

PLANNING COMMITTEE AGENDA



Wednesday, 20 April 2011

at 10.00 am

in Committee Room B, Civic Centre, Hartlepool

MEMBERS OF PLANNING COMMITTEE:

Councillors S Akers-Belcher, Brash, Cook, Cranney, Hargreaves, James, Lawton, G Lilley, 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 1 April 2011 (*to follow*)

4. **ITEMS REQUIRING DECISION**

4.1 Planning Applications – *Assistant Director (Regeneration and Planning)*

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|-----|-------------|---|
| 1. | H/2011/0082 | Adjacent to 4 Ardrossan Road, Hartlepool (1) |
| 2. | H/2011/0002 | 19 Rillston Close, Hartlepool (5) |
| 3. | H/2010/0589 | 54 Fernwood Avenue, Hartlepool (10) |
| 4. | H/2011/0138 | 132 Station Lane, Hartlepool (16) |
| 5. | H/2011/0160 | 132 Station Lane, Hartlepool (21) |
| 6. | H/2010/0672 | Throston Grange Court, Monmouth Grove, Hartlepool (25) |
| 7. | H/2011/0031 | Land to the West of Eaglesfield Road, Hartlepool (36) |
| 8. | H/2010/0648 | Land to the rear of St Marks Church and Community Centre, Clavering Road, Hartlepool (45) |
| 9. | H/2011/0118 | 1,4,6,9,13 and 14 Sylvan Mews, The Wynd, Wynyard, Billingham (55) |
| 10. | H/2011/0014 | Land to the West of Eaglesfield Road, Hartlepool (65) |

4.2 Update on Current Complaints – Assistant Director (Regeneration and Planning)

5. **ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

6. **FOR INFORMATION**

Next Scheduled Meeting – Friday, 20 May 2011 at 10.00 am in the Council Chamber, Civic Centre, Hartlepool.

PLANNING COMMITTEE

MINUTES AND DECISION RECORD

1 April 2011

The meeting commenced at 10.00 am in the Civic Centre, Hartlepool

Present:

Councillor: George Morris (In the Chair)

Councillors: Jonathan Brash, Kevin Cranney, Pamela Hargreaves, Marjorie James, Patricia Lawton, Geoff Lilley, Frances London, Carl Richardson, Lilian Sutheran, Hilary Thompson, Paul Thompson and Ray Wells.

In accordance with Council Procedure Rule 4.2 (ii), Councillor Mary Fleet was in attendance as substitute for Councillor Stephen Thomas.

Officers: Damien Wilson, Assistant Director, Regeneration and Planning
Chris Pipe, Development Control Manager
Jim Ferguson, Principal Planning Officer
Kate Watchorn, Solicitor
Adrian Hurst, Principal Environmental Health Officer
Mike Blair, Highways, Traffic and Transportation Manager
Sarah Scarr, Landscape, Planning and Conservation Manager
Linda Wright, Senior Planning Officer
Angela Hunter, Principal Democratic Services Officer

144. Apologies for Absence

Apologies for absence were received from Councillors Rob Cook, John Marshall and Stephen Thomas.

145. Declarations of interest by Members

None.

146. Confirmation of the minutes of the meeting held on 4 March 2011.

Confirmed.

147. **Planning Applications** *(Assistant Director, Regeneration and Planning)*

| | |
|-------------------------|---|
| Number: | H/2011/0059 |
| Applicant: | Mr Alan Henderson, Lock Office, Slake Terrace, HARTLEPOOL |
| Agent: | England & Lyle, Mr Gary Swarbrick, Morton House, Morton Road, DARLINGTON |
| Date received: | 03/02/2011 |
| Development: | Demolition of existing amenity building and erection of a two storey building comprising commercial unit (Use Classes A1, A3 and A4) at ground floor and yacht club and amenity facilities at first floor (resubmitted application) |
| Location: | NAVIGATION POINT MARINA |
| Decision: | Item withdrawn from the Planning Committee agenda at the Chairman's discretion |
| Number: | H/2008/0001 |
| Applicant: | Mr Terry Bates, 7 Brinkbum 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 |
| Location: | BRIERTON MOOR HOUSE FARM, DALTON BACK LANE, HARTLEPOOL |
| Representations: | Mr Bates (applicant), Mr Rezai (objector) and Councillor H Thompson (ward councillor) were in attendance and addressed the Committee accordingly. |
| Decision: | Minded to APPROVE subject to the completion of a legal agreement under section 106 of the Planning Act to ensure adequate sightlines are maintained to the north of the main access to the site, requiring a scheme of additional traffic calming/access improvements on Dalton Back Lane in the event that at sometime in the |

future the visibility splay to the south cannot be enforced through planning condition, the provision of road warning signs and that Tees Forest planting is secured for the lifetime of the development and the following conditions.

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 approved shall be carried out in accordance with plans and details received at the Local Planning Authority at the time the application was made valid on 7th March 2008 (BIG/IC/TB/286-101, BIG/IC/TB/286-103, BIG/IC/TB/286-105) as amended in relation to the site layout by the drawing BIG/IC/TB/286-102C received at the Local Planning Authority on 10th April 2008, as amended in relation to the proposed access track between the site and Dalton Back Lane by the drawing BIG/IC/TB/286-104B received at the Local Planning Authority on 25th February 2010, as amended in relation to the existing and proposed junction plan by the drawing BIG/IC/TB/286-106F received at the Local Planning Authority on 19th January 2011, as amended in relation to the site location plan and red line by the plan received at the Local Planning Authority on 21st February 2011, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. The touring caravan pitches (157) and the camping area shall be restricted to the area shown on the approved layout plan unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity.
4. i) Any caravans on/brought onto site are to be occupied for holiday purposes only;
ii) Any caravans on/brought onto site shall not be occupied as any person's sole, or main place of residence;
iii) No individual may be in residential occupation of the site or any caravan thereon for more than 28 days (whether cumulatively or continuously) in any six month period; AND
iv) the owners/operators shall maintain an up to date register of the names of all owners/occupiers of individual caravans on the site at any time, and of their main home addresses, and shall make this information available upon reasonable request to the Local Planning Authority.
For the avoidance of doubt/to ensure that the site operates only as a touring caravan and camping site in the interests of visual amenity and the site is not considered suitable for residential occupancy.
5. Prior to its installation details of any play equipment to be installed in the childrens play area shall be submitted to and approved in writing by the Local Planning Authority.
In the interests of visual amenity.

