PLANNING COMMITTEE AGENDA



Wednesday 4th November 2009

at 10.00 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 7th October 2009
- 3.2 To confirm the minutes of the meeting held on 12th October 2009

4. ITEMS REQUIRING DECISION

- 4.1 Planning Applications Assistant Director (Planning and Economic Development)
 - 1. H/2009/0497 Land off Merlin Way, Middle Warren
 - 2. H/2009/0522 Land at Charles Street, Surtees Street
 - 3. H/2009/0195 32 Egerton Road
 - 4. H/2009/0519 Glendow er, Egerton Road
 - 5. H/2009/0527 Marlow e Road / Catcote Road junction
 - 6. H/2009/0542 Briar Court, 59 Hutton Avenue
 - 7. H/2009/0421 91 York Road
 - 8. H/2009/0521 Land at Seaton Lane
 - 9. H/2009/0179 143 Oxford Road
 - 10. H/2009/0500 Niramax, Thomlinson Road
- 4.2 Appeal by Mr Brian Elder (Elder Monsen Ltd) at the Headland Gate, Northgate – 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 Miss Elizabeth Robinson Appeal Ref: APP/H0724/D/09/2110475 Site at 153 Mow bray Road, Hartlepool, TS25 2NE – Assistant Director (Planning and Economic Development)
- 4.5 Appeal Ref: APP/H0724/A/09/2106524 H/2009/0082 Change of use to car valeting business garage site, 234 Stockton Road, Hartlepool, TS25 5DE Assistant Director (Planning and Economic Development)
- 4.6 Update on current complaints Assistant Director (Planning and Economic Development)

5. ANY OT HER IT EMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

6. LOCAL GOV ERNMENT (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 Complaint Files to be closed *Assistant Director (Planning and Economic Development)* (Para 6)
- 7.2 Enforcement Action Tunstall Court, Grange Road *Assistant Director* (*Planning and Economic Development*) (Paras 5 and 6)
- 7.3 Enforcement Action 1 Lamberd Road Assistant Driector (Planning and Economic Development) (Paras 5 and 6)

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

9. FOR INFORMATION

Next Scheduled Meeting – Wednesday 2nd December 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, 2nd December at 9.00am

No: Number: Applicant:	4 H/2009/0519 MR M FLETCHER EGERTON ROAD HARTLEPOOL TS26 0BW
Agent:	MR M FLETCHER GLENDOWER EGERTON ROAD HARTLEPOOL TS26 0BW
Date valid: Development: Location:	17/09/2009 Erection of a detached dormer bungalow GLENDOWER EGERTON ROAD HARTLEPOOL HARTLEPOOL

Background

4.1 Since the original report was created details of the proposed acoustic fencing to the rear of 40 Egerton Road has been submitted for consideration. The applicant has amended the application to remove the proposed brick wall and this has been re-advertised accordingly. Additionally the comments of the Head of Public Protection have been received.

Publicity

4.2 Since the original report was created an additional letter of objection has been received this has been included with the background papers as Copy Letters D. The concerns raised are:

- Flooding in the West Park area;
- Drainage system in the area can't cope with additional development;

4.3 In light of the submission of the amended information in relation to the acoustic fencing, the application has been re-advertised by site notice and neighbour notification.

4.4 The additional period for publicity expires following the meeting.

Planning Considerations

Principle of Development

4.5 As the application site forms part of a garden area within the curtilage of a residential property it constitutes brownfield land by definition of Planning Policy Statement 3 (Housing). As the property is located within a predominately residential area and is surrounded by residential properties, it is considered that the principle of residential development is acceptable in this instance.

<u>Amenity</u>

4.6 Notwithstanding the concerns raised by neighbouring residents, it is considered that the separation distances associated with the primary windows of the proposed dwelling, to those of the surrounding residential properties, including the donor property, are acceptable in terms of the 20m guidelines. It is therefore considered unlikely that the proposal will result in detrimental overlooking issues in this instance.

4.7 It is considered that the proposed dwelling is satisfactorily sited in terms of its relationship with the neighbouring residential properties as to negate any significant issues of overshadowing, dominance and outlook. The proposed dwelling is a domer bungalow where as the surrounding residential properties are predominately two-storey in nature. In addition, there is substantial screening in the form of planting on all boundaries of the application site. As discussed above, the proposal conforms to the separation distance guidelines set out in the Hartlepool Local Plan (2006) and it is considered unlikely the proposals will result in detrimental dominance, overshadowing or outlook issues.

4.8 The main issue for consideration in amenity terms is that of the impact of the proposal in terms of noise and disturbance on the living conditions of the occupiers of neighbouring residential properties, notably no. 40. The previous application (H/2008/0309) was refused on the basis that the proposal would result in significant issues of noise and disturbance as a result of the intensification of the access road. It was this point upon which the Inspector deemed it reasonable to dismiss the aforementioned appeal and refused planning permission, specifying the effect on the rear garden area of 40 (and 38 to a lesser extent). The Inspector found no material harm would be caused to the living conditions of the occupiers of those properties in terms of the occupancy of the properties themselves.

4.9 The current application has been proposed in an attempt to overcome those original concerns. The proposed property has been reduced in size, the proposed garage has been re-sited to the opposite side of the property (west), the proposed driveway has been re-positioned in an attempt to move it further from the rear garden area of 40 Egerton Road, and the applicant has proposed the erection of a 2m high acoustic fencing with planting, along the full boundary of the rear of 40 Egerton Road.

4.10 The Council's Head of Public Protection have raised no objections to the proposals. It is indicated that the provision of a 2m high acoustic fence to the side and rear of the garden of 40 Egerton Road coupled with the re-siting of the driveway would alleviate the concerns of noise and disturbance. Whilst it is acknowledged the proposal would be likely to result in increased traffic movements into and out of the site, it is considered in this instance that the aforementioned provisions would satisfactorily mitigate noise and disturbance as a result of traffic movements to a level that would not significantly affect the amenity of the occupiers of 40 Egerton Road in relation to the garden area to the rear of the property.

4.11 The Inspector considered that limited disturbance would be caused to the garden area of 38 Egerton Road, however, such disturbance would not be sufficient

to, in his judgement justify refusal of permission for the original proposal. It is considered in this instance that a condition requiring the installation of acoustic fencing along the boundary with 38 Egerton Road would be adequate in terms of mitigating potential noise and disturbance concerns in relation to that property. In addition, the proposed garage has been re-sited to the opposite side of the proposed dwelling, away from the garden area of 38 Egerton Road.

4.12 Given the distance to habitable rooms of 38 and 40 Egerton Road, and the presence of close boarded fencing along the driveway, it is considered unlikely that the increase movements along the driveway would significantly affect the amenity of the occupiers of those properties.

Character of Area

4.13 The surrounding area is characterised by a mix of single storey and two-storey residential dwellings, with a variety of designs and external appearances. It is considered that the proposed dwelling and the proposed curtilage are of a scale that is commensurate to the area. It is considered that the design of the proposed dwelling is acceptable in this instance.

4.14 The proposed dwelling is sited a significant distance from the highway of Egerton Road and will be accessed via private drive. It is considered therefore unlikely that the property will be largely visible from the highway and therefore considered unlikely that it will appear unduly obtrusive or incongruous in relation to the street scene.

<u>Highways</u>

4.15 The previous application was refused on the basis that the intensification of the use of the access would increase the potential for conflict between vehicles entering and leaving the site, subsequently giving rise to reversing vehicles onto Egerton Road causing highway safety concerns contrary to Policy GEP 1 of the Hartlepool Local Plan. The Inspector, however, in relation to the appeal found that vehicle conflicts would be likely to occur only occasionally and it would seem in such circumstances the vehicle leaving the site would give priority to the vehicle entering. It was found that in the instances when reversing did occur onto Egerton Road, visibility of the vehicle for drivers and pedestrians would be sufficient and the proposal would therefore be unlikely to result in any significant harm to vehicular or pedestrian safety.

4.16 The Council's Traffic and Transportation section have objected in this instance in relation to the reversing of vehicles onto Egerton Road. However, they have stated that it would be unlikely those objections could be sustained. It is considered, therefore, that a refusal on highways grounds would be unreasonable given the previous Inspector's decision and unlikely to be sustained on appeal.

