

# PLANNING COMMITTEE

## MINUTES AND DECISION RECORD

16 June 2010

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

### **Present:**

Councillor Rob Cook (In the Chair)

Councillors Jonathan Brash, Kevin Cranney, Trisha Lawton, Francis London, Dr George Morris, Steve Thomas, Hilary Thompson, and Paul Thompson.

Also Present: In accordance with Council Procedure Rule 4.2;  
Councillor A E Lilley as substitute for Councillor G Lilley,  
Councillor Richardson as substitute for Councillor Hargreaves.

Officers: Richard Teece, Development Control Manager  
Linda Wright, Senior Planning Officer  
Peter McIntosh, Schools Transformation Project Manager  
Mike Blair, Highways, Traffic and Transportation Manager  
Adrian Hurst, Principal Environmental Health Officer  
Kate Watchorn, Commercial Solicitor  
David Cosgrove, Democratic Services Team

### **1. Apologies for Absence**

Councillors Hargreaves, James, Sutheran and Wright.

### **2. Declarations of interest by members**

Councillor Cook declared a private and prejudicial interest in Minute No. 4, specifically application No.H/2010/0191 and in accordance with the Code of Conduct, left the meeting during its consideration.

### **3. Confirmation of the minutes of the meeting held on 19 May 2010**

Confirmed.

### **4. Planning Applications (Director of Regeneration and Neighbourhoods)**

**Number:** H/2008/0001

**Applicant:** Mr Terry Bates 7 Brinkburn Court Hartlepool

**Agent:** BIG-Interiors Ltd. Mr Ian Cushlow 73 Church Street Hartlepool

**Date received:** 07/03/2008

**Development:** Provision of a touring caravan and camping site with associated amenity facilities (AMENDMENT RELATES TO ALTERATIONS TO ACCESS)

**Location:** BRIERTON MOORHOUSE FARM DALTON BACK LANE HARTLEPOOL

**Decision:** **Withdrawn from the agenda**

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**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

**Decision:** **Withdrawn from the agenda**

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**Councillor Dr Morris in the Chair.**

**Number:** H/2010/0191

**Applicant:** LEEBELL DEVELOPMENTS LTD  
MR GRAHAM MEDCALFE MAIN STREET  
PONTELAND

**Agent:** MR GRAHAM MEDCALFE, LEEBELL 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**

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**Councillor Cook in the Chair.**

**Number:** H/2010/0231

**Applicant:** Mr P Todd, 17 NEWQUAY CLOSE HARTLEPOOL

**Agent:** Mr P Todd, 17 NEWQUAY CLOSE HARTLEPOOL

**Date received:** 04/05/2010

**Development:** Construction of pedestrian access by installation of gate in existing boundary wall (retrospective application)□

**Location:** 17 NEWQUAY CLOSE HARTLEPOOL

**Decision:** **Subject to no significantly different objections from outstanding publicity Minded to APPROVE subject to the following conditions but the final decision was delegated to the Development Control Manager in conjunction with the Chair of the Planning Committee.**

**CONDITIONS AND REASONS**

1. The development hereby permitted shall relate to the description of proposed works outlined in the application form received by the Local Planning Authority on 03/06/2010, unless otherwise agreed in writing by the Local Planning Authority.  
For the avoidance of doubt.

2. The gate hereby approved shall be used only for pedestrian access and for no other purpose unless otherwise agreed in writing with the Local Planning Authority.  
In the interests of the amenities of the occupants of nearby housing.

The applicant (Mr P Todd) was present at the meeting and addressed the Committee.

An objector (Mrs Wilkinson) was present at the meeting and addressed the Committee.

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**Number:** H/2010/0284

**Applicant:** Mr Peter McIntosh  
Hartlepool Borough Council Schools Transformation  
Team The Borough Hall Hartlepool

**Agent:** England & Lyle Ltd Mr Jeremy Good, Morton House  
Morton Road, Darlington

**Date received:** 29/04/2010

**Development:** Re-modelling of existing school, provision of Multi  
Use Games Area, landscaping, car parking, and  
associated works

**Location:** DYKE HOUSE SECONDARY SCHOOL  
MAPLETON ROAD HARTLEPOOL

**Decision:** **Planning Permission Approved**

#### **CONDITIONS AND REASONS**

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.  
To clarify the period for which the permission is valid.
2. Unless otherwise agreed in writing, the development hereby approved shall be carried out in accordance with the drawings:  
PL-DHS-A-022; Site Location Plan  
PL-DHS-A-023; Existing Ground Floor Plan  
PL-DHS-A-024; Existing First Floor Plan  
PL-DHS-A-025; Existing Elevations Sheet 1  
PL-DHS-A-026; Existing Elevations Sheet 2  
PL-DHS-A-001; Proposed Ground Floor Plan  
PL-DHS-A-002; Proposed First Floor Plan  
PL-DHS-A-003; Proposed Roof Plan  
PL-DHS-A-004; Proposed Elevations Sheet 1  
PL-DHS-A-005; Proposed Elevations Sheet 2  
PL-DHS-A-006; Proposed GA Sections