6. Unless otherwise agreed in writing with the Local Planning Authority the amenities building (incorporating the function room) shall only be open to the public between the hours of 07:00 and 24:00 on any given day.
In the interests of the amenities of the occupants of neighbouring properties.
7. The site including the amenities building and other facilities shown on the submitted plans shall only operate between the months of March to November inclusive in any year.
As indicated in the application and in the interests of visual amenity.
8. The bars and function room in the amenities building shown on the submitted plans shall only be open to residents of the caravan and camping site. The amenities building shall be used only in association with the caravan and camping site and shall not be used as an independent facility.
In the interests of the amenities of the occupants of neighbouring properties.
9. No beer gardens or outside drinking areas shall be provided in association with the amenities building.
In the interests of the amenities of the occupants of neighbouring properties.
10. No amplified music shall be played or relayed outside of the amenities building.
In the interests of the amenities of the occupants of neighbouring properties.
11. The development hereby approved shall be carried out in accordance with the following:
 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:
 - a. human health,
 - b. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - c. adjoining land,
 - d. groundwaters and surface waters,
 - e. ecological systems,
 - f. archeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).
This must be conducted in accordance with DEFRA and the

Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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 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 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 (Site Characterisation) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of 2 (Submission of Remediation Scheme) above, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a validation report must be prepared in accordance with 3 (Implementation of Approved Remediation Scheme) above, which is subject to the approval in writing of the Local Planning Authority.

5. Long Term Monitoring and Maintenance

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

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

This must be conducted in accordance with DEFRA and the

Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

12. Notwithstanding the details submitted no development shall take place until a surface water drainage system has been designed in accordance with the conclusions of the flood risk assessment, and agreed with the Local Planning Authority. The agreed system shall be fully installed before any impermeable surfaces designed to drain to that system are constructed.

To reduce the risk of flooding.

13. Prior to the development being brought into use details of (i) signage to be erected on the site and (ii) promotional literature for the operation shall be agreed with the Local Planning Authority in order to promote safe routes to and from the site for caravan related traffic. These routes shall be actively promoted to all users of the site in accordance with a scheme first agreed in writing with the Local Planning Authority. The route restrictions in question for caravan related traffic using the A19 shall be as follows:

Arriving from the North - No restrictions

Departing to the North - From site turn left onto Dalton Back Lane to Three Gates junction, turn right onto Dalton Lane, turn right onto Elwick Road, turn left onto Dunston Road roundabout, turn left to Hart Lane, turn left onto A179, turn right onto A19 at A179/A19 junction.

Departing to the South - From the site turn left onto Dalton Back Lane, turn left at Three Gates junction, turn left onto A19.

Arriving from the South - Leave A19 at A689 junction, follow A689, turn left onto Dalton Back Lane.

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

14. The improvements to the access (detailed on drawing BIG/IC/TB/286-106F received at the Local Planning Authority on 19th January 2011) and the access road (detailed on drawing BIG/IC/TB/286-104B) shall be completed in accordance with the approved details, unless some variation is subsequently agreed in writing with the Local Planning Authority, before any other part of the development hereby approved is commenced. The access and access track shall thereafter be retained as approved for the lifetime of the development unless some variation is subsequently agreed in writing by the Local Planning Authority.

In the interests of highway safety.

15. The development hereby approved shall be used as a touring caravan site and camping site only and under no circumstances for the siting of static caravans. Neither shall it be used for the storage of caravans. In line with planning policies and in order to protect the visual amenity of the area.

16. Unless otherwise agreed in writing with the Local Planning Authority the individual caravan pitches and associated car parking areas shall be retained in grass and no hardstandings shall be formed.
As stated in the application and in the interests of visual amenity.
17. No open storage shall take place on the site unless otherwise agreed in writing by the Local Planning Authority.
In the interests of the visual amenity of the area.
18. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose.
In the interests of visual amenity.
19. Details of the construction of the access, access roads including surfacing materials shall be submitted to and approved by the Local Planning Authority before development commences.
In the interests of visual amenity and highway safety.
20. Details of all walls, fences and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced.
In the interests of visual amenity.
21. Prior to the commencement of development details of any excavation, leveling or earthworks proposed shall be submitted to and approved in writing by the Local Planning Authority.
In the interests of visual amenity.
22. Notwithstanding the submitted details 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.
23. 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, shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted. All approved tree planting shall be retained for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.
In the interests of visual amenity.
24. The details of provisions for supervision and any managers/staff accommodation shall be submitted to and approved in writing by the Local Planning Authority prior to the site being brought into use.
In order to ensure these matters are clarified.
25. Prior to the commencement of development a detailed phasing plan for the development of the site, including a timetable for the provision of caravan pitches/camping facilities and all associated amenity buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance

with the phasing plan so agreed unless otherwise agreed in writing by the Local Planning Authority.

In order to ensure that the development of the site proceeds in a satisfactory manner.

26. Notwithstanding the details submitted no development shall take place until a scheme for the disposal of foul water arising from the site (including the design of the system and copies of consents and authorisations from the Environment Agency if necessary) 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. The site shall not be occupied until the approved scheme has been implemented and is operational.