<u>Trees</u>

4.17 The proposal originally incorporated the provision of a 2m high brick wall along the rear and side boundary of 40 Egerton Road. However, the Council's

Arboricultural Officer raised concerns over the impact of the foundations for the proposed wall on the root system of a number of mature trees lining the curtilage of both the donor property and the rear of 40 Egerton Road. The applicant has subsequently revised the proposal to incorporate acoustic fencing and planting, without the brick wall. The Council's Arboricultural Officer has raised no objection to the revised proposals. It is considered prudent to condition the provision of a suitable planting scheme to be agreed.

Flood Risk

4.18 Objections have been received relating to the potential for the proposed development to lead to increased flooding within the wider area. Northumbrian Water as drainage/sewerage operators have been consulted and have raised no objections to the proposal.

Other Matters

4.19 Concerns raised in relation to the decrease in neighbouring property values are not a material planning consideration for the determination of this application.

4.20 Concerns raised in relation to waste storage have been considered. Comments from the Council's Waste Management Manager have indicated that there are no set guidelines for distances bins are moved to be displayed for collection. It is indicated that it is acceptable for bins to be moved to the closest kerbside for collection and that there is considered to be sufficient room on Egerton Road for containers to be presented without causing obstruction.

4.21 The Council's Traffic and Transportation section have raised no objections to the proposal on the grounds that it will deteriorate the road surface of Egerton Road or exacerbate any existing parking problems on the road itself.

4.22 In terms of concems in relation to wildlife, the Council's Ecologist has assessed the proposal and has raised no objections in this instance. The proposal is therefore considered unlikely to have a significant impact on wildlife.

4.23 In terms of precedence and the potential for future applications in the garden areas of Coniscliffe Road, it should be noted that each application will be determined on its own merits taking into account all relevant material planning considerations. It is not considered that any approval would set a precedent.

4.24 Damage to neighbouring properties during the construction phase is an issue specifically dealt with under the Party Wall Act. This is an issue which can be assessed during the Building Regulations process.

4.25 Concerns have been raised with regard to access to the property for fire engines. Comments from the Cleveland Fire Authority are awaited, however, in the previous application it was indicated that the installation of domestic sprinkler system would be acceptable. It is considered that this could be adequately controlled through a suitably worded planning condition.

4.1

Conclusion

4.26 With regard to the relevant adopted Hartlepool Local Plan (2006) policies, and in light of the relevant planning considerations as discussed above, the proposal is considered satisfactory and recommended for approval subject to the conditions set out below, and no adverse comments being received from the Cleveland Fire Authority.

Recommendation – Minded to APPROVE subject to the conditions set out below and no adverse comments from the Cleveland Fire Authority, but with the final decision delegated to the Development Control Manager in consultation with the Chair of Planning Committee since publicity is outstanding.

- 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 17 09 09, and 21 10 09 unless otherwise agreed in writing by the Local Planning Authority.

For the avoidance of doubt.

- 3. The development of the acoustic fencing hereby approved shall have a height of not less than 2m from ground level, and shall be carried out strictly in accordance with the details received by the Local Planning Authority on 21 10 09, and shall thereafter be retained in accordance with those details for the lifetime of the development herby approved, unless otherwise agreed in writing by the Local Planning Authority, For the avoidance of doubt.
- 4. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose. In the interests of visual amenity.
- 5. Details of all walls, fences and means of boundary enclosures (additional to the aforementioned acoustic fencing) shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity.

- 6. Notwithstanding the plans received, no development shall take place until a scheme for acoustic fencing and screening in relation to the shared boundary with 38 Egerton Road has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.
 - In the interest of the amenities of neighbouring occupiers.
- 7. No development shall take place until a comprehensive survey of all trees on the site, including their exact location, species and crown spread, including confirmation of the trees to be retained has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the

development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. To preserve the landscape features on the site in the interest of visual amenity.

- 8. No development shall take place until a scheme for the protection during construction works of all trees to be retained on the site, in accordance with BS 5837:2005 (Trees in relation to construction - Recommendations), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season. In the interests of the health and appearance of the preserved tree(s) on site.
- 9. No development shall take place until a detailed scheme of tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority. The scheme must specify sizes, types and species, indicate the proposed layout of the planting, include a programme of the works to be undertaken, and thereafter be implemented in accordance with the approved details and programme of works.

In the interests of visual amenity.

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

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

- 11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other revoking or re-enacting that Order with or without modification), no garage(s) other than those expressly authorised by this permission shall be erected without the prior written consent of the Local Planning Authority. To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants adjacent residential properties.
- 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 dwelling facing Glendower without the prior written consent of the Local Planning Authority. To prevent overlooking.
- 13. 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

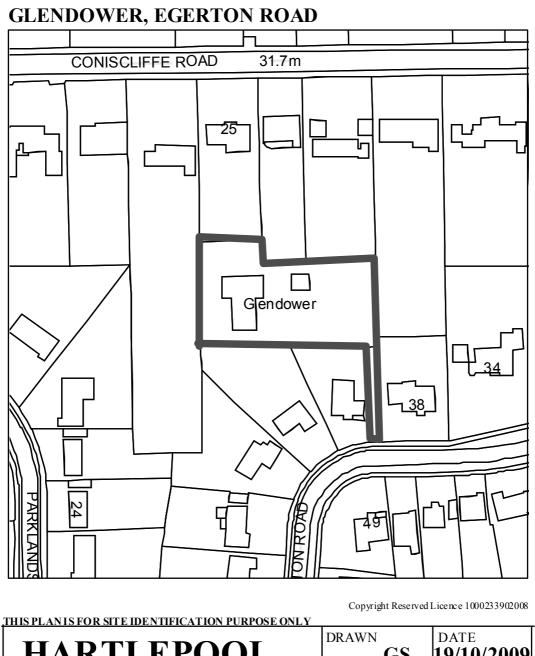
the elevation of the dwelling facing 19 Coniscliffe Road without the prior written consent of the Local Planning Authority. To prevent overlooking.

14. The garage(s) hereby approved shall only be used for purposes incidental to the use of the dwellinghouse and no trade or business shall be carried out therein.

In the interests of the amenities of the occupants of neighbouring properties.

- 15. Before the development hereby approved is commenced, the dwelling(s) shall be pegged out on site and its/their exact location agreed in writing by the Local Planning Authority. The developer shall give 24 hours prior notification of his/her intention to peg out the proposed building on the site for an officer site visit to be arranged to check the setting out. In the interests of the amenities of the occupants of neighbouring properties.
- 16. The development hereby approved shall not commence until details of a domestic sprinkler system have been submitted to and approved in writing by the Local Planning Authority in consultation with the Cleveland Fire Authority and the Local Authority Building Control Section. Once approved in writing the sprinkler system shall be installed and remain operational through the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

In the interests of health and safety.



HARTLEPOOL	DRAWN DATE 19/10/2009		
BOROUGH COUNCIL	SCALE 1:1,000		
	DRG.NO	REV	
Department of Regeneration and Planning Bryan Hanson House.Hanson Square. Hartlepool TS247BT	H/2009/051	9	

UPDATE

No:	5
Number:	H/2009/0527
Applicant:	Mr Ian George Almondsbury Park Bradley Stocke Bristol BS32 4QJ
Agent:	Harlequin North Mr Christopher Mein 14 Wemyss
	Cottage Billy row Green Billy Row DL15 9TA
Date valid:	25/09/2009
Development:	To determine whether the prior approval of the Local
-	Planning Authority is required to the siting and
	appearance of 11.79m high lamppost mast and antenna,
	equipment cabinet and meter pillar
Location:	MARLOWE ROAD/CATCOTE ROAD JUNCTION
	HARTLEPOOL
Location:	appearance of 11.79m high lamppost mast and antenna, equipment cabinet and meter pillar MARLOWE ROAD/CATCOTE ROAD JUNCTION

Background

5.1 This application appears on the main agenda as item 5.

Additional Representation received

- 5.2 Since the original report was prepared a further letter of objection has been received. The following concerns have been raised:
 - Appearance of shopping parade is already of concern without addition of mast
 - Potential long term health risks
 - Highly populated residential area that has numerous schools/colleges within 200 yards
 - Alternative locations could be selected
 - Effect on properties on Catcote Road
 - Is the proposed location on Council land?
- 5.3 The majority of the comments outlined above have already been considered in the original committee report. With regard to the proposed location of the development the land is adopted highway. An informative has been attached requesting that the applicant contact the Highway Services department prior to commencement of any works.
- 5.4 This further letter of objection has not altered the original recommendation.

