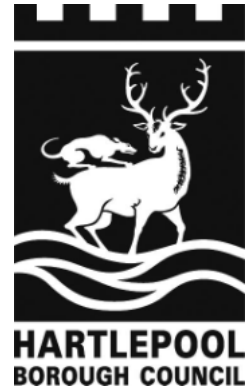


PLANNING COMMITTEE AGENDA



Friday 13 August 2010

at 10.00 a.m.

in the Council Chamber, Civic Centre, Hartlepool.

MEMBERS OF PLANNING COMMITTEE:

Councillors S Akers-Belcher, Brash, Cook, Cranney, Hargreaves, James, G Lilley, Lawton, London, J Marshall, Morris, Richardson, Sutheran, Thomas, H Thompson, P Thompson, Wells 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 16th July 2010

4. ITEMS REQUIRING DECISION

- 4.1 Planning Applications – *Director of Regeneration and Neighbourhoods*
1. The Woodcutter Waverley Terrace Hartlepool
 2. 43 Ruswarp Grove Hartlepool
 3. Land Opposite Aldi Foodstore Ltd, Hart Lane, Hartlepool
 4. Vodafone Communication Station, Wynyard Road, Hartlepool
 5. Land at Easington Road, Hartlepool
- 4.2 Appeal By Mr A. Henderson, Site At Land South Of Navigation Point, Middleton Road, Hartlepool (H/2010/0098) - *Director of Regeneration and Neighbourhoods*

- 4.3 Appeal by Mr Andy Nugent, Appeal Ref: App/H0724/D/10/2132256 Site at: 55 Greta Avenue, Hartlepool, TS25 5LE - *Director of Regeneration and Neighbourhoods*
- 4.4 Update On Current Complaints - *Director of Regeneration and Neighbourhoods*
- 4.5 Hartlepool Tree Strategy - *Director of Regeneration and Neighbourhoods*

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 CONFIDENTIAL ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

7. FOR INFORMATION

Site Visits – Any site visits requested by the Committee at this meeting will take place on the morning of Friday 10th September 2010 at 9.30 am

Next Scheduled Meeting – Friday 10th September 2010 at 10.00am in the Council Chamber

PLANNING COMMITTEE

MINUTES AND DECISION RECORD

16 July 2010

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

Present:

Councillor Rob Cook (In the Chair)

Councillors Pamela Hargreaves, Marjorie James, Geoff Lilley, John Marshall, George Morris, Carl Richardson, Lilian Sutheran, Hilary Thompson, Paul Thompson and Ray Wells

Also Present: In accordance with Council Procedure Rule 4:2;
Councillor Sarah Maness as substitute for Councillor Trisha Lawton and Councillor Robbie Payne as substitute for Councillor Steve Thomas

Richard Teece, Development Control Manager
Christine Pipe, Principal Planning Officer
Mike Blair, Highways, Traffic and Transportation Manager
Adrian Hurst, Principal Environmental Health Officer
Tony Macnab, Solicitor
Jo Wilson, Democratic Services Officer

12 Apologies for Absence

Apologies were submitted from Councillors Jonathan Brash, Kevin Cranney, Trisha Lawton, Frances London and Steve Thomas

13 Declarations of interest by members

Councillor Geoff Lilley declared a prejudicial interest in Planning Application H/2010/0274 Norton House, Thetford Way, Hartlepool and indicated he intended to abstain from the Committee during consideration of this item and speak as a Ward Councillor.

Councillor Hilary Thompson declared a personal interest in item 4.4 Appeal Ref: APP/H0724/D/10/2131140 H/2010/0007 Erection of a Rear Single Storey Extension to Provide Garden Room, Bathroom and Lobby 35 The Green, Elwick, Hartlepool

14 Confirmation of the minutes of the meeting held on 16 June 2010

Confirmed.

15 Planning Applications *(Director of Regeneration and Neighbourhoods)*

Number: H/2010/0338

Applicant: Chase Property Dev Limited
C/O Agent

Agent: Savills Fountain Court 68 Fountain Street Manchester

Date received: 24/05/2010

Development: Extension of the time limit for the submission of reserved matters and implementation of outline planning permission H/2005/5921 for alterations to existing units, erection of additional units and associated infrastructure and landscape works

Location: TEESBAY RETAIL PARK BRENDA ROAD
HARTLEPOOL

Decision: **Withdrawn from the agenda**

Number: H/2010/0191

Applicant: LEEBELL DEVELOPMENTS LTD
MR GRAHAM MEDCALFE MAIN STREETPONTELAND

Agent: MR GRAHAM MEDCALFELEEELL DEVELOPMENTS LTD PEEL HOUSE MAIN STREET PONTELAND

Date received: 22/03/2010

Development: Formation of neighbourhood park including multi use games area, two childrens play areas together with play equipment, bandstand with associated footpaths, hard and soft landscaping and street furniture

Location: LAND ADJACENT TO HARTFIELDS RETIREMENT VILLAGE

Decision: **Deferred for additional information**

Number: H/2010/0274

Applicant: Cleveland House Queens Square Middlesbrough

Agent: ASP Associates 8 Grange Road HARTLEPOOL

Date received: 22/04/2010

Development: (Amendments to previously approved scheme H/2006/0179) for erection of two detached dwellings with associated detached garages (retrospective application)

Location: NORTON HOUSE THETFORD ROAD HARTLEPOOL

Representations: Mr Hamlet (objector) was in attendance and addressed the Committee

Decision: **Subject to the resolution of any outstanding issues regarding the provision of bat boxes and any related condition(s) Planning Permission Approved subject to the following condition(s)**

CONDITIONS AND REASONS

1. The development hereby permitted shall be carried out in accordance with the following plans received by the Local Planning Authority on 22 04 2010:
 1. 1416/1
 2. 1416/2
 3. 1416/2-1
 4. 1416/2-4
 5. 1416/3
 6. 1416/4
 7. 1416/5

And plan number 1416/2-5 received 13 July 2010
For the avoidance of doubt.
2. 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.
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 additional

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 submitted details, prior to occupation of the dwellings hereby approved, a scheme for disposal of surface water shall be fully implemented in accordance with final details of the drainage scheme, including design calculations and methodology in respect of the soakaway design, permeability tests, soakaway construction details, and storage details first to be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details for the lifetime of the development.

To ensure the site is developed in a satisfactory manner.

5. Notwithstanding the submitted details, prior to occupation of the dwellings hereby approved, a foul drainage scheme shall be fully implemented in accordance with final details first to be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details for the lifetime of the development.

To ensure the site is developed in a satisfactory manner.

6. A detailed scheme of replacement tree and shrub planting, including 3 trees as compensation for the encroachment of 5 Norton House (Plot 1) towards the adjacent tree covered by TPO and a scheme of landscaping along the boundary of Thetford Road shall be submitted to and approved in writing by the Local Planning Authority within 2 months of the date of this permission. The scheme must specify sizes, types and species, include a programme of works to be undertaken, and be implemented in accordance with the approved details and programme of works.

In the interests of visual amenity.

7. If within a period of five years from the date of the planting of any tree that tree, or any tree planted as a replacement for it, is removed, uprooted, destroyed, dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

In the interests of visual amenity.

8. The window(s) in the west elevation of 4 Norton House (plot 2) which are glazed with obscure glass shall be retained as such at all times while the window(s) exist(s).

To prevent overlooking.

9. The window(s) in the south elevation of 5 Norton House (plot 1) which are glazed with obscure glass which shall be retained as such at all times while the window(s) exist(s).

To prevent overlooking.

The Committee considered representations in relation to this matter

Number: H/2010/0277

Applicant: Mrs Brenda Farrow
WAVERLEY TERRACE HARTLEPOOL

Agent: Mrs Brenda Farrow THE WOODCUTTER WAVERLEY
TERRACE HARTLEPOOL

Date received: 27/05/2010

Development: Erection of boundary fence to create beer garden

Location: THE WOODCUTTER WAVERLEY TERRACE
HARTLEPOOL

Representations: Mr Hartill (objector) was present and addressed the
Committee

Decision: **Deferred for additional information**

The Committee considered representations in relation to this matter

Number: H/2010/0250

Applicant: Euro Property Management
Mr Jon Whitfield 93 Park Road Hartlepool

Agent: Mr Jon Whitfield Euro Property Management Euro House
93 Park Road Hartlepool

Date received: 05/05/2010

Development: Change of use from A1 Retail to A5 Hot Food Takeaway

Location: 36A CATCOTE ROAD HARTLEPOOL

Representations: John Whitfield (applicant) was present and addressed the
Committee

Decision: **Planning Permission Approved**

CONDITIONS AND REASONS

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

2. The premises shall not operate outside the following times 10:30 to 23:00 on any day.
In the interests of the amenities of the occupants of neighbouring properties.
3. The use hereby approved shall not commence until there have been submitted to and approved in writing by the Local Planning Authority plans and details for ventilation filtration and fume extraction equipment to reduce cooking smells, and all approved items have been installed. Thereafter, the approved scheme shall be retained and used in accordance with the manufacturers instructions at all times whenever food is being cooked on the premises.
In the interests of the amenities of the occupants of neighbouring properties.
4. Unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of development details of the proposed internal layout of the premises shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
These details were not available at the time the application was submitted.
5. Servicing of the unit shall be restricted as follows:
1) Between 7am and 9pm daily from the rear service yard;
2) Between 5:30am and 7am from the approved car parking area
In the interests of the amenities of the occupants of neighbouring properties.
6. Any delivery of takeaway meals from the premises shall take place via the front entrance onto Catcote Road and not via the rear service yard.
In the interests of the amenities of the occupants of neighbouring properties.
7. The details and location of any additional external lighting proposed to that approved under the provisions of planning approval H/2008/0164, shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The scheme shall thereafter be implemented in accordance with the approved details and thereafter retained during the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of the amenities of the occupants of neighbouring properties and crime prevention.

The Committee considered representations in relation to this matter.

Number: H/2010/0339

Applicant: MR WMORGAN
WITTON LE WEARBISHOP AUCKLAND

Agent: MR W MORGAN WITTON HALL WITTON LE WEAR
BISHOP AUCKLAND

Date received: 24/05/2010

Development: Use of four 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

Location: 16, 19, 21 AND 22 SYLVAN MEWS THE WYND BILLINGHAM

Representations: Mr Morgan (applicant) was present and addressed the Committee

Decision: **1. Refused for the following reason**
2. Members declined to amend the legal agreement to allow for the general occupation of these units

REASONS FOR REFUSAL

1. It is considered that the use of four apartments for general occupation in such close proximity to other flats in the same block which are restricted to occupation by persons aged 55 years and over could if occupied by people with young families in particular result in additional noise and disturbance to the occupiers of those restricted flats to the detriment of their amenities contrary to policy GEP1 of the adopted Hartlepool Local Plan.

The Committee considered representations in relation to this matter.

Number: H/2010/0234

Applicant: Mr P Reed
Dalton Piercy Hartlepool

Agent: David Stovell & Millwater 5 Brentnall Centre Brentnall Street MIDDLESBROUGH

Date received: 21/05/2010

Development: Formation of two fishing ponds erection of six holiday chalets and reception building, associated works and access road

Location: ABBEY HILL FARM DALTON PIERCY ROAD DALTON PIERCY HARTLEPOOL

Representations: David Stovell (agent) was present and addressed the Committee

Decision: **Minded to APPROVE subject to no objections from outstanding consultations to the conditions listed below and any further conditions arising from outstanding consultation responses, the completion of an appropriate legal agreement limiting the occupation of the holiday chalets to tourist accommodation and the period of any stay but a final decision was delegated to the Development Control Manager (or substitute) in consultation with the Chair of the Committee.**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans (HL/10/002/22c, HL/10/002/41, Standard 07, HL/10/002/11, HL/10/002e) and details received by the Local Planning Authority at the time the application was made valid on 21st May 2010, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. The occupation of the residential accommodation hereby approved shall be restricted to tourist visitors. The residential accommodation shall not be occupied by any individual(s) as their main residence and shall not be occupied by any individual(s) for more than twenty eight days (whether cumulatively or continuously) in any six month period. The residential accommodation has been allowed as tourist accommodation its permanent occupation as a main residence would not be acceptable.
4. Unless otherwise agreed in writing with the Local Planning Authority the reception building hereby approved shall be used only as a reception office, wc, changing facility, sauna and shower for purposes ancillary to the use of the lakes/ponds and holiday chalets hereby approved and by persons visiting the site to use the lakes/ponds or staying at the holiday chalets. For the avoidance of doubt it shall not be used as a bar, public house, cafe, restaurant or other licenced premises.
For the avoidance of doubt and in the interests of the amenity of neighbouring properties.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the chalet(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 visual amenity of the area.
6. 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) or

other outbuildings 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 visual amenities of the area.