To prevent pollution of the water environment.

27. Notwithstanding the details submitted development shall not commence until a scheme for the provision of a water supply for the development (including the design of the system and copies of consents and authorisations from the Environment Agency if necessary) 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. The site shall not be occupied until the approved scheme has been implemented and is operational.

In order to ensure that an adequate water supply is provided.

The Committee considered representations in relation to this matter.

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| Number: | H/2011/0068 |
| Applicant: | John O'Connor, Brigandine Close. Seaton Carew, Hartlepool |
| Agent: | Mr John O'Connor, 22 Brigandine Close, Seaton Carew, HARTLEPOOL |
| Date received: | 11/02/2011 |
| Development: | Change of use of tea room to licensed restaurant including use for functions (weddings, christenings etc) and extension of opening hours to 09.00 to 23.00 Monday to Saturday and 09.00 to 22.00 Sundays |
| Location: | ST ANDREWS CHURCH, YORK PLACE HARTLEPOOL |
| Representations: | Mr O'Connor (applicant) was in attendance and addressed the Committee accordingly. |
| Decision: | Planning Permission Approved subject to the consideration by the Development Control |

Manager in consultation with the Chairman of the Planning Committee of any further representations arising during the consultation period and subject to the following conditions

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 (site plan) and details received by the Local Planning Authority at the time the application was made valid on 11th February 2011, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. Notwithstanding the details submitted this permission does not authorise any physical alterations to the building.
For the avoidance of doubt.
4. Unless otherwise agreed in writing with the Local Planning Authority the use shall not commence unless the ventilation filtration and fume extraction equipment to reduce cooking smells, approved under the provision of condition 6 attached to planning permission H/2007/0009 has been installed. Thereafter, the approved scheme shall be retained and used in accordance with the manufacturers instructions for the lifetime of the development at all times whenever food is being cooked on the premises.
In the interests of the amenities of the occupants of neighbouring properties and the character and appearance of the listed building/Conservation Area.
5. The refuse storage arrangements shall be in accordance with the details approved under the provisions of condition 5 attached to planning permission H/2007/0009.
For the avoidance of doubt.
6. No external eating/drinking or seating areas shall be provided within the site.
In the interests of the amenities of the occupants of neighbouring properties.
7. The premises shall be used as a restaurant (A3)/function room and for no other purpose.
For the avoidance of doubt and In the interests of the amenities of the occupants of neighbouring properties.
8. The premises shall only be open to the public between the hours of 09:00 and 23:00 Mondays to Saturdays inclusive and 09:00 to 22:00 on Sundays and at no other times.
In the interests of the amenities of the occupants of neighbouring properties.

The Committee considered representations in relation to this matter.

Number: H/2011/0064

Applicant: Mr I MEDFORTH, SILVERBIRCH ROAD,
HARTLEPOOL

Agent: The Planman, Mr S Pinches, 8 Dryden Close,
Billingham

Date received: 07/02/2011

Development: Erection of a single storey garden room at the rear
and alteration to garage doors

Location: 23 SILVERBIRCH ROAD HARTLEPOOL

Decision: **Planning Permission Approved subject to
conditions**

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 external materials used for this development shall match those of the existing building(s) unless otherwise agreed in writing with the Local Planning Authority.
In the interests of visual amenity.
3. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting the Order with or without modification), no windows(s) shall be inserted in the elevation of the extension facing east towards Thistle Close without the prior written consent of the Local Planning Authority.
To prevent overlooking.
4. The development hereby permitted shall be carried out in accordance with plans (Drawing Nos. 1-4 and site location plan) and details received on the 7 February 2011.
For the avoidance of doubt.

Number: H/2010/0569

Applicant: Mr P Marsh, JAYWOOD CLOSE, HARTLEPOOL

Agent: Mr P Marsh, 27 JAYWOOD CLOSE, HARTLEPOOL

Date received: 25/02/2011

Development: Erection of 1.8 metre high fence, incorporation of
land into garden, erection of a garden shed

Location: 27 JAYWOOD CLOSE HARTLEPOOL

Decision: **Planning Permission Approved subject to conditions**

CONDITIONS AND REASONS

- 1 Notwithstanding the submitted details, prior to the erection of the hereby approved shed, final details of the shed shall 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, unless otherwise agreed in writing by the Local Planning Authority.
To ensure a satisfactory form of development.
- 2 Notwithstanding the submitted details, within 1 month from the date of this approval, details of a landscaping scheme on the remaining open space adjacent the boundary fence shall be submitted to and agreed in writing by the Local Planning Authority, this shall include a programme for implementation and maintenance. Thereafter the development shall be carried out in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity.

148. Appeal by BNP Paribas Securities Services Trust Company (Jersey) Limited and BNP Paribas Securities Services Trust Company Limited as Trustees of The Threadneedle Property Unit Trust, Site at Units 1 and 2 Burn Road, Hartlepool, TS25 (H2010/0245) (Assistant Director, Regeneration and Planning)

Members were advised that a decision in relation to the above appeal had been received from the Planning Inspectorate. The appeal was lodged against the refusal of Hartlepool Council to allow alterations to elevations and works to create three retail units and associated works to car park at units 1 and 2 Burn Road. The application was refused under delegated powers through the Chairman of the Planning Committee.

The appeal was allowed. The Inspector concluded that the proposal would not harm the character and appearance of the Conservation Area or the listed Church. The appeal decision was attached by way of appendix.

A Member questioned who had given the authority for the appeal to be contested. The Principal Planning Officer confirmed that a report had been submitted to the Planning Committee on 3 December 2010 and the Committee authorised the Assistant Director (Regeneration and Planning) to contest the appeal (minute 97 refers).

Decision

The outcome of the appeal was noted.