RECOMMENDATION – PRIOR APPROVAL REQUIRED AND GRANTED

UPDATE

Richard Trow

From: Sent: To: Subject:	Development Control . 26 October 2009 23:18 Development Control Comment Received from Public Access
Application Ref Site Address: Comments by: Jo From: 93 Park 1	on Whitfield
Hartlepo	ol
TS26 9HP Phone:	
Email: Comments: Ob Comments: As t register my ob	bjection for the following
o it with a l with telephone to residents a	e of the existing shopping parade is a cause for concern without adding 11.79m high tower, I didn't realise that Orange customers had a problem a reception in this area never mind the potential long term health risks and school children.
200 yds.	hly populated residential area that has numerous schools/colleges within
alternative 1 and busy shop	actually require a transmitter/receiver in this area surely there is an ocation that could be selected away from residential properties, schools ping parades.
what effect t would not hav	mers of houses on Catcote Rd opposite the proposed site, please consider this could have on their properties. The CCTV camera was required but I we wanted it outside my house, local traders are flouting planning advertising posters and banners strapped across their properties. They to be also looking at a 39ft telephone mast.
Is this on Co	ouncil land or would Mr. Gillen benefit from the rental income.
I would hope location is s	that the above points are considered at committee and that an alternative sought.

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UPDATE

No: Number: Applicant:	6 H/2009/0542 MR TOM WILSON CHESTNUT STREET DARLINGTON CO DURHAM DL1 1QL
Agent:	Anthony Keith Architects Ltd Mr D Cogdon 19 Lansowne Terrace Gosforth Newcastle upon Tyne NE3 1HP
Date valid: Development:	30/09/2009 Alterations and erection of a part single and part two storey extensions to side and rear to provide day room and two new bedrooms and internal alterations to update en suite facilities to some existing bedrooms
Location:	BRIAR COURT 59 HUTTON AVENUE HARTLEPOOL

Since the original committee report was written a number of objections have been received and are attached to this report (14 - 4 from same household). The objections include:-

- 1) will destroy the character of the area
- 2) will extend commercial interests in the avenue
- 3) loss of privacy and light to neighbouring properties
- 4) noise from vehicles (employees)
- 5) not in keeping with residential area
- 6) will reduce light in 'cut through' and affect safety
- 7) will affect parking and cause dangerous road problems
- 8) this is supposed to be a conservation area
- 9) overdevelopment of site
- 10) possible danger and a fear of seclusion and intimidation to people using "cut through"
- 11) any further extensions to this property will make it unsuitable to revert to a family home
- 12) this is a residential area - not commercial
- 13) will endanger the natural beauty and character of this beautiful avenue
- 14) loss of light to kitchen/dining room and bathroom windows
- 15) extension will darken the walkway
- 16) the extension is 'at odds' with the proposals within the Draft Report 2009 Grange Conservation Area

It is considered that the above comments and objections have been addressed in the original report and that the original recommendation to approved remains unchanged.

RECOMMENDATION – APPROVE subject to the conditions in the original report, however as publicity does not expire until after the Committee meeting delegate final decision to the Development Control Manager.

Linda Wright - Planning

From: Sent: To: Subject: Gill Scanlon on behalf of Development Control 27 October 2009 14:03 Linda Wright - Planning FW: Comment Received from Public Access

LMW

Gill Scanlon Planning Technician t: 01429 523741 e: gill.scanlon@hartlepool.gov.uk

-----Original Message-----From: Development Control Sent: 26 October 2009 16:00 To: Development Control Subject: Comment Received from Public Access

Application Reference No. : H/2009/0542 Site Address: BRIAR COURT 59 HUTTON AVENUE HARTLEPOOL TS26 9PN Comments by: Mr & Mrs RW Eddowes From: 65

Hutton Avenue

TS26 9PP Phone: Email: m Submission: Objection Comments: We oppose the application for the following reasons: An extension of the current activities will lead to increased loss of amenity arising from noise nuisance, increased parking and traffic congestion. The current development is unsightly and further extension to the single storey area will remove this building even further from the idea that this is a conservation area. What is there is ugly enough as it is. The height of the two storey extension will make the alley alongside even more gloomy than it already is and will add to the feeling of unease experienced when walking through it. The noise from the building is already enough for us to be able to hear it a few houses away and must be very distressing to the immediate neighbours. This document is strictly confidential and is intended only for use by the addressee. If you are not the intended recipient, any disclosure, copying, distribution or other action taken in reliance of the information contained in this email is strictly prohibited. Any views expressed by the sender of this message are not necessarily those of 1



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	THIN SUM HOUSE. HANSON SOL
Application N	
Proposal	Alterations and erection of a part single and part two REPLY storey extensions to side and rear to provide day file No. room and two new bedrooms and internal alterations to update en suite facilities to some existing bedrooms
Location	BRIAR COURT 59 HUTTON AVENUE
Case Officer	Linda Wright
I/We* have red the proposal.	ceived your letter and want to object /de-net want to object * to
	notwant* to have the chance to speak to the Committee of t is asked to consider this application.
Please use the to the proposa	e space below to explain your concerns/reasons for objecting
for commentation	= 50 a family home. Should the owners relocate or cease to exist property would only be sentable ercial use (social housing which would conservation area at risk.
2. The size light & as press	of the extension would reduce the o surrounding properties as well ent the winter surshine from
If you need me this letter.	pre space, please continue over or attach additional sheets to CANNED
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Email address	
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telephone num contact you	e as appropriate
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Application No H/2009/0542 Alterations and erection of a part single and part two Proposal storey extensions to side and rear to provide day room and two new bedrooms and internal alterations to update en suite facilities to some existing DEP1. OF REGENERAS ON SOURCE PLANNING BRYAN HANSON HOUSE SHANSON SOURCE bedrooms Location 2 3 OCT 2009 **BRIAR COURT 59 HUTTON AVENUE** HANDED TO REPLY **Case Officer** Linda Wright FILE No We* have received your letter and want to object/demot want to object SCANNED the proposal. 2 6 OCT 2009 We* with/do not want* to have the chance to speak to the Committee of Councillors if it is asked to consider this application. Please use the space below to explain your concerns/reasons for objecting to the proposal. we teel that planning application for Brian count will dramatically distray the character of the area as well restand commencial interests in the Avenue. If you need more space please continue over or attach additional sheets to this letter. Name (Please print) MROMRS D.ARNOLD Mr/Mrs/Miss/Ms* Address **42 HUTTON AVENUE** 24th OCTOBER Date 2009 **Telephone number** Email address Nb - It is not essential that we have your For Official Use Only telephone number but it will help us if we need to No objections Objections contact you Comments Petitions * Please delete as appropriate No. of signatures For/Against Wishes to speak C:\oracorrs\pin\OCCUPIER.DOC 5 of 5 ered in compu

67521 Application No H/2009/0542 Proposal Alterations and erection of a part single and part two storey extensions to side and rear to provide day room and two new bedrooms and internal alterations to update en suite facilities to some existing bedrooms Location BRIAR COURT 59 HUTTON AVENUE Case Officer Linda Wright
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storey extensions to side and rear to provide day room and two new bedrooms and internal alterations to update en suite facilities to some existing bedrooms HERTEPOOL BORGET COUNCL Location BRIAR COURT 59 HUTTON AVENUE
Location BRIAR COURT 59 HUTTON AVENUE
BRIAR COORT 39 HOTTON AVENUE
Case Officer Linda Wright
We* have received your letter and want to object/de-not-want-to object* to the proposal.
//We* w ant /do not want* to have the chance to speak to the Committee of Councillors if it is asked to consider this application.
Please use the space below to explain your concerns/reasons for objecting to the proposal.
The proposal will result in 1000 Th
plusey a light to our property, 2180
Where we be more reise from the
to the proposal. The proposal will result in 1005 of privacy a light to our property, 2100 Where will be more neise from the Under one for the property SCANNED Vehicles, The 2100 is 2 highly Neticles, The 2100 is 2000. Notes ins will not be in Neeping
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withe that
If you need more space, please continue over or attach additional sheets to this letter.
Scott.
Name (Please print) ANONON CHRISTING Mr/Mrs/Miss/Ms*
Address 2 WILTON AVENUE Date 13-10-09
Telephone number
Email address
Nb - It is not essential that we have your For Official Use Only telephone number but it will help us if we need to No objections Contact you Objections
* Please delete as appropriate Petitions No. of signatures
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Application No	H/2009/0542
Proposal	Alterations and erection of a part single and part two storey extensions to side and rear to provide day room and two new bedrooms and internal alterations to update en suite facilities to some existing bedrooms
Location Case Officer	BRIAR COURT 59 HUTTON AVENUE
Cuse officer	Linda Wright

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I/We* want/do not want* to have the chance to speak to the Committee of Councillors if it is asked to consider this application.

