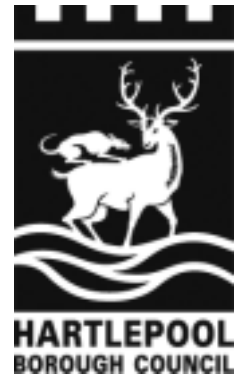


PLEASE NOTE CHANGE OF TIME

PLANNING COMMITTEE AGENDA



Wednesday 9th September 2009

at 10.30 am

**in the Council Chamber
Civic Centre, Hartlepool**

MEMBERS OF PLANNING COMMITTEE:

Councillors Allison, R W Cook, S Cook, Cranney, Fleet, Griffin, Laffey, G Lilley, London, J Marshall, McKenna, Morris, Plant, Richardson, Wallace 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 12th August 2009

4. ITEMS REQUIRING DECISION

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

- | | | |
|-----|-------------|---|
| 1. | H/2009/0391 | The Headland Gate, Northgate |
| 2. | H/2009/0216 | Fire Station, Headland |
| 3. | H/2009/0217 | Fire Brigade Headquarters, Endeavour House, Stockton Road |
| 4. | H/2009/0218 | Fire Station, Stranton |
| 5. | H/2009/0321 | Baker Petrolite, Tofts Farm Industrial Estate West, Brenda Road |
| 6. | H/2009/0363 | 168 Raby Road |
| 7. | H/2009/0385 | 28 Hillston Close |
| 8. | H/2009/0393 | Meadowcroft, Elwick Road |
| 9. | H/2009/0405 | White House Farm, Station Road, Greatham |
| 10. | H/2009/0374 | The University Hospital of Hartlepool, Holdforth Road |
| 11. | H/2009/0403 | 26 Egerton Road |
| 12. | H/2009/0352 | Jesmond Road School, Jesmond Gardens/Chester Road |

PLEASE NOTE CHANGE OF TIME

- 4.2 Update on Current Complaints – *Assistant Director (Planning and Economic Development)*
- 4.3 Appeal Ref APP/H0724/D/09/2110473: H/2009/0248 Erection of a Replacement Boundary Enclosure and Gates, West Allen, Elwick Road, Hartlepool. TS24 9PB – *Assistant Director (Planning and Economic Development)*
- 4.4 Appeal by Malcolm Arnold, Site at 18 Greenbank Court, Hartlepool (H/2009/0006) – *Assistant Director (Planning and Economic Development)*
- 4.5 Trees in Hartlepool – *Assistant Director (Planning and Economic Development)*

5. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

6. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

EXEMPT ITEMS

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

7. EXEMPT ITEMS REQUIRING DECISION

- 7.1 Unauthorised Works to Properties in Conservation Areas – *Assistant Director (Planning and Economic Development)* (para 6)
- 7.2 Enforcement Action – The Schooner, Warrior Drive, Hartlepool – *Assistant Director (Planning and Economic Development)* (para 6)

8. ANY OTHER EXEMPT ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

9. FOR INFORMATION

Next Scheduled Meeting – Wednesday 7th October 2009 in the Civic Centre at 10.00 am.

Site Visits – Any site visits requested by the Committee at this meeting will take place immediately prior to the next Planning Committee meeting on the morning of Wednesday, 7th October at 9.00am

PLANNING COMMITTEE

MINUTES AND DECISION RECORD

12 August 2009

The meeting commenced at 10.00 a.m. in the Civic Centre, Hartlepool

Present:

Councillor: Rob Cook (In the Chair)

Councillors: Stephen Allison, Kevin Cranney, Mary Fleet, Sheila Griffin, Pauline Laffey, Geoff Lilley, Frances London, Carl Richardson, Stephen Wallace and Edna Wright.

Officers: Richard Teece, Development Control Manager
Christine Pipe, Principal Planning Officer
Richard Smith, Solicitor
Paul Mitchinson, Highways Services Manager
Sarah Scarr, Landscape Planning and Conservation Manager
Adrian Hurst, Principal Environmental Health Officer
Angela Hunter, Principal Democratic Services Officer

Also present: Adrian Milton, Scott Wilson Consultants

21. Apologies for Absence

Apologies for absence were received from Councillors Shaun Cook, John Marshall, George Morris and Michelle Plant.

22. Declarations of interest by Members

Councillors Pauline Laffey and Mary Fleet declared a prejudicial interest in minute 24 item H/2009/0340 and indicated they would leave the meeting during the consideration of this item.

23. Confirmation of the minutes of the meeting held on 15 July 2009

Confirmed.

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

Members were informed that the following item was withdrawn from the agenda due to further information being awaited:

3. H/2009/0321 – Baker Petrolite

Number: H/2009/0278

Applicant: Miss R Adams, Raby Road, Hartlepool

Agent: Miss R Adams, 297 Raby Road, Hartlepool

Date received: 26/05/2009

Development: Change of use from car parts shop to pet grooming parlour

Location: 3 HART LANE, HARTLEPOOL

Decision: **Minded to APPROVE but the final decision was delegated to the Development Control Manager to ensure consistency in the conditions on this application and application H/2009/0384 also on the Agenda for a similar development at 66 Murray Street if appropriate**

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 premises shall only be open to the public between the hours of 9.00 and 17.00 Mondays to Saturdays inclusive and at no time on Sundays or Bank Holidays.
In the interests of the amenities of the occupants of neighbouring properties.
3. No dogs shall be kept on the premises overnight.
In the interests of the amenities of the occupants of neighbouring properties.

The Committee considered representations in relation to this matter.

Councillors Mary Fleet and Pauline Laffey left the meeting at this point due to their earlier declaration of interest.

Number: H/2009/0340

Applicant: Housing Hartlepool, Stranton, Hartlepool

Agent: Hartlepool Housing, Greenbank, Stranton Hartlepool

Date received: 23/06/2009

Development: Provision of external communal bin storage areas (resubmitted application)

Location: 2-12, 9-19, 21-31 LEWIS GROVE, 58-80 (EVENS), 193-203 (ODDS) MACAULAY ROAD 2-48 (EVENS) PINERO GROVE, 18-40 (EVENS) SINCLAIR ROAD HARTLEPOOL

Representations: Gary Scott (applicant's representative) was in attendance and addressed the Committee accordingly.

Decision: **Planning Permission Approved**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. A scheme to enclose the bin storage area proposed at Pinero Grove shall be submitted to and approved in writing by the Local Planning Authority before development commences. The approved scheme shall be implemented before the bin storage area is first brought into use and thereafter retained throughout the lifetime of the development.
In the interests of visual amenity and the amenities of the occupiers to nearby residential properties.

The Committee considered representations in relation to this matter.

Number: H/2009/0331

Applicant: Mr Paul Briggs, Hartlepool Borough Council, Civic Centre Victoria Road, Hartlepool

Agent: GWK Chartered Architects, Ms Charlotte Henry, 1st Floor, Cathedral Buildings, Dean Street, Newcastle Upon Tyne

Date received: 15/06/2009

Development: Erection of a new classroom unit for learning including community use (revised application)

Location: ST HILDS C OF E SCHOOL, KING OSWY DRIVE
HARTLEPOOL

Decision: Planning Permission Approved

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 15th June and 13th July 2009, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose.
In the interests of visual amenity.
4. Details of the new pedestrian links from the application site to 1) King Oswy Drive and 2) St. John Vianney RC Primary School shall be submitted to and approved by the Local Planning Authority before the development hereby approved is operational. Thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity.
5. Details of the proposed roller shutters shall be submitted to and approved by the Local Planning Authority before development commences, thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity.

Number: H/2009/0384

Applicant: Mr D Haywood, Murray Street, HARTLEPOOL

Agent: Mr D Haywood, 83 Murray Street, HARTLEPOOL

Date received: 14/07/2009

Development: Additional use to include provision of dog grooming service (retrospective application)

Location: 66 MURRAY STREET, HARTLEPOOL

Decision: **Minded to APPROVE but a final decision was delegated to the Development Control Manager to ensure consistency in the conditions on this application and application H/2009/0278 also on the Agenda for a similar development at 3 Hart Lane if**

appropriate

CONDITIONS AND REASONS

1. Unless otherwise agreed in writing the dog grooming activities shall only operate between the hours of 9.00 and 17.00 Mondays to Saturdays and at no time on Sundays or Bank Holidays.
In the interests of the amenities of the occupants of neighbouring properties.
2. No dogs shall be kept on the premises overnight.
In the interests of the amenities of the occupants of neighbouring properties.
3. Unless otherwise agreed in writing the dog grooming activities shall only be carried out in the areas indicated on the submitted plan and not in the back yard.

In the interests of the amenities of the occupants of nearby flats.

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

The Development Control Manager drew Members attention to seventeen ongoing issues, which were being investigated.

A Member referred to one of the issues being investigated which was the installation of block paving without planning permission. Clarification was sought on whether all instances of block paving required planning permission. The Development Control Manager indicated that the planning regulations included a new provision which specifically related to concerns about flooding and this required planning permission to be sought in certain circumstances for block paving, decking and patios.

One of the complaints being investigated related to the felling and lopping of trees and Members were concerned that until a tree was protected by a Tree Preservation Order (TPO) landowners were able to fell and lop trees within their land boundary without any consultation with the planning authority. The Landscape Planning and Conservation Manager was in attendance and advised Members that monitoring all trees across the town would be extremely labour intensive and added that individual areas and villages had been examined for potential TPOs although the work carried out by the Landscape and Conservation Team was mainly reactive. However, the Landscape Planning and Conservation Manager suggested that the creation of a strategy or policy relating to trees within the town could be explored.

The Development Control Manager suggested that wider publicity was needed on the above two issues and indicated that he would approach the Public Relations Manager about placing an article in the Council's Heartbeat magazine.

Decision

- (i) The update on the current complaints was noted.
- (ii) The Landscape Planning and Conservation Manager to examine the potential to create a strategy or policy relating to the conservation of trees within the town and report back to a future meeting of the Committee.
- (iii) The Development Control Manager to arrange an article to be published in a future edition of the Council's Hartbeat magazine publicising the requirements of the new Planning regulations in relation to block paving, decking and patios and clarifying the position in relation to conservation.

26. Erection of a two-storey boat showroom and restaurant at Slake Terrace *(Assistant Director (Planning and Economic Development))*

The Development Control Manager advised Members that the above appeal against non-determination had been determined by the Planning Inspectorate and had been dismissed. The Inspector had stated that the building in isolation was wholly inappropriate and Members attention was drawn to the emphasis on design within the determination.

Decision

That the decision of the Planning Inspectorate be noted.

27. Appeal ref APP/H0724/A/09/2105084: H/2009/0102 Erection of a new performing arts centre with associated car parking and landscaping, St Hild's C of E School, King Oswy Drive, Hartlepool, TS24 9PB *(Assistant Director (Planning and Economic Development))*

The Development Control Manager informed Members that the above appeal had been withdrawn and the case had been closed by the Planning Inspectorate.

Decision

The withdrawal of the appeal was noted.

28. Monitoring of the Marad Contract, Able UK Ltd, Graythorp *(Assistant Director (Planning and Economic Development))*

The Development Control Manager presented the report and highlighted that a representative from Scott Wilson, the consultants employed by the Council, made announced and unannounced visits to the site and had concluded that there were no critical or notable environmental issues recorded. The consultant was in attendance at the meeting and confirmed that the report covered the period February to May 2009 during which time asbestos was being removed from the ships and taken to the Seaton Meadows landfill site which was fully licensed for the disposal of asbestos. This operation was also monitored by independent consultants and during this monitoring period no issues had been reported.

The visits had increased recently due to the cofferdam being complete and water being pumped out of the enclosure to create a dry dock. In addition to this, the annual audit required by the Section 106 Agreement had commenced, the results of which would be reported to a future meeting of this Committee.

A Member requested a site visit be undertaken to enable Members to see the site in operation. The representative from Scott Wilson suggested that Members may wish to wait until the dismantling of the ships commenced as this was an area that Members had been particularly concerned about. The Development Control Manager suggested that Members may wish to visit the Seaton Meadows at the same time to allay their concerns in relation to the operation of this site. The Development Control Manager referred to recent reports of fires at the Seaton Meadows site and confirmed that this had been on an inactive part of the site and was suspected arson. Discussions had been held with the site management in relation to the security of the site and they indicated they were actively looking at the installation of CCTV equipment at the site.

Decision

- (i) The report was noted.
- (ii) The Development Control Manager to arrange a site visit for Members to see the Marad Contract and Seaton Meadows landfill site once the contract was in full operation.

29. Conservation Area Partnership Schemes in Conservation Areas *(Assistant Director (Planning and Economic Development))*

The Landscape Planning and Conservation Manager presented a report which provided information on the recent correspondence from English Heritage regarding potential Partnership Schemes in Church Street and

Stranton Conservation Areas. Should the application be successful, it would provide funding of approximately £180,000 over three years from English Heritage with match funding from the Council or other public sources of investment. This would provide a total investment for the area of £360,000.

English Heritage had provided positive feedback on the proposed scheme in Stranton but had concerns that the Church Street scheme 'would cover a much larger area' and added that they could only 'support just one scheme within Hartlepool at one time'. In view of the advice given, it was proposed that officers investigate further the potential for a partnership scheme in the Stranton Conservation Area. This would include consultation with the owners and occupiers of properties within the conservation area. It was noted that a report was being submitted to the Community Safety and Housing Portfolio Holder on 14 August outlining the proposed Partnership Scheme. Any comments made by Members would be passed onto the Portfolio Holder at this meeting.

A discussion ensued in which a Member indicated that a number of occupiers of premises within the Stranton Conservation Area had approached him with concerns about a number of empty properties within the area and the standard of improvements already made to some properties. The Landscape Planning and Conservation Manager indicated that this grant scheme would not provide for businesses to relocate to the area but would mainly provide for improvements to the exterior of the buildings to an appropriate standard for the conservation area. However she indicated she would make some enquiries about the timescale for the occupation of the empty premises and contact the Member direct with this information.

A Member questioned whether the New Deal for Communities programme (NDC) was able to make a contribution to this scheme. The Landscape Planning and Conservation Manager confirmed that the timing of the creation of this partnership scheme meant it was unable to tie in with NDC schemes, however, it would build on the investment already put into the area by NDC.

There was concern from a Member that the majority of the grant funding received from English Heritage would be tied up complying with their requirements and questioned whether consideration should be given to just using the £180,000 Council investment and having total control over the improvements. The Landscape Planning and Conservation Manager indicated that as this was a Conservation Area, all improvements would have to comply with appropriate planning controls for conservation areas whether grant funding was received from English Heritage or not.

A Member referred to paragraph 3.3 of the report in which English Heritage referred to the new conservation policy agreed on 19 February 2009 and had raised concerns that if the new policy was felt counterproductive to the aims of the heritage grant scheme, consideration would be given to the

value of allocating public funding towards it. The Member was concerned that this indicated the new policy may prejudice the Council receiving future grant funding from English Heritage.

Decision

The report was noted.

30. Local Government (Access to Information) (Variation Order) 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the grounds that they involved 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 31– Complaint Files to be Closed (Para 6 - namely information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.)

Minute 33– Unauthorised Works to Properties in Conservation Areas – (Para 6 - namely information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.)

31. Complaint Files to be Closed (*Assistant Director (Planning and Economic Development)*). This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Members' approval was sought to close one outstanding complaint file, details of which were set out in the exempt section of the minutes.

Decision

That the case file referred to above be closed and that no further action be taken.

32. Declaration of Interest

Councillor Stephen Allison declared a prejudicial interest in the following item and left the meeting during its consideration.

33. Unauthorised Works to Properties in Conservation

Areas (*Assistant Director (Planning and Economic Development)*) This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006 namely information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Members' approval was sought on taking the recommended course of action in relation to four cases of unauthorised works to properties in Conservation Areas. Details of which were set out in the exempt section of the minutes.

Decision

Details were set out in the exempt section of the minutes.

The meeting concluded at 12.15 pm.

CHAIRMAN

No: 1
Number: H/2009/0391
Applicant: Mr Brian Elder Usworth Business Park Hartlepool TS25 1PD
Agent: S J R Architects Suite 101 The Innovation Centre
 Venture Court Queens Meadow Business Park
 HARTLEPOOL TS25 5TG
Date valid: 16/07/2009
Development: Demolition of public house and erection of 4 retail units with 4 self-contained flats above and associated car parking (resubmitted application)
Location: THE HEADLAND GATE NORTHGATE HARTLEPOOL

The Application and Site

1.1 The application site is located at the junction of Northgate and Durham Street at the entrance to the Hartlepool Headland. The property, which has occupied the site for many years and has been in use as a public house and restaurant, has now been vacant for more than a year.

1.2 The building, which faces directly onto the north docks/quayside, is surrounded by a mixture of houses and flats to the north and east. Northgate shops lie a few metres to the north west.

1.3 The proposal involves the demolition of the existing building and the erection of a mixed use development comprising 4 separate retail units on the ground floor with 4, 2 bedroom flats above.

History

1.4 Members will recall that planning consent was refused for a similar development in May of this year (H/2009/0111). The reasons for refusal related to the design of the building, use of modern materials and highway safety.

1.5 An appeal has been lodged with the Planning Inspectorate regarding this refusal. This will be dealt with by written representations.

1.6 The current application is similar in foot print/layout to the previously refused scheme. The building itself takes the form of an L shape with 2 frontages, facing onto Northgate and towards the junction of Durham Street and Northgate.

1.7 Twelve parking spaces have been provided, 5 accessed from Durham Street and 7 from Northgate.

1.8 The building is of a modern design incorporating a central, curved glass feature window with glazed canopies to the front of the shops. The upper floor is formed in red brick panels with a parapetted flat roof. The original design incorporated a 'butterfly' roof.

1.9. The new building is almost 3 metres lower than the existing, to the highest point.

1.10 Parking and servicing arrangements are unchanged from the original application. Plans and a photo montage will be displayed at the meeting.

Publicity

1.11 The application has been advertised by way of neighbour letters (38) and site notice. 2 letters of objection and one letter of comments have been received.

Objections include:

- a) already too many vacant shops in area.
- b) more retail units in the area will make the area look derelict for visitors.
- c) The parking and access arrangements will make it dangerous for other residents.

The period for publicity has expired.

Consultations

1.12 The following consultation replies have been received:

Building Consultancy (Senior Architect) –

Context

It is considered that this distinctive design will form an appropriate focal point and closure to the converging adjoining linear developments on Durham Street and Northgate. The scheme is of high architectural quality commensurate with its important location at the 'gateway' to the Headland

Form and Visual Amenity

The contemporary dynamic design is attractive and well-proportioned. The visual impact of the building is enhanced by the modelling of the principle (west) façade with its back-lit glazed tower and elevated roof. The glazed canopy to the west and south elevations provide further embellishment whilst fulfilling a practical function. Overall the building mass is well articulated and in keeping with the scale of the adjoining buildings.

Materials

The proposed materials specified for the building are robust as befits its use, and sympathetic with the adjoining properties in terms of colour, texture and scale.

Sustainability

The overhanging eaves will provide some natural shading to the south and west elevations and choice of masonry for the wall construction will provide benefits in terms of thermal mass.

Issues of energy efficiency etc. will be addressed as a matter of routine through Building Control.

Issues such as specification of sustainable materials and management of waste will be addressed by the developer during the design development and construction process.

Northumbrian Water – no objections, however the applicant should note that there is a major sewer nearby and deep foundations will be required. A building over agreement may be required.

Tees Archaeology – no objections. Requires a historic building survey prior to demolition. This would take the form of a written and photographic study.

Engineering Consultancy – Informally no objections.

Public Protection – No objection subject to the provision of acoustic fencing and restricted hours for deliveries and opening times.

Traffic and Transportation – No objections subject to the provision of highway improvements outlined in the report.

Headland PC – Awaited

Headland CAAG - Awaited

Planning Policy

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

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

Com8: States that the sequentially preferred locations for shopping development are firstly within the town centre, then edge-of-centre sites, Victoria Harbour and then other out of centre accessible locations offering significant regeneration benefits. Retail proposals over 500 square metres located outside the primary shopping area will be required to demonstrate need, to justify appropriate scale and to demonstrate that a sequential approach has been followed. All retail proposals over 2500 square metres gross to be accompanied by a Retail Impact Assessment. For proposals between 500 and 2499 sq metres applicants should agree with the Council whether retail impact assessment is required. Legal agreements may be sought to secure rationalisation of retail provision and the improvement of accessibility and conditions will be attached to control hours of operations.