149. Appeal by BNP Paribas Securities Services Trust Company (Jersey) Limited and BNP Paribas Securities Services Trust Company Limited as Trustees of the Threadneedle Property Unit Trust Site at Units 1 and 2 Burn Road, Hartlepool TS25 (H/2010/0592) (Assistant Director, Regeneration and Planning)

Members were advised of the receipt of a planning appeal. The appeal had been lodged against the refusal of Hartlepool Borough Council to allow alterations to elevations and works to create three retail units and associated works to car parks at units 1 and 2 Burn Road. The application was a resubmitted application following an earlier refusal on the site (H/2010/0245) (minute 148 refers). The application was refused under delegated powers through the Chairman of the Planning Committee.

Members will note from minute 148 that the appeal against the refusal of an earlier application on the site was recently allowed. It was acknowledged that, whilst this revised scheme was still not considered acceptable, it was a marginal improvement from the earlier application. It was also understood that the appellant favoured this latter scheme. In light of the above, whilst the appeal must proceed, it was not considered expedient to contest the appeal, other than submit the questionnaire and associated documents.

The appeal was to be decided by written representations.

Decision

The authority to contest the appeal was not given beyond making recommendations to the Planning Inspectorate in relation to conditions which should be attached to any approval, as is the usual protocol in such matters.

150. Update on Current Complaints (Assistant Director, Regeneration and Planning)

Members' attention was drawn to 18 current ongoing issues which were being investigated. Developments would be reported to a future meeting if necessary.

A Member sought clarification on permitted development rights and the Development Control Manager indicated she would contact that Member direct with the relevant information.

Decision

The report was noted.

151. Hartlepool Tree Strategy (*Assistant Director, Regeneration and Planning*)

The report updated the Committee on the Hartlepool Tree Strategy 2011 – 2016. Public consultation on the revised strategy had been undertaken during September and October 2010 and the comments and representations made were incorporated into the strategy where appropriate. Members were informed that Cabinet had adopted the updated Tree Strategy on 7 February 2011.

It was noted that at the meeting of Cabinet on 7 February 2011 it was suggested by a Member that when any new planting was proposed that consideration be given to fruit trees or fruit type shrubs being utilised wherever possible. The Landscape, Planning and Conservation Manager was in attendance and confirmed that the guidance provided was about 'right tree – right place' and consideration was given to all trees that would be appropriate for that area.

Decision

The adoption of the Hartlepool Tree Strategy 2011-2016 was noted.

152. 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 153 – Update on Enforcement Actions – This item contains exempt information under Schedule 12A Local Government Act 1972, namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings (para 5) and, 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 (para 6).

Minute 154 – Longscar Centre, Seaton Carew, Hartlepool - This item contains exempt information under Schedule 12A Local Government Act 1972, namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings (para 5) and, 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 (para 6).

Minute 155 – Enforcement Update – Easy Skips - This item contains exempt information under Schedule 12A Local Government Act 1972, namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings (para 5) and, 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 (para 6).

- 153. Update on Enforcement Actions** (*Assistant Director, Regeneration and Planning*) This item contains exempt information under Schedule 12A Local Government Act 1972, namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings (para 5) and, 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 (para 6).

The report provided a brief summary of the progress of enforcement actions recommended over the last six months as requested by Members.

Decision

The report was noted.

- 154. Longscar Centre, Seaton Carew** (*Assistant Director, Regeneration and Planning*) This item contains exempt information under Schedule 12A Local Government Act 1972, namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings (para 5) and, 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 (para 6).

The report provided Members with an update as to the current position with regard to the Longscar Centre, The Front, Seaton Carew. Further details were contained within the exempt section of the minutes.

Decision

Details were included within the exempt section of the minutes.

- 155. Enforcement Update – Easy Skips** (*Assistant Director, Regeneration and Planning*) This item contains exempt information under Schedule 12A Local Government Act 1972, namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings (para 5) and, 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 (para 6).

The report provided an update on the progress relating to Easy Skips (NE) Limited sites at Casebourne Road and Thomlinson Road. Further details were included within the exempt section of the minutes.

Decision

Details were included within the exempt section of the minutes.

- 156. Any Other Items which the Chairman Considers are Urgent**

The Chairman ruled that the following items of business should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B) (4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

- 157. Training** (*Development Control Manager*)

The Development Control Manager confirmed that training sessions in relation to planning for new Members will be scheduled soon after the elections. It was noted that any Members wishing to be part of the Planning Committee would need to undertake training. As with previous years, it was requested that Members agree that to be eligible to take part in the Planning Committee Members have the relevant training every two years at the very least. To clarify Members who had training in 2010 do not need training in 2011, however those who missed the 2010 training do require further training. The training sessions would be provided through an afternoon and evening session with smaller groups or 1:1 briefings being undertaken should they be necessary, training is open to all Members.

Decision

The proposed training for Members was agreed.

158. Planning Services (*Development Control Manager*)

The Development Control Manager informed Members that the Development Control Team and Landscape, Planning and Conservation Teams had merged and were now Planning Services. The Landscape, Planning and Conservation Team would continue to be managed by the current manager and the same for the Development Control Team. However, Members were asked to note that the Development Control Manager was now the Head of the Planning Services Team.

Decision

Members noted the changes to the Teams.

159. Delegated Authority – Planning Applications
(*Development Control Manager*)

The Development Control Manager drew Members attention to a document which highlighted that government guidelines stated that 90% of all applications should be considered through delegated powers. It was noted that in Hartlepool, 93% of applications were decided through delegated powers.

The Development Control Manager advised that since the initial agreement by Members of delegated powers in 2005 significantly fewer applications were submitted to the Committee for consideration, and she considered that this allowed for a good debate on each item before determination. It was proposed that a report outlining the delegated powers in place, including delegated refusal of applications, be submitted to a future meeting of the Committee for Members' consideration. A brief discussion ensued which highlighted some concerns that Members had in relation to delegated powers. In particular in relation to delegated refusals and subsequent appeals. It was suggested that the options be examined in detail by the Committee.