PL-DHS-L-001; Existing Site Survey (whole site)  
PL-DHS-L-002; Existing and proposed playing fields  
PL-DHS-L-003; Site Plan Overview  
PL-DHS-L-004; Site plan Area around building  
PL-DHS-L-005; Proposed contours including Indicative levels and tree retention  
PL-DHS-L-006; Site Sections  
PL-DHS-L-007; Fencing Strategy New/Existing  
PL-DHS-L-008; Fencing types - new & existing  
PL-DHS-L-009; Circulation Plan  
PL-DHS-L-010; Soft Landscape Strategy Plan  
PL-DHS-E-001; Proposed External Lighting

For the avoidance of doubt

3. Prior to their use during the construction process samples of the materials to be used in the construction of the external surfaces (buildings and paving) shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.  
To ensure a satisfactory form of development
4. Unless otherwise agreed in writing, the landscaping scheme shall be implemented in accordance with approved details. All planting, seeding or turfing comprised shall be carried out by the first planting season following the completion of the development. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of 5 years from the implementation of the landscaping scheme, shall be replaced in the next planting season with others of similar size and species.  
To ensure a satisfactory form of development
5. Boundary treatments shall be carried out in accordance with the submitted details unless otherwise agreed in writing by the local planning authority. Prior to its erection, further details of the acoustic fencing shall be submitted and approved in writing by the Local Planning Authority. Thereafter the scheme shall be carried out in accordance with the approved details and the acoustic fence shall be retained for the lifetime of the development.  
To ensure a satisfactory form of development
6. 1. Site Characterisation  
An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
  - (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to:

- human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

## 2. Submission of Remediation Scheme

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

## 3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

## 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with 3.

#### 5. Long Term Monitoring and Maintenance

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

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

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

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

7. Unless otherwise agreed with the Local Planning Authority, prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor.  
To prevent pollution of the water environment.
8. For the avoidance of doubt construction access should be taken from Milbank Road only, unless otherwise agreed in writing by the Local Planning Authority.  
In the interests of highway safety.
9. Prior to the commencement of the use of the refurbished school a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.  
In the interests of providing suitable well managed community facilities for sport and recreation.
10. Prior to the commencement of works on the swimming pool building, details of the elevational treatments shall be submitted to and approved by the Local Planning Authority. Thereafter the swimming pool building shall be constructed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.  
To ensure a satisfactory form of development
11. Prior to the installation of any satellite dish, antenna, or plant (not already shown on the approved plans) details of such equipment

should be submitted to and approved the Local Planning Authority. Thereafter the equipment shall be provided in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority

To ensure a satisfactory form of development

12. Prior to the installation of any bio fuel heating system further details of the specification and location of the bio fuel boiler, shall be submitted to, and approved in writing by, the Local Planning Authority. This will include an assessment of the likely local air quality impact of the bio fuel boiler. The assessment shall also provide details, for the approval by the Local Planning Authority, of any proposed mitigation measures required to ensure that there is no significant adverse impact on local air quality from the bio fuel boiler. The approved measures shall thereafter be retained on site at all times and the mitigation measures shall be implemented prior to the operation of the biomass plant. All equipment installed shall thereafter be operated and maintained in accordance with the manufacturers instructions at all times.  
In the interests of sustainability and to ensure there is no significant adverse impact on local air quality or likely breach of national air quality standards as a result of the proposals.
13. Construction work shall only be carried out between the hours of 08:00 and 18:00 on Mondays to Fridays, 08:00 and 13:00 on Saturdays; and at no time on Sundays, Bank or Public Holidays unless first agreed in writing by the Local Planning Authority.  
To protect residential and local amenities from noise and disturbance.
14. Prior to the commencement of development, details of the construction compound, material storage and site offices for the duration of the construction period shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.  
To protect the amenities of local residents.
15. Final details of the hereby approved cycle storage areas 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 and retained for the lifetime of the development.  
In the interests of visual amenity.
16. Car and cycle parking, as shown on the approved plans, shall be provided, including drop off, disabled and electric charging spaces, prior to the occupation of the redeveloped school buildings unless otherwise agreed in writing by the Local Planning Authority.  
To ensure the provision of an appropriate standard of cycle parking facilities.
17. The development hereby approved shall incorporate 'secured by design' principles. Details of proposed security measures, including CCTV shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details.  
In the interests of crime prevention.
18. The permission hereby granted shall not relate to the provision of floodlights at the multiuse games area.