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.

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

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

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

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

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

Planning Considerations

1.14 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 impact of the development on neighbouring properties and the surrounding area in terms of amenity and on highway safety.

Principle of development

1.15 As the development site is located within a mixed use urban area close to Northgate Local Centre Shopping Parade, the principle of re-development is considered to be both acceptable and appropriate.

1.16 In terms of siting, the new building has a similar footprint to that of the existing building and similar relationships to neighbouring residential properties ie flats on Northgate and Durham Street. The Council's Senior Architect has examined the scheme from a design point of view and considers that it would result in an attractive and well-proportioned development.

1.17 The building is of a modern design incorporating a central, curved glass feature window together with glazed canopies to the front of the shops. The ground floor is finished in banded ashlar with red brick panels to the first floor.

1.18 The surrounding area comprising a mixture of modern flats, houses and shops with the Hartlepool Dock area to the south. The application site is not within or close to the Headland Conservation Area and the existing building is not listed. A small amount of landscaping has been incorporated into the scheme.

1.19 In view of the above, the new development is considered to be acceptable in terms of both siting and design and is unlikely to have a detrimental effect on neighbouring properties, the street scene or the Headland Conservation Area in terms of visual amenity.

Relationship to the surrounding area

1.20 As previously mentioned, the new development is sited in a similar position (footprint) to the existing public house with similar relationships to adjacent properties. In view of this the Head of Public Protection is satisfied with the proposal subject to restricted delivery times of 7am to 8pm and the provision of acoustic fencing where practical. Opening hours to the shops are also to be restricted to 7am to 11pm.

1.21 Whilst it is acknowledged that there are a number of vacant retail properties in the area and throughout the town in general this would not be a material planning consideration. The provision of these new retail units could offer additional choice in the area.

Highway Safety/Parking

1.22 Whilst no objections have been raised by the Highway Engineer regarding parking, servicing or access, suggestions have been made to improve pedestrian access to the application site. This will include directional road markings i.e. look left, look right, at existing pedestrian crossing points together with works to the western end of the bus lay by on Durham Street in order to create a new crossing point, opposite the existing one on the south side of Durham Street. Improvements to the road surface of the existing lay by and footpaths on the south side of Durham Street have also been requested.

1.23 Public Protection has advised that deliveries to the units should be restricted in terms of timing to prevent any detrimental effects in terms of noise and disturbance to existing residential properties and occupants of the new flats.

Conclusion

1.24 It is considered that the redevelopment of this site would be beneficial to the area in terms of the provision of ground quality mixed use development in a prominent position at the gateway to the Hartlepool Headland.

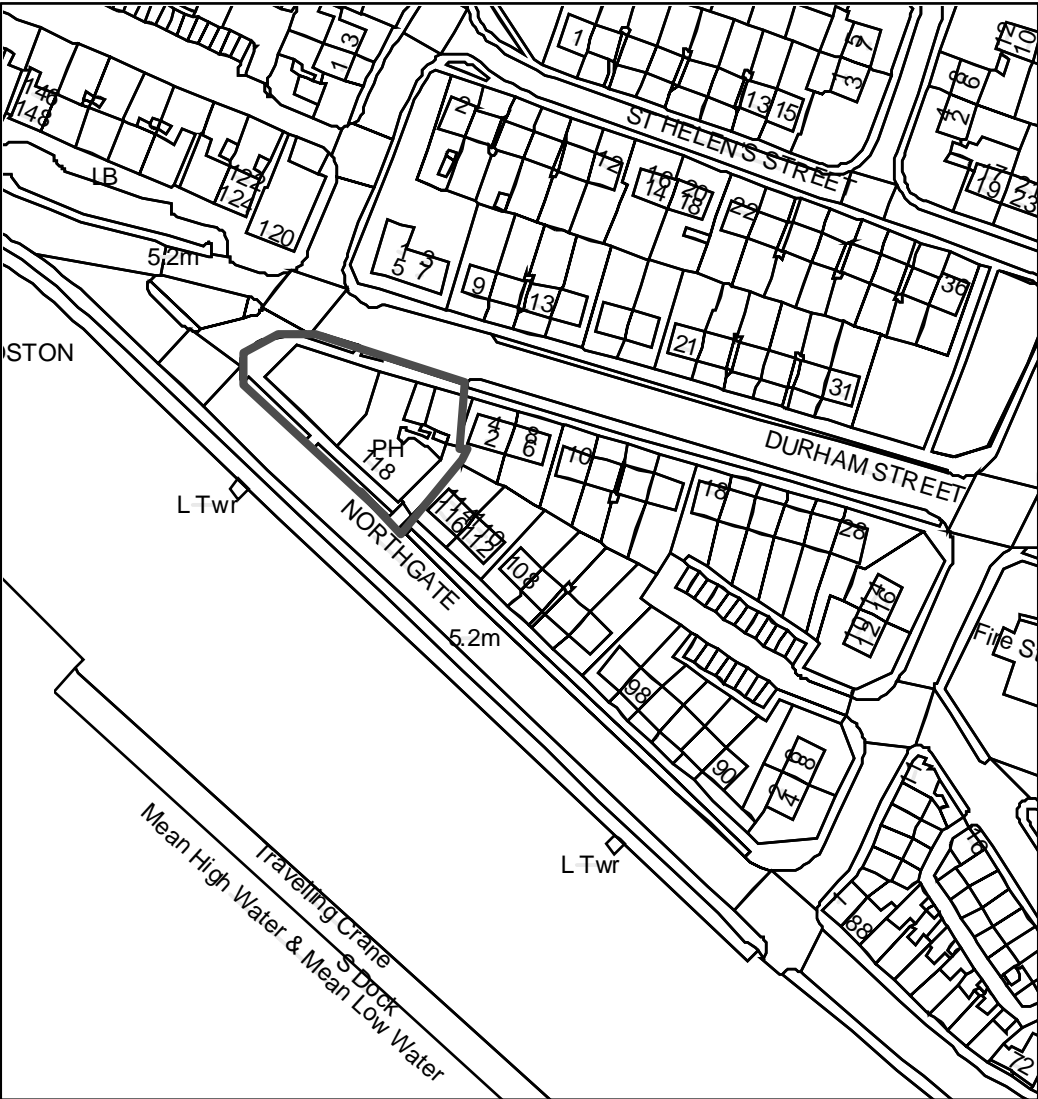
RECOMMENDATION – APPROVE subject to the following conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose.
In the interests of visual amenity.
3. The retail units shall only be open to the public between the hours of 7am to 11pm daily.
In the interests of the amenities of the occupants of neighbouring properties.
4. 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.
5. Details of all walls, fences and other means of boundary enclosure including an acoustic barrier between the site and the adjacent residential properties at 114/116 Northgate and 2/4 Durham Street shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The development shall therefore be carried out in accordance with the approved details. The acoustic fence shall be provided before the first unit is occupied and thereafter it shall be retained during the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
In the interest of visual amenity and the amenities of the occupants of neighbouring properties.
6. 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.
7. Unless otherwise agreed in writing with the Local Planning Authority the floorspace of the units shall remain as shown on the approved drawing SJR/08.76 01 rec 16.7.09 and there shall be no amalgamation of floor space

- associated with any of the units
In the interests of maintaining satisfactory parking provision within the site and in order to protect the vitality of the nearby local centre.
8. Provision for cycle parking shall be made within the site in accordance with details to be previously agreed by the Local Planning Authority.
In order to promote access to the site by means other than the private car
 9. Final siting and design details of any refrigeration and air conditioning units proposed for the retail units shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development.
Thereafter the development shall be carried out in accordance with the approved details.
In the interests of the amenities of the occupants of neighbouring properties
 10. The development hereby permitted shall not be commenced until: a) A desk-top study is carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two copies of the study shall be submitted to and approved in writing by the Local Planning Authority. If identified as being required following the completion of the desk-top study, b) The application site has been subjected to a detailed scheme for the investigation and recording of contamination, and remediation objectives have been determined through risk assessment, and agreed in writing with the Local Planning Authority, c) Detailed proposals for the removal, containment or otherwise rendering harmless of any contamination (the 'Reclamation Method Statement') have been submitted to and approved in writing by the Local Planning Authority, d) The works specified in the Reclamation Method Statement have been completed in accordance with the approved scheme, e) If during reclamation or redevelopment works any contamination is identified that has not been considered in the Reclamation Method Statement, then remediation proposals for this material should be agreed with the Local Planning Authority.
To ensure that any site contamination is addressed.
 11. Notwithstanding the submitted plans a scheme for the final details and locations for external lighting shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development. The scheme shall be implemented in accordance with the approved details and thereafter retained during the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of the amenities of the occupants of neighbouring properties and in the interests of crime prevention.
 12. Servicing of the retail units hereby approved shall be restricted to between 7am and 8pm daily from both car parking areas and the former backlane adjacent to 114/116 Northgate
In the interests of the amenities of the occupants of neighbouring properties
 13. The proposed window(s) facing 114/116 shall be glazed with obscure glass which shall be installed before the dwelling is occupied and shall thereafter be retained at all times while the window(s) exist(s).
To prevent overlooking

14. Final details of works to re-instate the former back lane between the new development and 114/116 Northgate shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development. This shall include details of how the public house delivery hatch is to be removed and in-filled. Thereafter the development shall be carried out in accordance with the approved details.
In the interests of the amenities of the occupants of neighbouring properties and highway safety
15. No development shall take place until the applicant or their agents or successors in title, has secured the implementation of a programme of building recording and analysis in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the Local Planning Authority.
As the building is of historic significance the specified record is required to mitigate impact.
16. No development shall take place until further details of the new access, including existing and proposed ground levels, onto Durham Street have been submitted to and approved in writing by the Local Planning Authority
In the interests of highway safety.
17. Unless otherwise agreed in writing the development shall not commence until:
1) a scheme for the provision of directional road markings at existing crossing points on Durham Street has first been submitted to and agreed in writing by the Local Planning Authority.
2) A scheme for works to the existing bus layby to the north of Durham Street has first been submitted to and approved in writing by the Local Planning Authority.
3) a scheme for improvements to the existing layby on the south side of Durham Street has first been submitted to and agreed in writing by the Local Planning Authority.
The development shall not thereafter be brought into use until all of the above works have been implemented, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of the amenities of the occupants of neighbouring properties and highway safety.

HEADLAND GATE



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/8/09
	SCALE 1:1250	
Department of Regeneration and Planning Bryan Hanson House.Hanson Square. Hartlepool TS24 7BT	DRG.NO H/2009/0391	REV

No: 2
Number: H/2009/0216
Applicant: Mr A Churchill Endeavour House Stockton Road
Hartlepool TS25 5TE
Agent: Mr A Churchill Fire Brigade Headquarters Endeavour
House Stockton Road Hartlepool TS25 5TE
Date valid: 15/07/2009
Development: Outline application for the erection of a new fire station
Location: HARTLEPOOL FIRE BRIGADE DURHAM STREET
HARTLEPOOL

The Application and Site

2.1 The application site is the existing Headland Fire Station located on Durham Street. To the north of the application site is St. Helen's Primary School, to the east is the former SA Citadel which is now the Parity Centre (Funkyworld), a car parking area also lies to the east, to the west and south are residential properties.

2.2 As part of a major programme of providing improved fire and rescue to the St. Hilda's community Cleveland Fire Authority has identified the need for an improved Retained Community Fire Station. This application proposes to demolish the existing fire station and provide a single storey community fire station, which would include an appliance bay, community and watch rooms and messing facilities. Access to the new station will be via Durham Street for emergency traffic and other vehicles.

2.3 The application is an outline application with all matters reserved for future reserved matters application(s).

Publicity

2.4 The application has been advertised by way of neighbour letters (27). To date, there has been 1 letter of no objection and 1 letter of comment asking for more details.

The period for publicity expires prior to the Planning Committee.

Consultations

2.5 The following consultation replies have been received:

Public Protection - No objection

Property Services - No comment

Engineering Consultancy - No objection subject to conditions regarding potential contamination and drainage.

Traffic & Transportation - There are no major highway implications

Northumbrian Water - No objection

Headland CAAG - No objection

Headland Parish Council - No comment

Cleveland Police - Secured by Design principles should be adopted where appropriate

Tees Archaeology - No objection subject to a safeguarding condition

Planning Policy

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

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

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.

PU9: States that community-based uses will be permitted in residential areas subject to amenity, accessibility, car parking and servicing considerations. (Policy not saved but principles are material)

Planning Considerations

2.7 The main planning considerations in this instance are the appropriateness of the proposal in terms of the policies and proposals contained within the adopted Hartlepool Local Plan outlined above and in particular the impact of the proposals upon neighbouring properties, in terms of appearance, noise and disturbance, the appearance of the development in the streetscene in general. Highway safety and archaeological issues also need to be considered.

Policy considerations

2.8 The proposed fire station including community use is considered acceptable given its location within the existing fire station's site.

Effect on the Surrounding Area

2.9 The existing building is a single storey building within a large tarmaced site on the corner of Durham Street, Corporation Road and Warren Street. Although the application is in outline form the agent has submitted a Design & Access Statement which details that it is proposed to erect a single storey building to reflect the existing building. It is considered that the siting and scale are appropriate for the use and character of the area.

2.10 The application has been assessed by Public Protection who have no objection to the proposed scheme in terms of potential noise and disturbance.

2.11 It is considered that the new facility would not have an adverse affect on the neighbouring residential properties and surrounding area in general.

Highways

2.12 Access to the application site would remain as existing from Durham Street. Parking would be provided within the application site, final details of which would be the subject of a reserved matters application. The Council's Traffic and Transportation team have assessed the application and does not consider that there are any highway safety issues associated with it. Therefore there are no objections from a highways perspective.

Archaeology

2.13 The application site lies within the vicinity of St. Helen's Holy medieval chapel and well, the application was accompanied by a desk based archaeological assessment and a subsequent evaluation report which was based on trial trench work carried out at the site. Tees Archaeology have assessed the scheme and information and have no objection subject to a condition requiring a phased programme of archaeological works in accordance with a scheme to be agreed by the Local Planning Authority.

Other Issues

2.14 The Design & Access Statement specifies that there is a target to achieve a BREEAM rating of 'excellent' (this is a measure of the sustainability of a development). The applicant proposes to incorporate energy efficient measures; this can be controlled by condition.

Conclusion

2.15 It is considered that the proposed development is appropriate for the site, and accords with the policies and proposals contained within the adopted Hartlepool Local Plan.

RECOMMENDATION – APPROVE subject to the following conditions:

1. Application for the approval of the reserved matters referred to below must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) the expiration of five years from the date of this permission; or (b) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
To clarify the period for which the permission is valid.
2. Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called the "reserved matters") shall be obtained in writing from the Local Planning Authority.
To ensure the site is developed in a satisfactory manner.
3. No development shall take place until a scheme for the car parking on the site has been submitted for the consideration and approval of the Local Planning Authority. Thereafter the approved scheme shall be implemented prior to the first operation of the fire station and retained for its intended use for the duration of the use, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of highway safety.
4. Final details of cycle parking and refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme(s) shall be implemented and retained for the duration of the use, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity and in the interests of promoting sustainable forms of transport.
5. The development hereby approved shall incorporate 'secured by design' principles. Details of proposed security measures shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of crime prevention.
6. Details of all walls, fences and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced.
In the interests of visual amenity.
7. A scheme to incorporate energy efficiency measures and embedded renewable energy generation shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by

the Local Planning Authority.

To encourage sustainable development

8. No development shall take place within the application site until the applicant, or their agents or successors in title, has completed the implementation of a phased programme of archaeological work in accordance with a written scheme of investigation submitted by the applicant and approved in writing by the local planning authority. Where important archaeological remains exist provision can be made for their preservation in situ.
The site is of archaeological interest.
9. The development hereby permitted shall not be commenced until

1. 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:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- 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*'.

2. 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.

3. 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.

4. 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 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, 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 3.

5. 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.

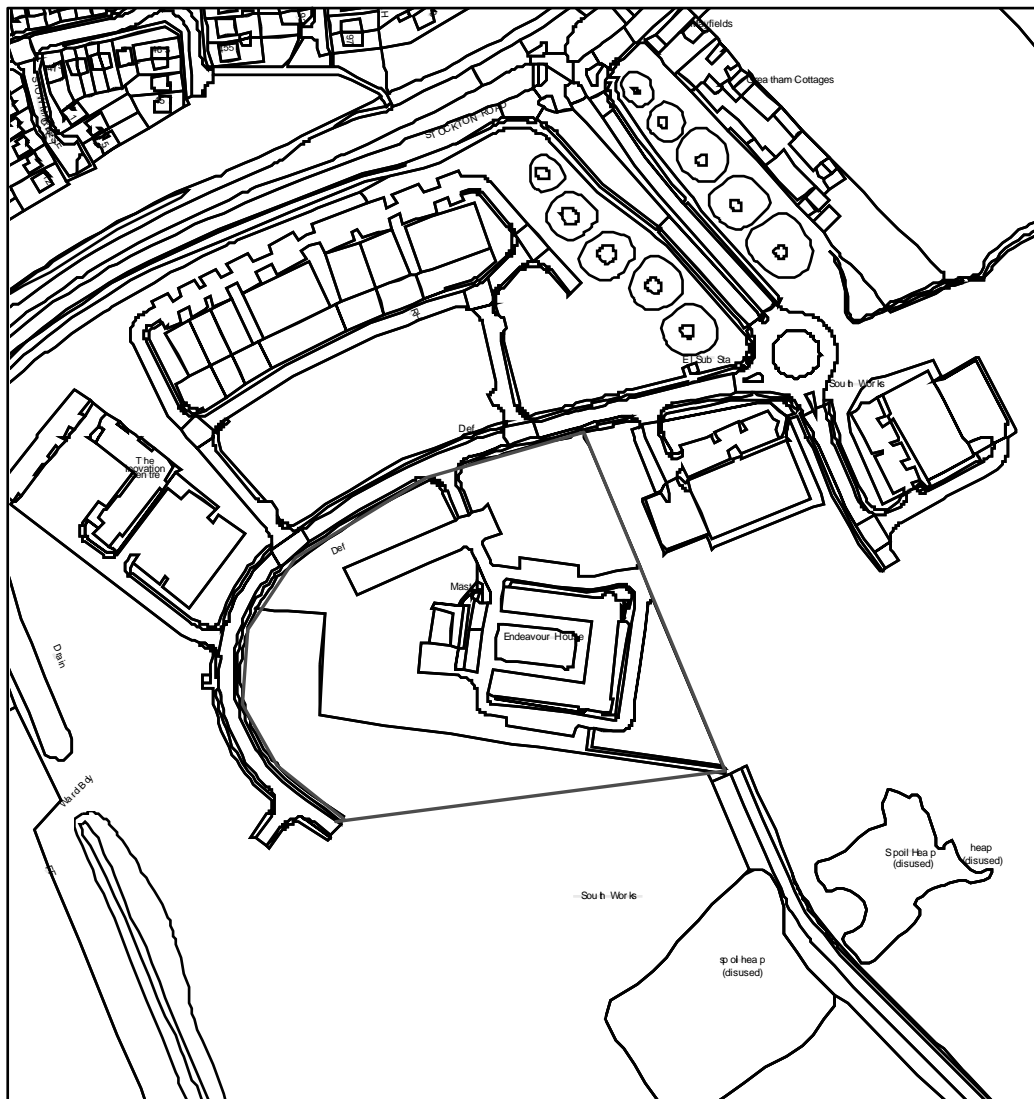
Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

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 Hartlepool Local Plan 2006].

10. A final scheme for the foul and surface water drainage of the site shall be submitted to and approved 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 with the Local Planning Authority.

To ensure the site is developed in a satisfactory manner.

