put in place to protect the integrity of the HPGM both during the construction works and when the proposed dual carriageway becomes operational.

4.22 At the advice of the Health and Safety Executive detailed discussions have been entered into with the pipeline operator (National Grid), the applicant and the HSE Hazardous Installations Directorate Gas and Pipelines Specialist Inspector with regard to effect of the proposed development upon the HPGM.

4.23 Both the HSE Pipelines Inspector and National Grid do not have an objection to the proposed development subject to the provision of the concrete impact protection slab in the first instance and the subsequent diversion/replacement of the existing pipeline under the road to thicker walled steel pipe. It is acknowledged by National

Grid that there is a significant lead time (approx 3-4 years) in diverting and replacing the pipe under the road and that the pragmatic way forward is for the road to be widened alongside the creation of the concrete impact protection slab the section of road which will cross the pipeline shall be used as a single carriageway until the diversion/replacement of the pipeline under the road has been carried out. A number of planning conditions and provisions of a Unilateral Undertaking, which the applicant has agreed to enter into, have been discussed. Both the HSE Pipelines Inspector and National Grid have considered these and have raised no objection to the scheme on safety grounds.

4.24 Given that the development involves the creation of a dual carriageway above a HPGM it is necessary that should the Council be minded to approve the application the application information, including the detailed responses of the HSE Pipeline Specialist and National Grid along with the agreed planning conditions are forwarded to the HSE Hazardous Installations Directorate for a final screening to establish whether the application should be called in for determination by the Secretary of State.

Conclusion

4.25 It is for the reasons discussed in detail above and subject to a number of planning conditions and the signing of a Unilateral Undertaking that the application is recommended for approval. As stated above, should the Council be minded to approve the application then the application will be referred to the HSE Hazardous Installations Directorate for a final decision.

4.26 The exact specification for the concrete impact protection slab and amended plans which will identify the section of the proposed access road which will be limited to a single carriageway until the HPGM has been upgraded to thick walled pipeline are awaited. It is envisaged that they will be submitted prior to the meeting and as such an update report with final suggested planning conditions and Unilateral Undertaking will be provided. The plans for the proposed development will be displayed at the meeting.

RECOMMENDATION – Update report to follow.



Wynyard Access Road



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HARTLEPOOL BOROUGH COUNCIL

Department of Regeneration and planning

Bryan Hanson House, Hanson Square, Hartlepool, TS24 7BT

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Scale: 1:10000

Date : 17 Oct 2008

Drg No: H/2008/0222

Drawn: JT

No: 5
Number: H/2008/0551
Applicant: Mr R Kennedy CALEDONIAN ROAD HARTLEPOOL
 TS25 5LG
Agent: Mr R Kennedy 74 CALEDONIAN ROAD HARTLEPOOL
 TS25 5LG
Date valid: 22/09/2008
Development: Change of use and incorporation of land into residential
 curtilage to form extension to driveway
Location: Land to side of 74 CALEDONIAN ROAD HARTLEPOOL
 HARTLEPOOL

The Application and Site

5.1 The site to which this application relates is an area of Public Open Space which is to the south of 74 Caledonian Road. The land is currently owned by Hartlepool Borough Council.

5.2 The application has been submitted by the owner of the property adjacent to the site at 74 Caledonian Road. The owner proposes to purchase the land from Hartlepool Borough Council should an application be successful.

5.3 The application seeks to change the use of part of the area into the curtilage of 74 Caledonian Road to allow the driveway to be increased in width. The area currently measures approximately 46 metres by 9.5 metres. The proposal seeks to change approximately 31 metres by 1 metre.

Publicity

5.4 The application has been advertised by way of a site notice, press notice and neighbour letters (11). To date, there have been 3 letters of objection 1 letter of comments and 1 letter of support.

The concerns raised are:

- 1) The land does not belong to the applicant, it belongs to the people of Hartlepool
- 2) The driveway is wide enough for his transit vans
- 3) This will be used for access for larger commercial vehicles to load and unload materials for commercial business use from the premises
- 4) Do not want the change of use or appearance of open space
- 5) Will encourage larger vehicles to access workshop/garage

The letter of support states:

- 1) Its main usage is as a 'local dog toilet' which costs Hartlepool Borough Council money to maintain and service, have the Council considered offering the total area of land.

The period for publicity expires after the meeting.

Copy letters D

Consultations

5.5 The following consultation replies have been received:

Traffic and Transportation - No objection

Planning Policy

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

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

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.

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

5.7 The main considerations in this instance are the appropriateness of the proposal in terms of the policies and proposals within the Hartlepool Local Plan, the effect of the proposal upon the visual character of the area and the potential of part loss of public open space within the area.

5.8 Discussions are ongoing with the applicant regarding justification for the change of use application.

RECOMMENDATION – UPDATE TO FOLLOW



74 Caledonian Road



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HARTLEPOOL BOROUGH COUNCIL

Department of Regeneration and planning

Bryan Hanson House, Hanson Square, Hartlepool, TS24 7BT

Scale: 1:1250

Date : 16/10/2008

Drg No: H/2008/0551

Drawn: JT

No: 6
Number: H/2008/0545
Applicant: Mrs O Calvert DALTON BACK LANE HARTLEPOOL
 TS27 3HP
Agent: Mrs O Calvert FOX COVERT THREE GATES DALTON
 BACK LANE HARTLEPOOL TS27 3HP
Date valid: 12/09/2008
Development: Retention of portable living accommodation in connection
 with livery business
Location: FOX COVERT THREE GATES DALTON BACK LANE
 HARTLEPOOL HARTLEPOOL

The Application and Site

6.1 The application site is an existing livery located to the south west of Dalton Piercy. The accommodation currently consist of portable living accommodation, stable blocks and a lean to straw store arranged around a small yard. The applicant owns five acres of land and rents an additional twelve acres from a neighbouring farmer. The site is located in open countryside and is surrounded by fields. Access is taken from minor road to the north of the holding which links Dalton Piercy to the A19. High hedges along the road effectively screen the site from the road.

6.2 Full planning permission is sought for the retention of portable living accommodation in connection with the livery business.

Planning History

6.3 Planning permission was originally granted for the use of the land for stables, livery and breeding of horses and birds and for the siting of a residential unit in February 2005. (H/FUL/0881/04). The permission for the residential unit was temporary and a condition on this approval required the removal of the temporary accommodation on or before 16th February 2008. This was in accordance with local and national policy which advises that when new enterprises are seeking to establish themselves in the first instance any residential accommodation should be provided in temporary accommodation in order that the viability of the enterprise can be clearly established before any permanent accommodation is considered.

