

Meeting was adjourned with remaining items marked * to be considered at the
a reconvened meeting on Thursday 14 January 2009 at 3pm in the Civic
Centre.

PLANNING COMMITTEE AGENDA



Wednesday 6th January 2010

at 10.00 am

in the Council Chamber,
Civic Centre, Victoria Road, Hartlepool

MEMBERS OF PLANNING COMMITTEE:

Councillors Allison, R. 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 2nd December 2009

4. ITEMS REQUIRING DECISION

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

1. H/2009/0617 Middle Warren Local Centre, Mulberry Rise
2. H/2009/0633 Sylvan Mews, The Wynd, Billingham
3. H/2009/0497 Land off Merlin Way
- *4. H/2009/0530 Church Street, Seaton Carew
5. H/2009/0279 Ashfield Farm, Dalton Piercy Road

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a reconvened meeting on Thursday 14 January 2009 at 3pm in the Civic
Centre.**

- *6. H/2009/0500 Niramax, Thomlinson Road
 - *7. H/2009/0660 Seaton Carew Park, Allendale Street
 - 8. H/2009/0655 Land between Oxford Road and Chaucer Avenue
 - 9. H/2009/0662 Land adjacent to Laird Road
 - *10. H/2009/0656 Adjacent to Recreational Complex, Town Moor
 - *11. H/2009/0657 Land adjacent play area, King Oswy Drive
 - *12. H/2009/0659 Adjacent to Brougham Primary School
 - *13. H/2009/0661 Land adjacent to Lanark Road
 - *14. H/2009/0618 Land at Kendal Road, Kathleen Street, Scawfell Grove,
Patterdale Street, Borrowdale Street, Windermere
Road and Brenda Road
 - 15. H/2009/0235 Crookfoot Farm, Coal Lane
 - 16. H/2009/0231 Red Gap Farm, Wolviston
- *4.2 Hartlepool Strategic Housing Land Availability Assessment (SHLAA) –
Assistant Director (Planning and Economic Development)
- *4.3 Update on Current Complaints – *Assistant Director (Planning and Economic
Development)*
- *4.4 Monitoring of the MARAD contract, Able UK Ltd, Graythorp – *Assistant
Director (Planning and Economic Development)*

5. LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006

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) (Variation) Order 2006

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

7. FOR INFORMATION

Next Scheduled Meeting – Wednesday 3 February 2010 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, 3 February at 9.00am.

PLANNING COMMITTEE

MINUTES AND DECISION RECORD

2 December 2009

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

Present:

Councillor: George Morris (In the Chair)

Councillors: Steve Allison, Shaun Cook, Kevin Cranney, Sheila Griffin, Geoff Lilley, Frances London, John Marshall, Carl Richardson and Edna Wright

Officers: Richard Teece, Development Control Manager
Richard Smith, Solicitor
Sylvia Tempest, Environmental Standards Manager
Mike Blair, Transportation and Traffic Manager
Sarah Scarr, Landscape Planning and Conservation Manager
Chris Pipe, Principal Planning Officer
Jason Whitfield, Planning Officer
Chris Scaife, Countryside Access Officer
Paul Cowie, Town and Village Green Officer
Jo Wilson, Democratic Services Officer

81. Apologies for Absence

Apologies for absence were received from Councillors Rob Cook, Mary Fleet and Michelle Plant.

82. Declarations of interest by Members

None

83. Confirmation of the minutes of the meeting held on 4th November 2009

Agreed

84. Planning Applications *(Assistant Director, Planning and Economic Development)*

Number: H/2009/0497

Applicant: Bellway Homes (NE) Ltd
Peel House Main Street Ponteland

Agent: Bellway Homes (NE) Ltd Peel House Main Street
Ponteland

Date received: 15/09/2009

Development: Substitution of house types on 51 plots (1074A-1083A) including 50 for affordable housing (further information received)

Location: LAND OFF MERLIN WAY AREA 6/7 MIDDLE WARREN
ADJACENT LOCAL CENTRE HARTLEPOOL

Decision: **Withdrawn from the Agenda for consideration at the next planned meeting on 6 January 2010**

Number: H/2009/0500

Applicant: Mr Kevin Wanless
Niramax Longhill Industrial Estate Thomlinson Road

Agent: Axis Mrs Amanda Stobbs Unit 11 Well House Bams
Bretton Chester

Date received: 10/09/2009

Development: Upgrading and extension of existing waste management facilities including upgraded waste classification system, briquette plant and pyrolysis/gasification plant including electricity generation facility

Location: NIRAMAX THOMLINSON ROAD HARTLEPOOL

Representations: Councillor Mike Turner (Ward Councillor), Amanda Stobbs (Agent) and Iris Ryder (Objector) were present and addressed members.

Decision: **Deferred for a members site visit to the site, Harvester Close and if possible, a similar installation operating within the country**

The Committee considered representations in relation to this matter

Number:	H/2009/0544
Applicant:	Mr John Sweeney Market Hill Cambridge
Agent:	AAH Planning Consultants Mr Adrian Hill 2 Bar Lane YORK
Date received:	25/09/2009
Development:	Display of poster panel on Virgin Media cabinet
Location:	UNIT 15 ATKINSON INDUSTRIAL ESTATE BURN ROAD HARTLEPOOL
Representations:	Adrian Hill (Agent) and Ted Jackson (Objector) were present and addressed the Committee
Decision:	Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one year permission would not be unreasonable. Further, a temporary permission would enable the advertisements to be reviewed in light of experience including demonstrating whether the concerns raised by officers actually materialise. Advertisement Consent was therefore Approved

CONDITIONS AND REASONS

1. The permission hereby granted is valid until 30 December 2010 and the poster panel shall be removed on or before that date unless permission has been granted to an extension of this period. In the interests of visual amenity to enable the Local Planning Authority to review the position in the light of experience.

The Committee considered representations in relation to this matter

Number: H/2009/0545

Applicant: Mr JohnSweeney
Market Hill Cambridge

Agent: AAH Planning ConsultantsMr Adrian Hill 2 Bar
Lane YORK

Date received: 25/09/2009

Development: Display of poster panel on Virgin Media cabinet

Location: UNIT 2K THOMLINSON ROAD HARTLEPOOL

Representations: Adrian Hill (Agent) and Ted Jackson (Objector)
were present and addressed the Committee

Decision: **Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one year permission would not be unreasonable. Further, a temporary permission would enable the advertisements to be reviewed in light of experience including demonstrating whether the concerns raised by officers actually materialise. Advertisement Consent was therefore Approved**

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The Committee considered representations in relation to this matter

Number: H/2009/0546

Applicant: Mr JohnSweeney
Market Hill Cambridge

Agent: AAH Planning ConsultantsMr Adrian Hill 2 Bar
Lane YORK

Date received: 25/09/2009

Development: Display of poster panel on Virgin Media cabinet

Location: ADJACENT 62 BURN ROAD HARTLEPOOL

Representations: Adrian Hill (Agent) and Ted Jackson (Objector) were present and addressed the Committee

Decision: **Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one year permission would not be unreasonable. Further, a temporary permission would enable the advertisements to be reviewed in light of experience including demonstrating whether the concerns raised by officers actually materialise. Advertisement Consent was therefore Approved**

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The Committee considered representations in relation to this matter

Number: H/2009/0547

Applicant: Mr John Sweeney
Market Hill Cambridge

Agent: AAH Planning Consultants Mr Adrian Hill 2 Bar Lane YORK

Date received: 25/09/2009

Development: Display of poster panel on Virgin Media cabinet

Location: ADJACENT TO 3A PARK VIEW ROAD WEST HARTLEPOOL

Representations: Adrian Hill (Agent) and Ted Jackson (Objector)

were present and addressed the Committee

Decision: **Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one year permission would not be unreasonable. Further, a temporary permission would enable the advertisements to be reviewed in light of experience including demonstrating whether the concerns raised by officers actually materialise. Advertisement Consent was therefore Approved**

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The Committee considered representations in relation to this matter

Number:	H/2009/0548
Applicant:	Mr John Sweeney Market Hill Cambridge
Agent:	AAH Planning Consultants Mr Adrian Hill 2 Bar Lane YORK
Date received:	25/09/2009
Development:	Display of poster panel on Virgin Media cabinet
Location:	PARK VIEW INDUSTRIAL ESTATE PARK VIEW ROAD WEST HARTLEPOOL
Representations:	Adrian Hill (Agent) and Ted Jackson (Objector) were present and addressed the Committee
Decision:	Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one

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The Committee considered representations in relation to this matter

Number:	H/2009/0549
Applicant:	Mr John Sweeney Market Hill Cambridge
Agent:	AAH Planning Consultants Mr Adrian Hill 2 Bar Lane YORK
Date received:	25/09/2009
Development:	Display of poster panel on Virgin Media cabinet
Location:	ADJACENT TO 1 WINDERMERE ROAD HARTLEPOOL
Representations:	Adrian Hill (Agent) and Ted Jackson (Objector) were present and addressed the Committee
Decision:	Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one year permission would not be unreasonable. Further, a temporary permission would enable the advertisements to be reviewed in light of experience including demonstrating whether the concerns raised by officers actually materialise. Advertisement Consent was therefore Approved

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The Committee considered representations in relation to this matter

Number:	H/2009/0550
Applicant:	Mr John Sweeney Market Hill Cambridge
Agent:	AAH Planning Consultants Mr Adrian Hill 2 Bar Lane YORK
Date received:	25/09/2009
Development:	Display of poster panel on Virgin Media cabinet
Location:	LAND ADJACENT TO SHOTTON'S WAREHOUSE, ELWICK ROAD, HARTLEPOOL
Representations:	Adrian Hill (Agent) and Ted Jackson (Objector) were present and addressed the Committee
Decision:	Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one year permission would not be unreasonable. Further, a temporary permission would enable the advertisements to be reviewed in light of experience including demonstrating whether the concerns raised by officers actually materialise. Advertisement Consent was therefore Approved

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In the interests of visual amenity to enable the Local Planning Authority to review the position in the light of experience.

The Committee considered representations in relation to this matter

Number:	H/2009/0551
Applicant:	Mr JohnSweeney Market Hill Cambridge
Agent:	AAH Planning ConsultantsMr Adrian Hill 2 Bar Lane YORK
Date received:	25/09/2009
Development:	Display of poster panel on Virgin Media cabinet
Location:	ADJACENT TO 96 YORK ROAD HARTLEPOOL
Representations:	Adrian Hill (Agent) and Ted Jackson (Objector) were present and addressed the Committee
Decision:	Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one year permission would not be unreasonable. Further, a temporary permission would enable the advertisements to be reviewed in light of experience including demonstrating whether the concerns raised by officers actually materialise. Advertisement Consent was therefore Approved

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The Committee considered representations in relation to this matter

Number:	H/2009/0552
Applicant:	Mr JohnSweeney Market Hill Cambridge

Agent: AAH Planning Consultants Mr Adrian Hill 2 Bar Lane YORK

Date received: 25/09/2009

Development: Display of poster panel on Virgin Media cabinet

Location: ADJACENT TO 2 CARLTON STREET
HARTLEPOOL

Representations: Adrian Hill (Agent) and Ted Jackson (Objector) were present and addressed the Committee

Decision: **Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one year permission would not be unreasonable. Further, a temporary permission would enable the advertisements to be reviewed in light of experience including demonstrating whether the concerns raised by officers actually materialise. Advertisement Consent was therefore Approved**

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The Committee considered representations in relation to this matter

Number: H/2009/0553

Applicant: Mr John Sweeney
Market Hill Cambridge

Agent: AAH Planning Consultants Mr Adrian Hill 2 Bar Lane YORK

Date received: 25/09/2009

Development: Display of poster panel on Virgin Media cabinet

- Location:** ADJACENT TO 25 MAINSFORTH TERRACE
HARTLEPOOL
- Representations:** Adrian Hill (Agent) and Ted Jackson (Objector) were present and addressed the Committee
- Decision:** **Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one year permission would not be unreasonable. Further, a temporary permission would enable the advertisements to be reviewed in light of experience including demonstrating whether the concerns raised by officers actually materialise. Advertisement Consent was therefore Approved**

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The Committee considered representations in relation to this matter

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- Number:** H/2009/0554
- Applicant:** Mr John Sweeney
Market Hill Cambridge
- Agent:** AAH Planning Consultants Mr Adrian Hill 2 Bar Lane YORK
- Date received:** 25/09/2009
- Development:** Display of poster panel on Virgin Media cabinet
- Location:** ADJACENT TO 65 THORNTON STREET
HARTLEPOOL
- Representations:** Adrian Hill (Agent) and Ted Jackson (Objector) were present and addressed the Committee

Decision: Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one year permission would not be unreasonable. Further, a temporary permission would enable the advertisements to be reviewed in light of experience including demonstrating whether the concerns raised by officers actually materialise. Advertisement Consent was therefore Approved

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The Committee considered representations in relation to this matter

Number:	H/2009/0555
Applicant:	Mr John Sweeney Market Hill Cambridge
Agent:	AAH Planning Consultants Mr Adrian Hill 2 Bar Lane YORK
Date received:	25/09/2009
Development:	Display of poster panel on Virgin Media cabinet
Location:	ADJACENT TO FLAXTON STREET MOTORS USWORTH ROAD HARTLEPOOL
Representations:	Adrian Hill (Agent) and Ted Jackson (Objector) were present and addressed the Committee
Decision:	Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one year permission would not be unreasonable.

Further, a temporary permission would enable the advertisements to be reviewed in light of experience including demonstrating whether the concerns raised by officers actually materialise. Advertisement Consent was therefore Approved

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In the interests of visual amenity to enable the Local Planning Authority to review the position in the light of experience.

The Committee considered representations in relation to this matter

Number:	H/2009/0556
Applicant:	Mr John Sweeney Market Hill Cambridge
Agent:	AAH Planning Consultants Mr Adrian Hill 2 Bar Lane YORK
Date received:	25/09/2009
Development:	Display of poster panel on Virgin Media cabinet
Location:	ADJACENT TO 179 STOCKTON ROAD, HARTLEPOOL
Representations:	Adrian Hill (Agent) and Ted Jackson (Objector) were present and addressed the Committee
Decision:	Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one year permission would not be unreasonable. Further, a temporary permission would enable the advertisements to be reviewed in light of experience including demonstrating whether the concerns raised by officers actually materialise. Advertisement Consent was therefore Approved

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In the interests of visual amenity to enable the Local Planning Authority to review the position in the light of experience.

The Committee considered representations in relation to this matter

Number:	H/2009/0557
Applicant:	Mr John Sweeney Market Hill Cambridge
Agent:	AAH Planning Consultants Mr Adrian Hill 2 Bar Lane YORK
Date received:	26/10/2009
Development:	Display of poster panel on Virgin Media cabinet
Location:	CORNER ERROL STREET OPPOSITE 79 YORK ROAD HARTLEPOOL
Representations:	Adrian Hill (Agent) and Ted Jackson (Objector) were present and addressed the Committee
Decision:	Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one year permission would not be unreasonable. Further, a temporary permission would enable the advertisements to be reviewed in light of experience including demonstrating whether the concerns raised by officers actually materialise. Advertisement Consent was therefore Approved

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In the interests of visual amenity to enable the Local Planning Authority to review the position in the light of experience.

The Committee considered representations in relation to this matter

Number:	H/2009/0558
Applicant:	Mr John Sweeney Market Hill Cambridge
Agent:	AAH Planning Consultants Mr Adrian Hill 2 Bar Lane YORK
Date received:	25/09/2009
Development:	Display of poster panel on Virgin Media cabinet
Location:	ADJACENT TO 202 204 YORK ROAD HARTLEPOOL
Representations:	Adrian Hill (Agent) and Ted Jackson (Objector) were present and addressed the Committee
Decision:	Members took the view that there is little difference between this and other forms of advertising including those on lampposts, bus shelters and litter bins. Members believe that all these types of advertising should be reviewed and that in the circumstances a temporary one year permission would not be unreasonable. Further, a temporary permission would enable the advertisements to be reviewed in light of experience including demonstrating whether the concerns raised by officers actually materialise. Advertisement Consent was therefore Approved

CONDITIONS AND REASONS

1. The permission hereby granted is valid until 30 December 2010 and the poster panel shall be removed on or before that date unless permission has been granted to an extension of this period. In the interests of visual amenity to enable the Local Planning Authority to review the position in the light of experience.

The Committee considered representations in relation to this matter

Number:	H/2009/0472
Applicant:	Jomast Developments Limited Calverts Lane Bishop Street

Agent: Jomast Developments Limited Oriel House
Calverts Lane Bishop Street

Date received: 18/09/2009

Development: Alterations and change of use of vacant nightclub to hotel and licensed bar/bistro/restaurant

Location: WESLEY CHAPEL WESLEY SQUARE
HARTLEPOOL

Decision: **Subject to no adverse comments from English Heritage minded to APPROVE subject to the following conditions but a final decision was delegated to the Development Control Manager**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 18/11/2009, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose.
In the interests of visual amenity.
4. Notwithstanding the details submitted, prior to the commencement of the development hereby approved, final large scale details of the proposed doors, windows and rooflights shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
In the interests of the character of the listed building
5. Notwithstanding the details submitted, prior to the commencement of the development hereby approved, final large scale details of the disabled access ramp and railings including final location and fixings shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
In the interests of the character of the listed building
6. The windows to the en-suite bathrooms in the annex shall be obscure glazed, the details of which shall be first agreed in writing by the Local Planning Authority.
In the interests of occupants of neighbouring properties.

7. Unless otherwise agreed in writing with the Local Planning Authority prior to the commencement of development a scheme for the provision of 7 cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be retained at all times in accordance with the approved details for the lifetime of the development.
To ensure that there is sufficient cycle parking facilities for users of the development.
8. The development hereby approved shall not be brought into use until there have been submitted to and approved in writing by the Local Planning Authority final detailed plans and specifications for ventilation filtration and fume extraction equipment and roof vents serving the kitchens, bathrooms and toilets, and all approved equipment has been installed. Thereafter, the approved scheme shall be retained and used in accordance with the manufacturers instructions at all times.
In the interests of the amenities of the occupants of neighbouring properties.
9. The lower ground floor (basement) licensed premises and the licensed bar/bistro and restaurant on the upper ground floor hereby approved shall only be open to the public between the hours of 9.00 and 24.00 (midnight)
In the interests of the amenities of the occupants of neighbouring properties.
10. The external ancillary areas of the site outside the buildings shall not be used by the public/patrons/guests as a beer garden/yard. No eating or drinking shall take place outside any building within the site at any time.
In the interests of the amenities of the occupants of neighbouring properties.
11. The use hereby approved shall not commence until proposals for the storage of refuse within the site have been submitted to and approved in writing by the Local Planning Authority and all such approved details have been implemented.
In the interests of the amenity of the area and the amenities of the occupants of neighbouring properties .

Number:	H/2009/0596
Applicant:	MR SPARFITT VICTORIA DOCK GREENLAND ROAD HARTLEPOOL
Agent:	Vincent And Goring Mr Mark Chandler Sterling Court Norton Road Stevenage
Date received:	20/10/2009
Development:	Extension to existing manufacturing unit to accommodate new vertical laying up machine (VLM)

Location: SHED E J D R CABLE SYSTEMS LTD
GREENLAND ROAD HARTLEPOOL

Decision: **Subject to no objections from the Environment Agency and the following conditions minded to APPROVE but a final decision was delegated to the Development Control Manager in conjunction with the Chair of the Planning Committee**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose.
In the interests of visual amenity.
3. The extension hereby approved shall be used for the manufacturing of umbilical chords and undersea cables and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.
In the interests of the amenities of the occupants of neighbouring properties.
4. Notwithstanding the submitted details, the manufacturing of umbilical chords and undersea cables shall only be carried out within the building hereby approved and the adjoining buildings on site.
In the interests of the amenities of the occupants of nearby properties.
5. The development being approved shall not be brought into use until the extended parking area hereby approved has been implemented.
In the interests of highway safety.
6. Unless otherwise agreed in writing by the Local Planning Authority the external access door on the north elevation of the extension hereby approved shall be closed at all times except for the period(s) when deliveries are being received.
In the interests of the amenities of the occupants of surrounding residential properties.
7. No material or articles shall be deposited or stacked outside the extension hereby approved except in areas and at stacking heights to be first agreed in writing with the Local Planning Authority.
In the interests of visual amenity.
8. Before any development is commenced on site an investigation of the present TV signal strength in the Northgate and surrounding area which could be affected by the development shall be carried out and the information given to the Local Planning Authority. Details of all works necessary to ensure continued reception of TV signals in the

Northgate and surrounding area to the present signal strength shall also be submitted to and approved by the Local Planning Authority. Any works necessary to ensure this shall be implemented and made operable before the development hereby approved is brought into use. The development shall be carried out in accordance with the approved details.

In the interests of the amenity of neighbouring properties

9. The development hereby approved shall not commence until a scheme for the removal of ledges on the building on which birds currently nest and proposals for their replacement elsewhere on the building has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme of works but shall make provision for the replacement ledges to be erected prior to the removal of the existing ledges. The existing ledges shall be removed outside of the bird breeding season, April to August inclusive. Once provided the replacement ledges shall be retained at all times for the lifetime of the development.

In the interests of the maintenance and enhancement of biodiversity.

The Committee considered representations in relation to this matter

85. Town and Village Greens *(Chief Solicitor and Director of Regeneration and Neighbourhoods)*

The Commons Act 2006 repealed the previous statutory framework for dealing with Town and Village Greens, making it easier for the public to register land as town or village green. Applications had subsequently been received by the Council in relation to two separate areas of Council-owned land to be registered as such. Currently the Council constitution does not include its role as registration authority under the 2006 Act. Given the similarity in the law and procedure for dealing with applications to register land as town or village green to that in relation to Public Rights of Way it was felt logical to add the Council's role as Registration Authority to the scheme of delegation for Planning Committee. Training for members could be carried out for both aspects in tandem given their similarity.

Decision

That the report and the need for training provision for members with regard to Town and Village Green and Rights of Way issues be noted

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

The Development Control Manager drew members' attention to 19 ongoing issues

Decision

That the report be noted.

87. Grange Conservation Area Appraisal *(Assistant Director (Planning and Economic Development))*

Details of the process and findings of the appraisal of the Grange Conservation Area were outlined for the Committee

Decision

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

88. Appeal Ref APP/H0724/A/09/2107182 Conversion to Bed and Breakfast Guest House (10 Beds), 36 Hutton Avenue *(Assistant Director (Planning and Economic Development))*

Members were advised that the above appeal was dismissed and an award for costs refused. The Inspector felt that the proposal would ham residential amenity and the conservation area. A copy of the decision letter was appended to the report.

Decision

That the outcome of the appeal be noted

89. Richard Smith

The Chair highlighted to Members that Richard Smith was leaving the authority at the end of the year. Members paid tribute to Richard's professional and personal qualities, thanked him for his help and advice, and wished him the best for the future.

The meeting concluded at 12:45pm

CHAIRMAN

No: 1
Number: H/2009/0617
Applicant: Mr Azam Razzaq MULBERRY RISE HARTLEPOOL
TS26 0BF
Agent: Pizzalicious Mr Azam Razzaq UNIT 1 MIDDLE WARREN
LOCAL CENTRE MULBERRY RISE HARTLEPOOL
TS26 0BF
Date valid: 30/10/2009
Development: Variation of planning permission H/2008/0027 to allow
opening of takeaway until 23.30 from Sunday to Thursday
and Midnight on Friday and Saturday
Location: UNIT 1 MIDDLE WARREN LOCAL CENTRE MULBERRY
RISE HARTLEPOOL

The Application and Site

1.1 The application site is a recently approved hot food takeaway located within the newly built Local Centre at Middle Warren.

1.2 There is another small unit (bookmakers) immediately to the south with the remaining part of the building taken up by Sainsbury. The Tall Ships public house lies to the north west with housing to the east and south. There is parking to the front and side for shops and pub. (78 spaces altogether).

1.3 Planning consent was granted in 2008 for the use of this unit as a hot food takeaway with an hours restriction of 10.00 to 23.00 Monday to Saturday and 10.00 to 17.00 on Sundays and Bank Holidays. The current application proposes the extension of the approved times to allow later opening until 23.30 from Sunday to Thursday and until 24.00 (midnight) on Friday and Saturday.

Publicity

1.4 The application has been advertised by way of neighbour letters and site notice. 3 letters of objection, 2 letters of no objection and 1 letter with comments have been received.

1.5 The objections and comments include:

- a) will lead to an increase in car noise and people on foot
- b) increase in litter
- c) rubbish should be binned
- d) minors should not be permitted to loiter
- e) this paper exercise is wasteful and pathetic

Copy letters B.

The period for publicity has expired.

Consultations

1.6 The following consultation replies have been received:

Head of Public Protection– No objections

Traffic & Transportation – No objections

Planning Policy

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

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

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

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

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

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

Planning Considerations

1.8 The main planning considerations in this case are the appropriateness of the proposal in terms of the policies and proposals contained within the Hartlepool Local Plan, the effect of the proposal upon the amenities of occupants of nearby residential properties in terms of noise and disturbance and highway safety.

Policy

1.9 This is an existing hot food takeaway located within a designated Local Centre, built to serve the needs of surrounding community of Middle Warren and as such would be in accord with Policy Com5 (Local Centres). The extension to the hours is also considered to be appropriate and in accord with Policy Rec13 (late night users) which states that proposals for developments which will operate between midnight and 7am, will only be allowed in the Church Street and south west Marina areas. In this case, the applicant seeks to open until midnight, 2 nights a week and until 23.30 the remaining nights.

Highways

1.10 No objections have been received from the Head of Traffic and Transport who is satisfied that the existing car park is adequate.

Amenity

1.11 As previously mentioned, the unit is within a purpose built local centre developed to serve the local community. Whilst it is acknowledged that the unit is located close to housing, the relationship is similar to other developments throughout the town, with similar opening hours. It should be noted that The Tall Ships public house is allowed to open between 10.00 and 00.30 seven days a week with later hours (01.30) for special occasions and Bank Holidays.

1.12 The nearest residential properties are Strawberry Apartments approx. 65m away (other side of Merlin Way) and houses currently under construction in Rosebud Close immediately to the rear of the shops. These houses are approx. 19.5m from the rear of the shops and are separated from the shops by gardens, a retaining bund wall, landscaping and a 2m high acoustic fence.

1.13 No objections have been raised by the Head of Public Protection who has stated that it would be difficult to sustain an objection to the additional hours when considered alongside the opening hours allowed at the Tall Ships pub.

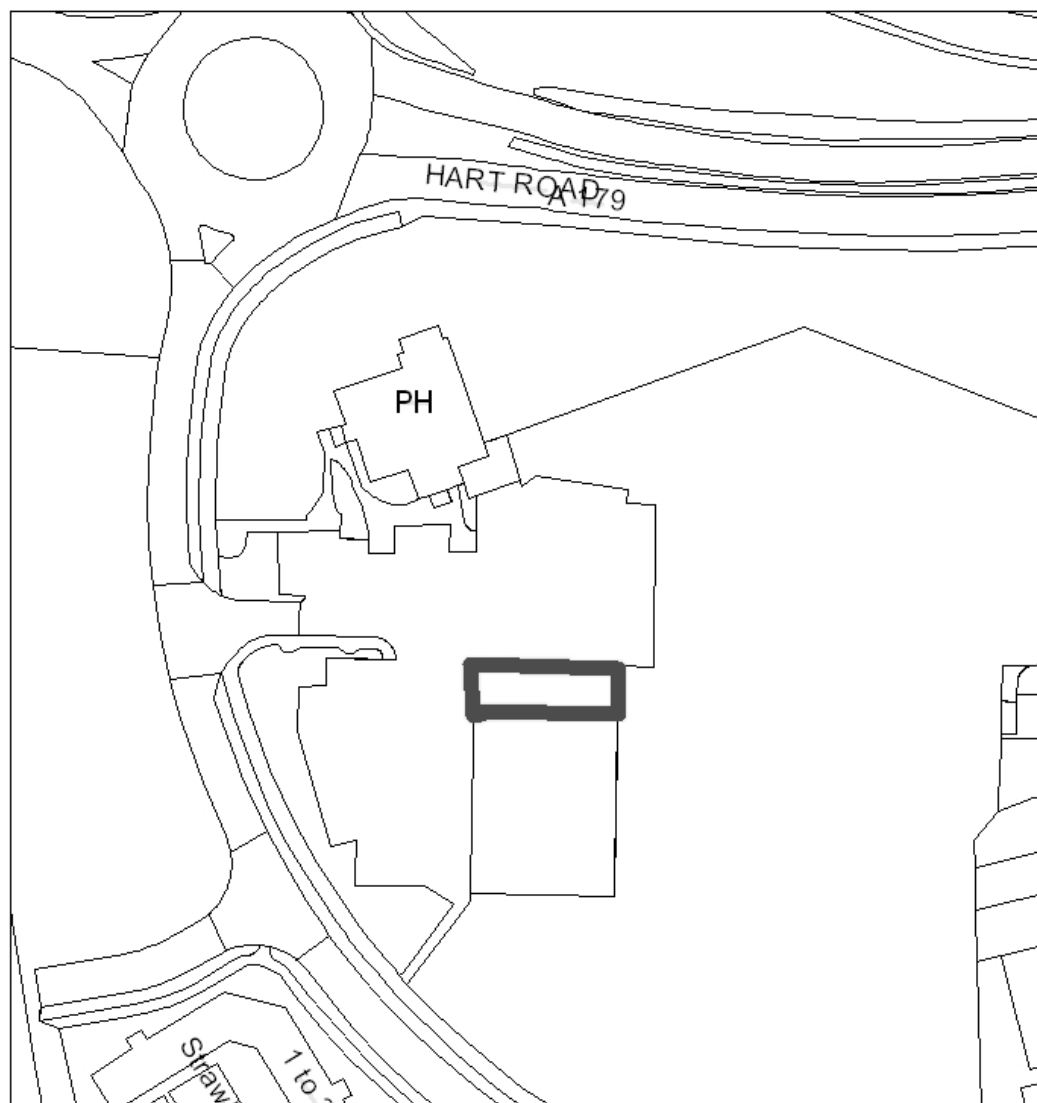
1.14 It should be noted that in terms of complaints about noise and disturbance and litter, there are CCTV cameras on the shops and a litter bin to the front of Sainsbury's shop.

1.15 The applicant states that he has a large litter bin which is sited to the front of his shop when it is open for business and that staff regularly patrol the car park area to pick up all litter during opening hours at the end of the night.

1.16 In view of the fact that the shop is located in a purpose built local centre, the proposal is in accord with planning policy and no objections have been raised by either Public Protection or Highways, approval is recommended to the additional hours requested.

RECOMMENDATION – APPROVE subject to the following condition:-

1. The premises shall only be open to the public between the hours of 10.00 and 23.30 on Sunday to Thursday and 10.00 and midnight on Friday and Saturday.
Amenities of occupiers of neighbouring properties.

MIDDLE WARREN LOCAL CENTRE

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 16/12/2009
	SCALE 1:1,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/061	REV

No: 2
Number: H/2009/0633
Applicant: MR W MORGAN WITTON LE WEAR BISHOP
AUCKLAND CO DURHAM DL14 0AZ
Agent: MR W MORGAN WITTON HALL WITTON LE WEAR
BISHOP AUCKLAND DL14 0AZ
Date valid: 12/11/2009
Development: Retention of amendments to the approved design and
layout (Ref H/2006/0338) and use of six apartments,
currently restricted to use by persons 55 and over, for
general occupation (AMENDED APPLICATION)
Location: 25-30 SYLVAN MEWS THE WYND BILLINGHAM

The Application and Site

2.1 The application site is a block of apartments and associated car parking area forming part of a care home and apartment development located on the Wynyard Estate at the junction of The Wynd and Wynyard Woods. To the east is the Care Home and associated parking. To the south east is a block of apartments and associated parking. To the south and west is a small copse beyond which is housing which fronts onto Spring Bank Close and Tilery Woods. To the north is the public road beyond which is housing which fronts onto Amerston Close.

2.2 Planning permission was originally granted for the erection of a 50 bed residential carehome and 4 blocks of apartments comprising 30 dwellings for occupation by people aged over 55 in April 2007 (H/2006/0338). A legal agreement was completed in connection with the permission (dated 23rd April 2007). The legal agreement secured the provision of a minibus service, restricted the occupancy of the apartments to people aged 55 years and over, secured access for the occupiers of the apartments to the facilities and services of the care home, provided for the residents of the apartments to be notified and have first option on any vacancies in the care home, required the clauses of the legal agreement to be included in any sales/renting particulars and allowed for the construction of overflow car parking facilities if the Local Planning Authority considered it necessary. The development was subsequently implemented.

2.3 Permission is sought to allow six of the apartments to be used for general occupation by persons of any age and to retain various minor amendments to the approved design and layout. The latter include variations to door and window treatments, omission of chimneys and amendments to the internal layouts particularly the transposing of a lounge and kitchen in two flats and alterations to the access stair layout. Externally the parking spaces to the front of the apartments have been reduced by one space from that approved in favour of additional landscaping at the entrance.

RELEVANT PLANNING HISTORY

2.4 H/2006/0138 Erection of a residential care home (50 beds) and 4 blocks of apartments (30 units). Withdrawn.

2.5 H/2006/0338 Erection of a 50 bed residential carehome and 4 blocks of apartments comprising 30 dwellings for occupation by people aged over 55. Approved 23/04/2007.

2.6 H/2009/0518 Use of six apartments approved under the provision of planning permission H/2006/0338, currently restricted to occupation by persons aged 55 years and over, for general occupation. This application was withdrawn in favour of the current application when the Case Officer noted that the development as built had deviated from the approved scheme.

PUBLICITY

2.7 The application has been advertised by site notice, neighbour notification (51) and in the press.

2.8 Eight letters of objection, two letters of no objection and one representation where the view is unstated have been received. The objectors raise the following issues.

1. Permission originally granted for over 55s, on the basis of mature persons occupancies and should remain.
2. It would be unfair to existing residents to abolish age limit.
3. Residents and care home would be disturbed by youngsters.
4. Parking inadequate.
5. Residents previously ignored and development overshadows their properties.
6. Accesses are on a blind bend.
7. If permission granted the rest of the development will follow.
8. Only because he can't sell/rent quickly enough that he wants to remove age limit.
9. Residents pointed out lack of interest at the outset.
10. Demolish the block and return to landscaping.
11. Why was previous application withdrawn (see above)
12. There is no bus service.
13. Families are likely to require two car parking spaces and the existing car parking wouldn't support the relaxation of the age limit over the whole of the development.
14. Object to applicant using amendment to revert to a proposal originally rejected to ensure the sale of the other plots. Development was passed as a location for older people.
15. Another attempt to off load this failed business. Why has it struggled to reach occupancy potential? Out of town living has advantages but also disadvantages, long winter, and isolation with no nearby amenities.

2.9 Eight additional neighbours have been consulted. The time period for representations from these neighbours expires on 4th January 2009. Members will be updated on any additional responses received at the meeting.

COPY LETTERS C

CONSULTATIONS

2.10 The following consultation replies have been received:

Head of Public Protection: No objections

Traffic & Transportation : There are no highway or traffic concerns. The development provides 1.5 spaces per property which is to our normal specification.

Stockton Borough Council : No comments received.

Grindon Parish Council : No comments received.

Elwick Parish Council : No comments received.

PLANNING POLICY

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

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

Rur2: States that housing and employment land is identified within the Wynyard limit to development but that expansion beyond that limit will not be permitted.

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

PLANNING CONSIDERATIONS

2.12 The main planning considerations are policy, design, highways and the impact on the amenity of neighbours.

POLICY

2.13 The application site is an existing residential apartment block located within the limits to development for Wynyard and the proposal to extend its occupancy beyond persons 55 years and over is considered acceptable in policy terms.

DESIGN

2.14 The amendments to the proposed design are of a minor nature relating to door/windows details, the omission of a chimney, amendments to the internal layout and the omission of a car parking space. The proposal is considered acceptable in terms of its design and appearance.

HIGHWAYS

2.15 The applicant has indicated that 9 parking spaces will be retained to serve the development in line with the Highway Authority's requirement that 1.5 spaces are retained per dwelling. Across the rest of the site some 51 spaces will be retained for the use of the other apartment blocks and the care home. A clause in the section 106 relating to the original permission also requires the provision of a minibus service and additional parking to be provided if required by the Local Planning Authority. Traffic & Transportation have raised no objection to the proposal and in highway terms the proposals are considered acceptable.

IMPACT ON THE AMENITY OF NEIGHBOURS

2.16 The amendments to the originally approved design and layout are of a relatively minor nature and given the location of the block relative to neighbours it is not considered that they raise any significant additional issues in relation to the amenity of neighbours in terms of loss of light, privacy, outlook, or in terms of any overbearing effect.

2.17 A number of objectors have raised concerns in relation to the impact opening up the occupancy of the apartments to younger people might have on the amenity of the care home and neighbouring apartments. It might be the case that younger occupants might be expected to attract additional activity to the site. However the block is detached, close to the entrance and is located on the edge of the development. The Head of Public Protection has not objected to the proposal and it is not considered that the proper use of the premises would necessarily unduly disturb the amenity of any elderly neighbours, or the neighbours outwith the site. Any issues of antisocial behaviour would need to be addressed by the appropriate authorities.

CONCLUSION

2.18 The application is recommended for approval. The current legal agreement will need to be amended to allow for the general occupation of the units in question.

RECOMMENDATION- APPROVE subject to the following conditions and authorise amendment to the legal agreement to allow for the general occupation of these units.

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. Unless otherwise agreed in writing with the Local Planning Authority the area(s) indicated for car parking on the plans hereby approved shall be kept available for the use of the apartments to which this application relates at all times during the lifetime of the development.
In the interests of the amenities of the occupants of neighbouring properties and highway safety.

SYLVAN MEWS

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 16/12/2009
	SCALE 1:2,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0633	REV

No: 3
Number: H/2009/0497
Applicant: Bellway Homes (NE) Ltd Peel House Main Street
 Ponteland Newcastle upon tyne NE20 9N
Agent: Bellway Homes (NE) Ltd Peel House Main Street
 Ponteland NE20 9N
Date valid: 15/09/2009
Development: Substitution of house types on 51 plots (1074A-1083A)
 including 50 for affordable housing (amended scheme)
Location: LAND OFF MERLIN WAY AREA 6/7 MIDDLE WARREN
 ADJACENT LOCAL CENTRE HARTLEPOOL

3.1 Since the November committee meeting, additional information has been received from Bellway. This consists of an amended plan and an amended design and access statement together with a supporting letter.

3.2 A new report has consequently been prepared to take into account the changes and additional comments and objections received as a result of publicity and the meeting which was held in Bryan Hanson House, on 17-11-09, between officers, residents, the applicant and other interested parties (a copy of the meeting note has been circulated to all members). The report also sets out in some detail the policy framework for affordable housing, as requested by members at the November Committee meeting.

The application and site

3.3 The application site is located at the northern end of Middle Warren between the A179 (West View Road) and Merlin Way.

3.4 To the north is the A179 (dual carriageway) which is separated from the housing by a wide landscaped buffer zone. Neighbouring properties comprise a variety of detached and semi detached new dwellings together with apartments on Merlin Way. The newly developed Local Centre to the west provides a public house, small supermarket (convenience store), hot food takeaway and bookmakers. Medical services are provided within the nearby Hartfields (Joseph Rowntree Foundation) development.

3.5 The site which has a current planning approval for housing, 33 plots, includes land in Silverbirch Road and Poppy Close.

3.6 This area is currently undeveloped and building work has ceased on this part of the approved scheme. The surrounding dwellings are a mixture of semi detached and detached houses.

3.7 The current proposal which has been submitted as a full application for planning permission involves the erection of a mixture of semi detached and terraced houses together with one detached house, creating a total of 51 plots. The detached house (for sale) has an integral garage and driveway. There are 71 parking spaces for the

other 50 dwellings, some within curtilage and some within small blocks within the cul de sacs.

3.8 The road layout is as existing.

3.9 This application aims to provide 50 affordable houses, 15 for rent and 35 for rent to buy, under the Government's Kickstart Housing Development programme. These will be managed by a Registered Social Landlord (RSL), Housing Hartlepool.

3.10 The 15 houses for rent are located towards the middle of the site, interspersed with the 35 rent to buy homes.

3.11 All of these houses will be constructed to Code 3 level of the Code for Sustainable Homes. This means that the houses will have to be 25% more energy efficient than ones built to 2006 Building Regulations standards.

Publicity

3.12 This amended application has been advertised by way of neighbour letters, site notices and press advert on 3 occasions (2 within 2 days of each other).

3.13 The original list of objections from the first round of publicity, as reported at the 4th November planning committee is listed below. There were 161 letters of objection.

The objections include:

- a) devaluation of property
- b) properties have been miss-sold by Bellway
- c) moved to estate for a better standard of living
- d) will encourage anti-social behaviour
- e) will impact on existing houses and the owners' enjoyment
- f) will have a negative impact on existing occupants
- g) houses have already dropped in value
- h) houses will be difficult to sell if social housing is built in the area
- i) rented houses are often not properly cared for in the same way as privately owned houses
- j) would not have bought this house if had known about this development
- k) out of keeping with the area
- l) parking problems with extra houses/cars
- m) overcrowding
- n) plans would radically change the overall feel of the area
- o) contrary to Local Plan policy
- p) no demand for this type of housing
- q) will adversely impact upon residential satisfaction and community well-being
- r) will be detrimental to the visual amenities of the area and will affect the 'sense of space'
- s) lack of garages could lead to external storage and the construction of non-uniform structures by future residents

- t) visually out of character with the whole of Middle Warren
- u) parking arrangements will have a detrimental impact on visual amenities of the area
- v) the increase in density is unacceptable
- w) a 'sub community' could be created. This would increase the potential for crime and anti-social behaviour
- x) increase in traffic will impact on highway safety and noise/disturbance
- y) lack of suitable facilities in the area
- z) social isolation of proposed development
- aa) area not well served by public transport
- bb) drains will not cope with extra demand
- cc) will change reputation of area
- dd) will create a sub-community
- ee) no recreational or school facilities on site
- ff) affordable housing shouldn't be in this area
- gg) no space for children to play
- hh) supposed to be executive estate
- ii) massive increase in traffic
- jj) should use other site in town i.e. brownfield
- kk) will lead to mass exodus of people from Middle Warren
- ll) nowhere to store bins/recycling bags
- mm) nowhere for kids to play
- nn) will affect visual amenities of existing occupants of properties
- oo) were lead to believe that Middle Warren was an executive estate
- pp) no call for social housing in area
- qq) will be detrimental to town's economy

Copy letters A

3.14 There were in addition 3 letters of support. **(Copy letters X)**

3.15 The following list has been compiled from the new letters of objection received in connection with the amended scheme (the 2 subsequent publicity exercises). This is based on 50 new letters of objection although it should be noted that a number of people have indicated that their original objections are still relevant:-

- a) The revised parking will cause problems
- b) Alterations will make no difference
- c) Residents opinions have not been considered
- d) Plans are fundamentally unchanged from the original scheme
- e) Reduced parking will lead to roadside parking and highway danger
- f) Time has been wasted
- g) Increased traffic in the area
- h) Development does not meet Council policy regarding sustainable communities
- i) Layout is too dense
- j) Lack of space around dwellings
- k) Out of character with the surrounding area
- l) No consultation between Bellway and local residents
- m) Bellway is cashing in on taxpayers money

- n) Lost sales for other developers due to this application
- o) Will have a negative impact on attracting executives and other young professionals to the town
- p) Could have an impact on other social housing sites in the town
- q) Houses will have adverse impact on the visual amenities of the area
- r) Already vacant Housing Hartlepool properties in the town
- s) Does not conform to integration through dispersal – peppercotting
- t) Would form an easily identified enclave – open to social exclusion
- u) Not conducive to integrated and diverse community mix
- v) Will not address issue of outmigration
- w) Ignores Tees Valley JSU recommendations
- x) Ignores the advice of HCA Kickstart funding and advisory body regarding community consultation
- y) Revised plans do not address issues raised by residents
- z) Will create issues with refuse generation and collection
- aa) Extra traffic will create more noise and pollution
- bb) Will create a massive amount of resentment in the area
- cc) Extra density will create a greater level of ambient noise pollution
- dd) Devaluation of existing properties
- ee) Already plenty of undeveloped land in Hartlepool for affordable housing

Copy letters AA

3.16 The period for publicity expires before the meeting.

Consultations

3.17 Head of Public Protection – no objections

3.18 Head of Traffic and Transport – no objections

3.19 Northumbrian Water – no objections

Planning Policy

3.20 **Planning Policy Statement 3 (PPS3) : Housing** sets out the national policy framework for delivering the Government's housing objectives. This reflects the Government's commitment to improve the affordability and supply of housing in all communities so that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live.