Please use the space below to explain your concerns/reasons for objecting to the proposal.

Any building works undertaken at number 59 would add considerable parking / driving problems to an already dangerous road problems.

If you need more space, please continue over or attach additional sheets to this letter.

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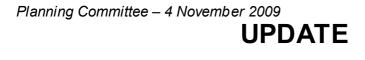
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HARTLEPOOL

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HUTTON AVENUE RESIDENTS ASSOCIATION

Chairman:	J.J.Gettings
Vice Chairman:	D. Bentham
Treasurer	L. Robson
Committee Membe	ers: I. Horsley
	G. Longmire
	A. Carter



"FORMAL OBJECTION": to the Proposed Extension of Briar Court, 59, Hutton Avenue, TS26 9PN

For the attention of Mrs Linda Wright (Ref H/2009/0542)

I am writing to you in my capacity as Chairman of "Hutton Avenue Residents Association" and as such acting as spokesperson on behalf of our elected committee.

We have several objections and concerns about the proposed extensions to Briar Court, 59, Hutton Avenue.

- Over development of the site. It is likely that 59, Hutton avenue will still be standing in another 100 years, but unlikely that Briar Court Residential Home for people with Learning disabilities will still be the occupiers of the property. An extension designed to meet their needs would be unlikely to benefit the long term future of an elegant Victorian House situated in a conservation area of historic interest.
- 2) Although the residents of Briar Court are very much a part of our community, we never-the-less have concerns about the over expansion of this "home" in a residential avenue, given that the Company have already extended their boundaries by buying the immediate neighbouring property.
- The intrusion of privacy and loss of light and sunlight caused to neighbouring properties in both Hutton Avenue and Wilton Road.
- 4) Causing possible danger and a fear of seclusion and intimidation to people using the "cut-through" between Hutton Avenue and Wilton Road, due to the extensions proximity and height and the fact that it runs adjacent to the "cut".
- 5) The proposed new extension due to its hight will also interfere / affect the outlook frm windows in the main home.
- 6) In the past granting planning permission in Hutton Avenue for extensions for at least two properties which were being used for commercial use, ie No.16 formally a Nursing home now unoccupied and has been for sale for a number of years, also No. 29 which was "a house of multiple occupancy" and now is also unoccupied! Although there has been interest shown in No. 16 by potential buyers who want to return it to a family home, the vast extension which occupies the whole of the rear garden prevents them from doing so. The same could be applied to No. 29 whose future will possibly never have the option of returning to a family dwelling also because of the large extension to the rear of the property which most people in the area agree that it also should not have had planning approved!

Both extensions have proved obstacles to the future of the properties and have ended up being almost derelict and a "blot on the landscape" and limiting them both to the commercial sector and not to what we would have hoped for in a conservation area. Each of these extensions have had a "shelf life" of approximately 20years and now need to reinvent themselves (who knows what to?)

Lessons need to be learnt from previous developments, things come and go, as do businesses, but large commercial extensions do not.

With the benefit of hindsight questions need to be asked as to the legacy we will be leaving for the future generations and residents of Hutton Avenue.

c Mr. Richard Teece, Development Control Officer.

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Telephone: 01429 221263 e-mail:

Mr. R. Teece Regeneration & Neighbourhoods Department Bryan Hanson House Hanson Square Hartlepool TS24 7BT

DEPT. OF Hart BRYAN HANSO	LEPOOL 699PP OUSE HANSON SQUARE
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Dear Mr. R Teece (for information: sent to Grange Ward Councillors)

I wrote to you on 27th August this year asking for your support, as a Ward Councillor, in opposing the application for a second floor extension to number 59 Hutton Avenue as such an extension would directly affect the sunlight to my home and garden.

The application by the National Company: Castlebeck Care, (Reference Number H/2009/0439) has now been withdrawn but replaced upon advice from the <u>planning department in consultation with the conservation officers</u> by a second application which is more in keeping with the structure of the house, (Reference Number H/2009/0542). However this new application based on advice from Council Officers is a much higher structure than the first application and will permanently exclude direct sunlight from my kitchen, dining area and upstairs bathroom. It will also deprive my outside living area of much of the morning sunlight in both winter and summer.

I would like to draw your attention to the recent draft report on the Grange Conservation Area September 2009 produced by North of England Civic Trust. Chapter 5 (page 33ff) deals with the Contribution of Buildings to the conservation area and acknowledges that most of the properties are single family dwellings. It acknowledges that "institutional use can erode the character of historic houses". It states that there is a lack of open space in the area, quoting the corner of Eltringham Road and Clifton Avenue as a valuable asset to the area.

Chapter 6 Contribution of Space (page 64ff) stresses the importance of retaining the trees and greenery which dominate the area particularly in the back gardens on the eastern side of Hutton Avenue/Clifton Avenue. Glimpses between buildings "are important as they define the open, low density spatial character of the area, bringing deep rich greenness into view". (page 32) Should this application be approved then a very significant "open space" will be enclosed for good to the detriment of my own and neighbouring properties but also of the area as a whole, which in practice will negate the work of the conservation team.

It has been pointed out that the magnificent avenues in the area (Hutton, Clifton and Stanhope) follow the original field boundaries. Boundary walls are a dominant feature of the area (cf page 66ff) and their removal as between 57 and 59 Hutton Avenue and at 36 Hutton (see page 33 and 67) "harms the unity and rhythm" of the Avenue. The boundary wall at the front of number 59 follows the curve of the road and is continued by the three properties to the west where the houses themselves have been designed to follow the cure of the avenue. The boundary wall to the west of 59 has been renovated and beautifully restored by the current owners and is a delightful feature of the walk way but the proposed extension will dominate this wall being less than four feet from it, it will also replace the current side elevation of a mellow brick work that is spectacular in the setting sun with a hash brickwork that cannot possible reflect the light as the older brick does.

The original extension which required retrospective planning is currently camouflaged by the front garden trees (which will need to be removed within several years should the extension be allowed) and the western boundary wall. The angle of the extension and any further upward extension will break the carefully constructed form of the buildings that numbers 59 to 63 create as a dominant feature of the Avenue the aim of which was to continue the spectacular roof line of the Avenue to its western end.

I look forward on hearing your views on this development and ask again for your support in opposing it.

Yours faithfully,

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67510 1.9 **Application No** H/2009/0542 Alterations and erection of a part single and part two Proposal storey extensions to side and rear to provide day room and two new bedrooms and internal alterations to update en suite facilities to some existing bedrooms DEPT. OF REGENERA BRYAN HANSON HOUSE Location **BRIAR COURT 59 HUTTON AVENUE** 2 0 OCT 2009 **Case Officer** Linda Wright HANDED TO REPLY LE No I/We* have received your letter and want to object/denset want to object* to the proposal. I/We* want/de-get-want* to have the chance to speak to the Committee of Councillors if it is asked to consider this application. Please use the space below to explain your concerns/reasons for objecting to the proposal. This second application for a 2 story estension if approved will block all direct sunlight from by Witchen, diving area and bathroom, it will worde our privace and enclose our outside living space as it is only three feet from the boardory well If you need more space, please continue over or attach additional streets to this letter. LO UCT ZOO Name (Please print) APA MA CORTER Mr/Mrs/Mise/Ms* Address 61 HUTTON AVENUE Date 18/10/09 **Telephone number Email address** Nb - It is not essential that we have your For Official Use Onl telephone number but it will help us if we need to No objections contact you Objections Comments Petitions * Please delete as appropriate No. of signatures For/Against Wishes to speak C:\oracorrs\pin\OCCUPIER.DOC 5 of 5 red in comp

such an extension is contrary to B the proposals in the Proft Report 2009 on the grange conservation Area and will aromatically alter our way and quality of life.