7. 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 chalets without the prior written consent of the Local Planning Authority.

To enable the Local Planning Authority to exercise control in the interests of the visual amenity of the area.

8. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

To prevent pollution of the water environment.

9. The area(s) indicated for car parking on the plans hereby approved shall be provided before the use of the site commences and thereafter be kept available for such use at all times during the lifetime of the development.

In the interests of the amenities of the occupants of neighbouring properties and highway safety.

10. A detailed scheme of landscaping and tree and shrub planting including pond/lake 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.

11. 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.

12. 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. Thereafter the development shall be carried out in accordance with the approved details.
In the interests of visual amenity.
13. The use hereby approved shall not commence until proposals for the storage of refuse within the site have been submitted to and approved in writing by the Local Planning Authority and all such approved details have been implemented.
In the interests of the amenities of the occupants of neighbouring properties.
14. 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. Thereafter the development shall be carried out in accordance with the approved details.
In the interests of visual amenity.
15. Details of all external lighting proposed shall be submitted to and approved in writing by the Local Planning Authority prior to its installation.
In the interests of the visual amenity of the area.
16. Notwithstanding the details submitted no development shall commence until a scheme for the disposal of surface water arising from the site, including where appropriate drainage design details, soakaway details measures to prevent contamination of the surface water and proposed flow rates, has been submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented and operational prior to the accommodation hereby approved being brought into use and shall be retained for the lifetime of the development.
In order to ensure that the proposals for the disposal of surface water are acceptable.
17. Notwithstanding the details submitted no development shall commence until a scheme for the disposal of foul water arising from the site has been submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented and operational prior to the accommodation hereby approved being brought into use and shall be retained for the lifetime of the development.
In order to ensure that the proposals for the disposal of foul water are acceptable.
18. Notwithstanding the details submitted unless otherwise agreed in writing with the Local Planning Authority the gradients of the banks of the lakes shall not exceed 1 in 3.
In the interests of safety.
19. No development shall take place until the proposed method to deal with any water overflow arising from the lakes/ponds has been submitted to and approved in writing with the Local Planning Authority. The details shall include, where appropriate, measures to attenuate the discharge to agreed levels, detailed drainage/soakway design, measures to prevent contamination and to prevent fish/invertebrates entering the

natural water course. The agreed measures shall be implemented at the time of development and thereafter shall be retained for the life time of the development.

In order to ensure that the proposals means to deal with overflow from the ponds/lakes are agreed and in place and to ensure that the health and biodiversity of adjacent water courses are not unduly affected.

20. Prior to their installation details of the surfacing of all tracks or hardstandings shall be submitted to and approved in writing by the Local Planning Authority. The tracks and hardstandings thereafter installed shall be in accordance with the details so approved.
In the interests of visual amenity.
21. Vehicular access to the site shall be taken only from the access point to the north west corner of the site as indicated on the approved site plan. In the interests of highway safety and the amenity of neighbouring residents.
22. Prior to any part of the site being brought into operation for the approved uses three parking spaces suitable for persons with disabilities shall be provided within the proposed car parking area in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. The spaces shall thereafter be retained as approved for the lifetime of the development.
In order to ensure provision is made for persons with disabilities.
23. Prior to the commencement of development a scheme of secured by design measures shall be submitted to and approved in writing by the Local Planning Authority. The measures so approved shall be implemented prior to the occupation of any of the chalets hereby approved and retained for the life time of the development.
In the interests of crime prevention.
24. Unless otherwise agreed in writing prior any of the uses hereby approved on the site coming into operation a scheme to enhance the wildlife potential of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include proposed measures and a timetable for their implementation. It shall be implemented in accordance with the agreed timetable and thereafter maintained for the lifetime of the development.
In the interests of enhancing and maintaining the biodiversity of the site.
25. Notwithstanding the submitted details no development shall commence until final details of how the lakes/ponds are to be filled have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
To ensure a satisfactory form of development.

The Committee considered representations in relation to this matter.

Number: H/2010/0375

Applicant: Mrs OCalvert
DALTON PIERCY ROAD DALTON
PIERCYHARTLEPOOL

Agent: Mrs O Calvert FOX COVERT THREE GATES FARM
DALTON PIERCY ROAD DALTON PIERCY
HARTLEPOOL

Date received: 14/06/2010

Development: Erection of a detached bungalow

Location: FOX COVERT THREE GATES DALTON PIERCY
ROAD DALTON PIERCY HARTLEPOOL

Decision: **Minded to APPROVE subject to the consideration of outstanding consultation responses/discussions, subject to the following conditions and any conditions arising from outstanding consultation responses and subject to the completion of a legal agreement restricting the occupation of the dwellinghouse to an employee of the equestrian/livery business on the site however the final decision was delegated to the Development Control Manager (or his substitute) in consultation with the Chair of the Planning Committee**

CONDITIONS AND REASONS OR REASONS FOR REFUSAL

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 (Existing Site Plan, Proposed Site Plan and the plans showing elevations and floor plans of dwellinghouse) and details received by the Local Planning Authority on 14th June 2010, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. The occupation of the dwelling(s) hereby approved shall be limited to a person solely or mainly, or last employed prior to retirement, in the commercial equestrian/livery business located on the holding (Fox Covert), or a dependent of such a person residing with him or her, or a widow or widower of such a person.
The site of the proposed dwelling(s) is in an area where the Local Planning Authority considers that the new housing should only be

- allowed where it is essential in the interests of agriculture or forestry, unless exceptional circumstances prevail.
4. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose. Thereafter the development shall be carried out in accordance with the approved details.
In the interests of visual amenity.
5. 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. Thereafter the development shall be carried out in accordance with the approved details.
In the interests of visual amenity.
6. 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.
7. 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.
8. Notwithstanding the details submitted prior to the commencement of development details of the proposed methods for the disposal of foul and surface water arising from the site shall be submitted to and approved in writing with the Local Planning Authority. The development shall thereafter proceed in accordance with the details so approved.
To prevent pollution of the water environment.
9. 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.
10. 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)/outbuildings 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.

11. The curtilage of the bungalow hereby approved as shown on plan Proposed Site Plan received by the Local Planning Authority on 14 June 2010 shall be clearly designated on site in a manner to be first agreed in writing by the Local Planning Authority. Thereafter the scheme for the identification of the curtilage shall be retained for the lifetime of the development and the curtilage shall not be extended without the prior written consent of the Local Planning Authority. To limit the extent of the residential use in the interests of the visual amenities of the area.

Number:	H/2010/0390
Applicant:	Mr Peter McIntosh Hartlepool Borough Council Schools Transformation Team The Borough Hall Hartlepool
Agent:	England & Lyle Mr Steven Longstaff Morton House Morton Road Darlington
Date received:	21/06/2010
Development:	Erection of floodlights to multi use games area
Location:	DYKE HOUSE SECONDARY SCHOOL MAPLETON ROAD HARTLEPOOL
Decision:	Approved

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
 2. The development hereby permitted shall be carried out in accordance with the plans (PL-DHS-E-001 and PL-DHS-A-022) received on the 21st July 2010 and details received by the Local Planning Authority on 18th and 21st June 2010, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
 3. The floodlights shall only operate between the hours of 9am and 9pm and at no time outside of these hours.
In the interests of the amenities of the occupants of neighbouring properties.
-

- 16 Appeal Ref APP/H0724/A/10/2124360/NWF: H/2009/0671 Formation of new access road and associated works. Crows Meadow Farm, Dalton Back Lane, Hartlepool** *(Director of Regeneration and Neighbourhoods)*

Members were advised that the above appeal had been dismissed as the Inspector had concluded that the proposal would have a detrimental effect on the character and appearance of the countryside. A claim by the appellant for costs was also dismissed. A copy of the decision letter was attached to the report for members' attention.

Decision

That the outcome of the appeal be noted

- 17 Appeal by Michelle Liddle Appeal Ref: APP/H0724/D/09/2126463 Site at: 273 Stockton Road, Hartlepool, TS25 5AZ** *(Director of Regeneration and Neighbourhoods)*

Members were advised that the above appeal had been dismissed. A copy of the decision letter was attached to the report for members' attention.

Decision

That the decision be noted

- 18 Appeal Ref: APP/H0724/D/10/2131140 H/2010/0007 Erection of a Rear Single Storey Extension to Provide Garden Room, Bathroom and Lobby 35 The Green, Elwick, Hartlepool TS27 3EF** *(Director of Regeneration and Neighbourhoods)*

Members were advised that a planning appeal had been lodged against the refusal of the Local Planning Authority to grant planning permission for the erection of a rear single storey extension to provide garden room, bathroom and lobby at the above address. The appeal was to be determined by written representations and Members' authority was requested to contest the appeal.

Decision

That authority be given to officers to contest the appeal

19 Appeal by Mrs Allison Willis Appeal Ref: APP/H0724/D/09/2131143 Site at 15 Warwick Grove, Hartlepool TS26 9ND *(Director of Regeneration and Neighbourhoods)*

Members were advised that a planning appeal had been lodged against the refusal of Hartlepool Borough Council to allow the erection of a 2 storey extension at the side to provide garage and utility with bedroom and ensuite above. The appeal was to be determined by written representations and Members' authority was requested to contest the appeal.

Decision

That authority be given to officers to contest the appeal

20 Appeal by: Mr Pennick Appeal Ref No: APP/H0724/H/10/2123858 Site at: Tail End Fisheries, Church Street, Seaton Carew, Hartlepool TS25 1BX *(Director of Regeneration and Neighbourhoods)*

A planning appeal had been lodged against the refusal of Hartlepool Borough Council to allow Advertisement consent for the retention of an advertisement board for Trinity House on unrelated premises in Seaton Carew. Members were advised that this appeal had been dismissed as the Inspector had concluded that the sign was detrimental to the visual amenity of the area, having regard to the location of the site within the Seaton Conservation Area. A copy of the decision letter was attached to the report for members' attention.

In light of this decision and the fact that the application was for the retention of an existing sign officers would contact the developer to seek the removal of the advertisement. Should this fail members were asked to authorise the Chief Solicitor and Development Control Manager to use any powers necessary to secure its removal.

Decision

That authority be given to the Chief Solicitor and Development Control Manager to use any powers necessary to serve the removal of the advertisement should negotiations fail to secure its removal by agreement in the first instance.

21 Update on Current Complaints *(Director of Regeneration and Neighbourhoods)*

The Development Control Manager drew members' attention to 18 ongoing issues currently being investigated. Members requested updated information on the following items:

- A neighbour complaint regarding a change of use from commercial to residential of a property on Lowthian Road
- A neighbour complaint regarding a planning condition breach inhibiting the age of tenants occupying apartments on Wynyard
- A neighbour complaint regarding a bouncy castle hire, lawnmower service and repair business operating from a residential property on Nightingale Close

Decision

That the report be noted

22 Monitoring the Marad Contract Able UK Ltd, Graythorp *(Director of Regeneration and Neighbourhoods)*

The Development Control Manager updated the committee on the results of ongoing environmental inspections of the Marad contract at the Able UK site, Graythorp. A report by Scott Wilson Ltd, approved Environment Inspector for the Marad contract had been submitted to the previous Planning Committee meeting. At the same meeting a letter of objection from the Friends of Hartlepool had been tabled raising a number of issues. A copy of this letter and subsequent reply from Scott Wilson was provided for members' attention, along with a copy of the original monitoring report.

Members raised concerns regarding the membership and constitution of Friends of Hartlepool. The Development Control Manager commented that planning officers were duty bound to investigate any issues raised by the public however he was comfortable with the amount of monitoring which was being undertaken by Scott Wilson and that the appropriate measures had been put in place to deal with potential accidents. Members requested that the Solicitor write to the individuals who had been corresponding on behalf of Friends of Hartlepool requesting a complete membership list.