The Development Control Manager also suggested that this report would look at ways of strengthening the relationships between Members and officers who were part of the planning process.

Decision

The Development Control Manager to submit a report to a future meeting of the Committee detailing the delegated powers in place and suggestions of ways to strengthen the relationships between Members and officers to ensure effective communication.

The meeting concluded at 12.18 pm.

CHAIR

No: 1
Number: H/2011/0082
Applicant: Mr Richard Harlanderson Regeneration & Neighbourhoods 1 Church Street HARTLEPOOL TS24 7DS
Agent: Mr Richard Harlanderson Hartlepool Borough Council Regeneration & Neighbourhoods 1 Church Street TS24 7DS
Date valid: 14/03/2011
Development: Installation of CCTV camera
Location: ADJACENT TO 4 ARDROSSAN ROAD HARTLEPOOL HARTLEPOOL

The Application and Site

1.1 The application is at the northern end of Ardrossan Road close to the junction with Brierton Lane.

1.2 The proposal involves the erection of a new 8m high metal lamp post to replace the existing smaller concrete lamp post to replace the existing smaller concrete lamp post which is situated within the highway verge, just to the east of 4 Ardrossan Road.

1.3 A dome type CCTV camera is to be fixed near the top of the column in order to monitor the vehicular access gates to Stranton Cemetery on Brierton Lane.

1.4 The application has been submitted in response to a petition which was received by the Council. This highlighted security issues within the cemetery which include vandalism, theft from graves and vehicles speeding through the narrow cemetery access roads.

Publicity

1.5 The application has been advertised by way of neighbour letters (6) and a site notice posted in Ardrossan Road. To date three letters of no objection have been received.

The period for publicity expires before the meeting.

Consultations

1.6 The following consultation replies have been received:

Public Protection – No objections

Planning Policy

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

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

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

Planning Considerations

1.8 The main planning considerations in this case are the appropriateness of the proposal in terms of the policies and proposals contained within the adopted Hartlepool Local Plan, the impact of the development on the street scene in terms of its visual appearance and the potential for overlooking and loss of privacy at nearby residential properties.

1.9 With regard to its setting within the street scene, the new lamp post, which is similar to many others within the town, is considered to be acceptable in terms of visual amenity. The CCTV camera equipment consists of a rectangular box mounted close to the top of the post. This box has the half spherical shaped camera fixed below. Again, this is considered to be a minor addition to the lamp post and would be fairly unobtrusive within the street scene and would be unlikely to detract from the visual amenities of this residential area.

1.10 The position of the post and camera has been chosen for its ability to monitor the cemetery gates 'head on' and for vehicle identification purposes.

1.11 The Council's Community Safety Officer has stated that "the camera is a static installation which would be focused purely on the Brierton Lane entrance to the cemetery and that there is no possibility of the camera being traversed to monitor anywhere other than the preset area of vision. Initial "set up" will be tight so as to ensure there is no spill over to interfere with residential property".

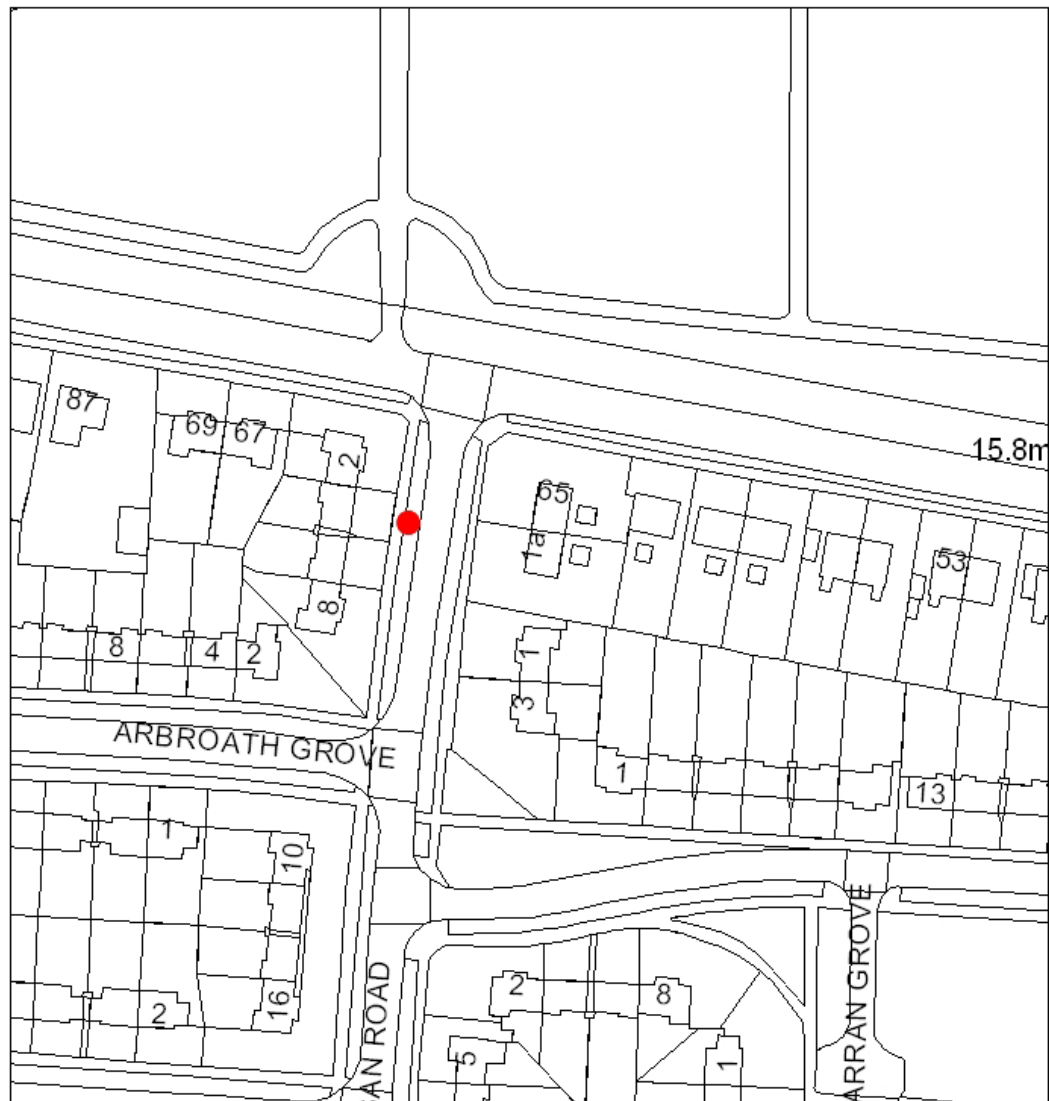
1.12 The applicant has stated that another reason for the location of the camera was access to a power supply. If the camera was to be located within the cemetery, a new power source would have to be installed.