6.4 In July 2008 an application was received for the provision of a permanent detached dwelling in connection with the livery business (H/2008/0350). It became apparent during the consideration of the application, that the business, whilst it had been established for some three years, was returning only a modest profit of some £4,500 per annum. The applicant considers the low profit margin was due to the fact that the pheasant breeding programme which formed part of the original proposals, was thwarted by concerns in relation to Avian Flu. In light of this low profitability it was not considered that the business could support a dwelling and the applicant was advised that Officer's could not support the application for a permanent dwelling at that time. The applicant therefore resolved to withdraw the application and instead

pursue an application for the retention of the temporary accommodation for a further period, to seek to establish the economic viability of the business. It is this application which is now before members.

Publicity

6.5 The application has been advertised by site notice and neighbour notification (3)

The time period for representations has expired.

No representations have been received.

Consultations

6.6 The following consultation responses have been received.

Parish Council : No comments received.

Environment Agency : No objections. Recommend condition requiring surface water to soakaways.

Northumbrian Water : No objections.

Public Protection : No objections.

Traffic & Transportation : No major highway implications.

Engineering Consultancy : No comments received.

Planning Policy

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

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

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

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

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

Rur11: States that farm diversification schemes will be permitted where any adverse effects on the best and most versatile agricultural land are minimised, existing farm buildings are reused, there is no significant detrimental effect on amenity, they do not generate significant additional traffic onto rural roads and where they are consistent in their scale with their rural location.

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

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

Rur16: States that proposals for outdoor recreational developments in rural areas will only be permitted if the open nature of the landscape is retained, the best agricultural land is protected from irreversible development, there are no new access points to the main roads, the local road network is adequate, the amount of new building is limited and appropriately designed, sited and landscaped, there is no disturbance to nearby occupiers, countryside users or nature conservation interest and adequate car parking can be provided. Within the Tees Forest area, planning conditions and obligations may be used to ensure planting of trees and hedgerows where appropriate.

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

Tra15: States that new access points or intensification of existing accesses will not be approved along this road. The policy also states that the Borough Council will

consult the Highways Agency on proposals likely to generate a material increase in traffic on the A19 Trunk Road.

Planning Considerations

6.8 The main issues are considered to be policy and impact on the visual amenity of the area.

Policy

6.9 Policy Rur 12 of the adopted Local Plan indicates that in general isolated dwellings in the open countryside will not be permitted unless they are essential for the efficient functioning of an approved or established countryside use. Government Advice contained in PPS7 (Sustainable development in rural areas) whilst seeking to protect the countryside from inappropriate development supports farm diversification including equine related activities which fit well with farming activities and help to diversify rural economies. If a dwelling is required to support a new enterprise PPS7 advises that it should normally for the first three years be provided by a temporary structure. The applicant should demonstrate clear evidence of a firm intention and ability to develop the enterprise, that there is a functional need and clear evidence that the enterprise has been established on a sound financial basis. The advice also states that the enterprise itself including any development necessary for the operation of the enterprise must be acceptable in planning terms and permitted in that rural location.

6.10 The applicant's land benefits from a permission for stables for the livery business and the principle of the use and a residential presence on the site to support the development of the business, provided it is viable, has previously been accepted.

6.11 In support of the application the applicant has submitted unaudited accounts for the past three years and a business plan giving projections for the next three years. The accounts indicate that over the last three years since April 2005 the business has operated at a modest profit which rose to £4,453 for the last tax year. The business plan also includes projections for the next three years which indicate that the business would be generating a projected net profit between £14,000 to £16,000 a year. The applicant has indicated that the additional income would be generated by providing higher level livery services to the horse racing industry.

6.12 It is considered that on the basis of the applicant's progress to date and the information submitted that there is a firm intention and ability to establish the enterprise. In relation to the question as to whether the enterprise has been established on a sound financial basis the applicant has been asked to provide further clarification of income and this information is awaited.

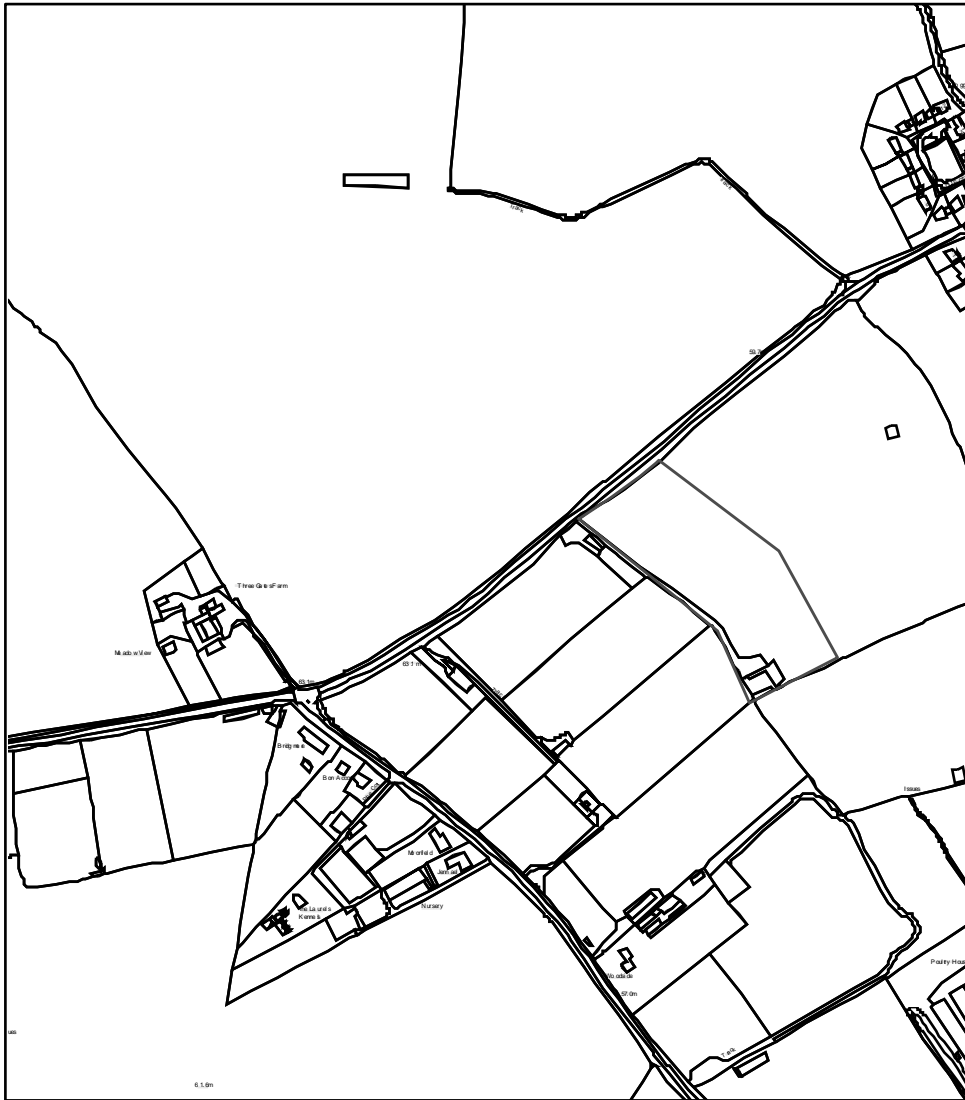
Impact On The Visual Amenity Of The Area