Decision

That the report be noted

That the Solicitor write to Jean Kennedy and Iris Ryder requesting a complete membership list for the Friends of Hartlepool.

23 Any Other Business - Government Advice on Planning Matters *(Director of Regeneration and Neighbourhoods)*

Members were advised that confirmation on the abolition of regional strategies had been received from the Department of Communities and Local Government. A copy of the letter and supporting advice was attached for members attention.

Decision

That the report be noted

24 Any Other Business – Advice to Members

The Solicitor referred to a discussion at the previous meeting about predetermination. He explained that predetermination occurred where a member's mind was closed to the merit of any argument while predisposition meant that while the member had a viewpoint they still had an open mind and could be persuaded by arguments for or against. A Councillor highlighted the need to talk to constituents about planning matters saying the implication that Planning Committee members were unable to discuss anything relating to planning applications was flawed. Only through discussion could a viewpoint be formed so long as no opinions were expressed on the part of the member. The Development Control Manager referred to Councillor Lilley's decision to absent himself from a decision earlier in the meeting as a clear example of the appropriate way for members to conduct themselves.

Decision

That the comments of the Solicitor be noted

25 Local Government (Access to Information) (Variation Order) 2006

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

Minute 26 – Complaints File to be closed – Director of Regeneration and Neighbourhoods (Para 6 – namely information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 27 – Enforcement Action – 5 Mayflower Close – Director of Regeneration and Neighbourhoods (Para 5 – namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and para 6 – namely information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 28 – Any Other Business - Summerhill/Marina – Tall Ships

Event – (Para 5 – namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

Minute 29 – Any Other Business - Middle Warren Neighbourhood Park – (Para 3 - namely information relating to the financial or business affairs of any particular person (including the authority holding that information)

Minute 30 – Any Other Business - Niramax – RDF Plant Breach of Condition – (Para 6 – namely information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 31 – Any Other Business - Niramax – Letter from Public Interest Lawyers Limited – (Para 5 – namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

26 Complaints File to be closed – *Director of Regeneration and Neighbourhoods* (Para 6 – namely information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Members' approval was sought to close 3 outstanding complaint files details of which were set out in the exempt section of the minutes.

Decision

That the case files referred to be closed and no further action be taken.

27 Enforcement Action – 5 Mayflower Close – *Director of Regeneration and Neighbourhoods* (Para 5 – namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and para 6 – namely information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

The Development Control Manager presented a report which sought Members approval to enforcement action should this be required in respect of 5 Mayflower Close

Decision

Detailed in the exempt section of the minutes

28 Any Other Business - Summerhill/Marina – Tall Ships Event – (Para 5 – namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

The Principal Planning Officer advised Members of a planning permission request which had been received relating to the Tall Ships event. Details are provided in the exempt section of the minutes

Decision

Detailed in the exempt section of the minutes

29 Any Other Business - Middle Warren Neighbourhood Park – (Para 3 - namely information relating to the financial or business affairs of any particular person (including the authority holding that information))

The Principal Planning Officer sought Members agreement in principle to proposals in relation to the neighbourhood park at Middle Warren. Details are provided in the exempt section of the minutes.

Decision

That Member approval be given to the proposals in principle.

30 Any Other Business - Niramax – RDF Plant Breach of Condition – (Para 6 – namely information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment)

The Development Control Manager outlined details of a possible breach of condition relating to the Niramax RDF Plant. Details are provided in the exempt section of the minutes.

Decision

Detailed in the exempt section of the minutes

31 Any Other Business - Niramax – Letter from Public Interest Lawyers Limited – (Para 5 – namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

The Development Control Manager advised members of correspondence

from Public Interest Lawyers Ltd. Details are provided in the exempt section of the minutes.

Decision

That the update be noted

The meeting returned to open session

32 Any Other Business – Development Control Manager

The Chair advised Members that the Development Control Manager would be leaving the Authority on 31st August and this was therefore his penultimate meeting. He paid tribute to his work during his tenure with the Council, particularly his fair-minded user friendly approach and ability to give direct answers to direct questions. Members expressed a wish that his successor have similar qualities. The Development Control Manager thanked Members for their comments.

The meeting concluded at 1.15 p.m.

CHAIR

No: 1
Number: H/2010/0277
Applicant: Mrs Brenda Farrow WAVERLEY TERRACE
HARTLEPOOL TS25 5ND
Agent: Mrs Brenda Farrow THE WOODCUTTER WAVERLEY
TERRACE HARTLEPOOL TS25 5ND
Date valid: 27/05/2010
Development: Erection of boundary fence to create beer garden
Location: THE WOODCUTTER WAVERLEY TERRACE
HARTLEPOOL

Update

1.1 Members will recall that this application was deferred at the last meeting for further discussions to take place regarding the siting and design of the proposed boundary fence.

1.2 Discussions have now taken place with the applicant who wishes the scheme to be considered as submitted at the last planning committee i.e. 1.525m in height, set back 1m from the back of footpath with landscaping between the fence and the footpath.

1.3 It should be noted that under permitted development rights, a fence up to 1m in height can be erected at the back of the footpath without planning consent.

1.4 The original report is reproduced below with the recommendation for approval subject to the proposed conditions.

The Application and Site

1.5 The application site is the Woodcutter Public House located on the east side of Kingsley Avenue just to the north of the Rift House Recreation Ground.

1.6 There is housing immediately to the east and north of the site with Kingsley Primary School and housing to the west.

1.7 The building, which has a car park to the north, has a fenced yard to the rear and an open grassed area to the front and side. This area is currently used as a beer garden.

1.8 The proposal involves the erection of a timber post and rail fence around the edge of this grassed area. The fence would be 1.525m in height (4'11") and be sited in an L-shape to the back of the public footpath on Kingsley Avenue and along the emergency access lane (bollarded) which links Waverley Terrace to Kingsley Avenue.

1.9 The fence will provide screening for the area currently in use for outside drinking. It should be noted that this use as an outside drinking area does not need planning consent.

Publicity

1.10 The application has been advertised by way of site notice and letters to neighbours (12). To date there have been 3 letters of no objection and 3 letters of objection.

The concerns raised are:

- a) additional noise outside
- b) increase in litter and empty bottles/broken glass
- c) external doors are left open to allow the outside to hear music
- d) the structure will be an eyesore
- e) the gap left between the fence and neighbours property will allow rubbish to be dumped and for 'yob element' to hide behind
- f) noise will greatly effect neighbours when relaxing in gardens
- g) concerns re shouting and foul language

The period for publicity has expired before the meeting.

Copy letters A

Consultations

1.11 The following consultation replies have been received:

Public Protection – no objections

Traffic and Transport – no objections

Planning Policy

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

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

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

1.13 The main considerations in this instance are the appropriateness of the development in terms of the policies and proposals contained within the adopted Hartlepool Local Plan 2006, the impact of the development on neighbouring properties and the street scene in terms of visual amenity and on highway safety.

1.14 As the use of the land does not require planning consent and no change of use is involved, the issues in this case, revolve around the visual amenities of the fence itself in terms of siting and design, and its impact on highway safety.

1.15 The Highway Engineer has in this case offered no objections in terms of highway safety.

1.16 Whilst the objections revolve around the use of the grassed area as a beer garden and problems with noise, disturbance and litter, the application is only for the erection of a fence around the existing 'beer garden'. Whilst it is acknowledged that outside drinking areas, particularly in good weather, can cause problems with noise and disturbance to residential properties, these are issues that can and should be dealt with under Public Health Legislation.

1.17 One comment from the occupier of 73 Waverley Terrace does relate to the fence and its impact on the street scene in terms of visual amenity and its potential for attracting 'yobs'. 73 Waverley Terrace shares its side boundary with the public house and the new fence would be approximately 28m to the west of the front garden of this house. A fairly large triangular area of grass between the pub, the new fence and Waverley Terrace would be left open.

1.18 Notwithstanding this, there is no evidence to suggest that this unfenced area would lead to misuse; particularly as the main windows of the pub directly overlook this piece of land.

1.19 After further discussions, the applicant has agreed that the fence would be set back one metre from the back of the footpath on Kingsley Avenue and the restricted access road to the south of the site.

1.20 The strip of land outside the fence will be planted with appropriate plants/shrubs, which would help to soften the impact of the new fence on the visual amenities of the area.

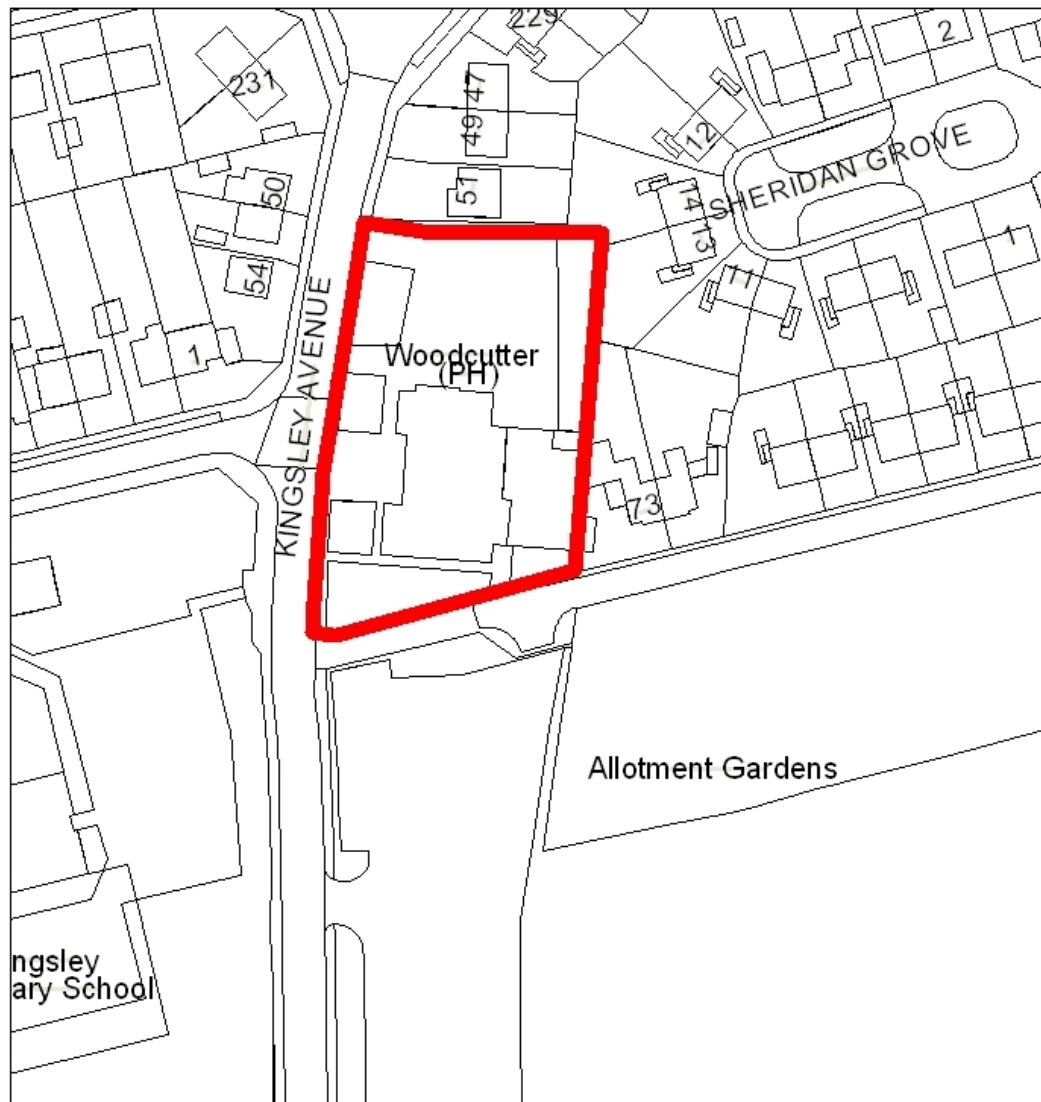
1.21 It should be noted that a fence up to 2m in height could be erected if set back 2m from the back of the footpath.

1.22 In view of the applicants willingness to amend the plans it is considered that it would be difficult to sustain an objection to an amended scheme and approval is therefore recommended.