Linda Wright - Planning

From: Sent: To: Subject: Gill Scanlon on behalf of Development Control 27 October 2009 13:50 Linda Wright - Planning FW: Comment Received from Public Access

LMW - OBJECTOR WISHES TO SPEAK

Gill Scanlon Planning Technician t: 01429 523741 e: gill.scanlon@hartlepool.gov.uk

-----Original Message-----From: Development Control Sent: 26 October 2009 21:41 To: Development Control Subject: Comment Received from Public Access

Application Reference No. : H/2009/0542 Site Address: BRIAR COURT 59 HUTTON AVENUE HARTLEPOOL TS26 9PN Comments by: D Bentham From:

38 Hutton Avenue

Phone Email:

Submission: Objection Comments: My reasoned objections have been taken following careful consideration of the Hartlepool Borough Council's Local Plan adopted in 2006, specifically Policies:

* GEP1 - General Development Criteria;

* Com13 - Commercial Uses in Residential Areas;

* HE1 - Protection and Enhancement of Conservation Areas;

* HE2 - Environmental Improvement in Conservation Areas.

In addition, I have referred to the Central Government's Planning Policy Statements:

* PPS1 - Delivering Sustainable Development; * PPS15 - Planning and the Historic Environment;

and;

* The Grange Conservation Area
Character Appraisal (Draft Report September 2009) Produced by North of England Civic Trust (NECT)

Based upon the Planning guidance and principles contained within these



Policies it is apparent any Planning Application and especially in a designated Conservation Area, must first satisfy a strict criteria, insofar as:

- * the external appearance of the development;
- * its relationship with the surrounding area;

* the design, scale and impact is compatible with the character and amenity of the site and the surrounding area:

* the design, height, orientation, massing, means of enclosure, materials, finishes and decoration proposed to be sympathetic with those of the surrounding properties.

I would therefore argue the proposed Planning Application continues to fail to satisfy the above planning requirements, as did the previous planning application (Reference H/2009/0439), due to:

* The excessive scale of the proposed development in relationship to the surrounding properties. Although, it is acknowledged the original dimensions of 59 Hutton Avenue made it one of the larger properties on Hutton Avenue and the adjoining Wilton Avenue. It is of significant concern were this proposal be granted that it would create an overall structure both disproportionate in scale to its own site, as well as to the surrounding properties of Hutton and Wilton Avenues.

*Based upon the material specifications contained in Mr Wilson s current Planning Application re: the proposal to render the new extension. I would contend having taken the opportunity to review the North of England Civic Trust (NECT) character appraisal of the Grange Conservation Area that such a proposal simply cannot be regarded as either enhancing or complimenting 59 Hutton Avenue ☐s main building or the Conservation Area, per se. This proposal would still result in the gable end s entire 19th Century brickwork being covered by a modern rendering material. Whilst, it can be argued there is evidence of partially rendered buildings throughout the Conservation Area it is however, the NECT Character Appraisal Report who raise their concerns over the damaging effects of render:

□render added as a later overcoat should be avoided as it masks the original finish and flattens the building s appearance, such as on the street elevation of the former Pentecostal Church, now the Osborne Road Centre (p.46).

The use of render is therefore held by the NECT as an example of materials and finishes to be avoided for use in Conservation Areas.

*It is accepted certain changes have recently been permitted under Article 4 in Hartlepool s Conservation Areas, for instance the continued use of UPVC window frames, I, do however consider the loss of 59 Hutton Avenue s entire original gable end brickwork should NOT be regarded as an acceptable compromise.

The recently completed commercial development on York Road (South) which is outside of a designated Conservation Area should be applauded for its use of reclaimed bricks from the recent Hartlepool demolition sites. I am concerned the proposed changes to 59 Hutton Avenue will detract from the original features of such a prominent property within the Conservation Area of Grange Ward.

Although, it may be argued were this proposal be allowed unchecked then the modern rendering would be partially hidden beneath the canopy of the existing trees and shrubs to be found in 59 Hutton Avenue s front garden. I would, however suggest with any living entity that this protective factor may not be the case for future generations, who would in turn have to endure the incompatibility of the mix of modern and old materials.

It is evident the overarching planning principle of the Hartlepool Borough Council⊡s Local Plan adopted in 2006 and the Central Government⊡s Planning Policy Statements is that good planning is of paramount importance, to ensure only the right developments are allowed in Conservation Areas.

I would therefore submit the recent planning application submitted by Mr Wilson falls outside the principles enshrined in the Local and Central Government⊡s planning measures. I am unable to see how the proposed planning application can perceivably be regarded as either enhancing or improving the existing site or indeed Grange Ward.

I remain firmly of the opinion that while the gradual erosion of Hartlepool s heritage sites, including Grange Ward may not felt by its current residents and the wider community, however, were the aforementioned planning application and other such proposals eg rendering and pebble dashing of further Victorian properties in Grange Ward be allowed unabated then it is to be questioned whether our Conservation Area will remain of sufficiently historical interest for future generations living in Hartlepool.

The North of England Civic Trust (2009) Character Appraisal Report states:

□ in 2009, English Heritage assessed all of England □s conservation areas to identify which were at risk, using a variety of criteria. In June it published a national register of Conservation Areas At Risk as an agenda for action with the aim of preventing harm to character and appearance by prioritising investment and management attention. Grange is on that Conservation Areas AT RISK register □ (p.7)

In conclusion, I am confident that both the Planning and Conservation departments at Hartlepool Borough Council are firmly committed to the removal of Grange Ward from the English Heritage s At Risk register and will be able to recognise that this Planning Application would only but perpetuate this extremely worrying situation.

I would welcome the opportunity to speak at the Planning Committee meeting. Please do not publish my telephone number.

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No:	8
Number:	H/2009/0521
Applicant:	Mr Stephen Bell Stranton HARTLEPOOL TS24 7QS
Agent:	Browne Smith Baker LLP Mr Guy Holmes 11-12 Portland
	Terrace Newcasite NE2 1QQ
Date valid:	22/09/2009
Development:	Erection of 25 dwellings including associated car parking,
	access and works (AMENDED PLANS)
Location:	LAND AT SEATON LANE HARTLEPOOL

8.1 This application appears on the main agenda at item 8.

8.2 The recommendation was left open as a number of issues in relation to the proposed layout were outstanding.

8.3 An amended layout drawing has now been received.

Publicity

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

The new dwellings will be subjected to nuisance noise brought about by the • manufacturing operations at Corus. Although significant improvements in the processes to reduce noise levels associated with pipe movement and transfer across benches, it has not totally eliminated the potential for noise due to mechanical impact.

8.5 The amended plans involve localised changes to the layout and the neighbours have been re-consulted. The re-consultation period will expire after the meeting.

Consultations

8.6 The following consultation replies have been received since the previous report was created.

Head of Public Protection – No objection subject to a condition requiring the applicant to agree the details of the acoustic barrier with the planning authority. A condition is also required for a sound insulation scheme to habitable rooms of properties identified by the Local Planning Authority, which shall be installed and maintained during the lifetime of the development.

Landscape/Conservation - No objection subject to details and specification of temporary protective fencing to be erected around the retained trees during the construction works. A condition relating to a landscaping scheme and the provision of replacement trees is also required.

Ecology – No objection subject to a condition to further reduce any potential risks to Great Crested Newts and other protected species such as nesting birds.

Planning Considerations

8.7 The main planning considerations in this case are the appropriateness of the proposal in terms of the policies and proposals contained within the adopted Hartlepool Local Plan 2006, national policy guidance, the impact of the development in the surrounding area and on the amenities of nearby residents, highway safety, flooding and drainage and ecology.

<u>Policy</u>

8.8 The application site was previously identified as industrial land it has recently been reclassified as 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.

8.9 Recent studies (Hartlepool Strategic Housing Market Assessment - HSHMA) and reports have highlighted a general shortfall within the Borough of affordable housing including social rented and intermediate dwellings. For housing developments of this scale the developer is required to make a financial contribution towards play facilities in the nearby area. In this instance as the land is owned by Hartlepool Borough Council it has been agreed that a payment of £250 per dwelling has been allocated for this purpose. It is considered that the proposal will provide much needed affordable housing.

Impact on the surrounding area

8.10 The surrounding area comprises predominantly 2 storey terrace/semi detached properties. This development proposes a mix of semi detached and terraced properties. It is therefore considered that the proposed development is to be in keeping with the surrounding residential properties.

As previously mentioned in the original Committee report all properties will be of a modern design incorporating 'secured by design' principles. They will also be level 4 'Code for Sustainable Homes' which is to be achieved by a mixture of sustainable energy features and high standards of insulation. This can be controlled by condition.

8.11 All properties will have gardens with sheds, are well distanced from neighbouring properties and do adhere to the Council's guidelines for separation distances.