6.13 Given the nature of the portable living accommodation it is accepted that it is not traditional or sympathetic to the local vernacular architecture. However government advice states that when a new enterprise is being established in the first

instance residential accommodation should be provided in a temporary structure. It is inevitable that such a structure will not reflect the local vernacular. If the business does establish itself then it is likely a proposal for a permanent dwellinghouse would be brought forward and a more appropriate design can then be sought. The portable accommodation is located close to the stables and is well screened from the public road by high hedges and as temporary accommodation is considered acceptable.

RECOMMENDATION – As consultation responses are outstanding and further information is awaited from the applicant an **update** report will follow.

Fox Covet



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<h1>HARTLEPOOL</h1> <h2>BOROUGH COUNCIL</h2>	DRAWN GS	DATE 13/10/08
	SCALE 1:5000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2008/0545	REV

No: 7
Number: H/2008/0513
Applicant: Mr R Bingham 40 COLLINGWOOD ROAD
HARTLEPOOL TS26 8QT
Agent: Mr R Bingham 40 COLLINGWOOD ROAD
HARTLEPOOL TS26 8QT
Date valid: 26/08/2008
Development: Change of use from single dwelling to 2 flats
(retrospective)
Location: 40 COLLINGWOOD ROAD HARTLEPOOL
HARTLEPOOL

The Application and Site

7.1 The application site is an existing terraced dwelling on Collingwood Road which has been converted to two flats and therefore the application is submitted retrospectively. To the rear of the property is a yard and single storey off-shoot. The yard is enclosed by a rear wall beyond which there is a restricted alley way which also serves the residential properties of Rodney Street. Collingwood Road is occupied by residential properties of a similar nature to the application property. The rear alley is gated to restrict access to residents and refuse collection only.

7.2 The application proposes to amend the ground floor to incorporate two internal individual access doors within the hallway for both flats and convert the ground floor of the property into a self contained flat. The first floor is proposed to convert from four bedrooms to a separate self contained flat.

7.3 Amended plans have been received which indicate the existing ground floor kitchen will be amended to create an independent hallway access to the rear yard for the first floor flat in order to facilitate provision of refuse storage and collection for the first floor flat following comments from Highways and Waste Operations.

Publicity

7.4 The application has been advertised by neighbour notification (14) and site notice. Two objections have been received as follows:

- 1) If the property was to be sold to another landlord, the objector would not know who will occupy the property from month to month. The objector indicates that there are existing problems within the street including noise and general anti-social behaviour.
- 2) Parking problems and the potential for un-neighbourly behaviour.

Copy Letters E

The period for publicity has expired.

Consultations

7.5 The following consultation replies have been received:

Public Protection – no objections.

Traffic and Transportation – At present the refuse from the Collingwood Road is collected from the back street. The proposal would mean any occupant in the proposed 1st floor flat wouldn't have any access to the back street and their refuse wouldn't be collected. The applicant should provide access to the yard for any occupiers to the upstairs flat. Also the plans provided with the application appear to be incorrect.

Housing – Comments awaited.

Planning Policy

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

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

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

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

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

Planning Considerations

7.7 The main planning considerations are: policy; impact on visual amenity of the area; impact on the amenity of neighbours; and highways.

Policy

7.8 The comments of the Strategic Housing Manager are awaited and policy issues will be discussed in an update report to follow.

Impact on Visual Amenity of Area

7.9 Given the lack of external alterations it is considered that the existing visual amenity of the neighbouring properties will not be unduly affected.

Impact on the Amenity of Neighbours

7.10 It is not considered that the activity associated with two flats would be significantly different from that associated with one 4 bedroom dwelling, which would be likely to be attractive to larger families/groups. It is not considered that the proposed use of the buildings as flats would unduly affect the existing living conditions of the occupier's of neighbouring properties. There are no objections from Public Protection in this respect.

7.11 Concerns have been raised by neighbours to the possibility of un-neighbourly behaviour and anti-social behaviour. It is considered that the proposals will not have an adverse impact on the amenity of residents within Collingwood Road.

7.12 The concern raised by neighbours with regard to ownership of the flats is not a material planning consideration and cannot be taken into account in the formulation of a decision on this planning application.

Highways

7.13 One objection has been raised with regard to parking problems. However, the Council's Traffic and Transportation section have raised no concerns with regard to parking provision and the existing on-street parking within Collingwood Street is considered acceptable.

RECOMMENDATION – Update Report to Follow



40 Collingwood Road



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HARTLEPOOL BOROUGH COUNCIL

Department of Regeneration and planning

Bryan Hanson House, Hanson Square, Hartlepool, TS24 7BT

Scale: 1:500

Date : 17 Oct 2008

Drg No: H/2008/0513

Drawn: JT

No: 2
Number: H/2008/0577
Applicant: Mr R Atwal
Agent: HC Dsigns 206 North Road Darlington DL1 2EN
Date valid: 24/09/2008
Development: Provision of a rear first floor balcony (amended application)
Location: 2 DELAMERE BILLINGHAM BILLINGHAM

UPDATE

This application appears on the main agenda at item 2.

The recommendation was left open as discussions were ongoing. Discussions are continuing and members will be updated verbally at the meeting.

RECOMMENDATION – Members to be updated at meeting.