RECOMMENDATION - APPROVE

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. No development shall commence until a detailed scheme for the resiting of the fence and scheme for planting has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme of planting shall be implemented in the first planting season following completion of the development.
In the interests of visual amenity.
3. The landscaped area shall be retained at all times while the fence exists.
In the interests of visual amenity.
4. The fence and posts shall be set back one metre from the footpath and restricted access lane to the south, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
5. Unless otherwise agreed in writing by the Local Planning Authority the fence shall be painted/stained in a colour to be agreed by the Local Planning Authority within two months of the date of approval.
In the interests of visual amenity.

WOODCUTTER PH



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 05/07/11
	SCALE 1:1000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2010/0277	REV

No: 2
Number: H/2010/0346
Applicant: Mr R TAYLOR 43 RUSWARP GROVE SEATON CAREW
HARTLEPOOL TS25 2BA
Agent: SJR ARCHITECTS Mr RICHARD STOREY SUITE 101,
THE INNOVATION CENTRE VENTURE COURT
QUEENS MEADOW BUSINESS PARK HARTLEPOOL
TS25 5TG
Date valid: 26/05/2010
Development: Erection of a two storey extension to side to provide
garage with master bedroom, dressing room and en suite
and erection of a single storey extension at side/rear to
provide lounge, dining room, kitchen, utility and store
extension and provision of canopy to front (resubmitted
application)
Location: 43 RUSWARP GROVE HARTLEPOOL

The Application and Site

2.1 The site to which this application relates to is a two-storey detached property with an attached single storey garage to the side. The property has gardens to the front, side and rear and is located in Ruswarp Grove, a predominately residential area.

2.2 The application proposes the erection of a two storey extension to the side to provide garage with master bedroom, dressing room and en-suite above and the erection of a single storey extension at side/rear to provide lounge, dining room, kitchen, utility and store as well as the provision of a canopy to the front. The dimensions of the proposed works are as follows:

Two Storey Side Extension

2.3 This element of the proposed development will project a maximum of 4.4m from the side of the original dwelling house at a depth of approximately 7m measures from the front wall of the original dwellinghouse. The roof will measure 5.2m at the eaves with a maximum height of approximately 7.15m tying into the ridge of the original roof.

Canopy to Front Elevation

2.4 The proposed canopy forms part of the two storey extension and extends along the existing front wall of the main dwellinghouse at a width of approximately 8.5m before forming the roof of the single storey side and rear extension which is also proposed.

Single Storey Side and Rear Extension

2.5 This element of the proposed works wraps around the side and rear elevations of the dwellinghouse. The proposed works will involve the demolition of an existing garage to the side. The side extension will project a maximum of 2.55m from the side wall extending the full depth of the original dwellinghouse. The rear lounge and dining room extension extends a maximum of approximately 4.05m from the rear of the property at a width of approximately 8.8m. The lounge element of the works however only extends 2.5m from the rear wall.

2.6 This is a resubmitted application. The original application was withdrawn following concerns raised by the planning officer. The resubmission however is the same proposal as the application which was previously withdrawn.

Publicity

2.7 The application has been advertised by way of neighbour letters (9). To date, there have been five responses received. Three letters of which are objections.

2.8 The concerns raised are:

1. The development will appear unduly large and out of keeping with neighbouring property.
2. If the extension has clear glazed windows on the side our property (6 Tees Road) will be extremely overlooked. We do not object to obscured glazing.

The owner/occupier of 133 Elizabeth Way has submitted the following objections:

1. Completely block the view from my (north facing) lounge window,
2. Significantly reduce the amount of light that I currently enjoy through that window
3. Affect my privacy in that the second floor window in the extension will overlook my house and garden
4. Size and intrusive nature extension will cause
5. Purchased house as it is not overlooking by an surrounding properties
6. The architect states that there is a distance of 14.13m between the rear of my house and the proposed extension. This is not the case as I have measured this myself and the distance is 12.6m
7. Problems for residents gaining access and parking whilst building work is carried out.
8. Side extension may undermine the foundations of garage, which will also need to be maintained.

The period for publicity has expired.

Copy Letters C

Consultations

2.9 The following consultation reply has been received:

Traffic and Transportation – There are no highway or traffic concerns

Planning Policy

2.10 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.

Hsg10: Sets out the criteria for the approval of alterations and extensions to residential properties and states that proposals not in accordance with guidelines will not be approved.

Planning Considerations

2.11 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Hartlepool Local Plan and in particular the potential for loss of amenity of the occupants of neighbouring properties in terms of possible overlooking, overshadowing and/or poor outlook. Also necessary to be assessed will be the appearance of the proposals in relation to the existing dwellinghouse and, more generally the character of the streetscene.

2.12 Concerns have been raised stating that the proposed development is unduly large and out of keeping, will impact upon views, affect outlook and privacy and the amount of light entering rear rooms.

2.13 To the rear of the application site is the neighbouring property of 133 Elizabeth Way, a substantial detached bungalow. The agent for the application has submitted information suggesting that the distance between the rear wall of the bungalow and the proposed two storey extension will be approximately 14.13m. The occupant of 133 Elizabeth Way suggests that the distance suggested is inaccurate and the separation distance is actually 12.6m.

2.14 The relationship of the neighbouring property 133 Elizabeth Way to the application site is such that the separation distances between the rear lounge window of the bungalow and the two storey extension will be approximately 14m. This distance will be substantially reduced at ground floor level given the single storey works to the rear, although set at an angle from the rear window of No.133 and screened by way of an approximately 1.8m high close boarded fence. Whilst it is acknowledged that the windows proposed in the rear elevation at first floor level of the proposed two storey extension will serve an en-suite and dressing room and are proposed to be obscurely glazed the relationship is considered extremely tight and

there are significant concerns regarding the relationship between the proposed development and 133 Elizabeth Way.

2.15 Supplementary Note 4, guideline 7 of the Hartlepool Local Plan 2006 (Separation Distances) states that:

In new housing development, the council seeks to ensure adequate space is provided between houses. Minimum separation distances of 20m where principal elevations face one another or 10m where a blank gable wall would face the front or back of a property are normally required. Extensions that would significantly reduce the separation distances between properties will not normally be permitted.

2.16 With regard to the above the case officer accepts that Government Guidance can be interpreted to allow a smaller separation distance in certain circumstances under Permitted Development Rights. However, it is prudent to assess each case on its own merits and given the site characteristics associated with the proposed development and the neighbouring properties, in particular 133 Elizabeth Way which is a bungalow it is considered that the separation distance are restricted.

2.17 It is considered that given the proximity of the proposed two-storey extension to the windows of the rear elevation of 133 Elizabeth Way, the majority considered primary in nature, it is anticipated that the scale and massing of the proposal and its close physical proximity is likely to lead to a detrimental dominance effect upon the outlook and therefore the living conditions currently enjoyed by the occupants of the aforementioned property both from within the building and rear garden areas. The proposal will affect the outlook from the windows of the majority of rooms in the rear elevation of 133 Elizabeth Way, with regard to the concerns raised regarding daylight the case officer does not necessarily agree that the proposed extension would significantly affect the amount of daylight entering the rear rooms. There will be an impact however it is not thought that this would be of a level to substantiate reasons for refusal. It is considered that the fundamental consideration with regard to the application is the dominance impact the proposal would create.

2.18 The occupant of 6 Tees Road has raised objections to the proposed two storey extension but only if windows are proposed in the side elevation. As no windows are proposed it is considered the concerns from the occupant have been answered.

2.19 With regard to the comments from 133 Elizabeth Way regarding the potential impact upon the foundations of his garage and general maintenance of the garage this is considered to be a civil issues and not a material planning consideration as such. The aforementioned objector has also raised concerns during any construction of the proposal regarding access and parking. This is again considered to be a civil matter. Notwithstanding this, the Council's Traffic and Transportation Department have raised no objections to the works.

2.20 It is for this reasons outlined above that the extension does not accord with policies GEP1 and Hsg10 of the adopted Hartlepool Local Plan.

2.21 It is not considered that the proposed development would unduly affect the amenity of the remaining residential properties in the vicinity.

Streetscene

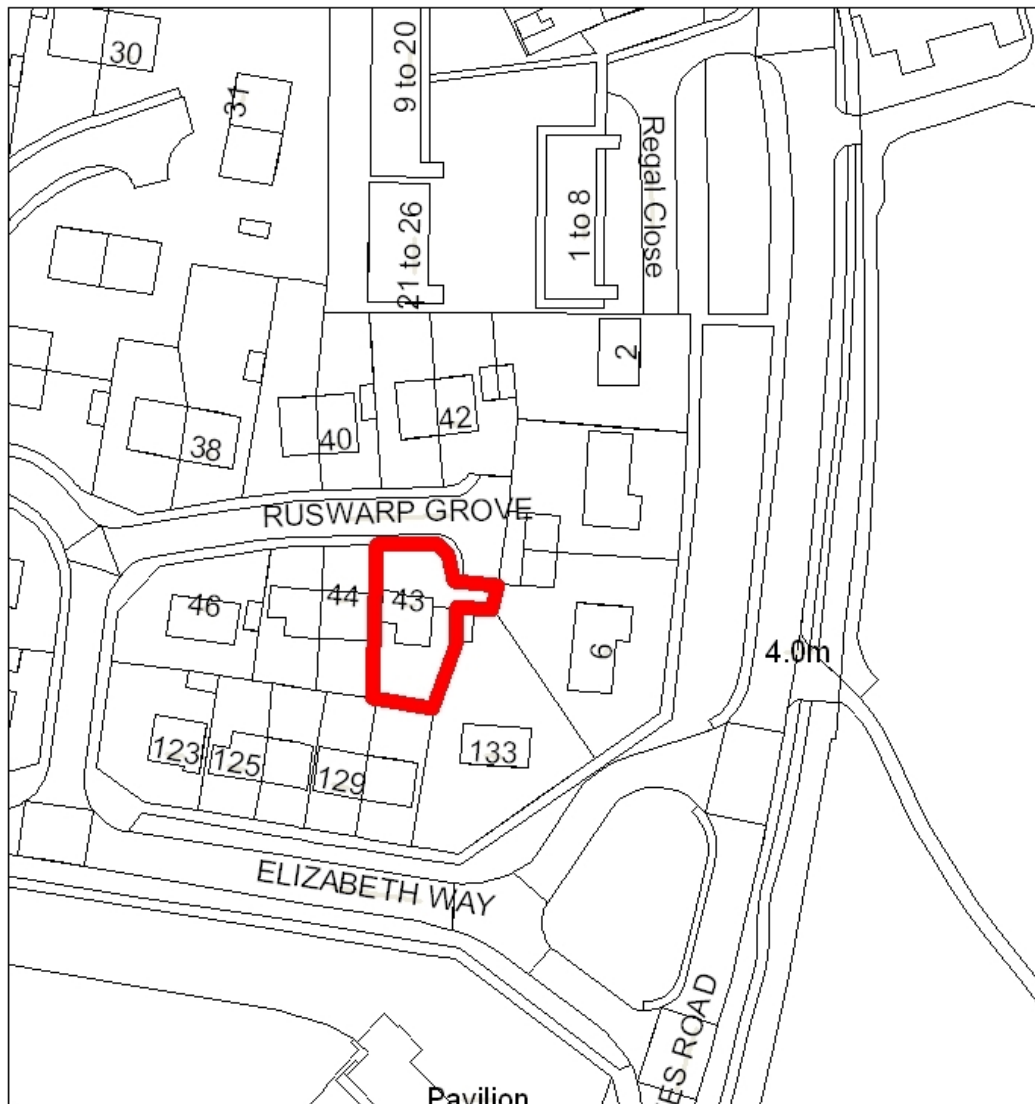
2.22 The majority of the proposal will be visible from the public highway to the side and front of the property. It is unlikely that it would appear unduly large or incongruous upon the streetscene as a result of the development.

Conclusion

2.23 Having regard to the policies identified in the Hartlepool Local Plan 2006 It is considered that the proposed two-storey side extension, by virtue of its siting, design and scale would have a detrimental and overbearing effect upon the outlook currently enjoyed by the neighbouring property of 133 Elizabeth Way. Moreover, given the restricted separation distances associated with the proposed extension and 133 Elizabeth Way it is considered that there is potential for detrimental dominance issues to be created to the detriment of the amenity of the occupants of 133 Elizabeth Way contrary to policies GEP 1 and HSG10 of the adopted Hartlepool Local Plan 2006.