3.21 The Government is seeking to achieve a wide choice of high quality homes, both affordable and market housing; to widen opportunities for home ownership and ensure high quality housing for those who cannot afford market housing; to improve affordability across the housing market, including by increasing the supply of housing and to create sustainable inclusive, mixed communities in all areas.

3.22 In determining planning applications, Local Planning Authorities should have regard to:

- achieving high quality housing

- ensuring developments achieve a good mix of housing
- the sustainability of a site for housing, including its environmental sustainability
- using land effectively and efficiently
- ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine policy objectives.

3.23 The following policies in the **Regional Spatial Strategy (RSS) 2008** are relevant to the determination of this application:

Policy 2: Sustainable Development

Planning proposals should support sustainable development and construction through the delivery of environmental, social and economic objectives in order to ensure everyone has the opportunity of living in a decent and affordable home.

Policy 30: Improving Inclusivity and Affordability

Planning proposals should address the problems of local affordability in both urban and rural areas and have regard to the level of need for affordable housing, including the use of planning obligations in the development of all housing sites, including when considering the renewal of lapsed planning consents.

Policy 38: Sustainable Construction

New developments of more than 10 dwellings or 1000m² of non-residential floorspace should secure at least 10% of their energy supply from decentralised and renewable low-carbon sources.

3.24 The RSS acknowledged that housing needs of people on modest or low incomes are not being met, but left it up to individual Boroughs to determine through the Local Development Frameworks (LDF) their own target for affordable housing based on housing requirements identified from Strategic Housing Market Assessments (SHMA). Although Hartlepool's affordable housing need is not specified within the RSS, the up to date SHMA provides the appropriate robust evidence required to determine the affordable housing target in the Borough.

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

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

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

schemes and where practical in alterations to existing developments.

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

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

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

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

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

Emerging Policy

3.26 Whilst there is no formally adopted policy in the emerging Local Development Framework, the Preferred Options Report of the Affordable Housing Development Plan Document issued for consultation in October 2009, indicates that affordable housing will be required as part of all development over 15 units subject to viability assessment. The suggested approach is to 'pepperpot' affordable provision across the town and across development sites. It must be accepted that this document has limited formal status at this time as it is only at consultation stage.

Planning Considerations

3.27 The main planning considerations in this case are the appropriateness of the proposal in terms of the original Middle Warren Master Plan, the policies and proposals contained within the Hartlepool Local Plan 2006, regional and national government policies and guidance and the emerging Local Development Framework, the impact of the development on the surrounding area and on the amenities of nearby residents, highway safety, parking and the design of the scheme itself.

The Middle Warren Master Plan 1997

3.28 Outline planning permission was granted for the development of Middle Warren in March 1997. The application approved related to residential development with associated open space, community use and shops. The development of the site was to be carried out in accordance with the framework and principles of an agreed Master Plan, landscaping strategy and phasing plan.

3.29 The Master Plan envisaged a comprehensive community developed over a 30 year period. The proposed development was for 2000 dwellings which were to be predominantly private housing of a mix of designs and sizes ranging from low cost accommodation to large detached executive dwellings. It was however anticipated in the Master Plan that some small sites would be reserved for housing association developments to help satisfy the demand for and broaden the scope for affordable accommodation.

3.30 The development comprised general housing (including social housing) over 9 distinct phased areas. Two particular sites were specifically identified for 'Executive Housing' i.e. high quality low density housing. One site related to Area 5 and was developed as the Kingfisher Way area. The other site was Nightingale Close.

Delivering Affordable Housing (Communities and Local Government 2006)

3.31 The Government believes everyone should have the opportunity of a decent home, which they can afford, within a sustainable mixed community (Delivering Affordable Housing 2006).

3.32 **Affordable housing** includes social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market. Affordable housing should:

- meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices; and
- include provisions for:
 - i) the home to be retained for future eligible households; or
 - ii) if these restrictions are lifted, for any subsidy to be recycled for alternative affordable housing provision.

3.33 **Social rented housing** is rented housing owned and managed by local authorities and Registered Social Landlords (RSL) for which guideline target rents are determined through the national rent regime. The proposals set out in the Three Year Review of Rent Restructuring 2004 were implemented as policy in 2006. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the Local Authority. (PPS3)

3.34 **Intermediate affordable housing** is housing at prices and rents above those of social rent but below market price or rents and which meet the criteria set out at

3.32. These can include shared equity e.g. Home Buy and other low cost homes for sale and intermediate rent. (PPS3).

3.35 The Government has adopted this definition of affordable housing because it wishes to ensure that developer contributions are used to help provide genuinely affordable housing for households in need over the long term. The definition includes homes owned or managed by private sector bodies and provided without Government grant and new models of affordable housing. It is not essential that all affordable homes are offered under identical conditions.

Kickstart Housing Delivery (Homes and Communities Agency)

3.36 In response to acute housing pressures, the Government is aiming to increase national levels of housing supply to 240,000 new homes a year by 2016. The ambition of the Homes and Communities Agency (HCA) is to deliver high quality attractive and affordable places for people to live, work and enjoy – whether creating new communities from scratch or transforming existing ones.

3.37 The £400m Kickstart Housing Delivery programme was announced by the Government in the 2009 Budget. This scheme is targeted at currently stalled housing sites, to support construction of high quality mixed tenure housing developments (including private, intermediate and social housing). Additional resources for Kickstart of £660m were also announced in Building Britain's Future 2009.

3.38 Funding is available to housing associations, private sector developers and other organisations who can put forward housing led schemes with a minimum of 50 homes (fewer in rural areas or if the scheme delivers to Code for Sustainable Homes level 5 or 6). Sites should be in the control of the applicant and have detailed planning consent in place or the ability to achieve this by the end of March 2010. Sites should also have funding in place.

3.39 It is anticipated that Kickstart will deliver 22,000 new homes of which 7,000 will be affordable homes.

Lettings and Tenure Procedure – Housing Hartlepool

3.40 Housing Hartlepool, a Registered Social Landlord, will take over the management of the proposed 50 affordable homes. 15 of the properties will be for social rent by applicants registered with Housing Hartlepool. Social rented tenancies with Housing Hartlepool are Assured Tenancies which have strict responsibilities and obligations for both tenants and landlords alike.

3.41 The 35 remaining properties are intermediate rent or rent to home buy. This scheme is aimed at people who want to be home owners but for one reason or another are unable to get on the first rung of the housing ladder. Rents for these properties are set at 80% of the market value allowing the occupant to save 20% towards a mortgage deposit. There is an expectation that occupiers will be in a position to purchase their house within 5 years. Options will be reviewed periodically during this period. Tenancies can be terminated and occupiers offered alternative

rented accommodation after 5 years or offered extended tenancies should purchase be a realistic option. Part purchase of these properties is also available on an incremental scale, increasing over time the occupiers ownership.

3.42 There is an expectation that eventually, many if not all of these 35 houses will be in private ownership.

3.43 It is unlikely that people receiving full housing benefits would be eligible for this scheme.

Principle of Development

3.44 The site lies within the limits to development as set out in the Hartlepool Local Plan 2006. Outline planning consent was first applied for in 1995 (H/OUT/0148/95) for the residential development of Middle Warren. A large number of planning and reserved matters applications have subsequently been submitted and approved for the various phases of this large development. These applications include plans for the current site (H/2006/0784 and H/2008/0686).

3.45 In this particular case, the proposal for the substitution of house types and the increase in numbers, on a site allocated and approved for housing is therefore considered to be in accordance in principle with Local Plan policies referred to in paragraph 3.24.

3.46 PPS3 Housing sets out the national policy framework for delivering the Government's housing objectives. This reflects the Government's commitment to improve affordability and supply of housing in all communities. The already built units at Middle Warren and those unimplemented almost exclusively consist of private dwellings. It should be noted however that when the original outline application was approved, there was no policy framework to require the provision of affordable/social housing within the overall scheme. Through negotiation some provision was made for social housing within the development as part of a legal agreement (S106 Agreement). This legal agreement required the provision of a minimum of 2 hectares in total of social housing, one hectare to the north and one to the south of the green wedge. This minimum obligation has been met within the development to date. It is important therefore to note that the provision of social housing has always been an objective in the Middle Warren development and that 2 hectares was always seen as a minimum provision.

3.47 This current application to provide affordable housing would be in line with the desire to bring forward sustainable housing developments and is therefore in accordance with both PPS1 (Delivering Sustainable Development) and PPS3 (Housing). This reflects Government advice that the planning system should deliver 'a mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural' (PPS3). In commenting on affordable homes in relation to the proposed new Infrastructure Levy, the Housing Minister stated on 28 January 2008 that 'families across the country need more affordable homes.... They need to be in high quality neighbourhoods with proper infrastructure and local facilities too'.

3.48 A number of housing studies have been undertaken within the Borough which provide evidence indicating that there is a need for affordable housing. The Hartlepool Strategic Housing Market Assessment (HSHMA), commissioned in 2007, identified a general shortfall across the Borough of 393 dwellings per annum (1-2 beds, 3-plus beds and older person). This includes the Elwick/Hart/Throston sub areas of which Middle Warren is a part. The shortfall of affordable housing in this area is 76 dwellings per annum. This assessment was supported by the Tees Valley Housing Market Assessment (2008).

3.49 However, in March 2009, the Council-commissioned Affordable Housing Economic Viability Assessment (AHEVA) demonstrated that across the Borough there is little scope to deliver any affordable housing as part of new private developments, due to prevailing market conditions within the current recession.

3.50 Most recently, the Preferred Options report for the Affordable Housing Development Plan document (DPD), referred to at paragraph 3.26, was published for consultation in October 2009. Its draft policies reflect the need to seek affordable housing contributions in section 106 agreements within new housing applications of more than 15 dwellings, recognising the need to assess effects on overall scheme viability.

3.51 In conclusion, it would appear that there is a robust case for the provision and need for affordable housing in the Borough as a whole and that there is a specific localised need in the area of which Middle Warren is a part.

Design of the Scheme

3.52 The proposed development which seeks to provide one detached house (for sale), 22 pairs of semi detached and 2 small terraces of 3 houses, is located at the northern end of the Middle Warren estate and will form the remainder of Silverbirch Road and all of Poppy Close.

3.53 The proposed development uses the existing road layout, services and utilities already in place.

3.54 Although no garages have been provided with the new dwellings (apart from the detached house) there are 71 parking spaces many within curtilage.

3.55 Whilst the number of dwellings has increased from 33 to 51, there are various similarities of design with previously approved developments elsewhere within Middle Warren. The size of the proposed dwellings and garden areas compares favourably with various other areas of the estate, e.g. Rosebud Close to the west, Speedwell Close to the south east and some parts of Silverbirch Road itself. A number of the abovementioned properties have small/very small front gardens. The terraced houses in Speedwell Close, which have no garages, have parking spaces in blocks to the front of the dwellings.

3.56 It should be noted that there are many houses within the Middle Warren area, e.g. Merlin Way immediately to the south of the application site, which have large

areas of tarmac/block paving to the front, some with relatively small front gardens. Most of these properties also have double driveways to the front of the houses.

3.57 The proposed dwellings are well distanced from neighbouring properties and meet the Council's guidelines for separation distances and overlooking.

3.58 Bellway has stated that the proposed house types are currently to be found within Middle Warren with residents living in them, the main difference being that there are no garages with those currently proposed. The lack of garages would not in itself be a sound reason for refusal.

3.59 In view of the above, it is considered that it would be unlikely that an objection could be sustained for the proposal in terms of siting and design.

Highway Safety

3.60 The Council's Highways Engineer has stated that the increase in traffic created by the alterations to the layout and the additional dwellings should have minimal impact on the surrounding highway network when considered in the context of the estate as a whole.

3.61 The parking provision for this type of development (affordable housing) is normally a maximum of 1.5 spaces per property. In this case, 71 parking spaces have been provided for 50 dwellings. This is considered to be acceptable in view of the Government's stance on reducing parking in new developments and the promotion of sustainable, alternative transport.

3.62 A number of objections refer to the increase in traffic that would be generated as a result of the development which would lead to congestion and highway safety problems. The existing roads and proposed parking spaces meet the criteria set out in the current 'Design Guide and Specification for Residential and Industrial Estates' published and updated by Hartlepool Borough Council in conjunction with neighbouring Local Authorities. In view of this it is unlikely that an objection could be sustained on highway safety grounds.

Other Considerations

3.63 Whilst a large number of objections have been received which relate to the nature of the development and the provision of affordable housing in what has been described by objectors as an area for 'executive housing', the social standing of future residents is not a material planning consideration.

3.64 Concerns have also been raised by objectors (including Persimmon Homes) regarding the 'dumping together' of these affordable houses and the impact this could have on the surrounding areas in terms of the potential to create a 'sub-community'. 'Pepperpotting' is a term used by the Government to describe the dispersal or scattering of affordable housing with private market housing in order to avoid large areas/estates of social/affordable housing. The issue of dispersal or 'pepperpotting' these affordable housing within other areas of Middle Warren has also been raised. In this particular case the applicant has stated that this would be

impractical and that the current scheme should be dealt with on its own merits as no other site is presently under consideration. In considering this “pepperpotting” issues, it should be noted that the 15 social rented units have been dispersed though the proposed development, that it is a reasonable expectation that the bulk of rent-to-buy units will become owner-occupied within five years (as indicated in paragraphs 3.41-3.42) and that the proposed house types exist within approved schemes elsewhere in Middle Warren (with the exception of the lack of garages (paragraph 3.58)). As such it is difficult to accept that a discernible “sub-community” will be established. Moreover, the proposals have been considered as acceptable within the Homes and Communities Agency’s Kickstart scheme and it would therefore appear reasonable to interpret the proposals as being consistent with Government housing policy in this respect.

3.65 Other issues such as property devaluation and the marketing practices of the developer cannot be considered.

3.66 Persimmon Homes which has a number of sites (developed and undeveloped) within the Middle Warren area has stated that sales on its sites have fallen since the submission of this planning application. It is also believed that a number of cancellations made by house buyers are as a direct result of the application. It is difficult to see what weight if any, can be attributed to this issue. Although the effect of one development on another is a material consideration, this normally involves things such as noise and disturbance and visual amenity. Change and uncertainty can often have consequences of this type but tenure or occupancy is not normally seen as a material planning consideration except in exceptional circumstances. It is also difficult to see what it is about this development which could be argued would have an adverse effect. The houses, if approved, will be virtually indistinguishable from other areas of Middle Warren eg Rosebud Close to the west of the application site. In view of this, it is considered that it would be difficult to sustain an objection to the development in land use terms.

3.67 Persimmon and some resident objectors have voiced concerns that these effects will detract from Middle Warren’s role in supporting economic regeneration in Hartlepool. It should be noted, however, as indicated at paragraphs 3.27-3.29 that the approved Middle Warren Master Plan envisaged the site providing a mix of housing types.

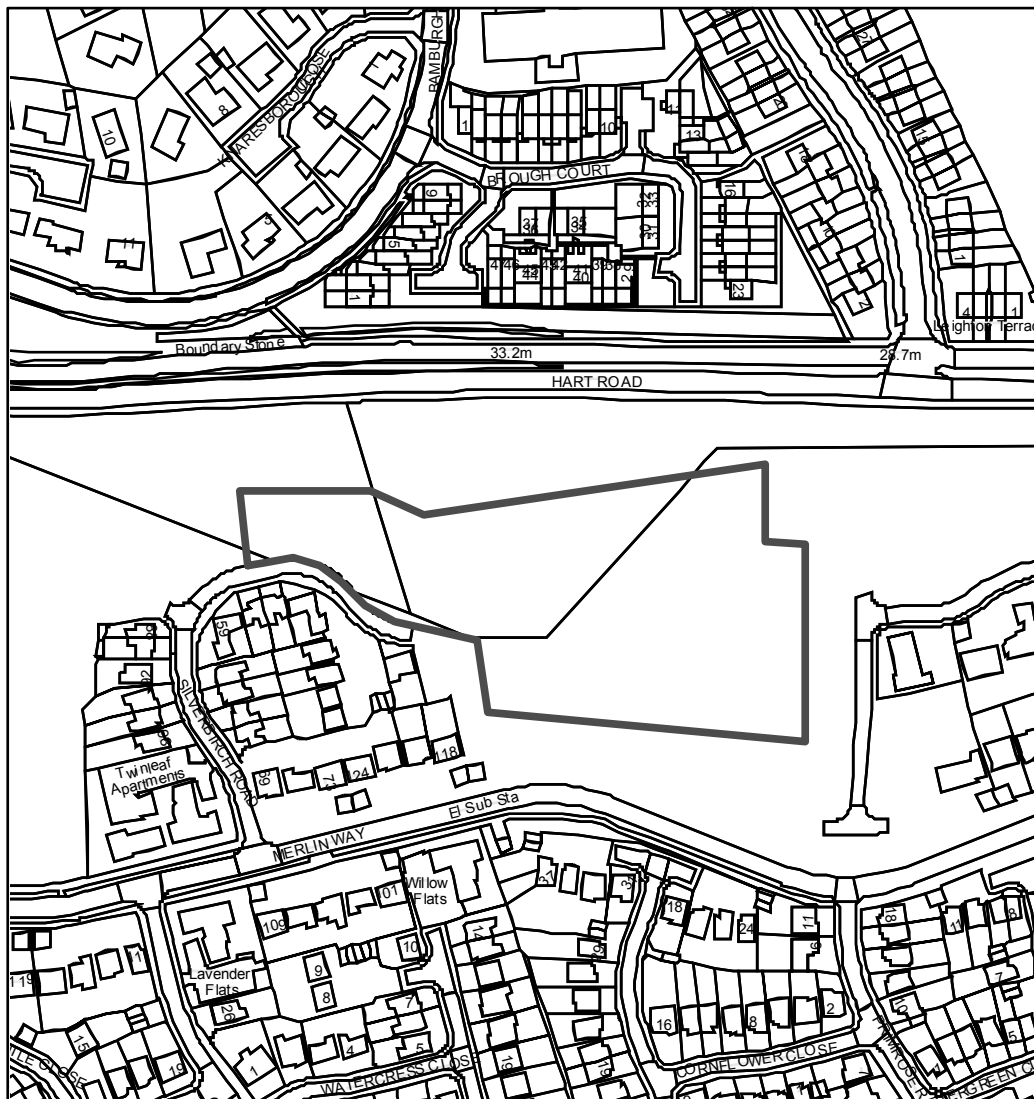
Conclusion

3.68 Whilst it is acknowledged that there have been a large number of objections to the development, the proposed development is considered to be in accordance with national and local policies and in terms of layout, design, amenity and highway safety, it is considered to be appropriate and acceptable.

RECOMMENDATION – APPROVE, subject to the following conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.

2. Notwithstanding the submitted details: 1) the external finishing materials; 2) walls, fences and other means of enclosure; 3) the finished floor levels; 4) method for disposal of surface water land drainage; 5) land formation to the rear of gardens of plots 1076, 1077, 1078 and 1078A; and 6) provision of retaining walls shall be in accordance with final details to be submitted to and approved in writing by the Local Planning Authority
For the avoidance of doubt.
3. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
4. Notwithstanding the provision 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 or any wall of that dwellinghouse which fronts onto a road, without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
5. 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
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity

MERLIN WAY

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 20/10/2009
	SCALE 1:2,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0497	REV

No: 4
Number: H/2009/0530
Applicant: MR L PENNICK CHURCH STREET SEATON CAREW
HARTLEPOOL TS25 1BX
Agent: MR L PENNICK 5 CHURCH STREET SEATON CAREW
HARTLEPOOL TS25 1BX
Date valid: 15/10/2009
Development: Retention of Trinity House advertisement board
Location: TAIL END FISHERIES CHURCH STREET SEATON
CAREW HARTLEPOOL HARTLEPOOL

The Application and Site

4.1 The application site is within the Seaton Carew Conservation Area.

4.2 The proposal seeks the retention of a wooden non-illuminated directional name sign approx 1.22m by 0.61m high mounted on the south facing elevation of Tail End Fisheries, Church Street, Seaton Carew. A photograph is appended with this report.

Publicity

4.3 The application has been advertised by way of neighbour letters (2) site notice and press advert. There have been no letters of objection.

The period for publicity has expired.

Consultations

4.4 The following consultation replies have been received:

Traffic and Transportation – there are no major highway implications.

Planning Policy

4.5 PPG 19 Outdoor Advertisement Control indicates that the display of outdoor advertisements can only be controlled in the interests of amenity and public safety. It indicates that Local Planning Authorities should have regard to the effect of advertisements on the appearance of the buildings or on the immediate neighbourhood. The presence of a conservation area is seen as a relevant consideration.

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

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be

located on previously developed land within the limits to development and outside the green wedges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

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

GEP8: States that advertisements will only be permitted where they do not detract from the amenity of the area and do not reduce highway safety or introduce visually obtrusive features.

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

HE2: Encourages environmental improvements to enhance conservation areas.

Planning Considerations

4.7 The main planning considerations in this case are the appropriateness of the proposal in terms of the policies and proposals contained within the Hartlepool Local Plan and the effect upon the visual amenities of the area and the Seaton Carew Conservation Area and highway safety.

4.8 The Council's Traffic and Transportation have raised no objections to the sign in highway safety terms.

4.9 This part of the Conservation Area has a mix of uses with shops, flats, public house and hotel in close proximity.

4.10 The non-illuminated wooden directional sign is fixed to the south elevation of a commercial property which fronts onto The Front, Seaton Carew, this property is not part of Trinity House which appears in the advertisement. The sign was erected without formal planning permission and brought to officers attention through the complaints procedure.

4.11 The legislation and policy advice relating to conservation areas states that all development should be considered against the criteria of whether preservation or enhancement of the conservation area is being achieved by the development.

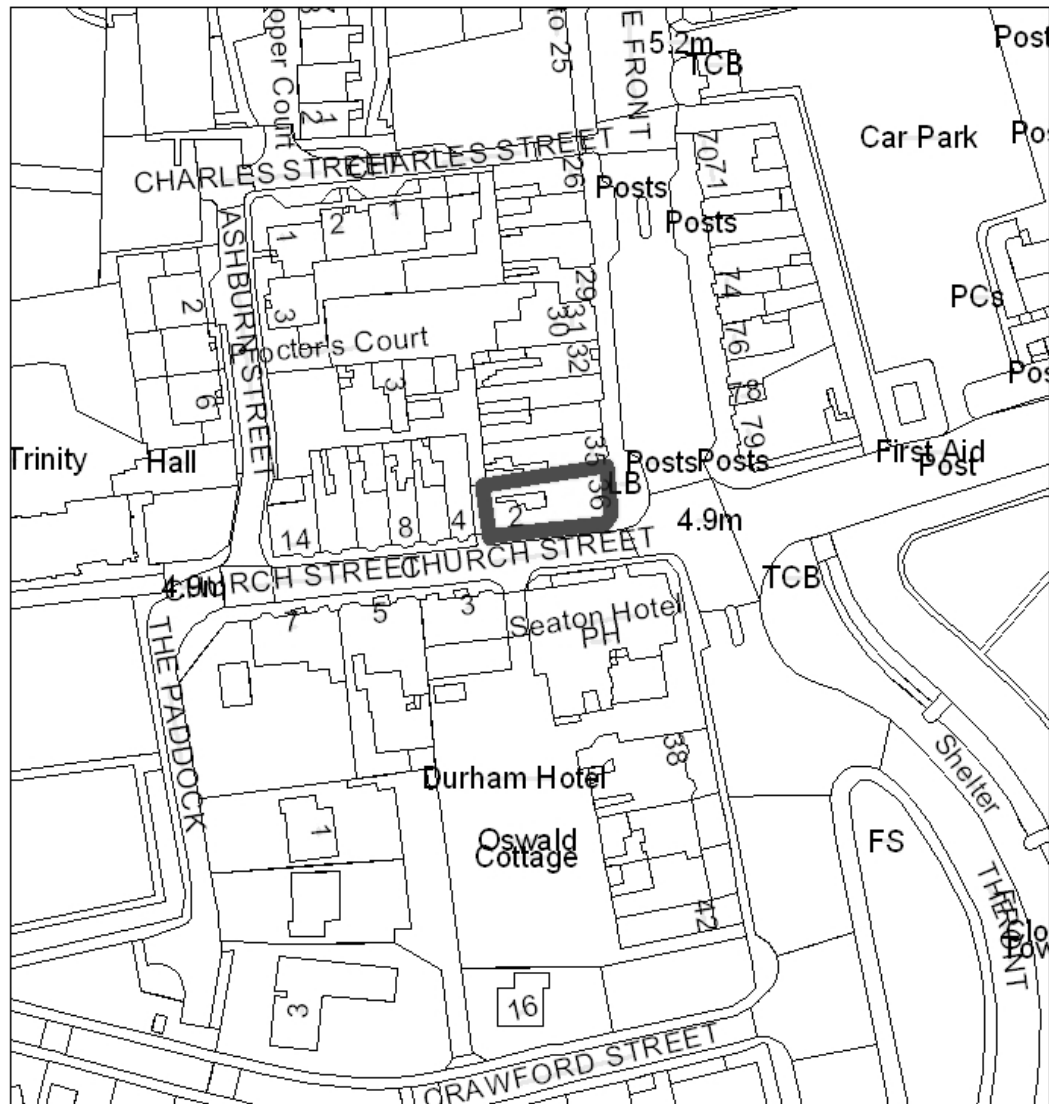
4.12 A suitably designed hand painted sign would normally be appropriate for this location in a conservation area, but in this case the dimensions of the sign are

considered to be too large (particularly when a visual comparison with the adjacent sash window can be made) and the sign is not sufficiently detailed by means of mouldings, framing the sign for example. In addition to the concerns over the appearance, an inappropriate precedent would be set for similar signage away from the immediate site of the activity to be advertised. This would result in a detrimental visual appearance and clutter.

4.13 On the basis of the size, design and appearance of the proposed sign and the undesirable precedent that would be set, the application is considered to have a detrimental impact upon the appearance of Seaton Carew Conservation Area and therefore refusal is recommended.

RECOMMENDATION - REFUSE

1. It is considered that the size, design and appearance of the proposed sign is inappropriate and detrimental to the character of the Seaton Carew Conservation Area and could set an undesirable precedent contrary to the provisions of PPG19 Outdoor Advertisement Control and policies GEP1 and HE1 of the adopted Hartlepool Local Plan.

CHURCH STREET, SEATON CAREW

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 16/12/2009
	SCALE 1:1,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0530	REV

No: 5
Number: H/2009/0279
Applicant: Mr M Ashton Hillcrest Grove Elwick Hartlepool TS27 3EH
Agent: Business Interiors Group 73 Church Street
HARTLEPOOL TS24 7DN
Date valid: 30/06/2009
Development: Change of use of sheep paddock to provide storage for
touring caravans, provision of residential caravan to
provide security to storage site and the adjacent caravan
park
Location: ASHFIELD FARM DALTON PIERCY ROAD
HARTLEPOOL

The Application and Site

5.1 Ashfield Farm is located approximately 1 km to the north east of Dalton Piercy and consists of a smallholding. The site adjoins a paddock along its eastern boundary, also in the applicant's ownership. The overall holding is part of a cluster of holdings which are being used for various commercial and rural related enterprises. The site is accessed from Dalton Back Lane via a track some 300m in length.

5.2 Part of the application site is an operating touring caravan and camping site, which was approved by Members on the 8th August 2006. The site has been operational since March 2008.

5.3 It is proposed to use a sheep paddock adjacent to the existing touring caravan and camp site as an area for the storage of 143 caravans. It is also proposed to provide a static residential caravan on the site for the manager to provide security to the storage facility and to the adjacent Ashfield caravan park.

5.4 It should be noted that the applicant is already living on site in the temporary residential caravan without the benefit of planning permission.

Publicity

5.5 The application has been advertised by way of neighbour letters (10) site notice and press notice. To date there have been 2 letters of objection and 1 letter of no objection

5.6 The concerns raised are:

1. The land use would be visually intrusive.
2. Caravan storage can readily be carried out on land zoned for industrial, commercial use or on brownfield sites, of which there is adequate supply within a few miles.

3. This is yet another incremental planning application on this site which would create the unwelcome precedent of a twelve month per year use of the site and the precedent of a permanent residential use.
4. The width of the surrounding roads are narrow, the objector has had to take evasive action on a couple of occasions.
5. Potential traffic movements to over 200 per week.
6. The storage area would need to be hard standing as it would not be possible to negotiate 143 caravans in this area without turning the paddock into a quagmire.
7. There are 2 storage facilities within the Hartlepool area which had places to rent.
8. Concerns that there are no sheep on the farm.
9. If the residential caravan proposed is for the security of the site why is it placed out of sight behind the large agricultural building and not at the entrance to the site near the club/reception, this is the only place to monitor the whole site day and night.
10. Information in the application states that there have been no serious behavioural problems, but under separate information it states there have been a couple of serious security and behavioural issues.
11. The Hartlepool Mail showed a picture of a family at the site with a large paved patio area another sign the site is becoming residential.
12. The children's play area has not been constructed.
13. The beer garden furniture is back.
14. Tree planting has not been carried out.
15. The sheep breeding building constructed is totally unsuitable for livestock i.e. no ventilation.

Copy letters D

The period for publicity has expired.

Consultations

5.7 The following consultation replies have been received:

Public Protection

No objection

Traffic and Transportation

Initially had concerns regarding the proliferation of caravans using of the narrow country lanes. However after receiving further information from the agent the Traffic & Transportation team are satisfied with the proposed development.

HBC Accountant

A credit report details that the company is at Maximum Risk. The company has made a loss for the last 2 years and the financial position is worsening according to the information the accountancy team have.

Highways Agency

No objection to the application subject to conditions which relate to the safe movement of caravan related traffic arriving and departing from the site.

Environment Agency	Initially commented that a buffer zone was required between the site and the watercourse to the north of the site. A revised plan was submitted by the agent and the Environment Agency are satisfied with the proposed scheme.
Northumbrian Water	No objection
Dalton Piercy Parish Council	Objects to the planning application, there is no proven business plan in place and granting the application is yet further encroachment into the countryside

Planning Policy

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

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

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

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

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

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

Planning Considerations

5.9 The main issues in this case are the appropriateness of the proposal in terms of the policies and proposals contained within the Hartlepool Local Plan, the impact the proposal would have on the surrounding area and how the proposal relates to the relevant criteria specified in PPS 7: Sustainable Development in Rural Areas.

National and Local Policy Issues

5.10 The Council operates strict control over development within the open countryside.

5.11 The Planning Policy team have raised concerns regarding the proposal to store caravans on the site in terms of its compatibility within a rural setting, however given the use of the adjacent site as a touring caravan and camp site, that the proposed area for caravan storage is a low lying site as described in the visual amenity section below it is difficult to sustain these concerns. However, should the caravan and camp site cease operation it is difficult to see a justification for the retention of the caravan storage area in isolation.

5.12 It is considered that the storage of caravans would generate an additional income which would supplement the touring caravan and camp site business. The Economic Development Manager has assessed the application and considers that the proposal appears to be appropriate to assist in long term development of the facility.

5.13 It is generally required that there should be a demonstrable and justifiable need for new isolated residential development. The starting point for considering whether a temporary dwelling would be acceptable is the guidance provided in the government's Planning Policy Statement 7 (PPS7). This states that the following criteria should be satisfied: -

- (i) clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new farm buildings is often a good indication of intentions);
- (ii) functional need
- (iii) clear evidence that the proposed enterprise has been planned on a sound financial basis;
- (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- (v) other normal planning requirements, e.g. on siting and access, are satisfied.

5.14 It is apparent that the touring caravan and camping site is operational. There has also been significant investment in the business in the form of a club house/reception and shower block facilities which have been erected on the site. It is therefore considered that the applicant has shown a firm intention to develop the enterprise concerned.

Functional need

5.15 A functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times.

5.16 The applicant has provided details to support the functional need for a temporary dwelling on the site which relate to the day to day running of the touring caravan and camp site. The applicant has put forward that there is a requirement for onsite presence 24 hours a day to ensure that services could be carried out immediately, such as repairs, responding to emergency situations and site security.

5.17 The applicant has indicated that there have been incidents on site with behaviour and attitude problems from residents, which would have resulted in loud confrontations between families, by being on site 24 hours the applicant was able to defuse the situation before it was necessary to call the police. There have been occasions that the applicant has called the police.

5.18 The applicant's family home is in the neighbouring village of Elwick and there is concern from the applicant that as the business develops that the number of potential incidents could increase and therefore in the interest of developing the business a 24hour on site is required.

5.19 There is a unit of land for sale (Lowfield Farm) adjacent to land within the ownership of the applicant which has previously had permission for a temporary caravan to oversee a wild boar business and also benefits from planning permission to build a house. Given the present financial situation of the touring caravan and camp site business, the applicant is not in a position to buy the site for future development. However it should be acknowledged that this proposal is for a temporary residential caravan and the situation can be assessed again on the expiry of three years should this application be approved.

5.20 There are a number of caravan parks throughout the country which accommodate onsite 24 hours a day presence. In summary it is considered that a satisfactory case for functional need has been demonstrated.

5.21 Although the applicant has referred to the temporary accommodation being provided not only for the day to day running of the touring caravan and camp site but also for the security of the stored caravans, it is considered that should Ashfield caravan park cease operation there would be no functional need for the temporary residential dwelling. It is therefore proposed that a condition be imposed to ensure that should Ashfield caravan and camp site cease operation then the residential caravan should be removed from the site.

Financial justification

5.22 As part of the submission the applicant has provided details of the business accounts for the period 10th April 2008 to 31st May 2009. In addition the applicant has also provided cashflow projections.

5.23 The applicant has also stated that it is the intention to rent out the existing Elwick home to provide an additional income for the applicant.

5.24 The comments of Hartlepool Borough Council's accountancy team have been sought and a credit report ran by the accountancy team details that the company is at Maximum Risk. The company has made a loss for the last 2 years and the financial position is worsening according to the information the accountancy team have.

5.25 It should be acknowledged that the applicant has invested a significant amount of money to set up the business. However given there are some outstanding issues regarding whether the proposed business has been planned on a sound basis, further information is being sought.

Visual Amenity

5.26 The application has been assessed by the Council's Landscape and Conservation team and the Council's Landscape Architect.

5.27 The land in question for both the storage of caravans and the provision of a temporary residential caravan is low lying relative to the surrounding land on the west, north and south sides and is well screened by landscaping immediately to the north and also on the southern boundary of the applicant's wider land holding. It is screened from lower lying land to the east by a mature hedge at the eastern boundary of the applicant's land. As such it is considered by the Landscape and Conservation team that there should be no visual intrusion in the surrounding landscape from the presence of caravans on the plot of land proposed for caravan storage.

5.28 Planning Policy Statement 9 states that 'planning decisions should aim to maintain and enhance, restore or add to biodiversity'. On this basis it is considered that a landscaped area in the form of a hedge should be provided along the southern boundary of the area identified for the storage of caravans, this can be controlled by planning condition and would be in the interests of enhancing biodiversity as well as in the interest of visual amenity.

5.29 The Council's Landscape Architect has assessed the scheme and acknowledges that rows of tightly packed caravans can have a significant impact on existing views, often dominating the area, however he considers that having visited the site that it is evident that the low-lying nature of the proposed storage area provides a significant element of screening from the surrounding roads. At the time of the site visit the surrounding trees and hedges were defoliated, potentially providing the clearest view of the site possible. Whilst the roofs of the caravans in the adjacent touring caravan and camping site were visible, the proposed storage area was not clearly identifiable.

5.30 There is potential that the use of the field to store tightly packed caravans could degrade the grassed field rapidly, however a condition can be imposed to ensure that a grass protection system could cover this field to provide some degree of protection to the field. The applicant is agreeable to this planning condition.

Highways Issues

5.31 The Traffic and Transportation team have confirmed that there are no objections on highway grounds subject to the applicant actively advising customers on the most appropriate route to and from the site, this is echoed by the comments from the Highways Agency who have recommended a condition be attached to any approval.

Other Issues

5.32 With regard to an objection which states beer garden furniture is present on site this is a separate issue which is being progressed outside of this application.

5.33 With regard to the adventure playground not being constructed, the applicant has confirmed that the cost of the equipment and insurance complexities are causing great concern at the moment, however it is still anticipated that the play area will be provided in the future. There is however no specific requirement that this be provided.

5.34 The applicant is proposing to increase security on the site not just by the provision of a 24-hour site presence but by also by providing other security measures including controlled access and egress barriers to the storage area, extension of CCTV system.

Conclusion

5.35 There are concerns regarding whether the proposal has been planned on a sound financial basis and information is being sought. It is anticipated that this will be resolved prior to the Planning Committee.

RECOMMENDATION – Update to follow

ASHFIELD FARM

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 16/12/2009
	SCALE 1:2,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0279	REV

No: 6
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 including upgraded waste classification system, briquette plant and pyrolysis/gasification plant including electricity generation facility
Location: NIRAMAX THOMLINSON ROAD HARTLEPOOL

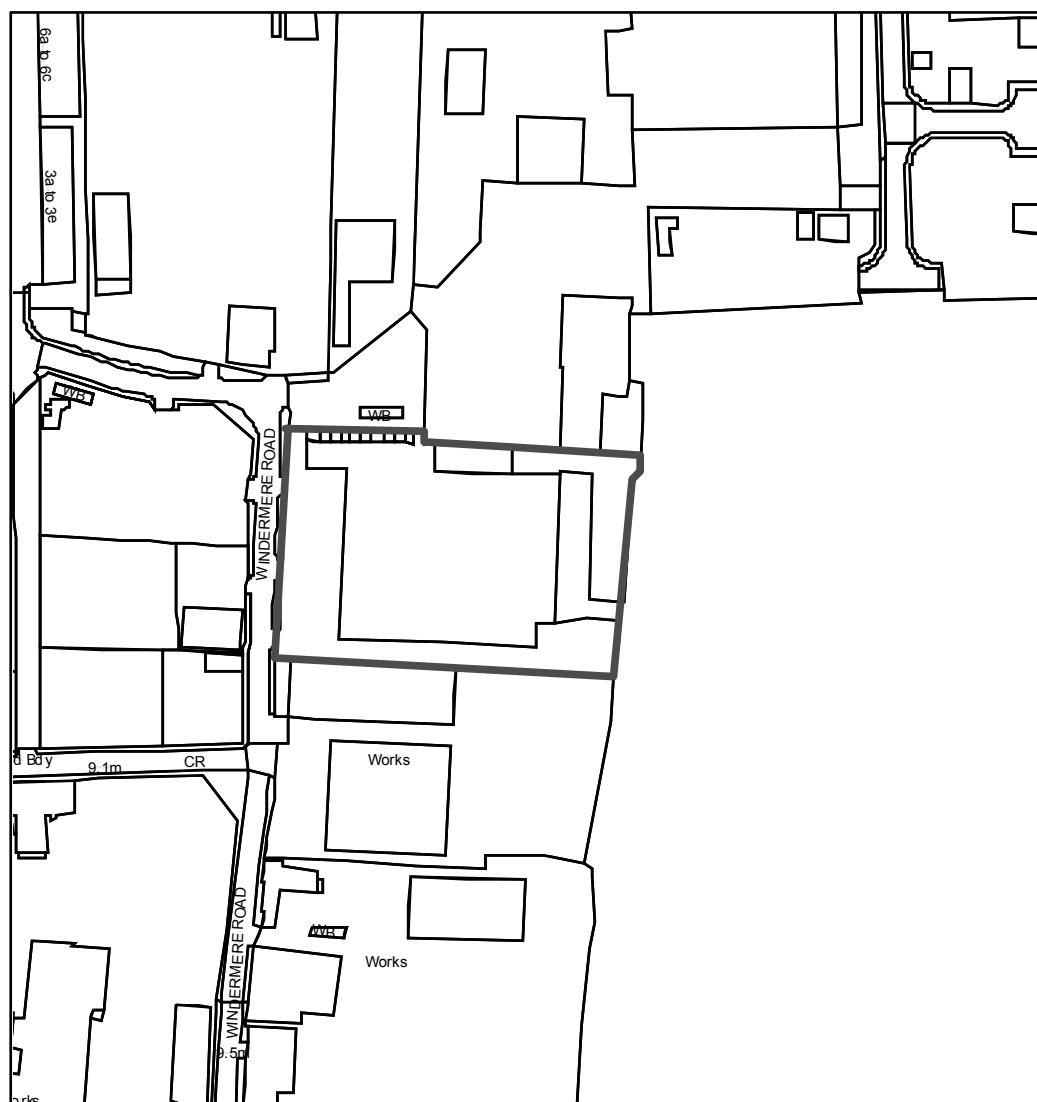
Background

6.1 The application was deferred at the previous planning committee on 2nd December as members were minded to arrange a visit to the application site, to view the site from Harvester Close and to also visit another site operating a similar pyrolysis/gasification process in a comparable location within the UK.