No: 4
Number: H/2008/0222
Applicant: Wynyard Park Ltd Wynyard Avenue Wynyard Billingham
TS22 5TB
Agent: Lister Associates Westminster St Marks Court Teesdale
Stockton on Tees TS17 6QP
Date valid: 07/04/2008
Development: Provision of access road and associated works
(Resubmitted application)
Location: LOW NEWTON HANZARD/HIGH NEWTON HANZARD
NORTH OF A689

Update

1.1 Since the preparation of the original report further details have been received from the applicant. These details include the specification and exact location of the proposed concrete impact protection slab, a plan indicating the section of pipeline to be diverted/replaced with thick wall pipe and the section of road to be limited to a single carriageway until the diversion/replacement has taken place. The plans will be displayed at the meeting.

1.2 National Grid has been further consulted in light of the additional information and has raised no objections.

Recommendation: - Approve subject to the following planning conditions, the completion of a Unilateral Undertaking and the final screening of the development by the HSE Hazardous Installations Directorate.

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

Reason:- To comply with S91 of the Town and Country Planning Act 1990 (as amended).

2) The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 7 April and 22 October 2008, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To clarify the period for which the permission is valid.

3) The access road authorised by this permission shall be constructed in accordance with the methodology and specification set out in the high pressure gas pipeline operators' documents CE12 Design SD3 600mm, TSPCE 12_J559_Rev 0806 and TSPSSW22_J537_Rev 0807 received by the Local Planning Authority on the 22 October 2008 . For the avoidance of doubt the concrete impact protection slab to be provided above the existing gas pipeline and cross hatched on the plan attached hereto shall be provided as part of the initial road construction.

Reason:- In the interests of the health and safety of people using the road.

- 4) Before any part of the dual carriageway access road is brought into use, a barrier shall be provided to the satisfaction of the Local Planning Authority as to prevent the use by the public of that part of the access road showed coloured green on the plan number KVM08/10 Drg No.20 received by the Local Planning Authority on the 22 October 2008 attached to this permission. That barrier shall be maintained and the part of the access road shown coloured green on the plan shall not be used by the public until the section of the pipeline shown marked orange on the plan KVM08/10 Drg No.20 received by the Local Planning Authority on the 22 October 2008 attached hereto has been replaced by a new thick wall pipeline compliant with the relevant specification for a high density traffic route outlined in the Institute of Gas Engineers Technical Design Document IGE/TD/1 Edition 4 unless otherwise agreed in writing by the Local Planning Authority. Details of the proposed scheme for the replacement of the section of pipe shall be first agreed in writing by the Local Planning Authority. Nothing in this condition shall preclude the use of one lane in each direction of this part of the dual carriageway road prior to the replacement of the section of pipeline in accordance with this condition.

Reason:- In the interests of the health and safety of people using the road.

- 5) Prior to commencement of the development of the dual carriageway hereby approved, a system for automatic vehicle detection of the arrival and departure of vehicular trips to and from the development hereby approved shall be submitted to and approved in writing by the local planning authority. The system so approved shall be installed and commissioned to the written satisfaction of the local planning authority prior to the development being brought into use. It will then be maintained on a basis to be agreed in writing with the local planning authority and operated to the satisfaction of the local planning authority on that basis.

Reason:- To enable the monitoring traffic movements upon a section of the road hereby approved to ensure that the volume of traffic using the road does not exceed the limit set out condition 7 of this approval.

- 6) The information obtained from the approved system of automatic vehicle detection detailed in condition 5 above shall be submitted to the local planning authority in such form and at such time intervals as agreed in writing with the local planning authority when the system is approved.

Reason:- To enable the local planning authority to monitor the volume of traffic using the road prior to condition 4 of this approval being satisfied, in the interests of the health and safety of people using the road.

- 7) Not more than 2000 vehicles in total in any hour shall be permitted to use that section of the access road referred to in condition 4 until the works to the pipeline have been carried out in accordance with that condition.

Reason:- In the interests of the health and safety of people using the road.

- 8) Prior to bringing into use any part of the access road a scheme shall be submitted to the local planning authority to restrict the volume of traffic on that part of the access road referred to in condition 4 to not more than 2000 vehicles in any hour in total. Such scheme shall include details of additional physical works to those referred to in condition 4 and/or operational restrictions as may be required to ensure compliance with condition 7 together with trigger points for the implementation (or phased implementation) of such measures. The approved scheme shall be implemented and maintained in strict accordance with its terms until the works to the pipeline referred to in condition 4 have been completed to the satisfaction of the local planning authority.

Reason:- In the interests of the health and safety of the people using the section of road.

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

In the interests of visual amenity.

- 10) No development shall take place until a scheme for the protection during construction works of all existing trees to be retained within 10m of any part of the development hereby approved in accordance with BS 5837:1991 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details and particulars before any equipment, machinery or materials (other than equipment, machinery and materials necessary for the discharge of this condition) are brought on to the site for the purposes of the development. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.

In the interests of the health and appearance of the preserved trees.

- 11) Prior to the commencement of the development hereby approved a scheme for the provision of tree root protection barriers for trees to be planted in conjunction with the landscaping details set out in drawing no. 2459.01 A produced by AWP and received by the Local Planning Authority on the 7 April 2008 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in line with the agreed details and shall remain in place throughout the lifetime of development unless otherwise agreed in writing by the Local Planning Authority.

In the interests of the health and appearance of trees.

- 12) The development hereby approved shall not commence until a lighting scheme, including details of street lighting columns and heads has been submitted to and agreed in writing by the Local Planning Authority, once agreed the scheme shall be constructed in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority

In the interests of visual amenity and highway safety.

- 13) 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.

Suggested provisions of the Unilateral Undertaking between Wynyard Park Ltd and Stockton and Hartlepool Borough Council:-

1 – Unless otherwise agreed in writing by the Local Planning Authority all construction traffic to the site (edged in colour showing all of development site Hartlepool pool and Stockton) shall be from the haul road from the western roundabout (indicated on plan) while the dual carriageway, approved by application H/2008/0222, is being used as a single carriageway.

2 - If in any hour a total of more than two thousand vehicles cross the section of road marked in green on the plan attached hereto and either

- A) The works to the pipeline described in condition 4 attached to planning permission have not been carried out in full; or
- B) Such other operation to the pipeline have not been carried out to the satisfaction of the Local Planning Authority so as to secure the same objectives as to the works referred to in (A)

The developer shall forthwith implement the scheme under condition 8 to the next level of restriction to further physically limit the amount of vehicles crossing this section of road to less than 2000 movements in any one hour. If for any reason the measures required by condition 8 cannot be implemented within 48 hours the road shall be closed forthwith and remain closed until the required measures have been implemented.

3 – Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of the development approved by planning application H/2008/0222, proof of the appropriate Advanced Payment Code Agreement under Section 219 of the Highways Act 1980 or other such agreed mechanism with the relevant Highway Authority shall be submitted to and agreed in writing by the Local Planning Authority.