8.12 The land to the south of the site is identified as 'Industrial Land' within the Hartlepool Local Plan. Provision has been made for an accoutstic barrier to the southern boundary, along with a sound insulation scheme to habitable rooms for plots 10, 13, 14, 15, 17, 18 and 19. This can be controlled by condition.

Landscape

8.13 Although there is a loss of trees fronting Seaton Lane the amended plan details an open area fronting Seaton Lane which includes the retention of a significant mature Sycamore tree and the provision of compensatory trees. Although the proposed trees are shown to be in a line, it is anticipated that the final lands cape scheme will stagger these trees in a more informal manner. The scheme also includes hard and soft lands caping throughout the development including a tree buffer to the south of the site. The scheme has been assessed by the Council's Lands cape Team who have no objection to the proposal subject to appropriate conditions.

<u>Highways</u>

8.14 In terms of parking provision, this development for rented social housing requires a minimum of 0.75 spaces per dwelling for residents and visitors. As the scheme provides 40 spaces throughout the site for the 25 dwellings it is considered that the parking provision is acceptable.

8.15 No objections have been raised in terms of highway safety by the Highway Engineer providing all the works are to adoptable standards and that final details are submitted showing the tie-in to the existing highway of the new road. They also require a right turn lane on Seaton Lane. This can be covered by condition.

Flooding and Drainage

8.16 The site is located in an area which is identified as a low risk to flooding Flood Zone 1. The Flood Risk Assessment (FRA) submitted to support the application has been assessed by the Environment Agency, Northumbrian Water and the Councils Engineering Consultancy Team, no objection have been raised however it is acknowledged that final details of drainage need to be submitted. This can be controlled by condition.

<u>Ecology</u>

8.17 An ecological survey of the land which is proposed for housing development has been carried out by E3 Ecology. The survey has assessed it as being of relatively low ecological value. Potential ecological impacts were confined to a loss of a small number of trees and shrubs, the loss of some species-poor grassland and the potential use of the land as a corridor by local wildlife.

8.18 In addition a ditch and a small pond were noted some 250m away from the proposed development and it was recommended that further assessment of these was carried out to assess the risk of Great Crested Newts being present within the development site during their terrestrial life stage. It is essential that potential effects on Great Crested Newts are fully assessed as it is a European Protected Species that is protected under the Habitats Directive and the planning authority is a competent authority which has a statutory duty to have regard to the requirements of the Habitats Directive in the exercise of its duty. This assessment has now been completed and concluded that the probability of Great Crested Newts being present on the development site or being affected by the development were low for the following reasons:

- 1. An Habitat Suitability Index assessment of the pond to south returned a low score, suggesting that newts are unlikely to be present;
- 2. The distance between the site and the pond is sufficient as to minimise the risk of presence, and the majority of any great crested newt population will remain within 50-100m of the pond.
- 3. The habitats within the development area are considered to be of low value to great crested newts.
- 4. The residual risk of low numbers being present, and the loss of habitats can be addressed through habitat creation and undertaking works to a method statement.

8.19 The Council's ecologist has visited the site and discussed the issues with the ecologist from E3 Ecology, and is in full agreement with the above conclusions. The Council's Ecologist would further add that the terrestrial habitats surrounding the pond and ditch and to the south of those water bodies are much more suitable for the terrestrial phase of Great Crested Newts life history than the habitat on the development site therefore even if a small number of Great Crested Newts were present they would be unlikely to be found on the development site.

8.20 In order to further reduce any potential risks to Great Crested Newts and other protected species such as nesting birds, mitigation measures have been proposed are considered acceptable and appropriate conditions can be imposed to control this.

Archaeology

8.21 The site contains some ridge and furrow earthworks from medieval or later ploughing. Tees Archaeology have advised that these should be recorded by survey and trial trenching. The remains are of low importance and this recording can be achieve through the appropriate condition.

Conclusion

8.22 It is recommended that the application be approved.

RECOMMENDATION - Minded to APPROVE subject to the conditions set out below, but with the final decision delegated to the Development Control Manager in consultation with the Chair of Planning Committee since publicity is outstanding.

- 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. Details of all walls, fences and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced. In the interests of visual amenity.
- 4. 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. 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.

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

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

- 7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other revoking or re-enacting that Order with or without modification), no garage(s) shall be erected without the prior written consent of the Local Planning Authority. To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
- Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure, shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road, without the prior written consent of the Local Planning Authority.

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

9. No development shall take place until final details of the new vehicular access onto Seaton Lane have been submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

In the interests of highway safety.

10. No development shall take place until the following matters have been addressed:

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 (which must include ground gas monitoring);

(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,

-archaeological 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 3 above.

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

- 11. If as a result of the investigations required by condition above, 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 in the interests of the amenities of the occupants of the adjacent residential property.
- 12. 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. 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 Hierarchy of Preference contained within Revised Part H of the Building Regulations 2000.
- 13. Notwithstanding the submitted details, prior to the commencement of the development hereby approved, final details of the acoustic barrier to the southern boundary of the application site including bounding and landscaping between the industrial land 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 prior to the occupation of plots 10 to 16. Thereafter the accoustic barrier 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 occupants of proposed properties.

- 14. The developer shall give two weeks notice in writing of commencement of works to Tees Archaeology, Sir William Grey House, Clarence Road, Hartlepool, TS24 8BT, Tel: (01429) 523458, and shall afford access at all reasonable times to Tees Archaeology and shall allow observation of the excavations and recording of items of interest and finds. The site is of archaeological interest.
- 15. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 22 September 2009 and 29 October 2009 (Drawing No: 09041/P/001 REV G), unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt.
- 16. The development shall not commence until a scheme for the formal designation of a right turn lane entering the site has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details prior to the occupation of the first dwelling unless otherwise agreed in writing by the Local Planning Authority.

In the interests of highway safety.

- 17. Prior to the commencement of the development hereby approved plots 10, 13, 14, 15, 17, 18, and 19 shall be provided with noise insulation measures, details of which shall be first submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure adequate protection is afforded against the transmission of noise between the development and the industrial area. The noise insulation scheme, as approved, shall be implemented in full and retained thereafter during the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority. R302
- 18. Prior to the commencement of works a method statement to minimise causing harm or disturbance to Great Crested Newts shall prepared by a suitably qualified ecologist, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

The site is of ecological interest

19. A scheme for habital creation including the creation of new waterbodies adjacent the nearby pond shall be submitted and and approved in writing by the Local Planning Authority. Thereafter the scheme shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

To ensure that should any Gret Crested Newts be present, that the status of the local population would not be adversley affected.

20. The developer shall give two weeks written notice of a commencement of works to an ecologist nominated by the Local Planning Authority prior to

development commencing and shall thereafter afford access at all reasonable times to the ecologist and shall allow him/her to observe the excavation and record items of interest. Should any Great Crested Newts be found, work should cease immediately and the approved translocation programme shall be instituted, unless otherwise agreed in writing with the Local Planning Authority.

The site is of ecological interest

21. For the avoidance of doubt unless otherwise agreed in writing by the Local Planning Authority any site clearance should be undertaken outwith the bird breeding season (March to August inc.) unless otherwise agreed in writing by the Local Planning Authority.

In the interests of nature conservation.

- 22. No development shall take place until a scheme for the protection during construction works of all trees to be retained on the site, in accordance with BS 5837:2005 (Trees in relation to construction Recommendations), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season. In the interests of the health and appearance of the preserved tree(s).
- 23. A scheme to incorporate sustainable energy systems 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.
- 24. The development hereby approved shall incorporate 'secured by design' principles. Details of proposed security measures shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the approved details. In the interests of crime prevention.
- 25. Notwithstanding the submtted details a scheme to incorporate pedestrian routes on the areas of open space fronting Seaton Lane, including a programme of works shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details, unless othewise agreed in writing by the Local Planning Authority.

In the interests of visual amenity.

Application No	H/2009/0521		
Proposal	Erection of 25 dwellings ir parking, access and works		H
Location Case Officer	LAND AT SEATON LANE Jane Tindall	2 6 607 2009	
ouse enneer		HANDED TO REPLY	-17

I/We* have received your letter and want to object/derrot want to object* to the proposal.

I/We* want/do not want* to have the chance to speak to the Committee of Councillors if it is asked to consider this application.

Please use the space below to explain your concerns/reasons for objecting to the proposal.