6.2 Discussions are ongoing with regard to arranging a site visit for members to a suitable facility elsewhere. It is unlikely that a visit can be arranged to allow full consideration of the application at the meeting. On that basis it is recommended that the application be deferred.

RECOMMENDATION – Defer for a Planning Committee members site visit.

THOMLINSON ROAD



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 19/10/2009
	SCALE 1:2,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0500	REV

No: 7
Number: H/2009/0660
Applicant: MR RICHARD HARLANDERSON MUNICIPAL
BUILDINGS HARTLEPOOL TS24 7EQ
Agent: Hartlepool Borough Council Mr Steven Wilkie Building
Consultancy Leadbitter Buildings Stockton Street
Hartlepool
Date valid: 19/11/2009
Development: Creation of play area (Playbuilder Play Space) (Amended
Plans Received)
Location: SEATON CAREW PARK ALLENDALE STREET
HARTLEPOOL

The Application and Site

7.1 Approval is sought for the creation of an equipped play area adjacent to an existing play area in Seaton Carew Park. The application site comprises a park juxtaposed between houses located in Allendale Street to the west and The Marine Hotel and Ashburn Cottage to the east. Station Lane is located to the north. The plans have been amended since the original submission to move the proposed site away from Allendale Terrace in an attempt to alleviate concerns which have been received from the initial round of consultation on the application. A second round of consultation has therefore been undertaken, this is outstanding and at the time of writing no neighbour responses have been received with regard to the amended scheme.

7.2 The Council has received funding through the national Playbuilders scheme, which outlines a commitment to improved play opportunities for children in England at Government level. The Playbuilder concept for Seaton Park is based around group play with a nautical concept appropriate to the context of the seaside town. A large central play feature consisting of a play ship offers a number of activities to a range of age groups.

7.3 One of the main principles underpinning the Playbuilder strategy is that an element of acceptable and managed risk be re-introduced into children's play. The existing play area consists of standard equipment-based 'generic' play facilities. It is proposed to introduce a number of natural and manmade landscape features. The application proposes the installation of the following facilities:

1. Bounty play boat
2. Rotating balance sticks
3. Balance surf board
4. Suspension bridge
5. Mounding and extraction
6. Landscaping

7.4 The 'playbuilder' ethos is a key element of the government's National Play Strategy, the key element of the Government's National Play Strategy.

7.5 This is one of 7 applications on today's agenda for similar developments. All have been subject to significant pre-application consultation. Initially this was to aid the wider site selection process and subsequently in the development of site specific proposals, particularly reflecting an urgency with the schemes since the developments have to be completed by the end of the financial year.

Publicity

7.6 As outlined above a further consultation process (neighbour letters (38), site notices (x3) and newspaper advert) has been undertaken following the submission of amended plans to move the proposal site away from Allendale Street. The original application has been advertised by way of neighbour letters site notice (x2) and newspaper advert. To date, there have been 10 responses received. Nine letters of objection and one letter of no objection. As indicated these relate to the original proposal.

7.7 The concerns raised are:

1. Location of proposal
2. Noise
3. Anti-Social behaviour
4. Safety of children
5. Parking
6. Wasps
7. Security
8. Proximity to properties
9. Unduly large and out of keeping
10. Loss of green space
11. Road safety concerns
12. Property values
13. Misleading information

7.8 The period for publicity for the amended scheme is outstanding and expires before the meeting.

Copy Letters K

Consultations

7.9 The original consultees have all been re-consulted with regard to the amended plans. At the time of writing one response has been received.

Traffic and Transportation – No objections from either a highways or Neighbourhood Management Perspective.

Engineering Consultancy – Comments awaited

Public Protection – Comments awaited

Community Services – Comments awaited

Landscape Planning and Conservation – Comments awaited

Neighbourhood Services – Comments awaited

Cleveland Police – Comments awaited

Planning Policy

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

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

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

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

GN3a: Strictly controls development of this area and states that planning permission will only be granted for developments relating to open space uses subject to the effect on visual and amenity value and character of the area, on existing uses, the continuity of the green network and on areas of wildlife interest.

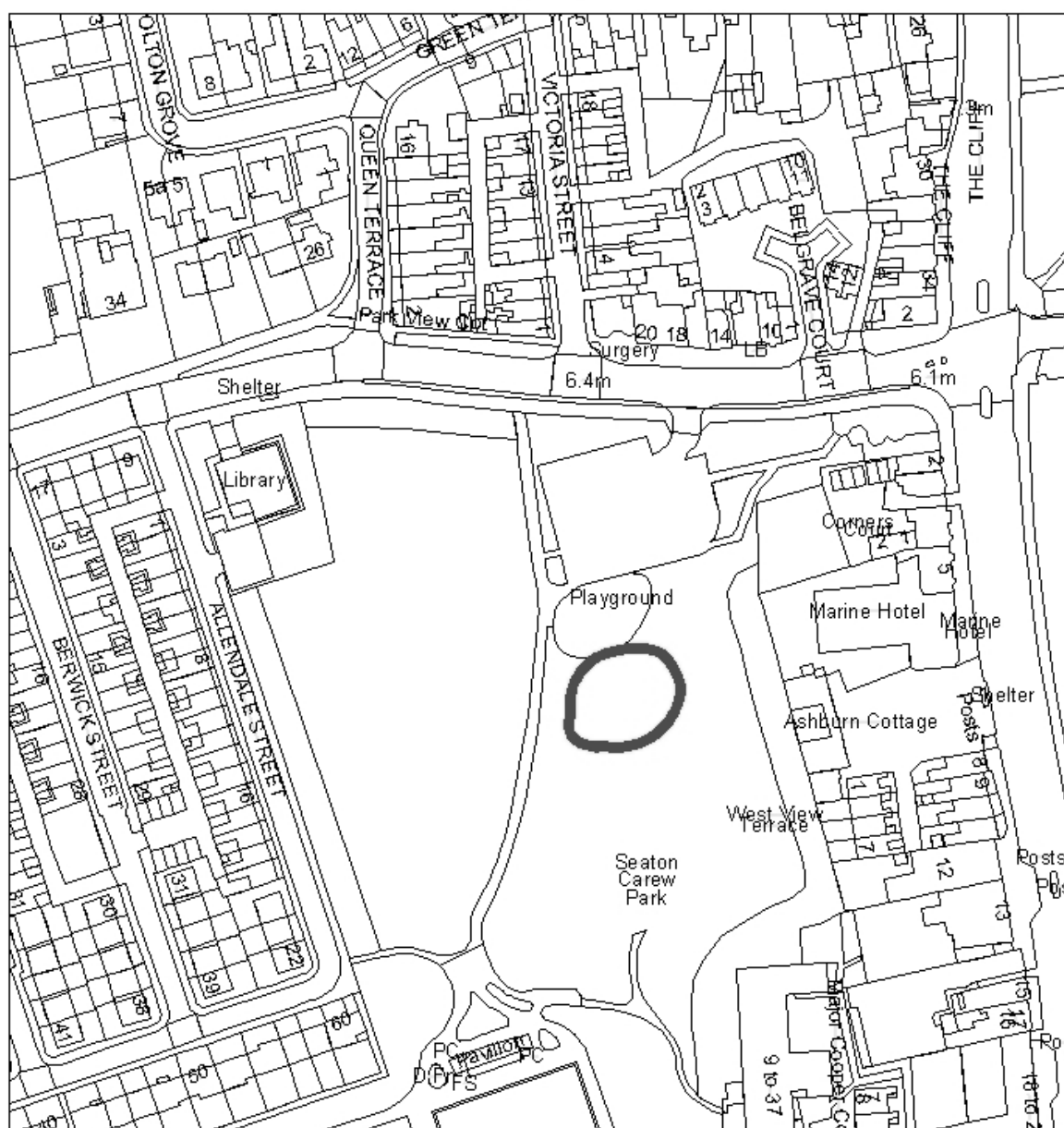
To6: States that this area will be developed with additional recreational facilities to increase its attractiveness to users.

Planning Considerations

7.11 The main planning considerations in this instance are the appropriateness of the proposal in relation to the relevant Hartlepool Local Plan (2006) policies, with particular regard to the effect of the proposal on the amenity of neighbouring properties, the effect on the character and appearance of the surrounding area, the potential for crime and/or anti-social behaviour, highway safety, the effect on the character and appearance of the area in general, and tree/landscaping issues.

7.12 The principle of the scheme, in terms of providing adequate additional facilities for play space within the area is considered appropriate subject to the detailed consideration of the aforementioned issues. A number of key consultation responses are awaited and the period for publicity is ongoing with regard to the amended plans. It is considered appropriate therefore to address all consultation and neighbour responses received in a comprehensive update report to follow.

RECOMMENDATION – UPDATE TO FOLLOW

PLAYBUILDER SCHEME - ALLENDALE STREET

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 17/11/2009
	SCALE 1:1,500	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0660	REV

No: 8
Number: H/2009/0655
Applicant: MR RICHARD HARLANDERSON MUNICIPAL BUILDINGS HARTLEPOOL TS24 7EQ
Agent: Hartlepool Borough Council Mr Steven Wilkie Building Consultancy Leadbitter Buildings Stockton Street Hartlepool
Date valid: 19/11/2009
Development: Upgrade and extension of existing play area (play-builder play space) including associated landscaping.
Location: LAND BETWEEN OXFORD ROAD AND CHAUCER AVENUE HARTLEPOOL

The Application and Site

8.1 Approval is sought for the creation of an equipped play area adjacent to an existing play area. The application site comprises a green open space juxtaposed between houses located in Chaucer Avenue to the north, east and west and Oxford Road to the south. A public footpath runs through the application site.

8.2 The Council has received funding through the national Playbuilders scheme, which outlines a commitment to improved play opportunities for children in England at Government level. This site has been identified to compliment the existing facility and develop the concept of a park, which is lacking in the current layout. The current play space offers very limited opportunities for older children and the new proposals look to address this issue. One of the main principles underpinning the Playbuilder strategy is that an element of acceptable and managed risk be re-introduced into children's play. The existing play area abutting Chaucer Avenue consists of standard equipment-based 'generic' play facilities. It is proposed to introduce a number of natural and manmade landscape features. The application proposes the installation of the following facilities:

1. Climbing Structure
2. 3D Climbing Structure
3. Basket Swing
4. Senior Swing
5. Climbing Structure with Net
6. Stepping Stones in New Garden Bed
7. Rotating Disk Carousel
8. Mini Carousel
9. Series of walkways, seats and landscaping

8.3 The 'playbuilder' ethos is a key element of the government's National Play Strategy, the key element of the Government's National Play Strategy.

8.4 This is one of 7 applications on today's agenda for similar developments. All have been subject to significant pre-application consultation. Initially this was to aid the wider site selection process and subsequently in the development of site specific

proposals, reflecting an urgency with the schemes since the developments have to be completed by the end of the financial year.

Publicity

8.5 The application has been advertised by way of neighbour letters (57), site notice and newspaper advert. To date, there have been six responses received. Three letters of objection.

8.6 The concerns raised are:

1. Increased Traffic
2. Increase Risk of Accident
3. Congregation of Youths
4. Graffiti
5. Anti-Social Behaviour
6. Poor Lighting
7. No Security
8. Litter
9. Parking Concerns
10. Damage to Cars by way of football etc.
11. No fencing to area

8.7 The period for publicity is outstanding and expires before the meeting.

Copy Letters G

Consultations

8.8 The following consultation replies have been received:

Landscape Planning and Conservation – The application includes elements of landscaping and tree planting and should generally provide for an enhancement of the site in terms of visual amenity and wildlife value. No specific details of tree and shrub planting have been provided; therefore these will be required by condition. Standard J161 applies.

Engineering Consultancy – Awaiting Response

Public Protection – Awaiting Response

Cleveland Police – Awaiting Response

Neighbourhood Services – Awaiting Response

Parks and Countryside – No Comments

Planning Policy

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

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

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

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

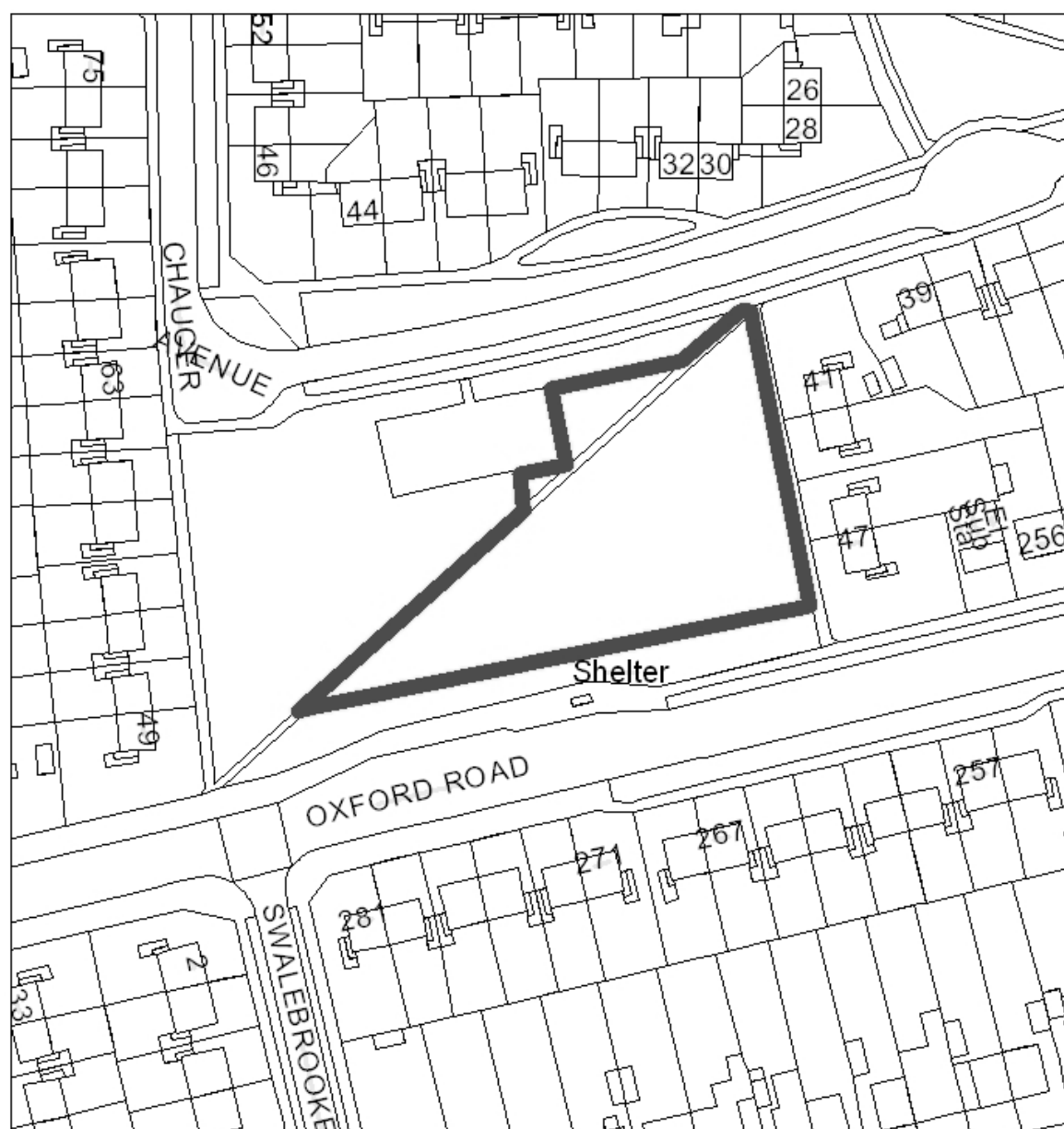
Rec4: Seeks to protect existing areas of outdoor playing space and states that loss of such areas will only be acceptable subject to appropriate replacement or where there is an excess or to achieve a better dispersal of playing pitches or where the loss of school playing field land does not prejudice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

Planning Considerations

8.10 The main planning considerations in this instance are the appropriateness of the proposal in relation to the relevant Hartlepool Local Plan (2006) policies, with particular regard to the effect of the proposal on the amenity of neighbouring properties, the effect on the character and appearance of the surrounding area, the potential for crime and/or anti-social behaviour, highway safety, the effect on the character and appearance of the area in general, and tree/landscaping issues.

8.11 The principle of the scheme, in terms of providing adequate additional facilities for play space within the area is considered appropriate subject to the detailed consideration of the aforementioned issues. A number of key consultation responses are awaited and the period for publicity is ongoing. It is considered appropriate therefore to address all consultation and neighbour responses received in a comprehensive update report to follow.

RECOMMENDATION – UPDATE TO FOLLOW

PLAYBUILDER SCHEME - OXFORD ROAD

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 17/11/2009
	SCALE 1:1,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0655	REV

No: 9
Number: H/2009/0662
Applicant: MR RICHARD HARLANDERSON MUNICIPAL BUILDINGS HARTLEPOOL TS24 7EQ
Agent: Hartlepool Borough Council Mr Steven Wilkie Building Consultancy Leadbitter Buildings Stockton Street Hartlepool
Date valid: 19/11/2009
Development: Creation of a play area (Playbuilder Play Space).
Location: LAND ADJACENT TO LAIRD ROAD HARTLEPOOL

The Application and Site

9.1 Approval is sought for the creation of an equipped play area adjacent to Laird Road. The application site is currently green open space with a number of well established juvenile trees and a series of undulating mounds. The wider area is in effect a parkland type setting and is well used for informal play, including ball sports, and bike riding as well as dog walking. The area has no dedicated children's play facility. The Playbuilder site is intended to address this. To the north of the site are residential properties of Laird Road and Lovat Grove. Kebock Walk and Kelso Grove are located to the south east with Kilmory Walk and Kerr Grove to the south. Lennox Walk is located to the west.

9.2 The Council has received funding through the national Playbuilders scheme, which outlines a commitment to improved play opportunities for children in England at Government level. This site has been identified to use the existing landscape to provide an attractive setting for children's play in keeping with a 'parkland' type environment.

9.3 One of the main principles underpinning the Playbuilder strategy is that an element of acceptable and managed risk be re-introduced into children's play. It is proposed to introduce a number of natural and manmade landscape features. The application proposes the installation of the following facilities:

1. Climbing Structure
2. Merry Go Round
3. Swings
4. Seating
5. Pathways
6. Landscaping

9.4 The 'playbuilder' ethos is a key element of the government's National Play Strategy, the key element of the Government's National Play Strategy.

9.5 This is one of 7 applications on today's agenda for similar developments. All have been subject to significant pre-application consultation. Initially this was to aid the wider site selection process and subsequently in the development of site specific

proposals, reflecting an urgency with the schemes since the developments have to be completed by the end of the financial year.

Publicity

9.6 The application has been advertised by way of neighbour letters (80), site notice (x3) and newspaper advert. To date, there have been 8 responses received. Seven letters of objection and one letter of support.

9.7 The concerns raised are:

1. Congregation of youths
2. Children playing golf
3. Anti-social behaviour
4. Quad/motor bikes on the grass
5. Surrounding properties are occupied by middle aged people not children or families
6. Health and safety implications

9.8 The period for publicity is outstanding and expires before the meeting.

Copy Letters M

Consultations

9.9 The following consultation replies have been received:

Cleveland Police - Play areas have the potential to generate antisocial behaviour and are vulnerable to crime, in particular criminal damage. It is important that design and management of the site takes this into consideration to help reduce these opportunities.

This proposed site is on an open grassed area within view of houses and roadways. The site does not have any boundary treatments, to define the specified area I would recommend a low, less than 1 metre high, open style fence around it, the entrance having an "A" frame. This would remove the opportunities for cycles and bikes entering the site. The site at present benefits from good natural surveillance from nearby houses and roads. The plan to plant further "dense" trees and shrubs on the Laird Road side would greatly reduce this natural surveillance. I would not recommend this to take place as good natural surveillance is one of the key areas around play areas.

If the fencing of the site is not to be considered then I would recommend that the lighting in the area be assessed with a view to increasing it. If some of the play materials are to be constructed of wood then consideration should be given to a more robust and fire resistant material. Consultation with the Fire Service would be recommended.

Neighbourhood Services – No objections

Traffic and Transportation – No objections from either a highways perspective or a neighbourhood management perspective.

Landscape Planning and Conservation – The application includes elements of landscaping and tree planting and should generally provide for an enhancement of the site in terms of visual amenity and wildlife value. No specific details of tree and shrub planting have been provided; therefore these will be required by condition. Standard condition J161 applies.

Planning Policy

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

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

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

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

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

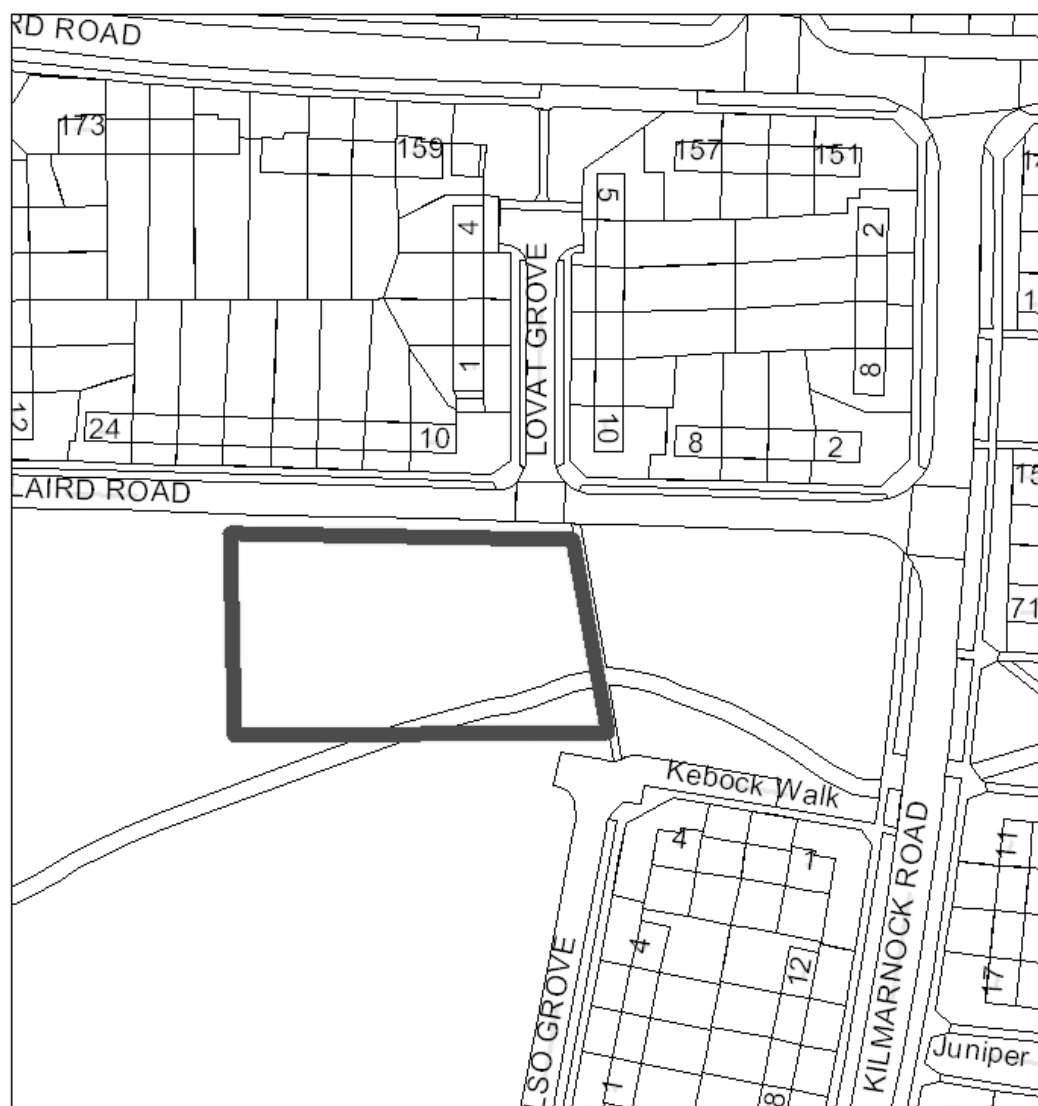
Planning Considerations

9.11 The main planning considerations in this instance are the appropriateness of the proposal in relation to the relevant Hartlepool Local Plan (2006) policies, with particular regard to the effect of the proposal on the amenity of neighbouring properties, the effect on the character and appearance of the surrounding area, the potential for crime and/or anti-social behaviour, highway safety, the effect on the character and appearance of the area in general, and tree/landscaping issues.

9.12 The principle of the scheme, in terms of providing facilities for play space within the area is considered appropriate subject to the detailed consideration of the aforementioned issues. Concerns have been raised by the Police Architectural Liaison Officer with regard to potential crime and anti-social behaviour issues, and discussions are ongoing in relation to resolving those issues. In addition several

other consultation responses are awaited and the period for publicity is ongoing. It is considered appropriate therefore to address all consultation and neighbour responses received in a comprehensive update report to follow.

RECOMMENDATION – UPDATE TO FOLLOW

PLAYBUILDER SCHEME LAIRD ROAD

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 16/12/2009
	SCALE 1:1,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0662	REV

No: 10
Number: H/2009/0656
Applicant: MR RICHARD HARLANDERSON MUNICIPAL BUILDINGS HARTLEPOOL TS24 7EQ
Agent: Hartlepool Borough Council Mr Steven Wilkie Building Consultancy Leadbitter Buildings Stockton Street Hartlepool
Date valid: 19/11/2009
Development: Creation of play area (Playbuilder Place Space) adjacent to the existing recreational complex
Location: ADJACENT TO RECREATIONAL COMPLEX TOWN MOOR

The Application and Site

10.1 The site to which this application relates is an existing area of open space adjacent to the Town Moor recreational area. To the east of the site is the Heugh Gun Battery, to the south-west are the properties of Jacques Court.

10.2 The Council has received funding through the national Playbuilder scheme which outlines a commitment to improved play opportunities for children at government level. The playbuilder principle promotes be-spoke play spaces that make use of natural element, provide a wide range of play experiences and are accessible to both disabled and non-disabled children of all ages. The 'playbuilder' ethos is a key element of the government's National Play Strategy.

10.3 The site is proposed to be adjacent to the existing Town Moor recreational area, and proposes engineering works to create mounding and planting, the erection of apparatus including an octagonal tower, climbing frame, rope slide, embankment slide and raised timber jetty. The tower will have a height of 3.9m and the rope structure a height of 6m.

10.4 This is one of 7 applications on today's agenda for similar developments. All have been subject to significant pre-application consultation. Initially this was to aid the wider site selection process and subsequently in the development of site specific proposals, reflecting an urgency with the schemes since the developments have to be completed by the end of the financial year.

Publicity

10.5 The application has been advertised by way of site notice, press advert and neighbour letters (25). To date, there have been 2 letters of no objection.

10.6 The period for publicity is outstanding and expires before the meeting.

Copy letters H

Consultations

10.7 The following consultation replies have been received:

Head of Public Protection – Comments awaited.

Neighbourhood Services – Comments awaited.

Headland CAAG – Comments awaited.

Cleveland Police – Potential to generate crime and anti-social behaviour – areas may be vulnerable to crime. Important to control access to play areas to help prevent misuse and danger to users. Boundaries should be clearly defined. Prefer fencing, however, it is important to have features to restrict movement onto the site.

Landscaping should not reduce natural surveillance nor provide general hiding places. Areas should be maintained well and consistent response to repairs, graffiti etc. CCTV and additional lighting should be considered given lack of natural surveillance. The equipment should be robust and not be easy to damage or harm.

Headland Parish Council – Comments awaited.

Community Services – Comments awaited.

Traffic and Transportation – Comments awaited.

Engineering Consultancy – Comments awaited.

Planning Policy

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

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

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

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

HE1: States that development will only be approved where it can be demonstrated that the development will preserve or enhance the character or appearance of the Conservation Area and does not adversely affect amenity.

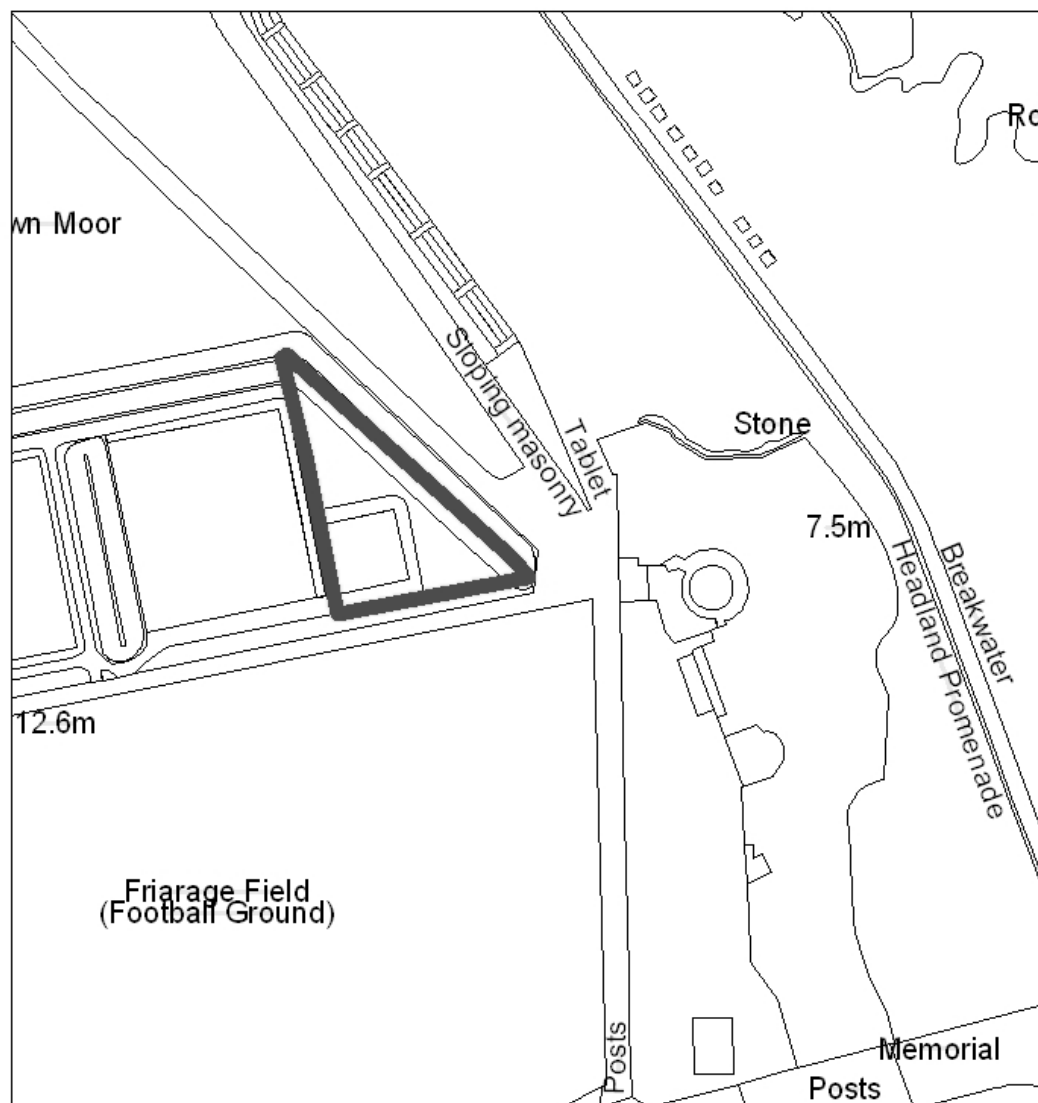
GN3: Strictly controls development of this area and states that planning permission will only be granted for developments relating to open space uses subject to the effect on visual and amenity value and character of the area, on existing uses, the continuity of the green network and on areas of wildlife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

Planning Considerations

10.9 The main planning considerations in this instance are the appropriateness of the proposal in relation to the relevant Hartlepool Local Plan (2006) policies, with particular regard to the effect of the proposal on the amenity of neighbouring properties, the effect on the character and appearance of the surrounding area, the potential for crime and/or anti-social behaviour, highway safety, the effect on the character and appearance of the Headland Conservation Area, and tree/landscaping issues.

10.10 The principle of the scheme, in terms of providing adequate additional facilities for play space within the area is considered appropriate subject to the detailed consideration of the aforementioned issues. Concerns have been raised by the Police Architectural Liaison Officer with regard to potential crime and anti-social behaviour issues, and discussions are ongoing in relation to resolving those issues. In any case, a number of key consultation responses are awaited and the period for publicity is ongoing. It is considered appropriate therefore to address all consultation and neighbour responses received in a comprehensive update report to follow.

RECOMMENDATION – Update to follow.

PLAYBUILDER SCHEME - TOWN MOOR

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 17/11/2009
	SCALE 1:1,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0656	REV

No: 11
Number: H/2009/0657
Applicant: MR RICHARD HARLANDERSON MUNICIPAL BUILDINGS HARTLEPOOL TS24 7EQ
Agent: Hartlepool Borough Council Mr Steven Wilkie Building Consultancy Leadbitter Buildings Stockton Street Hartlepool
Date valid: 19/11/2009
Development: Creation of a play area (Playbuilder Play Space) adjacent to existing play area
Location: LAND ADJACENT PLAY AREA KING OSWY DRIVE HARTLEPOOL

The Application and Site

11.1 The site to which this application relates is an existing area of open space, adjacent to the existing play area located on King Oswy Drive. The area is located to the south-east of the properties of Studland Drive, and east of Dorchester Drive.

11.2 The Council has received funding through the national Playbuilder scheme which outlines a commitment to improved play opportunities for children at government level. The playbuilder principle promotes be-spoke play spaces that make use of natural element, provide a wide range of play experiences and are accessible to both disabled and non-disabled children of all ages. The 'playbuilder' ethos is a key element of the government's National Play Strategy.

11.3 The application seeks consent for the creation of a new play area. The proposed site is to be adjacent to the existing play area, and the proposal would incorporate a range of play apparatus, mounding and trenches to create an effect of differing levels, and the provision of a new 1m high gated pedestrian access. Those apparatus in excess of 2m in height are located within the proposed lower areas to reduce the potential visual impact.

11.4 This is one of 7 applications on today's agenda for similar developments. All have been subject to significant pre-application consultation. Initially this was to aid the wider site selection process and subsequently in the development of site specific proposals, reflecting an urgency with the schemes since the developments have to be completed by the end of the financial year.

Publicity

11.5 The application has been advertised by way of site notice, press advert and neighbour letters (43). To date, there have been 4 letters of objection.

11.6 The concerns raised are:

- a) Problems with children kicking balls/hitting golf balls over the fence;
- b) Road is busy and dangerous for children crossing;

- c) Noise and disturbance;
- d) Lack of parking and cars causing obstruction on the road;
- e) Current problems with dog fouling;
- f) Concerns over exacerbation of current problems with anti-social behaviour;
- g) Concerns over potential housing development on remainder of the land;
- h) Screening could reduce natural surveillance;
- i) Money better spent elsewhere;
- j) Area should be fenced off and locked up at night/security provisions;

11.7 The period for publicity is outstanding and expires before the meeting.

Copy Letters H

Consultations

11.8 The following consultation replies have been received:

Head of Public Protection – Comments awaited.

Neighbourhood Services – Comments awaited.

Cleveland Police – Potential to generate crime and anti-social behaviour – areas may be vulnerable to crime. Important to control access to play areas to help prevent misuse and danger to users. Boundaries should be clearly defined. Prefer fencing, however, it is important to have features to restrict movement onto the site.

Site will have good natural surveillance. Planting should not restrict that surveillance. Consideration should be given to additional lighting. Concerns regarding the risk of fire and damage to wood structures. Consideration should be given to making the area a designated public place area to reduce crime and disorder.

Community Services – Comments awaited.

Traffic and Transportation – Comments awaited.

Engineering Consultancy – Comments awaited.

Parks and Countryside – No comments.

Planning Policy

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

GEP1: States that in determining planning applications the Borough Council will have due regard to the provisions of the Development Plan. Development should be located on previously developed land within the limits to development and outside

the green wedges. The policy also highlights the wide range of matters which will be taken into account including appearance and relationship with surroundings, effects on amenity, highway safety, car parking, infrastructure, flood risk, trees, landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

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

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

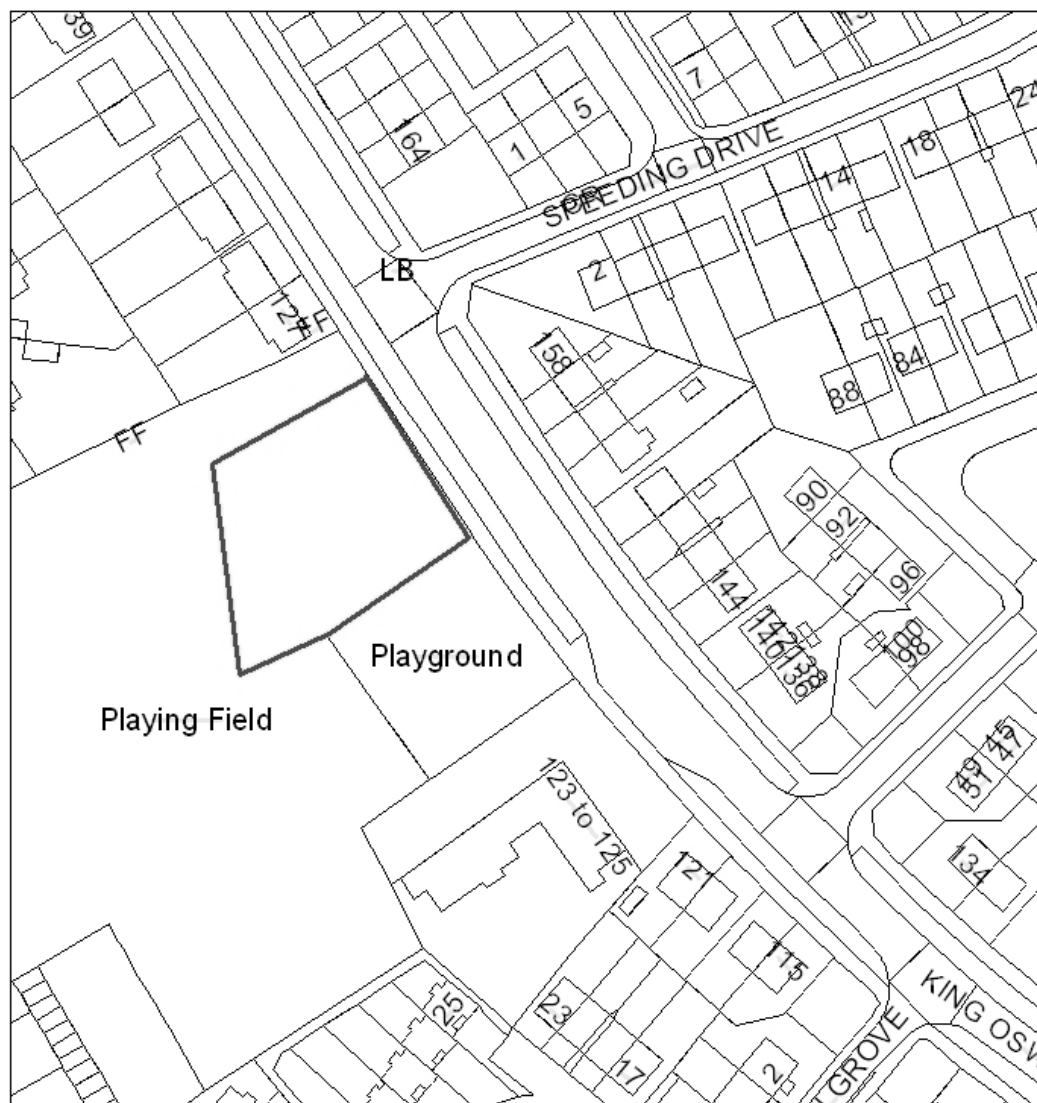
Rec4: Seeks to protect existing areas of outdoor playing space and states that loss of such areas will only be acceptable subject to appropriate replacement or where there is an excess or to achieve a better dispersal of playing pitches or where the loss of school playing field land does not prejudice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

Planning Considerations

11.10 The main planning considerations in this instance are the appropriateness of the proposal in relation to the relevant Hartlepool Local Plan (2006) policies, with particular regard to the effect of the proposal on the amenity of neighbouring properties, the effect on the character and appearance of the surrounding area, the potential for crime and/or anti-social behaviour, highway safety, and tree/landscaping issues.

11.11 The principle of the scheme, in terms of providing adequate additional facilities for play space within the area is considered appropriate subject to the detailed consideration of the aforementioned issues. Concerns have been raised by the Police Architectural Liaison Officer with regard to potential crime and anti-social behaviour issues, and discussions are ongoing in relation to resolving those issues. In any case, a number of key consultation responses are awaited and the period for publicity is ongoing. It is considered appropriate therefore to address all consultation and neighbour responses received in a comprehensive update report to follow.

RECOMMENDATION – Update to follow

PLAYBUILDER SCHEME - KING OSWY DRIVE

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 17/11/2009
	SCALE 1:1,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0657	REV

No: 12
Number: H/2009/0659
Applicant: MR RICHARD HARLANDERSON MUNICIPAL BUILDINGS HARTLEPOOL TS24 7EQ
Agent: Hartlepool Borough Council Mr Steven Wilkie Building Consultancy Leadbitter Buildings Stockton Street Hartlepool
Date valid: 19/11/2009
Development: Creation of play area (Playbuilder Play Space) erection of boundary treatment at Middleton Road and creation of new access from Middleton Road to accommodate wheelchair access
Location: ADJACENT TO BROUGHAM PRIMARY SCHOOL MIDDLETON ROAD HARTLEPOOL

The Application and Site

12.1 The site to which this application relates is an existing area of open space, located adjacent to Brougham Primary School, bounded by the NHS facility to the east, Middleton Road to the south and Tuson Walk to the west.

12.2 The Council has received funding through the national Playbuilder scheme which outlines a commitment to improved play opportunities for children at government level. The playbuilder principle promotes be-spoke play spaces that make use of natural element, provide a wide range of play experiences and are accessible to both disabled and non-disabled children of all ages. The 'playbuilder' ethos is a key element of the government's National Play Strategy.

12.3 The site is proposed to be accessed via Middleton Road and Grainger Street and proposes a slide on the embankment adjacent to Middleton Road, play hammocks, a play platform with climbing ropes and climbing log, climbing feature and rope bridge. The site will incorporate mounding with timber posts (1.8m high) to demarcate open play space, with additional planting and landscaping.

12.4 This is one of 7 applications on today's agenda for similar developments. All have been subject to significant pre-application consultation. Initially this was to aid the wider site selection process and subsequently in the development of site specific proposals, reflecting an urgency with the schemes since the developments have to be completed by the end of the financial year.

Publicity

12.5 The application has been advertised by way of press advert, site notice and neighbour letters (41). The application was re-advertised due to an error in the original site location description. To date, there has been 1 letter of objection and 1 letter of comments.