RECOMMENDATION – REFUSE for the following reason

1. Given the relationship and separation distances associated with the proposed two storey side extension and the neighbouring property of 133 Elizabeth Way it is considered that the proposed side extension, by virtue of its siting, design and scale would appear unduly large and overbearing upon the outlook currently enjoyed by the neighbouring property all to the detriment of the amenity of the occupants contrary to policies GEP 1 and Hsg10 of the adopted Hartlepool Local Plan 2006.

**43 RUSWARP GROVE**

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 02/08/10
	SCALE 1:1000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2010/0346	REV

No: 3
Number: H/2010/0409
Applicant: VODAFONE LIMITED THE CONNECTION NEWBURY
 BERKSHIRE RG14 2FN
Agent: Lambert Smith Hampton Mr Marcus Richman 79
 MOSLEY STREET MANCHESTER M2 3LG
Date valid: 02/07/2010
Development: To determine whether the prior approval of the Local
 Planning Authority is required to the siting and
 appearance of a replacement of 12.5m monopole housing
 6 antennae, installation of 1 No. equipment cabinet and
 ancillary works
Location: LAND OPPOSITE ALDI FOODSTORE LTD HART LANE
 HARTLEPOOL HARTLEPOOL

The Application and Site

3.1 The application is for the removal of the existing 12.5m column housing 3 shrouded antennae, to be replaced with a new dual user column with 6 shrouded antennas (3 for O2 and 3 for Vodafone), and the provision of an additional small equipment cabinet and ancillary works. The replacement column is proposed to be located in the same position as that of the existing. The new equipment cabinets dimensions are 380mmx158mmx1350mm. The antennas within the new structure will be concealed within a cylindrical shroud measuring approximately 480mm in diameter. Below the shroud at a height of approximately 10m above ground level the diameter of the column tapers and is reduced to approximately 325mm and maintained at this width throughout the rest of the column.

3.2 The site to which this permission relates is located north of West Park and southeast of High Throston. The application site and existing O2 station is located on a grass verge opposite the Aldi Superstore on Hart Road, adjacent to a roundabout leading to Dunston Road. Open grassed areas and trees are located to the north which assists in screening the development from housing further north. Aldi and its car park is located to the southwest. Residential properties are located to the south, the roundabout and road verges, and gradient of the land provide helps to provide a buffer between the installation and the aforementioned properties.

3.3 The application has been submitted under the provisions of Schedule 2 Part 24 of the Town and Country Planning (General Permitted Development) Order 2001 (amended). Accordingly, the Borough Council is required to determine the application within 56 days of its submission. The application was received on 2 July 2010 and a decision is required to be made no later than 26 August 2010 or the proposed development can proceed regardless.

Publicity

3.4 The application has been advertised by way of neighbour letters (66) and site notice. To date, there have been 14 responses received, 11 letters of objection.

3.5 The concerns raised are:

1. Out of keeping
2. This is a residential area and 6 antennae will be unsightly
3. Effect on TV signal
4. Health and safety implications
5. Phone masts should not be sited in residential areas
6. Unsuitable location
7. This is a pleasant residential area that has been forced to suffer business and commercial change
8. Oversized and be a blot on the landscape
9. It will be unduly Large
10. The antennae and the electrical cabinet is too close to the main road, in the event of a road accident there is a possibility of electrical danger to the public
11. An eye sore in a built up area and should be built in a more appropriate position.
12. Application is far too close to housing
13. Unsightly
14. Against residents wishes
15. More appropriate locations
16. Affect on house prices

3.6 The period for publicity expires after the committee (18/08/2010), should any further representations be received prior to the Planning Committee these will be reported accordingly.

Copy Letters D

Consultations

3.7 The following consultation replies have been received:

Traffic and Transportation – There are no highway or traffic concerns, the adjacent road is subject to a 30mph restriction, therefore a safety barrier would not be required to protect the apparatus.

Cleveland Police – Concerns raised regarding the theft of cables

Public Protection – No objections

Community Safety – No objections

Planning Policy

3.8 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.

PU8 is now superseded by PPG 8 (Telecommunications) and is a material consideration.

There are no planning policy objections.

Planning Considerations

3.9 The application is to determine whether the prior approval of the Local Planning Authority is required for the siting and appearance of the development. The main planning issues is considered to be the effect of the siting and appearance of the proposal on the character and appearance of its surroundings and the general amenity of the area as well as highway safety implications and any other matters arising.

3.10 Factors which need to be considered within the remit of this application are the appearance of the mast and apparatus, including colour, design and materials. Factors concerning siting include:

- the height of the site in relation to surrounding land;
- the existence of topographical features and natural vegetation;
- the effect on the skyline or horizon;
- the site when observed from any side, including from outside the authority's own area;
- the site in relation to areas designated for their scenic or conservation value;
- the site in relation to existing masts, structures or buildings, including buildings of
- a historical or traditional character;
- the site in relation to residential property; and
- any other relevant considerations.

Supporting Documentation

3.11 The proposals seek to upgrade the equipment which is currently in situ. A replacement pole is required as the existing installation is of insufficient structural capability to accommodate the required antennas to enable mast sharing. The proposed column will house both Vodafone and O2's 3G antennas.

3.12 The site has been selected as it is the applicants strategy to keep the overall environmental impact to a minimum. Mast sharing is progressed where it is possible. It is considered that Vodafone and O2 utilising an existing site is preferable to pursuing a second mast within the immediate area, as it would reduce the visual impact. This premise is in line with guidance outlined within PPG8:

In order to limit visual intrusion the Government attaches considerable importance to keeping the numbers of radio telecommunications masts, and of the sites for such installations to a minimum consistent with the efficient operation of the network. The sharing of masts and sites is strongly encouraged where that represents the optimum environmental solution.

Health and Safety

3.13 Planning Policy Guidance (PPG) Note 8 Telecommunications offers guidance on matters relating to health and safety considering mobile phone masts. The guidance was compiled following the publication of the Stewart Report, an independent report on mobile phones and health. The evidence indicated that there is no general risk to the health of people living near to base stations.

3.14 Planning Policy Guidance Eight (PPG8) – Telecommunications, outlines the Government's stance that the planning system is not in place for determining health safeguards:

"It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base stations meets ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health and safety aspects and concerns about them".

3.15 The applicants have submitted a certificate to confirm that the proposal will operate within ICNIRP guidelines. It is acknowledged that health related matters are a material consideration however given that an ICNIRP certificate has been submitted it is considered that it would be difficult to substantiate any objection to the proposal on health grounds.

Visual Amenity

3.16 It is imperative that telecommunications development is carried out in a way which keeps environmental, residential and visual intrusion to a minimum.

3.17 The replacement mast and associated equipment is to be located on a wide grassed verge opposite Aldi on Hart Lane, adjacent to a roundabout leading to Dunston Road. The immediate area consists of existing vertical street furniture.

Due to the location of the mast in the streetscene and its design in respect of the existing monopole it is considered that the visual impact of the replacement works and cabinet is unlikely to be significant. It is considered prudent to outline that it is understood that the proposed column is the thinnest possible to enable mast sharing and the replacement pole is the same height as that of the existing. The plans show that the appearance of the new pole is only slightly different to the existing.

3.18 It should be acknowledged that the existing mast was refused by Members of the Planning Committee in 2005. The applicant appealed and the mast was subsequently allowed. The Inspector considered issues including impact on the streetscene and residential properties. The Inspector concluded that the mast in this location would not have an unacceptable visual impact and would not unacceptably ham the street scene by reason of its siting, height or design.

3.19 The closest residential properties are located in excess of approximately 50m away from the site. Given this relationship it is not considered that the proposal will directly appear overly dominant from the outlook of the residential properties in the vicinity. It is envisaged that the monopole will become assimilated into the surrounding area and will not appear incongruous within the streetscene.

3.20 It is not considered that the replacement mast would dominate views from the surrounding premises both residential and commercial and its location is not considered to be inappropriate, it is not considered that the replacement pole would appear out of character or overly prominent in context with the existing environment and will not be visually intrusive it would be difficult to substantiate any objection to the proposed replacement on visual grounds and its proximity to residential housing.

Highway Safety

3.21 The Head of Traffic and Transportation has raised no highway or traffic concerns. An objection has been received citing concerns regarding the potential accident which could be caused due to the location of the mast next to the road. The Council's Traffic and Transportation Technician has stated that as the road has a 30mph restriction a safety barrier is not required to protect the apparatus. It should also be acknowledged that this is a replacement mast in the same location as the existing equipment.

Other Matters

3.22 Comments have been raised regarding the potential impact on television signals. Monopoles causing an impact on television signals are a material planning consideration. Planning Policy Guidance 8 (PPG8) states that "In most situations, therefore, questions of potential interference are of no relevance to the determination of planning applications for masts or antennas needed to operate a transmitter" the guidance continues to state "If the development has yet to take place but potential interference is causing genuine local concern, one or other of the parties may wish to seek the help of experts to assess the likelihood and degree of interference, but authorities should not seek out such problems for critical examination unnecessarily" it explains further that "It is unlikely that refusal of planning permission would be justified on the grounds of radio interference from a transmitter or non radio

equipment alone except in extreme cases". It is considered prudent with regard to the comments made that should interference occur following the installation of the mast, domestic viewers and listeners can request an interference investigation from the Radiocommunications Agency, which is responsible for enforcing the legislation on radio interference.

3.23 The Head of Community Safety has raised no objections with regard to the proposed development.

3.24 Cleveland Police have raised concerns regarding the theft of cables from the site. Advice has been offered to deter such thefts. The comments in general are not considered to be a material planning consideration in this instance. The comments have been forwarded to the applicant.

3.25 It should be noted that the potential affect on house prices in the area is not a material planning consideration.

Conclusion

3.26 Having regard to the policies identified in the adopted Hartlepool Local Plan 2006 above, PPG8 and in particular consideration of the effects of the development on neighbouring properties, health considerations and the streetscene in general in terms of visual amenity, it is considered that the proposal would not unacceptably ham the streetscene and amenities of nearby residents by reason of its siting, height and design.

RECOMMENDATION – Mind to grant Prior Approval however due to the outstanding publicity the final decision delegated to the Development Control Manager (or substitute) in conjunction with the Chairman of the Planning Committee

**LAND AT HART LANE**

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 02/08/10
	SCALE 1:1000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2010/0409	REV

No: 4
Number: H/2010/0408
Applicant: VODAFONE LIMITED THE CONNECTION NEWBURY
 BERKSHIRE RG14 2FN
Agent: Lambert Smith Hampton Mr Marcus Richman 79
 MOSLEY STREET MANCHESTER M2 3LG
Date valid: 01/07/2010
Development: To determine whether the prior approval of the Local
 Planning Authority is required to the siting and
 appearance of a replacement 13.8m dual user monopole
 with 6 antennae, installation of 1 No. equipment cabinet
 and ancillary works
Location: VODAFONE COMMUNICATION STATION WYN YARD
 ROAD HARTLEPOOL

The Application and Site

4.1 The application is for the removal of the existing 11.4m slimline streetworks monopole housing 3 antennas and a small transmission link dish, to be replaced 1 metre north with a 13.8m pole housing 3 Vodafone and 3 O2 antennas and a small transmission link dish, plus an additional equipment cabinet and ancillary works. The antennas within the new structure will be concealed within a cylindrical shroud at the top of the column measuring approximately 480mm in diameter for some 3.7m where the diameter is reduced to some 250mm. The additional equipment cabinet will measure 1580x380x1350mm.

4.2 The site is located to the south of Wynyard Road, in the Owton Manor area. The surrounding area is mixed use comprising residential properties, retail units, a service station, Owton Manor social club and a library. The existing pole and ancillary equipment are situated on a wide pavement area south of Wynyard Road, which includes other items of vertical street furniture in the vicinity.

4.3 The application has been submitted under the provisions of Schedule 2 Part 24 of the Town and Country Planning (General Permitted Development) Order 2001 (amended). Accordingly, the Borough Council is required to determine the application within 56 days of its submission. The application was received on 1 July 2010 and a decision is required to be made no later than 25 August 2010 or the proposed development can proceed regardless.

Publicity

4.4 The application has been advertised by way of neighbour letters (63) and site notice. To date, there have been five responses received including two letters of objection.