Floodlighting was not identified as part of the application and any such proposal should be subject to separate consideration in the interests of the amenities of the occupiers of adjoining housing.

The Committee considered representations in relation to this matter

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

Officers drew Members attention to a series of on-going issues that were being investigated by Development Control officers.

**Decision**

That the report be noted.

**6. Monitoring of 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. It was also highlighted that the updates sent to the committee earlier in the week contained some appendices that had been missed from the original report. An e-mail had also been received from the Friends of Hartlepool group which alluded to some further incidents at the site which the monitoring report did not refer to. In light of the late receipt of the e-mail, the Development Control manager indicated that he had forwarded the e-mail to Scott Wilson, the company carrying out the monitoring on behalf of the council requesting their comments on its contents.

Members expressed some concern at the reports of fires in the Friends of Hartlepool e-mail. The Development Control Manager indicated that he was aware that there had been at least one fire on the site that required the attendance of the Fire Brigade; the question was where the fire was and was it on one of the Marad ships. A response had therefore been sought from Scott Wilson and this would be reported to the next meeting of the committee.

Some of the newly appointed members to the Committee requested that they be able to visit the Graythorp site to have a clear understanding of their role in the monitoring of the Marad contract. The Chair agreed that a site visit should be arranged which should be open to all members of the council. The Chair commented that in his experience, member site visits to the site had been very useful in witnessing first hand the levels of safety and management on the site. The Chair commented that he found that nothing had been hidden from Members and the site appeared to be well managed.

### **Decision**

That the report be noted.

## **7. Any Other Business** (*Development Control Manager*)

The Development Control Manager reported verbally on the following items at the meeting –

### Garden Grabbing

The development of larger gardens has long been a contentious issue, primarily due to the previous government declaring such land to be 'brown field' land making the gaining of planning permission much easier. The new government has issued a letter to local authorities indicating that garden land will now be seen as green field land thus making the development of such land much more difficult, though not impossible. Once full details of the amendment to the appropriate Planning Policy Statement 3 had been issued, a report would be submitted to the committee.

### Hartlepool College of Art – Church Square Buildings

The Development Control Manager indicated that as Members were aware, the Council had sold the Leadbitter Buildings to the college. As part of the works they wished to undertake prior to moving into the buildings, a new entrance had been proposed from Church Square. At the meeting of the committee held on 28 April 2010 members had commented that they did not consider the proposed design of the new entrance to be in keeping with the listed buildings in Church Square. The architect has revisited the proposals and while not making significant changes to the design of the entrance, a new cladding for the entrance has been proposed. A representative sample of the material was shown to Members. The terracotta cladding would echo the terracotta bricks used in elements of the design of the buildings, most notably the Municipal Buildings. The Development Control Officer indicated that should Members see the proposed material to be more in keeping with the existing buildings, then it would be incorporated into the revised designs to be submitted to a future meeting of the committee for formal approval. Members commented positively about the cladding material displayed, though there were still some adverse comments to the overall design of the new entrance. The Development Control Manager indicated that he would communicate these to the applicants.

### **Decision**

That the items be noted and the Development Control Manager be authorised to proceed accordingly.

## **8. 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 No. 9 “Enforcement Action – Easy Skips, Thomlinson Road, Hartlepool”.

Minute No. 10 “Enforcement Action – Land Adjacent to the Church of the Nazarene, Lowthian Road, Hartlepool”.

Minute No. 11 “Enforcement Action – Longscar Centre, Seaton Carew, Hartlepool”.

## **9. Enforcement Action – Easy Skips, Thomlinson Road, Hartlepool** *(Director of Regeneration and Neighbourhoods)*

The Development Control Manager presented a report which sought Members approval to enforcement action in relation to the Easy Skips site on Thomlinson Road.

### **Decision**

Details of the decision are set out in the exempt section of the minutes.

## **10. Enforcement Action – Land Adjacent to the Church of the Nazarene, Lowthian Road, Hartlepool** *(Director of Regeneration and Neighbourhoods)*

The Development Control Manager presented a report which sought Members approval to enforcement action in relation to the land Adjacent to the Church of the Nazarene, Lowthian Road.

### **Decision**

Details of the decision are set out in the exempt section of the minutes.

## **11. Enforcement Action – Longscar Centre, Seaton Carew, Hartlepool** *(Director of Regeneration and Neighbourhoods)*

The Development Control Manager presented a report which sought Members approval to enforcement action in relation to the Longscar Centre, Seaton Carew.

### **Decision**

Details of the decision are set out in the exempt section of the minutes.

The meeting concluded at 12.15 p.m.

CHAIR