ENDEAVOUR HOUSE

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/8/09
	SCALE 1:3000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0216	REV

No: 3
Number: H/2009/0217
Applicant: Mr A Churchill Hartlepool TS25 5TB
Agent: Cleveland Fire Authority Mr A Churchill Endeavour House
 Hartlepool TS25 5TB
Date valid: 15/07/2009
Development: Erection of a new office building to house brigade
 headquarters, learning and development centre, youth
 academy and technical services building complex and fire
 house
Location: ENDEAVOUR HOUSE STOCKTON ROAD
 HARTLEPOOL

The Application and Site

3.1 The application site is the existing Fire Brigade Headquarters located within Queens Meadow Business Park. The existing site comprises two buildings, the main building to the east is 'U' shaped and is mainly utilised as offices. A small workshop is located to the west; the site does not include an active fire station.

3.2 As part of a major programme of providing improved fire and rescue to the Cleveland community, Cleveland Fire Authority has identified the need for an improved Brigade Headquarters, Learning and Development, Youth Academy and Technical Services buildings. This application proposes to demolish the existing buildings and redevelop the site, the proposed scheme would require land take to the south of the existing site.

3.3 The Learning and Development facility is an enhanced training centre which would be open for community use and would link to the Youth Academy which would be used as a base for work promoting fire safety. The technical services facility is a workshop which all fire equipment (such as Personal Protection Equipment) would be maintained.

3.4 It is proposed to include hot fire facilities within the site which would be used for training and educational purposes. Hot fire facilities are designed to simulate real life fire emergencies.

3.5 On site car parking would be provided with the application.

3.6 The application is an outline application with all matters reserved for future application(s).

Publicity

3.7 The application has been advertised by way of neighbour letters (35). To date, there has been 1 letter of no objection.

The period for publicity expires prior to the Planning Committee.

Consultations

3.8 The following consultation replies have been received:

Public Protection - No objections in principle. Details of the fire training facility will need to be agreed with the planning authority. In particular conditions to minimise the impact of the hot fire training facilities on neighbouring premises will need to be agreed with the applicants.

Property Services - No comment

Traffic & Transportation - No objections

Engineering Consultancy - No objection subject to conditions regarding potential contamination and drainage.

Cleveland Police - Recommends Secured By Design Principles be adopted for this development

Northumbrian Water - No objection

One North East - No comment

Environment Agency - Awaiting comments

Planning Policy

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

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

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

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

Ind3: States that land is reserved for development as a business park. Proposals for business development, and for those general industrial and storage uses which do

not significantly affect amenity or prejudice the development of adjoining land, will be allowed where they meet the criteria set out in the policy. Town centre uses will not be allowed unless they are primarily providing support facilities for the business park. Travel plans will be required for large scale developments.

PU2: States that industrial development on this site will be approved if surface water drainage is adequate. Sustainable drainage is encouraged. (Policy not saved after April 2009 but PPS25 relevant)

Planning Considerations

3.10 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 premises, in terms of appearance, noise, disturbance and potential emissions and the appearance of the development in the streetscene in general. Highway safety issues also need to be considered.

Policy considerations

3.11 The Queens Meadow Industrial Estate is allocated in the Local Plan for development as a high quality business park. This is mixed office training and operational use which is acceptable in an industrial location. Further the Fire Brigade headquarters are already located on this estate and its retention and consolidation there is therefore considered appropriate.

3.12 The development proposes the incorporation of a piece of additional land adjacent the existing facility. The Council's Economic Development Manager has assessed the application and fully supports the proposals. He considers that the project will provide excellent economic benefits to the town with supplier chain and labour supply opportunities. The development will assist in the long term development of Queens Meadow and at the same time raise the profile of the area. In respect of the hot fire facilities it is considered that these facilities are not a major barrier to the development taking place but it is recognised that these will need to be managed appropriately to avoid negatively impacting on neighbouring businesses. This can be controlled by planning condition.

Effect on the Surrounding Area

3.13 The existing building is a two storey building within a large site which is a predominantly grassed with a tarmac car park fronting the main estate road through the business park. Although the application is in outline form the agent has submitted a Design & Access Statement which details that it is proposed to erect a two storey building to reflect the existing building. It is considered that the siting and scale are appropriate for the use and character of the area.

3.14 The application has been assessed by Public Protection who have no objection to the proposed scheme in terms of potential noise, disturbance or emissions. However it is acknowledged that the details of the fire training facility will need to be agreed prior to development. In particular it will be necessary to minimise the

impacts of the hot fire training facilities proposed on neighbouring premises. A representative from Public Protection has visited a similar facility and is confident that measures can be incorporated into the scheme to mitigate against potential affects. This can be controlled by planning condition.

3.15 It is considered that the new facility would not have an adverse affect on the neighbouring premises and surrounding area in general.

Landscape & Conservation

3.16 There are a large number of semi mature trees on this site consisting mainly of Cherries, Ash, Sycamore and Pine which will need to be removed to accommodate the development. The applicant has indicated however, within the Design and Access statement, that new landscaping including trees, will be incorporated into the design of the new layout which will compensate for any loss of trees that will have to be removed. This would be the subject to future reserved matters applications.

3.17 The open nature of the site and proposed layout lends itself for accommodating soft landscaping, including suitable tree planting, therefore the loss of visual amenity provided by those trees that are currently there will only be temporary.

3.18 Additional tree planting has previously been carried out around the site and the secluded nature of the location should have little adverse affect on the visual amenities of the area. This landscape strip is considered to be beneficial for the screening of the site and this should be retained. The proposed rear vehicular access does extend the road beyond the end of the landscape strip it is therefore considered for continuity and in the interests of visual amenity that the landscape strip should be extended adjacent this small length of the access road from the main estate road, this can be controlled by condition.

Highways

3.19 Two accesses are indicated for the development, one would be at the front of the site slightly west of the exiting entrance and serve a car parking area and used by visitors, the second access would be from the rear of the site and be predominantly utilised by staff and appliances used for training and vehicle maintenance purposes.

3.20 However the final layout of parking would be the subject of a reserved matters application. The Council's Traffic and Transportation team have assessed the application and does not consider that there are any highway safety issues associated with it. Therefore there are no objections from a highways perspective.

3.21 The developer has agreed to produce a Travel Plan to encourage sustainable transport; this can be controlled by condition.

Other Issues

3.22 The Design & Access Statement specifies that there is a target to achieve a BREEAM rating of 'excellent', the applicant proposes to incorporate energy efficient measures; this can be controlled by condition.

Flood Risk Assessment

3.23 A Flood Risk Assessment was submitted with the planning application which is currently being considered by the Environment Agency (EA). The application site lies within Flood Zone 1 – which is the zone with the lowest probability of flooding, it is anticipated that a response from the EA will be received prior to the Planning Committee. It is anticipated that any issues raised could be dealt with by way of condition.

Conclusion

3.24 Subject to no objections from the Environment Agency, approval is recommended.

RECOMMENDATION – APPROVE subject to no objection from the Environment Agency and the following conditions and any conditions the Environment Agency deem necessary.

1. Application for the approval of the reserved matters referred to below must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) the expiration of five years from the date of this permission; or (b) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
To clarify the period for which the permission is valid.
2. Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called the "reserved matters") shall be obtained in writing from the Local Planning Authority.
To ensure the site is developed in a satisfactory manner.
3. No development shall take place until a scheme for the car parking on the site has been submitted for the consideration and approval of the Local Planning Authority. Thereafter the approved scheme shall be implemented prior to the first operation of the development and retained for its intended use for the duration of the use, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of highway safety.
4. Final details of cycle parking and refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme(s) shall be implemented and retained for the duration of the use, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity and in the interests of promoting sustainable forms of transport.

5. The development hereby approved shall incorporate 'secured by design' principles. Details of proposed security measures shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of crime prevention.
6. Details of all walls, fences and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced.
In the interests of visual amenity.
7. 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.
8. To encourage sustainable development
The development hereby permitted shall not be commenced until
 1. 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'.
 2. 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.

3. 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.

4. 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 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, 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 3.

5. 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'.

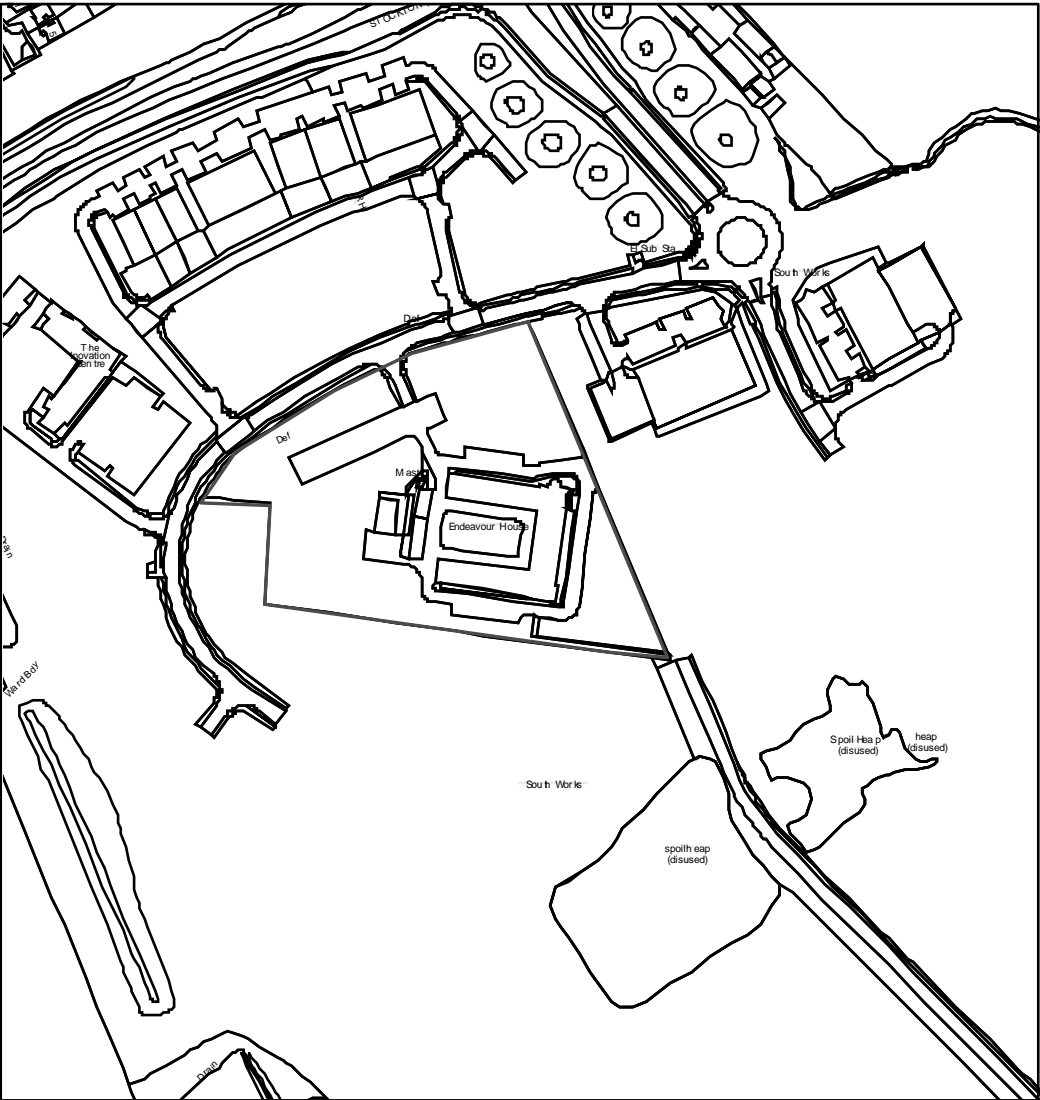
To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and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

9. A final scheme for the foul and surface water drainage of the site shall be submitted to and approved 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 with the Local Planning Authority.

To ensure the site is developed in a satisfactory manner.

10. A detailed staff survey should be undertaken within 3 months of occupation of the centre and a detailed Travel Plan, including an action plan with detailed objectives, SMART targets and measures within 6 months of occupation of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and shall continue in operation at all times as approved unless otherwise agreed in writing by the Local Planning Authority.
In the interests of sustainable transport
11. Final siting and details of the fire training facilities, including mitigation measures to minimise the impact of the facilities on the neighbouring premises shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter fire training facilities shall be implemented and operated in accordance with the approved details at all times, unless otherwise agreed in writing by the Local Planning Authority.
To ensure the site is developed in a satisfactory manner.
12. The landscape strip adjacent the estate road shall be retained and a detailed scheme for the extension of the landscaping adjacent the proposed new access at the rear of the site, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme must specify sizes, types and species, indicate the proposed layout and include a programme of the works to be undertaken. Thereafter the scheme shall be implemented in accordance with the approved details and programme of works, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity.

ENDEAVOUR HOUSE



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/8/09
	SCALE 1:3000	
Department of Regeneration and Planning Bryan Hanson House.Hanson Square. Hartlepool TS24 7BT	DRG.NO H/2009/0217	REV

No: 4
Number: H/2009/0218
Applicant: Mr A Churchill Endeavour House Stockton Road
 Hartlepool TS25 5TE
Agent: Mr A Churchill Cleveland Fire Brigade Endeavour House
 Stockton Road Hartlepool TS25 5TE
Date valid: 16/07/2009
Development: Erection of a new fire station including youth academy
 and community use facility
Location: FIRE STATION STRANTON HARTLEPOOL

The Application and Site

4.1 The application site is the existing Stranton Fire Station located on Stockton Street. To the north of the application site is a piece of public open space, to the east Ward Jackson Primary School, to the south the Royal Mail Sorting Office and to the west over the dual carriageway is Cameron's Brewery and Park Tower, the upper floors of which are residential properties.

4.2 As part of a major programme of providing improved fire and rescue to the Cleveland community, Cleveland Fire Authority has identified the need for an improved Community Fire Station. This application proposes to demolish the existing buildings and redevelop the site, the proposed scheme would require land take to the north of the existing site, which is designated as Public Open Space. This would therefore be a Departure from the adopted Hartlepool Local Plan 2006.

4.3 It is proposed that the new Station would house three fire fighting appliance bays and a garage. As a community fire station it will also be used as a base for work promoting fire safety. A community room is included in the building which would accommodate groups of up to 40 people and would be used to continue and enhance the promotion of fire safety messages as well as being available for community use by groups for meetings, seminars and training programmes.

4.4 In addition the fire station will contain facilities for Young Fire Fighters, which is a special community initiative aimed at 14 to 18 year olds.

4.5 On site car parking would be provided within the application site.

4.6 The application is an outline application with all matters reserved for future application(s).

Publicity

4.7 The application has been advertised by way of neighbour letters (50). To date, there have been 5 letters of no objection and 1 letter of objection.

The concerns raised are:

1. The space should be left as a recreational ground as it is the only green/trees/walk that the children have around here.

Copy letter E

The period for publicity has expired.

Consultations

4.8 The following consultation replies have been received:

Public Protection - No objections

Property Services - No comment

Traffic & Transportation - There are no specific requirements for such a proposal. Parking in Clark Street is currently congested and uncontrolled although it is proposed to introduce limited parking bays and parking restrictions.

Engineering Consultancy - No objection subject to conditions regarding potential contamination and drainage.

Northumbrian Water - No objection

Environment Agency - Awaiting comments

Planning Policy

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

Com4: Defines 10 edge of town centre areas and indicates generally which range of uses are either acceptable or unacceptable within each area particularly with regard to A1, A2, A3, A4, A5, B1, B2, & B8 and D1 uses. Proposals should also accord with related shopping, main town centre uses and recreational policies contained in the plan. Any proposed uses not specified in the policy will be considered on their merits taking account of GEP1.

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

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

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

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

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

Planning Considerations

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

Policy considerations

4.11 The development proposes the incorporation of a piece of land adjacent the existing fire station facility. The land is part of the Public Open Space on the corner of Hucklehoven Way. The piece of land does have mature trees on it which would need to be removed. Existing footpaths through the open space would be retained as would the clusters of trees on the remaining land. The public open space is currently in Council ownership however Cabinet agreed in April 2009 to the sale of this land for Fire Station purposes.

4.12 Although this is a departure from the adopted Hartlepool Local Plan 2006 it is considered that the fire station in such a central location is beneficial for Hartlepool, particularly as it incorporates community use. The existing facility is unsuitable as a community fire station with poor accessibility, over-sized appliance bays and insufficient space for community related uses including facilities for training and youth development such as the Young Fire Fighters initiative.

4.13 It is considered that the benefits of locating the fire station in this central location outweigh the retention of part of the public open space, however as compensation the Fire Brigade have agreed to incorporate a high quality boundary to the front of the site facing Stockton Street and a high quality boundary potentially including public art and/or landscaping along the boundary with the remaining open space. This can be controlled by planning condition.

4.14 The proposed Fire Station including community use is considered acceptable given its location within the existing Fire Station's site.

Effect on the Surrounding Area

4.15 The existing building is a two storey building within a large tarmaced site. Although the application is in outline form the agent has submitted a Design & Access Statement which details that it is proposed to erect a two storey building to reflect the existing building. It is considered that the siting and scale are appropriate for the use and character of the area.

4.16 The application has been assessed by Public Protection who have no objection to the proposed scheme in terms of potential noise and disturbance.

4.17 Landscaping within the application site would be the subject of a future reserved matters application. Although the area of public open space to be lost is unfortunate, it is considered that compensation in the form of high quality boundary treatments and the redevelopment of an outdated fire station would benefit the area and should be encouraged.

4.18 It is considered that the new facility would not have an adverse affect on the neighbouring residential properties and surrounding area in general.

Highways

4.19 The existing fire station has two accesses these are proposed to be retained, however final details of this would be the subject of a future reserved matters application. Although parking has been indicated on the proposed plan this is illustrational and the final layout of parking would be the subject of a reserved matters application.

4.20 There are no specific parking requirements for a development such as this, as this would be the subject of a future reserved matters application the final amount of car parking can be discussed as part of that application.

4.21 Parking in Clark Street can be congested and is currently uncontrolled although It is proposed to introduce limited parking bays and parking restrictions as part of the adjacent schools 20mph zone scheme, this is due to be implemented later this year. The recently approved supermarket development (Aldi) on the corner of Clark Street/Thompson Street is making a contribution to this scheme and the Fire Brigade have agreed to contribute to the cost of the parking restrictions (£1000). This is proposed to be dealt with via the sale of the public open space rather than as a separate legal agreement.

4.22 It should be acknowledged that the application site is located close to the town centre and any overspill car parking from the development could be accommodated in the nearby Pay & Display Car Park.

4.23 The Council's Traffic and Transportation team have assessed the application and there are no objections from a highways perspective.

Other Issues

4.24 The Design & Access Statement specifies that there is a target to achieve a BREEAM rating of 'excellent', the applicant proposes to incorporate energy efficient measures; this can be controlled by condition.

Flood Risk Assessment

4.25 A Flood Risk Assessment was submitted with the planning application which is currently being considered by the Environment Agency (EA). A small part of the rear of the site lies within Flood Zone 2, it is anticipated that a response from the EA will be received prior to the Planning Committee. It is anticipated that any issues raised could be dealt with by way of condition.

Conclusion

4.26 Subject to no objections from the Environment Agency, approval is recommended. Although the application is a departure the application does not need to be referred to the Secretary of State due to the new criteria set out in The Town and Country Planning (Consultation) (England) Direction 2009 – Circular 02/2009.

RECOMMENDATION – APPROVE subject to no objection from the Environment Agency and the following conditions and any conditions the Environment Agency deem necessary.

1. Application for the approval of the reserved matters referred to below must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) the expiration of five years from the date of this permission; or (b) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
To clarify the period for which the permission is valid.
2. Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called the "reserved matters") shall be obtained in writing from the Local Planning Authority.
To ensure the site is developed in a satisfactory manner.
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. The details shall include a high quality boundary treatment to the north and western boundaries. The northern boundary shall incorporate public art and/or landscaping, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity and as compensation for the loss of public open space.
4. No development shall take place until a scheme for car parking on the site has been submitted for the consideration and approval of the Local Planning Authority. Thereafter the approved scheme shall be implemented prior to the

- first operation of the fire station and retained for its intended use for the duration of the use, unless otherwise agreed in writing by the Local Planning Authority.
5. Final details of cycle parking and refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme(s) shall be implemented and retained for the duration of the use, unless otherwise agreed in writing by the Local Planning Authority. In the interests of visual amenity and in the interests of promoting sustainable forms of transport.
 6. The development hereby approved shall incorporate 'secured by design' principles. Details of proposed security measures shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. In the interests of crime prevention.
 7. A scheme to incorporate energy efficiency measures and embedded renewable energy generation shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
To encourage sustainable development
 8. The development hereby permitted shall not be commenced until
 1. 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'.
 2. 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.