No: 5
Number: H/2008/0551
Applicant: Mr R Kennedy CALEDONIAN ROAD HARTLEPOOL
TS25 5LG
Agent: Mr R Kennedy 74 CALEDONIAN ROAD HARTLEPOOL
TS25 5LG
Date valid: 22/09/2008
Development: Change of use and incorporation of land into residential
curtilage to form extension to driveway
Location: Land to side of 74 CALEDONIAN ROAD HARTLEPOOL
HARTLEPOOL

UPDATE

1.1 This application appears on the main agenda at item 5.

1.2 The recommendation was left open in order to allow for further discussions to take place with the applicant regarding the justification for the purchase of land owned by the Council to allow the existing driveway to be widened. The widening of the driveway would allow the applicant to park his motorhome off road. At present the motorhome is in storage at premises in Oxford Road.

Planning Considerations

1.3 There are many small areas of amenity open space in Hartlepool, often provided as part of housing developments, which contribute both to the integrity of the greenspace network and to the amenity of residents of the immediate area. They often add character and identity to a local area. The Council considers that such incidental open space should generally be safeguarded from development. There may however, be circumstances where a proposed development on part of the open space will not detract from the whole of the area.

1.4 It is felt that the change of use of a 1 metre strip would not detract from the remaining open space. Photographs to be displayed at the meeting show that the existing drive is restricted. In this instance the loss of the 'metre strip' is considered satisfactory in principle.

1.5 Where there is a loss of incidental open space the Council will impose planning conditions to seek compensatory provision of tree and/or shrub planting to enhance the remaining open space. The applicant is in agreement to this.

RECOMMENDATION: - APPROVE subject to the following condition(s).
However as the Council owns the land and the loss of open space is

technically a departure the application should be referred to GONE 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. Before the development commences a detailed scheme for planting shall be submitted to and approved by the Local Planning Authority and shall thereafter be implemented in the first planting season following completion of the development.
In the interests of visual amenity.
3. Details of all walls, fences and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced.
In the interests of visual amenity.
4. No development shall take place until a scheme for the protection during construction works of all existing planting to be retained within 10m of any part of the development hereby approved in accordance with BS 5837:1991 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details and particulars before any equipment, machinery or materials (other than equipment, machinery and materials necessary for the discharge of this condition) are brought on to the site for the purposes of the development. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.
In the interests of the health and appearance of the preserved planting.

No: 6
Number: H/2008/0545
Applicant: Mrs O Calvert DALTON BACK LANE HARTLEPOOL
TS27 3HP
Agent: Mrs O Calvert FOX COVERT THREE GATES DALTON
BACK LANE HARTLEPOOL TS27 3HP
Date valid: 12/09/2008
Development: Retention of portable living accommodation in connection
with livery business
Location: FOX COVERT THREE GATES DALTON BACK LANE
HARTLEPOOL HARTLEPOOL

UPDATE

1. Consultations

Parish Council - No objections

Planning Considerations

2. The above application appears at item 6 on the agenda.
3. The recommendation was left open as there were a number of outstanding consultations and further information was awaited from the applicant. The further information has been received and is currently under consideration. A single consultation response is awaited.

RECOMMENDATION – To be made at the meeting.

No: 7
Number: H/2008/0513
Applicant: Mr R Bingham 40 COLLINGWOOD ROAD
HARTLEPOOL TS26 8QT
Agent: Mr R Bingham 40 COLLINGWOOD ROAD
HARTLEPOOL TS26 8QT
Date valid: 26/08/2008
Development: Change of use from single dwelling to 2 flats
(retrospective)
Location: 40 COLLINGWOOD ROAD HARTLEPOOL
HARTLEPOOL

Update

1.1 Since the original report was prepared the response of the Strategic Housing section has been received.

1.2 Strategic Housing have raised no objections to the proposed development.

Planning Considerations

Policy

1.3 Policy Hsg 7 of the Local Plan supports the conversion of dwellings into self contained flats where there is no significant detrimental impact on the amenities of nearby properties or on the character of the area.

1.4 It is not considered that the proposal would unduly affect the character of the area as the appearance of the property will not materially change. It is considered that the property is suitable to support two self contained flats and that the change from a single four bedroom dwelling to two one bedroom flats would not adversely affect the character of the surrounding area.

1.5 It is considered that the proposal will not have a detrimental impact on the amenities of the neighbouring properties. The internal layout of the flats is acceptable in relation to its impact on adjoining properties and no objections have been raised by Public Protection with regard to this.

1.6 In policy terms the proposal is considered acceptable. The proposal should not have a significant detrimental impact on the character of the street scene or the amenity of nearby properties.

Conclusion

1.7 In conclusion it is considered that the proposed development would not unduly affect the visual amenity of neighbouring properties or the character of the area, would not unduly affect the existing living conditions and amenity of

neighbouring properties, and would not give rise to highways concerns with regard to parking provision.

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. Within two months of the date of this permission the ground floor accommodation hereby approved shall be adapted in accordance with the amended proposed ground floor plan received by the Local Planning Authority on 08 10 08, unless otherwise agreed in writing by the Local Planning Authority. Once adapted the ground floor accommodation shall remain as such throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt to ensure adequate refuse storage arrangements are in place to serve the development.

Report of: Assistant Director (Planning and Economic Development)

Subject: UPDATE ON CURRENT COMPLAINTS

1. PURPOSE OF REPORT

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

- 1 Neighbour complaint regarding the erection of a conservatory at a property in Thornbury Close.
- 2 Anonymous complaint regarding the insertion of UPVC windows at a property in Henry Smith Terrace which is in the Headland Conservation area.
- 3 Neighbour complaint regarding the erection of a front boundary fence at a property in Glenstone Close without planning permission.
- 4 Neighbour complaint regarding the erection of a balcony to a property in Delamere which has not been built in accordance with the approved plans. An application in respect of this development is today's main agenda.
- 5 Public complaint regarding the installation of UPVC windows and black tiling to a shop front on The Front, Seaton Carew, as the property is within a Conservation area.
- 6 Neighbour complaint regarding the erection of a rear extension to a property in Talland Close.
- 7 Public complaint regarding an untidy property in West View Road.
- 8 Neighbour complaint regarding the erection of a conservatory at a property in Caledonian Road.
- 9 Neighbour complaint regarding the renewal of a temporary permission to a farm in Coal Lane.
- 10 Neighbourhood Services complaint regarding an untidy building, beer garden fence vandalised, 1st floor windows broken and steel shutters fitted on the inside of a public house at Northgate.