12.6 The concerns raised are:

- a) Will it be locked at night to prevent anti-social behaviour;
- b) Existing problems with anti-social behaviour will increase;

The period for publicity is outstanding and expires before the meeting.

Copy Letters J

Consultations

12.7 The following consultation replies have been received:

Head of Public Protection – Comments awaited.

Neighbourhood Services – Comments awaited.

Cleveland Police – Potential to generate crime and anti-social behaviour – areas may be vulnerable to crime. Important to control access to play areas to help prevent misuse and danger to users. Boundaries should be clearly defined. Prefer fencing, however, it is important to have features to restrict movement onto the site.

Natural surveillance from Middleton Road will be limited due to levels difference. CCTV and lighting should be considered. Entrance gates should be locked when not in use/during night. Wooden structures would be vulnerable to fire damage. Recommend the area is made a designated public space to reduce crime and anti-social behaviour.

Community Services – Comments awaited.

Traffic and Transportation – Comments awaited.

Engineering Consultancy – Comments awaited.

Planning Policy

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

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

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

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

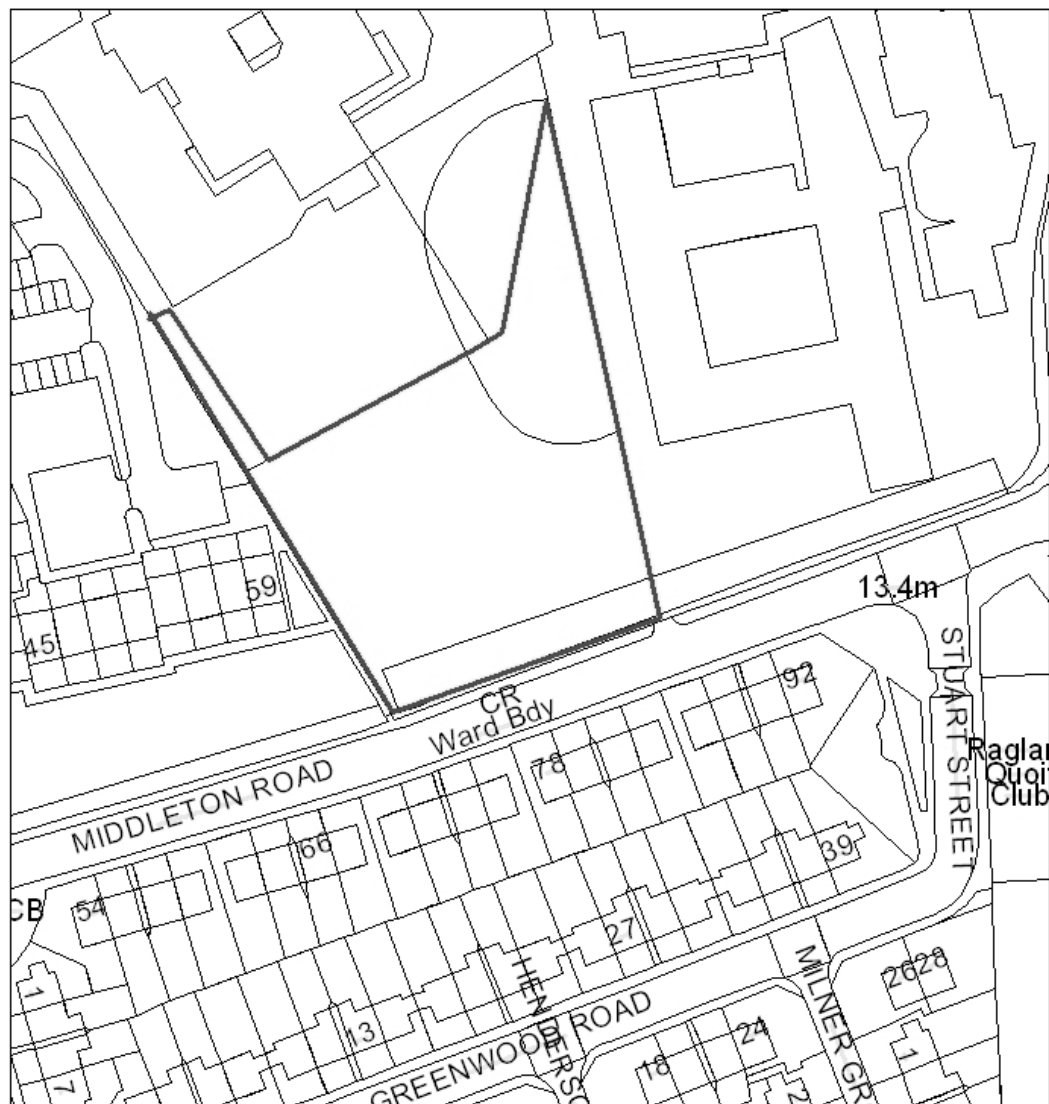
REC4: Seeks to protect existing areas of outdoor playing space and states that loss of such areas will only be acceptable subject to appropriate replacement or where there is an excess or to achieve a better dispersal of playing pitches or where the loss of school playing field land does not prejudice its overall integrity.

Planning Considerations

12.9 The main planning considerations in this instance are the appropriateness of the proposal in relation to the relevant Hartlepool Local Plan (2006) policies, with particular regard to the effect of the proposal on the amenity of neighbouring properties, the effect on the character and appearance of the surrounding area, the potential for crime and/or anti-social behaviour, highway safety, and tree/landscaping issues.

12.10 The principle of the scheme, in terms of providing adequate additional facilities for play space within the area is considered appropriate subject to the detailed consideration of the aforementioned issues. Concerns have been raised by the Police Architectural Liaison Officer with regard to potential crime and anti-social behaviour issues, and discussions are ongoing in relation to resolving those issues. In any case, a number of key consultation responses are awaited and the period for publicity is ongoing. It is considered appropriate therefore to address all consultation and neighbour responses received in a comprehensive update report to follow.

RECOMMENDATION – Update to follow.

PLAYBUILDER SCHEME - BROUGHAM

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 17/11/2009
	SCALE 1:2,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0659	REV

No: 13
Number: H/2009/0661
Applicant: MR RICHARD HARLANDERSON MUNICIPAL BUILDINGS HARTLEPOOL TS24 7EQ
Agent: Hartlepool Borough Council Mr Steven Wilkie Building Consultancy Leadbitter Buildings Stockton Street Hartlepool
Date valid: 19/11/2009
Development: Creation of play area (Playbuilder Play Space).
Location: LAND ADJACENT TO LANARK ROAD HARTLEPOOL

The Application and Site

13.1 Approval is sought for the creation of an equipped play area adjacent to Lanark Road. The application site is currently green open space backed by an area of woodland scrub. The area is already used for a number of informal play activities. To the north of the site are residential properties on Lanark Road. To the south are properties located upon Milne Walk.

13.2 The Council has received funding through the national Playbuilders scheme, which outlines a commitment to improved play opportunities for children in England at Government level. This site has been identified to use the existing user base in the area and provides a robust play space presenting wider play opportunities to children. The provision of a purpose built play feature is also intended to alleviate the concerns of residents who feel that the woodland area is misused by children by providing a new focus for play.

13.3 One of the main principles underpinning the Playbuilder strategy is that an element of acceptable and managed risk be re-introduced into children's play. It is proposed to introduce a number of natural and manmade landscape features. The new play space is based around the theme of a 'fort'. The application proposes the installation of the following facilities:

1. Net Bridge and Access Way
2. Moat
3. Climbing Ropes and Posts
4. Deep Hollow for Climbing and Playing
5. Stepping Stones
6. Metal Bridge
7. Grassed Hill
8. Landscaping and Planting
9. New Mounding

13.4 The 'playbuilder' ethos is a key element of the government's National Play Strategy, the key element of the government's National Play Strategy.

13.5 This is one of 7 applications on today's agenda for similar developments. All have been subject to significant pre-application consultation. Initially this was to aid the wider site selection process and subsequently in the development of site specific proposals, reflecting an urgency with the schemes since the developments have to be completed by the end of the financial year.

Publicity

13.6 The application has been advertised by way of neighbour letters (48), site notice (x2) and newspaper advert. To date, there have been three responses received. One letter of objection received.

13.7 The concerns raised are:

1. Upkeep and maintenance in the long term
2. Congregation of youths
3. Anti-Social behaviour
4. Motorbikes

The period for publicity is outstanding and expires before the meeting.

Copy Letters L

Consultations

13.8 The following consultation replies have been received:

Play areas have the potential to generate antisocial behaviour and are vulnerable to crime, in particular criminal damage. It is important that design and management of the site takes this into consideration to help reduce these opportunities.

This proposed site is on an open area of grassed land bordering a small area of woodland scrub. It is quite isolated, and although there are occupied dwellings in the area, they are somewhat removed from the site and the position of the dwellings gives limited natural surveillance over the proposed play site. Due to the physical location of this proposed site I have strong reservations that if erected this will become a central point for anti social behaviour and criminal damage. Should the proposal go ahead I would make the following recommendations.

There are no proposed boundary treatments to the play area and due to the issue of unauthorised motor cycles gaining access and the concern for it to be a focal point to antisocial behaviour I would recommend one be erected. Ideally this would be an open weld mesh fence with protruding top to minimise climbing and access to the area being via one gated entrance. Due to this sites location I would suggest a 1.8m height with specified opening and closing times of the facility controlled by the council. If this is not an option I would at least recommend a low open weld mesh fence to 1 metre high and a gate to give the area clearly defined boundaries.

Lighting in the area is only afforded by the street columns in the surrounding streets and is of a low value to this area. If the "managed site" with locking gate is not an

option then in a bid to minimise possible anti social behaviour extra lighting be considered.

Again if the “managed site” option is not an option cctv installation should be considered, again to help minimise criminal acts and anti social behaviour. The proposed planting of a circle of trees around a grassy mound would over time reduce any natural surveillance into the site even further from public areas thus increasing the fear of crime and making the site more seduced. An alternative would be low planting to mark the fort area but not reduce natural surveillance within the site.

I would also recommend that if wood is to be used in the construction of the play items consideration be given to an alternative robust and more fire resistant material and consultation, if not already done, be carried out with the fire service.

Landscape Planning and Conservation - The application includes elements of landscaping and tree planting and should generally provide for an enhancement of the site in terms of visual amenity and wildlife value. No specific details of tree and shrub planting have been provided; therefore these will be required by condition.

Standard condition J161 applies.

Traffic and Transportation – No objections from either a highways or a neighbourhood management perspective.

Neighbourhood Services – No objections

Engineering Consultancy - Comments awaited

Public Protection – Comments awaited

Planning Policy

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

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

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

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

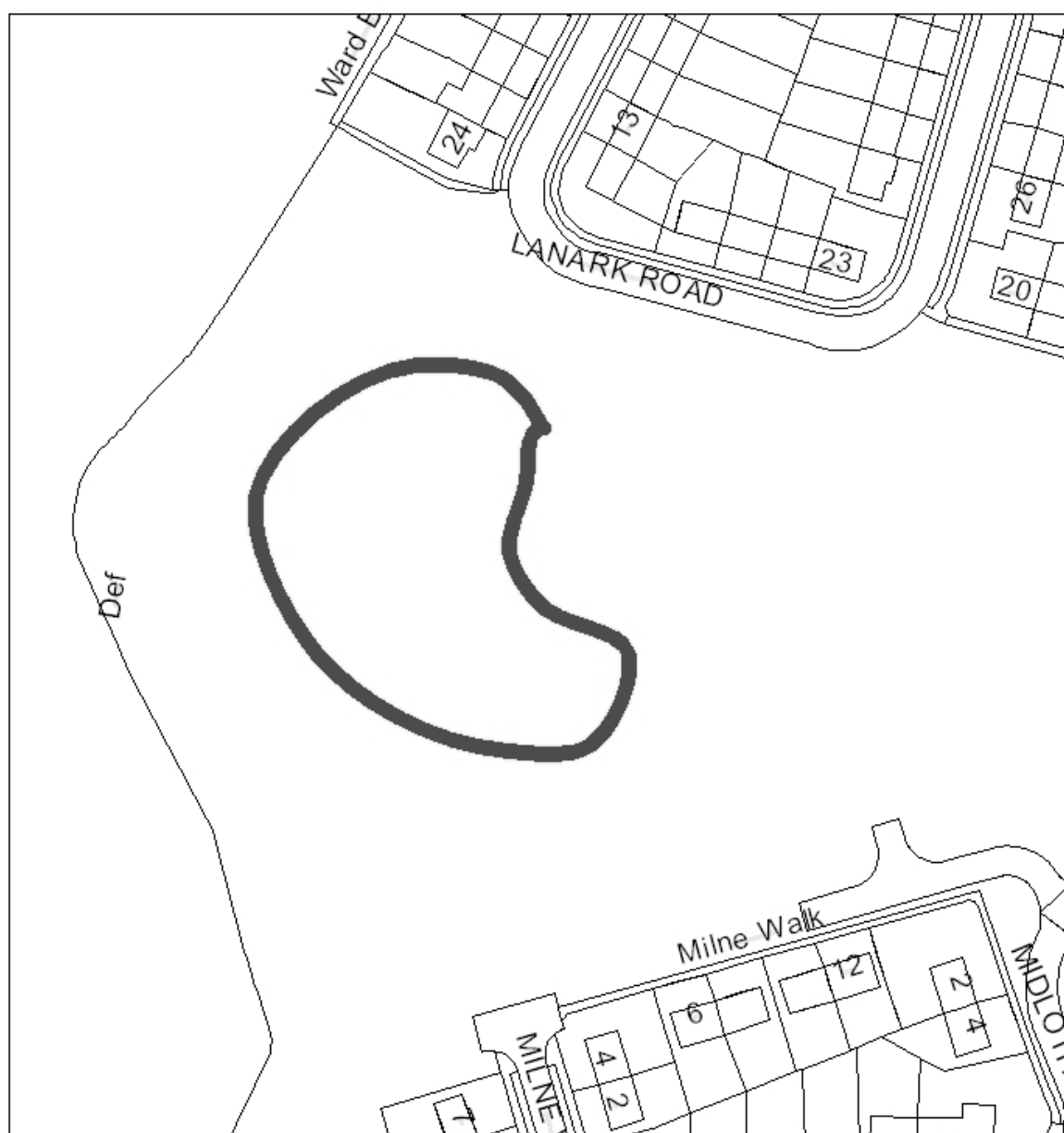
GN2: Strictly controls development in this green wedge where planning permission will only be given for development comprising extensions to existing buildings within the area, or providing ancillary facilities to recreational uses, or providing wildlife sites and subject to the effect on the overall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

Planning Considerations

13.10 The main planning considerations in this instance are the appropriateness of the proposal in relation to the relevant Hartlepool Local Plan (2006) policies, with particular regard to the effect of the proposal on the amenity of neighbouring properties, the effect on the character and appearance of the surrounding area, the potential for crime and/or anti-social behaviour, highway safety, the effect on the character and appearance of the area in general, and tree/landscaping issues.

13.11 The principle of the scheme, in terms of providing facilities for play space within the area is considered appropriate subject to the detailed consideration of the aforementioned issues. Concerns have been raised by the Police Architectural Liaison Officer with regard to potential crime and anti-social behaviour issues, and discussions are ongoing in relation to resolving those issues. In addition several other consultation responses are awaited and the period for publicity is ongoing. It is considered appropriate therefore to address all consultation and neighbour responses received in a comprehensive update report to follow.

RECOMMENDATION – UPDATE TO FOLLOW

PLAYBUILDER SCHEME LANARK ROAD

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 16/12/2009
	SCALE 1:1,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO	REV
	H/2009/0661	

No: 14
Number: H/2009/0618
Applicant: Housing Hartlepool Greenbank Stranton Hartlepool
 TS24 7QS
Agent: B3 Architects 3rd Floor Grainger Chambers 3 - 5 Hood
 Street Newcastle upon Tyne NE1 6JQ
Date valid: 04/11/2009
Development: Erection of 97 two, three and four bedroom dwellings with
 associated external works and landscaping
Location: LAND AT KENDAL ROAD, KATHLEEN STREET,
 SCAWFELL GROVE, PATERDALE STREET,
 BORROWDALE STREET, WINDERMERE ROAD AND
 BRENDA ROAD HARTLEPOOL

The Application and Site

14.1 The application site is located in the Bell Vue area of the town and extends over a number of streets. The eastern part of the site has been cleared of residential properties (H/2009/0490). The western part of the site is occupied by residential properties and a small number of commercial properties. The site is bounded to the east by Kendal Road on the other side of which is the Belle Vue sports centre and social club and its associated car park. To the north are residential properties which are gable ended onto the site. To the west the site envelopes modern terraced properties which front Brenda Road and face the site with their gable and rear elevations. On the opposite side of Brenda Road are rows of residential terraces and a small number of commercial properties which face the site. To the south the site envelopes a small modern terrace of properties which face the site with their rear and side elevations. Further to the south on the opposite side of Windemere Road are terraces of residential properties, some modern and some older, which face the site. The site also currently accommodates an electricity substation and a CCTV camera. The camera will need to be removed in order to accommodate the scheme, the substation will be retained.

Full planning permission is sought for the erection of 97 dwelling houses on the site. The development will include a mixture of house types accommodating, 13 Bungalows including two for disabled persons, and 84 houses including a range of two, three and four bedroom properties. The houses and bungalows will be a mainly semi-detached and terraced. In terms of tenure it is anticipated that this will be mixed with 48 of the houses for sale, 45 for rent and 4 in shared ownership. The housing scheme has been designed to achieve Code for Sustainable Homes level 4 and will incorporate features to reduce its environmental impact. It is proposed that the development of the site will be phased with the eastern part of the site which has been largely cleared developed first.

RELEVANT PLANNING HISTORY

H/2009/0490 Prior notification of proposed demolition of houses. This application relating to the demolition of houses on the eastern part of the site was approved in October 2009 and has been implemented.

Publicity

14.2 The application has been advertised by site notice, in the press and by neighbour notification (218). The time period for representations expires on 23rd December 2009.

Seven letters of no objection and one letter of objection were received. The objector does not specify the reasons for his objection.

Consultations

14.3 The following consultation replies have been received:

Public Protection : No objection.

Estates : No comment.

Community Services : No comments received.

Engineering Consultancy : Standard contaminated land condition requested.

Neighbourhood Services : No comments received.

Traffic & Transportation : Request various minor amendments to proposed layout and a condition securing parking restrictions on Windemere Road/Brenda Road.

Community Safety : We are supportive of this build plan which should make considerable impact on the overall area. Approx. 3 years ago Hartlepool Borough Council, in conjunction with New Deal for Communities, installed a CCTV camera on the axis of Kathleen St. and Borrowdale St. to address issues of crime and anti-social behaviour. That camera will now sit within the proposed development area. It is not the normal practice of HBC to install cameras in new residential development areas unless in very exceptional circumstances. With regard to this development we note that the principles of Secure by Design are to be adopted. There is no mention of the need for security measures outlined within the Design and Access Statement. It could also be argued that the retention of the CCTV camera could have a detrimental impact of the sale and/or tenancy of development properties. We are proposing exploration of the relocation of this camera once property demolition is complete. However as part of that consideration we would welcome developer and builder views on this proposal.

Northumbrian Water : Requested a condition in relation to the diversion/protection of its apparatus and surface water disposal.

CE Electric: Asked for confirmation of the location of their equipment. This was confirmed in writing but no further response was received.

Environment Agency : The proposed development lies within flood zone 1 and therefore is considered to be at a low risk of flooding. As the surface water discharge is intended to go to the adopted sewer system and evidence of discussion with NWL has been provided, we consider this to be acceptable. However, if drainage plans change we wish to be reconsulted.

We do however, strongly recommend the use of sustainable drainage methods (SUDS) within the drainage design wherever possible and agree with the use of sustainable drainage systems such as water butts to attenuate the surface water discharge.

We understand that the proposed method of foul drainage disposal is a connection to the foul sewer, this is considered acceptable subject to NWL's confirmation that it is able to accommodate the additional flows, generated as a result of the development, without causing pollution.

We consider that a planning application of this scale should incorporate Sustainable Energy Use / Renewable Energy Generation principles. Nationally, the Government seeks to minimise energy use and pollution, and move towards a higher proportion of energy generated from renewable resources. In line with the emerging Regional Spatial Strategy for the North East, we consider the proposed development should incorporate Policies 39 (Sustainable Energy Use) and 40 (Renewable Energy Generation).

In conforming to these policies the proposed development should be designed to ensure energy consumption is minimised. As such, we welcome the commitment to ensure that the development meets the requirements to achieve Code for Sustainable Homes Level 4. In addition, we consider the proposed development should have embedded within it a minimum of 10% energy supply from renewable resources.

Cleveland Police: Advise that crime pattern analyses suggests site is not a high crime area but makes various recommendation to ensure development is Secured by Design.

Planning Policy

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

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

landscape features, wildlife and habitats, the historic environment, and the need for high standards of design and landscaping and native species.

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

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

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

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

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

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

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

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

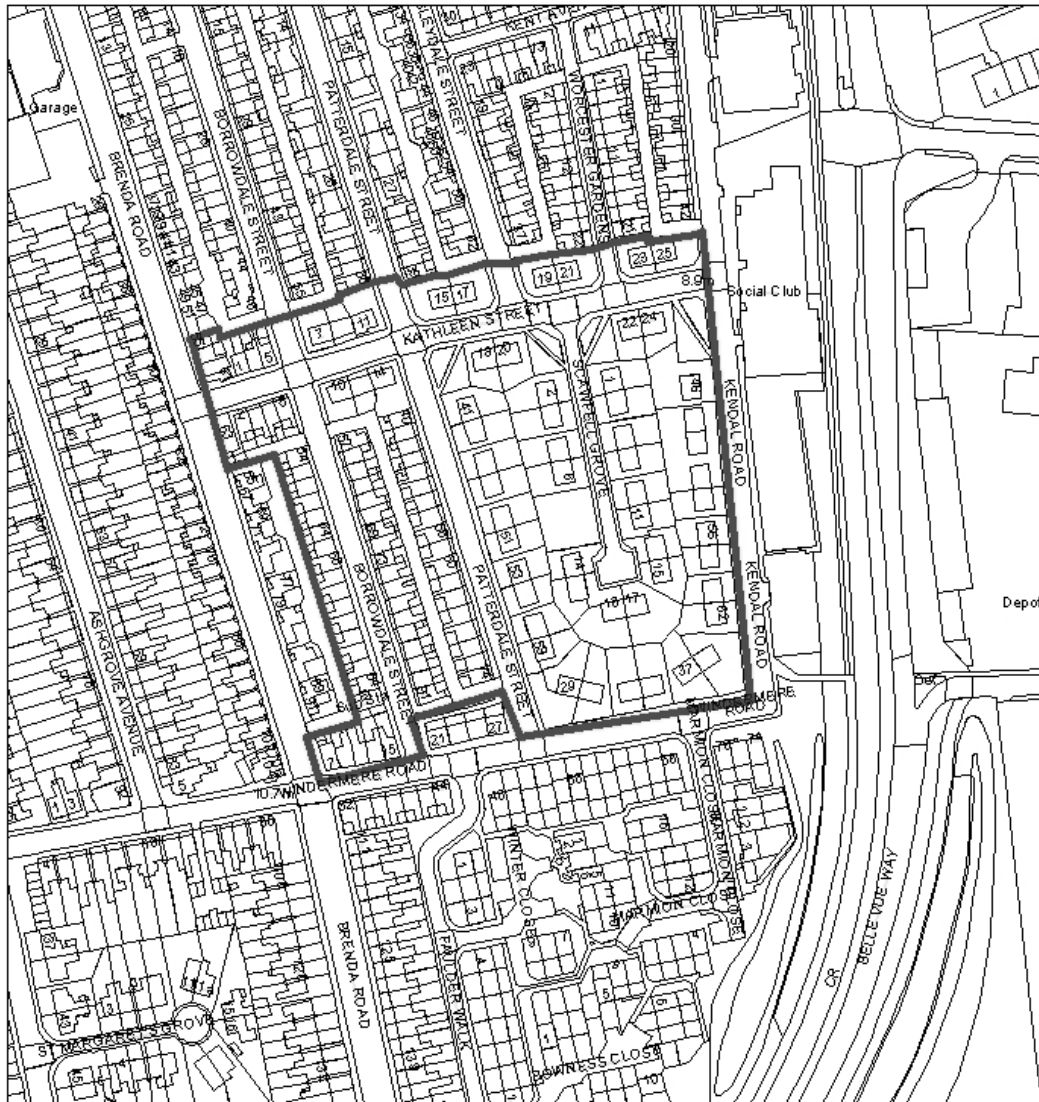
Rec2: Requires that new developments of over 20 family dwellings provide, where practicable, safe and convenient areas for casual play. Developer contributions to nearby facilities will be sought where such provision cannot be provided.

Planning Considerations

14.5 The main planning considerations are considered to be policy, design/layout, impact on the amenity of neighbours, relationship with adjacent land uses, drainage/sewerage, highways, the crime CCTV camera, ecology and phasing.

Following discussions with the applicant the proposed layout is in the process of being fine tuned in order to address issues raised by the Case Officer and colleagues in Traffic & Transportation. An update report will therefore follow. It is anticipated however that the application will receive a favourable recommendation.

RECOMMENDATION - UPDATE TO FOLLOW

KENDAL ROAD

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 16/12/2009
	SCALE 1:2,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0618	REV

No: 15
Number: H/2009/0235
Applicant: Mr John Shadforth COAL LANE HARTLEPOOL
 TS27 3HA
Agent: David Stovell & Millwater 5 Brentnall Centre Brentnall
 Street MIDDLESBROUGH TS1 5AP
Date valid: 15/06/2009
Development: Erection of a detached dwelling
Location: CROOKFOOT FARM COAL LANE HARTLEPOOL

The Application and Site

15.1 The application site is located on land adjacent to Crookfoot House close to the south eastern corner of Crookfoot reservoir. The site lies within a Special Landscape Area and adjacent to the Crookfoot reservoir Site of Nature Conservation Importance. It is currently in agricultural use and is located immediately to the north of a site currently occupied by the applicant's mobile home for which temporary approval was obtained in November 2005 (H/20055633), a small stable block and a small steel container. As the temporary planning permission for the mobile home expired on 31st October 2008 none of these structures currently benefit from planning permission. The application site is located in an elevated position on a rise with agricultural fields to the north and east. To the west is an access track beyond which are a pair of dwellinghouses Crook Foot House and Crookfoot View which are gable ended onto the site. A public footpath crosses fields to the south of the site before joining the access track. Access to the site is from a track connecting to Coal Lane. This is a narrow track which serves the above dwellings, a farm at Stotfold Moor, Amerston Hill and Amerston Hall & Cottage, and it is understood Primrose Cottage a fire damaged property as well as the reservoir/water company plant. The farm buildings associated with the holding are located some 570m (as the crow flies) to the South West at the bottom of the rise.

15.2 Full planning permission is sought for the erection of a detached dwelling. The proposed dwelling is a substantial L-shaped building. It incorporates a lounge dining room, breakfast/kitchen room, hall, utility, WC, cloaks and double garage at ground floor. At first floor it accommodates three large bedrooms all with en-suites a study area, an office and store. At second floor an observation tower feature is proposed. The building will be orientated with its principle elevation facing south.

15.3 In support of the application the applicant has provided a statement and financial details briefly these advise that:

- a) The farm extends to 120ha (300 acres), with 32ha (80 acres) in cereal crops, 16 ha (40 acres) in woodland with the remainder used for grazing and hay for the livestock enterprise.
- b) The farm currently has 89 head of cattle, including 45 breeding stock and 265 sheep.

- c) The applicant has invested significantly in the farm, in terms of stock and buildings and improvements to the ground conditions.
- d) There is a functional need for the dwellinghouse particularly to allow a worker to be on hand day and night to attend to the livestock enterprise.
- e) The functional need relates to a full time worker.
- f) The operation is well established and financially sound, it has operated for a period in excess of three years, since 2006 and returned a profit ranging between £9499 to £36,728 during this period.
- g) The proposed dwellinghouse is commensurate with the size of the holding.
- h) There is no alternative existing accommodation. Whilst the applicant along with his brother in law held an interest in Amerston Hall this interest ceased in October 2003.
- i) The design of the dwellinghouse is considered suitable in terms of the functional need, layout, scale and functionality.
- j) It will be sited in place of the existing cabins and in close proximity to adjacent dwellinghouses, landscaping will be incorporated, and it will therefore will not be prominent in the landscape. The proposed site will afford a view of the total holding, be in sight and sound of the buildings and animals grazing the land, close to water, electricity and drainage facilities and will assist the security of the holding.
- k) The applicant enjoys a right of access along the track.

Relevant planning history

15.4 H/2005/5633 Siting of 2 mobile cabins with central glazed link to form a single dwelling. Approved November 2005 against officer recommendation.

15.5 Conditions require the removal of the accommodation and the restoration of the site on or before 31/10/2008 and restricted the occupation of the accommodation to a person(s) currently or last employed in agriculture or forestry in the vicinity and their dependents.

15.6 H/FUL/0145/03 Erection of two log cabins for residential use in connection with agricultural use. Refused 15 July 2003 for the following reasons:

- a) The proposed development does not conform with Policy Ru8 of the adopted Hartlepool Local Plan (1994) by virtue of the fact that the two residential units are not considered to be essential for the efficient functioning of agricultural, forestry or other countryside activities. In addition to guidance contained in the Local Plan, consideration has also been given to national planning guidance contained in PPG7: The Countryside. The proposal does not conform with the guidance set out in Annex F of this document in terms of the functional need for 24 hour supervision and the lack of evidence supplied relating to alternative accommodation within the area.
- b) The proposed development by virtue of its location would have a detrimental impact on the setting of the open countryside and a site of nature conservation importance. The proposal is therefore in conflict with policies Ru14 and Co17 of the adopted Hartlepool Local Plan (1994).

15.7 The applicant appealed and the appeal was dismissed. In her decision letter **(attached)** the Inspector addressed two key issues the justification for the development on agricultural grounds and the effect on the surrounding countryside. In terms of the issue of agricultural justification at that time the enterprise had 200 ewes and whilst cattle were proposed none had been purchased. Similarly plans for lammas and racehorse respite had not been implemented. The Inspector acknowledged that, whilst lambing time would be a demanding time requiring prolonged attendance, for the remainder of the time the animals needs could be tended to as part of the normal working day. The Inspector concluded at that time that it would not be essential for care of the livestock for a worker to be on hand at most times of the day or night. She also raised concerns in relation to the applicant's previous interest in Amerston Hall stating "The Appellant confirms that until October 2003 he was the owner of Amerston Hall, a large house together with a range of outbuildings located close to the south western boundary of the appeal site. Whilst the appellant states that he has sold Amerston Hall and now has no control over the use of the buildings, it seems that no consideration was given to its potential use in relation to the farm holding. To my mind this serves to cast further doubt on the question of the need for a full time presence on the farm". The Inspector advised that in her consideration there was insufficient justification on agricultural grounds to allow the temporary dwellings. In relation to the effect of the building on the countryside. The Inspector noted that the proposed site, given its distance from a recently erected barn, where livestock requiring attention would be located, failed to address the need for which the accommodation was proposed. She also pointed out that the site of the cabins was prominent and that this could only increase as a result of vehicles, storage and other requirements associated with an active farm. She concluded that "the proposal would represent an unacceptable visual intrusion into the open countryside which would have a serious adverse impact on the surrounding landscape."

Publicity

15.8 The application has been advertised by neighbour notification, site notice and in the press. The time period for representations has expired. Five letters of objection have been received. Including two from an agent representing residents.

The objectors raise the following issues.

- a) The applicant previously held an interest in Amerston Hall Farmhouse, Amerston Hall Cottage and the associated farm buildings which originally served the holding but sold this interest. One of the Houses should have been retained to serve the holding. This demonstrates that he didn't need them or a dwelling. It sets a precedent for splitting farmhouses from their land and then applying for a new farmhouse.
- b) The proposed site is half a mile from the farm buildings. It should be built with its farm buildings. It could be split off again from the farm resulting in a further dwelling house being required.
- c) The temporary farm buildings should have been removed in October and now a stable block has been added 10m from adjacent properties. It is not appropriate to have a livestock building close to residential properties and

this along with the house and cabins should be sited with the existing livestock buildings.

- d) The applicant didn't move into the mobile home until June 2008. They did not need to be on site and were able to run the farm for some 5 years without the need for a new farmhouse.
- e) The single track will not support another permanent dwelling as it already serves 8 dwellings and access is already a problem.
- f) The proposed new farmhouse is prominent. The existing adjacent dwellings are lower lying and surrounded by mature trees whilst the site of the proposed house is open. The house would stand alone on the hillside and be seen for miles. The cabins are prominent and a two storey house will be even more so, it will have a detrimental impact on the countryside and be a blot on the landscape.
- g) Crookfoot House has been on the market twice and the applicant has not approached the vendor.
- h) The house should be of modest construction and close to the buildings it services.
- i) The Planning Authority should investigate whether there are ,or were, any alternatives for accommodation.
- j) An Inspector dismissed an appeal concluding that it was not essential for a worker providing care for livestock to be present on site at most times of the night and day.
- k) It is not considered that an established functional need has been sufficiently demonstrated. The development is contrary to policy and should be refused.
- l) The proposed dwellinghouse appears to be required to meet the managerial requirements of the holding rather than the requirements of a full time worker and so would not require a full time presence on the site.
- m) The applicant would still need assistance to run the farm and so the house would not reduce labour costs.
- n) Question the stocking levels.
- o) The applicant has not demonstrated whether there are any other properties available in the vicinity which might serve the needs of the holding.
- p) The development does not respect the character of the surrounding area and has a detrimental impact on the rural environment.
- q) The scale of the house is disproportionate to the functional requirement.
- r) If permission is granted for a house here extensions and agricultural development could follow which would have a further detrimental impact on the character of the area. Any permission should therefore be conditioned to prevent this.
- s) The fact that the applicant receives assistance from a contractor that lives off site demonstrates that it is possible to manage the site from an off site location.
- t) The applicant has a disregard for the planning process.
- u) There are agricultural dwellings available in the locality. The council should check availability and whether the functional need can be provided elsewhere.
- v) The fact that services are available on the site should not be a material consideration in determining the application.
- w) The financial accounts require clarification.

- x) An agent acting for objectors has advised that their client has instructed his legal advisors to examine the soundness of the planning application, processes over the last 12 months, and to advise whether there is scope for judicial review if the application is approved.

Copy Letters N

Consultations

15.9 The following consultation replies have been received:

Elwick Parish Council : The council object to the plans. The councillors thought that the proposals were not a farmhouse as they were not near the farm buildings. They asked why the original farmhouse, which has remained empty since the Shadforth family purchased it, remains empty. If the original house on the original site is not suitable, then it should be demolished and an appropriate one built in its place. The plans for this conspicuous house, in open countryside, in open countryside, include a turret, which would be more suitable for the development at Wynyard, as it is not in keeping with the area. The councillors are also dissatisfied with the quality of plans submitted. The location plans were almost illegible.

Public Protection : No objection

Ramblers Association : We note that the site lies on in a Special Landscape Area and is subject to Local Plan Policy Rur20. The site is also close to sites of Nature Conservation Importance which are protected by Policy WL7.

Countryside Access Officer : The applied for development does not come into direct contact with any recorded public rights of way. There is a public footpath sited to the south of the proposed development. This footpath is sited at a lower elevation to the proposed dwelling. I am therefore concerned that the development does not overlook the path.

Although there is a mature hedge running between the two, it would be advantageous to have further planting carried out to screen the proposed dwelling from users of the path.

I would certainly be concerned if the existing hedge was to be altered in any way as it is a natural screen and excellent biodiversity 'highway' for numerous species of animals.

With this in mind, whilst I do not offer any objection, I am mindful that the present amenity afforded in this area is not spoiled or changed so as to reduce any enjoyment that users of the footpath already have.

Further to my comments (above) made regarding the proposed development and the retention of the existing hedge; I have since been up to this area on a totally unrelated rights of way issue.

The existing hedge is in good repair and has recently been 'gapped' up to fill in missing sections of the hedge. Also I am aware that the Shadforth's are currently in an environmental stewardship scheme that includes this hedge. I am therefore not as concerned about the future of the hedge and am comfortable that there is no need for further hedge planting in the vicinity.

Traffic & Transportation : No objections.

Engineering Consultancy : Based on our searches, we would request that the applicant investigate any potential ground gas issues related to the proposed development.

The applicant would likely require a geotechnical site investigation including boreholes for foundation design. We would ask that as part of any borehole survey, ground gas monitoring standpipes are installed into selected positions for monitoring (as per CIRIA C665).

I would request that a ground gas risk assessment is conditioned prior to the building works. The risk assessment must include monitoring inline with the guidelines presented within CIRIA C665, and make recommendations for gas protection measures if required.

Northumbrian Water : No comments received.

Environment Agency : Request condition requiring the approval of the means of disposal of foul sewage. The environmental setting of the site is sensitive as it lies on the Magnesian Limestone Principal Aquifer, within Zone II of a currently designated Groundwater Source Protection Zone. This condition will ensure that the method of disposal is acceptable and does not pose an unacceptable risk to controlled waters

Hartlepool Water : Object. This proposal is for a permanent building near the end of a long private road. Maintenance liability for this road rests with this business so any increase in traffic is deleterious to the road's condition. The applicant has already built substantial farm building near Amerston Hall Farm which has led to large vehicles being sited here with increases in maintenance costs for the roadway. A new permanent building will only add to this burden. We have also observed the approach taken by the applicant in siting temporary buildings at this site some years ago and the retrospective addition of wheels to the building to allow them to be regularly moved on the site. We remain unconvinced that this application is new in the making and also remain unconvinced that this application meets the relevant planning policies set by HBC to limit new builds in the rural environment. Finally, Crookfoot reservoir remains a site of special ecological interest and we believe that this application does little to support this special status.

Group Accountant : I have reviewed the accountants provided in relation to the above application and can confirm on the basis of the financial information provided, J Shadworth has adequate financial standing.

Landscape Planning & Conservation : The site of the proposed dwelling falls within the Tees Forest area therefore Policy Rur 7 applies. Within the Tees Forest

area the Borough Council will impose planning conditions and will seek legally binding agreements, as appropriate, to ensure the planning of trees and hedgerows in association with new development. A suitable scheme of tree and/or hedge planting should therefore be agreed with the Local Authority and submitted for approval before works commence. This scheme should be additional to any existing planting schemes that the applicant has undertaken that do not form part of this application. A suitable tree/hedge planting scheme should enhance biodiversity value in line with PPS9. There are unlikely to be any other ecological issues associated with this proposal.

Planning Policy

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

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

Com2: States that in this area retail development of an appropriate design and scale in relation to the overall appearance and character of the area will be approved. Other uses will only be allowed where they do not impact on the primary retail function of this area or adversely affect the character and amenity of the surrounding area. Display window frontages may be required through planning conditions. Residential uses will be allowed on upper floors where they do not prejudice the further development of commercial activities.

Com3: Identifies this area for future retail development. Replacement car parking facilities will be required.

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

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

development is similar to the original. Infrastructure including sewage disposal must be adequate.

Rur20: States that development in this special landscape area will not be permitted unless it is sympathetic to the local rural character in terms of design, size and siting and building materials and it incorporates appropriate planting schemes.

Rur2: States that housing and employment land is identified within the Wynyard limit to development but that expansion beyond that limit will not be permitted.

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

WL7: States that development likely to have a significant adverse effect on locally declared nature conservation, geological sites or ancient semi-natural woodland (except those allocated for another use) will not be permitted unless the reasons for the development clearly outweigh the particular interest of the site. Where development is approved, planning conditions and obligations may be used to minimise harm to the site, enhance remaining nature conservation interest and secure any compensatory measures and site management that may be required.

Planning Considerations

15.11 The application raises a number of complex issues which are still under detailed consideration. An update report will follow.

RECOMMENDATION – UPDATE to follow



Appeal Decision

Hearing held on 14 April 2004

by Kathleen Woodling BA, MPhil, MRTPI

an Inspector appointed by the First Secretary of State

Roy's Appeal Statement @ 122 on
archive

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Date

29 APR 2004

Appeal Ref: APP/H0724/A/03/1125036

Plot 18, Wynyard Estate, Wynyard, Billingham TS22 5NT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr J Shadforth against the decision of Hartlepool Borough Council.
- The application Ref. H/FUL/0145/03 dated 1 March 2003, was refused by notice dated 15 July 2003.
- The development proposed is two temporary log cabins for use by D&J Shadforth for residence, to carry out agricultural work associated with:- mixed arable farming and livestock i.e pedigree cows and sheep, chickens and llamas.

Summary of Decision: The appeal is dismissed.

Preliminary Matters

1. Prior to the determination of the original application, Plan Shad 2 showing details of the siting and access to the proposed dwellings was withdrawn and minor modifications were made. I have taken these into account in making my decision.
2. The initial proposal identified one agricultural unit with two cabins but plan Shad 5, which divided the holding into two roughly equal portions, was submitted during the period the application was under consideration. At the Hearing, the Appellant contended that the proposal should thus be considered on the basis of two independent, but closely linked, agricultural units. However, the description of development does not specify that more than one unit is proposed and the reports to the Council's Planning Committee indicate the proposal was considered as one unit. Furthermore, the Business Plan gives the legal framework as being a joint partnership and clearly assumes that the enterprise will operate as a single unit. I have therefore determined the appeal on the basis of a proposal for two temporary dwellings in relation to one agricultural unit.
3. At the time of the Hearing, the two cabins had been brought onto the holding but did not appear to be in use.

Main Issues

4. I consider that the two main issues in this appeal are firstly whether there is sufficient justification on agricultural grounds to allow these temporary dwellings and secondly the effect of the proposal on the character and appearance of the surrounding countryside.

Planning Policy

5. The development plan includes the Hartlepool Local Plan 1994. Policy Ru8 states that new housing will not normally be permitted in the open countryside unless it is essential for the efficient functioning of agricultural activities and the siting will not be significantly

Appeal Decision APP/H0724/A/03/1125036

detrimental to the rural environment. The appeal site lies within the Crookfoot Reservoir Special Landscape Area (SLA) and adjacent to the Crookfoot Reservoir site of nature conservation importance (SNCI). Under policy Ru14, development in an SLA will not normally be permitted unless it is sympathetic to the local rural character. In addition, policy Co17 states that proposals for developments likely to have a significant detrimental effect on an SNCI will not normally be permitted.

6. The provisions of these policies have largely been carried forward into the Hartlepool Local Plan Deposit 2001. However, given that this is still at a relatively early stage of preparation, I have attached little weight to the emerging policies in accordance with the advice in paragraph 48 of Planning Policy Guidance note 1: *General Policy and Principles*.