3. 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.

4. 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 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, 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 3.

5. 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'.

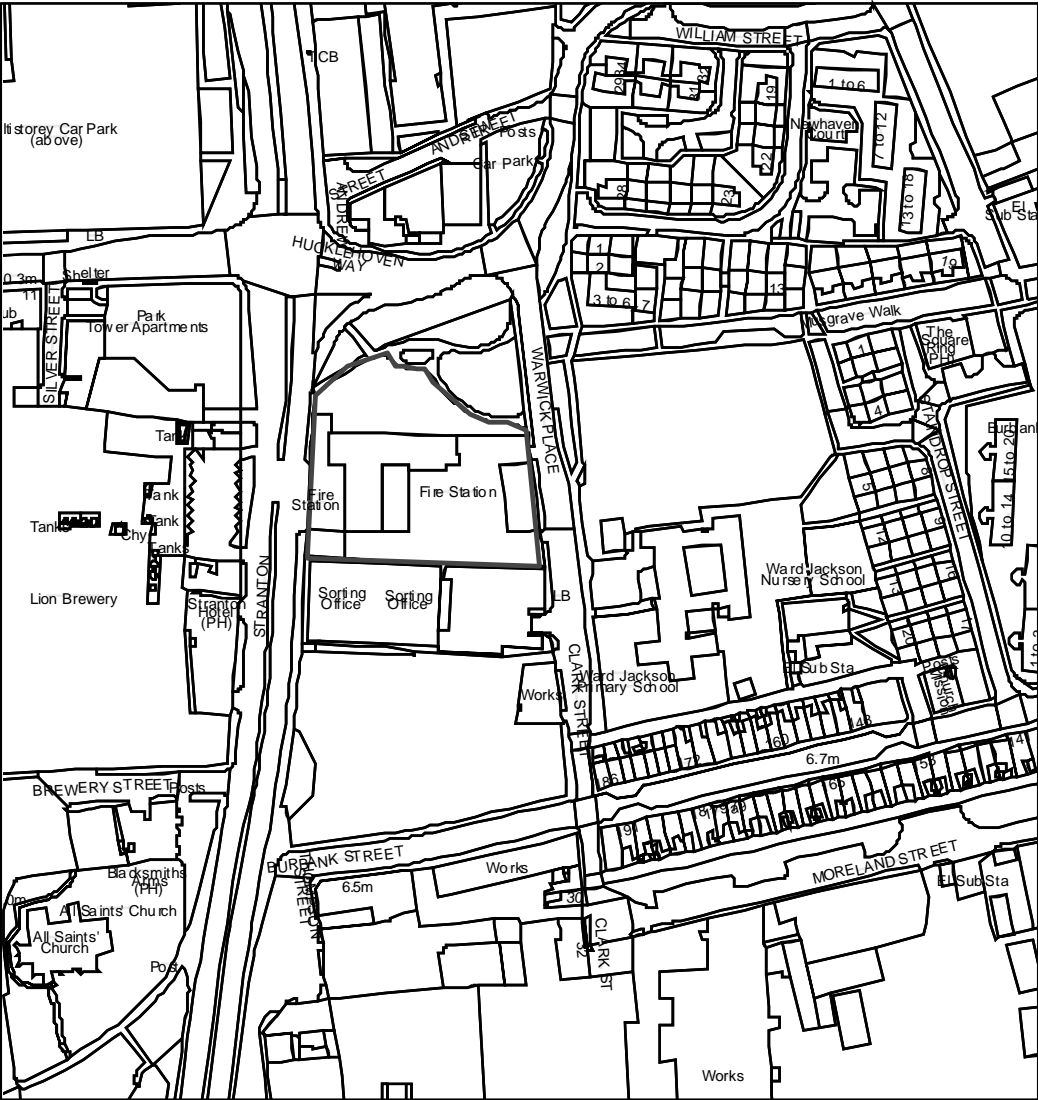
To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and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

9. A final scheme for the foul and surface water drainage of the site shall be submitted to and approved 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 with the Local Planning

Authority.

To ensure the site is developed in a satisfactory manner.

STRANTON FIRE STATION



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/8/09
	SCALE 1:2000	
Department of Regeneration and Planning Bryan Hanson House.Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0218	REV

No: 5
Number: H/2009/0321
Applicant: Baker Hughes Brenda Road Hartlepool TS25 2BQ
Agent: Baker Hughes Tekchem Works Tofts Farm Industrial
Estate West Brenda Road Hartlepool TS25 2BQ
Date valid: 23/06/2009
Development: Hazardous Substances Consent for the storage of
additional quantities of ethylene and propylene oxide
Location: BAKER PETROLITE TOFTS FARM INDUSTRIAL
ESTATE WEST BRENDA ROAD HARTLEPOOL
HARTLEPOOL

5.1 The above application was deferred at the last meeting of the Planning Committee as consultations, in particular the HSE (Health & Safety Executive) response, were outstanding. These comments are still awaited.

RECOMMENDATION - UPDATE to follow

Baker Petrolite



THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL

Department of Regeneration and planning

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

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Scale: 1:3000

Date :

Drg No: H/2009/0321

Drawn: JT

No: 6
Number: H/2009/0363
Applicant: MR J BORTHWICK TUNSTALL AVENUE HARTLEPOOL
TS26 8NF
Agent: MR J BORTHWICK 21 TUNSTALL AVENUE
HARTLEPOOL TS26 8NF
Date valid: 14/07/2009
Development: Change of use to fish and chip shop
Location: 168 RABY ROAD HARTLEPOOL HARTLEPOOL

The Application and Site

6.1 The application site is a former shop unit, now vacant with a flat above. It is located in a commercial terrace bounded to the north and south by a body modification centre now vacant and a hairdressers also with flats above. To the rear is an alleyway which also serves nearby residential properties in Brougham Terrace and Hurworth Street. On the opposite side of Raby Road are commercial properties which adjoin residential properties. It is proposed to change the use of the premises to a fish and chip shop. No external alterations are proposed.

6.2 The application site is located in a defined local centre. The north western side of the local centre is in the process of being redeveloped to accommodate the Headway Residential Development and only the Chester Hotel remains on this side. The remaining local centre extends on the eastern side of Raby Road and contains a variety of units. These include a pet shop, Hoover repair centre, a sunbed centre, barbers, hot potatoe shop, a bookmakers, a vacant bodymodification centre and a number of other vacant units. There are also a number of other Takeaways in the local centre including a Chinese takeaway, an Indian takeaway, and a vacant fish and chip shop. A vacant unit to the north also obtained permission for a Pizza takeaway in 1995 (H/FUL/0420/95-184 Raby Road). Outside the defined local centre to the south the properties are largely residential with some commercial properties including a foodstore (199 Raby Road) and off licence (193 Raby Road) to the south.

Other applications currently under consideration

6.3 An application to change the use of the vacant body modification centre, at 170 Raby Road, next door to a takeaway has recently been received and is currently also under consideration. (H/2009/0433).

Publicity

6.4 The application has been advertised by site notice and neighbour notification (22). The time period for representations expires on 4th September 2009. At the time of writing four objections had been received. The objectors raise the following issues.

- i) Don't want another takeaway.
 - ii) Smell
 - iii) Parking
 - iv) Nuisance/antisocial behaviour
 - v) Litter
 - vi) Noise
 - vii) Application on next block was rejected
 - viii) Already a fish & chip shop on this block.
- Copy Letters F

The period for publicity has expired.

Consultations

6.5 The following consultation replies have been received:

Public Protection - I have no objections to this application subject to an extract ventilation condition and a condition restricting opening hours. If the first floor flat above the shop is to be independent from the business then I will also require a sound insulation condition.

Traffic & Transportation - Given that the premises is located in an existing shopping parade it would be very difficult to sustain an objection on highway grounds.

Northumbrian Water - No comments received

Planning Policy

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

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

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

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.

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

Tra1: Sets out the measures that will be taken to improve the passage of buses and the comfort of passengers along the north-south bus priority route. Other bus priority routes will be identified.

Planning Considerations

6.7 The main planning considerations are policy, impact on the amenity of neighbours crime and disorder and highways.

POLICY

6.8 The site is located in an existing local centre where in principle policy supports uses such as hot food takeaways provided there is no significant adverse effect on the amenities of neighbours or the highway network and the scale function, character and appearance of the area is maintained. The former issues relating to amenity and highway considerations are discussed below. In terms of the impact of the proposal on the scale, function, character and appearance of the area it is accepted that there are already a number of takeaways in the local centre. However there are also a number of other facilities including a pet shop, public house, bookmakers, hairdressers and just outside the local centre to the south there is an off licence and convenience store. The centre also contains a number of vacant units which would potentially be available to accommodate a variety of other retailers services. The unit is one of the smaller ones in the local centre and is currently vacant. It is not

considered that the use of this single unit as a takeaway would have a significant adverse impact on the scale function, character and appearance of the area.

IMPACT ON THE AMENITY OF NEIGHBOURS

6.9 It is not considered that the use of the premises will have a significant effect on the adjoining commercial premises. There are however residential properties in the immediate vicinity including shops above flats and residential properties on the opposite side of Raby Road and to the rear. The site is located in an existing local centre and the proposed opening hours extend to 22:30 at night. Subject to conditions on hours of operation, sound insulation requiring and extract/ventilation Public Protection have advised that they would have no objection to the proposal. Given the proposed conditions it is not considered that the proposed use of the premises would have a significant impact on the amenity of nearby residential properties.

CRIME & DISORDER

6.10 The site is located within a commercial terrace in a local centre and the proposed opening hours do not extend into very late hours. It is not considered that the proposed use of the premises would have a significant impact on crime and disorder in the area.

HIGHWAYS

6.11 The site benefits from no off street parking however it is located within a local centre within an existing commercial terrace. Traffic & Transportation have raised no objection to the proposal and it is considered that it would be difficult to resist the proposal on highway grounds.

OTHER MATTERS

6.12 An objector has made reference to an application at 152 Raby Road (H/2007/0147) where in 2007 an application for a hot food takeaway was refused for reasons relating to the impact on residential amenity and highway considerations. A subsequent appeal was dismissed. The Inspector did not uphold the highway reasons for refusal but did nonetheless consider that the impact of the proposed development on the amenity of the residential neighbours was not acceptable. It is considered however that this case is materially different from the current application. The appeal site was not located within the local centre and it adjoined a dwellinghouse.

CONCLUSION

6.13 The application is recommended for approval subject to conditions.

RECOMMENDATION – APPROVE subject to the following condition(s)

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The premises shall only operate between the hours of 11:00 and 22:30 on any day.
In the interests of the amenities of the occupants of neighbouring properties.
3. The use hereby approved shall not commence until there have been submitted to and approved in writing by the Local Planning Authority plans and details for ventilation filtration and fume extraction equipment to reduce cooking smells, and all approved items have been installed. Thereafter, the approved scheme shall be retained and used in accordance with the manufacturers instructions at all times whenever food is being cooked on the premises.
In the interests of the amenities of the occupants of neighbouring properties.
4. Unless otherwise agreed in writing with the Local Planning Authority before the use of the premises commences the premises shall be soundproofed in accordance with a scheme, which shall be first submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be retained during the lifetime of the development.
In the interests of the amenities of the occupants of the flat above.
5. Unless otherwise agreed in writing with the Local Planning Authority prior to the commencement of development details of the proposed layout of the premises shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
The plans submitted with the application were insufficiently detailed.

168 RABY ROAD

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/8/09
	SCALE 1:1250	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0363	REV

No: 7
Number: H/2009/0385
Applicant: Mr Mark Griffin 28 HILLSTON CLOSE HARTLEPOOL TS26 0PE
Agent: Mr Mark Griffin 28 HILLSTON CLOSE HARTLEPOOL TS26 0PE
Date valid: 27/07/2009
Development: Erection of a part single and part two store two storey extension to provide family room, utility and garage with bedroom and en suite above
Location: 28 HILLSTON CLOSE HARTLEPOOL

The Application and Site

7.1 The site to which this application relates is a two storey, detached property located on Hillston Close, within a predominately residential area. The property benefits from an existing single storey garage to the side and a two storey rear extension with dining room and lounge at ground floor and balcony at first floor approved under application H/FUL/0225/91. The garage to the side projects beyond the original rear wall of the house, projecting to the same depth as the rear extension.

7.2 The neighbouring property, 27 Hillston Close is set approximately 1m from the shared boundary with the application property. The applicant's garage projects approximately 3.13m past the rear wall of 27 Hillston Close. There are no habitable windows in the side elevation of 27 Hillston Close.

7.3 The application seeks consent for the erection of a part single storey and a part two-storey extension to the side of the property, facing the side elevation of 27 Hillston Close.

7.4 The application proposes the demolition of the existing double garage. The ground floor element of the extension will project no further than the existing garage at the rear. It will project further than the existing double garage by approximately 3.5m at the front. The ground floor element will incorporate a family room, utility, store and single garage. The first floor extension is to incorporate a master bedroom, dressing room and en-suite and will extend from the front wall of the ground floor element, back to the original rear wall of the main dwellinghouse. It will have a mono pitch roof as opposed to the dual pitch of the existing garage.

7.5 The extension will project the full width of the existing driveway, sitting flush with the shared boundary with 27 Hillston Close. The front elevation of the extension is set back 3.9m from the front elevation of the original property.

7.6 An additional high level window has been proposed in the side elevation facing 29 Hillston Close to allow for additional light into the lounge area to compensate for

that lost by the secondary window in the side elevation facing 27 Hillston Close. Plans will be displayed at the meeting.

7.7 The applicant is related to a member of the Committee and is known the Chair. He has therefore requested that the application be referred to the Committee for consideration.

Publicity

7.8 The application has been advertised by way of neighbour letters (5). To date, there has been 1 objection.

The concerns raised are:

- a) Unduly large and out of keeping;
- b) Problems with car parking;
- c) Loss of privacy in rear garden of neighbouring property;
- d) Proposal is disproportionally large, almost doubling width of property;
- e) Already existing extension to the rear;
- f) Estate is one of detached houses, separated by garages/substantial space between offering privacy;
- g) Size and configuration of proposal is out of keeping with initial planning of the estate, bringing two houses closer together with a gap of 3 feet between them;
- h) Reduction in drive length creating difficulties with parking of vehicles, parking could overlap onto road;
- i) Use of the driveway would be obtrusive to privacy and could affect daylight;
- j) Visitors would overlap the drive or park on the road, obstructing good vehicles, refuse and causing parking problems in cul-de-sac;
- k) Demolition of garages will cause noise and dust pollution;
- l) Proposed side elevation indicates roof gradient of the roof appears lower/longer than existing garage roof exposing more of the balcony, creating an intrusion of privacy, along with proposed first floor rear window.

The period for publicity has expired.

Copy Letters A

Planning Policy

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

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside the green wedges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings,

effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

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

7.10 The main planning considerations in this instance are the appropriateness of the proposals in relation to the relevant adopted Hartlepool Local Plan (2006) policies, particularly in relation to the effect of the proposal on the amenity of neighbouring properties in terms of overlooking, loss of light, dominance and/or poor outlook, the effect on the character and appearance of the street scene, and the effect on the character of the existing property.

Amenity of Neighbouring Properties

7.11 In relation to the two-storey element of the proposal, it is considered unlikely there will be a significant impact on 27 Hillston Close as that property benefits from a blank gable facing the two-storey element and it does not project beyond the rear wall of the neighbouring property. In terms of the single storey element, it is considered unlikely it will unduly affect the amenity of 27 Hillston Close as it projects no further in terms of projection than the existing garage. It should be acknowledged that the amended GPDO (Oct 2008) makes allowances for 4m projections on detached houses without the need for permission. In terms of dominance, outlook and overshadowing, the impact will be lessened slightly from that at present as the proposed roof will have a lower pitch.

7.12 With regard to the concerns raised by the objector over the existing balcony, the balcony was established by virtue of the original application (H/FUL/0225/91). It is considered that the slight reduction in the pitch of the roof would not significantly alter the existing relationship between the balcony and the property of 27 Hillston Close, and would not result in significant issues of overlooking.

7.13 In terms of the other concerns raised by objectors, it is acknowledged that provision of the window in the rear elevation of the first floor extension would allow overlooking of parts of the rear garden of 27 Hillston Close. However, there is substantial boundary screening to restrict views in to parts of the garden. The acute angle would also restrict views of other areas of the garden, and it considered that such a relationship, where first floor bedroom windows overlook parts of neighbouring gardens, are not unduly uncommon (there are a number of examples on Hillston Close itself) and an objection on such grounds could not be sustained.

7.14 It is therefore considered that the proposal would be unlikely to unduly affect the amenity of 27 Hillston Close in terms of overlooking, dominance, overshadowing and/or poor outlook.

7.15 In terms of the relationship with other neighbouring residential properties, it is considered by virtue of the siting of the extension, it will not unduly affect the amenity of 29 Hillston Close. The plans indicate an additional window in the side elevation facing 29 Hillston Close, however, this is a high level window to allow for natural light. In any case the provision of a window in this case is allowed for without the need for planning permission under the provisions of the GPDO (2008).

7.16 The separation distances associated with the development, in relation to the surrounding properties on Hillston Close far exceed the 20m guidelines set out in the Hartlepool Local Plan (2006) and it is considered that the proposal will not have an impact on the amenity of those properties.

Character of Street Scene

7.17 The various properties on Hillston Close are widely varied in terms of design, appearance and scale. The extension is set back substantially from the front elevation of the property – 3.9m. Concerns from the objector have indicated that the properties on Hillston Close are separated by garages or have substantial space between and the proposed extension would be out of keeping and bring the property closer with 27 Hillston Close. Hartlepool Local Plan (2006) Supplementary Note 4 states that two-storey extensions can create a continuous built up frontage by removing all space between. In these circumstances the Council will expect extensions to be either set back 1m at first floor or from the shared boundary. In this case, the two-storey extension is set 3.9m back from the front wall of the house, therefore in accordance with the Local Plan guidelines and it is considered that an objection could not be sustained on those grounds. It is considered that the proposal is acceptable in terms of its impact on the character and appearance of the street scene.

Character of the Existing Dwelling

7.18 The design and appearance of the extension is in keeping with that of the existing dwelling, with matching materials proposed. Concerns have been raised regarding the proposed extension being disproportionate with the existing dwelling and the application property having been previously extended. The presence of existing extensions should not preclude proposals for additional extensions, in turn the judgement must be made on the cumulative effect on the existing property and that the proposal would not result in overdevelopment. It is considered in this instance that the proposal would not result in overdevelopment and the extension would appear subservient to the main property. It is considered that the proposal respects the character and detailing of the dwelling and the scale is considered appropriate for a dwelling of such a size.

Other Issues

7.19 Supplementary Note 4 of the Hartlepool Local Plan (2006) states that a minimum 5m drive length must be retained. In this instance a 5.8m driveway has been retained in accordance with the guidelines. Supplementary Note 2 states that parking requirements are 2 space per household for new developments. In this instance the drive width is 5.2m which allows for the parking of two vehicles.

Additionally, the proposed extension incorporates a single garage, providing the property with 3 off-street parking spaces. It is considered therefore that an objection on parking grounds could not be sustained given the provision of 3 spaces.

7.20 In terms of the concerns raised over the use of the driveway, the provision of a driveway in this instance has been established by virtue of the original approval for the estate, and driveway will remain largely unaltered apart from the decrease in its depth. It is therefore considered that the parking of cars on the driveway would be unlikely to unduly affect privacy to neighbouring properties. The parking of cars on the highway cannot be controlled by virtue of this application. The parking of vehicles on land outside of the applicant's ownership is a civil matter relating to potential trespass issues.