- 11 Public complaint regarding the operation of a car repair business from home at a property in Westbourne Road, causing noise and a nuisance.
- 12 Neighbour complaint regarding the erection of a conservatory and new entrance to a property in Lazenby Road which encroaches onto the neighbouring property.
- 13 Landscape & Conservation complaint regarding the re-roof (using eternit tiles) and the installation of UPVC windows to a property in Grange Road which falls within the Conservation area.
- 14 Councillor complaint regarding the opening hours and deliveries on a Sunday to a business in Oxford Road.
- 15 Public complaint regarding the raised land levels at a property in Mayflower Close causing concern over security and the risk to neighbouring properties.
- 16 Officer concerns regarding the use for storage/transfer of waste without planning permission at a business site on Graythorp Industrial Estate. A more detailed report on this is contained within the exempt papers for today's meeting.
- 17 Officer concerns regarding the breach of conditions and use of a site as a waste transfer unit at a business premises on Tomlinson Road. Breach of condition notices have already been served.
- 18 Public complaint regarding the operation of a car valeting business from an ex- workshop and a car repair business operating from a unit in Clark Street without planning permission.
- 19 Neighbour complaint regarding the laying of block paving and alterations to the front of a property in Clifton Avenue which is within the conservation area.

2. RECOMMENDATION

- 2.1 Members note this report.

Report of: Assistant Director (Planning & Economic Development)

Subject: APPEAL BY MR A RICHARDSON
21 LOWDALE LANE, HARTLEPOOL H/2008/0113

1. PURPOSE OF REPORT

- 1.1 A planning appeal has been lodged against the refusal of Hartlepool Borough Council to allow the erection of a two storey side and single storey rear extension at 21 Lowdale Lane, Hartlepool.
- 1.2 The appeal is to be determined by the written representations procedure and authority is therefore requested to contest the appeal.

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No: 1
Number: H/2008/0534
Applicant: Mr Martin Booth Park Road Hartlepool
Agent: Hartlepool Borough Council, Property Services Division
Mr Alan Foster Leadbitter Buildings Stockton Street
Hartlepool TS24 7NU
Date valid: 12/09/2008
Development: Change of use and alterations to provide multi-cultural centre (Community Centre) on ground floor with mosque on the first floor
Location: ST PAULS CHURCH HALL MURRAY STREET

The application and the site

1.1 The application site is a former Church Hall located at the junction of Murray Street and Milton Road. It is a large redbrick Victorian Church Hall with a slate roof. The hall has been empty for some time. To the west are an access road/footpath and a modern terrace of two-storey dwellings which face the site at close quarters. To the south on the opposite side of Milton Road are a pet shop and a terrace of residential properties. To the north is Alma Street on the other side of which are a vacant shop/a flat and The Sure Start Centre on the Lynnfield School site. To the east on the opposite side of Murray Street are various commercial units some with flats above and to the south east the Royal Naval Association Club.

1.2 Full planning permission is sought for the change of use and alterations to the building to provide a multi cultural centre (now described as a community centre) on the ground floor (mixed use including a D2 use) with a Mosque on the first floor (a D1 use). The main alterations to the building are internal. At ground floor a single large hall which can be divided into two will be formed from two existing halls with an office, meeting area, toilets, fitness room with changing facilities and toilets. No details have been provided in relation to the Mosque. It is indicated however that the other areas of the ground floor will be retained for use by the Mosque. It is understood that the Mosque will also be accommodated on the first floor using existing first floor accommodation and a new first floor installed above the existing hall. Externally the main changes to the building will be on the elevations fronting Murray Street Elevation and Grosvenor Gardens. On the Murray Street elevation a currently bricked up entrance will be reinstated. On Grosvenor Gardens elevation a fire exit door and various high level ground floor windows will be provided either as new openings or through altering existing window openings. Again no details of any external alterations for the Mosque have been provided. The site accommodates no car parking however it is understood that, for the near future, the car parking at Lynnfield School will be made available. The applicant has been asked to provide further details of this arrangement.

1.3 It is understood that the Community Centre will be operated by the Salaam Centre which will move from its existing base at 20 Murray Street. It will provide the

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same drop in advice service as the Salaam Centre, a fitness room and an internal hall for events mainly at weekends. The Centre employs one full time and three part time employees. The applicant estimates that 2/3 people would use the drop in centre and fitness room respectively, with the events attracting up to 100 people. It is understood the facilities will be available to the whole community and that potentially the centre will operate between 07:00 to 23:00 though this is unlikely to be everyday. The Mosque will move from its existing base at 94 Milton Road. It is understood that services operate daily at 14.00, 19.30 and at 09:50 in the summer. It is understood that services are usually attended by 12 people from the local community but this can rise to 70 people at the 14.00 Friday Service. Weddings usually take place in the home but if large gatherings occur then larger venues are hired.

Recent Planning History

1.4 In 2005 an application for outline planning permission for the demolition of the building erection of 14 self-contained apartments with associated parking was withdrawn. (H/2008/0534). At the time of the withdrawl there were several issues outstanding. These included inconsistencies in the proposed plans, the principle of the demolition, concerns in relation to the scale and density of the development proposed in an area where policies were seeking to reduce housing density and secure environmental improvements, the failure to meet separation distances for new development, the parking layout and access to underground parking.

Publicity

1.5 The application has been advertised by site notice, neighbour notification (37) and in the press.

Ten letters of objection and four letters of no objection were received.

The objectors raise the following issues:

- i) Noise and disturbance.
- ii) Trespassing onto private gardens
- iii) Vandalism and youths congregating.
- iv) Parking and congestion
- v) Poor vehicular access, dangers to children/residents.
- vi) Drainage
- vii) Street lighting is not adequate.
- viii) Local businesses will be affected if parking is taken up.
- ix) Likely to be for Muslims only.
- x) Fitness room likely to be for men only, town is well served by such facilities.
- xi) There are already community centres in the area.
- xii) Elderly residents nearby will be disturbed especially at Ramadam when there is noise at night.
- xiii) Murray Street is one of busiest streets in the town, busy day and night.
- xi x) Additional foot and vehicular traffic will have a detrimental impact on local residents, businesses and the school escalating existing problems.

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- xv) Not right location better located in a location with adequate parking away from local business and residential areas.
- xvi) Previous proposal for flats withdrawn because of safety and parking issues which applicant has not addressed.
- xvii) There is a Mosque on Milton Road and Brougham Terrace another Mosque is unnecessary.