4.5 The concerns raised are:

1. Live and work within 10 metres of the proposed site and other residential houses and workplaces in very close proximity and question the safety of this equipment i.e. are the radio waves safe or are there health risks involved.
2. Appearance of this mast is big, ugly and unsightly and surely doesn't fit in with the Council's plans for the regeneration of the estate.
3. This mast should be sited away from people's homes and workplaces there are plenty of more favourable sites such as farmland to consider.
4. Existing pole is unsightly and any further development would only exacerbate the problem.
5. The pole should have been sited away from the public highway.
6. The Council has always endeavoured to keep Owton Manor tidy and this development blights the estate.

4.6 The period for publicity has expired.

Copy Letters E

Consultations

4.7 The following consultation replies have been received:

Head of Public Protection – No objections

Community Safety – 23/07/2010 - Hartlepool Borough Council has operated a public space CCTV camera located in the forecourt of Owton Manor Community Centre for several years. This camera is a key tool in the management of crime and anti-social behaviour in the area and any impact on operation capability would be a detrimental step.

We note that the proposal is replacement/upgrading of existing facilities. It is acknowledged that, in the main, CCTV operations have co-existed alongside existing communication systems. There is occasionally interference which can impact on CCTV camera image transmission and quality. However that cannot be specifically identified to a particular source. Existing operations are at different transmission path/bands although our engineers have raised concerns at the potential impact of harmonic build up.

We do not object to the proposal in principle given the existing siting of operations. Nevertheless we note that the proposal is to increase the monopole height from 11.4 metres to 13.8 metres with an increase in the number of antennae from 3 to 6. That would indicate provision for higher volumes of communication traffic. We would, therefore, seek reassurance from the applicants that this proposal will not, in anyway, interfere with the operation of Hartlepool Borough Council's CCTV camera operations in the locality which would be a retrograde step in the management of crime and anti-social behaviour.

With regard to the above the agent has provided information which outlines the frequency bands at which the equipment will operate within. This information has been passed to the Community Safety Officer who confirmed in a telephone conversation that it appeared to be acceptable.

Cleveland Police – Concerns raised regarding the theft of cables

Traffic and Transportation – There are no highway or traffic concerns with this application

Planning Policy

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

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

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

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

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

PU8 is now superseded by PPG 8 (Telecommunications) and is a material consideration.

No planning policy objections have been received.

Planning Considerations

4.9 The application is to determine whether the prior approval of the Local Planning Authority is required for the siting and appearance of the development. The main planning issues is considered to be the effect of the siting and appearance of the proposal on the character and appearance of its surroundings and the general amenity of the area as well as highway safety implications and any other matters arising.

4.10 Factors which need to be considered within the remit of this application are the appearance of the mast and apparatus, including colour, design and materials. Factors concerning siting include:

- the height of the site in relation to surrounding land;
- the existence of topographical features and natural vegetation;
- the effect on the skyline or horizon;
- the site when observed from any side, including from outside the authority's own area;
- the site in relation to areas designated for their scenic or conservation value;
- the site in relation to existing masts, structures or buildings, including buildings of
- a historical or traditional character;
- the site in relation to residential property; and
- any other relevant considerations.

Supporting Documentation

4.11 The proposals seek to upgrade the equipment which is currently in situ. A replacement pole is required as the existing installation is of insufficient structural capability to accommodate the required antennas. The proposed column will house both Vodafone and O2's 3G antennas at a slightly higher height than the existing column.

4.12 It is considered that O2 utilising an existing Vodafone site is preferable to pursuing a second mast within the immediate area, as it would reduce the visual impact.

Health and Safety

4.13 Planning Policy Guidance (PPG) Note 8 Telecommunications offers guidance on matters relating to health and safety considering mobile phone masts. The guidance was compiled following the publication of the Stewart Report, an independent report on mobile phones and health. The evidence indicated that there is no general risk to the health of people living near to base stations.

4.14 Planning Policy Guidance Eight (PPG8) – Telecommunications, outlines the Government's stance that the planning system is not in place for determining health safeguards:

"It remains central Government's responsibility to decide what measures are necessary to protect public health. In the Government's view, if a proposed mobile phone base stations meets ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health and safety aspects and concerns about them".

4.15 The applicants have submitted a certificate to confirm that the proposal will operate within ICNIRP guidelines. It is acknowledged that health related matters are a material consideration however given that an ICNIRP certificate has been submitted it is considered that it would be difficult to substantiate any objection to the proposal on health grounds.

Visual Amenity

4.16 It is imperative that telecommunications development is carried out in a way which keeps environmental, residential and visual intrusion to a minimum.

4.17 The replacement mast and associated equipment is to be located to the south of Wynyard Road. The equipment is proposed to be located on a pavement area south of Wynyard Road, which includes other items of vertical street furniture in the vicinity. The equipment has been designed to be assimilated into the existing street furniture. Due to the location of the proposed mast in the streetscene and its design in respect of the existing monopole it is considered that the visual impact of the works and associated cabinets is unlikely to be significant.

4.18 The closest residential property is located some 10m away from the proposal site at first floor level above a shop unit. It is not considered that the proposal will directly overlook the property given the on site relationships. There is a window located in the gable wall of the aforementioned property however it is believed to serve a room not of a primary nature. The proposed pole is taller than the existing by approximately 2.1m and will have a more prominent appearance given its massing in order to house the additional antennas. However, it is envisaged that the monopole would become well established into the streetscene given the existing vertical street furniture paraphernalia.

4.19 It is not considered that the replacement mast would dominate views from the surrounding premises both residential and commercial and its location is not considered to be inappropriate, it is not considered that the replacement pole would appear out of character or overly prominent in context with the existing environment and will not be visually intrusive it would be difficult to substantiate any objection to the proposed replacement on visual grounds and its proximity to residential housing.

4.20 Furthermore, it is considered that upgrading the existing facilities to enable two users to operate on one site compliments the guidance outlined in PPG8 which states:

In order to limit visual intrusion the Government attaches considerable importance to keeping the numbers of radio telecommunications masts, and of the sites for such installations to a minimum consistent with the efficient operation of the network. The sharing of masts and sites is strongly encouraged where that represents the optimum environmental solution.

4.21 With regard to the above, it is considered that, on balance, the increase height and massing of the mast is acceptable given that it may lessen the requirement for an additional mast of the same size as that of the existing within the immediate area. It is considered that an additional site would impact upon the character and amenity of the area at a level considerably greater than that which is proposed.

Highway Safety

4.22 The Head of Traffic and Transportation has raised no objections to the proposal from a highway safety point of view.

Other Matters

4.23 The Head of Community Safety has expressed concern with regard to the potential inference which may be caused to the operation of CCTV camera in the vicinity. The applicant has responded with regard to the concerns:

Mobile phone base stations transmit radio waves to provide network coverage. All radio frequencies used in the UK are licensed and controlled by Ofcom to prevent industries from using the same frequencies and thus, interfering with each others operations. We take great care in our network planning and development to ensure that we operate within our allocated frequency bands of 870-960MHz, 1710-1880MHz and 2100MHz.

4.24 The Head of Community Safety has received the above response. The community safety officer has confirmed that the information appeared to be acceptable however any potential impacts will not be known until the new equipment is brought into operation

4.25 Notwithstanding the above, the nature of this application is specifically focussed on assessing the siting and appearance of the proposal. It is considered that any potential interference is outside the remit of this application.

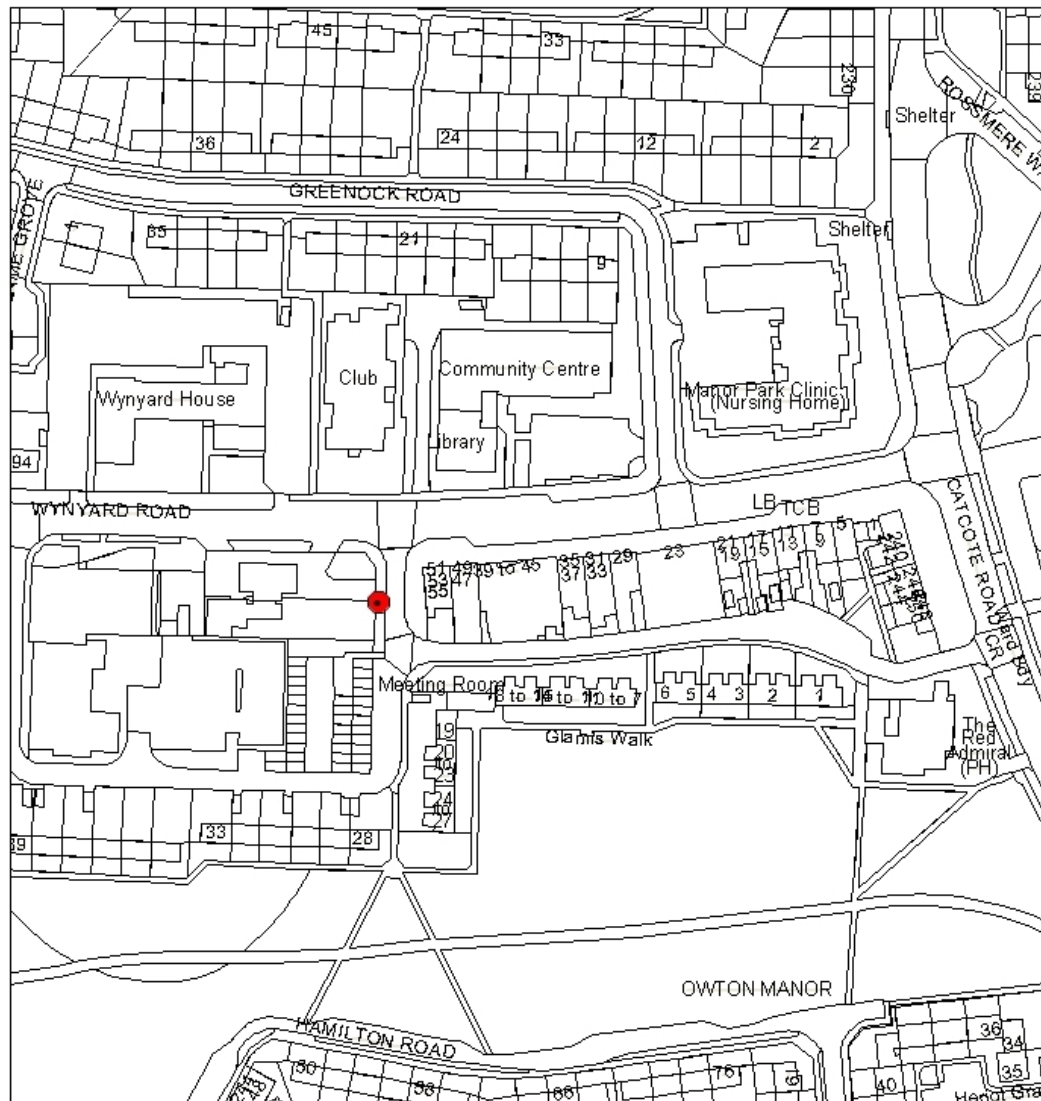
4.26 Cleveland Police have raised concerns regarding the theft of cables from the site. Advice has been offered to deter such thefts. The comments in general are not considered to be a material planning consideration in this instance. The comments have been forwarded to the applicant.

Conclusion

4.27 Having regard to the policies identified in the adopted Hartlepool Local Plan 2006 above, PPG8 and in particular consideration of the effects of the development on neighbouring properties, health considerations and the streetscene in general in terms of visual amenity, it is considered that the proposal would not unacceptably harm the streetscene and amenities of nearby residents by reason of its siting, height and design.