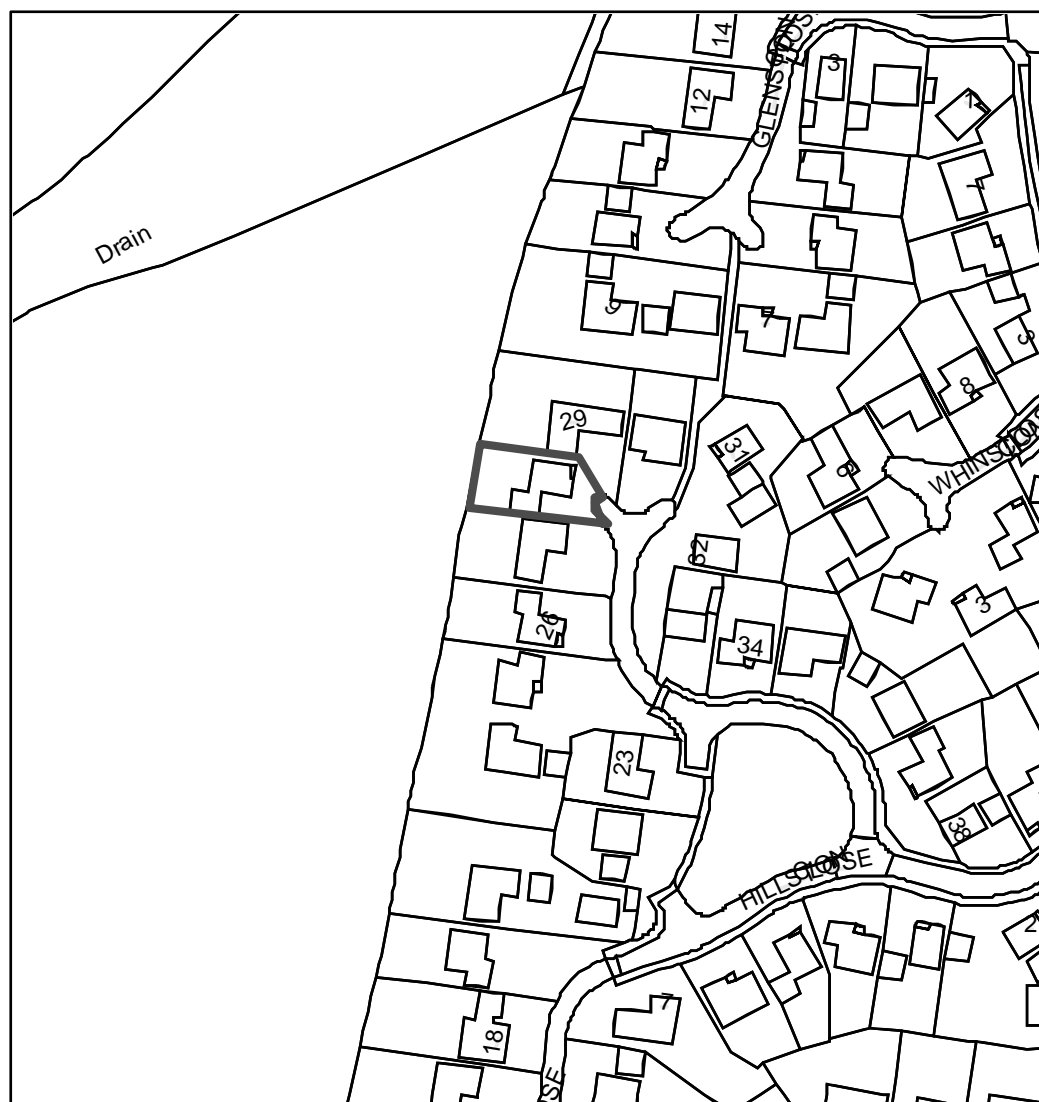
7.21 In terms of noise and dust during demolition/construction, any issues which arise as such can be dealt with under the Council's statutory Environmental Health controls.

Conclusions

7.22 With regard to the relevant Hartlepool Local Plan (2006) policies, and with regard to the relevant planning considerations as discussed above, the application is considered acceptable and therefore recommended for approval subject to the conditions set out below.

RECOMMENDATION – APPROVE subject to the following conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The external materials used for this development shall match those of the existing building(s) unless otherwise agreed in writing with the Local Planning Authority.
In the interests of visual amenity.
3. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting the Order with or without modification), no windows(s) shall be inserted in the elevation of the extension facing 27 Hillston Close without the prior written consent of the Local Planning Authority.
To prevent overlooking

28 HILLSTON CLOSE

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/8/09
	SCALE 1:1250	
Department of Regeneration and Planning Bryan Hanson House.Hanson Square. Hartlepool TS24 7BT	DRG.NO H/2009/0385	REV

No: 8
Number: H/2009/0393
Applicant: Mr J S Cockrill ELWICK ROAD HARTLEPOOL TS26 0BQ
Agent: Mr J S Cockrill MEADOWCROFT ELWICK ROAD HARTLEPOOL TS26 0BQ
Date valid: 17/07/2009
Development: Tree works including crown lifting of Norwegian Maple at main entrance and removal of six conifers (retrospective)
Location: MEADOWCROFT ELWICK ROAD HARTLEPOOL

The Application and Site

8.1 The application is for tree works in a conservation area. The trees are located within the grounds of a listed building (Meadowcroft). Permission is sought for the removal of a Leyland Cypress hedge consisting of six trees adjacent to the driveway and the crown lifting of a Norwegian Maple tree adjacent to the entrance of the site. The application forms state that the works to the Norwegian Maple tree are required for reasons of vehicular access to the property. The applicant proposes to remove the Leyland Cypress Hedge as the trees are overgrown and bare at the bottom and their removal will improve vehicular access. The application is retrospective.

Publicity

8.2 The application has been advertised by site notice. A single response was received raising concerns that the application is retrospective and questioning the need for the works. The writer stresses the importance of the wooded areas in the Park Conservation area highlighted in the Park Conservation Area appraisal. The writer raises concerns that by permitting the removal of significant trees (even though they are not subject to a TPO) unnecessarily, inadequate attention is being given to this element of the essential character of the Conservation Area.

The period for publicity has expired.

Copy letters G.

Consultations

8.3 The following consultation replies have been received:

Landscape Planning & Conservation - The notice involves the removal of part of a lower branch of a small Norway Maple tree adjacent to the entrance of Meadowcroft and the removal of the six trees which constitute the Leyland Cypress hedge which runs along the approach drive to Meadowcroft.

The pruning works to the Norway Maple are minor in nature and will not adversely affect the appearance of the tree, therefore I would raise no objection to the

proposed works. I would not consider the Leyland Cypress hedge to be of sufficient public visual amenity to be included in a tree preservation order and would not raise an objection to its removal.

Policy

PPG15 Planning & The Historic Environment states:

4.38 Trees are valued features of our towns and countryside and make an important contribution to the character of the local environment. Under Part VIII of the principal Act, local planning authorities have a power to protect trees and woodlands in the interests of amenity by making tree preservation orders. In addition to this general power, authorities are under a duty to make adequate provision for the preservation and planting of trees when granting planning permission for the development of land. They do this by a combination of planning conditions and tree preservation orders.

4.39 Many trees in conservation areas are the subject of tree preservation orders, which means that the local planning authority's consent must be obtained before they can be cut down, topped or lopped. In addition to these controls, and in view of the contribution that trees can make to the character and appearance of a conservation area, the principal Act makes special provision for trees in conservation areas which are not the subject of tree preservation orders. Under section 211, subject to a range of exceptions, (including small trees and ones that are dead, dying or dangerous), anyone proposing to cut down, top or lop a tree in a conservation area is required to give six weeks' notice to the local planning authority. The purpose of this requirement is to give the authority an opportunity to consider bringing the tree under their general control by making a tree preservation order in respect of it. Penalties for contravention, which may include a requirement to replant, are similar to those for tree preservation orders.

4.40 When considering whether to extend protection to trees in conservation areas, local planning authorities should always take into account the visual, historic and amenity contribution of trees. In some instances new plantings or re-plantings may be desirable where this would be consistent with the character and appearance of the area.

Relevant saved policies Hartlepool Local Plan 2006

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

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

high standards of design and landscaping and native species.

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.

Planning Considerations

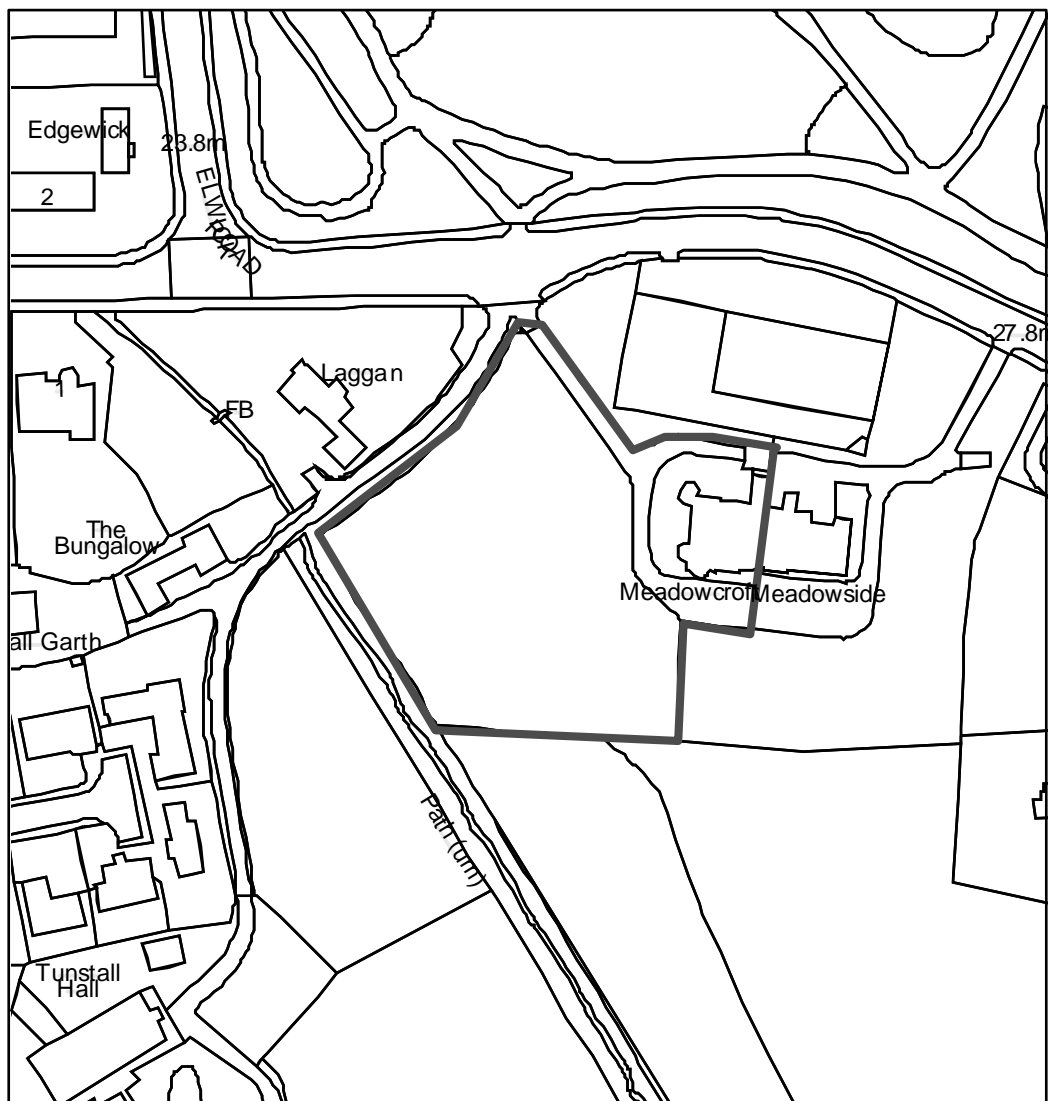
8.5 The importance of trees and wooded areas has rightly been emphasised in the recent Park Conservation Area Appraisal. The main issues in considering the application are the visual, historic and amenity contribution of trees any the impact of the works on the character and appearance of the Conservation Area.

8.6 In relation to the crown lifting works to the Norwegian Maple tree these works are of a relatively minor nature and it is not considered that they have had a significant impact on the appearance of the visual, historic and amenity contribution of trees or the character and appearance of the Conservation Area.

8.7 In relation to the removal of the Leyland Cypress hedge. The trees in question are set well back on the site and located on the eastern edge of a larger wooded area which is retained. In this context it is considered that the visual, historic and amenity contribution of trees is limited. The Arboriculturalist did not consider the hedge to be of sufficient public visual amenity to be included in a tree preservation order and has not objected to its removal. It is not considered that the removal of the Leyland Cypress Hedge has had a detrimental impact on the character and appearance of the Conservation Area.

8.8 The trees in question were protected by virtue of their location in a conservation area. Anyone undertaking works on such trees is required to serve notice of his intention on the Local Planning Authority (LPA). The Planning Authority then has six weeks to decide whether to protect the trees through the imposition of a Tree Preservation Order. Notice was served on the Local Planning Authority on 17th July 2009. At the time of the Officer site visit on 14th August 2009 however the works had been completed. As the applicant undertook the works before the consent of the LPA was obtained and before the six week notice period had expired an offence has been committed. However for the reasons outlined above it is not considered that the trees should have been protected by a Tree Preservation Order on the trees. It is not considered prudent therefore to take any further action in this respect.

RECOMMENDATION – APPROVE It is recommended that no objection be raised to the works, that no further action be taken regarding the offence which has been committed but that the applicant be reminded in the strongest terms of the legislative requirements in relation to tree works in conservation areas

MEADOWCROFT ELWICK ROAD

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/8/09
	SCALE 1:1250	
Department of Regeneration and Planning Bryan Hanson House.Hanson Square. Hartlepool TS24 7BT	DRG.NO H/2009/0393	REV

No: 9
Number: H/2009/0405
Applicant:
Agent: DKS Architects Mr Craig Stockley The Design Studio 22
 Ellerbeck Court Stokesley Business Park Stokesley TS9
 5PT
Date valid: 29/07/2009
Development: Alterations and extensions to provide 2 flats and 2
 almshouses (revised application)
Location: WHITE HOUSE FARM STATION ROAD GREATHAM
 HARTLEPOOL

The Application and Site

9.1 The application site located at the junction of Station Road and Egerton Terrace. It includes a traditional farm house and outbuildings with a small enclosed yard to the rear, areas of green, and a shared parking area. The property is located within the Greatham Conservation Area and is of a traditional design with a clay pantile roof. The front and side elevations of the farmhouse are largely of white painted render with a black painted plinth save for the first floor west gable which is brick. The outbuildings extend along the western side of the site and are traditional brick outbuildings with a clay pantile roof. The rear elevation of the farmhouse is also in brick or unpainted render. The farmhouse currently enjoys the use of a vehicular access to the east side of the property with access taken from Station Lane. Also included within the application site are areas of green located to the front (north) and side (west) of the property and a rear access and shared parking area. The latter currently serves the adjacent terrace of six residential properties which are also in the applicant's ownership. To the west and north are public roads beyond which are residential properties. To the south are residential properties which front onto Egerton Terrace.

9.2 It is proposed to convert and extend the property to accommodate two flats and two almshouses. The farmhouse will be altered and extended to accommodate two flats (one three bed and one two bed) with two storey and single storey extensions added to the rear and a single storey kitchen extension removed. The outbuildings will be altered and extended to accommodate two almshouses (one two bed and one one bed) with single storey extensions added to the side. The yard wall will be demolished and rebuilt to create courtyard garden areas. A timber store and refuse storage area will also be accommodated within the site. Vehicular access will no longer be taken from Station Road and part of the existing access will be taken up and revert to green with a path only retained on this side. Vehicular access to the site will be from the existing rear access from Egerton Terrace and four additional car parking spaces will be accommodated within a remodelled shared parking area which will also accommodate a larger turning head. Nine other spaces will continue to serve the adjacent terrace which is also in the applicant ownership. The proposals are designed to incorporate the principles of lifetime homes and are therefore suitable for a range of people including those with physical disabilities.

Previous application

9.3 A similar application was received in January 2009 (H/2009/0045). This application was withdrawn following discussions as it was not supported by an adequate bat survey. The current proposal has been revised and amended to address concerns raised during the consideration of that application.

Publicity

9.4 The application has been advertised by neighbour notification (20), site notice and in the press.

The time period for representations expires after the Committee meeting. To date five letters of no objection and two letters of objection have been received. The objectors raise the following issues.

- i) Traffic congestion
- ii) Four properties is too many
- iii) The character of the building will be detrimentally affected
- iv) Village is in need of younger people. Ageing villages are a problem which planning can prevent.

Copy Letters H

Consultations

9.5 The following consultation replies have been received:

Head of Public Protection and Housing - Comments awaited, informally no objections

Parish Council –Comments awaited.

Traffic & Transportation - Comments awaited, informally no objections.

Northumbrian Water - Comments awaited.

Planning Policy

9.6 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.

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. (Policy not saved beyond April 09 but national policies apply)

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

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

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

HE2: Encourages environmental improvements to enhance conservation areas.

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.

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

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

WL 4 - Policy not saved after April 2009 but Planning Policy Statement 9 (biodiversity and Geological Conservation) considerations are material.

Planning Considerations

9.7 The main issues are considered to be policy, impact on the amenity of neighbours, impact on the character and appearance of the Conservation Area, ecology and highways.

POLICY

9.8 The site lies within the village envelope in an area where new residential development including conversions is acceptable in principle.

IMPACT ON THE AMENITY OF NEIGHBOURS

9.9 The site is located within a residential area with residential properties located to the north, south, east and west.

9.10 In terms of the properties to the north these properties are located on the opposite side of Station Road and gable ended onto the site. They are also already overlooked by the existing farmhouse and only the small additional extension which is set back from the existing frontage would have any additional effect. Given the separation distances here and the existing situation it is not considered that the proposal will unduly affect the amenity of these residents in terms of loss of light, outlook, dominance or in terms of any overbearing effect.

9.11 In terms of the properties to the east these are closest to the proposed two storey extensions. However the closest property is gable ended on the site and the gable is largely blank save for secondary windows. Whilst the side extension adjacent to these properties will project slightly forward this projection amounts to a couple of metres and will be set one metre off the boundary. It is not considered any impact will be significant. No windows are proposed in the elevations closest to these properties. It is not considered the proposal will unduly affect the amenity of the occupiers of these properties in terms of loss of light, outlook, dominance or in terms of any overbearing effect.

9.12 In terms of the neighbour to the south, this property is set well back from its boundary with the site and for the most part its curtilage is enclosed by a high wall. It also has, in part, its own garage and parking area between it and the application site. Given the relationship it is not considered the proposal will unduly affect the amenity of the occupiers of this property in terms of loss of light, outlook, dominance or in terms of any overbearing effect.

9.13 In terms of the residential properties to the west these properties face the site across Egerton Terrace. No extensions are proposed on this side of the buildings however the conversion of the outbuildings will mean that ground floor windows will face towards these properties. The separation distance there varies between some 13 and 17m and so is below guideline standards. However a public road which affords closer views intervenes and it is not considered that the additional overlooking the conversion will unduly affect the privacy of the neighbours opposite. Given the relationship it is not considered the proposal will unduly affect the amenity of these residents in terms of loss of light, outlook, dominance or in terms of any overbearing effect.

IMPACT ON THE CHARACTER AND APPEARANCE OF THE CONSERVATION AREA

9.14 The property is located prominently located within the Greatham Conservation Area and with its traditional design and green frontages it make a significant positive contribution to the Greatham Conservation Area.

9.15 The most significant alterations in public views are limited to the two storey extension on the north side of the property and additional windows in the west elevation of the outbuildings. The extensions otherwise will be located towards the rear of the site, and save for a single storey extension to the east side of the rear most outbuilding, will not be readily visible in public views. The proposed extensions and conversions are considered sympathetic to the character and appearance of the building in terms of their design and materials and are considered acceptable. The Conservation Officer has been consulted and has raised no objection to the proposals. She concludes that “the amended plans have sympathetically extended this property taking into consideration the characteristics of the Greatham Conservation Area”. It is not considered that the proposals will detract from the character and appearance of the Conservation Area.