7. Planning Policy Guidance note 7: *The Countryside – Environmental Quality and Economic and Social Development* (PPG7) advises that isolated new houses in the countryside require special justification. Annex I sets out several criteria in relation to the assessment of proposals for new agricultural dwellings.

Reasons

8. The appeal site is some 120ha in size and consists mainly of open fields together with some areas of woodland. The Business Plan identifies seven products and services for the enterprise: lambs, cattle, llama, combinable crops, environmental conservation, woodland and a respite care facility for race horses.

Issue 1 – Justification on agricultural grounds

9. At the Hearing, it was confirmed that the dwellings were required on the basis of the need to provide essential care for livestock. Although the Business Plan is based on 150 breeding ewes and 35 suckler cows, the farm presently has some 200 ewes. The cattle have not yet been purchased but the herd could amount to 75 breeding cattle. Care of the sheep is carried out by the Appellant and it is intended that his son, Mr K Shadforth, will be responsible for care of the cattle.
10. The animals would require particular attention during the period from about March to June in order to deal with emergencies arising from lambing or calving. I recognise that this could be an extremely demanding time, requiring extended periods of attendance from one or both men. However, for the remainder of the year the animals' needs would be those of regular feeding and tending which could be carried out as part of a normal working day. There are also plans to provide respite care for up to 10 race horses but the Appellant confirmed that he would provide only general supervision and would not bear the main responsibility for their care. In addition it is intended to breed llamas but on the information put forward at the Hearing this would appear to be as a hobby rather than as part of the business. On the evidence before me therefore, I consider that it would not be essential for care of the livestock for a worker to be on hand at most times of the day and night.
11. I note that there were particular security concerns related to the two public footpaths which cross the land and the incomplete field boundaries on the unit. However, these factors do not, in my opinion, represent such an additional level of need as to justify a worker to be readily available at most times.
12. Furthermore, PPG 7 advises that the recent sale of dwellings or buildings suitable for conversion could constitute evidence of lack of agricultural need. The Appellant confirms

Appeal Decision APP/H0724/A/03/1125036

that until October 2003 he was the owner of Amerston Hall, a large house together with a range of outbuildings located close to the south western boundary of the appeal site. Whilst the Appellant states that he has sold Amerston Hall and now has no control over the use of the buildings, it seems that no consideration was given to its potential use in relation to the farm holding. To my mind, this serves to cast further doubt on the question of the need for a full time presence on the farm.

13. Paragraph 14 of Annex I sets out a number of other criteria with regard to the assessment of temporary agricultural dwellings. However, since I have found that a functional requirement has not been established, it is not necessary to consider these matters.
14. On my first issue therefore, I conclude that there is insufficient justification on agricultural grounds to allow these temporary dwellings. As such, the proposal would fail to satisfy the requirements of Local Plan policy Ru8 and PPG 7.

Issue 2 – effect on the surrounding countryside

15. The appeal site lies within a Special Landscape Area. The surrounding countryside is gently undulating and is characterised by open fields and areas of woodland, particularly along watercourses. There are sporadic groups of buildings, mainly relating to agriculture but there are also some related to the presence of the nearby reservoir.
16. The land which comprises the agricultural unit generally falls away to the south. The two cabins have been sited at the northern edge of the holding, at the highest point and to the side of an open field. I note that their location reflects considerations relating to the operation of the holding, the need for security and the cost of providing connections to utility services. However, the intended location for livestock in need of attention is a recently constructed barn situated near Amerston Hall. The location thus appears to fail to address the basis on which the accommodation has been proposed.
17. Although the proposal is for temporary dwellings, PPG 7 advises that these should not be permitted in locations where a permanent dwelling would not be permitted. At present, the cabins form an intrusive feature in the surrounding open landscape. Their prominence could be expected to increase as a result of vehicles, storage and other requirements associated with an active farm. Although landscaping might provide longer term screening in views from the north, any dwellings would continue to be clearly visible from other directions, particularly the public footpaths, due to the stated need to maintain views across the holding.
18. I am not aware of the circumstances under which alterations to the nearby Crookfoot Cottages were permitted but these works did not appear to be directly comparable to the appeal proposal which I have considered on its own merits. On my second issue, I conclude that the proposal would represent an unacceptable intrusion into the open countryside which would have a serious adverse impact on the surrounding landscape. It would thereby be contrary to policy Ru14 of the Local Plan.

Other Matters

19. The Council also argued that the proposal would adversely affect the SNCI based on the adjacent Crookfoot Reservoir. However, this was not supported by any evidence as to the nature conservation value of the site or the manner in which it could be affected by the appeal proposal.

Appeal Decision APP/H0724/A/03/1125036

Conclusions

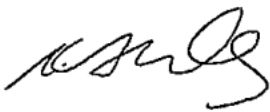
20. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

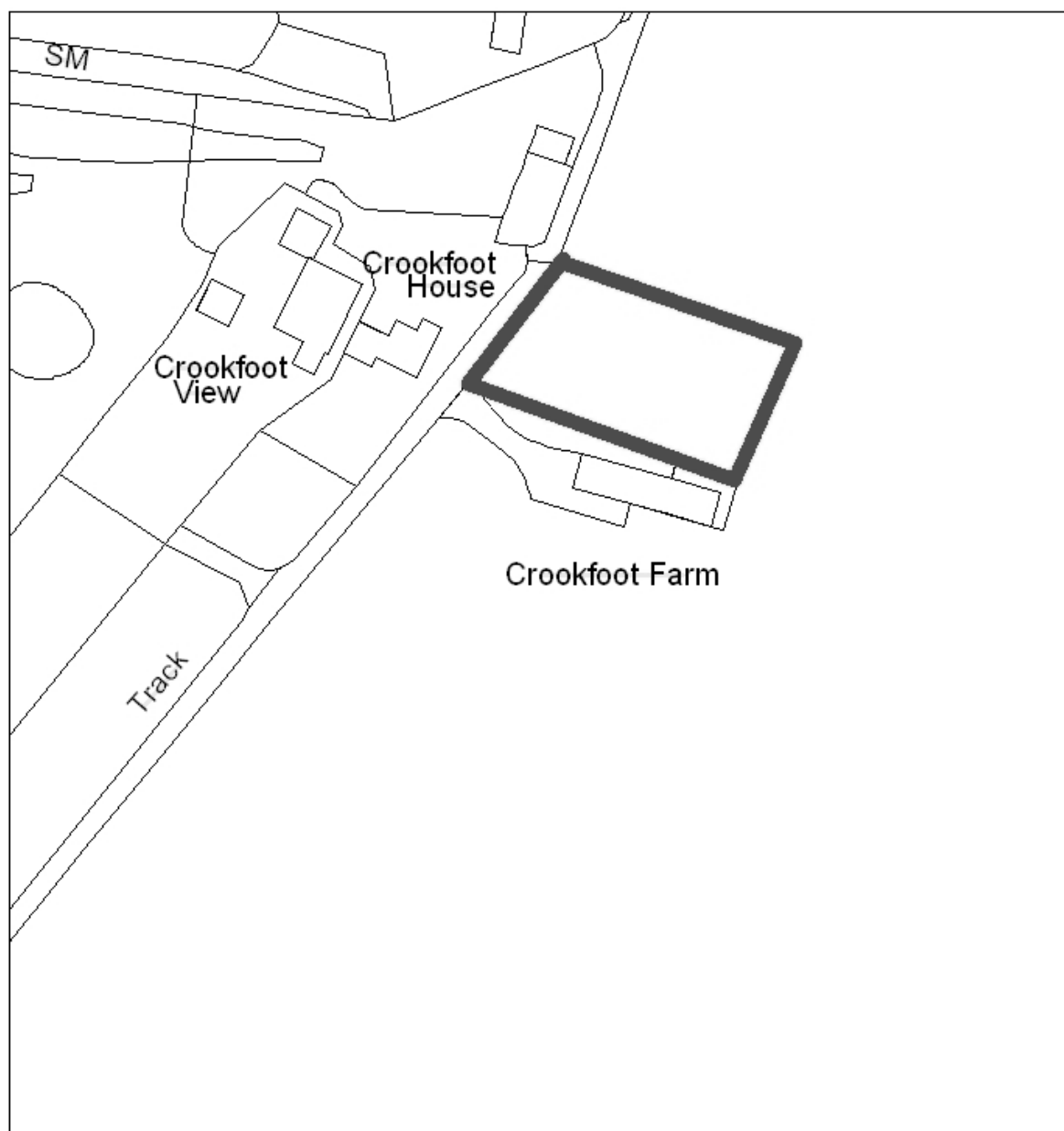
21. I dismiss the appeal.

Information

22. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.



Inspector

CROOKFOOT FARM

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 16/12/2009
	SCALE 1:1,000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2009/0235	REV

No: 16
Number: H/2009/0231
Applicant: British Telecom Plc Knightrider Street London EC4Y 5BT
Agent: Dalton Warner Davis LLP Chris Girdham 21 Garlick Hill LONDON EC4V 2AU
Date valid: 20/08/2009
Development: Erection of 5 no. wind turbines, meteorological monitoring mast, switch room, contractors compound and associated works including improvements to the existing site access from the A19, construction of temporary haul road for construction purposes; permanent tracks to connect turbines and occasional deployment of temporary road from the improved A19 access to the turbine access tracks to support maintenance and other works which requires the use of heavy vehicles and plant.
Location: RED GAP FARM WOLVISTON BILLINGHAM

The Application and Site

16.1 The proposal is considered by the agent to be an integral part of the 'Wind for Change Project', part of BT's national renewable energy delivery programme for wind turbine development at this and other locations across the UK. Its renewable electricity programme aims to develop wind farms with 250 MW total capacity to generate around 25% of its existing UK electricity requirements by 2016.

16.2 Planning permission is sought for the following:

- 5 no. wind turbines at an overall height of 125metres each for an operational period of 25years;
- crane hardstanding areas adjacent to each wind turbine;
- transformers and cabling from the wind turbines to the substation;
- an 80-metre meteorological mast;
- temporary haul road from the site entrance to the turbines;
- permanent tracks between the turbines and ancillary development;
- an electrical switch room building;
- temporary construction compound; and
- a temporary road to be deployed as and when required for necessary maintenance or emergency works and thereafter removed until required again.

16.3 The proposed site is located on land immediately to the west of the A19 near Sunderland Lodge within the Parish of Elwick. The extent of the proposed turbine development will be approximately 1.7km from east to west (from the A19 access to turbine no. 1) and 1.1km from north to south (from turbine no. 1 to the operational access road).

16.4 The expansive site is currently accessed by a track off the A19, near to Sunderland Lodge. The track, which is unpaved, passes through woodland on route to the site and is part of a more extensive network of informal vehicular tracks that

provide many of the local farmsteads and settlements with access to the A19 and A689.

16.5 The application site area has a total area of approximately 21.3 hectares. Red Gap Cottage and the Red Gap Farm House and outbuildings are located to the south west of the site. The southern, south western and western boundaries of the site are defined by a wooded area. The northern and eastern boundaries of the site are not as clearly defined by natural features and land to the north is more open. The A19 demarks the site's eastern boundary. The gently undulating lowland topography featuring some small hills generally slopes downwards from north to south. The highest point on the site is at approximately 75 m AOD in the north western corner.

16.6 Beyond the confines of the application site there is evidence of significant human intervention throughout the landscape. Surrounding land uses reflect the open, rural characteristics of the area with several farms, detached houses, roads linking small settlements, infrastructure related to the generation and distribution of electricity (predominantly pylons and wind turbines) and telecommunications apparatus, including a small telecommunications mast on the eastern side of the A19 near to Sunderland Lodge.

16.7 The nearest settlements are Dalton Piercy (2.5km NE), Elwick (3km NE), Brierton (3km E), Wynyard Village (2.5km SW), Billingham and Wolviston (3km S), Sedgefield (7km W) and Trimdon (7km NW). Generally, the landscape becomes significantly more urbanised to the east, south and south east of the proposal site. The larger metropolitan area of Hartlepool is situated approximately 6km to the north east of the site, beyond the A19.

16.8 Within the wider context there are a number of other wind farms. The closest developments comprise the 3 turbine development of High Volts which lies 3km from the centre of the Red Gap site to the north east (maximum height of 100m). The Walkway wind farm development of 7 turbines is located 4km to the west (maximum height of 110m). The 10 turbine development of Butterwick Moor has recently been consented and will be located adjacent to the Walkway Wind Farm 4km to the west. The proposed turbines at Red Gap would be 80metres from base to hub with an overall height from base to blade tip of 125metres.

Publicity

16.9 The application has been publicised three times; the first following its initial validation in May, again in June and finally in September 2009. The second and third publicity exercises resulted from BT's wish to publicise a modification to the development description to provide for a temporary construction and maintenance road and as a consequence of minor amendments to the Environment Statements Landscape and Visual Impact Assessment respectively.

16.10 The application has been advertised by way of neighbour letters (60) press notice and site notices (12). To date, there have been 9 no objections from individual addresses and 10 objections from individual addresses.

16.11 The concerns raised are:

1. Inappropriate and over intensive industrial development in the countryside.
2. Visual intrusion, eyesore.
3. Cumulative effect.
4. Loss of countryside amenity for Hartlepool residents.
5. Increased noise and construction works.
6. Dominate and overpower the sites of the former medieval villages of Amerston, Embleton and Swainston.
7. Adverse effects upon wildlife.
8. Proposed site is in a direct flight path from the Tees estuary and the Crookfoot and Hurworth Burn reservoirs.
9. Bat colonies may be damaged by the large sound and air pressure fluctuations of giant turbine blades.
10. Significant increase and intrusive noise levels at all residential properties within 3km.
11. Long term effects upon health of residents exposed to these phenomena over the proposed period of operation.
12. Shadow flicker.
13. Ice throw.
14. Turbines on a direct flight path to Durham Tees Valley Airport increasing danger of radar interference and collision.
15. Noise level intrusion for patients, visitors and staff at the new hospital.
16. The turbines will affect the wildfowl at Crookfoot.
17. The large number of bats, including rare species will be killed by the turbines. As stated by the University of Calagry the bats suffer the bends or batoturma, the lungs explode due to pressure created by the blades.
18. Destruction of the landscape, views, the development of new access roads, tonnes and tonnes of concrete buried forever more.
19. Affect on woodland birds and wildlife.
20. Technical facts are coming to light which show that they are not as efficient as we are all encouraged to believe.
21. Dominate the skyline.
22. Why are they 10% bigger than Walkway yet are still only 2mw units.
23. Parts of the application say that the turbines are shrouded by trees, where are these 125m trees?
24. They are too close to many local properties.
25. They will be noisy.
26. They kill wildlife.
27. Geese and bats are possibly the 2 types of wild life to be affected the most.
28. The proposed site is crossed by 2 major gas pipelines, ground disturbance through excavation or heavy traffic can not be beneficial to these pipelines.
29. Shadow flicker is occurring at walkway turbines.
30. Construction hours.
31. Hartlepool is already a net exporter of electricity, non fossil fuel electricity at that, surely this area is already doing enough.

32. Turbines breed turbines; if you pass these 5 you will open the floodgates.
33. Consultation process.
34. No long term employment.
35. Turbines can not produce power on demand. No wind = no electricity.
36. Wind turbines have dubious 'green credentials'.
37. Wind energy is heavily subsidised, where this subsidy come from.
38. Devaluation of property.
39. If we have to have wind power then it should be installed off shore.
40. The greed of one person should not be allowed to ruin the lives of all who live around him.
41. There has been a recent appeal decision in Norfolk, about the proximity of turbines to houses; these turbines are too close to local residents.
42. strobe lighting, noise and sleep depravation are common torture methods, all of these effects the turbines promise to inflict on us residents for 25 years to come.
43. They will spoil an unspoilt area.
44. Meadowvale has a conservatory situated on the southwest of the property; obviously the impact of shadow flicker on this conservatory would be immense and render it unusable for several hours of the day. Should the application be approved the developer should build a new conservatory.
45. Objector has been assured by the agent that offending turbines could be switched off at times of inconvenience caused by shadow flicker; in reality how easy is this to do? As part of this application we would expect a legally binding obligation to switch off the turbines whenever shallow flicker affects nearby properties.
46. Shadow flicker mitigation measure are unacceptable blinds to windows, tree planting, turbines should be moved away from Meadowvale.
47. Vehicles will be travelling past the property of Meadowvale, through greenbelt land within 200m of the property.
48. Lack of privacy for occupants of Meadowvale.
49. There is a 10year old plantation of young trees directly in the path of the proposed access track, these would be destroyed.
50. Security risk and risk of antisocial behaviour.
51. There should be 24 hour manned security for the gates at the entrance during construction.
52. Driver distraction to vehicles on the A19.
53. Distress to animals during construction.
54. The occupant of Meadowvale uses his land to practice take offs and landings for his paraglider, the turbines would cause unpredictable turbulent air downwind which would make it dangerous.
55. Nearby properties should be given free electricity.
56. A community fund should be used to upgrade and maintain the footpaths and proposed new bridle-way mentioned below.
57. The land has constraints, water pipes, pipelines, overhead cables etc.
58. Noise and interference with air ambulances.
59. How will the public using footpaths be affected in the area of this proposed development?

- 60. Has the planning department considered the amount of materials/energy that is necessary to construct such structures? Is it cost effectively both financially and environmentally.
- 61. Surely the role of the planning departments is to protect the rural area.
- 62. Will look unsightly in an area of outstanding natural beauty.
- 63. Bat survey is not sufficient.
- 64. It would be better to put the turbines where they are needed.

Copy letters F

16.12 The period for publicity has expired.

Consultations

16.13 The following consultation replies have been received:

Government Office for the North East - the application at present is a matter of the Local Planning Authority.

Natural England - no objection, however conditions are proposed.

Environment Agency - no objection

Highways Agency -The Agency is satisfied that the assessment of traffic impact has been undertaken satisfactorily and that any impacts of the construction or operational phase in terms of the number of vehicles on the network is negligible.

A Construction Management Plan has been agreed, the applicant will need to agree the detail of an Abnormal Loads Routing report with the HA prior to the loads being moved. Conditions are proposed.

One North East (ONE) - Subject to the applicants satisfying all necessary environmental, highway, visual impact and airport operation issues, there is no objection to the proposed development as a suitable site for wind energy development.

Association of North East Council's (ANEC) - The site is located within the East Durham Limestone and Tees Plain broad area of least constraint for wind energy development, identified in RSS policy 41. It is envisaged that the development could make a significant contribution towards the achievement of the renewable energy targets identified in RSS policy 39.

The supporting statement indicates that the development will result in a series of environmental impacts; these are in relation to the landscape; ecology; and the historic environment. Although the principle of mitigation is reflected in these proposals, the local authority will need to be satisfied with these measures to ensure that this proposal is in general conformity with the RSS.

Durham Tees Valley Airport – maintains a holding objection on the basis of possible degradation of primary radar returns, such degradation would have an

impact on Air Traffic Services and therefore has implications for aircraft safety. However discussions are ongoing and a letter has been received from DTVA which suggests that there is a reasonable prospect of developing a suitable form of mitigation that could in principle, enable DTVA to withdraw its current objection.

Civil Aviation Authority - comments regarding the proposal and the need to consult with the Durham Tees Valley Airport.

MOD Wind Energy Team - no objection

MOD Safeguarding Team - no objection

National Grid - no objection, accepts the location of the wind turbines, however there will be restriction on crossing the pipeline, given the extremely heavy loads imposed and the location of hard standings. This will be dealt with once the main contractor is appointed.

Tees Valley Joint Strategy Unit - supports the continuing development of the renewable energy sector, and recognises the important role of the sector in meeting the economic growth objectives of the area. However individual projects must consider environmental constraints and in particular the effect on the local environment and local communities. In its consideration of the planning application HBC should be satisfied that the proposal will have an acceptable environmental impact, particularly with regard to :

1. the strategic wildlife corridor and local biodiversity, and
2. existing and future development of the Wynyard area as a Key Employment Location.

Tees Valley Wildlife Trust - no response received

Durham Bat Group - concerns regarding the competence of the field work.

RSPB - no objection to the proposal and supportive of the mitigation measures proposed that aim to enhance biodiversity within the area and consider that this proposal should encompass a good package for farmland birds.

Northumbrian Water - no objections to the proposed development

Hartlepool Water – no objection, however an existing main would be required to be diverted or protected at points where increased ground loading is possible. In particular the access points onto the A19 carriageway where new roads will be constructed over existing water mains.

English Heritage - No objection, the construction of the wind farm would have no direct impact upon any nationally designated historic environment asset for which English Heritage has responsibility.

Arqiva (Digital Britain) - no objection

Tees Archaeology – no objection subject to a condition regarding further

archaeological works.

Cleveland Police - comments regarding security.

The Ramblers Association - Initially objected, however discussions have taken place to discuss the temporary diversion of the necessary footpath.

Teesmouth Bird Club - no objection but does identify a number of areas of concerns, particularly relating to the levels of research and mitigation and enhancement.

Durham County Council - no objections to the principle of the development. Hartlepool Borough Council will need to give the wider environmental and economic benefits of this renewable energy project significant weight in accordance with the advice in PPS22, and fully acknowledge the raft of regional and national policy support for renewable energy, and its benefits with respect to pollution and climate change. However, Hartlepool Borough Council will also need to determine whether these considerations are sufficient to outweigh the harm the five wind turbines may have on the landscape, designated sites and habitats and species.

With regard to landscape matters, Durham County Council's Senior Landscape Architect is of the opinion that this proposal raises issues of cumulative impact, given that separation distances from existing and under construction schemes at Walkway / Butterwick (typically 3-4km) and High Volts (2.5-4km) are low. This cumulative impact will be experienced within both the Hartlepool area and from within Durham County. There are reservations as to whether the issue of cumulative impact has been addressed particularly well in the applicant's Environment Statement. It is requested that when determining this application, regard is had to the cumulative impact within Durham County, as well as Hartlepool.

With specific reference to matters of ecology, Durham County Council's Ecologist would expect the potential and actual ecological impacts to be fully taken into consideration and addressed, and appropriate ecological surveys to be carried out to ensure that protected species are not harmed by the proposal. In addition to this, the majority of the proposed wind turbines lie within an area marked of county significance for breeding birds. It is therefore recommended that breeding bird surveys be undertaken to ascertain what species are present on/utilising the site, and hence the potential impacts caused by the development proposals.

It is noted that the farm lies within a largely intensively farmed landscape. Therefore hedgerows, rivers/streams and tree belts are likely to form important migration/foraging corridors through the landscape. It is also noted that at least 2 of the proposed turbines are located within close proximity to water courses. It is recommended that a bat landscape survey be undertaken for the site, to determine how bats are using the site, and therefore where appropriate stand-off distances need to be imposed to reduce impact on this European Protected Species.

Stockton Borough Council – It is considered that as an individual application, taking into account existing approved and existing operational scheme, the

cumulative impact, although significant, would be acceptable, subject to adequate control and imposition of conditions.

It is the opinion of the Council's Landscape Officer that the proposed Red Gap Wind Farm would be visible from within the Stockton Administrative boundary. Although no objection is raised, it is requested that it is acknowledged that the construction of the proposed Red Gap Wind Farm would:

1. close the gap between the Butterwick / Walkway wind farms and the High Volts wind farm in the landscape.
2. be seen cumulatively with other developments and would form a material consideration in determining other wind farms in the area, and
3. being to create the sense of a wind farm landscape in this area.

Traffic and Transportation - no objections to the proposed development of a wind farm at Red Gap Farm. The site is rural and accessed from an existing junction off the A19 trunk road. Following the construction of the Farm, traffic generation will be minimal with little impact on the surrounding highway network.

During the construction of the site there will be a major impact on the surrounding highway network, particularly the A19. The Highways Agency has been working with the developers and has produced a number of measures to manage the construction traffic in a manner. There are no objections to this plan.

Engineering Consultancy - awaiting comments

Public Protection – no objection subject to conditions

Community Services – no objection, a temporary diversion of a public footpath is required.

Neighbourhood Services - awaiting comments

Elwick Parish Council - Whilst the Councillors understand the need for alternative sources of energy generation, it is felt that Hartlepool has already got its share of wind turbines, with more to come on stream shortly at Butterwick. Although the development appears to tick the green boxes required of a large organisation such as BT, the councillors recognised that any excess electricity generated would probably be sold into the national grid.

There are concerns regarding potentially no study of the bat population, particularly at Crookfoot reservoir.

Dalton Piercy Parish Council - no comments

Grindon Parish Council - objects to the application on the following grounds:

1. loss of amenity;
2. reduction in the countryside amenity wildlife;
3. noise;
4. shadow flicker affecting the quality of life for residents in close proximity.

Hart Parish Council - It is known that Hart and Elwick turbines show up on the approach radar of DTVA and with the almost exponential development around the area the radar clutter will be extreme. The Hart machine does cause problems with TV reception for both satellite dish and antenna, despite upgrading of the latter. The site at Red Gap Farm is well outside the Hart Parish boundary and as such the PC have no definitive view on this location or the likely affect thereon other than those stated above.

Wolviston Parish Council – no response received

Campaign for the Protection of Rural England - objects on the grounds of cumulative effect. Concerns regarding tranquillity, the effect on the resident's quality of life and other receptors. Concerns regarding effect on the Durham Tees Valley and Newcastle airport radar. An Osprey has been reported in the vicinity of Crookfoot. Concerns regarding the subsidy needed for the viability of the proposal. CPRE wants the Planning Committee tape recorded for later reference.

Planning Policy

6.14 National Planning policies are set out in Planning Policy Guidance Notes (PPG) and the newer Planning Policy Statements (PPS).

Particularly relevant to this application are:

- PPS 1 Delivering Sustainable Development
- PPS7: Sustainable Development in Rural Areas
- PPS9: Biodiversity and Geological Conservation
- PPS22: Renewable Energy.
- PPG 24 Planning and Noise

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

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

GEP12: States that the Borough Council will seek within development sites, the retention of existing and the planting of additional, trees and hedgerows. Development may be refused if the loss of, or damage to, trees or hedgerows on or adjoining the site will significantly impact on the local environment and its enjoyment by the public. Tree Preservation Orders may be made where there are existing trees worthy of protection, and planning conditions will be imposed to ensure trees and hedgerows are adequately protected during construction. The Borough Council may prosecute if there is damage or destruction of such protected trees.

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

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

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

6.16 Regional Planning policy guidance is set out the North East of England Regional Spatial Strategy to 2021 published in July 2008

6.17 The relevant policies in particular are:

- Policy 2 - Sustainable Development.
- Policy 3 - climate change
- Policy 4 - regional sequential approach to development, recognizing the need to make best use of land.
- Policy 7 – seeks to reduce travel demands to ensure safe transport networks and infrastructure.
- Policy 11 – describes how planning proposals should support the development of a 'vibrant rural economy that makes a positive contribution to regional prosperity, whilst protecting the region's environmental assets from inappropriate development'.
- Policy 24 – aims to improve air quality, increase renewable energy generation and reduce carbon footprint of the North East England and its contribution to climate change.
- Policy 31- seeks to promote development which is appropriate to landscape qualities of the region.
- Policy 32 – seeks to protect and enhance the historic environment of the region.
- Policy 33 – Biodiversity and Geodiversity.
- Policy 35 – requires that in considering planning proposals, a sequential risk based approach to development and flooding should be adopted as set out in PPS25.
- Policy 36 – trees woodlands and forests.
- Policy 39 – Renewable energy generation.
- Policy 40 – in assessing proposals for renewable energy development, significant weight should be given to the wider environmental, economic and social benefits arising from higher levels of renewable energy.

- Policy 41 – identifies nine broad areas of least constraint for the development of wind energy proposals.

Planning Considerations

6.18 The main considerations in this case are policy issues in terms of the proposed land use; the impact of the proposal on the visual amenity of the countryside and surrounding area, cumulative impact of wind farms, noise impact upon the surrounding area; highway issues; safety issues, and possible interference to radio and television reception.

6.19 The planning considerations will be presented in an update report.

RECOMMENDATION – Update to follow.

RED GAP WIND FARM



H/2009/0235

THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY
16/12/2009

Scale:
1:1,000

UPDATE REPORT

No: 3
Number: H/2009/0497
Applicant: Bellway Homes (NE) Ltd Peel House Main Street
Ponteland Newcastle upon tyne NE20 9N
Agent: Bellway Homes (NE) Ltd Peel House Main Street
Ponteland NE20 9N
Date valid: 15/09/2009
Development: Substitution of house types on 51 plots (1074A-1083A)
including 50 for affordable housing (amended scheme)
Location: LAND OFF MERLIN WAY AREA 6/7 MIDDLE WARREN
ADJACENT LOCAL CENTRE HARTLEPOOL

3.1 Since the ongoing committee report was produced for the 6 January 2010 committee, a number of additional letters and e mails have been received.

3.2 A letter of support has been received from Housing Hartlepool together with 12 letters of objection. (Copies will be placed in the Members room).

3.3 Most of the issues raised have already been referred to in the report. Two objections do however relate to the poor condition of the existing roads in this area of Middle Warren and the amount of mud and traffic generated by current building works.

UPDATE REPORT

No: 5
Number: H/2009/0279
Applicant: Mr M Ashton Hillcrest Grove Elwick Hartlepool TS27 3EH
Agent: Business Interiors Group 73 Church Street
 HARTLEPOOL TS24 7DN
Date valid: 30/06/2009
Development: Change of use of sheep paddock to provide storage for
 touring caravans, provision of residential caravan to
 provide security to storage site and the adjacent caravan
 park
Location: ASHFIELD FARM DALTON PIERCY ROAD
 HARTLEPOOL

5.1 The applicant's accountants have submitted a letter of justification regarding the financial situation of Ashfield Farm which has now been examined by the Council's finance division. The letter concluded that the loss of profits has decreased in the two sets of accounts submitted; the current set of accounts is for a full year compared to the previous eleven month period. The applicant's accounts company has forecast through further years that this loss will reduce further and will result in a profit making company.

5.2 The applicant's accountants consider that their client's long term plans to expand appear to be well founded and that this will assist in reducing the company's risk.

5.3 Hartlepool Borough Council's finance division have assessed the information submitted with the application and consider the financial accounts to be consistent with the activities being carried out at the site. Finance considers the information reasonable and has no reason to doubt it.

5.4 Given the significant investment to set up the business, it is considered reasonable that the business would not have made a profit in the business as yet. On this basis it is concluded that sufficient information has been provided to demonstrate the business has been planned on a sound financial basis.

5.5 It should be acknowledged that the proposal is for a temporary residential presence on site for 3 years. Should the applicant wish to extend the time period for a temporary dwelling on site or seek approval for a permanent dwelling the criteria in PPS7, including financial position will be assessed at the appropriate time.

5.6 It is considered that the development on balance is acceptable and approval is recommended.

RECOMMENDATION – APPROVE subject to the following conditions;

1. The occupation of the temporary residential caravan shall be limited to a person solely or mainly employed in the business of the touring caravan and camping site, currently occupying Ashfield Farm, together with any resident dependants.
To ensure that the caravan is not used as general residential accommodation.
2. On the cessation of the touring caravan and camping site or on the expiry of three years from the date of this decision, whichever shall first occur, the caravan shall be removed and the residential use shall cease.
To define the nature of the permission.
3. The hereby approved use for storage of caravans shall only operate whilst the touring caravan and camping site exists. Should the touring caravan and camping site cease operating (excluding the break in operation between February and March) all caravans shall be removed from the site.
The storage of caravans is not considered suitable for permanent retention on the site should the touring caravan and camping site cease business.
4. The temporary residential caravan currently located on the site shall remain in its current position and shall not be moved without written agreement from the Local Planning Authority
In the interests of visual amenity.
5. The hereby approved caravan storage area as identified on drawing BIG/IC/MA/373-02 rev B shall accommodate no more than 143 touring caravans at any one time. No other part of the application site shall be used for the storage of caravans.
In the interests of visual amenity and the interests of highway safety.
6. Notwithstanding the provisions of Article 3 and schedule 2, Part 2, Class A & C of the Town and Country Planning (General Permitted Development) Order 1995, the exterior of the caravan shall not be painted, no gates, fences, walls or other means of enclosure shall be constructed, erected or carried out on the site.
In the interests of visual amenity.
7. Details of the security measures, including means of enclosure and a programme of works shall be submitted to and agreed in writing prior to the first operation of the caravan storage area. Thereafter the scheme shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of crime prevention.
8. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 27th May and 3rd August 2009, and amended plan drawing number BIG/IC/MA/979-02 rev B, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
9. Prior to the development being brought into use details of (i) signage to be erected on the site and (ii) promotional literature for the operation shall be agreed with the Local Planning Authority in order to promote

safe routes to and from the site for caravan related traffic. The route restrictions in question shall be as follow:

- 1) Arriving from the North - No restrictions.
- 2) Departing to the North - Turn right from Ashfield Farm onto Dalton Lane, continue to Elwick Road Crossroads, continue north towards the A179, turn left onto the A179 Westbound towards the A19/A179 interchange, turning right onto the A19 northbound.
- 3) Arriving from the South - Leave A19 at A689 interchange, follow A689 towards Hartlepool, turn left onto Dalton Back Lane, continue to three gates junction, turn right onto Dalton Lane through Dalton Piercy, turn right into Ashfield Farm,.
- 4) Departing to the South - Turn left from Ashfield Farm onto Dalton Lane, through Dalton Piercy, turn left onto A19 Southbound.

To ensure that the A19 truck road might continue to fulfil its purpose as part of a national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980, and to maintain the safe free flow of traffic on the trunk road.

10. A detailed scheme of landscaping and tree and shrub planting for the southern boundary of the hereby approved storage area for touring caravans 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. 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.
11. Prior to operation a scheme of grass protection surface treatment to the hereby approved touring caravan storage area, including a programme of works shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity.
12. The buffer zone identified on drawing number BIG/IC/MA/373-02 rev B shall be retained clear from development and shall not be used for the storage of caravans at any time.
In the interests of promoting biodiversity.

No: 6
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 including upgraded waste classification system, briquette plant and pyrolysis/gasification plant including electricity generation facility
Location: NIRAMAX THOMLINSON ROAD HARTLEPOOL

Background

6.1 This application was deferred from the previous committee meeting on 2nd December 2009 as members were minded to arrange a visit to the application site, to view the site from Harvester Close and to also visit another site operating a similar process in a comparable location within the UK.

6.2 Members will recall that the item was reported to the previously adjourned meeting on 6th January 2010 and agreed to be deferred as officer investigations into sourcing a comparable facility were ongoing. Members noted that a comparable facility had proved difficult to source and members were satisfied that the item be reported back to committee in full, accompanied by a slide show presentation demonstrating the proximity to housing to comparable facilities with planning permission within the UK. That task has been undertaken and it is considered prudent therefore to report the item to the reconvened meeting on 14th January 2010.

The Application Site and Surroundings

6.3 The site to which this planning application relates is the former SWS landfill and waste site located on Thomlinson Road, (now operated by Niramax), located within the Longhill Industrial Estate – an area comprising a number of established industrial sites, including a range of waste management sites.

6.4 The wider site within the applicant's control comprises an existing landfill which forms the eastern element of the site, lying at the southern end of Mainsforth Terrace, adjacent to the Durham Coast rail line and opposite the properties of Harvester Close. Additionally, the site comprises an existing waste transfer station and recycling and associated buildings.

6.5 The application in this instance relates to the western element of the larger site which comprises an existing waste transfer station and recycling facility, in addition to a large former industrial building, referred to as the 'black sand shed'. The 'black sand shed' formerly comprised the British Steel power station. The building received permission for a change of use to industrial units in 1981. This use appears not to have been implemented and the building is currently vacant.

6.6 The waste transfer element of the site has been in operation since 1981, as approved by planning permission ref: CH/705/81, which allowed for paper and metallic waste processing only. A Certificate of Lawful Existing Use or Development (CLEUD) was granted in 2002 for the use of the waste transfer station for the transferring and processing of non-hazardous commercial, industrial and construction waste including incidental quantities of putrescible waste. In that instance the Local Planning Authority were satisfied on the evidence presented that on the balance of probability the site had handled those waste streams set out above continuously for a period of ten years or more in accordance with the provisions of Section 191 of the Town and Country Planning Act (1990).

6.7 An additional waste transfer station sited adjacent to the aforementioned was granted permission in 2002 (H/FUL/0412/01), allowing for the same waste types as those agreed in the CLEUD.

6.8 In terms of the site's operations, the applicant has indicated in the supporting documentation that approximately 2,500 tonnes of waste is received per week at the existing facility (approximately 130,000 tonnes per annum). Existing waste streams incorporate non-hazardous commercial and industrial (C&I), construction and demolition (C&D) and inert soils and hardcore. Such waste types are permitted by virtue of the aforementioned CLEUD. Existing operations at the site comprise manual waste classification incorporating the separation of recyclable materials, with residual waste disposed of at the adjoining landfill.

6.9 It is indicated at present that:

- 1,000 – 1,500 tonnes of residual waste per week is disposed of at the adjacent landfill;
- 300-400 tonnes of 'fines' are disposed of and stored at the landfill, used towards the cover and restoration of the landfill;
- The estimated life of the landfill at the current operation rates is 18-24 months;
- The amount of recyclable materials separated and recycled is approximately 335 tonnes per week, with ferrous material approximately 10-20 tonnes per week and non-ferrous 5-10 tonnes per week.

Proposals

6.10 The application seeks planning permission primarily for the installation and operation of an Waste to Energy (WtE) Plant through the thermal treatment of waste through the process of pyrolysis and/or gasification to produce syngas, in turn used to generate electricity. This process is proposed to be contained within the existing 'black sand shed' on the site. Additionally, external alterations are also proposed in order to facilitate the installation and operation of the proposed plant.

6.11 Consent is also sought as part of the application for the receipt and process of Municipal Solid Waste (MSW) within the waste transfer station and the proposed plant.

6.12 Construction and implementation of the development is proposed in three phases. Firstly, phase 1 will comprise the installation of a high-level conveyor (5m rising to 6.2m above ground level) between the existing reclamation shed (within the waste transfer station) and the 'black sand shed', forming part of the installation of waste classification plant within the reclamation shed and the 'black sand shed'. The first phase forms an upgrade of the existing waste classification in operation on the site.

6.13 Phase 2 will incorporate the installation of a briquette plant within the 'black sand shed'. Phase 3 will incorporate the installation of a pyrolysis/gasification plant, electricity generation plant, water treatment plant and electricity sub-station. Phase 3 requires the erection of two flare stacks and an exhaust stack to the south-west elevation of the 'black sand shed'. It is indicated the stacks would have a maximum height of 25m.

6.14 In terms of operation, the proposed development aims to increase recycling of waste, reduce the volume of waste disposed at the landfill and recover energy from waste through the aforementioned thermal treatment process. The processes in general terms would comprise, waste classification, waste compression and thermal treatment of waste.

Waste Classification

6.15 In the first instance, waste would be deposited within the existing reclamation shed and fed manually onto picking lines. Recyclable materials would be manually separated, stored and transported off-site for re-processing. The remaining waste would be shredded and fed into the existing screening plant, which sorts the waste by size. Smaller waste (fines) is transferred to the adjacent landfill and used for restoration. The applicant has indicated that the fines will not contain any putrescible elements of waste which may arise from the proposed MSW waste streams. The remainder of the waste is transferred to the 'black sand shed' via the proposed enclosed high level conveyor.

6.16 Within the black sand shed the waste is further sorted based on density. Heavier waste is to be separated into ferrous (15-25 tonnes per week) and non-ferrous (10-15 tonnes per week), temporarily stored within the existing bays in the external storage yard before being transported off-site for processing. It is indicated there will be no open storage of any putrescible elements of the waste streams. Residual waste is temporarily stored externally before being disposed of within the adjacent landfill. Light waste (less than 150kg/m³) is outputted and shredded to produce a refuse derived fuel (RDF) which is transported off-site for commercial sale. It is anticipated that the RDF will be taken off-site until the installation of the briquette plant is operational.

Waste Compression

6.17 The proposed briquette plant's sole function is to densify the aforementioned flock by compressing the waste into cubes, producing 10 tonnes of briquettes per hour. The briquettes will be used on site as part of the thermal treatment of waste (rather than being transported off-site for commercial sale in the first instance) upon the installation of the pyrolysis/gasification plant.

Thermal Treatment of Waste

6.18 The thermal treatment of waste involves the waste feedstock (in briquette form) being fed into the plant via hoppers then inserted into the collecting/drying zone. Temperatures in the zone are controlled at a maximum of 200°C. The feedstock is then transferred and heated in ovens at temperatures up to 850°C, in the absence of oxygen in the case of pyrolysis. For gasification the waste is then heated at temperatures closer to 850°C with small quantities of oxygen. The process produces a synthetic gas (syngas) which is fed into electricity generators. It is indicated that the generators are proposed to produce 830kw electricity and 700kw thermal electricity, to be provided in turn to the National Grid through the proposed sub-station via a high voltage underground cable. It is indicated that the applicant is currently in discussions with the National Grid with regard to the process of electricity generation.

6.19 The process involves the emissions of solids (ash) which is non-hazardous and disposed of in the adjoining landfill. It also produces residual water which is cleaned and treated. Air emissions involved are those emitted via the proposed exhaust stack. This is discussed in more detail later. It is indicated that the proposed exhaust is to be fitted with a catalytic converter and is subject to monitoring and sampling by the Environment Agency through the PPC (Pollution Prevention and Control) permitting process.

6.20 The processes of pyrolysis and gasification do not involve the incineration of waste – they are distinct processes. Incineration involves the combustion of unprepared waste, with sufficient quantity of oxygen and at temperatures in

excess of 850°C. The waste is then converted into carbon dioxide and water. Non-combustibles remain as bottom ash, containing residual carbon. A number of plants operating incineration processes exist within the UK, most notably the Teeside EfW Plant at Haverton Hill, Stockton.

6.21 By comparison, pyrolysis is the thermal degradation of waste in the absence of oxygen, requiring an external heat source. Relatively low temperatures are used, between 300°C and 850°C. The results are a solid residue (char – a combination of non-combustible materials and carbon), and a synthetic gas (syngas), which is a mixture of carbon-monoxide, carbon-dioxide and hydrogen.

6.22 Gasification involves only partial oxidation of waste, meaning oxygen is added but not to the amount required for waste to be completely oxidised and full combustion (therefore incineration) to occur. Temperatures are usually above 650°C. The main product from the process is syngas with residual ash, which contains a relatively low level of carbon.

6.23 All processes for the thermal treatment of waste must comply with the requirements of the Waste Incineration Directive (WID) (2000/76/EC) which sets the most stringent emission controls for any thermal processes within the European Union. The WID is implemented in the UK through the Waste Incineration (England and Wales) Regulations 2002. The key requirements contained within the WID for the operation of such a facility include specific safe levels for a number of emissions and requirements for bottom ash to have a total organic carbon compound of less than 3%. The WID sets maximum Emissions Limit Values (ELVs) for discharges to water and air. The maximum permissible emissions are further defined in the requisite Environmental PPC Permit, regulated and monitored by the Environment Agency.