One writer not objecting to the proposal raises the following issues:

- i) It would nice to see church tidied up and used for something useful.

Copy Letters F

Consultations

1.6 The following consultation responses have been received

Public Protection - I would have no objections to this application subject to additional sound insulation being provided to the windows on the Milton Road and Grosvenor Gardens elevations which are opposite residential properties and an hours condition restricting the use to between 07:00 and 23:00. If the first floor is to be used as a Mosque I would require a condition to prohibit the practice of calling people to prayer.

Cleveland Police - With regard the above application I have the following comments to make. The nature of the building could make it more vulnerable to crime particular criminal damage with this in mind I would suggest that consideration be given to a CCTV to cover the outside of the building including coverage of all windows and doors. Any installation of CCTV will be subject to regulations under Data Protection this will mean registering with Data Protection paying an annual fee of £35.00 and displaying signage to inform people that you are operating a CCTV system. I would also recommend a secure door entry system is used to enable to have control of who that enters the building. If doors and windows are to be replaced I would recommend that there comply with Secured by Design standards Doors to Pas 24 1999 of enhanced security and that windows comply with BS7950 and be of laminated glass. For additional protection I would also recommend security shutters to doors and windows. I would also advise that a monitored alarm system be installed which has a URN for an agreed Police response.

Traffic & Transportation - The proposed development is just outside the town centre for car parking but with a local shopping area. The development will have no off-street parking which lead to on-street parking. However the building is located within 400metres of a public car park and very good transport links(York Road) to other parts of the town.

The nearby streets are controlled under the Council's residential and business parking schemes. There is also on-street parking available which has a restrictions of 1 hour waiting in Murray Street.

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It would be very difficult to sustain an objection on the grounds of no off-street parking given the previous use of the building as a church hall and it is located within 400 metres of very good transport links and a public car park.

Planning Policy

1.7 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.

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

1.8 The main considerations are considered to be policy, design/impact on visual amenity, highways, impact on the amenity of local residents, crime and disorder and impact on the local businesses.

Policy

1.9 The site lies within the defined Murray Street local centre. It considered that a Community Centre and a Mosque would be acceptable in principle.

Design/Impact On The Visual Amenity Of The Area

1.10 The alterations proposed to accommodate the Community Centre are relatively minimal mainly involving alterations to the ground floor windows and the addition of a door to the elevation facing Grosvenor Gardens and the reinstatement of an

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entrance in the Murray Street Elevation. In relation to these alterations the proposed design is acceptable.

The applicant has been asked to confirm the additional external or internal alterations to accommodate the Mosque use.

1.11 The proposals will result in the building being refurbished and brought back fully into use and it is considered that this will have a positive impact on the visual amenity of the area.

Highways

1.12 The proposed development is just outside the town centre but within a local shopping area. The building covers the whole of the site and there is no opportunity to provide off-street parking within the site. This could lead to on street parking however the building is located within 400metres of a public car park and has very good transport links (York Road) to other parts of the town.

1.13 The nearby streets are controlled under the Council's residential and business parking schemes. There is also on-street parking available which has a restrictions of 1 hour waiting in Murray Street.

1.14 Notwithstanding that additional information is awaited, given the previous use of the building as a church hall and its location, within 400 metres of very good transport links and a public car park Traffic & Transportation consider that it would be difficult to sustain an objection on parking grounds, In addition notwithstanding the favourable comments of the Traffic & Transportation Section the applicant has indicated that they are in discussions with Lynnfield School regarding the use of their car park.

Impact On The Amenity Of Local Residents

1.15 The properties to the east and north on the other side of Murray Street and Alma Street respectively are largely commercial. The building is however closely constrained by residential properties, particular to the west where residential properties, Grosvenor Gardens, face the site (some 7m distant) and to the south where there are residential properties on the other side of the road Milton Road (some 14m distant). The building is existing and the physical alterations identified within the application proposed are of a relatively minor nature it is not considered therefore that the proposal will unduly affect the existing amenity of any neighbours in terms of issues of loss of light, overdominance, or issues relating to loss of outlook.

1.16 In relation to privacy, in terms of the Community Centre the ground floor windows facing the adjacent residential properties are existing and alterations for the most part to the windows which will introduce a fire exit door and high level windows in the elevation facing Grosvenor Gardens will reduce any overlooking. It is not considered that any overlooking arising from these parts of the proposed scheme would be significantly different from the existing situation. In terms of the Mosque again many of the upper floor windows are existing however the introduction of a first

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floor would mean that there would potentially be additional high level overlooking from the windows which were previously above the hall. In order to address any issues of overlooking the applicant has been asked to consider a scheme to maintain the privacy of neighbouring residents and this might involve for instance the introduction of obscure glazing in certain openings.

1.17 In terms of disturbance arising from the use of the building the building is an existing Church Hall which has in the past, and could in future, be used for the many of the types of activities proposed by the applicant. The Head of Public Protection has been consulted and has raised no objections to the proposal. He has however requested conditions relating to sound insulation, restricting the use to between 07:00 and 23:00, prohibiting the practice of calling people to prayer, ventilation, requiring the fire exit is kept closed (except in an emergency) and requiring the approval of facilities for the storage of waste (bins). Legal advice is awaited on certain aspects of this request.

Crime & Disorder

1.18 Concerns have been raised by residents that the development might encourage vandalism and youths hanging around the site. The proposal is for a Mosque and Community Centre. Again, the building is an existing Church Hall which has in the past, and could in future, be used for many of the types of activities proposed by the applicant. The main entrance to the Community Centre will be onto Murray Street away from the main residential areas in the vicinity. Provided the facility's are appropriately managed and protected it is not considered that they would encourage crime and disorder. Cleveland Police have been consulted and have raised no objections to the proposal but have made various recommendations to improve security including CCTV, door pass systems and security shutters which have been raised with the applicant.

IMPACT ON LOCAL BUSINESSES

1.19 Concerns have been raised that the use of the building would impact on local businesses in the area. In particular that the users would take up parking which would otherwise be used by customers. The issue of parking has been discussed above where Traffic & Transportation have raised no objection to the proposal and confirmed that the nearby streets are controlled under the Council's residential and business parking schemes. Further information and advice in respect of the interrelationship between the Mosque and community centre is awaited and a final recommendation will be presented once this is available.

CONCLUSION

1.20 Legal advice has been sought in relation to the relationship between the Community Centre and the Mosque and is currently awaited. It is hoped an update and recommendation can be provided at the meeting following the receipt of this advice .