ECOLOGY

9.16 A bat survey was submitted with the application. This concluded that no bat roost had been identified. The Council’s Ecologist has confirmed that given the results of the survey he can conclude that the works should not have an adverse effect on any populations of bats. He recommends appropriate conditions.

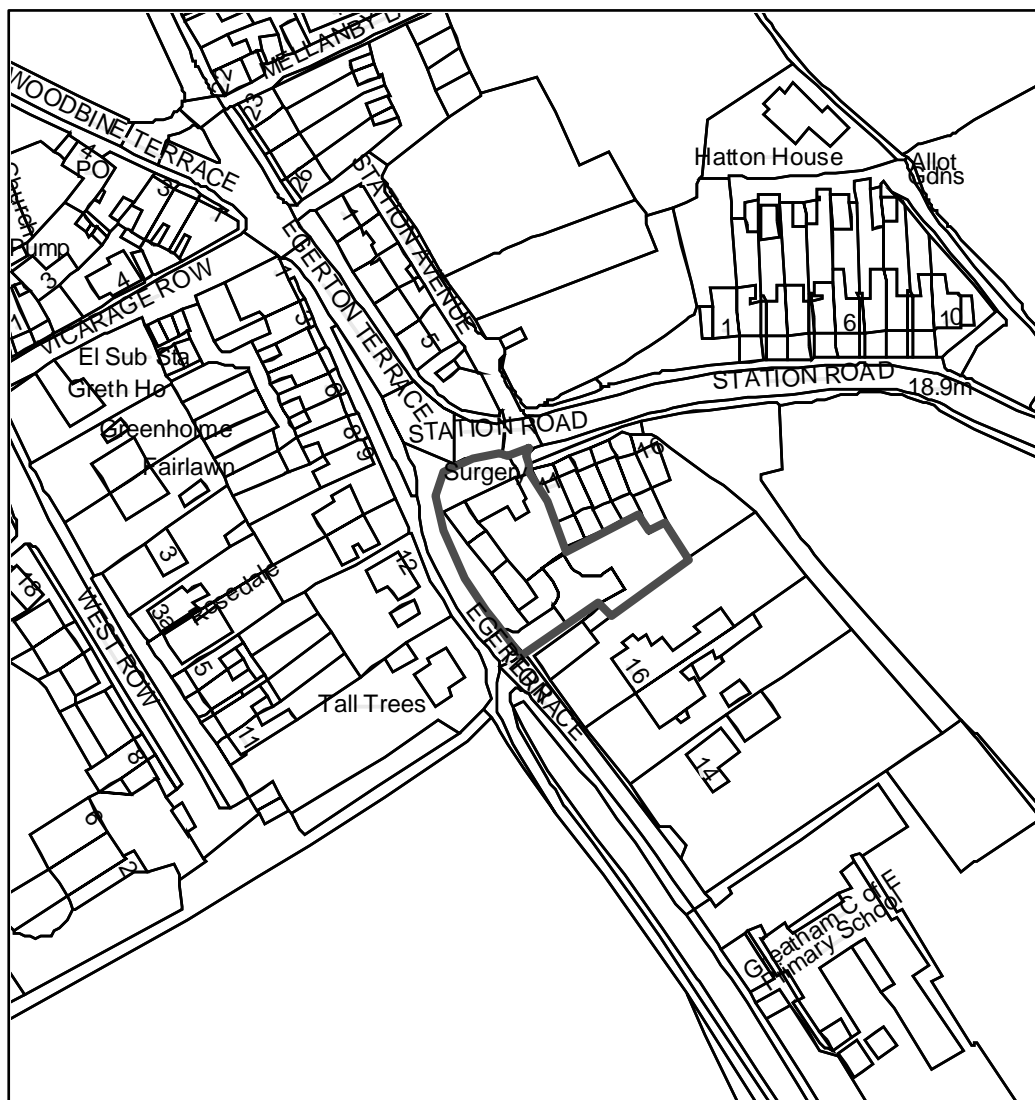
HIGHWAYS

9.17 A number of objections have been received on highway grounds. In particular that the proposal will exacerbate existing congestion problems experienced in the area. It appears that this is particularly related to the school and the narrowness of Egerton Terrace. The applicant has accommodated one off street parking space per property. Traffic & Transportation have been consulted and there final comments are awaited.

CONCLUSION

9.18 A number of consultation responses are outstanding. The time period for representation has also not expired. An update report will therefore follow. It is anticipated that this will be favourable.

RECOMMENDATION - UPDATE report to follow.

WHITEHOUSE FARM

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/8/09
	SCALE 1:1250	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0405	REV

No: 10
Number: H/2009/0374
Applicant: North Tees/ H'pool NHS Trust
Agent: Nathaniel Lichfield And Partners Generator Studios
Trafalgar Street Newcastle upon Tyne NE1 2LA
Date valid: 09/07/2009
Development: Outline application for residential development comprising
100 units
Location: THE UNIVERSITY HOSPITAL OF HARTLEPOOL
HOLDFORTH ROAD HARTLEPOOL HARTLEPOOL

The Application and Site

10.1 This is an outline application for residential development on land to the east of the operational hospital on Holdforth Road (approx 3.3 ha). While all matters are reserved for subsequent approval an indicative scheme showing 100 detached, semi detached and terraced houses has been submitted for illustrative purposes. Access is shown from Warren Road and Wells Avenue.

10.2 Most of the land has been defined as surplus. It is bounded on the west and part of the south by operational hospital buildings. The Hartlepool and District Hospice is on the remaining southern boundary. Housing on Warren Road and Wells Avenue are to the north and east respectively.

10.3 The application is supported by a variety of documents:

- 1 A Planning Statement
- 2 Statement of Pre-application Consultation
- 3 Design and Access Statement (Dewjo'c Architects)
- 4 Transport Assessment (Faber Maunsell)
- 5 Travel Plan (Faber Maunsell)
- 6 Phase One Geo-Environmental Appraisal (Faber Maunsell)
- 7 Flood Risk Assessment (Faber Maunsell)
- 8 Bat Survey (White Young Green Environmental)
- 9 Economic Viability Study (DTZ)
- 10 Draft Heads of Terms for s106 obligation

10.4 Plans will be displayed at the meeting.

Publicity

10.5 The application has been advertised by site notice press advert and neighbour letters (102) 6 letters of no objection have been received.

The period for publicity has expired.

Consultations

10.6 The following consultation replies have been received:

Head of Public Protection and Housing – Awaited but informally no objections.

Head of Property Services – No Comments

Engineering Consultancy – Awaited

Traffic and Transportation Section – no objections in principle. Has requested developer contributions towards upgrading nearby public transport facilities and a crossing on the A179 Easington Road.

Environmental Agency - The development will only be acceptable if measures detailed in the flood risk assessment are implemented and secured by condition. Requests further details of surface water drainage.

Northumbrian Water – Raise no objection but requests a condition to require a detailed scheme for the disposal of surface water. If sewer is the only option the developer will need to agree discharge points and rates.

Community Safety Officer – Depending on timing may need measures to prevent parking from the hospital taking place.

Planning Policy

10.7 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.

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

drainage and the use of landscaping.

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

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

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

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

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

Planning Considerations

10.8 The illustrative scheme is well designed and indicates how a housing scheme could be accommodated on the site. However a number of key issues are still under discussion – developer contributions the provision of affordable housing within the scheme, drainage issues. It is anticipated that these can be resolved before the meeting and an update will be provided before the meeting.

RECOMMENDATION – Update to follow.

UNIVERSITY HOSPITAL



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/8/09
	SCALE 1:4000	
Department of Regeneration and Planning Bryan Hanson House.Hanson Square. Hartlepool TS24 7BT	DRG.NO H/2009/0374	REV

No: 11
Number: H/2009/0403
Applicant: Mr M Mayes Egerton Road HARTLEPOOL TS26 0BW
Agent: S J R Architects Andy Riley Suite 101 The Innovation
Centre Venture Court Queens Meadow Business Park
HARTLEPOOL TS25 5TG
Date valid: 29/07/2009
Development: Variation of condition 4 of planning permission
H/2008/0275 to permit openable clear glazed windows to
bedrooms 1 and 3.
Location: 26 EGERTON ROAD HARTLEPOOL

History

11.1 Members granted permission in August 2008 for amendments to planning approval H/2007/0650 (H/2008/0275). The application sought planning permission for the erection of a two-storey extension to the front and side to create a ground floor double garage, entrance hall, kitchen/dining area and cloakroom and a first floor extension to create 3 bedrooms and an en-suite bathroom.

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

11.3 The application was approved subject to 6 conditions. Condition 4 of the approval states:

Unless otherwise agreed in writing with the Local Planning Authority prior to the occupation of the extension hereby approved windows 1 and 3 as indicated on drawing no 1498/4 Rev H and 1498/5 Rev G received by the Local Planning Authority on the 1 July 2008 (edged blue on the plan attached hereto) shall be replaced with a window which shall be by design fixed (unopenable) and obscurely glazed. The window detail shall be first agreed in writing by the Local Planning Authority. Once installed the windows shall remain as such throughout the lifetime of the development.

11.4 At the time of writing this report, additional works are still required for the extensions at the property to be considered satisfactorily complete for the purposes of Building Regulations. A number of the issues are associated to bedrooms 1 and 3 with regard to fire safety. It is understood the applicant believes occupiers of the two rooms in question would be in danger as a result of the window requirements in the event of a fire.

The Application and Site

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

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

11.7 This application seeks consent for the variation of condition 4 attached to planning permission H/2008/0275 to permit openable clear glazed windows to bedrooms 1 and 3.

Publicity

11.8 The application has been advertised by way of neighbour letters (4). To date, there have been 2 letters of objection.

11.9 The concerns raised are:

- 1 Condition 4 was imposed to protect the privacy of neighbouring properties. This is important to me as I live in a bungalow and the windows concerned look down on my property. Nothing has changed since the condition was imposed and it should remain.
- 2 I strongly object to this application and would draw your attention to the attached documentation (appropriately highlighted) concerning this matter (**See background papers**).

Appendix a: The original planning considerations, which clearly state that Bed 3 shall be obscurely glazed and of a fixed sash design to prevent overlooking upon my conservatory and rear garden.

Appendix b: The minutes of planning committee meeting held on 9 July 2008. At this meeting I stated that the window in bedroom 3, which overlooks my property does not comply with the approved planning permission. The window currently installed can easily be re-converted by replacing the handle and undoing any non-permanent fixings. The committee agreed that it should be replaced with a window that is by design fixed (unopenable) and obscurely glazed. This has not yet been implemented.

Appendix c: My letter, dated 30.9.2008, to Mr. R. Teece (Development and Control Manager) requesting that the window in bedroom 3 be modified in compliance with the agreed planning conditions;

Appendix d: My letter, dated 19.10.2008, to Councillor R. Cook (Chair of Planning Committee) requesting a conclusion to my objections.

Appendix e: A letter from Mr. R. Teece, dated 21 Oct 2008 in response to my letter noted in Appendix D, together with my response; I would add that I have not been advised of any development ensuing from that meeting.

Copy Letter I

The period for publicity has expired. Any further letters of objection or comments will be tabled at the meeting.

Planning Policy

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

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

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

11.13 The main planning considerations in this instance are the appropriateness of openable clear glazed windows to bedrooms 1 and 3 in terms of the policies and proposals held within the Hartlepool Local Plan, in particular the effect upon the amenities of the occupants of the surrounding residential properties by way of overlooking.

11.14 The relationship between the application site and the neighbouring properties of 24 and 28 Egerton Road is of significant interest in the consideration of this application. The owners of both properties have objected to the variation of the condition, and reiterated material concerns outlined previously.

11.15 Whilst it is acknowledged that there is considerable foliage and trees upon the boundary between No 24 and the application site this will not preclude overlooking during the winter months into the primary rooms of the front elevation of the aforementioned property. With regard to the neighbouring property of No 28 the window overlooks the rear elevation and in particular a clear glazed conservatory.

11.16 It is considered that in varying the condition the windows would prevent a substantial level of intrusiveness and overlooking all to the detriment of the living conditions of the owners of both 24 and 28 Egerton Road.

11.17 While the safety concerns of the applicant are acknowledged the Building Control Manager has indicated that there are other ways to comply with the Building Regulations to ensure the safety of occupiers of the bedrooms in question. It is difficult to see how the use of clear glazing has significant impact on safety considerations.

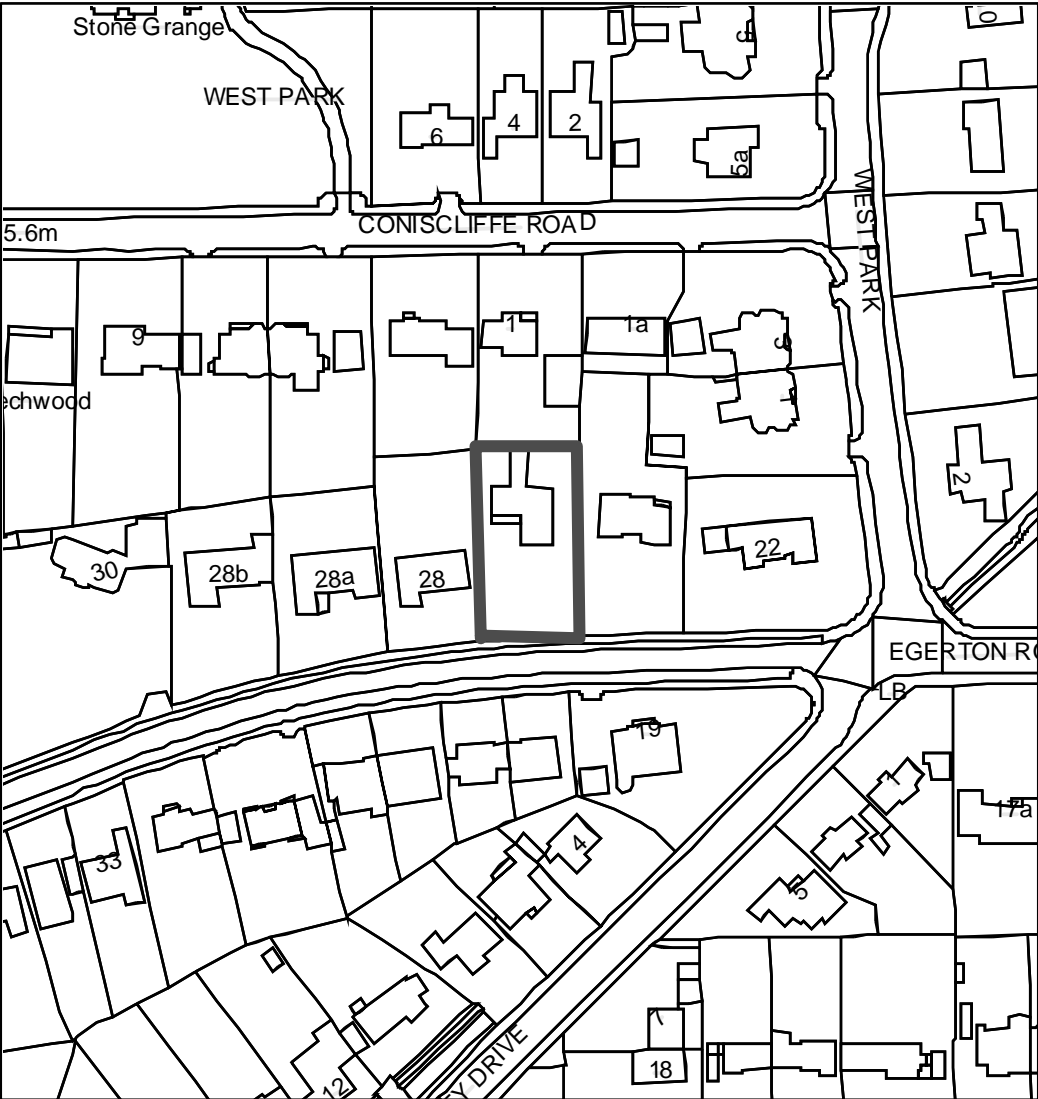
11.18 The recent changes to the General Development Order expressly permits the installation of upper floor windows located in a wall or roof slope forming a side elevation of a dwellinghouse provided they are obscure glazed and non-opening. Unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. This is clearly related to privacy issues.

11.19 The proposed windows here are cleared glazed and side opening.

RECOMMENDATION – REFUSE for the following reason

Given the relationship of 26 Egerton Road to the neighbouring properties of 24 and 28 Egerton Road it is considered that to vary condition 4 of planning permission H/2008/0275 to allow openable clear glazed windows as proposed would result in a level of overlooking that would be detrimental to the living conditions of the occupiers of those neighbouring properties contrary to policies GEP1 and HSG10 of the adopted Hartlepool Local Plan 2006.

26 EGERTON ROAD



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/8/09
	SCALE 1:1250	
Department of Regeneration and Planning Bryan Hanson House.Hanson Square. Hartlepool TS24 7BT	DRG.NO H/2009/0403	REV

No: 12
Number: H/2009/0352
Applicant: Adrienne Simcock
Agent: GWK Chartered Architects Charlotte Henry First Floor
 Cathedral Building Dean Street Newcastle upon Tyne
 NE1 1PG
Date valid: 01/07/2009
Development: Erection of primary school, nursery and associated works
 including car parking, drop off facilities, CCTV,
 landscaping, sports field and multi-use games area
Location: LAND AT JESMOND GARDENS AND CHESTER ROAD
 HARTLEPOOL HARTLEPOOL

The Application and Site

12.1 The application site is the existing Jesmond Road Primary School sports field. The site is situated at the cross roads between Jesmond Gardens and Chester Road, bounded to the east and south respectively by these roads. Grayfields Recreation Ground sits to the north of the site while Chester Road Allotments lie behind the site to the west.

12.2 The site frontage along Chester Road and at the intersection with Jesmond Road is populated with semi mature trees of a variety of size and species. The residential properties overlooking the site from Jesmond Gardens and Chester Road are traditional two storey semi-detached and terraced houses, typical of the area.

12.3 Historically the site was set out as allotments but these were cleared some 25 years ago. The site area is 1.9 hectares and owing to its occasional use as a playing field is grassed with no distinguishing features.

12.4 The existing Jesmond Road Primary School building is on Percy Street, a few minutes walk away to the south.

12.5 This development has been procured as part of the first phase of the government's national Primary Capital Program (PCP) within Hartlepool which aims to facilitate the rebuilding, remodelling or refurbishment of at least half of all primary schools.

12.6 It is proposed for the site to comprise a single storey educational building with associated drop-off, car parking, hard and soft landscaping, half-sized sports pitch, multi-use games area and service yard.

12.7 The new school is proposed to continue to provide community use and facilities. It is considered by the applicant that the retention of a school in the area will help support local business and encourage first time buyers and young families into the area. Workshops were organised by the architects to ensure that the design of the school would be influenced by the pupils and staff at the existing school, governors.

Prior to the submission of the application public consultation events were carried out, 1400 invitations were posted and 10 feedback forms were submitted from the people attending the meetings. Plans will be displayed at the meeting.

Publicity

12.8 The application has been advertised by way of neighbour letters (377), press notice and site notice (2). To date, there have been 38 letters of no objection 15 letters of objection and 4 letters of comment.