RECOMMENDATION – Subject to the existing mast being removed and based on the plans and details received on the 1 July 2010 (Drawing No's 100 Issue A, 200 Issue A, 201 Issue A, 300 Issue A, 301 Issue, 400 Issue B, and 500 Issue B) PRIOR APPROVAL REQUIRED AND GRANTED

LAND AT WYNYARD ROAD



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 02/08/10
	SCALE 1:1000	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2010/0408	REV

No: 5
Number: H/2010/0292
Applicant: HOUSING HARTLEPOOL STRANTON HARTLEPOOL
 TS24 7QS
Agent: ARCUS CONSULTING LLP MR BOBBY
 CHAKRAVARTHY 8 RIVERSIDE STUDIOS AMETHYST
 ROAD NEWCASTLE BUSINESS PARK NE4 7YL
Date valid: 17/05/2010
Development: Residential development comprising erection of 68
 dwellings including two bedroomed bungalows, two, three
 and four bedroomed houses, associated road,
 landscaping and car parking
Location: LAND AT EASINGTON ROAD HARTLEPOOL

The Application and Site

5.1 The application site extends along the south side of Easington Road between its junction with Jesmond Gardens and Raby Road. It consists of a fenced area, (until recently occupied by pre-war housing now largely demolished) and adjacent grassed areas bordering an adjacent housing estate. To the north is Easington Road beyond which is a public house, housing, a club and a church. To the west is housing fronting onto Easington Road and Jesmond Gardens. To the south is an adjacent housing area which accommodates a range of housing include bungalows and two storey dwellinghouses. To the east is Raby Road beyond which is a public house and housing.

5.2 It is proposed to erect 68 properties on the site. The properties are of a modern design incorporating monopitch roofs of varying heights they will be constructed in concrete tiles, render and timber cladding. The properties have been designed to achieve the lifetime homes standard and to comply with level 4 of the code for sustainable homes, or the Eco Homes Excellent Standard, incorporating photovoltaic panels, energy saving technology and rainwater recycling. A range of properties are proposed including 2 bedroom bungalows (7), two bedroom houses (29), three bedroom houses (26), and four bedroom houses (6). The four bedroom houses will incorporate three stories, with the other houses two storey and the bungalows single storey. A range of tenures will also be accommodated including thirty two properties for rental, ten properties for intermediate rental, ten properties for shared ownership and 16 properties for sale.

5.3 The details of the building layout are currently subject to the receipt of amended plans. The main elements of the layout however will be unaffected. The layout has been designed to accommodate the existing lay-by adjacent to Easington Road and to ensure that the majority of properties face onto Easington Road as the main thoroughfare in the area. Two small cul-de-sacs accommodate the other properties included in the scheme. A range of parking provision is proposed including private gated parking courts, curtilage parking on individual plots and two areas of parking for general use (14 spaces). An existing narrow footpath from Hawthorn Walk will be

closed off. However, by way of compensation, a new vehicular/pedestrian access onto the lay-by and thence Easington Road will be accommodated from Hazel Grove. Hazel Grove will be traffic calmed. The pedestrian link from Larch Grove will be retained. A pedestrian link from Ivy Grove will also be accommodated.

Relevant Planning History

5.4 H/2009/0523 To determine whether the prior approval of the local planning authority is required for the method of demolition and any proposed restoration of the site in connection with the demolition of residential properties. The applicant was advised that prior approval was required and this was subsequently granted.

Publicity

5.5 The application has been advertised by neighbour notification (142), site notice and in the press.

5.6 Fifteen letters of no objection and a single letter of objection have been received. The objector raises the following concerns.

- The development will remove vehicular access to the rear of the property. There are congestion problems in Lime Crescent/Larch Grove. Writer is disabled and their car is essential. Asks if access can be accommodated by a redesign of the scheme to allow for access.

Copy letters B

5.7 The originally proposed plans are to be amended following discussions. The amended plans will be re-advertised by neighbour notification. The time period for representations expires after the meeting.

Consultations

5.8 The following consultation responses have been received.

Head of Property Services : No objections

Head of Public Protection : I would have no objections to this application subject to the provision of an acoustic fence with a landscaping buffer to be provided to the car parking area at the western end of the site that backs onto the gardens of the bungalows to the rear.

Engineering Consultancy : Comments awaited.

Traffic & Transportation : No objections in principle but have made various comments in relation to the proposed scheme. The applicant is currently amending the plans to address the matters raised.

Northumbrian Water : Advise that a public sewer crosses the site which is shown to be build over on the proposed plans. Northumbrian Water will not allow this and

request a condition securing either agreement on the diversion of the sewer, which they advise may be possible at the developers cost, or the redesign of the layout to avoid building over.

Natural England : Natural England have advised that the above proposal is unlikely to have an adverse effect in respect of species especially protected by law, subject to an appropriate condition to protect bats located on part of the site. As the bat is a European Protected Species, Natural England would further advise that, subject to the conditions, the proposals will not be detrimental to the maintenance of the population of the species at a favourable conservation status in its/their natural range (as defined in Regulation 53 of the Habitat Regulations). They also ask if opportunities to enhance and better connect green spaces, for example by creating corridors from the rural hinterland to the town centre, can also be explored.

Environment Agency : We have no objection to the development as proposed, however we wish to make the following comments:

With regards to drainage, the application form and flood risk assessment state that surface water will be most likely disposed of to NWL sewers with the potential inclusion of sustainable forms of drainage on site. As such, we are in no position to agree discharge rates, as this will be assessed by NWL, however if NWL are unable to accept the total discharge we wish to be re-consulted.

With regards to foul drainage, NWL should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution.

One North East : Does not wish to comment.

Cleveland Police : No objections in principle but have made various comments in relation to the originally proposed scheme. The applicant is currently amending the plans to address the matters raised.

Planning Policy

5.9 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.

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.

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

5.10 The main planning considerations are policy, impact on the street scene/layout/design issues, impact on the amenity of the occupiers of neighbouring properties, highways, ecology and drainage.

5.11 However the original proposal has been the subject of discussions to address matters raised by Cleveland Police, Traffic & Transportation and the Planning

Officer. At the time of writing the amended proposals are awaited and an update report will follow.

RECOMMENDATION – UPDATE report to follow.



THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

<h1 style="text-align: center;">HARTLEPOOL</h1> <h2 style="text-align: center;">BOROUGH COUNCIL</h2>	DRAWN <div style="text-align: center; font-size: 2em;">GS</div>	DATE <div style="text-align: center; font-size: 1.5em;">02/08/10</div>
	SCALE <div style="text-align: center; font-size: 1.5em;">1:3000</div>	
Department of Regeneration and Planning Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO <div style="text-align: center; font-size: 1.5em;">H/2010/0292</div>	REV

No: 5
Number: H/2010/0292
Applicant: HOUSING HARTLEPOOL STRANTON HARTLEPOOL TS24 7QS
Agent: ARCUS CONSULTING LLP MR BOBBY CHAKRAVARTHY 8 RIVERSIDE STUDIOS AMETHYST ROAD NEWCASTLE BUSINESS PARK NE4 7YL
Date valid: 17/05/2010
Development: Residential development comprising erection of 68 dwellings including two bedroomed bungalows, two, three and four bedroomed houses, associated road, landscaping and car parking (AMENDED PLANS RECEIVED)
Location: LAND AT EASINGTON ROAD HARTLEPOOL

Background

5.1 This application appear on the main agenda at item 5.

5.2 The recommendation was left open as amended plans were awaited. These have been received.

5.3 The plans have been amended to address the concerns of the Traffic & Transportation Section, Cleveland Police, and the Planning Officer. The main effect of the amendments is that the physical relationships between the proposed dwellinghouses on the site and the existing dwellinghouses have been improved. The security of the site has been improved with rear parking courts and alleyways enclosed and gated and an existing alleyway link at the north east corner of the site removed. Pathways and highway junctions have been variously improved and traffic management measures introduced to Hazel Grove.

Publicity

5.4 The neighbours have been re-consulted in relation to the amended proposals. The time period for representations expires after the meeting and this is reflected in the recommendation.

Consultations

5.5 Consultees have been re-consulted on the amended proposals. The time period for representations expires after the meeting and this is reflected in the recommendation.

Background

5.6 The main planning considerations are policy, design/layout/impact on the street scene/layout/design issues, impact on the amenity of the occupiers of neighbouring properties, highways, security, ecology and drainage.

POLICY

5.7 The site is within the urban area in an area which was previously occupied by housing. Policy supports housing re-development in this area and in policy terms the proposal is considered acceptable. A developer contribution towards play provision and Green Infrastructure is required and can be secured through a section 106 agreement.

IMPACT ON THE STREET SCENE/LAYOUT/DESIGN

5.8 The proposed dwellinghouses are of a striking modern design incorporating mono-pitched roofs with render and timber clad finishes. The modern designs will clearly contrast with the existing older dwellings which bound the site on the Raby Road and Easington Road frontages however this is considered an area where a modern design is appropriate. In terms of their scale the proposed dwellinghouses are a range of heights from three to single storey. The amended layout has ensured that the two three storey properties are located well within the site to avoid any significant contrasts in scale with the existing properties. The proposed design of the dwellinghouses is considered acceptable in this location.

5.9 The existing site was until recently occupied by vacant and increasingly derelict housing. It is now largely cleared and in its current state contributes little to the visual amenity of the area. The proposed housing layout has been designed to address Easington and Raby Road as the main thoroughfares in the area. It incorporates opportunities for landscaping along these frontages and provides for superior quality housing to that it replaces. The amended layout for the most part now meets or exceeds the council guidelines for separation distances (see below). It is considered that the proposed development will have a significantly positive impact on the street scene and the visual amenity of the area.

IMPACT ON THE AMENITY OF NEIGHBOURING PROPERTIES

5.10 The site is bounded to the south, west and east by existing housing development. The layout has been the subject of considerable negotiations to ensure that the impact on the neighbouring properties is minimised. The amended layout for the most part now meets and in many instances exceeds the council guidelines for separation distances both within and outwith the site. These guidelines advise that the separation distances should be 20m between principle elevations and 10m to gables. However in two areas in particular the separation distances remain slightly below the guidelines.

5.11 In relation to plots 9 to 16 the separation distance between the rear of the proposed houses and the adjacent bungalows and houses falls to between 17 to 19 m. However in this case the proposed houses are located to the north of the neighbouring properties and it is considered that there will therefore be no significant issues in relation to loss of light. It is also the case that the properties do not directly face each other with the existing houses orientated obliquely to the proposed houses. Further the relationship here is very similar to that which existed previously before the older housing was cleared from the application site. On balance therefore, it is considered that the relationship here is acceptable.

5.12 In relation to plots 21 to 22 the separation distance between the bungalows on these plots and the two storey houses to the rear falls to some 15.5m. However again in this case the proposed bungalows are located to the north of the neighbouring properties and it is considered that there will therefore be no significant issues in relation to loss of light. It is also the case that bungalows are proposed on these plots and so any impacts will be lessened. On balance it is considered that the relationship here is acceptable.

5.13 It is concluded that in terms of the impact on the amenity of neighbouring properties the proposed development is considered acceptable.

HIGHWAYS

5.14 The proposed highway layout retains the existing road which runs parallel to Easington Road and the existing access points onto Easington Road at its western and eastern end. An existing alleyway at the north east end of the site will be blocked up following the advice of Cleveland Police. A new traffic calmed access onto Hazel Grove will be provided. A pedestrian access will also be provided from Ivy Grove. These access points will allow the neighbouring residents access to the neighbouring facilities including the Lidl store and the hospital.

5.15 A single letter of objection was received from a resident of Lime Crescent on the grounds that the proposed development would remove the vehicular access they currently enjoy across a grassed area to the rear of their property. The resident asked whether the proposed scheme could be amended to accommodate a rear access in order to enable them to continue parking in the rear garden in an area where on street provision is limited. This matter was raised with the applicant who advised that the land across which the resident affords access is in the applicant's ownership and that they are unaware of any prescribed rights pertaining to the land with regards to vehicular access. If access is being obtained informally then this is not with the applicant's agreement. The applicant has nonetheless considered the possibility of maintaining access however this has been discounted on the grounds that the width of access required to accommodate turning into rear gardens was not available. The applicant also advises that the parking scheme for the new development, as well as accommodating private parking for the development's residents, includes 14 on street unallocated spaces which the neighbouring residents could use (though in practice access to these would involve a walk of some 200m for the resident concerned). The applicant concludes "Housing Hartlepool have endeavoured to fully consider all of the implications regarding local residents neighbouring the scheme, and in doing so attempted to provide a solution to all of these. There does however become a limit to what we are able to do and maintaining parking privileges to residents by accessing our land, or providing any additional parking to the area is beyond what we are able to provide in delivering a viable scheme of affordable housing".

5.16 The layout has been amended to address the concerns of the Traffic & Transportation section whilst the final comments of the highway section on the amended layout are awaited it is anticipated that the proposal will be acceptable in highway terms.