I an objecting because I believe the new cloutlings with he subjected I nursame noise brought about by the manufacturenz operations of this rete. We a heavy metal industry is have made significant in our processors I reduce noise levels annouable with pyre maxment and transles across tenders however in have not totally eliminated the potential for noise due to mechanical impact. Therefore as the number of dwelling inverse and or healt in clone process to the rite, currens on likely to be expended to industry to the site, currens on likely to be expended to industry noise ' Hence the objection to the propined plans I you need more space, please continue over or attach additional sheets to

If you need more space, please continue over or attach additional sheets to this letter.

Name (Please print)	A.L. HILL	Mr/Mrs/Miss/Ms*-
Address	Corus Uk Ltd 42 Inch Mill Brenda Road	and the second s
Date	21/10/09	
Telephone number		
Email address		

Nb - It is not essential that we have your telephone number but it will help us if we need to contact you

* Please delete as appropriate

For Official Use Only	
No objections	
Objections	
Comments	
Petitions	
No. of signatures	
For/Against	
Wishes to speak	
Entered in computer	

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5 of 5

4.1

No:	10
Number:	H/2009/0500
Applicant:	Mr Kevin Wanless Longhill Industrial Estate Thomlinson Road Hartlepool TS25 1NS
Agent:	Axis Mrs Amanda Stobbs Unit 11 Well House Barns Bretton Chester CH4 0DH
Date valid:	10/09/2009
Development:	Upgrading and extension of existing waste management facilities
Location:	NIRAMAX THOMLINSON ROAD HARTLEPOOL

Background

10.1 Since the original report was created the responses of the Council's Head of Public Protection and Traffic and Transportation Section have been received. A number of other outstanding consultation responses have also been received. In addition, the applicant has clarified points in relation to the storage and processing of putrescible waste streams, and also the processes proposed for the connection of the proposed electricity generation element to the national grid.

10.2 Comments are awaited from the Tees Valley JSU and it is envisaged these will provided following the meeting.

Planning Considerations

10.3 The main planning considerations in this instance are the appropriateness of the proposals in policy terms, the impact of the proposal on the amenity of surrounding properties and the effect on the character of the surrounding area, particularly with regard to noise, odour, dust, emissions, air quality and pollution; design and visual impact, highways, ecology, drainage/flooding and contamination.

10.4 Policy considerations are contained within the original report.

Character of Area

10.5 The site is located within the Longhill/Sandgate industrial area. It is considered that the proposal is acceptable in terms of its impact on the character of the area. The surrounding area is predominately characterised by industrial uses, including uses for recycling, waste transfer and skip hire and it is considered that the proposals are compatible with the main use of the existing site and the surrounding land uses. It is considered that the proposed external alterations are sympathetic to the industrial character of the area.

<u>Amenity</u>

10.6 It is proposed that the upgraded waste classification system, the briquette plant and the plant for the thermal treatment of waste will be largely contained within the

existing black sand shed. Therefore the visual impacts of the proposal will be solely associated with the proposed exhaust and flare stacks and the high level conveyor. It is indicated that the proposed stacks will have a maximum height of 25m. However, the Environment Agency have indicated that insufficient data has been provided regarding the type and source of emission to determine the appropriateness of the stack heights. The EA have indicated that this information will be required for any subsequent permit application and modelling may dictate that the stack heights differ from those stated. It is therefore considered prudent in this instance to restrict the maximum height to 25m. In addition it is considered prudent to condition the submission of final details of the stacks, including the proposed monitoring infrastructure.

10.7 It is indicated that the high level conveyor will have a maximum height of 6.2m. It is unlikely that the conveyor will be visible beyond the boundaries of the site and the impact on visual amenity is therefore considered acceptable in this instance.

10.8 The first stage of the process (waste classification) will involve the use of the existing reclamation shed. It is considered that the waste classification process will be unlikely to have a significant adverse effect on visual amenity, given that the process will be largely contained within existing buildings.

10.9 The second stage of the process involves the installation of the internal briquette plant. Given that the works associated with that stage of the process are entirely internal, it is considered unlikely the works will have a significant impact on visual amenity.

10.10 It is considered that the installation of the proposed stacks relating to the pyrolysis plant are acceptable in principle. At a maximum height of 25m the proposed stacks should not be visible from the residential properties of Seaton Carew, given that the adjoining landfill has consent for a height of 25m. In terms of the wider visual impact, it is considered that, subject to an appropriate colour, the stacks will not have a significant adverse impact. Given the established industrial nature of the Sandgate/Longhill area, the stacks are considered appropriate in visual amenity terms.

10.11 No technical details have been provided demonstrating the layout and technical aspects of the proposed briquette plant and the pyrolysis plant, including anticipated emissions. It is considered prudent to condition the requirement of these to be submitted for consideration prior to the commencement of those stages of the works.

10.12 Additionally, it is considered prudent to require the submission of a design scheme and final details relating to the electricity generation element of the proposal, including the proposed new substation and cable connection which will connect the electricity generation element to the national grid.

10.13 The Council's Head of Public Protection has raised no objections to the proposals on the grounds of noise. The control of noise is an aspect covered in the Environmental Permit process regulated by the Environment Agency which requires noise and vibration emissions to have been considered in the design and selection of

the equipment used. It is considered in this instance that the proposal will be unlikely to result in substantial noise levels to the detriment of the amenity of surrounding properties. The adjacent landfill will provide an element of acoustic protection from any noise emissions in relation to the properties on Harvester Close. In any case, however, it is considered appropriate to condition the provision of noise mitigation measures to ensure that noise levels are satisfactorily maintained at levels which are acceptable in terms of their impact on amenity of surrounding properties.

10.14 The waste streams involved in the process are consented on site by virtue of the Certificated of Lawful Use granted in 2002. Those streams include non-hazardous commercial, industrial and construction waste with only incidental quantities of putrescible waste. This application seeks consent, however, for the additional receipt of household (MSW) waste, which will include elements of putrescible waste. The Council's Head of Public Protection has raised concerns over the outside storage of putrescible waste and also the deposit of putrescible waste into the landfill. The applicant has subsequently indicated, however, that there will be no outside storage of household waste, nor will any household waste be deposited in the adjacent landfill. The Council's Head of Public Protection has raised no objection to this approach. It is considered that this can suitably be controlled by condition and the proposal is therefore unlikely to have a significant impact on amenity in terms of odours.

<u>Emissions</u>

10.15 It is a requirement of PPS23 'Planning and Pollution Control' for Local Planning Authority's to ensure that there will be no unacceptable pollution impact from proposals. The applicant has indicated that residual ash will occur from the gasification process, amounting to approximately 20% volume of the RDF. It is indicated that the residual ash is non-hazardous and will be disposed of within the adjacent landfill. The control of the emission of residual ash is an element of the Environmental Permit process regulated by the Environment Agency. It is considered that the emission of residual ash is unlikely to have an adverse impact on the amenity of the surrounding properties subject to the satisfactory controls of the Environment Agency. It is considered prudent in this instance to recommend a condition requiring details of a methodology for the disposal of residual ash and measures of dust control to be submitted to and approved in writing by the Local Planning Authority.

10.16 The applicant has indicated that the process will also result in air emissions from the exhaust stack which is to be fitted with a catalytic converter. It is acknowledged, however, that the monitoring and regulating of the emissions are a requirement of the Environmental Permit. Additionally, it is indicated that residual water as a result of the gas cleaning process will be produced and reprocessed within the gasifier, before being cleaned and treated. Effluent discharge per hour is between 1.7m³ and 3m³. Comments from the Environment Agency indicate that discharges will require a separate consent from the EA under the Water Resources Act, including details of effluent treatment and disposal routes.

10.17 It is considered that due consideration has been given to emissions and that the proposal is satisfactory in terms of its emissions subject to the regulation of the Environment Agency and the conditions as recommended.

4.1

UPDATE

<u>Highways</u>

10.18 The Council's Traffic and Transportation section originally raised concerns over the proposal in relation to the potential increase in vehicle movements, resulting in queuing on the highway and subsequent highway safety issues on Thomlinson Road. However, the applicant submitted details indicating that the increase in vehicle movements as a result of the proposals would only be 6 loads per month, with any increase in vehicle movements in relation to the existing waste transfer would be allowed for under the existing permissions on site. The Council's Traffic and Transportation section have indicated that there is no objection on highways grounds and the proposed increase would have a minimal impact on the highway network. It is considered the proposals are acceptable in highways terms.