The concerns raised in the objection letters are:

1. problems with traffic on an already busy road
2. the main gate should be moved into either Chester Road or Grayfields
3. parking for residents already only on one side of road and extra traffic would be a nightmare
4. a drop off point for a primary school is not needed as most parents park and wait.
5. entrance and exit of the proposed school
6. extra parking making it a safety issue
7. will cause problems with the flow of traffic
8. drive through drop off will have traffic backing up to the traffic lights
9. evening community use is a concern as kids hanging about the area misbehaving both before and after classes
10. insufficient thought put into the amount of extra traffic that will be using Jesmond Gardens
11. inconvenience to residents opposite for parking etc
12. Ashley Gardens, Oakley Gardens will become a rat-run
13. Jesmond Gardens is a direct road to hospital and used by ambulances and police cars
14. the layout for traffic is an accident waiting to happen
15. kids loitering outside
16. excess exhaust fumes and carbon monoxide levels
17. value of properties will go down in the area
18. the noise levels will increase
19. there is a problem now with parking in Ashley Gardens most nights, you have to park miles away, some people have 2/3 cars/vans
20. do not agree with the mini roundabout
21. objectors business will suffer
22. the entrance/drop off point is too dangerous
23. narrow pavement, Chester Road is considerably wider – much safer for the children
24. parents will wait in the drop off point
25. should flatten the row of allotments behind the site to make a drop off area for the school
26. excess litter
27. already parking issues, an objector has provided a traffic count
28. worry that the copper front will cause glare

The comments referred to:

1. concern as Jesmond Road and Chester Road are very busy roads, especially at school in and out time. Will any measures be put in place to protect the children
2. do not think drop off point will work
3. traffic backing up
4. concerns regarding residents parking
5. concerns regarding security of the school boundaries
6. concerns regarding congestion of traffic
7. undesirables using drop off point at night
8. major concern safety of ambulance route
9. entrance should be on Chester Road
10. concerns regarding the safety of children
11. parents use Jesmond Road, Ashley Gardens and Chester Road for school runs

Copy letters D

The period for publicity has expired.

Consultations

12.9 The following consultation replies have been received:

Traffic & Transportation - No objection however discussions are still ongoing regarding the access to the proposed school

Community Safety Officer - Fully supports the proposal however does provide general comments regarding security of the development

Engineering Consultancy - No objection subject to a safeguarding regarding contamination issues condition

Public Protection - No objection

Property - Services - No comment

Community Services - Welcomes the proposal

Northumbrian Water - No objection subject to an appropriate condition

Association of North East Councils - The planning application falls below the threshold which ANEC wishes to be consulted therefore no formal response will be submitted.

One North East - The planning application falls below the threshold which ONE wishes to be consulted therefore One does not wish to comment

Environment Agency - No objection subject to a condition

Sport England - No objection subject to conditions

Cleveland Police - Recommended Secured by Design principles are incorporated into the scheme

Planning Policy

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

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

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

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

GEP6: States that developers should seek to incorporate energy efficiency principles through siting, form, orientation and layout of buildings as well as through surface drainage and the use of landscaping. (Policy not saved beyond 13 April 2009 - but PPS1 & PPS3 relevant)

PU11: Allocates this land for a replacement school and states that if the school is not required then the site will be retained for outdoor recreational use.

Rec6: Seeks the wider community use of school sports and playing field facilities. Developers contributions may be sought in this respect.

Tra20: Requires that travel plans are prepared for major developments. Developer contributions will be sought to secure the improvement of public transport, cycling and pedestrian accessibility within and to the development.

Planning Considerations

12.11 The main planning considerations in this instance are the appropriateness of the proposal in terms of the policies and proposals contained within the adopted Hartlepool Local Plan outlined above and in particular the impact of the proposals upon neighbouring properties and its appearance in the streetscene in general. Highway safety issues also need to be considered.

Policy

12.12 The application site was allocated in the adopted Hartlepool Local Plan 2006 and in the previous 1994 Hartlepool Local Plan for the site to locate a replacement school for Jesmond Road Primary School. It is considered that the use of this land for a school is therefore acceptable in principle.

Effect on the neighbouring residential properties and the surrounding Area

12.13 The proposed school building is modern single storey with some double height spaces which are located towards the rear of the site adjacent the allotments/Grayfields. The double height spaces denote the hall and 'heart' of the school. The hall is the tallest element of the building but is less than 8 metres in height. The public façade is 5.6m high which then reduces in scale down to 3.1 metres within the courtyard in order to reinforce the more domestic scale of the pupil domain.

12.14 This smaller scale is evident in the courtyard which, as the entrance point for pupils has more domestic proportions and feel. Glazed folding, sliding doors connect the class bases to the external environment, where a 2.4 metre high canopy will create sheltered external spaces.

12.15 The building has a flat roof, reducing the overall height of the scheme. The flat roof is punctuated by light and ventilation pods which sit centrally over the class bases, bringing light into the centre of the plan.

12.16 The adjacent properties are two storey dwellings with pitched roofs and are some distance from the proposed building, in excess of the minimum separation distance outlined in the Local Plan. It is considered that the scale of the development is appropriate for the area.

12.17 The external appearance of the school is unique, designed to incorporate planted or living façades to appear as a continuation of the landscape. The main planted façades are on the 'public' elevations, making the school recognisable and giving it a unique identity, while offering an interesting outlook for the dwellings opposite. The façades will be planted to offer seasonal variation in colour and flowering and smaller areas of planted façade have been incorporated within the pupil areas to be used as educational tools. Brick has been chosen as the other main element which denotes the entrances and the ancillary spaces such as the kitchen and administration areas and act as a backdrop for the living façades.

12.18 In terms of any potential noise arising from the proposed school, the Council's Public Protection have no raised any objection to the scheme.

Effects to the Allotments

12.19 As part of the site layout the allotment holders have gifted an allotment adjacent to the school site in the north west corner. In return, part of the site has been used to form a pedestrian access route to the allotments which runs along the western boundary. This access from Chester Road will be separately secured and gated.

12.20 The Assistant Director of Community Services has assessed the scheme and has stated that the use of an allotment will allow for an integrated approach between the school and a healthy food/gardening project and that opportunity to develop closer links with the allotment association regarding help and guidance are of obvious merit.

12.21 As part of this scheme it is proposed to reintroduce the pathway from Chester Road into the allotment estate bordering the west boundary of the school, this will assist in giving the allotment holders a more convenient access point. Additional benefits should arise from a more controlled environment which will overcome fly tipping which currently takes place on the existing 'dead end' allotment footpaths.

Landscaping & Boundaries

12.22 The front of the school is proposed to be open, with secure boundaries being formed by the school itself. The underlying principle for the design of the new school's public face is based on creating an open parkland type setting, with open footways leading to individual entrance points for Foundation, Key Stages 1 and 2, and the main reception respectively. The footways are based on the perceived desire lines that the children would naturally take from the two major access points into the site. These access points enter the site at the junction of Jesmond Gardens and Chatham Road and at the corner of Jesmond Gardens and Chester Road. This means that the vehicle drop off point, included along the central location of Jesmond Gardens, is kept separated from the main pedestrian accesses, improving pedestrian safety and ensuring that children using the drop-off area have a safe, direct route to school.

12.23 Given the intended openness of the site, it is proposed that the security fencing is set back from the frontage area. The main eastern frontage of the site (with Jesmond Gardens) includes the drop-off point and the pedestrian access points. This boundary will incorporate a low park-type enclosure (1.5m in height to top of fence) in order to restrict vehicle access into the site after hours.

12.24 Both the car park and the drop-off point will be gated and restricted to school operational hours. The drop off area will be further screened through the use of ornamental street trees with the potential for a low hedge to also be incorporated.

12.25 To the north of the school building a 3.0m high security fence will commence from the Northern boundary with Grayfields Recreation Ground, running behind the staff and visitor car park, and tie into the building. The Grayfields boundary will utilise the existing security fencing. The internal perimeter with Grayfields is bounded by the car park and the habitat area, which is secured behind the 3.0m fence line. Additional tree planting will soften the boundary with Grayfields.

12.26 On the southern side of the school, the security fence will run from the Key Stages 1 and 2 entrance and then along the top of an embankment to tie into the Chester Road Southern boundary. It is proposed that the combined height of the embankment and security fencing will be approximately 3.0m. The internal gradient of this embankment will then provide the opportunity for pupils to use the grassed

slope as an informal seating/viewing area for the sports pitch. The southern boundary with Chester Road will comprise a 3.0m security fence set behind the well-established tree planting currently present. It is anticipated that this will effectively ensure that Chester Road residents will substantially retain their existing tree-lined views.

12.27 The western boundary with the allotment gardens will have a 3.0m security fence running parallel to a new pedestrian lane accessible only to allotment users (it is intended that this will be a gated key-holders' access on Chester Road, as per the main allotment access points). This area will provide a buffer of shrub planting between the school grounds and the allotment access lane. Shrubs in this area of planting will be a mix of native stock and low maintenance specimens. The school building will essentially provide the central security boundary between the security fencing to the north and the embankment/ fencing to the south. It is intended that these building elevations will provide a secure frontage with the principles of Secure by Design applied.

12.28 In order to accommodate the development approximately 65 no. trees currently located along the Jesmond Gardens frontage and the corner of Chester Road will need to be removed. From this total, the majority of specimens are scrubby growth, with only 15 of any significant size. It is proposed to incorporate significant tree planting within the school site as a form of compensation.

12.29 The scheme has been assessed by the Council's Arboricultural Officer who considers that in general the landscaping proposals should provide for an overall enhancement of the visual amenity of the site.

Highway Issues

12.30 A vehicular drop-off area for pupils is proposed to be located parallel to Jesmond Road, and is within the site boundary to enable it to be secured by the use of gates. This offers direct, safe access for children, straight into the school curtilage. The drop-off proposed is one-way meaning that children would be able to leave cars on the passenger side only, and go straight into the secure congregation/playground area and from there enter directly into their classbases. The entrance to Foundation is located adjacent to the drop-off as nursery children come to the school twice a day and need to be taken directly to their secure area. The drop-off area can also accommodate bus or coach pickup. Traffic Regulation orders will be required on Jesmond Gardens to control parking

12.31 It is proposed that a mini-roundabout could be located at the junction of Jesmond Gardens and Chatham Road. This would help slow traffic approaching the school, as well as giving an opportunity to give an access into the site for all vehicular traffic. However the final design of this junction is still under discussion with the Council's Highways team.

12.32 The staff and visitor car park is proposed to be located to the north of the site, remote from sports or teaching areas in order to reduce the dominance of vehicles within the site. Paths from the car park lead directly to the main entrance, separating visitor movements from pupil areas.

12.33 The car park proposes to accommodate 41 car parking spaces; more than the 28 space minimum requirement, it is anticipated that this would allow the additional spaces to be used as 'drop-off'/parking bays for parents.

12.34 The service area is located beyond the staff and visitor car parking, again confining vehicular movement to one area. Out of hours, the service turning-area can offer additional parking for school / community events.

12.35 In terms of the amount of traffic which could be generated by this development traffic surveys have been carried out by the Council's Traffic & Transportation Team on Jesmond Road which indicated a peak hour morning total of 664 vehicles. The survey was carried out on Tuesday 14th July 2009 between 8.00am - 9pm. This compares with the survey carried out by the residents which showed a half hour total of 364 vehicles. This traffic flow is considered moderate, the presence of the school would undoubtedly increase traffic flow and pedestrian usage, it is however not expected that the road would be over capacity or seriously impact on the road safety of the area.

12.36 The Head of Traffic and Transportation has no objection to locating the school on this site, the parking proposed is considered acceptable, however discussions are ongoing regarding the vehicular entrance to the school.

Secured by design

12.37 Cleveland Police have provided comment regarding security of the site, it is anticipated that the school will adopt secured by design principles within the development as specified above however this can be controlled by condition. The Council's Community Safety Officer fully supports the proposal and provides general comments regarding security of the development.

12.38 It should be noted that CCTV is to be incorporated into the scheme, the details of which can be controlled by condition.

Energy Efficiency

12.39 The Primary Capital Programme's Primary Strategy for Change outlines that all new build projects must achieve at least a 'very good' BREEAM rating and a 60% reduction in Carbon emissions.

12.40 It is considered that the energy efficiency proposals will help to make the building sustainable in the future minimising the levels of non-renewable energy needed in the operation of the building.

Other issues

12.41 It is proposed to incorporate a half-sized junior playing pitch is proposed and a full-size Multi Use Games Area (MUGA). It is anticipated that the school will be able to use full-size pitches and facilities at the adjacent Grayfields Recreation Grounds. The MUGA will not be floodlit.

12.42 Sport England have assessed the proposals and do not object, however they would like to see the construction details for both the proposed playing pitch and MUGA, this can be controlled by condition.

12.43 An objector raises the issue of devaluation of houses in the area; this is not a material planning consideration.

12.44 Cycle parking is proposed which it is anticipated will encourage cycling to school.

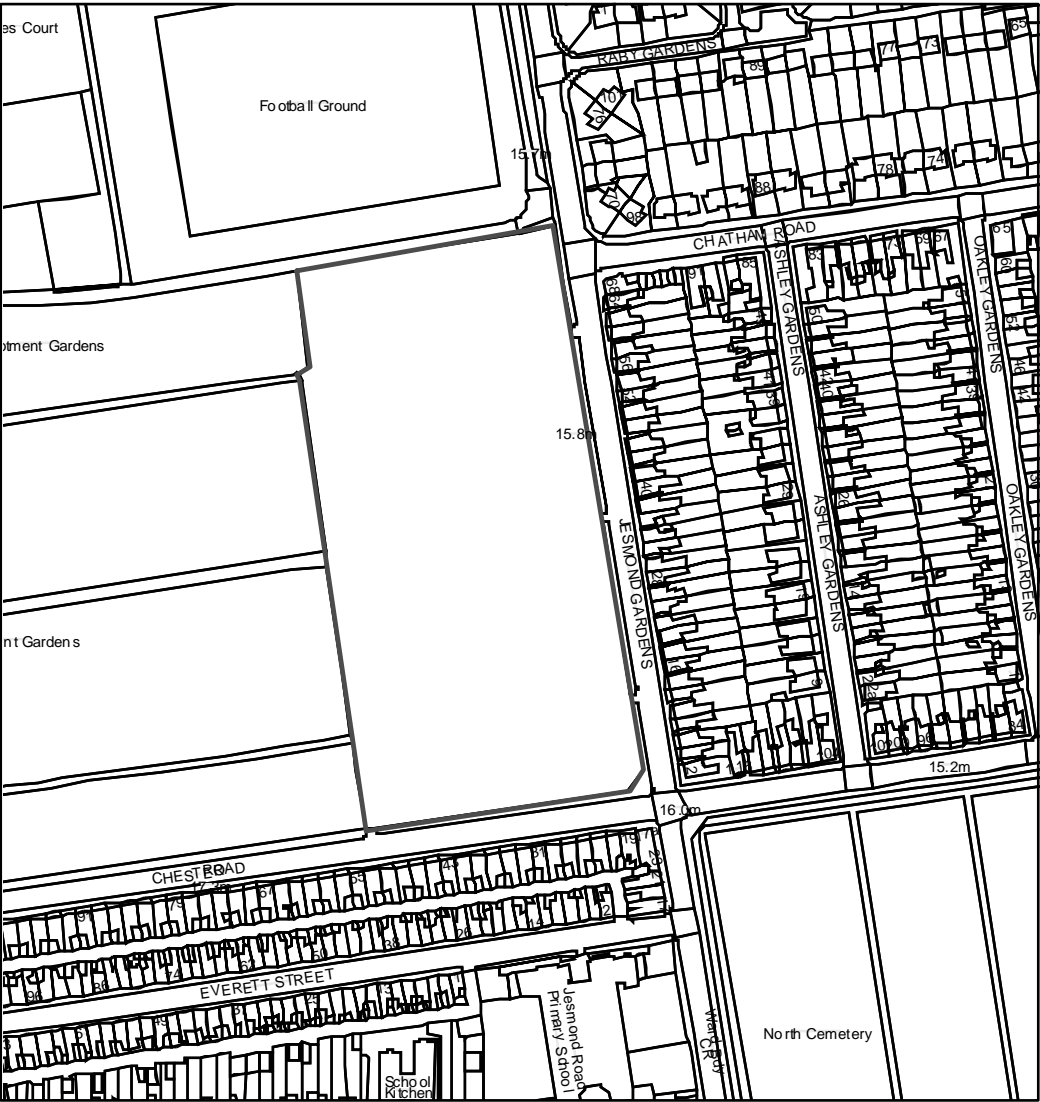
Other issues

Conclusion

12.41 As discussions are ongoing regarding the entrance to the proposed school, an update report will be presented to the planning committee.

RECOMMENDATION –UPDATE TO FOLLOW

JESMOND ROAD SCHOOL



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/8/09
	SCALE 1:2000	
Department of Regeneration and Planning Bryan Hanson House.Hanson Square. Hartlepool TS24 7BT	DRG.NO H/2009/0352	REV

UPDATE REPORT

No: 1
Number: H/2009/0391
Applicant: Mr Brian Elder Usworth Business Park Hartlepool TS25 1PD
Agent: S J R Architects Suite 101 The Innovation Centre
Venture Court Queens Meadow Business Park
HARTLEPOOL TS25 5TG
Date valid: 16/07/2009
Development: Demolition of public house and erection of 4 retail units with 4 self-contained flats above and associated car parking (resubmitted application)
Location: THE HEADLAND GATE NORTHGATE HARTLEPOOL

Update

1.1 Since the original report was produced a number of additional responses / objections have been received as follows;

1.2 The Headland Conservation Advisory Group objects on the grounds that the amended scheme is not suited to the location. The visual impact of the development will have a detrimental effect on the area.

1.3 In addition a further letter of objection has been received which revolves around the number of empty shops in the area and that the pub should be re-opened and not demolished.

1.4 The above comments have already been considered in the original report and in view of this, approval is still recommended.

UPDATE REPORT

No: 9
Number: H/2009/0405
Applicant:
Agent: DKS Architects Mr Craig Stockley The Design Studio 22
Ellerbeck Court Stokesley Business Park Stokesley TS9
5PT
Date valid: 29/07/2009
Development: Alterations and extensions to provide 2 flats and 2
almshouses (revised application)
Location: WHITE HOUSE FARM STATION ROAD GREATHAM
HARTLEPOOL

Update

9.1 Since the original report was prepared the following consultation responses have been received.

Northumbrian Water – No objections

Public Protection – No objections

9.2 Two consultation responses are still outstanding from Traffic and Transportation and the Parish Council. A final update report will be tabled at the meeting. It is anticipated that this will be favourable.

UPDATE REPORT

No: 10
Number: H/2009/0374
Applicant: North Tees/ H'pool NHS Trust
Agent: Nathaniel Lichfield And Partners Generator Studios
Trafalgar Street Newcastle upon Tyne NE1 2LA
Date valid: 09/07/2009
Development: Outline application for residential development comprising 100 units
Location: THE UNIVERSITY HOSPITAL OF HARTLEPOOL
HOLDFORTH ROAD HARTLEPOOL HARTLEPOOL

Background

10.1 This application appears on the main agenda as item 10.

10.2 The recommendation was left open as discussions were ongoing in relation to a number of key issues, notably developer contributions and drainage issues.

10.3 Since the original report was created, those issues have been addressed (see below).

Publicity

10.4 Since the original report was prepared, one letter of objection has been received. The concerns raised are:

- i. In view of the continued uncertainty over the funding of the new hospital, it would be inappropriate to grant planning permission at this time.

The period for publicity has expired.

Copy Letters J

Consultations

10.5 The following consultation replies have been received since the previous report was created:

Head of Public Protection and Housing – No objections subject to a condition requiring the applicant to agree the details of the acoustic barrier with the planning authority.

Engineering Consultancy - The Phase 1 Appraisal is inline with CLR11, Model Procedures whereby consideration of the site/near site history, and

pertinent geo-environmental issues have been highlighted, and summarised within a preliminary conceptual model.

From the preliminary conceptual model, a number of potential pollution linkages were identified, and a risk rating has been provided within the report. We would agree with the findings of the preliminary conceptual model. A Phase 2 site investigation will be required and a number of conditions are required.

Environment Agency – comments on NWL's comments relating to drainage capacity are awaited.

Planning Considerations

10.6 The main planning considerations in this instance are policy, highways, design and impact on visual amenity, impact on the amenity of neighbouring properties and flooding and drainage.

Policy

10.7 The application site is previously developed land in accordance with PPS3 guidance and white land in the adopted Hartlepool Local Plan (2006). The site is considered suitable as a windfall housing site and is considered acceptable in policy terms. The proposal will incorporate an element of affordable housing which will contribute towards the Borough's provision of affordable units. Contributions have also been agreed towards a toucan crossing, play provision, open space and bus stop upgrades.