1.13 This type of static camera has no capability to pan / tilt or zoom. Upon installation, the view field is established and can only be altered at the camera location. The use of this type of camera would minimise the potential for any breaches of privacy to residential properties.

1.14 In view of the above it is considered that the proposed CCTV camera is acceptable in terms of siting within the street scene and its impact on residential properties in terms of visual intrusion and loss of privacy.

RECOMMENDATION – APPROVE subject to the following conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 7th March 2011, 24 March 2011 and 4 April 2011, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. The development hereby approved shall be carried out in accordance with the details provided on 7 and 24 March 2011 which show the proposed field of vision for the camera. Thereafter the camera shall not extend or alter this field of vision during its operation unless any variation is first agreed in writing by the Local Planning Authority.
To prevent overlooking.

ARDROSSAN ROAD

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|--|------------------------------|-------------------------|
| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 06/04/11 |
| | SCALE 1:1000 | |
| Regeneration and Neighbourhoods Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT | DRG.NO H/2011/0082 | REV |

No: 2
Number: H/2011/0002
Applicant: Mr Tim Jennison 19 Rillston Close HARTLEPOOL TS26 0PS
Agent: Mr Malcolm Arnold 2 Siskin Close Bishop Cuthbert HARTLEPOOL TS26 0SR
Date valid: 04/01/2011
Development: Erection of a two storey extension to side to provide store, cloaks, utility, bedroom and en-suite
Location: 19 Rillston Close HARTLEPOOL

The Application and Site

2.1 The site to which this application relates is a two-storey detached dwelling, located on Rillston Close, within a predominately residential area. The property has previously been extended to the rear and side at ground and first floor under planning permissions HFUL/1992/0462 and HFUL/2000/0229.

2.2 The application seeks consent for the erection of a two-storey side extension, comprising a ground floor store, cloaks and utility, and first floor bedroom and en-suite. The extension will project 0.8m forward of the front of the garage to the side, with an eaves height of 4.85m to tie in to the existing side extension. The extension will have a front to back pitched roof with a ridge height of 6.7m. It will project the full width of the existing garage.

Publicity

2.3 The application has been advertised by way of neighbour letters (6). To date, there have been two letters of objection.

2.4 The concerns raised are:

- Parking – cars will park on the road;
- Previous extension reduced drive length, resulting in cars being parked on the road;
- Neighbouring property is set back from application site;
- Loss of light to lounge and bedroom;
- House would appear hidden behind the obtrusive gable wall;
- Extension would destroy relationship between two buildings;
- Cars parked on road create a hazard;
- The tree to the front of the garden, would impinge on extension;
- Concerns over discharge of rainwater;
- Proposal is greatly out of keeping with the design and layout of the houses.

The period for publicity has expired.

Copy Letters E

Consultations

2.5 The following consultation replies have been received:

Traffic and Transportation – The applicant needs to provide two parking spaces with a minimum drive length of 5 metres. However, given the recent Inspector's decision on the appeal at 15 Ruskin Grove, no objections to the scheme.

Planning Policy

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

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

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

2.7 The main planning consideration in this instance is the appropriateness of the proposals in relation to the relevant Hartlepool Local Plan (2006) policies, with particular regard to the impact of the proposal on the amenity of neighbouring properties in terms of overlooking, overshadowing, dominance and outlook, the effect on the existing property and the street scene in general, and the impact on highway safety.

Amenity

2.8 It is considered that the main relationship for consideration in this instance is that with the neighbouring property, 20 Rillston Close.

2.9 In terms of overlooking, it is considered unlikely that the proposal will give rise to significant levels of overlooking. Whilst there are windows in the front elevation of 20 Rillston Close, no windows are proposed in the side elevation of the extension, and it is considered that the installation of windows can be satisfactorily controlled through a suitably worded condition. In terms of overshadowing/loss of light, whilst the concerns of the objector are noted, the orientation of the two properties is such that the front elevations are both north facing. Whilst the neighbouring property has primary windows at both ground floor (lounge) and first floor (bedroom) to the front elevation, the siting of the extension to the north-east of the windows means it is

unlikely that it will significantly overshadow those rooms, given that those windows will receive little direct sunlight in any case.

2.10 In terms of the impact on dominance and outlook, again consideration must be given principally to those ground and first floor rooms with windows on the front elevation of 20 Rillston Close. The proposed extension will sit forward of the front elevation of the neighbouring property by approximately 5.5m. Furthermore the extension will project along the shared boundary with the front garden of the neighbouring property, resulting in a significant increase in the overall expanse of the gable end within close proximity to the front elevation of no. 20. It is considered that the outlook from the primary windows of 20 Rillston Close to the front of the property would be unduly compromised by the proposed extension. It is considered that, given the close proximity, the orientation of the extension, and the scale and massing of the proposal, the extension would be unduly dominant in respect of the lounge and bedroom, to the detriment of the living conditions of the occupiers of the neighbouring property.