6.24 In terms of solid emissions, residues from the process (char) comprise a combination of non-combustible materials and carbon (approximately 30% of the original tonnage). This may be used as a gasifier feedstock in the dual thermal treatment process. Residues from gasification (i.e. residual ash) are classified as non-hazardous material and will be disposed of at an appropriately licensed landfill. The Environmental Permit would prevent the release of residual ash into the atmosphere.

6.25 In terms of liquid emissions, any such residues would be subject to the treatment on-site within a water treatment system to be located within the 'black sand shed'. Water discharges are subject to the controls of the WID and the conditions of the Environmental Permit (PPC). The maximum ELVs for discharges to water set out in the WID are (in milligrams per litre):

- Suspended solids – 95% of samples 30mg/l, 100% of samples 45mg/l
- Mercury – 0.03mg/l
- Cadmium – 0.05mg/l

- Thallium – 0.05mg/l
- Arsenic – 0.15mg/l
- Lead – 0.2mg/l
- Chromium – 0.5mg/l
- Copper – 0.5mg/l
- Nickel – 0.5mg/l
- Zinc – 1.5mg/l
- Dioxins and Furans – 0.3mg/l

6.26 The required flow rates, temperature and pH values are set by the conditions within the PPC Environmental Permit

6.27 The proposed plant is to be installed must adhere to those emission levels set out in the WID. In addition, the conditions set out in the PPC permit must be within those levels as set out in the WID. The applicant has indicated that the plant can, and will be designed to achieve these levels.

6.28 In terms of emissions to air, the permissible ELVs are defined within the WID. The levels are set out below (milligrams/cubic metre):

(a) Daily Average Value

- Dust – 10 mg/m³
- Gaseous and vaporous organic substances, expressed as total organic carbon – 10 mg/m³
- Hydrogen Chloride – 10 mg/m³
- Hydrogen Fluoride – 1 mg/m³
- Sulphur Dioxide – 50 mg/m³
- Nitrogen Monoxide and Nitrogen Dioxide (new plant) – 200 mg/m³

(b) Average values over sample period of minimum 30 minutes and maximum 8 hours

- Cadmium and Thallium combined – 0.05 mg/m³
- Mercury – 0.05 mg/m³
- Antimony – 0.05 mg/m³
- Arsenic – 0.5 mg/m³
- Lead – 0.5 mg/m³
- Chromium – 0.5 mg/m³
- Cobalt – 0.5 mg/m³
- Copper – 0.5 mg/m³
- Manganese – 0.5 mg/m³
- Nickel – 0.5 mg/m³
- Vanadium – 0.5 mg/m³

(c) Average values measured over a sample period of a minimum 6 hours and maximum 8 hours. The ELV refers to the total concentration of dioxins

and furans calculated using the concept of toxic equivalence in accordance with Annex I

- Dioxins and Furans – 0.1 ng/m³

(d) ELV of carbon monoxide shall not be exceeded in the combustion gasses (excluding start up and shut down phase)

- Carbon Monoxide – 95% of samples 150 mg/m³

6.29 The proposed plant must adhere to those air emission levels set out in the WID. In addition, the conditions set out in the PPC Environmental Permit must be within those levels as set out in the WID and ensure control of those emissions to the safe levels set out in the WID. Again, the applicant has indicated that the plant can and will be designed to achieve these levels.

6.30 Current operation hours for the receipt of waste are 7am – 7pm Monday to Friday and 8am – 1pm Saturdays. It is indicated that the proposed plant would operate on a constant (24 hours a day, 7 days a week) basis and only shut down for maintenance purposes, however, the hours for the receipt of waste will remain unchanged.

6.31 The proposed exhaust stack is to be a maximum height of 25m and diameter of 0.6m. The proposed flare stacks are to have a maximum height of 10m and a diameter of 0.6m.

6.32 The proposal would involve the change of use of 5872m² of internal floor space.

6.33 It is indicated by the applicant that the operation of the proposed development would achieve:

- An increase in input to the site to 3,000 tonnes per week (from 2500 tonnes);
- A reduction in waste disposed of at landfill by approximately 96%, reducing volume to 10 – 50 tonnes per week;
- An increase in the life of the deposit of waste within the landfill until 2018 (as per existing permission);
- An increase in the volume of recyclable materials;
- An increase in volume of ferrous materials separated and recycled;
- An increase in volume of non-ferrous materials separated and recycled;
- Recovery of energy from waste providing approximately 20,000 homes with electricity.

Publicity

6.34 The application has been advertised through two rounds of publicity, both involving advertising by neighbour letter (74), site notices and press adverts. In total, 43 objections have been received. In summary, the concerns raised are:

- Request for further consultation within the Belle Vue area;
- Existing site noise is loud and irritating;
- A plant running 24 hours is unacceptable;
- Disgusting odours emanate from the site;
- Not informed this was a working landfill site when purchased property;
- How permission can be granted for a landfill so close to housing;
- Children can not play outside for odours and harmful fumes;
- Why is the site close to homes and not out of town or an industrial site;
- Height of the landfill – is it monitored?
- Litter is a nuisance, boundary prevention is very inadequate;
- Any potential environmental issues which the EA may be concerned about?
- Possibility of toxic gases;
- Seaton Carew is supposed to be a seaside resort;
- Unsafe emissions to public health, especially three schools in proximity;
- We don't know the effect on people's health;
- Gases emitted are potentially toxic and have health implications;
- Gases can cause inflammation of nose, throat and lungs and cause respiratory disease – risk to households is not acceptable;
- Process proposed is a form of incineration;
- Such plants should be located out-of-town;
- Noise from 24 hour operation;
- Traffic loads are unacceptable;
- A more thorough examination is required as technology is untested;
- Workings of the landfill and application site go hand-in-hand;
- Concerns over lorry loads;
- Noise from machinery and seagulls;
- Odours from waste;
- Landfill is getting higher;
- Potential for toxic gases;
- Area is not purely an industrial area;
- Exacerbate existing site problems;
- Breach of Human Rights Act 1998
- Risk to highway safety;
- How is to be carefully managed?
- Lack of pedestrian and cycle links;
- Impact on the growth and development of the area;
- Impact on landscape of the flues;
- Result in significant amounts of hazardous waste;

- More studies should be implemented to ensure safety of the plant;
- How can something with so many unanswered questions be approved?
- Frequent fires, noise and poor control on existing sites;
- Seaton Carew needs cleaning up not turned into a chemical plant;
- Important factors relating to the proposal are yet to be confirmed or under negotiation;
- Will there ever be an agreement in place where electricity generation will be used?
- Unclear how hazardous waste will be disposed of;
- How can application be considered when question of toxic waste remains unanswered?
- Chemicals and quantities are unknown;
- Safety of the storage of syngas;
- Nobody can agree that an operation which involves the types of substances, gases and process involve should go ahead adjacent to residential area;
- Seaton Carew should not be a dumping ground;
- How can the application be approved when the documentation indicates that harmful gases will be pumped into the air;
- Effect on nearby homeowners, children and families;
- Consideration should be given to the gases the landfill pumps into the air, given the proximity of residents;
- Proposal could undermine the regeneration work and investment in the Belle Vue area.
- Object that the life of the site is to be extended to 2018 and operations are to be 24/7.
- Proximity of proposal to housing;
- Management of landfill site;
- Plant would have to run 24 hours and process hundreds/thousands of tonnes of waste;
- Increased traffic and noise;
- Main product of gasification is carbon monoxide and hydrogen, smaller quantities carbon dioxide, nitrogen and methane.
- These gases would have to be vented/flared to atmosphere;
- The process also produces unconverted carbon, sulphur and mercury which is not 100% removable;
- Process is high pressure and high temperature leading to noise and safety issues;
- Briquetting will produce noise and dust;
- Process is still classed as incineration in EU directive;
- Plant contains combustion – little difference from incineration;
- Council need to think long and hard before granting permission for poisonous gas producing incinerator.
- Noise;
- Dust;
- Hartlepool is the capital dumping ground of the UK;

- Four waste management facilities in three mile radius;
- The sites should not have been allowed in first place;
- Site is an eyesore/unsightly;
- Dirt from the site;
- Odour issues;
- Vermin/seagulls;
- Litter issues;
- Visual impact of landfill;
- Proposals will exacerbate existing problems on site;
- Size of proposed flare stacks;
- Safety of emissions;
- Control over emissions;
- Confusion over the extension to the life of the landfill;
- Proximity of residential area;
- Impact on house prices/selling property;
- Concerns over the safe operation of the proposed processes;
- Lack of consultation with neighbours;
- Lack of consultation with the public;
- Management capabilities;
- Highway safety concerns;
- Health concerns from possibility of increased waste types;
- Poses the same problems as an incinerator;
- Contaminants from exhaust stacks;
- Ash, dust, contaminants and dioxins;
- Scale of the proposed works in visual amenity terms;
- Deterrent to commercial development in Hartlepool;
- Waste stream into landfill will increase not decrease;
- Concerns regarding increase in tonnage and impact on highways;
- No calculation details for effluent discharge being removed;
- Concerns regarding the efficient and effective removal of tar compounds;
- What happens to potential hazardous waste from residues;
- Planning committee need to be aware of all technical facts.

Copy Letters E

6.35 The period for publicity has expired. A copy of all objections received prior to the previous report for the January 6th Committee are included within the background papers (Copy Letters E). Additional letters of objection are appended to this report. The concerns set out in those additional letters have been included in the synopsis above.

Consultations

6.36 The following statutory and non-statutory consultation responses have been received:

Association of North East Councils – Principle of development in accordance with RSS policy 6. Consistent with RSS Policy 4. Should contribute towards sustainable communities by maximising pedestrian and cycle links. Consistent with the objectives of RSS Policy 45. Acceptable in terms of environmental principles – vehicle volumes should be kept to a minimum. Inclusion of SUDS measures should be provided. Development supports RSS objectives for 10% of energy supply from renewable energy. Proposals in general conformity with RSS.

Engineering Consultancy – No objections based on the absence of any intrusive ground works.

Environment Agency – No objection on lack of PRA given that no intrusive ground works are proposed. Risk to controlled waters is low. Applicant is required to vary existing environmental permits. Any permit for pyrolysis/gasification will require monitoring of aerial emissions. The provision of monitoring points should be considered at design stage. Details on effluent treatment and disposal routes are not included, such discharges may require a separate consent from the EA. Operator should clarify the position regarding outside storage of waste.

Estates – No objections.

Head of Public Protection – No objections subject to a condition requiring all emissions to air, soil, surface and groundwater to comply with the emission limits specified in the WID 200/76/EC. Conditions required to agree the plant, its location and any noise mitigation measures prior to the installation of the plant, and requiring the maintenance of the plant and mitigation measures for the lifetime of the development. It should be noted that these are issues also dealt with by the EA as part of the environmental permit process. Emission limits set out within the WID are established at levels to ensure that they have minimum impact on health and the environment – satisfied the limits would be acceptable. It should be noted that the process is a gasification or pyrolysis plant, not an incinerator. The landfill would provide an acoustic barrier between the site and the housing at Seaton Carew. The building is a substantial brick building. Noise impact from increased traffic would be minimal. Gasses from the plant will be flared off using the stacks if the generation plant goes down.

Northumbrian Water – No objections.

One North East – Acknowledged that pyrolysis/gasification reduces the amount of landfill from present situation. Processes are relatively new and should be carefully managed. Encourage discussions between operator and National Grid. Welcome moves to establish an Energy Services Company to support supplying 20,000 households with electricity. Electricity generation element should be

controlled by appropriate conditions. Consideration should be given to achieving appropriate design quality and energy efficiency measures.

Tees Valley JSU – Proposed development should be supported.

Traffic and Transportation – Concerns that the increase in business would exacerbate highway issues on Thomlinson Road. Following discussions with the applicant's agent regarding vehicle movements, the objection is removed subject to a condition requiring standing vehicles within the site to be held.

Planning Policy

6.37 National Planning Policy guidance is set out in Planning Policy Guidance Notes (PPG) and Planning Policy Statements (PPS). Guidance relevant to this application is:

- PPS 1 - Delivering Sustainable Development
- PPG 4 - Industrial, Commercial Development and Small Firms
- PPS 4 (Draft) - Planning for Sustainable Economic Development (Dec 2007)
- PPS 10 - Planning for Sustainable Waste Management
- PPS 11 - Regional Spatial Strategies
- PPS 12 - Local Spatial Planning
- PPG 13 - Transport
- PPS 22 - Renewable Energy
- PPS 23 - Planning and Pollution Control
- PPS 25 - Development and Flood Risk

6.38 The Statutory Development Plan comprises the adopted Hartlepool Local Plan (2006) and the Regional Spatial Strategy (RSS) for the North East (2008). The following policies in the adopted Hartlepool Local Plan 2006 are relevant to the determination of this application:

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

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

GEP4: States that development proposals will not be approved which would have a significant detrimental effect on the environment, on amenities of local residents, watercourses, wetlands, coastal waters, the aquifer or the water supply system or that would affect air quality or would constrain the development of neighbouring land.

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

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

Ind6: Identifies part of the Sandgate area for the location of bad neighbour uses. Such uses will only be permitted subject to criteria in the policy relating to nuisance, visibility, screening, size of site and adequacy of car parking and servicing.

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

PU1: Requires that development proposals be designed to ensure that there is no additional flood risk. Sustainable drainage is encouraged.

PU5: Highlights the Council's precautionary approach in developments which include high voltage lines and equipment in or near the built up area. Amenity concerns will be taken into account.

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

Dco1: States that development on notified landfill sites will only be approved where there will be no harm to occupiers. The policy also requires the provision of protection measures where appropriate.

6.39 The following policies in the Regional Spatial Strategy for the North East (2008) are relevant to the determination of this application:

RSS Policy 3 – Climate Change
 RSS Policy 4 – The Sequential Approach To Development
 RSS Policy 6 – Locational Strategy
 RSS Policy 8 – Protecting and Enhancing the Environment
 RSS Policy 24 – Delivering Sustainable Communities
 RSS Policy 34 – The Aquatic and Marine Environment
 RSS Policy 35 – Flood Risk
 RSS Policy 37 – Air Quality
 RSS Policy 38 – Sustainable Construction
 RSS Policy 39 – Renewable Energy Generation
 RSS Policy 45 – Sustainable Waste Management

6.40 The emerging Tees Valley Joint Minerals and Waste Development Plan Documents are also relevant.

Planning Considerations

6.41 Consideration of the appropriateness of the proposal in this instance must have regard to the provisions of the statutory development plan (the Adopted Hartlepool Local Plan 2006 and the RSS North East 2008) and all other relevant material planning considerations, in this instance: the appropriateness of the proposal in policy terms, the impact of the proposal on the amenity of surrounding properties, the effect on the character of the surrounding area and environment, particularly with regard to noise, odour, dust, emissions, air quality and pollution, design and visual impact, highways, ecology, drainage/flooding and contamination.

Policy

6.42 The Tees Valley Joint Minerals and Waste Development Plan Documents are currently at submission stage and covers guidance on minerals and waste development within the five Boroughs of the Tees Valley. Policy MWC6 of the draft indicates sustainable management of waste will be achieved via promoting facilities and development that moves waste management up the waste hierarchy. It is considered in this instance that the proposed development is supported by the policies in the submission draft DPD.

6.43 National Planning Guidance PPS 10 supports the proposal in terms of moving the management of waste up the waste hierarchy of reduction, re-use, recycling and composting, using waste as a source of energy, and only disposing of waste as a last resort.

6.44 Policy RSS 45 Sustainable Waste Management supports the proposal in terms of developing and implementing waste minimisation plans and schemes. Policy 45 states that development should be based on the principles of the waste

hierarchy. Comments from ANEC have indicated that the proposals are in general conformity with the provisions of the RSS.

6.45 In terms of Hartlepool Local Plan (2006) policies, part of the site lies within Sandgate Industrial Area under Ind6, however, the majority of the lies within the Longhill Industrial Estate under policy Ind5(b).

6.46 Policy Ind5 allows for B2 industrial uses and uses which are complimentary to the existing use of the site within Longhill, subject to consideration of the effects on nearby occupiers and adjacent potential development sites which is to be discussed in the appropriate sections of the report. Policy Ind6 states that proposals for 'bad neighbour' uses will only be permitted in the Sandgate area provided there is no significant nuisance to adjacent premises or highways users, the site is not visually prominent from a main road or railway, the site is screened, of a sufficient size and there is adequate car parking and servicing provision. As indicated only a small part of this site is within the Sandgate area. However, given the nature of the existing use and the complimentary nature of the proposed use, it is considered that the proposals are acceptable in principle. However, it is considered appropriate to also apply the tests set out in Ind6, the details of which will be discussed in the appropriate sections of the report.

6.47 In policy terms the principle of the development is considered acceptable subject to the detailed consideration outlined above.

Character of Area

6.48 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 no out of keeping with the industrial character of the area.

6.49 Beyond the immediate vicinity of the site the surrounding land use to the east and further to the west is predominately residential. It is therefore necessary to ensure that the relationship between the proposed development and the residential areas is acceptable in terms of the potential impacts of the proposal.

Amenity

Visual Amenity

6.50 It is proposed that the upgraded waste classification system, the briquette plant and the plant for the thermal treatment of waste, including the water treatment plant and electricity generation plant will be largely contained within the

existing blacksand shed, as demonstrated within the supporting information. Therefore the visual impacts of the proposal will be mainly 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 more data regarding the type and source of emissions would be required to finally 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.

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

6.52 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.

6.53 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.

6.54 It is considered that the installation of the proposed stacks relating to the pyrolysis/gasification 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. It is indicated that the stacks are to be stainless steel. Given the established industrial nature of the Sandgate/Longhill area, the stacks are considered appropriate in visual amenity terms.

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

Noise

6.56 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. Specific noise levels are not known given that the specification of the plant is not available, however, the Council's Principal Environmental Health Officer considers it is acceptable, subject to a condition, to provide details of noise levels and to agree any required mitigation measures to ensure noise levels are maintained at a level which would be satisfactory in terms of the impact on the amenity of residential properties. Additionally, it is considered that the landfill will provide an effective acoustic barrier between the proposal and the housing at Seaton Carew. The 'black sand shed' within which the proposed plant will be sited is a substantial brick building, formerly used as a power station.

Odour

6.57 The waste streams involved in the process are consented on site by virtue of the Certificate 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.

Emissions

6.58 It is a requirement of PPS23 'Planning and Pollution Control' for Local Planning Authorities to ensure that there will be no unacceptable pollution impact from proposals.

Water

6.59 The proposal will not include the provision of external hard standing area or roof space in terms of surface water. Notwithstanding that, the surface water management of the site forms part of the site's existing Environmental Permit, monitored and regulated by the Environment Agency.

6.60 It is indicated that there will be no emissions/effluent discharges arising from stage 1 (waste classification) or stage 2 (waste compression) of the proposals.

6.61 The submitted information indicates that a water treatment plant will be installed as part of the process. It is considered necessary in this instance to require a condition for the submission of final details of the plant to be agreed. Water discharges are controlled by the emission levels set out in the Waste

Incineration Directive. It is indicated that the proposed plant to be installed will operate in accordance with the emission levels set out in the WID. It is considered prudent to ensure that this is the case through a suitably worded planning condition.

6.62 Additionally, such levels are controlled and monitored through the Environmental Permitting process regulated by the Environment Agency. Comments from the EA indicate that discharges require consent from the EA under the Water Resources Act, including details of effluent treatment and disposal routes. Any solid residue produced as a consequence of the water treatment would be disposed of off-site at an appropriately licensed facility. It is considered in this instance therefore, that the proposal would result in effluent emission levels in accordance with the WID. It is therefore considered that the proposed water emissions are acceptable and can be satisfactorily monitored and controlled.

Solids

6.63 As with water emissions, no solid emissions will result from the waste classification stage or the waste compression stage of the proposals.

6.64 Solid emissions arising from pyrolysis comprises a combination of non-combustible materials and carbon (char). The char can be used as feedstock in the gasification process. In other cases, it is disposed of at an appropriately licensed facility. Solid emissions arising from gasification comprise an ash residue of non-combustible material with a relatively low level of carbon. Such residue is classed as non-hazardous and can be either disposed of at an appropriately licensed facility or used as aggregate. The WID requirements, as set out in the previous report, require bottom ash to have a total organic carbon compound of less than 3%. It is considered prudent to attach a condition requiring details of a methodology for the disposal of residual solids to be submitted to and approved in writing by the Local Planning Authority.

6.65 It is indicated that the proposed plant will adhere to the levels for solid emissions set out in the WID. The emission limits that are set within the WID are established at levels to ensure that they have minimum impact on health and the environment and it is therefore considered that the limits for solid emissions would be acceptable. The Environmental Permit controls prevent the discharge of residual ash into the atmosphere and require its disposal or after use at an appropriately licensed facility.

Air

6.66 No emissions will result from the processes undertaken in the first two stages of the proposal (waste classification and waste compression).

6.67 Emissions to air from the pyrolysis/gasification process are dependent upon the technical specifications of the plant to be installed. It is therefore prudent to

attach a condition requiring the submission of final technical details of the plant to be submitted to and agreed in writing prior to the installation of the phase of the process. Safe levels for those emissions arising from the process are set by the Waste Incineration Directive – these levels are set out in the original report. In addition, the levels of emissions are controlled and monitored by the Environment Agency through the Environmental Permitting process. Those emissions limits within the WID are established at levels to ensure that such emissions have a minimum impact on public health and the environment.

6.68 It is indicated that the proposed pyrolysis/gasification plant will be designed and installed to achieve the emission levels set out in the WID. Subject to a suitably worded condition requiring the proposed plant to adhere to those levels set out in the WID, it is considered that the proposal is acceptable in terms of emissions to air.

6.69 In summary 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, the requirements of the WID and the conditions as recommended below. The Tees Valley Joint Strategy Unit has considered that the proposed development should be supported and the Head of Public Protection has raised no objections to it.

Highways

6.70 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 highways safety issues on Thomlinson Road. However, the applicant submitted details indicating that the increase in vehicle movements as a result of the proposals would be 10 a day (from 38 to 48). The Council's Traffic and Transportation section have now indicated that there is no objection on highways grounds. This is on the basis of the limited increase actually proposed the fact that the applicant has indicated how vehicles movements will be routed within the site and the ability potentially for them to be held within this route. A condition requiring this can be imposed. It is considered the proposals are therefore acceptable in highways terms.

6.71 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.

Ecology

6.72 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. No ecology concerns have been raised in relation to the additional information.

Drainage/Flooding

6.73 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

6.74 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

6.75 For clarification it is indicated that the proposal will result in an increase from 2,500 tonnes per week at present to 3,000 tonnes per week (156,000 tonnes per annum). It is confirmed that this is the tonnage which is sought for in the application for the variation of the Environmental Permit submitted to the Environment Agency.

6.76 ANEC and ONE have raised no additional comments or concerns in relation to the additional details.

6.77 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.

6.78 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.

6.79 In terms of objections, a number of objections received from nearby residents relate 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 consent is sought would not unduly affect the amenity of nearby residential properties in terms of noise, odour, dust or visual impact.

6.80 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.

6.81 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.

6.82 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 CMH/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.

6.83 In terms of concerns raised regarding the management of the site, the day to day regulating of on-site operations is managed by the Environment Agency through the Environmental Permitting process.

6.84 In terms of additional substances, any additional wastestreams required on site beyond that for which permission is currently in place, would require the submission of an additional planning application. Such an application would be subject to consultation and be dealt with on its own merits.

6.85 In terms of concerns regarding operational problems with equipment, it is indicated the satisfactory operation of the plant (including catalytic converters) is a requirement of the Environmental Permit process and the monitoring of the equipment within the remit of the Environment Agency. It is indicated that the EA can restrict the operation of the facility if the plant is found to be operating in accordance with the Environmental Permit.

6.86 For clarification the black sand shed within which the proposed plants will operate is an existing building in place on the site. The proposal does not require the erection of any further buildings.

6.87 The site to which this application relates is an established waste management site. The proposals are considered as an upgrading and extension to those existing waste management practices. This is discussed in further detail in the original report to committee.

Conclusions

6.88 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 conditions set out below and subject to no adverse comments received from the Environment Agency.

RECOMMENDATION – MINDED TO APPROVE subject to the draft conditions as set out below but with the final decision to be delegated to the Development Control Manager in consultation with the Chair of Planning Committee.

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which 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, 28 10 09 and 11 11 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 enclosed at all times.
In the interest of the amenities of the area.
4. The proposed flare and exhaust stacks hereby approved shall not be more than 25 metres in height above ground level.
In the interests of visual amenity.
5. Municipal Solid Waste (MSW), including any elements of putrescible waste, shall only be handled, processed or stored in the reclamation building or block sands shed 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, (including noise mitigation measures) details of maintenance 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, (including noise mitigation measures) details of maintenance, 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, details of maintenance, noise mitigation measures, 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 Pyrolysis/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, generators and noise mitigation measures shall be submitted to and agreed in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

To ensure a satisfactory form of development.

14. Prior to the commencement of Stage 3 of the development hereby approved, as defined in paragraph 4.2.1 of page 20 of the Supporting Planning Statement received by the Local Planning Authority on 10 09 09, final details of the proposed water treatment plant element of the proposal, including full details of siting and effluent discharges, shall be submitted to and agreed in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

To ensure a satisfactory form of development.

15. Prior to the commencement of Stage 3 of the development hereby approved, as defined in paragraph 4.2.1 of page 20 of the Supporting Planning Statement received by the Local Planning Authority on 10 09 09, a scheme for the monitoring of noise emitted from the plant and any associated buildings or equipment shall be submitted to and agreed in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of the amenities of the area.

16. 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.

17. 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, 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.

18. Prior to the Pyrolysis/Gasification Plant being brought into use, a scheme providing measures for dust control shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development 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.
19. There shall be no open burning at the site.
In the interests of the amenities of the area.
20. 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.
21. 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
22. The permission hereby granted relates only to the transfer, storage and processing of non-hazardous commercial, industrial, construction and municipal solid 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.
23. The proposed pyrolysis/gasification plant hereby approved shall operate strictly in accordance with the emission levels set out in Annexes 4 and 5 of the 'Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the Incineration of Waste' (WID) at all times. All emissions to air, soil, surface and groundwater shall not exceed those emission limits specified in the WID. In the event that those levels specified in the WID are exceeded, the development hereby approved shall be ceased immediately and the use not re-commenced until appropriate measures have been taken to attenuate those levels to comply with the requirements of the WID. Notification shall be made in writing to the Local Planning Authority demonstrating the measures taken to comply with those requirements and providing confirmation that such measures have been successfully implemented.
In the interest of the amenities of the area and to ensure that the plant is operating in accordance within the defined emission levels.
24. Unless otherwise agreed in writing by the Local Planning Authority provision shall be made within the proposed vehicle unloading route or

wider site for vehicles visiting the site to off load waste to stand within the site and not on adjoining highways in accordance with details to be first submitted to and agreed in writing by the Local Planning Authority before development commences. Thereafter the approved details shall be implemented before waste is first brought to the site and thereafter retained during the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Jason Whitfield

From: Richard Teece
Sent: 06 January 2010 09:13
To: 'iris ryder'
Cc: Jason Whitfield; Hayley Martin; Tony MacNab
Subject: RE: OBJECTION to the Niramax incinerator (append)

From: iris ryder [mailto: [REDACTED]]
Sent: 05 January 2010 15:40
To: Richard Teece
Cc: Andy.dobson@environment-agency.gov.uk
Subject: OBJECTION to the Niramax incinerator (append)

REGARDING: Planning Committee - Niramax incinerator application

Richard Teece
Development Control Manager
Hartlepool Borough Council

Dear Mr Teece

Thank you for the information regarding the withdrawal of the Niramax height and boundary applications, however the 'Niramax' incinerator application comes back before Hartlepool Planning Committee on the 6 January. We had lodged the right append our objections and speak to the committee on any further amendments to this application. However, since then there has been a development regarding which sets a planning precent for these gasification plants.

On the 15th of December, 2009, a gasification plant on Marston Moor Business Park was turned down by unanimously by North Yorkshire council. The reason given for refusing the application was that plant emissions might have a detrimental effect on the health of residents (living 600m from the plant) and children in a local school (less than a kilometre from the plant). The Yorkshire councillors had followed their planning officers advice to reject the application on those grounds.

Given that the Yorkshire planning officers, rightly, considered that such emissions would be harmful to the public health we are at a loss to explain why Hartlepool planning officers are in favour of the Niramax plant construction. Especially when the nearest houses will be around half the distance away from Niromax that Yorkshire council considered would be hazardous to health. In addition, there are 3 schools in Hartlepool less than a kilometre away from the proposed Niramax plant.

Knowing this current information, and the fact that, when operating, the Hartlepool plant will be incinerating a huge 80 thousand tonnes of waste compared to the Marston plant's 60 thousand tonnes, **we urge planning officers to withdraw their recommendation in line with North Yorkshire County Council. Hartlepool councillors can follow the lead of those councillors in that Northallerton meeting with impunity.**

NB. We'd previously requested UNDER THE FREEDOM OF INFORMATION ACT that all licences pertaining to the "Niromax" site, their operators, or passed on from any previous companies using that site are now disclosed. We requested that this information was made available to us prior to the reconvened Planning Meeting of the 6th January as information contained therein may have a direct bearing upon the application. In particular we requested the dates when those licences and permissions were granted and those of any amendments. Especially the permitted height and waste stream content and operating life granted whilst listing the statutory body and officer that

signed off each of these. **However we have not yet received any of this paperwork.**

Yours sincerely Iris Ryder and Jean Kennedy
Resident Representatives

Please consider the environment before printing this e-mail

Jason Whitfield

From: Richard Teece
Sent: 04 January 2010 08:19
To: 'bob farrow'
Cc: Jason Whitfield
Subject: RE: Niramax
Categories: SmartSaved
SmartSaved: edrmsappsrv:7777_U727_D8_N93522

From: bob farrow
Sent: 02 January 2010 11:13
To: Richard Teece
Subject: Niramax

Dear Richard,

On behalf of the Belle Vue Residents Association and all Belle Vue Residents from the Foggy Furze Ward I wish to object to the application proposed by Niramax mainly because of the lack of consultation with its neighbours i.e. the public and residents who live across the Road from their operation.

We think that the proposal will give out omissions that will be unsafe to the public especially the children, there are three schools in close proximity of the site, namely St Aiden's, St Cuthbert's and Stranton.

We don't know what effect this will have on peoples health, once again especially the children and the elderly, in fact everyone of the people of Hartlepool.

We therefore implore the planners and the planning committee to think carefully before making any decision on this application.

Yours sincerely

Bob Farrow MBE

Please consider the environment before printing this e-mail

Your Ref: H/2009/0500
H/2009/0670
H/2009/0669

Dear Jason,

NIRAMAX PLANNING APPLICATIONS

Following our discussion before the Christmas break I write to remind you of the concerns raised by the NDC/Burn Valley Neighbourhood Panel about the level of consultation carried out with local residents in relation to the three Niramax planning applications currently under consideration.

I understand that the applications have been advertised through the press and that individuals or groups are free to comment as they choose to planners. However given the number of concerns that have been raised in the past in relation to the existing site, together with concerns over increased noise levels in the future and the potential negative impact on the health of local residents, there is a feeling from resident representatives that closer consultation with the community would, on this occasion be appropriate.

On behalf of resident representatives I am therefore writing to request further consultation with residents on the Belle Vue estate. It has been suggested that this could take the form of door to door consultation similar to that undertaken in Harvester Close; a drop-in at the Belle Vue Centre; or formal consultation with the Belle Vue Residents Association.

Thank you for your time, and I look forward to your reply.

Yours sincerely

Clare Clark
HBC Neighbourhood Manager (Central)

UPDATE REPORT

No: 7
Number: H/2009/0660
Applicant: MR RICHARD HARLANDERSON MUNICIPAL BUILDINGS HARTLEPOOL TS24 7EQ
Agent: Hartlepool Borough Council Mr Steven Wilkie Building Consultancy Leadbitter Buildings Stockton Street Hartlepool
Date valid: 19/11/2009
Development: Creation of play area (Playbuilder Play Space) (Amended Plans Received)
Location: SEATON CAREW PARK ALLENDALE STREET HARTLEPOOL

7.1 Since the original report was prepared a letter of support and a further eight letters of objection have been received including a 16 signature petition. Four of the objections relate specifically to the amended plans received (copies will be provided within the Members room). The concerns raised are:

1. Parking
2. Noise levels
3. Nuisance levels
4. Taking away the green field
5. Security
6. Under age drinking
7. Proximity to residents
8. Road safety
9. Property values
10. Keep the park a park
11. Noise disturbance for Major Cooper Court
12. Anti-social behaviour
13. Consultation with Major Cooper Court residents
14. Flooding
15. Intimidation from youths
16. Proposed location
17. Park opening times

7.2 The following consultation responses have also been received:

Public Protection – I have no objections to this application in the amended location.

Traffic and Transportation – I have no objections to this from either a Highways or Neighbourhood Management perspective

7.3 A number of key consultation responses relating to the amended location are awaited including those of the Police. These are expected prior to the

meeting. In response to the concerns outlined above a consultation letter has subsequently been sent to the manager of Major Cooper Court notifying residents of the application. Due to this the period for publicity for the amended scheme is outstanding and will expire after the meeting. A final report and recommendation will be tabled at the meeting.

RECOMMENDATION – To be tabled at the meeting.

UPDATE REPORT

No: 8
Number: H/2009/0655
Applicant: MR RICHARD HARLANDERSON MUNICIPAL BUILDINGS HARTLEPOOL TS24 7EQ
Agent: Hartlepool Borough Council Mr Steven Wilkie Building Consultancy Leadbitter Buildings Stockton Street Hartlepool
Date valid: 19/11/2009
Development: Upgrade and extension of existing play area (play-builder playspace) including associated landscaping.
Location: LAND BETWEEN OXFORD ROAD AND CHAUCER AVENUE HARTLEPOOL

8.1 Since the original report was prepared a letter of objection and a letter of support/comments has been received (copies will be provided within the Members room). The concerns raised are:

- 1) Upkeep
- 2) Anti-Social behaviour
- 3) Will there be age restrictions?
- 4) Will extra litter bins be included in the upgrade?
- 5) Is the grass area going to be made dog free?
- 6) If houses are to be built, how many?
- 7) Will roadways be extended?
- 8) Suggested installation of CCTV camera.

8.2 The following consultation replies have also been received:

Public Protection – No objections

Engineering Consultancy – Based on the historical use of the application site as allotments, I have concerns regarding the potential nature of the near surface materials. Given the sensitive nature of the proposal including the end-users, and given planting/soft landscaping and reuse of materials is included as part of the works, our standard contamination condition should be imposed on the application.

8.3 A number of key consultation responses are awaited including those of the Police and the Traffic and Transportation Section. These are expected prior to the meeting. A report and recommendation will be tabled at the meeting.

RECOMMENDATION – To be tabled at the meeting.

UPDATE REPORT

No: 9
Number: H/2009/0662
Applicant: MR RICHARD HARLANDERSON MUNICIPAL BUILDINGS HARTLEPOOL TS24 7EQ
Agent: Hartlepool Borough Council Mr Steven Wilkie Building Consultancy Leadbitter Buildings Stockton Street Hartlepool
Date valid: 19/11/2009
Development: Creation of a play area (Playbuilder Play Space).
Location: LAND ADJACENT TO LAIRD ROAD HARTLEPOOL

9.1 Since the original report was prepared five letters of objection have been received (copies will be provided within the Members room). The concerns raised are:

1. Magnet for youths
2. Litter
3. Potential intimidation
4. Anti-social behaviour
5. Safety of children
6. Noise

9.2 The following consultation responses have also been received.

Public Protection – No objections

9.3 The comments from the Police have been forwarded to the applicant for consideration. A response is expected prior to the meeting. The Council's Engineering Consultancy Section is still to provide comment. A report and recommendation will be tabled at the meeting.

Recommendation – To be tabled at the meeting.

UPDATE REPORT

No: 10
Number: H/2009/0656
Applicant: MR RICHARD HARLANDERSON MUNICIPAL BUILDINGS HARTLEPOOL TS24 7EQ
Agent: Hartlepool Borough Council Mr Steven Wilkie Building Consultancy Leadbitter Buildings Stockton Street Hartlepool
Date valid: 19/11/2009
Development: Creation of play area (Playbuilder Place Space) adjacent to the existing recreational complex
Location: ADJACENT TO RECREATIONAL COMPLEX TOWN MOOR

Background

10.1 Since the original report was prepared the comments of the Council's Head of Public Protection and Engineering Consultancy have been received.

Public Protection – No objection.

Engineering Consultancy - In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, which shall be submitted to the Local Planning Authority.

Should it be the intention to import materials to site for use as clean cover in soft landscaping, then such materials must be sourced from an approved/accredited source. On placement, validation testing must be undertaken to prove that the imported materials are suitable for their intended use. The validation testing is subject to the approval in writing of the Local Planning Authority.

The above information is necessary given the sensitive nature of the proposal, including the end-users.

10.2 The comments from the Police have been forwarded to the applicant for consideration and a response is expected prior to the meeting. A full update report and relevant recommendation will be tabled at the meeting.

Recommendation – To be tabled at the meeting

UPDATE REPORT

No: 11
Number: H/2009/0657
Applicant: MR RICHARD HARLANDERSON MUNICIPAL BUILDINGS HARTLEPOOL TS24 7EQ
Agent: Hartlepool Borough Council Mr Steven Wilkie Building Consultancy Leadbitter Buildings Stockton Street Hartlepool
Date valid: 19/11/2009
Development: Creation of a play area (Playbuilder Play Space) adjacent to existing play area
Location: LAND ADJACENT PLAY AREA KING OSWY DRIVE HARTLEPOOL

Background

11.1 Since the original report was prepared, an additional letter of objection has been received (a copy will be provided within the Members room). The concerns raised are:

- a) The area suffers from existing anti-social behaviour problems;
- b) Noise issues at present from cars/bikes;
- c) Traffic concerns.

11.2 In addition, the response of the Council's Engineering Consultancy have been received.

Engineering Consultancy – In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, which shall be submitted to the Local Planning Authority. Should it be the intention to import materials to site for use as clean cover in soft landscaping, then such materials must be sourced from an approved/accredited source. On placement, validation testing must be undertaken to prove that the imported materials are suitable for their intended use. The validation testing is subject to the approval in writing of the Local Planning Authority. The above information is necessary given the sensitive nature of the proposal, including the end-users.

11.3 The comments from the Police have been forwarded to the applicant for consideration and a response is expected prior to the meeting. A full update report and relevant recommendation will be tabled at the meeting.

Recommendation – Update report to be tabled.

UPDATE REPORT

No: 12
Number: H/2009/0659
Applicant: MR RICHARD HARLANDERSON MUNICIPAL BUILDINGS HARTLEPOOL TS24 7EQ
Agent: Hartlepool Borough Council Mr Steven Wilkie Building Consultancy Leadbitter Buildings Stockton Street Hartlepool
Date valid: 19/11/2009
Development: Creation of play area (Playbuilder Play Space) erection of boundary treatment at Middleton Road and creation of new access from Middleton Road to accommodate wheelchair access
Location: ADJACENT TO BROUGHAM PRIMARY SCHOOL MIDDLETON ROAD HARTLEPOOL

Background

12.1 Since the original report was prepared, an additional letter of objection has been received (copies will be provided within the Members room). The concerns raised are:

- a) The area is prone to anti-social behaviour and nuisance;
- b) Behaviour will escalate as a result of the proposal.

12.2 In addition, the responses of the Council's Head of Public Protection and Engineering Consultancy have been received.

Public Protection – No objections.

Engineering Consultancy - The above application site falls within an area which have been evaluated and screened under our contaminated land inspection strategy. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, which shall be submitted to the Local Planning Authority. Should it be the intention to import materials to site for use as clean cover in soft landscaping, then such materials must be sourced from an approved/accredited source. On placement, validation testing must be undertaken to prove that the imported materials are suitable for their intended use. The validation testing is subject to the approval in writing of the Local Planning Authority. The above information is necessary given the sensitive nature of the proposal, including the end-users.

12.3 The comments from the Police have been forwarded to the applicant for consideration and a response is expected prior to the meeting. A full update report and relevant recommendation will be tabled at the meeting.

Recommendation – Update report to be tabled.

UPDATE REPORT

No: 13
Number: H/2009/0661
Applicant: MR RICHARD HARLANDERSON MUNICIPAL BUILDINGS HARTLEPOOL TS24 7EQ
Agent: Hartlepool Borough Council Mr Steven Wilkie Building Consultancy Leadbitter Buildings Stockton Street Hartlepool
Date valid: 19/11/2009
Development: Creation of play area (Playbuilder PlaySpace).
Location: LAND ADJACENT TO LANARK ROAD HARTLEPOOL

13.1 Since the original report was prepared a further letter of objection has been received (copies will be provided within the Members room). The concerns raised are:

1. Dog waste and a lack of bins
2. Broken glass in area
3. Litter
4. Anti-social behaviour

13.2 The following consultation responses have also been received:

Public Protection – No objection

Engineering Consultancy - In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, which shall be submitted to the Local Planning Authority.

Should it be the intention to import materials to site for use as clean cover in soft landscaping, then such materials must be sourced from an approved/accredited source. On placement, validation testing must be undertaken to prove that the imported materials are suitable for their intended use. The validation testing is subject to the approval in writing of the Local Planning Authority.

The above information is necessary given the sensitive nature of the proposal, including the end-users.

13.3 The comments from the Police have been forwarded to the applicant for consideration. A response is expected prior to the meeting. A report and recommendation will be tabled at the meeting.

Recommendation – To be tabled at the meeting

UPDATE REPORT

No: 14
Number: H/2009/0618
Applicant: Housing Hartlepool Greenbank Stranton Hartlepool TS24 7QS
Agent: B3 Architects 3rd Floor Grainger Chambers 3 - 5 Hood Street Newcastle upon Tyne NE1 6JQ
Date valid: 04/11/2009
Development: Erection of 97 two, three and four bedroom dwellings with associated external works and landscaping
Location: LAND AT KENDAL ROAD, KATHLEEN STREET, SCAWFELL GROVE, PATERDALE STREET, BORROWDALE STREET, WINDERMERE ROAD AND BRENDA ROAD HARTLEPOOL

Background

14.1 This application appears on the main agenda at item 14. The recommendation was left open as the proposed layout was in the process of being fine tuned in order to address issues raised by the Case Officer and colleagues in Traffic & Transportation. An amended layout has now been received.

Publicity

14.2 The amended layout has been advertised by neighbour notification and consultees have been reconsulted. The time period for representations expires on 1st January 2010. Any additional responses received will be brought to Members attention at the Committee meeting.