Highways

10.8 The indicative layout has shown a level of off-street parking. Comments from Traffic and Transportation have indicated that road widths are required to be a minimum of 5.5m and footpaths 1.8m. Driveway crossings are also required to be perpendicular to the highway. Pedestrian crossing points will also be required at Warren Road and Wells Avenue. Whilst a number of these points have not been addressed at this stage, the application is submitted in outline with all matters reserved, including access and layout. The indicative layout is intended to show that the site can feasibly accommodate 100 dwellings. In this instance, finalised details in relation to parking and highways standards can be addressed at the reserved matters stage. The Council's Traffic and Transportation section have raised no objections. The proposal is considered acceptable in highways terms.

Impact on Visual Amenity

10.9 The site is located in an area characterised predominately by residential properties. Whilst the site forms part of the existing hospital site, there are residential properties to the north, east and south of the site. Matters of design have been reserved and an appropriate design and appearance can be achieved at the reserved matters stage. It is considered that the principal

of residential properties in this location would be appropriate in terms of impact on visual amenity.

Impact on Neighbouring Properties

10.10 In terms of its relationship with neighbouring properties in general the proposals meet or exceed the separation distances recommended in the guidelines of the Hartlepool Local Plan. It is considered that the relationships with the neighbouring properties in terms of light, outlook, privacy and issues of dominance are acceptable.

10.11 In terms of relationships within the site, the indicative layout indicates that the development can meet or exceed the separation distances recommended in the guidelines of the Hartlepool Local Plan. Similarly it is considered that the relationships between the proposed properties within the site in terms of light, outlook, privacy and issues of dominance are acceptable.

10.12 In terms of noise and disturbance, the indicative layout has indicated that a landscaped buffer strip and acoustic barrier can be provided within the site. The Council's Head of Public Protection have raised no objection to the proposal.

Flooding and Drainage

10.13 Whilst the site is predominately located in an area of low flood risk, a small element is within flood risk zone 3. It is indicated that the site currently discharges surface water to the existing sewerage system. The Flood Risk Assessment (FRA) submitted in support of the application indicates that no additional surface water flows will be added, indeed flows will be reduced. The impermeable area proposed is 14,000m² compared to the existing 24,500m². The Environment Agency have commented that the Water Authority are required to confirm adequate spare capacity within the drainage system for both surface water and foul drainage disposal. Northumbrian Water have indicated that should the flow rates be lower as per the Flood Risk Assessment, then this will satisfy their concerns that the capacity is adequate. Conditions are recommended by NWL and the EA for a detailed scheme for surface water to be agreed and for the development to be carried out in accordance with the details set out in the FRA. However, final comments are awaited from the EA on a supplementary, but related issue.

Other Issues

10.14 The indicative landscaping shown on the plans appears acceptable. Final details can be agreed at reserved matters stage, however.

10.15 The Council's Community Safety Officer has raised the issue of hospital users potentially parking on the residential element of the site. It is considered that this issue can be controlled at the reserved matters stage.

10.16 Concerns have been raised by an objector over the potential prematurity of the proposal in relation to the ongoing application for the new hospital at Wynyard (H/2009/0335). Whilst issues of funding are not for consideration in this instance, it is considered that the proposed development can be accommodated regardless of the re-siting of the existing hospital. Further, it would seem very unlikely that the Trust would proceed with the development until the issue of the new hospital is finally resolved. It is considered therefore that the proposed development can operate independently of the hospital and the approval of the development would not be premature.

Conclusions

10.17 In light of the above the application is recommended for approval subject to no objections from the Environment Agency, and a legal agreement covering developer contributions and the conditions set out below.

RECOMMENDATION – APPROVE subject to the conditions set out below, the satisfactory comments of the Environment Agency and subject to a legal agreement securing developer contributions of 10% affordable housing, £35,000 contribution towards toucan crossing facilities/off-site play provision, £50 per dwelling towards improvements to public open space and £5,000 towards bus stop upgrades

1. Application for the approval of the reserved matters referred to below must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) the expiration of five years from the date of this permission; or (b) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
To clarify the period for which the permission is valid.
2. Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called the "reserved matters") shall be obtained in writing from the Local Planning Authority.
To clarify the period for which the permission is valid.
3. Prior to the commencement of the development hereby approved, a scheme of security measures incorporating 'secured by design' principles shall be submitted to and approved in writing by the Local Planning Authority. Once agreed the measures shall be implemented prior to the development being completed and occupied and shall remain in place throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
In the interests of security.

4. Site Characterisation

The development hereby permitted shall not be commenced until a Phase II Site Investigation is carried out. The Site Investigation 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:
 - a) human health.
 - b) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - c) adjoining land,
 - d) groundwaters and surface waters. Should piled foundations be considered as part of the geotechnical design, then an assessment of the potential risks to controlled waters must be addressed.
 - e) ecological systems,
 - f) 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'.

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.

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.

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 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, 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 3.

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 GEP1 of the adopted Local Plan (2006)].

5. If as a result of the investigations required by the condition(s) above (condition 5), landfill gas protection measures are required to be installed in any of the dwelling(s) hereby approved, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way, and no garage(s) shed(s), greenhouse(s) or other garden building(s) shall be erected within the garden area of any of the dwelling(s) without prior planning permission.

To enable the Local Planning Authority to exercise control to ensure land fill gas protection measures

6. The development hereby approved shall not commence until replacement car parking facilities at least equivalent to those formerly used on the application site have been constructed and brought in to use.
To ensure the site is developed in a satisfactory manner.
7. A scheme to incorporate energy efficiency measures and embedded renewable energy generation shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority
To encourage sustainable development
8. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Faber Maunsell, ref: HH FRA v2, dated January 2009, and the following mitigation measures detailed within the FRA:
 - i. No ground raising or loss of flood plain storage within that part of the site shown to be PPS25 Zone 3.
 - ii. Floor levels to be a minimum of 150mm above site ground level.To reduce the risk of flooding to the proposed development and future occupants. To prevent flooding elsewhere by ensuring that existing storage of flood water is maintained.
9. Development shall not commence until a detailed 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 take place in accordance with the approved details. To ensure the discharge of surface water from the site does not increase the risk of flooding from sewers in accordance with the requirements of PPS25 "Development and Flood Risk" and complies with the Hierachy of Preference contained within Revised Part H of the Building Regulations 2000.
10. Notwithstanding the submitted details, prior to the commencement of the development hereby approved, final details of the proposed acoustic barrier to the western and southern boundaries of the application site shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the agreed details which thereafter shall be retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
In the interests of the amenities of the occupiers of the proposed dwellings.

11. The outline permission hereby granted shall relate to the provision of not more than 100 dwellings.
For the avoidance of doubt.

UPDATE REPORT

No: 12
Number: H/2009/0352
Applicant: Adrienne Simcock
Agent: GWK Chartered Architects Charlotte Henry First Floor
Cathedral Building Dean Street Newcastle upon Tyne
NE1 1PG
Date valid: 01/07/2009
Development: Erection of primary school, nursery and associated works
including car parking, drop off facilities, CCTV,
landscaping, sports field and multi-use games area
Location: LAND AT JESMOND GARDENS AND CHESTER ROAD
HARTLEPOOL HARTLEPOOL

Update

12.1 Discussions have been ongoing regarding the access arrangements for the proposed school. The original report stated that the application proposed a mini-roundabout located at the junction of Jesmond Gardens and Chatham Road; however the final design of this junction was still under discussion with the Council's Highways team.

12.2 The agent has since supplied a revised scheme which details an access into the proposed school south of the previously proposed roundabout. It is considered by Highways that this is acceptable, however the developer still needs to demonstrate that service vehicles can access the site. It would appear that that the presence of the road hump, gate and island located at the junction with Jesmond Gardens may cause manoeuvrability problems for larger vehicles. It is however considered that this matter is resolvable and can be controlled by a condition.

12.3 The vehicular drop-off area for pupils proposed to be located parallel to Jesmond Road, has also been moved slightly north away from the Jesmond Gardens/Chester Road traffic lights. This will still offer direct, safe access for children, straight into the school curtilage. The drop-off proposed is one-way meaning that children would be able to leave cars on the passenger side only, and go straight into the secure congregation/playground area and from there enter directly into their classbases.

12.4 In addition, the staff and visitor car parking layout has been revised to reflect the now proposed access. It is still proposed to be located to the north of the site, remote from sports or teaching areas in order to reduce the dominance of vehicles within the site. Paths from the car park lead directly to the main entrance, separating visitor movements from pupil areas.

12.5 The original Committee report stated that the car park proposed would accommodate 41 car parking spaces; more than the 28 space minimum requirement. However this was an error as the application proposes 40 car parking spaces.

12.6 As stated in the original Committee report the traffic flow is considered moderate. While the presence of the school would undoubtedly increase traffic flow and pedestrian usage, it is however not expected that the road would be over capacity or that the school will seriously impact on the road safety of the area.

12.7 The Head of Traffic and Transportation has no objection to locating the school on this site, the revised parking layout and access arrangements proposed are considered acceptable.

12.8 As the access arrangements and car parking layout have been revised the application has been re-publicised by way of neighbour letters, site notices and press notices. However it should be noted that the objections received in relation to the original scheme proposing the mini roundabout focused on the location of accesses onto Jesmond Gardens, and although the access and car parking arrangements have altered it is anticipated that the thrust of the objections will remain the same.

12.9 As the Head of Traffic and Transportation has no objection to the revisions subject to manoeuvring details, but for the need for additional publicity at this late stage, approval would have been recommended. Therefore subject to no substantially different objections, it is recommended that a final decision be delegated to the Development Control Manager in consultation with the Chair of the Planning Committee.

RECOMMENDATION – Minded to approve, however delegate final decision to the Development Control Manager in consultation with the Chair of the Planning Committee.

Report of: Assistant Director (Planning and Economic Development)

Subject: UPDATE ON CURRENT COMPLAINTS

1. PURPOSE OF REPORT

- 1.1 Your attention is drawn to the following current ongoing issues, which are being investigated. Developments will be reported to a future meeting if necessary:
1. An investigation has commenced following concerns regarding a high level of car repairs at a residential property in Burwell Walk.
 2. A neighbour complaint regarding the erection of a side boundary fence in Cresswell Drive has been investigated. The fence benefits from 'permitted development rights' without the need to obtain planning permission.
 3. Officer monitoring recorded non-compliance with conditions attached to the planning permission for building works to a commercial development in Bertha Street.
 4. An investigation has commenced following neighbour concerns regarding the erection of temporary portable buildings on a fabrication yard in Victoria Harbour.
 5. A neighbour complaint regarding the erection of side and rear extension in Ormesby Road has been investigated. The extension was being built to a poor standard of workmanship. Building Control Inspectors have ruled the extension be demolished and rebuilt to current building regulation standards and seek planning permission if necessary. The owner has acknowledged the extension has to be demolished and rebuilt.
 6. A neighbour complaint regarding the parking of a contractors van blocking a driveway in Westbourne Road has been investigated. It was established the van transported contractors working on a flats development in Stockton Road. The Site Manager agreed to alert the contractors of their responsibility not to park their vehicles in front residents' driveways.
 7. Officer monitoring recorded the illegal display of an advertisement hoarding in Mainsforth Terrace.

8. Officer monitoring recorded the erection of a boundary wall along a section of the perimeter of a depot in Cromwell Street.
9. A neighbour complaint regarding the erection of a pigeon loft in the rear garden of a property in Dowson Road has been investigated. The pigeon loft benefits from 'permitted development rights' without the need to obtain planning permission.
10. A neighbour complaint regarding the raising of a boundary fence to rear of a property in Fernwood Avenue.
11. A neighbour complaint regarding a high hedge in Macaulay Road. The Council's Arboricultural officer will look into the complaint.
12. Officer monitoring recorded the conversion of a dwelling house into two self contained flats in Houghton Street.
13. A neighbour complaint regarding the raising of boundary fence to the rear of a property in Catcote Road.
14. A neighbour complaint regarding the quality of landscape provided on a new doctors surgery in Winterbottom Avenue.
15. Officer monitoring recorded the erection of a large structure in the rear garden of property in Kirkstone Grove.
16. Investigations have commenced following neighbours concerns regarding the untidy condition of rear gardens in Ivanhoe Crescent and Carrick Street.
17. A neighbour complaint regarding the erection of a front boundary fence in York Road.
18. An investigation has commenced following neighbours concerns regarding the erection of garage and its use to carry out car repairs in Lamberd Road.
19. Officer monitoring has recorded the clutter of illegal signs displayed by businesses on the docks site boundary fence in Middleton Road.
20. A neighbour complaint regarding a house not being built in accordance with the approved plans in Sliverbirch Road.

2. RECOMMENDATION

- 2.1 Members note this report.

Report of: Assistant Director (Planning & Economic Development)

Subject: APPEAL REF APP/H0724/D/09/2110473:
H/2009/0248 ERECTION OF A REPLACEMENT
BOUNDARY ENCLOSURE AND GATES WEST
ALLEN ELWICK ROAD HARTLEPOOL TS24 9PB

1. PURPOSE OF REPORT

- 1.1 To advise members that the above appeal has been submitted and to request members authority to contest the appeal.
- 1.2 The appeal relates to the erection of a replacement boundary wall and gates at West Allen, Elwick Road. The application was refused under delegated powers, through the Chairman of the Planning Committee, for reasons relating to highway safety. The appeal will be dealt with under the written representations procedure.

2. RECOMMENDATION

- 2.1 That members grant Officer's authority to contest the appeal.

Report of: Assistant Director (Planning & Economic Development
Author

Subject: APPEAL BY MALCOLM ARNOLD, SITE AT 18
GREENBANK COURT, HARTLEPOOL (H/2009/0006)

1. PURPOSE OF REPORT

- 1.1 To advise members of the outcome of an appeal against the refusal of planning permission for the erection of a first floor bedroom and en-suite extension above garage.
- 1.2 The appeal was allowed, the Inspector concluding the proposed extension would not harm the living conditions of the occupants at No 14 Greenbank Court in terms of privacy and, consequently, it would accord with Local Plan policy Hsg10.

2. RECOMMENDATION

- 2.1 That Members note the decision.

Report of: Assistant Director (Planning & Economic Development)

Subject: TREES IN HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To provide information on the current levels of protection and future strategies for trees in Hartlepool.

2. BACKGROUND

- 2.1 At the last meeting of this committee Members queried the levels of protection available to some trees within the town. It was agreed that further information would be provided on a strategy relating to trees.
- 2.2 This report aims to explain the levels of protection currently available for trees within Hartlepool, the information available alongside other measures which are taken by officers, and the next steps that will be taken in compiling a tree strategy for Hartlepool.

3. CURRENT POLICY PROTECTION

- 3.1 As Members will appreciate, the Local Plan gives guidance with regard to land use and matters that can be addressed through the Town and Country planning legislative framework. It contains a number of policies, which have a direct or indirect bearing on the protection, planting and management of trees in Hartlepool.
- 3.2 Alongside the main policies in the local plan, Supplementary Planning Guidance exists in the form of 'Trees and Development'. This document is intended to provide a comprehensive guide to the Council's approach to the planning system as it relates to trees.
- 3.3 Read in conjunction both of these documents provide clear guidance on the protection of trees where formal planning applications are received. The documents aim to protect trees where possible but also allow for the management of tree cover where necessary, for example in some cases it may be appropriate to thin out trees or replace trees which will be coming to the end of their natural life elsewhere on a site to enable a development to go ahead.

4 TREE PRESERVATION ORDERS AND CONSERVATION AREAS

- 4.1 A Tree Preservation Order (TPO) is an Order that is made by the local planning authority under the Town and Country (Trees) Regulations 1999 and the Town and Country Planning Act 1990 to prevent trees being cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed.
- 4.2 Such orders are made in order to protect trees and woodlands, usually on the grounds that they make an important contribution to the local landscape, but sometimes because of other special qualities, such as rarity or historic significance. Within the past 5 years, 27 tree preservation orders have been made in Hartlepool, protecting 288 trees.
- 4.3 The current system regarding the placing of TPO's on trees is re-active rather than pro-active. To pursue a pro-active system would be heavily reliant on wide officer resources not just in surveying areas for trees but also the preparation of legal documents to serve orders. Such a system based on rolling surveys of tree stock across the town would not necessarily mean an ability to protect those trees most in danger but, if carried out systematically would result in some trees, which possibly could have been left un-protected being covered by a TPO unnecessarily. It is felt that such a rolling programme, which in itself would take some years to complete, would not be an expedient use of officer time. The current system of working with owners and being aware of developments within the town which may threaten trees has resulted in a number of TPO's which provide a good level of protection across the town.
- 4.4 Trees located in conservation areas are also covered by additional controls. A period of six weeks notice is required for anyone wishing to carry out works to a tree in a conservation area. This period allows the local authority to consider if a tree preservation order is required for the tree. There are some exceptions based on the trunk size and if the tree is dead, dying or dangerous. This is a further opportunity for the Council to, if necessary, protect those trees which are of a high amenity value and make a contribution to the character of the area.

5 INFORMATION AVAILABLE AND OTHER MEASURES TO PROMOTE TREES

- 5.1 Whilst it is acknowledged that it would be difficult to carry out a programme to look at widespread tree preservation orders across the town there are other initiatives and working practices carried out by the two Arboricultural Officers which go some way to protecting the tree coverage in Hartlepool. It is felt that alongside the use of TPO's to protect trees there is also a role to be taken in providing information to residents to assist them in making informed decisions regarding trees on their properties. Further to this the Council has its own role to play in managing the tree stock in public spaces.

- 5.2 Council Website and Leaflets – through the Council's website and hard copies of leaflets a wealth of information is provided to owners carrying out works to trees or looking to develop in the vicinity of trees. This information includes the leaflets 'Right Tree, Right Place' which provides general information on trees and choosing which tree to plant, and 'Trees and Development' which outlines in summary the issues to consider when developing in the vicinity of a tree. These leaflets can be viewed on the 'Trees' section of the Council's website, are included with formal and informal planning advice, are made available at reception areas at main Council buildings, and where relevant are included with written responses to tree related enquiries. Such information is available to encourage owners consider the impact they can have on trees.
- 5.3 Working with other Departments – the Arboricultural Officers work closely with, and provide tree related advice and guidance to relevant Council colleagues. This includes Council owned trees and trees in private ownership which could be affecting the highway. With regard to trees in school properties, officers will shortly be contacting schools across Hartlepool to highlight the availability of advice and guidance should any schools be intending carrying out works. In all instances officers endeavour to manage the tree cover across the town to preserve and enhance existing coverage where possible.
- 5.4 Tree Planting – in addition to providing advice on works to existing trees, officers also provide guidance on the planting of new trees, to increase and improve existing tree coverage in the town. In the last financial year a small project was carried out in the North Area of the town to provide additional tree coverage. This project will continue this financial year with some 200 trees planted this winter. The selection of sites has been carried out in conjunction with feedback from residents at the North Neighbourhood Forum meetings. Should such an initiative prove successful it has the potential to be replicated in other areas of the town.

4 TREE STRATEGY

- 4.1 In 2005 a Tree Strategy was compiled. The strategy acknowledged that there were already a number of plans and strategies which made reference to the importance of trees. The aim was to provide a single document covering all of the issues relating to trees in a single 'Strategy for Trees in Hartlepool'.
- 4.2 The strategy provided a position statement based on the various plans and strategies which influenced trees in Hartlepool. Alongside this, aims and objectives were set out to ensure the enhancement and sustainability of the borough's tree stocks through appropriate planting and management.
- 4.3 It is acknowledged that this strategy is somewhat dated now. Officers are now looking to update the strategy and will bring it back to this Committee for comment prior to formal approval, in light of members concerns raised at the last meeting. It is anticipated that the development of this document will be completed early next year. This timescale takes into consideration the

preparation of such a paper alongside the consultation which will be necessary.

- 4.4 Once completed the document will provide an up to date strategy for trees in Hartlepool. It will draw on the previous strategy to ensure that trees are planted, preserved and maintained in accordance with sound arboricultural practices whilst regarding their contribution to amenity and the urban landscape for both current and future generations.

5 RECOMENDATION

- 5.1 That the committee notes the report.