2.11 It is considered that given the separation distances to the other surrounding residential properties in Rillston Close and to the rear in Blaise Garden Village, it is unlikely that the proposals will have a significant impact on the amenity of those properties.

Existing Property and Street Scene

2.12 It is considered that the extension would not appear unduly obtrusive or out of keeping with the existing property. The extension will be set back from the front of the property, and would only marginally increase the footprint of the existing garage. The design and appearance of the extension is considered to be appropriate within the context of the existing property.

2.13 Whilst the extension will be visible from the wider street scene, it is not considered that it would appear unduly obtrusive within the street scene. Rillston Close is characterised by a variety of different house types, and it is considered that the proposed extension would be in keeping with the character and appearance of the street scene.

Highways

2.14 The proposal would result in the loss of one off-street parking space in the form of the existing garage. Hartlepool Local Plan (2006) guidelines require the provision of two off-street parking spaces on proposals for new dwellings. Supplementary Guidance Note 4 of the Local Plan (2006) states that in cases for residential extensions, it is important to ensure that an adequate driveway is maintained within the site to enable cars that are not garaged to be parked off the highway. A minimum drive length of 5m is also required. Whilst therefore it is not prescriptive in policy terms, it is aspirational that two off-street spaces are retained in cases for residential extensions.

2.15 Following the extension the driveway itself would not facilitate the parking of two vehicles. However, there is sufficient space for the parking of two cars when the service strip between the driveway and the highway is taken into account. The total depth from the front of the house to the highway is 7.2m to the extension, and 6.5m

to the front of the house. An inspector, in a recent appeal decision at 15 Ruskin Grove, allowed the appeal despite concerns that the reduced drive length would result in issues of highway safety. The inspector indicated that despite the fact that parked cars would overhang the highway, because it would not infringe pedestrian or vehicular movement it would not have a significant impact on highway safety. In this instance there is no footpath either side of the service strip and therefore the parking of vehicles upon it would not impinge on pedestrian movement. Furthermore, including the service strip in the drive length would mean sufficient space is provided for vehicles, without the need to overhang the highway itself.

2.16 It is considered therefore that it is unlikely the proposal would lead to the impediment of vehicular traffic on the highway. On that basis it is considered that an objection on highway safety grounds could not be sustained. The Council's Traffic and Transportation have raised no objection on the basis of the above.

Other Issues

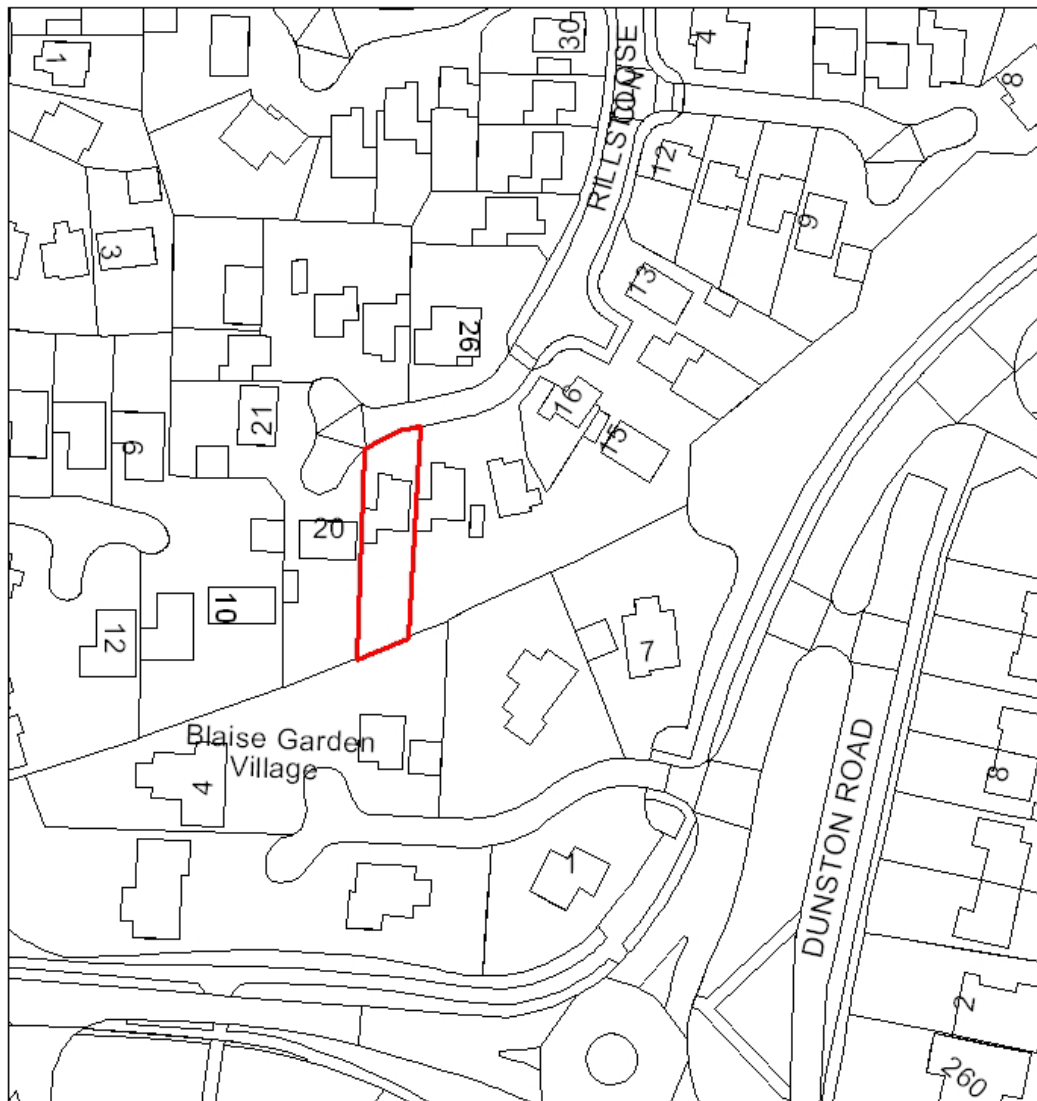
2.17 Concerns raised in respect of the removal of tree branches and the interference of the extension with the tree to the front of 20 Rillston Close are a civil matter for the respective land owners, given the lack of protection status of the tree. In respect of the intentions for the discharge of drainage from the extension, the submitted plans showing guttering to the front elevation, to drain onto the applicants land. Whilst no guttering is shown on the proposed gable wall, any issue of guttering overhanging neighbouring land, again is a civil matter.