SECURITY

5.17 The proposal has been amended to address the concerns of Cleveland Police. In particular the security of the site has been improved with rear parking courts and alleyways enclosed and gated and an existing alleyway link at the north east corner of the site referred to above removed. A condition is also proposed requiring the approval of a range of secured by design measures. The final comments of Cleveland Police to the amended plans are awaited however it is anticipated that these will be favourable.

ECOLOGY

5.18 Prior to the demolition of the original houses on the site bat surveys were carried out on four occasions in September 2009. Two, or possibly three of the houses were shown to be roosts for single Common Pipistrelle bats.

5.19 As a consequence of this the relevant properties were excluded from the demolition programme in order that a licence could be obtained from Natural England for their demolition. The applicant has applied for a licence from Natural England.

5.20 The Habitats Directive requires member states to establish a system of protection for protected species prohibiting the deterioration or destruction of breeding sites or resting places. If there is no satisfactory alternative however and derogation is not detrimental to the maintenance of the species states may derogate (effectively depart from the requirements of the Directive) "in the interests of public health and public safety or for other imperative reasons of overriding public interest, including those of a social and economic nature and beneficial consequences of primary importance to the environment". The requirements of the Habitats Directive were brought into effect by the Conservation (Natural Habitats etc) Regulations 1994. Regulation 3 of Directive provides that every competent authority in the exercise of their functions shall have regard to the Habitats Directive.

5.21 It is considered that the demolition of the remaining properties and subsequent redevelopment of the site is in the public interest. The method statement of the licence application, submitted in support of the application by the applicant, lists a series of measures that are to be taken by way of mitigation for the loss of the bat roosting opportunities afforded by the remaining houses and further measures to avoid harming any bats that might be present during demolition. Natural England and the Council's own ecologist have raised no objections to the proposal subject to an appropriate condition. It is considered that the mitigation measures proposed are sufficient to prevent harm to this European Protected Species and to maintain its conservation status in the local area. In ecological terms therefore the proposal is considered acceptable.

DRAINAGE

5.22 Foul sewage will be disposed of to the mains sewer. Surface Water will be disposed of via a combination of sustainable drainage systems (including rainwater

harvesting) and the mains sewer. It is proposed to condition the approval of the details for the disposal of surface water to ensure that the final details are acceptable.

5.23 The site is currently crossed by Northumbrian Water apparatus. An appropriate condition is proposed to ensure that this is accounted for when the site is redeveloped.

CONCLUSION

5.24 The proposal is considered acceptable and is recommended for approval.

RECOMMENDATION – Minded to **APPROVE** - subject to the consideration of any further responses received in relation to the amended plans from consultees and neighbours, subject to the conditions below and any conditions arising from further consultation responses, and subject to the completion of a section 106 agreement securing developer contributions towards play and green infrastructure of £250.00 and £50.00 per dwelling respectively, the final decision to be delegated to the Development Control Manager (or substitute) in consultation with the Chair of the 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 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 17th May 2010 as amended in respect to the site plan by the drawing 001E received at the Local Planning Authority on 4th August 2010, in respect to the house types 1, 2, 3, 6, 7, 8, 9, 10, 11, 13, 14, 15 by the drawings 007B, 008B, 009B, 012B, 013B, 014B, 015B, 016B, 017B, 019B, 020B, 021C respectively received at the Local Planning Authority on 22 July 2010, and in respect of the house types 4, 5 and 12 by the drawings 010C, 011C and 018C respectively received at the Local Planning Authority on 2 August 2010 unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. For the avoidance of doubt the approved site plan drawing is drawing number 001E received at the Local Planning Authority on 4th August 2010 and not the site plans shown on the individual house type drawings referred to in condition 2 above. The approved elevations are those on the approved house type drawings referred to in condition 2 above and not those shown on the streetscape drawing shown on drawing 001E.
For the avoidance of doubt. The elements of the drawings referred to do not appear to take account of subsequent amendments.
4. Unless otherwise agreed in writing with the Local Planning Authority no development shall take place unless in accordance with the mitigation detailed within the reports 'Application for a Natural England Bat Licence - Bats Method Statement, Document 1 and Document 2' prepared by E3 Ecology Ltd and submitted to the Local Planning Authority on 4th May 2010 including, but not restricted to;

- a) adherence to timing and spatial restrictions;
 - b) adherence to precautionary working methods;
 - c) provision of an updated timetable of works; and
 - d) provision of alternative/compensatory roost opportunities.
- To conserve bats and their habitat.
5. Unless otherwise agreed in writing with the Local Planning Authority no development shall commence until a detailed scheme for the diversion, or other means of protection of the public sewers which cross the site has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the details so approved.
In order to ensure that the public sewers which cross the site are appropriately dealt with.
 6. 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.
 7. Any trees/shrubs required to be planted in association with the development hereby approved, and which are removed, die, are severely damaged, or become seriously diseased, within five years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted.
In the interests of visual amenity.
 8. Notwithstanding the details submitted unless otherwise agreed in writing with the Local Planning Authority prior to the proposed vehicular link to link Hazel Grove being brought into use a scheme of traffic calming measures shall be implemented in accordance with details first submitted to and approved in writing by the Local Planning Authority.
In the interests of highway safety.
 9. 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. Thereafter the development shall be carried out in accordance with the approved details.
In the interests of visual amenity.
 10. 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) or outbuildings other than those expressly authorised by this permission shall be erected without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
 11. 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.

12. 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.

13. Unless otherwise agreed in writing with the Local Planning Authority the area(s) indicated for car parking on the plans hereby approved shall be provided before any of the dwellinghouses are occupied and shall 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.

14. Notwithstanding the details submitted, unless otherwise agreed in writing with the Local Planning Authority, details of all bollards, walls, gates, 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. Thereafter the development shall be carried out in accordance with the approved details.

In the interests of security and visual amenity.

15. In the event that the development is phased, 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 neighbouring properties.

16. 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.

17. 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. Thereafter the development shall be carried out in accordance with the approved details.

These details were not included in the interests of visual amenity and the amenity of neighbours.

18. Notwithstanding the details submitted 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 1, 8, 16, 34, 37, 38 and 68 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.

19. Unless otherwise agreed in writing by the Local Planning Authority 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 crime prevention.

20. Unless otherwise agreed in writing with the Local Planning Authority no development shall commence until details of the proposed means of disposal of surface water arising from the development have been submitted to and approved in writing by the Local Planning Authority. The approved development shall thereafter proceed in accordance with the details so approved.

In order to ensure that surface water is adequately dealt with in the interests of the amenity of the area.

PLANNING COMMITTEE

13 August 2010



Report of: Director of Regeneration and Neighbourhoods

Subject: APPEAL BY MR A. HENDERSON, SITE AT LAND SOUTH OF NAVIGATION POINT, MIDDLETON ROAD, HARTLEPOOL (H/2010/0098)

1. PURPOSE OF REPORT

- 1.2 A planning appeal has been lodged against the refusal of Hartlepool Borough Council for the demolition of the existing single storey amenity building and erection of new mixed use building including A1/A3/A4 commercial use retail, (cafe/restaurant/pub/bar) at ground floor, cafe, kitchen, shower and toilet facilities at first floor together with 2nd floor glazed cafe/restaurant and roof terrace.
- 1.3 The appeal is to be decided by written representations and authority is therefore requested to contest the appeal.

2. RECOMMENDATION

- 2.1 Members authorise officers to contest the appeal.

PLANNING COMMITTEE

13 August 2010



Report of: Director of Regeneration and Neighbourhoods

Subject: APPEAL BY MR ANDY NUGENT
APPEAL REF: APP/H0724/D/10/2132256
SITE AT: 55 GRETA AVENUE, HARTLEPOOL, TS25
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1. PURPOSE OF REPORT

- 1.1 To advise members of a planning appeal that has been submitted against the Council.

2. THE APPEAL

- 2.1 A planning appeal had been lodged against the refusal of Hartlepool Borough Council to allow the erection of a two-storey utility, bathroom and garage extension to the side and a single storey rear kitchen extension and loft conversion.
- 2.2 The appeal is to be determined by the Householder Appeals Service and authority is requested to contest the appeal.

3. RECOMMENDATION

- 3.1 Authority be given to contest the appeal.

PLANNING COMMITTEE

13 August 2010



Report of: Director of Regeneration and Neighbourhoods

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 A neighbour complaint regarding the erection of a boundary fence to the front of a property in Onyx Close has been investigated. The permitted development rights have been removed in this instance and the property owner has indicated they will to submit a retrospective planning application.
- 2 A neighbour complaint regarding the erection of garden store to the rear of a residential property on Bournemouth Drive.
- 3 A neighbour complaint regarding the creation of a beer garden to rear of a public house on Mowbray Road has been investigated the land is within the curtilage of the pub planning unit and does not require planning permission.
- 4 A neighbour complaint regarding untidy and damaged boundary fence erected on the perimeter of a vacant development site on Jesmond Gardens.
- 5 A complaint regarding the erection of a boundary fence to the front and side of a property on Honiton Way.
- 6 Officer monitoring recorded the display of a banner advertising a local takeaway on the boundary fence of a sports ground on Elizabeth Way.
- 7 A neighbour complaint regarding the erection of a high boundary wall to the rear of a property on Parton Street.

- 8 A complaint regarding the placing of a steel container within the front garden of a property on Hylton Road.
- 9 A neighbour complaint regarding the provision of a block paved driveway of a property on Oxford Road has been investigated. As the driveway has been constructed to include a drainage channel to collect the runoff of rainwater planning permission is not required.
- 10 A neighbour complaint regarding a property in Raby Gardens and its garden areas to be in an untidy condition.
- 11 A neighbour complaint regarding the placing of a steel container within the rear garden of a property on Bruntoft Avenue.
- 12 Officer monitoring recorded a rear extension under construction in Brierton Lane not being built in accordance with the approved plans.
- 13 Officer monitoring recorded a property and its garden areas on Birchill Gardens to be in an untidy condition.
- 14 A neighbour complaint regarding the provision of high decking within the rear garden of a property on Wansbeck Gardens.
- 15 A complaint regarding a restrictive planning condition to control the range of goods that could be sold from a retail unit on Highlight Retail Park.
- 16 A neighbour complaint regarding a property and its garden areas on Tunstall Avenue to be in an untidy condition.

2 RECOMMENDATION

- 2.1 Members note this report.

PLANNING COMMITTEE

13 August 2010



Report of: Director of Regeneration and Neighbourhoods

Subject: HARTLEPOOL TREE STRATEGY

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to update members of the committee on the Draft Hartlepool Tree Strategy 2011 – 2016 and the intention of taking the draft strategy out to public consultation in September.

2. BACKGROUND

- 2.1 In November 2005 'A Strategy for Trees in Hartlepool' was adopted by Cabinet. This provided a position statement based on what was known to date and set out a number of aims and objectives with regard to the borough's trees.
- 2.2 Since the adoption of this first tree strategy there have been significant developments in the guidance and research relating to trees at a national level.
- 2.3 During 2009 a review of the 2005 strategy was conducted and it was found that many of the key actions contained in the strategy had been successfully implemented.
- 2.4 This has led to the development of a new 'Tree Strategy for Hartlepool' containing a renewed set of objectives which build on previous achievements as well as seeking to address any failures.
- 2.5 It also advocates a more integrated and planned approach to the management of the boroughs publicly owned trees. By adopting this approach and implementing a systematic tree inspection and maintenance regime, Hartlepool Borough Council will have made significant progress towards meeting its duty of care in relation to its publicly owned trees.
- 2.6 The document sets out Hartlepool Borough Council's guiding principles on tree related issues and aims to enhance the role and status of trees in the borough for the benefit of all.

3. PUBLIC CONSULTATION

3.1 The document will be taken out to public consultation in September. It is the intention that various methods of consultation will be used but will include the following;

- A presentation to Neighbourhood Forums
- Correspondence with Parish Councils
- A report to Planning Committee
- A local press release
- Your Town, Your Say e-consultation
- A dedicated page on the Council's website
- A public display in central library

3.2 Members of this Committee will also be contacted when the period for consultation opens to enable the comments of this committee to be included in the document.

3.3 On completion of the consultation period any comments received will be collated and incorporated into the document where appropriate. The document will then be taken to the Cabinet for approval.

4. RECOMMENDATION

4.1 It is recommended that the Committee notes the intention for officers to begin consultation in September on the draft tree strategy.