RECOMMENDATION : To be tabled at the meeting

ANY OTHER BUSINESS

St Paul's Church Hall, Murray Street



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<h1>HARTLEPOOL</h1> <h2>BOROUGH COUNCIL</h2>	DRAWN GS	DATE 13/10/08
	SCALE 1:1000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2008/0534	REV

ANY OTHER BUSINESS

No: 2
Number: H/2008/0155
Applicant: Sycamore Prop Developments Underhill Road Cleadon
 Sunderland Tyne & Wear SR6 7RS
Agent: Blackett Hart & Pratt Eldon Chambers 23 The Quayside
 Newcastle Upon Tyne NE1 3DE
Date valid: 14/03/2008
Development: Application to remove condition 2 attached to application
 EZ3/7/HO/577/83 to allow general industrial use (B2 use)
Location: ADJACENT STADIUM (FORMERLY EASTMANS)
 BRENDA ROAD HARTLEPOOL HARTLEPOOL

The Application and Site

2.1 The application site is a large industrial site formerly known as Eastmans on Brenda Road, adjacent to Stadium. The original outline planning permission for the site was approved in 1983 under reference: EZ3/7/HO/577/83 for the development of a factory for the manufacture of polyester resin, chemical plant, offices and storage. This approval was subject to several planning conditions.

2.2 This application proposes the removal of condition 2 which restricts the use of the site as follows:

“Notwithstanding the provisions of the Town and Country Planning Use Classes Order, 1972 the site shall be used only for the manufacture of polyester granules unless the written consent of the local planning authority is first obtained to changes in the process or product.”

2.3 A reserved matters application was subsequently approved in 1983 for this site under reference: H/EZ3/246/85 for the erection of plant for the production of polyester chips including ancillary warehousing, utilities building, offices and car park.

2.4 This application therefore proposes the removal of condition 2 associated with the outline application submitted in 1983 to allow general industrial use (B2 use), under reference EZ3/7/HO/577/83. The site is no longer operational.

Publicity

2.5 The application has been advertised by way of neighbour letter, site notice and press notice. No representations have been received.

The period for publicity has expired.

Consultations

2.6 The following consultation replies have been received:

ANY OTHER BUSINESS

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

Public Protection – No objection subject to conditions

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.

Ind5: States that business uses and warehousing will be permitted in this area. General industry will only be approved in certain circumstances. A particularly high quality of design and landscaping will be required for development fronting the main approach roads and estate roads.

Planning Considerations

2.8 The main planning considerations in this instance are the appropriateness of the proposal in terms of the policies and proposals contained within the adopted Hartlepool Local Plan outlined above and in particular the impact of the proposals upon neighbouring properties, in terms of the potential uses which could be allowed due to this approval, and on the area in general. Highway safety issues also need to be considered.

2.9 The owner of the site considers condition 2 of the original planning approval restricted, for information the manufacture of polyester granules ceased in 2005. It is considered that the removal of this condition is acceptable, however given the range of uses which could be implemented on the site with an open B2 use classification there are concerns from the Council's Public Protection team, particularly with the potential uses as a construction yard and waste management facility. Therefore in the interests of the amenities of neighbouring premises and the area in general it is considered prudent to impose a condition requiring a dust suppression scheme and wheel washing facility should be first approved in writing by the LPA in the event that any such uses operate from the site.

2.10 There are also concerns that the uses could involve COMAH regulations/processes as per the Control of Major Accident Hazards Regulations 1999, which could have an adverse effect on the surrounding area therefore it is considered prudent to impose a condition restricting these types of uses.

ANY OTHER BUSINESS

Two other conditions are proposed which are similar to the previous outline consent conditions which are relevant in this instance relating to details of plant/machinery and stacking heights of materials and waste.

2.11 There is a section 52 agreement between the owner of the site and Hartlepool Borough Council which re-enforces condition 2. It should be noted that this site cannot operate another use than that specified in condition 2 until this agreement has also been varied. The agent is aware of this, however an informative on a decision notice is considered prudent. The variation of the section 52 agreement would allow the Council additional controls over the use of the site.

2.12 There are no major highway implications associated with this development. It is considered that bringing a large site back into employment use would benefit the town subject to controls on the use as described above.

RECOMMENDATION – APPROVE subject to the following conditions and agreement that a variation of the section 52 agreement can be negotiated is delegated to the Development Control Manager.

1. Notwithstanding the generality of this permission or the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modifications) prior to the undertaking on the application site of any proposed use as a construction yard or waste operation which would fall within the definition of a general industrial (B2) use within that class final details for 1) a dust suppression scheme, 2) wheel washing facility shall be submitted to, and approved in writing by the Local Planning Authority. The approved details shall be installed before the above use(s) commence(s) and shall thereafter remain operational and be available for their intended use at all times during the lifetime of the development. Any use referred to above where the details cannot be agreed by the Authority shall not be undertaken. In the interests of the amenities of the occupants of neighbouring properties.
2. Notwithstanding the provisions of Part 8 of the Town and Country Planning (General Permitted Development) Order 1995 (or any other revoking or re-enacting that Order with or without modification), details of all plant and machinery to be erected and/or operated at the site shall be submitted to and approved in writing by the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of neighbouring properties.
3. The method of external storage of all materials and waste, including locations, screening and heights within the site shall be agreed in writing by the Local Planning Authority before any new use is commenced. Thereafter the development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of the amenities of the occupants of neighbouring properties.
4. Notwithstanding the generality of this permission or the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modifications) any use which involves COMAH regulations/processes is not permitted by this permission. For clarity COMAH

ANY OTHER BUSINESS

refers to The Control of Major Accident Hazards Regulations 1999 (or any other revoking or re-enacting that Order with or without modification).

To ensure the site is developed in a satisfactory manner.

INFORMATIVE

1. Please be aware that this planning permission cannot be implemented without the Section 52 Agreement dated 17th January 1985 being varied.

ANY OTHER BUSINESS

Report of: Assistant Director (Planning & Economic Development)

Subject: ELDON GROVE SPORT CENTRE, ELDON GROVE, HARTLEPOOL (2/2008/0392)

1. PURPOSE OF REPORT

- 1.1 Members may recall that an application for the provision of an indoor tennis facility was refused earlier this year at Planning Committee. Whilst advocating the use Members were concerned with the size and design proposed for the building to accommodate the courts in terms of its relationship to the residential properties and area in general.
- 1.2 An application was subsequently submitted for the provision of 2 all weather surface tennis courts, refurbishment of 2 existing courts and erection of a changing/toilet facility and fencing, this has recently been approved under the scheme of delegation subject to conditions.