Planning Considerations

14.3 The main planning considerations are considered to be policy, design/layout, impact on the amenity of neighbours, relationship with adjacent land uses, drainage/sewerage, highways, crime/CCTV camera, ecology and phasing.

POLICY

14.4 The site lies within a predominantly residential area and is, or was last, in residential use. It lies within an area where Council policies seek to improve housing stock through programmes of demolition, redevelopment, property

improvement and environmental/street enhancement works. The proposal is acceptable in policy terms and will contribute to the enhancement and improvement of this area of the town. A developer contribution of £250.00 per dwellinghouse towards off site play facilities has been requested and will be secured through a section 106 agreement.

DESIGN/LAYOUT

14.5 The proposed layout shows a range of two, three and four bedroom house mainly semis but with a small number of terraces and detached properties. They are largely arranged with frontages onto the principle streets of the area Kathleen Street, Windemere Road, Kendal Road and Borrowdale Street reflecting the existing urban form.

The site is surrounded by a mixture of modern dwellinghouses and traditional terraced properties. The proposed houses will be of a similar scale to the existing and whilst they will be of a modern design it is considered they will be appropriate in this context.

IMPACT ON THE AMENITY OF RESIDENTIAL NEIGHBOURS

14.6 The site is bounded to the north, south, and west by residential properties. In terms of current Local Plan guidance on separation distances for the most part the development will meet or exceed these guidelines within and outwith the site. Given the constraints of the site in a few specific locations the separation distances will be slightly below guidelines however in most cases the separation will be better than that which is currently, or where properties have been demolished was previously enjoyed, by the relevant residential properties. In this context the proposals are considered acceptable it is not considered that the proposed development will unduly affect the amenity of neighbours, within or outwith the site, in terms of loss of light, privacy, outlook or in terms of any overbearing effect.

RELATIONSHIP WITH OTHER ADJACENT LAND USES

14.7 To the east of the site are the Belle Vue Social Club and the Belle Vue Sports Centre. In terms of these facilities the new dwellinghouses will be on the opposite side of Kendal Road and either face them with their gable ends, or where they are facing, will be set well back some 25m from the building. The latter properties are also served by a service road which runs parallel to Kendal Road which should reduced disturbance and inconvenience from on site parking associated with the Sports Centre. On the opposite side of Brenda Road is a shop but again the closest proposed residential property faces the shop with its gable end. The Head of Public Protection has raised no objection to the proposal. In terms of the relationship with adjacent land uses the proposal is considered acceptable.

DRAINAGE/SEWERAGE

14.8 Foul sewage and surface water will be disposed of to the public sewers. An existing 225mm public sewer crosses the site and will have to be either diverted, abandoned or relocated. Negotiations between the applicant and Northumbrian Water are ongoing. In the meantime it is proposed to condition the matter.

HIGHWAYS

14.9 The site is an existing residential area. The proposal will significantly reduce the number of residential properties occupying the site whilst those provided will have at least one off street parking space. In addition the service road provided to the front of the properties on Kendal Road should potentially free up additional on street parking for users of the Sports Centre. It is anticipated that the amended plans will address Traffic & Transportation concerns. They have asked for a condition requiring the imposition of a waiting restriction at the junction of Windermere Road and Brenda Road be implemented. In highway terms, subject to the final comments of Traffic & Transportation, the proposal is considered acceptable.

CRIME/CCTV CAMERA

14.10 The development has been brought forward with secured by design principles in mind and the scheme has incorporated security standards to gain “secure by design” accreditation. An appropriate condition is proposed.

The development of the site will require the removal of a CCTV camera and again an appropriate condition is proposed.

ECOLOGY

14.11 A bat survey and ecological assessment have been undertaken to support the redevelopment of the site. The site was identified as of low nature conservation interest. Japanese Knotweed was encountered on part of the site and an appropriate condition, to secure its proper removal is proposed. The bat survey demonstrated very little bat activity and the Authority Ecologist has concluded that it is very unlikely that bats would be adversely affected by this development.

PHASING

14.12 It is understood that the applicant has not yet acquired all properties across the whole of the site. It is proposed therefore to phase the development of the site, with the eastern side incorporating areas of recent demolition, proceeding in advance of the west side. Broad areas for the phase 1 and phase 2 development have been identified by the applicant. A condition is proposed to ensure that the detailed phasing can be agreed and development proceed in an

orderly manner with due regard for the amenity of any residents still occupying properties on any later phase.

CONCLUSION

14.13 The proposal is considered acceptable and is recommended for approval subject to the completion of a legal agreement securing developer contributions for play and subject to conditions.

RECOMMENDATION –APPROVE- subject to the completion of a section 106 agreement securing developer contributions of £250.00 per dwellinghouses towards off site play facilities and subject to the following conditions:

- 1 The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
- 2 The development hereby approved shall be carried out in accordance with plans and details received at the time the application was made valid on 4th November 2009 as amended by the plan "site plan proposed layout" reference 80966/G7/SI-100/P4 received at the Local Planning Authority by email on 17th December 2009, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any 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.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), 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.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure, shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road, without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
- 6 The area(s) indicated for car parking on the plans hereby approved shall be provided before the use of the relevant houses served by the parking areas

commences and thereafter be kept available for such use at all times during the lifetime of the development.

In the interests of the amenities of the occupants of neighbouring properties and highway safety.

- 7 Unless otherwise agreed in writing with the Local Planning Authority 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.

- 8 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.

- 9 Notwithstanding the details submitted, unless otherwise agreed in writing with the Local Planning Authority, 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.

- 10 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.

- 11 No development shall take place until the following matters have been addressed and agreed in writing by the Local Planning Authority:-

1. Site Characterisation

The development hereby permitted shall not be commenced until a Phase II Site Investigation is carried out. The Site Investigation must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,

- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters. Should piled foundations be considered as part of the geotechnical design, then an assessment of the potential risks to controlled waters must be addressed.
 - ecological systems, archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme

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

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

6. Extensions and other Development in Dwellings

If as a result of the investigations required by the conditions 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 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. To enable the Local Planning Authority to exercise control to ensure land fill gas protection measures.

- 12 Notwithstanding the details submitted, unless otherwise agreed in writing with the Local Planning Authority, a phasing plan shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter proceed in accordance with the approved phasing plan.

In order to ensure that any phased development can proceed in an orderly manner and with due regard to the amenity of the occupants of any properties remaining within separate phases.

- 13 Unless otherwise agreed in writing with the Local Planning Authority prior to the commencement of development a scheme to incorporate embedded renewable energy generation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be carried out in accordance with the approved details at the time of development.

In the interests of the environment.

- 14 Unless otherwise agreed in writing with the Local Planning Authority details of the proposed sheds shall be submitted to and approved by the Local Planning Authority before their erection.

In the interests of visual amenity.

- 15 Unless otherwise agreed in writing by the Local Planning Authority none of the dwelling houses hereby permitted shall be occupied until a "prohibition of waiting order" has been implemented on the approaches to the road

junction between Windermere Road and Brenda Road in accordance with details first submitted to and approved in writing by the Local Planning Authority.

In the interests of highway safety.

- 16 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting the Order with or without modification), no additional window(s) shall be inserted in the side elevations of the dwelling houses on plots 1, 7, 9, 32, 43, 49, 53, 54, 61, 62, 64, 65, 78, 91 and 92 without the prior written consent of the Local Planning Authority.

To prevent overlooking.

- 17 Notwithstanding the details submitted the unless otherwise agreed in writing with the Local Planning Authority the proposed first floor window(s) in the side elevations of the dwellings hereby approved on plots 7, 32, 54, 65, 78 and 91, and the first floor bathroom windows of plots 3, 4, 5, 6, 11 and 12, shall be glazed with obscure glass which shall be installed before the dwelling is occupied and shall thereafter be retained at all times while the window(s) exist(s).

To limit overlooking.

- 18 Unless otherwise agreed in writing with the Local Planning Authority a scheme for the removal or resiting of the CCTV camera and associated equipment currently located within the site shall be submitted to and agreed in writing with the Local Planning Authority.

The camera cannot be retained in its current location.

- 19 Unless otherwise agreed in writing with the Local Planning Authority the development shall not commence until a detailed scheme for the diversion, abandonment, or relocation of the public sewer which crosses the site 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.

An existing 225mm public sewer crosses the proposed development site and is shown built over on the application. Northumbrian Water Ltd will not permit a building over or close to its apparatus.

- 20 Prior to the commencement of the development hereby approved a scheme of security measures incorporating 'secured by design' principles shall be submitted to and approved in writing by the Local Planning Authority. Once agreed the measures shall be implemented prior to the development being completed and occupied and shall remain in place throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

In the interests of security.

- 21 No development shall be commenced on plots 1-3 and 92-94 until a scheme for the provision of visibility splays at the entrances to the site from Brenda Road have been submitted to and approved in writing by the Local Planning Authority. The scheme once agreed shall be retained as agreed at all times for the lifetime of the development.

In the interests of highway safety.

- 22 Unless otherwise agreed in writing with the Local Planning Authority, prior to the commencement of development, Japanese Knotweed located on the site shall be removed and disposed of in accordance with a scheme first submitted to and agreed in writing with the Local Planning Authority.
In order to ensure the Japanese Knotweed is appropriately dealt with.

UPDATE REPORT

No: 15
Number: H/2009/0235
Applicant: Mr John Shadforth COAL LANE HARTLEPOOL
TS27 3HA
Agent: David Stovell & Millwater 5 Brentnall Centre Brentnall
Street MIDDLESBROUGH TS1 5AP
Date valid: 15/06/2009
Development: Erection of a detached dwelling
Location: CROOKFOOT FARM COAL LANE HARTLEPOOL

15.1 This application appears on the main agenda at item 15.

15.2 The application has been withdrawn at the applicant's request.

UPDATE REPORT

No: 16
Number: H/2009/0231
Applicant: British Telecom Plc Knightrider Street London EC4Y 5BT
Agent: Dalton Warner Davis LLP Chris Girdham 21 Garlick Hill LONDON EC4V 2AU
Date valid: 20/08/2009
Development: Erection of 5 no. wind turbines, meteorological monitoring mast, switch room, contractors compound and associated works including improvements to the existing site access from the A19, construction of temporary haul road for construction purposes; permanent tracks to connect turbines and occasional deployment of temporary road from the improved A19 access to the turbine access tracks to support maintenance and other works which requires the use of heavy vehicles and plant.
Location: RED GAP FARM WOLVISTON BILLINGHAM BILLINGHAM

16.1 The Planning considerations were outstanding in the original report. These are detailed below. Any further consultation replies are noted in the report.

Planning Considerations

16.2 The main considerations in this case are policy issues in terms of the proposed land use; the impact of the proposal on the visual amenity of the countryside and surrounding area, cumulative impact of wind farms, noise impact upon the surrounding area; highway issues; safety issues, and possible interference to radio and television reception.

16.3 An Environmental Statement (including supporting documents), Planning Statement, Design and Access Statement, Transport Assessment, Flood Risk Assessment, Statement of Community Involvement have been submitted to accompany the application. The Environmental Statement considers the scheme in relation to a number of factors which take into account the issues raised above:

1. Planning Policy;
2. Landscape and Visual Amenity;
3. Ecology and Nature Conservation;
4. Geology, Hydrology and Soil;
5. Water Resources and Flood Risk;
6. Cultural Heritage;
7. Noise and Vibration;
8. Site Access, Traffic and Transportation;
9. Other Operational Impacts;
10. Socio-Economics;

This report will consider these issues in the same order.

Planning Policy

16.4 The Association of North East Council's (ANEC) assessed the application against the policies of the Regional Spatial Strategy (RSS). ANEC confirmed that the proposal would be situated within the 'East Durham Limestone and Tees broad area of least constraint for wind energy development', identified in RSS policy 39 and that, 'the development could make significant contribution to the achievement of renewable energy targets identified in RSS policy 39'. Subject to the LPA satisfying itself regarding the acceptability of any impact mitigation measures, ANEC concluded that the proposal is in general conformity with the RSS.

16.5 One North East, responsible for the development, delivery and review of the Regional Economic Strategy (RES) on behalf of North East England, confirmed that the RES, 'identifies energy as one of the 'Three Pillars' for driving economic growth within the region. Providing a clean, secure and stable energy supply is presently a key challenge and an important opportunity for the region's economy'. One North East adds: 'Efficient use of low carbon energy is the main driver that the Agency is promoting through its plans and programmes...to support businesses and other users to reduce the impacts of a presently volatile energy market and grasp the economic opportunities it represents'. Subject to the applicants demonstrating all the necessary environmental, highway, visual impact and airport operation issues, One North East concluded that it has no objections to the proposed development, 'as a suitable site for wind energy development'.

16.6 The Tees Valley Joint Strategy Unit confirmed in their response that the scheme is compatible with the Tees Valley RSS policy objectives and is supportive provided the LPA has regard to the strategic wildlife corridor, biodiversity and the existing and future development of the Wynyard area as a Key Employment Location.

16.7 Hartlepool Borough Council's Planning Policy team have confirmed that they consider this renewable energy development acceptable under local plan policies and the RSS. It is however considered that should this development proceed it is likely that this development will take the number of turbines to the capacity of the Tees Plain resource area. It is not considered that this development would compromise the future development of the Wynyard area as a Key Employment Location.

Landscape and Visual Amenity

16.8 The following long term actions will contribute to the landscape and visual impact from the project:

- The introduction of 5 wind turbines (overall maximum height of 125 m to tip) and one 80 m high met mast. These will add man-made elements of considerable scale to the landscape establishing a new landmark feature and a point of reference in views from the wider area. Each turbine will

permanently displace an area of grassland, and be accompanied by a crane hardstanding.

- The loss of vegetation, albeit restricted to the minimum required, will include some hedgerows. A minimal number of mature trees, located in only 3-4 of these hedgerows will have to be felled. In addition the loss of some mature trees associated with an area of scrub along the line of the site access and approach to turbine no.2 will be required.
- Creation of a network of new access tracks through the site. Most tracks will be at, or close to, grade avoiding the need for cut and fill slopes.
- Establishment of a switch room comprising a single storey building measuring 8m x 5.5m, x 4.5m height.

16.9 The Red Gap Wind Farm has the potential to cause significant impacts on the landscape of the surrounding area. These impacts will be largely limited in time to the period of operation of the wind farm, currently scheduled to be 25 years, and will be reversed by decommissioning and removal of the turbines, access tracks, buildings and structures after this period.

16.10 In addition to these long term impacts, there is also the potential for significant short and medium term impacts during construction and decommissioning, and during the periods following these activities when the vegetation is re-establishing over disturbed areas.

16.11 The visual impact assessment looked into the likely changes that would occur to views currently experience from, or to, the area where the wind farm is proposed. This visual impact assessment includes views from nearby property and footpaths in the area, for example, as well as views from areas many kilometres away.

16.12 In general, impacts on landscape character at significance levels ranging from minor to major are generally assessed to arise for landscape character areas within a 10 km distance of Red Gap Wind Farm. The potential for adverse effects over a wider area is limited by the screening effect of the urban fabric of Hartlepool, Stockton on Tees and Billingham. In addition, the Red Gap site is located in a landscape that contains busy transport routes and this particular area is of relatively lower quality and sensitivity to the proposed change.

16.13 The agent has stated that the characteristics and features of the landscape that offer visual containment of the Red Gap Wind Farm and hence influenced the reduced extent of study area and the assessment are as follows:

- The settlements of Billingham, Stockton On Tees and Middlesbrough, located some 5-10 km to the south of Red Gap, merge together to form one large built up area inside of which, views of the proposed wind farm are unlikely to be available with the exception of some tall buildings. Further south, at higher elevations, it may be possible to gain views of the proposed wind farm. With the expansive urban skyline in the foreground, the visual impact of 5 turbines located further in the distance is likely to be not significant.

- The urban area of Hartlepool, located some 5 km east of the proposed wind farm is an extensive built up area occupying a proportion of the eastern coastline. Views of the proposals within this area will be restricted in a manner similar to that outlined for the settlements located further south. Distant views from the sea will be available albeit with the developed skyline in the foreground.
- Towards the west and south west, the settlements of Darlington and Newton Aycliffe are located almost 20 km from Red Gap. Opportunities to view the Red Gap Wind Farm from within these areas would also be limited.
- Views of the Red Gap Wind Farm from a northerly direction are generally restricted to areas south of the settlements of Old Quarrington and Peterlee due to the screening effect of topography in this area.

16.14 In addition, the size and scale of the scheme comprising 5 turbines, is categorised as a small – medium small scheme (7.5 – 18 MW or 4-6 turbines) according to the wind farm typologies presented in the landscape capacity study undertaken for the area. The significance of the landscape and visual impact of a relatively small scheme such as that proposed for Red Gap is anticipated to be in the range of minor – not significant at distances of 20 km and greater from the site.

16.15 Impacts on viewers were assessed at 25 locations. There will be impacts of major significance at three of the viewpoints identified, moderate to major at nine, moderate at four, minor to moderate at two and minor at two viewpoint locations. Impacts at the remaining five viewpoints are considered to be not significant.

16.16 In practice, many views towards the site will be filtered or screened by existing large areas of woodland and by intervening settlements. In the case of Red Gap Wind Farm, significant screening of the proposals by intervening topography, structures or vegetation is anticipated to arise.

16.17 Once the Red Gap Wind Farm is operational there may be occasional infrequent requirements to repair or replace defective turbines or generators. This will result in large vehicles and cranes being present on site for a number of days. There will also be a requirement to relay the temporary haul road under this scenario for the duration of these works. Because of their short term nature these are considered to be of small magnitude and not to constitute significant landscape or visual impacts.

16.18 At the end of the operational lifetime of the wind farm, the turbines and other structures will be removed, returning the landscape and longer distance views of the site to largely their present condition. During decommissioning, there will be short term landscape and visual impacts from plant and activities on the site including:

16.19 Decommissioning is expected to take less time than construction and to cause short term moderate impacts during its duration, reducing to minor over the period to completion of restoration.

16.20 A restoration scheme will be provided and it is anticipated that over time the site will return to a more natural appearance. Full restoration of replanted areas could take several years, particularly in areas of more sensitive vegetation. The only structures remaining on site will be the underground turbine foundations and these could have a minor impact as a result of the different appearance of surface vegetation in the longer term.

16.21 The preceding sections have addressed the impacts of Red Gap Wind Farm in isolation. Legislation requires Environmental Impact Assessments to also address the cumulative impacts of a proposal together with other projects under development or planned in the area.

16.22 The cumulative effect of Red Gap on landscape character and on views from specific viewpoint locations was assessed. Cumulative impacts on landscape character will theoretically be greatest for landscape character types or areas located in the vicinity of the settlements of Billingham, north of Middlesbrough and west of Stockton on Tees.

16.23 At the time of this assessment there were 17 schemes currently built, approved, submitted for planning approval, or at the scoping stage of planning, within 20 km of Red Gap Wind Farm. In addition a further 6 schemes were refused planning permission, withdrawn or dismissed at appeal.

16.24 Schemes located within 20 km were considered for inclusion in the cumulative assessment. In addition to this, smaller schemes (1 turbine) are less likely to give rise to significant cumulative effects. With this in mind, schemes in the following categories were omitted from the cumulative assessment:

- Schemes comprising single turbines;
- Schemes comprising 5 turbines or less located more than 15 km from Red Gap Wind Farm (measured from nearest turbine in the scheme to the nearest turbine at Red Gap); and
- Schemes that are withdrawn, refused or dismissed at appeal.

Sites for existing, planned and excluded from the cumulative assessment Wind Farms within 20 km of Red Gap

Wind Farm	Status	No. of Turbines	Distance (km)	Exclusion from Cumulative Assessment
<hr/>				
1 Walkway	Operational	7	3.0	
2 High Volts	Operational	3	4.0	
3 Trimdon Grange	Operational	4	9.5	
4 Hare Hill	Operational	2	12.3	
5 High Sharpley located	Operational	2	19.6	≤ 5 turbines and
6 Hydro Polymers located	Approved	2	17.5	more than 15 km. ≤ 5 turbines and more than 15 km.

7 Butterwick	Approved	10	3.3	
8 Haswell Moor	Approved	5	14.3	
9 High Haswell	Approved	2	15.0	
10 South Sharpley located	Planning	3	19.7	≤ 5 turbines and more than 15 km
	application submitted			
11 Seamer located	Scoping report	5	17.5	≤ 5 turbines and more than 15 km.
12 East Newbiggin	Scoping report	9	11.7	
13 Moor House	Scoping report	8	14.4	
14 Great Stainton	Scoping report	10	12.1	
15 Foxton Lane	Scoping report	3	7.7	
16 Old Quarrington	Refused: appeal dismissed	2	14.0	Dismissed at appeal
17 Edderacres	Refused	2	10.0	Refused
18 AKS Refused	Refused	1	12.2	Single turbine.
19 West Newbiggin located	Withdrawn	2	16.0	≤ 5 turbines and more than 15 km.
20 Hawthorn located	Withdrawn	3	16.6	≤ 5 turbines and more than 15 km.
21 Fox Cover located	Withdrawn	2	17.6	≤ 5 turbines and more than 15 km.
22 Teeswind North	Approved	19	11.1	
23 Junction House	Scoping report	2	13.9	

The contribution of Red Gap to the cumulative impact is judged using visualisations and taking into account the status of other wind farms present in the view. Four selected viewpoints were used:

- 3. Castle Eden Walkway (2.7 km from Red Gap);
- 6. Newton Bewley (2.9 km);
- 9. Newton Hanzard A689 Route (2.2 km); and
- 24. Edge of Great Stainton (11.8 km).

16.25 Three types of cumulative visual impact are considered in the assessment: combined, successive and sequential.

- Combined visual impacts occur where a static observer is able to see two or more developments from one viewpoint within the observer's arc of vision at the same time.
- Successive visual impacts occur where two or more wind farms may be seen from a static viewpoint but the observer has to turn to see them.
- Sequential effects occur when the observer has to move to another viewpoint, for example when travelling along a road or footpath, to see the different developments. Sequential effects may range from frequent (the features appear regularly and with short time lapses between, depending on speed and distance) to occasional (long time lapses between appearances due to a lower speed of travel and/or longer distances between the viewpoints).

16.26 In respect of viewpoints, cumulative visual impacts were assessed with reference to photowireline illustrations of the proposed views. These were assessed to be minor to moderate at viewpoint 3, moderate at viewpoint 6, not significant at viewpoint 9 and minor to moderate at viewpoint 24.

16.27 Sequential cumulative impacts are assessed to arise for road and footpath users south of Peterlee and Spennymoor. Theoretical views of up to 13 wind farms in addition to Red Gap are assessed to arise on routes in the vicinity of the large urban settlements to the south. Sequential views are not of prolonged duration on any of the routes.

16.28 There has been a number of objections regarding the visual impact of the proposed turbines, including objection from the Campaign for the protection of Rural England (CPRE).

16.29 Comments are awaited from the Councils Landscape Architect, and it is anticipated that these views will be presented at the Planning Committee meeting.

16.30 Stockton Borough Council indicate that overall Red Gap Moor Wind Farm would be visible from within Stockton's boundaries they do not object to the scheme but request that it is acknowledged that the construction of the proposed wind farm would:

1. close the gap between the Butterwick/Walkway wind farms and the High Volts wind farm in the landscape.
2. be seen cumulatively with other developments and would form a material consideration in determining other wind farms in the area, and
3. begin to create the sense of a wind farm landscape in this area.

16.31 With regard to landscape matters, Durham County Council's Senior Landscape Architect is of the opinion that this proposal raises issues of cumulative impact, given that separation distances from existing and under construction schemes at Walkway / Butterwick (typically 3-4km) and High Volts (2.5-4km) are low. This cumulative impact will be experienced within both the Hartlepool area and from within Durham County.

Ecology and Nature Conservation

16.32 The ecological assessment has considered the potential of the proposed Red Gap Wind Farm to affect habitats and species (including birds, badgers, bats, water vole, otter and great crested newt) in and around the site.

Designated sites

16.33 The nearest site designated with an international importance for birds is the Teesmouth and Cleveland Coast Special Protection Area (SPA), located approximately 8 km southwest of the site, at the mouth of the Tees estuary. None of the species related to this protection were recorded within the Red Gap study area during any of the bird surveys, or identified from previous

work by Teesmouth Bird Club. The SPA features are therefore not considered to be affected by the proposed wind farm development.

16.34 Sunderland Lodge Site of Nature Conservation Interest (SNCI) is located within the wider site and comprises the narrow strip of broad-leaved woodland along the driveway to Red Gap Farm. A further eight SNCIs, including woodland, grassland and marsh habitats, are located within 2km of the wider site boundary. It is considered that the Sunderland Lodge SNCI will not be affected by construction or operational work or by the type and levels of road traffic accessing the site. It is also considered that the eight SNCI adjacent to the site will not be impacted by the proposals.

Habitats

16.35 All vegetation and habitats within the site are relatively common and widespread and are of low botanical and structural diversity. The arable field margins are however listed as a habitat of importance within an Act of Parliament.

16.36 A programme of species-rich hedgerow creation (over 2 km) and management, together with the creation of a new pond and potentially larger areas of wetland, will create enhancements to the habitat types encountered on site.

Bats

16.37 Bats are a European Protected Species and all species of bat have been listed on Annex IV of the EC "Habitats and Species Directive. The Directive has been transposed into UK law by the Habitats Regulations, Regulation 39 of which makes it an offence to: deliberately capture or kill a bat; deliberately disturb a bat or damage or destroy a breeding site or resting place of a bat.

16.38 The survey results indicate that there are not currently any bat roosts within the study area. However, as bats are highly mobile and known to be present within the wider area, it is possible that individuals or small numbers of bats could use the existing buildings at some time in the future. Bats were recorded flying and foraging within the wider site. The number of bats detected across the site was relatively low, suggesting that the site's current importance with regard to bat populations in the wider area similarly relatively low.

16.39 As part of the proposals the creation of hedgerow and wetland habitats will provide some enhancement for bats living in the area. Over 2 km of new hedgerows and wetland areas will be positioned at least 200 m from turbine locations to minimise the risk of collision with turbine blades.

16.40 Durham Bat Group have provided comments, particularly questioning the competence of the field work. DBG have commented that:

1. We regard all wind turbines as potentially damaging to bats. To avoid an offence, wind turbines need to be placed where bats are not going to fly.
2. We are concerned that most wind turbine surveys put in inadequate effort to understand how bats use the site throughout the year.
3. We are concerned that the surveys are rarely carried out by qualified batworkers.
4. We are concerned that bats are rarely used to inform the siting of turbines and that the positioning is set and surveys merely attempt to quantify how bats will be affected by the proposal.

16.41 It should be noted that Natural England advises that the proposal is unlikely to have an adverse effect in respect of species especially protected by law. Natural England and the Council's Ecologist consider that post construction surveys to monitor the residual risk of adverse impacts upon bat species during the operational period are undertaken and the Council's Ecologist has also asked for additional pre-operational precautionary survey for the Nathusius Pipistrelle and Noctule bats with a condition for further mitigation should the surveys show this to be necessary. BT has suggested that a two stage post consent monitoring and precautionary mitigation programme for bats could form part of a proposed legal agreement.

Birds

16.42 The breeding bird survey in 2008 recorded a number of species including corn bunting, grey partridge, tree sparrow, reed bunting, yellow hammer, yellow wagtail and lapwing.

16.43 A key target for ecological enhancement is the farmland bird community through creation of improved hedgerow and wetland habitats. It is considered that the enhanced hedgerow habitats and a winter bird feeding programme targeted at seed-eating finches and buntings will enhance over winter survival and help to enhance breeding populations.

16.44 There are remaining impacts relating to small numbers of possible collision and displacement to the wintering greylag goose flock that is located at Crookfoot Reservoir and feeds in the surrounding arable landscape, including within the study area. After mitigation measures this remains a minor adverse impact.

Other Species

16.45 No significant issues have been raised in relation to Otter, Water Vole, Badger, and Great Crested Newts, conditions have been proposed by Natural England with regard to Badgers.

Geology, Hydrology and Soil

16.46 An assessment of the significance of the scheme on geology and soils, contaminated land and hydrology has been carried out.

16.47 Some of the soil will be permanently lost during the construction phases; however soils in areas taken for temporary use will be replaced. It is considered that the loss of soils across the site is of minor negative significance.

16.48 There are no known features designated as being geological interest within or in close proximity to the proposed scheme. The geology of the site will be impacted by excavation for wind turbines, metrological mast and switch room foundations, and in areas where drift cover may be excavated as part of the access track construction. These works are not predicted to have a significant permanent impact on the geology of the site due to the localised and small scale nature of the required earthworks.

16.49 In terms of hydrology, the proposal will have an impact by works undertaken within areas of sand and gravel drift deposits. During excavation works for the turbines in these areas it may be necessary to control groundwater levels whether by use of cut-off drains or dewatering. It is considered that the impact to the hydrogeology is considered to be of minor significance.

16.50 The Council's Engineering Consultancy Team has no objection to the proposal.

Water Resources and Flood Risk

16.51 The application site is located in the upper reaches of what is known as Claxton Beck catchment area. A number of unnamed stream or ditches which flow into Claxton Beck are located within the wider site area and flow in a south direction across the site. The Claxton Beck joins Greatham Creek approximately 5km downstream from the site.

16.52 A number of public ground water and surface water abstractions are located within 2km of the site. These are not considered to be at risk from the proposal. There are no records of private water supplies within 3km of the site.

16.53 Appropriate pollution control measures will be implemented to minimise and control the potential for impacts to water quality.

16.54 The Environment Agency have commented that the site lies within Flood Zone 1 and is therefore at a low risk of flooding, there are no objection to this development from the EA, Northumbrian Water and Hartlepool Water.

Cultural Heritage

16.55 A Desk Based Assessment and site visit were undertaken by the agent to collect any existing information on the known archaeology and cultural heritage within 5km of the application site. Construction will have the potential

to impact on the built environment and also the buried archaeological environment.

16.56 There is a Scheduled Ancient Monument at High Burntoft. English Heritage has been consulted and consider that the scheme would not have any direct impact upon any nationally designated historic environment asset. Given the construction period is temporary in nature it is considered that there will be no long term construction impacts on the built environment.

16.57 There may be construction impacts on unknown archaeology within the site during excavation works. Tees Archaeology have assessed the scheme and consider it acceptable subject to a condition requiring a phased programme of archaeological works.

16.58 Assuming that appropriate mitigation strategies are following it is considered that any effects on archaeology would not be significant.

Noise and Vibration

16.59 Noise and vibration impacts have been assessed for both the construction and operational phase of the wind farm. Noise levels were recorded at a number of properties closest to the application site. These records allow specialists to understand current noise levels and allows them to predict the level of change in noise that would occur as a result of the construction activities and the operation of the wind turbines.

16.60 Construction activities are anticipated to last between 6 to 9 months, between the hours of 7am to 7pm weekdays and 7am to 1pm on Saturdays. The assessment concludes that during the construction phases no properties will experience noise levels over the recognised acceptable levels.

16.61 During the operational phase of the wind farm the assessment shows that at no wind speed do the noise levels exceed the recognised acceptable levels at any property in the area. The impact of noise from the turbines is therefore assessed as being not significant.

16.62 The Environmental Statement concludes that the wind turbine generators are smooth running machines with very little vibration associated with the operation of them.

16.63 The Council's Public Protection team have assessed the application and have no objection to the application subject to a condition.

Site Access, Traffic and Transportation

16.64 The Environmental Statement covers the Transport Assessment and a Construction Traffic Management Plan has also been submitted to accompany the application.

16.65 Access to the site is directly from the existing A19 via a left-in, left-out priority junction. The junction is built to modern standards with deceleration and acceleration tapers and a splitter island in the mouth of the access. The access does not currently serve anything and terminates in a dead end at an earth bank.

16.66 Internal tracks are proposed to ensure use by all required construction vehicles. Two different types of internal access track are proposed. A temporary surface will be used to construct the internal site haul road, and the stone tracks between the turbines will remain in place for both the construction and operational phases of the project.

16.67 The temporary haul road will be removed following completion of the construction phase and re-laid if required for emergency repair work during operational phases of the project.

16.68 It is anticipated that the low number of vehicles (one or two per week) that would typically need to visit the wind farm during the operational phase are not considered to be significant.

16.69 The Highways Agency is satisfied that the assessment of traffic impacts has been undertaken satisfactorily and that the impact of the construction or operational phase in terms of the number of vehicles on the network is negligible.

16.70 The Highways Agency have been in discussion with the agent and a Construction Traffic Management Plan has been submitted which includes:

1. a 50mph temporary restriction operates on the A19 during the initial 5 month construction period for the wind farm;
2. upon completion of the construction, the site access will be reconfigured to improve the existing access arrangement to the satisfaction of the HA to prevent unauthorised access to the site;
3. wheel washing facilities;
4. All HGV movements to and from the site will occur outside the hours of 07:30 to 09:30 and 16:00 to 18:30 Monday to Friday, and abnormal loads restricted to 22:00 to 05:00;
5. Abnormal load movements are to be restricted to between the hours of 10pm and 5am. These lorries will have either a police escort or the HA will close one lane of the A19 to facilitate access to the site;
6. the access to the site does not allow a right turn into the site;
7. vehicles which have abnormal loads once delivered the load trailer will be collapsed to a more manageable length and the swept path for the vehicle will be no longer than a standard 16.5m articulated vehicle;

16.71 The Council's Traffic and Transportation Team have assessed the scheme and consider that during the operational phase the traffic generation will have minimal impact on the surrounding highway network. The Traffic and Transportation Team considers that the construction phase will have a significant impact on the surrounding highway network particularly the A19;

however there are no objections to the scheme on the basis of the conditions proposed by the Highways Agency are implemented.

16.72 Impacts on existing footpaths near the application site will be minimal; there will be a need to temporarily divert one Right of Way by a small distance (a few hundred metres) during the construction phase. This will be reinstated during the operational phase. The Council's Countryside Access Officer and the Ramblers Association have confirmed that they have no objection to this temporary diversion.

Other Operational Impacts

Electromagnetic Interference

16.73 An assessment was carried out to determine the potential effects of the Red Gap Wind Farm on telecommunications and television reception in the vicinity of the site.

16.74 Consultation between the agent and Ofcom and telecommunication companies indicated that there are a number of microwave links that transmit signals in the vicinity of the site. The BBC's wind farm assessment tool identified up to 6,216 homes in the area which may be affected by the wind farm in terms of television reception. The wind turbine layout at Red Gap has been designed to avoid electromagnetic interference as far as is possible. Some impacts may be experienced on radio communication and television reception but mitigation measures will be introduced by BT to fix any significant adverse impacts. No significant residual impacts have been identified for radio communications, microwave links and television reception.

16.75 Arqiva who are the Government's team for the programme to change television signals to digital under the term 'Digital Britain' have not objected to the scheme.

Utilities Infrastructure

16.76 Utilities operators were consulted to gain information on existing utilities infrastructure within the wider Red Gap site. A number of gas pipelines and electricity cables were identified crossing the application site.

16.77 The turbine layout has been designed to ensure that the required buffer zones around all existing utilities will be met. Whilst Hartlepool Water does not object to the proposal the existing mains will need to be protected or diverted at all points where increased ground loading is possible. In particular the access points onto the A19 carriageway where new roads will be constructed over existing water mains.

16.78 National Grid have confirmed that they have no objection to the scheme.

Aviation

16.79 Consultation has taken place with the Civil Aviation Authority, Ministry of Defence (MoD) and Durham Tees Valley Airport (DTV) to determine the potential effects on aviation operations.

16.80 The Red Gap site lies in direct line of sight of the Watchman radar situated at DTV. DTV has indicated that they object to the proposed development on the grounds of possible radar interference. However, discussions have identified the possibility of operational mitigation. Consultation with the airport is ongoing, DTV have indicated in a recent letter that there is a reasonable prospect of developing a suitable form of mitigation that could in principle, enable DTV to withdraw its current objection. It is likely that a legal agreement would be undertaken to ensure that mitigation measures needed would be carried out.

16.81 The closest military aerodrome is RAF Leeming situated 42 km to the south south-west. The turbines will not be visible to any Air Defence radars and the MoD has not objected to the proposal.

16.82 It is considered that there will be impacts on DTV's radar operations. Potential mitigation measures identified for the impact on air traffic radar operations at DTV include occasional re-routing of aircraft to avoid the Red Gap Moor radar clutter.

Shadow Flicker

16.83 An assessment was carried out to identify properties which may experience shadow flicker during operation of the Red Gap Wind Farm. Shadow flicker is a term used to describe the pattern of alternating light intensity observed when the rotating blades of a wind turbine cast a shadow on a receptor under certain wind and light conditions. This is most pronounced during sunrise and sunset when the sun's angle is lower and the resulting shadows are longer. In the UK, the phenomenon is most likely to be a problem in the winter months when the sun is lower in the sky and shadows are longer.

16.84 Shadow flicker could potentially cause adverse impacts on receptors in the local area around the Red Gap site. The Environmental Statement indicates that three properties may experience over 30 hours per year of theoretical shadow flicker.

16.85 A Shadow Flicker Management Plan is proposed to be prepared and has been included in the Heads of Terms for a legal agreement to accompany this application. Such measures may include the pre-programming of one or more wind turbines with dates and times when shadow flicker would cause a nuisance. A photo sensor cell can also be used to monitor sunlight. The wind turbine can then be shut down, when the strength of the sun, wind speed and the angle and position of the sun combines to cause a flicker nuisance. Other mitigation measures may include screening receptors from the wind turbines by agreeing with owners to plant trees or install blinds on windows.

16.86 The Council's Public Protection team has no objection to these mitigation measures.

Ice Throw

16.87 Wind turbines operating in cold climates may suffer from icing in certain weather conditions. A possible consequence of icy conditions is ice throw. Ice throw occurs when blade ice is thrown off during wind turbine movement, potentially harming maintenance crew or the public/users of the area.

16.88 The companion guide to PPS22 states that:

“the build-up of ice on turbine blades is unlikely to present problems on the majority of sites in England. For ice to build up on wind turbines particular weather conditions are required, that in England occur for less than one day per year.”

16.89 The risk of ice throw occurring at the Red Gap site is therefore low, and no significant residual impacts associated with ice throw are predicted, given the incorporation of ice detection capabilities or the implementation of recognised measures. The proposed legal agreement seeks to provide a mitigation scheme if required.

Driver Distraction

16.90 The potential for driver distraction was assessed, due to the proximity of the proposed Red Gap Wind Farm to the A19. The stretch of the A19 in the vicinity of the Red Gap site does not include any major junctions, sharp bends or pedestrian crossings, therefore, the wind turbines are unlikely to distract a significant number of drivers attention from complex driving situations.

16.91 The existing accident record on the A19 has been examined and it was concluded that there are no particular accident problems on the section of the A19 in the vicinity of the site. An accident analysis of the A19, undertaken following completion of the nearby High Volts Wind Farm (4 km northeast of Red Gap), concluded that installation of the wind farm had no significant impact on accident rates on the A19.

16.92 No significant impacts on driver distraction are therefore anticipated as a result of the Red Gap Wind Farm. The Highways Agency and the Council's Traffic and Transportation team raise no objection to this development.

Socio-Economics

16.93 An assessment was undertaken of the likely impacts on employment, disruption to local communities and impacts on tourism as a result of the proposed development.

16.94 It is anticipated that approximately 25 people will be employed at any one time on site during the construction of the scheme. However this

employment is most likely to come from existing resources and new jobs may not be created specifically for this project.

16.95 Access to the wind farm site would be required for routine inspections approximately once a week, with longer visits every six months. It is considered that this would not be significant disruption to the local community. There may also be a need to re-deploy the temporary haul road over the 25 year operational lifetime of the scheme (to allow for abnormal loads to replace a wind turbine blade for example). It is considered that this disruption is unlikely to be of greater significance.

16.96 Affects on house prices are not a material planning consideration.

16.97 The applicant suggests that numerous surveys carried out by BWEA (2006) 'The Impact of Wind Farms on the Tourism Industry in the UK', demonstrate that the effect of wind farms on tourism is negligible.

16.98 In socio-economic terms, it is considered that the development will not have a significant impact on the area.

Conclusion

16.99 The Council's Landscape Architect's comments are awaited it is anticipated that these will be available at the Planning Committee.

The proposed Heads of Terms suggested by the agent for a S106 agreement relate to:

1. landscape and ecology management plan;
2. deployment of a temporary road;
3. mitigation measures regarding any potential shadow flicker;
4. mitigation measures against any potential ice throw;
5. mitigation measure to ensure the development does not have an unacceptable impact on the operation of Durham Tees Valley Airport;
6. mitigation measure should there be any television interference;
7. restoration plan post decommissioning.

RECOMMENDATION – Final Update to be provided at the meeting.

PLANNING COMMITTEE

6 JANUARY 2010



Report of: Assistant Director (Planning & Economic Development)

Subject: HARTLEPOOL STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT (SHLAA)

1. PURPOSE OF REPORT

- 1.1 To inform the Planning Committee that a draft Hartlepool's Strategic Housing Land Availability Assessment (SHLAA) has been prepared, to explain its likely implications for Hartlepool.

2. BACKGROUND

- 2.1 The SHLAA is a report, prepared in accordance with national and regional planning policies and guidance which identifies and assesses potential future development sites to ensure that there will be enough land available to continuously meet Hartlepool's housing needs over a fifteen year timescale and starting in 2009-2010.
- 2.2 The Regional Spatial Strategy for the North East tasks Hartlepool with providing approximately 395 new units of housing each year. Although at the time the Hartlepool SHLAA was prepared in autumn 2009, house prices have fallen and the house market remains subdued, there is still a long term requirement to increase the supply of housing in order to meet growing demand and ensure sustainable communities in places where people want to live.

3. PROPOSALS

- 3.1 By itself, ***the inclusion of a particular site does in no means that it would be granted planning permission or allocated for development.*** It is, however, an important document for it will be used as a critical part of the evidence base for the Local Development Framework which will set out how Hartlepool will plan and distribute new housing provision over the coming years.

- 3.2 The Hartlepool SHLAA has been prepared by officers in the Regeneration & Neighbourhoods Department in conjunction with a steering group made up of experts from different areas of the housing industry
- 3.3 The SHLAA has three broad stages:
1. identify as many sites as possible within the area which could have the capacity for housing;
 2. assess these sites' potential;
 3. providing the sites are suitable and achievable, evaluate when they are likely to be developed.
- 3.4 83 sites were surveyed for the SHLAA and a database of initial assessments was produced and circulated to Statutory Consultees, utility providers, internal HBC services and other relevant parties for comment.
- 3.5 Following this the findings of the site surveys were assessed by both an in-house team which consisted of engineers/planners/surveyors as well as a workshop of the Steering Group that includes representatives of the house building industry and social housing providers. Following these assessments the sites were grouped into years when they could come forward for development.
- 3.6 Sites with existing planning permission were included in the SHLAA as well as other sites such as Housing Market Renewal Schemes and considered separately. However they were not subject to detailed assessments.
- 3.7 The SHLAA report provides tables demonstrating:
- A list of sites considered deliverable. (0-5 years)
 - A list of sites considered developable. (6-15+ years)
 - Reference to the one site considered not currently developable.
 - A trajectory of when sites are expected to come forwards in the next: 5 years, 6 -10 years and 11 – 15 years.
 - A list of each site and its general performance in relation to the framework of suitability, availability, achievability and infrastructure capacity.
- 3.8 A copy of the full SHLAA report with appendices can be found in the Members Room.