10.19 Comments from ANEC indicate that the increase in traffic associated with the proposals, whilst not reflective of RSS Policy 37, is acceptable given that the site is not accessible by more sustainable transport such as rail or barge. ANEC have indicated that the location is acceptable given its proximity to the adjacent landfill which should in turn keep vehicle movements to a minimum.

<u>Ecology</u>

10.20 The Council's Ecologist has indicated that there are no ecological issues with the proposal and therefore has no objections. The proposals are therefore considered acceptable in ecology terms.

Drainage/Flooding

10.21 Northumbrian Water have been consulted and have raised no objection to the proposals. The Environment Agency have raised no objection in relation to flooding. The site lies within Flood Zone 1 and is at lowest risk of flooding. Comments from ANEC indicate that they would support the LPA in requiring the incorporation of SUDS (Sustainable Drainage Systems) into the proposals as per the requirements of Annex F of PPS25. PPS25 states that site layouts and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be stored or conveyed without adverse impacts. It is therefore considered prudent in this instance to impose a condition requiring SUDS measures to be explored further.

Contamination

10.22 The applicant has indicated that the proposals will involve no intrusive ground works. On that basis the Environment Agency consider that risks to controlled waters from the proposals are low and a Preliminary Risk Assessment would not be required. In addition, the Council's Engineering Consultancy have also raised no objections to the proposals based on the avoidance of intrusive ground works.

Other Matters

10.23 Since the original report was created, the applicant has confirmed that they are in talks with the electricity network operators with regard to the siting of a new substation within the existing buildings on the site. This would incorporate a HV cable connection to be distributed through an underground cable. It is considered

that the final details of electricity generation aspect of the proposal can be satisfactorily agreed through an appropriately worded condition.

10.24 A number of objections received from nearby residents relate predominately to the operation of the adjacent landfill. Whilst the concerns are legitimate planning considerations, the application relates in this instance to the waste transfer station and associated buildings and not directly to the landfill. In any case it is envisaged that the proposed development would reduce the amount of waste directed to the landfill and subsequently reduce activities within the landfill site, potentially including issues of litter, noise, odours and dust. As discussed it is considered that the proposal for which is consent is sought would not unduly affect the amenity of nearby residential properties in terms of noise, odour, dust or visual impact.

10.25 A number of objectors have raised concern over the indication that the proposal will extend the life of the adjoining landfill. The applicant has indicated that operations at the current level would result in the landfill being completed within approximately 18 months. It is indicated, however, that the proposal would result in a substantially reduced level of activity in relation to the landfill, thereby extending the period of time for which the landfill will be operational. In any case consent is in place by virtue of permission HFUL/0144/01 for the operation of the landfill until 2018.

10.26 The Council's Economic Development section have indicated that there is no objection to the proposals subject to the appropriate control and monitoring to mitigate any negative impacts on the surrounding area.

10.27 Concerns raised by objectors in relation to the affect of the proposal on house prices are not material planning considerations in relation to this application.

10.28 Concerns have been raised by objectors in relation to operating hours of the landfill. Operating hours in relation to works in the landfill are set by virtue of permission CM/H/3/95 at 7.30 until 17.00 Monday to Saturday. Any operation in relation to the landfill would be a breach of planning control and liable to enforcement action.

Conclusions

10.29 With regard to the relevant Hartlepool Local Plan (2006) and with regard to the relevant planning considerations as discussed above, the application is considered acceptable and therefore recommended for approval subject to the draft conditions set out below. It is envisaged that finalised conditions will be provided in a report to be tabled at the committee.

RECOMMENDATION – APPROVE subject to no adverse comments from the Tees Valley JSU and the conditions as set out below:

- 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 permission is valid.
- 2. The development hereby permitted shall be carried out strictly in accordance with the plans and details received by the Local Planning Authority on 10 09

09, 21 10 09 and 28 10 09, unless otherwise agreed in writing by the Local Planning Authority.

For the avoidance of doubt.

- 3. The high level conveyor hereby approved shall be endosed at all times. In the interest of the amenities of the area.
- 4. The proposed flare and exhaust stacks hereby approved shall be not more than 25 metres in height from ground level. In the interests of visual amenity.
- 5. Municipal solid waste (MSW), including any elements of putrescible waste, shall be handled, processed or stored either in the reclamation building or within covered and endosed bays only and there shall be no open storage of Municipal Solid Waste on site at any time. In the interest of the amenities of the area.
- 6. No municipal solid waste (MSW), including any elements of putrescible waste shall be deposited within the adjoining landfill site approved under planning permission CM/H/3/95.

In the interest of the amenities of the area.

7. The receipt of waste shall only take place between the hours of 7.00 and 19.00 Monday to Friday and 07.00 and 13.00 Saturdays and at no other time on Sundays, Bank and Public Holidays, unless otherwise agreed in writing by the Local Planning Authority.

For the avoidance of doubt.

- 8. Prior to the commencement of the development, details of a wheel-washing facility within the site shall be submitted and approved in writing by the Local Planning Authority. The approved facility shall be installed before the use of the site commences and shall thereafter remain operational and be available for its intended use at all times 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.
- 9. Any materials or articles deposited or stacked outside the buildings shall not exceed a total height of 3 metres above ground level. In the interests of visual amenity.
- 10. Prior to the commencement of Stage 1 of the development hereby approved, as defined in paragraph 4.2.1 on page 19 of the Supporting Planning Statement received by the Local Planning Authority on 10 09 09, final details of the installation of the Waste Classification Plant within both the Reclamation Shed and Black Sand Shed, including manufacturers specifications and a programme of works, shall be submitted to and agreed by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
 - To ensure a satisfactory form of development.
- 11. Prior to the commencement of Stage 2 of the development hereby approved, as defined in paragraph 4.2.1 on page 19 of the Supporting Planning Statement received by the Local Planning Authority on 10 09 09, final details of the installation of the Briquette Plant within the Black Sand Shed, including manufacturers specifications, siting details and a programme of works, shall be submitted to and agreed 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. The developer

shall notify the Local Planning Authority in writing of the date from which the proposed Briquette Plant is to become operational.

To ensure a satisfactory form of development.

- 12. Prior to the commencement of Stage 3 of the development hereby approved, as defined in paragraph 4.2.1 on page 20 of the Supporting Planning Statement received by the Local Planning Authority on 10 09 09, final details of the proposed Pyrolysis/Gasification Plant, including manufacturers specifications, siting details, details of emissions, final details of the flare and exhaust stacks, including proposed monitoring infrastructure and a colour scheme for the stacks, complete with a programme of works, 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. The developer shall notify the Local Planning Authority in writing of the date from which the proposed Pyrolisis/Gasification Plant is to become operational. To ensure a satisfactory form of development.
- 13. Prior to the commencement of Stage 3 of the development hereby approved, as defined in paragraph 4.2.1 on page 20 of the Supporting Planning Statement received by the Local Planning Authority on 10 09 09, final details of the proposed electricity generation element of the proposal, including full details of the proposed sub-station and high voltage cable connections, shall be submitted to and agreed in writing by the Local Planning Authority. To ensure a satisfactory form of development.
- 14. The development hereby approved shall at no time incorporate intrusive ground works, unless otherwise agreed in writing by the Local Planning Authority.

To ensure a satisfactory form of development and in the interests of ground contamination.

- 15. Prior to the Pyrolysis/Gasification Plant being brought into use, a scheme providing details of the methodology for the disposal of residual ash arising from the plant, including measures for dust control, shall be submitted to and approved in writing by the Local Planning Authority and thereafter the disposal of ash shall only be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. In the interests of the amenities of the area.
- 16. There shall be no open burning at the site. In the interests of the amenities of the area.
- 17. Unless otherwise agreed in writing by the Local Planning Authority, a scheme for a sustainable drainage system, including measures to control effluent discharge and for the disposal of foul or contaminated water, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be implemented and retained during the life of the development unless otherwise agreed in writing by the Local Planning Authority.

In the interests of the amenities of the area.

18. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface water, whether direct or via soakaways, unless otherwise agreed in writing by the Local Planning Authority.

To prevent pollution of the water environment

19. The permission hereby granted relates only to the transfer, storage and processing of non-hazardous commercial, industrial, construction and municipal solid waste, including incidental and ancillary quantities of putrescible waste and in particular no special wastes as defined in The Hazardous Waste (England and Wales) Regulations 2005 (or any regulations/order revoking or re-enacting the regulations/order with or without modification), noxious sludge, chemical or toxic forms of waste or contaminated liquids shall be deposited or processed therein. In the interest of the amenities of the area.