4 CONCLUSIONS

- 4.1 SHLAA identifies an excess of 215 units for its 5 year housing supply however when amended for the backlog in provision since RSS was issued in 2004 gives a figure of -120 units. This represents 94.8% of the 5 year supply which

is sufficient to demonstrate a robust 5 year housing supply to meet the needs of the Borough in the short Term.

- 4.2 The SHLAA identifies sites with the potential to significantly exceed the RSS requirements for the medium (years 6-10) and longer terms (years 11-15). Therefore the SHLAA identifies future suitable sites to ensure that there will be enough land available to continuously meet Hartlepool's housing needs over a fifteen year timescale.

5 FUTURE STEPS

- 5.1 Cabinet approved the draft SHLAA on the 14th of December 2009 and it be published for 8 weeks public consultation in the New Year. All those who have an interest in the land/sites under consideration as part of the SHLAA will be informed at the start of this period. Following the consultation period the comments and any relevant amendments made to the document will be assessed and reported to cabinet for approval.
- 5.2 The SHLAA is seen as a living document which will be reviewed annually. As sites are developed they will drop out of the SHLAA and potential new ones will be surveyed and added when necessary.

6. RECOMMENDATIONS

- 6.1 Planning Committee notes the report.

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PLANNING COMMITTEE

6 January 2010



Report of: Assistant Director (Planning and Economic Development)

Subject: UPDATE ON CURRENT COMPLAINTS

1. PURPOSE OF REPORT

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

1. Officer monitoring recorded the expiry of a temporary planning permission in respect of windbreaks erected outside a drinking establishment in Navigation Point.
2. Officer monitoring recorded that trees and shrubs planted in respect of conditional planning approval in Park Road have been damaged.
3. An investigation has commenced following an anonymous complaint regarding works being carried out in respect of a waste transfer station on land in Brenda Road.
4. A neighbour complaint regarding the possibility of a car sales business operating from a vacant commercial building in Osborne Road.
5. A neighbour complaint regarding a business operating from a residential property in Bournemouth Drive and also the possibility of changes to the two storey side extension granted consent in 2005 not being in accordance with the approved plans.
6. A neighbour complaint regarding the placing and residential occupation of a caravan on agricultural land in Dalton Piercy.
7. Officer monitoring recorded a sign displayed in the grounds of a public house in Warrior Drive without the requisite advertisement consent.
8. A neighbour complaint regarding the erection of a rear conservatory and roof alterations in respect of a change from flat to monopitch roof to the existing offshoot of a property in Oxford Road.

9. Officer monitoring recorded steel bollards which have been placed on a private drive in Redcar Close.

2. RECOMMENDATION

- 2.1 Members note this report.

PLANNING COMMITTEE

6 January 2010



Report of: Assistant Director (Planning and Economic Development)

Subject: MONITORING OF THE MARAD CONTRACT, ABLE UK LTD, GRAYTHORP

1. PURPOSE OF REPORT

- 1.1 To advise Members of the results of ongoing Environmental Inspections of the Marad contract at the Able UK site Graythorp.

2. BACKGROUND

- 2.1 As part of the permission for the Able ship dismantling operation there is a requirement that independent monitoring by an approved Environment Inspector of the Marad contract related works takes place. Scott Wilson have fulfilled this Environmental Inspector role. In respect of this Scott Wilson advise as follows:

“Scott Wilson Ltd has undertaken the role of Environmental Inspector, pursuant to Part 5.5 of the Section 106 Agreement in relation to planning applications HFUL/2007543, HFUL/2007544 and HFUL/2007545. The remit of Scott Wilson Ltd is to observe the dismantling operations at the site, ensuring due care and attention is given to the surrounding physical environment. Scott Wilson Ltd are also reviewing environmental monitoring records.

- 2.2 The current inspection regime involves Scott Wilson Ltd undertaking random inspections at irregular intervals. These visits can be announced or unannounced. Scott Wilson Ltd considers that the frequency of inspection during this monitoring period was sufficient, and reflects the general low level of activity at the site with respect to ship dismantling. Dismantling activities were limited to the stripping of asbestos containing materials, their on-ship temporary storage and their removal to a licensed waste disposal facility.
- 2.3 Able UK currently contract an independent asbestos specialist, Franks Portlock Consulting Limited. Franks Portlock is UKAS accredited for Asbestos Inspection

and Asbestos Testing and have continued to implemented through testing of the infrastructure and make-up of each MARAD ship berthed at the TERRC Facility, personal monitoring of site staff and air monitoring around the site. Following testing, a report is provided to Able UK detailing the location and type of asbestos contained within each compartment of the ship. Results for personal and perimeter monitoring are also produced. The asbestos removal process is carried out under the supervision of Franks Portlock using method statements and approved working practices, which are subject to inspection by the Health and Safety Executive. The information and reports provided by Franks Portlock is reviewed by Scott Wilson as part of their Inspector Role to ensure it is accurate, and adheres to agreed working practices. Both Scott Wilson and Franks Portlock aim to integrate monitoring and reporting to ensure due care is given to the surrounding physical environment.

- 2.4 Both the Health and Safety Executive and Environment Agency also visit the site regularly, to ensure national guidelines and agreed working practices are adhered to while dealing with asbestos and constructing required infrastructure.
- 2.5 During the previous three quarters Scott Wilson Ltd reported that they had identified no significant concerns relating to the procedures, record keeping and activities associated with the asbestos removal and general site operations.
- 2.6 A copy of Scott Wilson's latest report for the 4th quarter period June to August 2009 is attached as **Appendix 1**. The report concludes that no critical or notable environmental issues have been identified during this reporting period.
- 2.7 Dismantling activity has increased since August at the site and external dismantling has commenced. The inspection scope and frequency has increased accordingly. This is also in response to the completion of the coffer dam and dewatering of the dry-dock. Inspections are reviewing reports of local water quality, storage, handling and removal of both recyclable materials and waste at the site, site drainage and storage of water, methods of deconstruction of each ship, noise and air emissions, integrity of the cofferdam and ensure overall that Able UK adhere to the methods and working practices as outlined and in the approved planning application and Environmental Statement. The results of this increased monitoring will be reported in due course.
- 2.8 The fifth quarter environmental inspection period has recently finished. The associated report is close to completion and Scott Wilson have indicated that there are no significant concerns relating to the procedures, record keeping and activities associated with the asbestos removal and general site operations during that period. It is hoped that a copy can be provided as an update to this report.

3. RECOMMENDATION

- 3.1 Members note this report.

Hartlepool Borough Council

Environmental Inspection Report – 4th Quarter

MARAD Contract

November 2009



Prepared for:

Revision Schedule

MARAD Contract Environmental Inspection Report – 4th Quarter November 2009

D115634

Rev	Date	Details	Prepared by	Reviewed by	Approved by
01	November 2009	Final issue	Brad Hall Environmental Specialist	Matthew Smedley Principal Planner Adrian Milton Principal Environmental Specialist	Neil Stephenson Technical Director

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Table of Contents

1 Introduction..... 1

2 Inspection Methodology 2

3 Observations and Corrective Actions 4

4 Conclusions and Recommendations..... 6

Appendix

- 1. Completed Visit Proformas

1 Introduction

- 1.1 Scott Wilson has been appointed by Hartlepool Borough Council to provide planning and environmental advice with respect to the development and operation of the Teesside Environmental Reclamation & Recycling Centre (TERRC).
- 1.2 Paragraph 5 of the Section 106 agreement for the development approved under planning permission HFUL/2007/543, HFUL/2007/544 and HFUL/2007/545 3 states that:
- “During the period of dismantling the ships comprised in the MARAD contract the Council may appoint an environmental inspector (or inspectors to a single person full time equivalent) for the purpose of monitoring the ship dismantling. The Developer shall pay the reasonable employment costs of the environmental inspector, afford him daily access to the Site in accordance with arrangements agreed in consultation between the Council and the Developer and supply all such information as he shall reasonably request (including the opportunity to meet with the Environmental Manager), PROVIDED ALWAYS that before being supplied with information that is commercially confidential the auditor shall first have signed an appropriate confidentiality agreement in respect of such confidential information and whilst at TERRC shall comply with the health and safety requirements of the Developer;”*
- 1.3 Hartlepool Borough Council has appointed Scott Wilson Ltd to fulfil the role of Environmental Inspector for the purpose of monitoring the dismantling of the MARAD ships. The Environmental Inspector is independent of Able UK and Hartlepool Borough Council and supplements the formal regulator inspections of, for example, the Environment Agency and the Health and Safety Executive. Furthermore, Able UK’s asbestos removal activities are monitored by an independent specialist contractor (Franks Portlock Consulting Limited).
- 1.4 This report is the fourth quarterly inspection report and provides details of the inspection methodology, observations from inspections completed during the fourth quarter and recommendations for future inspections. It highlights any environmental issues identified or addressed during the course of the fourth quarter, and any remedial actions or agreements made with regard to these issues by either Able UK or Hartlepool Borough Council.

2 Inspection Methodology

2.1 With the agreement of Hartlepool Borough Council and Able UK, the nominated Environmental Inspector has carried-out a number of site visits commensurate with the level of environmental risks associated with the ongoing works. These visits have included both pre-announced and unannounced visits.

2.2 Each visit followed the general programme set-out below:

- general update from MARAD project manager on the progress and status of ship dismantling;
- review of environmental monitoring reports/data completed by Able UK and their contractors since the last inspection;
- visual inspection of areas around MARAD ships; and
- visual inspection of asbestos removal activities on-ship.

2.3 During each visit a site inspection proforma was completed and the findings agreed and signed by both the inspector and the MARAD project manager. Completed proformas are attached as Appendix 1.

2.4 Due to a confidentiality agreement with the MARAD ship owners, no photographic record is generally collected. However, if required, photographs can be taken by an Able UK representative and special dispensation sought for their release. This is the only restriction on the Inspections, with free and open access available to all areas of the MARAD dismantling operations. This restriction does not compromise the efficiency of the inspections since if significant environmental concerns were identified then a photographic record could be collected and held until approval for release is obtained from the MARAD owners.

2.5 During this reporting period and due to increased activity on site, a total of ten inspection visits have been completed. These were undertaken on:

Friday 12 th June 09 (Announced)	Thursday 23 rd July 09 (Unannounced)
Friday 19 th June 09 (Announced)	Wednesday 29 th July 09 (Unannounced)
Tuesday 23 rd June 09 (Unannounced)	Monday 10 th August 09 (Unannounced)
Wednesday 1 st July 09 (Unannounced)	Friday 21 st August 09 (Announced)
Wednesday 8 th July 09 (Unannounced)	Friday 28 th August 09 (Unannounced)

- 2.6 Observations made during the visits have been classified using a traffic light system. The following classes of observation have been used.
- **GENERAL:** Routine site observation. No corrective action(s) needed;
 - **NOTABLE:** Observation with potential environmental impacts; however risks associated with observations are not immediately significant and/or corrective actions can be (and have agreed to be) quickly implemented; and
 - **CRITICAL:** Observation has immediate and/or major environmental risks. Urgent/immediate corrective action required, which may affect site operations or cannot be quickly implemented.
- 2.7 One joint inspection was carried out with the Environment Agency on 12th June 2009. No notable or critical observations were made by either party during the site visit.
- 2.8 No joint inspection visits have been undertaken during this quarter with representatives of the HSE (Health and Safety Executive).

3 Observations and Corrective Actions

3.1 During the reporting period, site activities carried-out by Able UK under the MARAD contract have primarily focused on preparatory works with limited stripping of asbestos from within ships. All stripped asbestos has been double bagged and stored in accordance with the agreed method statements.

3.2 The following **GENERAL** observations have been made during the site visits.

- The site is generally clean and tidy and house keeping across the site and on the ships is good.
- Construction of the coffer dam structure is complete and finishing works are being undertaking following the installation of a limpet dam. The oil containment boom which is no longer required following completion of the coffer dam, has been removed from the dock.
- Sea waters from within the dock have been pumped out into the estuary and the dock has almost reached dry dock status.
- Silt removal from the base of the dry dock is ongoing. The material is being disposed of under licence or retained on site in a constructed storage area in the south of the dry dock.
- Visual and olfactory evidence of the remaining water and silt within the dock indicates no apparent evidence of contamination.
- Soft stripping¹ works and asbestos enclosures² around the engine room of the Compass Island were inspected during visits and noted as being in good condition and being undertaken with all proper environmental monitoring.
- All asbestos noted during the visits was double bagged with no evidence of splits and awaiting removal from ships/ site.
- The sites perimeter asbestos monitoring results have been checked to ensure low levels of asbestos detection. All results were noted as below the reportable airborne fibre concentration of 0.01 f/ml. This indicates that asbestos control measures are operating within the required limits.
- Asbestos monitoring reports relating to site operatives personal asbestos monitors were checked to ensure low levels of asbestos detection. All results were noted as low or less than the analytical detection limit.

¹ Soft Stripping works includes the removal of floor coverings, non load bearing walls, temporary floors, ceilings and structures and non-hazardous materials.

² An asbestos enclosure is a sealed barrier erected around an area of asbestos removal works to minimise the leakage of asbestos dust and waste into the surrounding environment. All work conducted within an enclosure is done so in a controlled and monitored environment.

- There have been no notable differences between the findings of announced and unannounced inspections.

3.3 No **NOTABLE** or **CRITICAL** observations have been made during the site visits undertaken during the reporting period.

4 Conclusions and Recommendations

Conclusions

- 4.1 No **CRITICAL** or **NOTABLE** environmental issues have been identified during the current reporting period. Overall, Scott Wilson is satisfied that, on the basis of the inspections of the MARAD ships, dismantling carried-out to date has involved no activities that results in a breach of the agreed environmental protection measures or that were assessed to have a significant risk of causing significant environmental pollution or damage.
- 4.2 There are no outstanding issues identified in previous inspection reports.

Recommendations

- 4.3 Environmental inspection visits should continue at a frequency commensurate with the levels of environmental risks associated with ongoing dismantling activities. The inspection visits should also continue on a random basis, and continue to include a proportion of both announced and unannounced visits.
- 4.4 With the imminent start of ship breaking and continued removal of asbestos the nature of the environmental risks associated with site operations may change. It is therefore envisaged that the frequency of site inspections will increase in recognition of this change in circumstances.


Appendix 1

Completed Site Inspection Proformas

58911

DAILY SITE ENVIRONMENTAL DIARY


Project: TERRC		Date: 12/6/09
		Time: 10.00 (Announced)
Location:	Comments:	Action:
SITE	CLEAN & Tidy	N/A
DOCK	BOOM IN PLACE	N/A
OFFICE	INSPECTED ASBESTO RESULTS (PERIMETER)	ALL RESULTS SHOW REPORTABLE AIRBOURNE FIBRE CONCENTRATION
SHIPS	NO ASBESTOS REMOVAL DURING SITE VISIT	N/A
	<hr style="width: 50%; margin: 10px auto;"/> UNDERTAKEN ALONGSIDE THE ENVIRONMENT AGENCY	


Inspector
Signed: 
Print: BHALL

Environmental Manager
Signed: 
Print: S. McIann

DAILY SITE ENVIRONMENTAL DIARY

Project: TERRC		Date: 19/6/09 Time: 9.30 (ANNOUNCED)	
Location:	Comments:	Action:	
SITE	PERIMETER WALK TO VIEW MONITORING STATIONS. STORES / WAREHOUSE VISITED COFFER DAM WALKED INSPECTED BOOM NO EVIDENCE OF LITTER GENERALLY CLEAN AND TIDY	NIL SITE / STORES / DOCK WELL MAINTAINED	
OFFICE	PERIMETER MONITORING REPORTS CHECKED (15/6/2009)	NIL ALL REPORTABLE LEVELS BELOW 20.01 F/m AIR	
SHIPS	ASBESTOS REMOVAL CONTINUING ON COMPASS ISLAND	NIL	

Inspector
 Signed: 
 Print: B. HALL


Environmental Manager
 Signed: 
 Print: S. McLean

SECRET

DAILY SITE ENVIRONMENTAL DIARY


Project: TERRC		Date: 23/6/09
		Time: 9.00 (UNANNOUNCED)
Location:	Comments:	Action:
OFFICE	PERSONNEL ASSIGNED REPORTS CHECKED NO ELEVATED LEVELS METHOD STATEMENTS AND RISK ASSESSMENTS DISCUSSED BRIEFED ON EMERGENCY PROCEDURES	NIL
SITE/ DOCK	CLEAN, NO LITTER WATER CLEAN / CLEAR	NIL
SHIPS	INSPECTED 'COMPASS ISLAND' WORKS, INCLUDING SOFT STRIPPING AND ASBESTOS REMOVAL BRIEFED ON ASBESTOS STORAGE AND MOVEMENT PROCEDURES LIGHTING IN 1 WALKWAY NOT WORKING	NIL SITE TOOK IMMEDIATE CORRECTIVE ACTION


Inspector
 Signed: 
 Print: B. HALL

Environmental Manager
 Signed: 
 Print: S. McEann

DAILY SITE ENVIRONMENTAL DIARY

Project: TERRC		Date: 1/7/2009
		Time: 15.00 (UNANNOUNCED)
Location:	Comments:	Action:
OFFICE	CHECKED PERIMETER ASBESTOS METERS ALL BELOW 20.01 DISCUSSED ADDITIONAL MONITORING DURING SHIP MOVEMENTS (27, 28 th JUN)	NIL
SHIPS	NO ACTIVITY ON MARAD SHIPS FOLLOWING PREPERATION FOR DRY DOCK	NIL
DOCK	3 of 10 PUMPS PUMPING WATER FROM DOCK 2 METRES MORE TO ACHIEVE DRY DOCK WATER IS CLEAN + CLEAR	NIL
SITE	CLEAN AND TIDY	NIL

Inspector
 Signed: 
 Print: 1/7/2009, B HALL

Environmental Manager
 Signed: 
 Print: M DITTON

5001

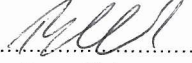
DAILY SITE ENVIRONMENTAL DIARY


Project: TERRC

Date: 23/7/2009

Time: 11.00 (UNANNOUNCED)

Location:	Comments:	Action:
SHIPS	NO WORK CURRENTLY BEING UNDERTAKEN BY THE MARAD SHIPS	NIL
DOCK	MAINTENANCE CREW ATTEMPTING TO LEAKS IN COFFER DAM NO EVIDENCE OF CONTAMINATION ON WATER OR SILT, CLEAN AND CLEAR NO PUMPS WORKING DOCK AND WATER STILL LOOKING CLEAN AND TIDY FOLLOWING HEAVY RAINFALL	NIL
SITE	THE SITE IS CLEAN/TIDY NO EVIDENCE OF SPILLS FROM TANKS OR MACHINERY	NIL


Inspector
Signed: 
Print: B. HALL


Environmental Manager
Signed: 
Print: M. DITTON

5001

DAILY SITE ENVIRONMENTAL DIARY

Project: TERRC		Date: 8/7/2009.
		Time: MORNING, UNANNOUNCED
Location:	Comments:	Action:
DOCK	COFFER DAM LEAKING INTO DOCK SMALL VOLUME OF WATER NO ENVIRONMENTAL ISSUES NO OILY SHEENS NOTED ON WATER OR SILT. LOOKS CLEAN NO PUMPS WORKING WHILE LEAK ASSESSED	NIL NIL NIL
SITE	GENERALLY CLEAN AND TIDY	NIL
OFFICE	ASBESTOS BACKGROUND METER REPORTS CHECKED	ALL LEVELS BELOW REPORTABLE LEVELS NO ACTION REQUIRED

Inspector
 Signed: 
 Print: B. Hall

Environmental Manager
 Signed: 
 Print: C. Simpson

5891

DAILY SITE ENVIRONMENTAL DIARY

Project: TERRC

Date: 29/7/2009

Time: 11.30 (UNANNOUNCED)

Location:

Comments:

Action:

SHIPS

NO WORKS ON MARAD
SHIPS

NIL

SITE

CLEAN & TIDY
WINDY CONDITIONS NO
EVIDENCE OF LITTER &
DUST

NIL

THE SITE IS LOOKING WELL
MAINTAINED AND CONTROLLED

NIL

DECK

MAINTENANCE CREWS WORKING
ON COFFER DAM

NIL

WATER CLEAN, NO GREEN OR
EVIDENCE OF CONTAMINATION

Inspector

Signed: 

Print: B. Hall

Environmental Manager


Signed: 


Print: S. McEwan

5891

DAILY SITE ENVIRONMENTAL DIARY

Project: TERRC		Date: 10 / 8 / 2009 Time: 11am Unannounced	
Location:	Comments:	Action:	
DOCK	3 WATER PUMPS EXTRACTING WATER FROM DOCK SAND BANKS VISIBLE NO SIGN OF CONTAMINATION ON WATER OR SEDIMENT WILDLIFE NOTED WITHIN THE DOCK	NIL	
SHIPS	NO WORK ON MARAD SHIPS AWAITING TICKETS FOR SCAFFOLD WALKWAYS	NIL	
SITE	THERE IS NO LITTER NOTED ON SITE, GENERALLY CLEAN AND TIDY	NIL	


Inspector
 Signed: 
 Print: B. HALL


Environmental Manager
 Signed: 
 Print: M. DIXON

ANNOUNCED

5991

DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 21 AUG 09
		Time: 1300
Location:	Comments:	Action:
SITE.	<p>DRY DOCK MOSTLY DRAINED.</p> <p>COFFERDAM - MINOR FINAL PATCHING / FLASHING AROUND WATER INLETS</p> <p>ACCESS RAMP CONSTRUCTED</p> <p>EVIDENCE OF V. MINOR EXCAVATION IN DOCK FLOOR.</p> <p>DOCK WALL EXCAVATION BEHIND OLD WALL</p> <p>STILL NO ASBESTOS WORK ON MARAD SHIPS.</p>	NIL

Inspector
Signed: 
Print: B. HALL

Environmental Manager
Signed: 
Print: S. McEANN

DAILY SITE ENVIRONMENTAL DIARY

Project: TERRC

Date: 28/08/2009

Time: 10.30 (UNANNOUNCED)

Location:

Comments:

Action:

SITC

VERY WINDY DAY
SITE IS CLEAN AND
TIDY NO EVIDENCE OF
LITTER, GOOD HOUSE KEEPING

2.6

SHIPS

NO ACTIVE ASBESTOS
REMOVAL WORKS.
OBSERVED PREPARATION
WORKS FOR ENCLOSURE
INCLUDING PAPERWORK
READY TO RE-COMMENCE
WORKS.
ALL PROTECTION MEASURES
WERE IN PLACE

Nil

HOUSE KEEPING ON SHIPS
A LITTLE UNTIDY,
ENVIRONMENTAL MANAGER
ACTIONED STRAIGHT
AWAY

NIL

POCK

PARTIAL REFILL WITH
WATER TO LOOSEN SLIT
CLEAN + CLEAR

212

Print: B HALL

Print: S. McLean

UPDATE REPORT

PLANNING COMMITTEE

6 January 2010



Report of: Assistant Director (Planning and Economic Development)

Subject: MONITORING OF THE MARAD CONTRACT, ABLE UK LTD, GRAYTHORP

1. UPDATE

- 1.1 As indicated in the earlier report the 5th Quarter's monitoring results were imminent. These have now been received and cover the period September to November. They are attached as an **Appendix** to this report. Again no notable or critical observations were made during the site visits undertaken during the reporting period.

2. RECOMMENDATION

- 2.1 Members note the results of the monitoring report.

UPDATE REPORT

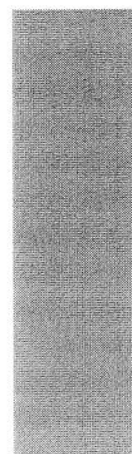


Hartlepool Borough Council

Environmental Inspection Report – 5th Quarter

MARAD Contract

December 2009



Prepared for:



HARTLEPOOL
BOROUGH COUNCIL

UPDATE REPORT

Hartlepool Borough Council
MARAD Contract Environmental Inspection Report – 5th Quarter

Revision Schedule

MARAD Contract Environmental Inspection Report – 5th Quarter
December 2009

D115634

01	December 2009	Final issue	Brad Hall Environmental Specialist	Matthew Smedley Principal Planner Adrian Milton Principal Environmental Specialist	Neil Stephenson Technical Director
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UPDATE REPORT

Hartlepool Borough Council
MARAD Contract Environmental Inspection Report – 5th Quarter

Table of Contents

1	Introduction	1
2	Inspection Methodology	2
3	Observations and Corrective Actions	4
4	Conclusions and Recommendations	6

Appendix

1. Completed Visit Proformas

UPDATE REPORT

Hartlepool Borough Council
MARAD Contract Environmental Inspection Report – 5th Quarter

1 Introduction

- 1.1 Scott Wilson has been appointed by Hartlepool Borough Council to provide planning and environmental advice with respect to the development and operation of the Teesside Environmental Reclamation & Recycling Centre (TERRC).
- 1.2 Paragraph 5 of the Section 106 agreement for the development approved under planning permission HFUL/2007/543, HFUL/2007/544 and HFUL/2007/545 states that:
- "During the period of dismantling the ships comprised in the MARAD contract the Council may appoint an environmental inspector (or inspectors to a single person full time equivalent) for the purpose of monitoring the ship dismantling. The Developer shall pay the reasonable employment costs of the environmental inspector, afford him daily access to the Site in accordance with arrangements agreed in consultation between the Council and the Developer and supply all such information as he shall reasonably request (including the opportunity to meet with the Environmental Manager), PROVIDED ALWAYS that before being supplied with information that is commercially confidential the auditor shall first have signed an appropriate confidentiality agreement in respect of such confidential information and whilst at TERRC shall comply with the health and safety requirements of the Developer;"*
- 1.3 Hartlepool Borough Council (HBC) has appointed Scott Wilson Ltd to fulfil the role of Environmental Inspector for the purpose of monitoring the dismantling of the MARAD ships. The Environmental Inspector is independent of Able UK and HBC and supplements the formal regulator inspections of, for example, the Environment Agency and the Health and Safety Executive. Furthermore, Able UK's asbestos removal activities are monitored by an independent specialist contractor (Franks Portlock Consulting Limited).
- 1.4 This report is the fifth quarterly inspection report and provides details of the inspection methodology, observations from inspections completed during the fifth quarter and recommendations for future inspections. It highlights any environmental issues identified or addressed during the course of the fifth quarter, and any remedial actions or agreements made with regard to these issues by either Able UK or HBC.

UPDATE REPORT

Hartlepool Borough Council
MARAD Contract Environmental Inspection Report – 5th Quarter

2 Inspection Methodology

- 2.1 With the agreement of HBC and Able UK, the nominated Environmental Inspector has carried-out a number of site visits commensurate with the level of environmental risks associated with the ongoing works. These visits have included both pre-announced and unannounced visits.
- 2.2 Each visit followed the general programme set-out below:
- general update from MARAD project manager on the progress and status of ship dismantling;
 - review of environmental monitoring reports/data completed by Able UK and their contractors since the last inspection;
 - visual inspection of areas around MARAD ships; and
 - visual inspection of asbestos removal activities on-ship.
- 2.3 During each visit a site inspection proforma was completed and the findings agreed and signed by both the inspector and the MARAD project manager. Completed proformas are attached as Appendix 1.
- 2.4 Due to a confidentiality agreement with the MARAD ship owners, no photographic record is generally collected. However, if required, photographs can be taken by an Able UK representative and special dispensation sought for their release. This is the only restriction on the inspections, with free and open access available to all areas of the MARAD dismantling operations. This restriction does not compromise the efficiency of the inspections since if significant environmental concerns were identified then a photographic record could be collected and held until approval for release is obtained from the MARAD owners.
- 2.5 During this reporting period and due to increased activity on site, a total of twelve inspection visits have been completed. These were undertaken on:
- | | |
|--|--|
| Tuesday 1 st September 09 (Unannounced) | Tuesday 20 th October 09 (Unannounced) |
| Friday 18 th September 09 (Unannounced) | Tuesday 27 th October 09 (Unannounced) |
| Friday 25 th September 09 (Unannounced) | Thursday 5 th November 09 (Unannounced) |
| Friday 2 nd October 09 (Unannounced) | Wednesday 11 th November 09 (Unannounced) |
| Saturday 3 rd October 09 (Unannounced) | Friday 13 th November 09 (Unannounced) |
| Tuesday 6 th October 09 (Unannounced) | Thursday 26 th November 09 (Unannounced) |
| Monday 12 th October 09 (Unannounced) | |
- 2.6 As agreed with Able UK site representatives and to increase transparency, all site visits this quarter were unannounced.

UPDATE REPORT

Hartlepool Borough Council
MARAD Contract Environmental Inspection Report – 5th Quarter

- 2.7 Observations made during the visits have been classified using a traffic light system. The following classes of observation have been used.
- **GENERAL:** Routine site observation. No corrective action(s) needed;
 - **NOTABLE** Observation with potential environmental impacts; however risks associated with observations are not immediately significant and/or corrective actions can be (and have agreed to be) quickly implemented; and
 - **CRITICAL:** Observation has immediate and/or major environmental risks. Urgent/immediate corrective action required, which may affect site operations or cannot be quickly implemented.

UPDATE REPORT

Hartlepool Borough Council
MARAD Contract Environmental Inspection Report – 5th Quarter

3 Observations and Corrective Actions

- 3.1 During the reporting period, site activities carried-out by Able UK under the MARAD contract have primarily focused on the removal of asbestos from the ships, activities associated with the construction of the dry dock (around the ships) and early ship dismantling activities. All stripped asbestos has been double bagged and stored in accordance with the agreed method statements.
- 3.2 The following GENERAL observations have been made during the site visits.
- The sites perimeter asbestos monitoring results have been checked to ensure low levels of asbestos detection. All results were noted as below the reportable airborne fibre concentration of 0.01 f/ml. This indicates that asbestos control measures are operating within the required limits.
 - Asbestos monitoring reports relating to site operatives personal asbestos monitors were checked to ensure low levels of asbestos detection. All results were noted as low or less than the analytical detection limit.
 - Construction completion works have been undertaken by Able UK on the coffer dam.
 - Silt removal from the dock has been completed. The dock floor comprising a grid of concrete and hardcore is now exposed, samples have been taken and submitted for analysis (no results were available at the time of reporting). There has been no visual evidence of contamination from dock construction activities recorded.
 - Hardcore material has been used in the dock to create ingress and egress routes for mobile plant and other vehicles to facilitate the dismantling of the ships.
 - Asbestos enclosures¹ around the engine room of the Compass Island have been inspected during visits and noted as being in good condition and undertaken with all necessary environmental monitoring.
 - Additional asbestos works (non scheduled²) have been undertaken and completed on the Compass Island.
 - A dust suppression management system has been seen in operation during two site visits (undertaken on warm/ dry days) to control air borne dust. The system includes the spraying of water into the air to reduce the amount of airborne dust particles arising from vehicle movements around the site. The system appears to significantly reduce dust movement/ clouds across the site, with spraying maintained until normal conditions return.

¹ An asbestos enclosure is a sealed barrier erected around an area of asbestos removal works to minimise the leakage of asbestos dust and waste into the surrounding environment. All work conducted within an enclosure is done so in a controlled and monitored environment.

² Non-scheduled works includes asbestos that had not been identified during initial asbestos surveys but which has subsequently been identified during removal/ dismantling works.

UPDATE REPORT

Hartlepool Borough Council
MARAD Contract Environmental Inspection Report – 5th Quarter

- Preparatory works on the MARAD ships for ship dismantling are ongoing, this includes removal of non-fixed furniture and strategic weakening cuts (using oxyacetylene cutting tools³) along the ships hulls, sterns and bows.
- The bows from the Compass Island and Caloosahatchee have been removed and are currently being dismantled on the dock floor. The ship sections have been removed by inserting weakening cuts into the ships structure and then under controlled conditions pulled from their stationary position using chains to the dock floor (sections vary in size and weight from small 5 – 10 tonne sections to several hundred tonne sections). Once on the dock floor the sections are cut up into small 5 ft sheet sections which are then removed from the dry dock and stored on site.
- The site is generally clean and tidy and house keeping across the site and on the ships is good.

3.3 No **NOTABLE** or **CRITICAL** observations have been made during the site visits undertaken during the reporting period.

³ Oxyacetylene cutting is a process that uses oxygen to cut metal by heating the metal to kindling temperature before using a stream of oxygen to cut through the heated metals.

UPDATE REPORT

Hartlepool Borough Council
MARAD Contract Environmental Inspection Report – 5th Quarter

4 Conclusions and Recommendations

Conclusions

- 4.1 No **CRITICAL** or **NOTABLE** environmental issues have been identified during the current reporting period. Overall, Scott Wilson is satisfied that, on the basis of the inspections of the MARAD ships, dismantling carried-out to date has involved no activities that results in a breach of the agreed environmental protection measures or that were assessed to have a significant risk of causing significant environmental pollution or damage.
- 4.2 There are no outstanding issues identified in previous inspection reports.

Recommendations

- 4.3 With the commencement of ship breaking and continued removal of asbestos the nature of the environmental risks associated with site operations may change. Therefore, environmental inspection visits should continue at a frequency commensurate with the levels of environmental risks associated with ongoing activities.
- 4.4 The inspection visits should also continue on a random basis, and include a proportion of both announced and unannounced visits.

UPDATE REPORT

Hartlepool Borough Council
MARAD Contract Environmental Inspection Report – 5th Quarter

Appendix 1 Completed Site Inspection Proformas

UPDATE REPORT



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 1 / 9 / 2009
		Time: 11.00 (UNANNOUNCED)
Location:	Comments:	Action:
OFFICE	INSPECTED ASBESTOS MONITORING REPORTS (PERIMETER)	ALL RESULTS BELOW RELEVANT AIRBORNE FIBRE CONCENTRATION NIL
SHIPS	ASBESTOS WORKS CONTINUING WASTE STORE FOR TRASH SHIPS COVERED. FULL REGISTRATION UNDER OPERATION, LABELLING AND MONITORING TO ENSURE NO BREACHES	NIL
DOCK	OVERSEEN MAINTENANCE WORKS ON ROOF OF DOCK COVERED WATER AND SILT CLEAN OVERSEEN BENTONITE WORKS FOR SILT STORAGE. SITE CLEAN AND DRY NO LOST WATERS LOADS. NOISE REPAIRS	NIL NIL NIL


Inspector
Signed: *[Signature]*
Print: B. PALL


Environmental Manager
Signed: *[Signature]*
Print: J. M. [unclear]

UPDATE REPORT



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 180909 (UN ANNOUNCED) Time: 1145
Location:	Comments:	Action:
office	Perimeter Asbestos Reassessment monitoring results checked. - All less than analytical detection limit of 0.01 f/ml air (reportable) for the last 4 months	NIL
SITE	General site area very tidy	NIL
MANAD SHIPS	1 ship inspected. No issues identified	NIL
DA7 DOCK	silt removal scheduled to start soon. work on access/egress ramps completed.	NIL

Inspector
Signed: 
Print: Adam M. M. M.

Environmental Manager
Signed: 
Print: S. McQuinn

UPDATE REPORT



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRAC		Date: 25/9/2009 Time: 10.00 UNANNOUNCED
Location:	Comments:	Action:
OFFICE	INSPECTED ABSTRACT MONITORING REPORTS (PERMITS) ALL RESULTS BELOW REGULATORY AIRBORNE FIBRE CONCENTRATION	N/A
DOCK	DESTROYING IN PROGRESS NO VISUAL EVIDENCE OF CONTAMINATION ON SLIT OR WATER	N/A
SHIPS	INSPECTED ABSTRACT WASTE GOOD WASTE SEGREGATION EXCELLENT HOUSE KEEPING ON MARITIME SHIPS	N/A
SITE	EXCELLENT HOUSE KEEPING ACROSS THE SITE	N/A


Inspector: [Signature]
Signed: [Signature]
Print: B. HALL


Environmental Manager: [Signature]
Signed: [Signature]
Print: MARIE DUTTON

UPDATE REPORT



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 031009 Time: 1330
Location:	Comments:	Action:
SITE	BLOWER BEING USED TO MINIMISE FUGITIVE DUST GENERATION BY HIGH WINDS	NIL
"	GENERATOR TIDY AROUND SITE	NIL
"	DESILTING WORK IN DRY DOCK ONGOING. SILT BEING MOVED INTO HOLDING AREA	NIL

Inspector
Signed: 
Print: ADAM MIRON

Environmental Manager
Signed: 
Print: S. HEARN

UPDATE REPORT



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 06/10/2009
		Time: 11.00 UNANNOUNCED
Location:	Comments:	Action:
OFFICE	PERIMETER MONITORING ALL RESULTS BELOW AIRBORNE FIBRE CONCENTRATION	NIL
DOCK	DETECTIVE WORK CHANGING SITE MOVED TO HOLD AREA	NIL
SHEDS	INSPECTED OVERGROW (MARRAS LAIR) WASTE SEPARATION WON RECOVERY	NIL
WATER	CONCRETE TIDY FENCING WATERS	NIL

Inspector: [Signature]
Signed: [Signature]
Print: [Signature]

Environmental Manager: [Signature]
Signed: [Signature]
Print: [Signature]

UPDATE REPORT



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 12/10/2009 Time: 12.00 ON A MONDAY
Location:	Comments:	Action:
SITE	GOOD HOUSE KEEPING CONCRETE CLEAN & TIDY	NIL
SHIPS	ADJUTANT GENERAL & PORT STRIPPER ENCLAVE NO ISSUES	NIL
PERMITS	SITE REMOVAL OVERSEEN NO ISSUES	NIL

Inspector
Signed: *[Signature]*
Print: *[Signature]*

Environmental Manager
Signed: *[Signature]*
Print: *[Signature]*

UPDATE REPORT



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRAC		Date: 19/10/2009
		Time: 08:00 ON ARRIVAL
Location:	Comments:	Action:
SITE	GOOD HOUSE KEEPING ACROSS THE SITE WINDY DAY, CLOUDS OF DUST/DIRT ACROSS THE SITE. DIRT SUPPRESSION MANAGEMENT SYSTEM USED TO CONTROL DUST/DIRT.	NIL
SHIPS	SCHEDULED MAINTENANCE REMOVAL COMPLETE ON COMPASS (SWAY). ADDITIONAL WORKS CONDUCTED DURING UNOCCUPATION.	NIL
DOCK	START REMOVAL WORKS	NIL

Inspector
Signed: *[Signature]*
Print: K. B. M. L.

Environmental Manager
Signed: *[Signature]*
Print: S. M. L.

UPDATE REPORT



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 27/10/2009 Time: UNANNOUNCED 10 am
Location:	Comments:	Action:
OFFICE	PERIMETER + BUREAU AND AIR TESTING AT BUREAU REPORTING VALUE 0.01	NIL
SLIP	INSPECTED ADDITIONAL WORK, ENVELOPE ALL UP TO 5TH FLOOR CONSIDERED FURTHER WORK ON SLIPS, VERY GOOD	NIL
DOCK	SPR. REMOVED CHIMNEY NO EVIDENCE OF CONTAMINATION ON WATER BILGE INSPECTED POTTING SHED AND ENVELOPE SITE CLEAN + Tidy	NIL

Inspector
Signed: *[Signature]*
Print: JB PILLER

Environmental Manager
Signed: *[Signature]*
Print: C GORDON

UPDATE REPORT



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRAC		Date: 5/11/2009 Time: 12.15 UNANNOUNCED
Location:	Comments:	Action:
OFFICE	PERIMETER AND BACKGROUNDS AIR TESTING BEGINS REPORTABLE VALUE CO-2	NB
SHIPS	ADDITIONAL MONITORING WORKS ONGOING ALL WHITE POLLUTANTS IN WOOD ALL MONITORING EQUIPMENT	NIL
SITE	WOOD MONITORING ALL GRIPS COVERED	NIL
ROAD	DEPOSITABLE GRIP DEPOSITABLE GRIP	NIL

Inspector
Signed: *[Signature]*
Print: *[Signature]*

Environmental Manager
Signed: *[Signature]*
Print: *S. P. LANN*

UPDATE REPORT

DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 11/11/2009 Time: 12.00
Location:	Comments:	Action:
OFFICE	PERIMETER AND BACKGROUND AIR MONITORING BELOW REPORTABLE VALUE	N/A
SITE	UNDERTOOK GENERAL SITE WALKOVER, SOCS MONITORING AND WASTE MANAGEMENT ROADWAYS OK	N/A
SHIPS	PREPARATORY WORKS INCLUDING ON COAST GUARD AND OTHER MARINE SHIPS ADDITIONAL PROPOSED WORKS INCLUDING ON COAST GUARD SHIPS MONITORING	N/A
DOCK	MET WITH DOCK SUPERVISOR TO DISCUSS FURTHER WORKS PRIOR TO COMMENCEMENT OF DISMANTLING	N/A

Inspector
Signed: *[Signature]*
Print: B. HILL

Environmental Manager
Signed: *[Signature]*
Print: L. GERRARD

UPDATE REPORT



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 13/11/2009
		Time: 12:00 UNANNOUNCED
Location:	Comments:	Action:
SITE	GOOD HOUSEKEEPING SITE IS TIDY	NIL
SHIPS	PREPARATION WORKS BEING ON MAILED SHIP PRIOR TO FULL SCALE DEMANTING LIMITED DEMANTING WORKS BEING UNDERTAKEN	NIL

Inspector *[Signature]*
Signed: *[Signature]*
Print: *[Signature]*

Environmental Manager *[Signature]*
Signed: *[Signature]*
Print: *[Signature]*

UPDATE REPORT



DAILY SITE ENVIRONMENTAL DIARY		
Project: TERRC		Date: 26/11/2007
		Time: 11.45 UNANNOUNCED
Location:	Comments:	Action:
DOCK	DRAINAGE SYSTEM IN PLACE, RE-SURFACING OVERCOMING DRY DOCK STATUS ACHIEVED	NIL
SITE	GOOD HOUSEKEEPING GENERALLY CLEAN AND TIDY	NIL
SHIPS	1 ASBESTOS ENCLOSURE ON COMPOSE ISLAND DISMANTLING WORKS OVERCOMING BY HARRIS SHIPS	NIL

Inspector: [Signature]
 Signed: [Signature]
 Print: B. HALL

Environmental Manager
 Signed: [Signature]
 Print: S. P. [Signature]