Conclusions

2.18 With regard to the relevant Hartlepool Local Plan (2006) policies, and having regard to all relevant planning considerations as discussed above, it is considered that the proposed development will have a significant impact on the amenity of the neighbouring property, 20 Rillston Close, and on that basis is recommended for refusal.

RECOMMENDATION - REFUSE

It is considered that the proposed extension, by virtue of its siting, design, scale and massing would appear unduly dominant and overbearing upon the outlook the neighbouring property 20 Rillston Close, to the detriment of the amenity of the occupants contrary to policies CEP1 and HSG10 of the adopted Hartlepool Local Plan (2006).

19 RILLSTON CLOSE

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| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 05/04/11 |
| | SCALE 1:1000 | |
| Regeneration and Neighbourhoods Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT | DRG.NO H/2011/0002 | REV |

No: 3
Number: H/2010/0589
Applicant: Mrs Ellen Gardner 54 Fernwood Avenue HARTLEPOOL TS25 5LU
Agent: Mrs Ellen Gardner Haulfryn 54 Fernwood Avenue HARTLEPOOL TS25 5LU
Date valid: 01/11/2010
Development: Erection of a two storey extension at the side to provide access to loft space with room to accommodate physio equipment, toilet and shower facilities
Location: 54 Fernwood Avenue HARTLEPOOL

The Application and Site

3.1 The site to which this application relates is a two-storey, semi-detached dwelling, located on Fernwood Avenue, within a predominately residential area. The property has previously been extended single storey to the side, (HFUL/2002/0409) and single storey to the rear.

3.2 This application seeks consent for the erection of a two-storey extension to the side to facilitate the extension and conversion of the loft space to provide a treatment room and a bathroom at second floor level. It is indicated that the works are proposed to provide treatment facilities for the applicant's daughter.

Publicity

3.3 The application has been advertised by way of neighbour letters (6). To date, there have been two letters of objection.

3.4 The concerns raised are:

- a) Extension will overbear and dominate adjacent properties;
- b) Proposal will drastically alter the buildings lines and be out of character with the area;
- c) May set a precedent for similar developments;
- d) Loss of privacy and the amount of natural light available;
- e) Out of place and intrusive;
- f) Would welcome introduction of hipped roof rather than gable.

The period for publicity has expired.

Copy Letters F

Planning Policy

3.5 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

3.6 The main issues for consideration in this instance are the appropriateness of the proposals in relation to the relevant Hartlepool Local Plan (2006) policies, with particular regard to the effect of the proposal on the amenity of neighbouring properties by way of overlooking, overshadowing, dominance and outlook, the effect on the character and appearance of the existing property and the street scene in general.

Amenity

3.7 The main relationship for consideration in amenity terms is that with the neighbouring property, 56 Fernwood Avenue. The neighbouring property has three windows in the side elevation at first floor. Two are obscurely glazed and serve a bathroom. The third window is clear and serves a landing. At ground floor the property also has two windows (one obscure), which serve the kitchen. The main kitchen window, however, is located on the rear elevation of the property.

3.8 It is considered that, whilst the proposed extension will feature in the outlook of the clearly glazed windows in the side elevation of no. 56, given that they either serve non-habitable rooms (i.e. the landing) and the one at ground floor is a secondary kitchen windows, it is not considered that the works will have a significant detrimental impact on the amenity of the neighbouring property by way of dominance or outlook.

3.9 The plans show that windows are to be located in the side elevation of the extension. The plans however, show the windows as being frosted glazing. It is considered that those windows can be maintained obscurely glazed through the use of planning condition, and the proposal is unlikely therefore to result in significant overlooking with no. 56.

3.10 The rear of the proposed extension will sit in line with the rear wall of the neighbouring property, which contains the main kitchen window. It is considered that the relationship is such that the extension is unlikely to result in significant levels of overshadowing to the habitable rooms of the neighbouring property.

3.11 Given the siting of the extension, it is unlikely the works will have a significant impact on the adjoining property, 52 Fernwood Avenue. Again, given the separation distances to the properties opposite, it is unlikely the proposal will have a significant impact on the amenity of those properties.

Existing Property and Street Scene

3.12 The existing house is hip-roofed and two-storey. The proposed extension will be pitched at the front, although will have a gable rather than hipped as per the original property. The rear element of the side extension, however, is to be flat-roofed to original ridge height, effectively resulting in a three-storey extension. This element of Fernwood Avenue is characterised by two-storey properties, with hipped roofs, although it is acknowledged there is a degree of variance in the design of the properties, some having hipped gables to the front elevation.

3.13 Policy Hsg10 of the adopted Hartlepool Local Plan (2006) states that proposals for extension to residential properties should be of a size, design and external appearance that harmonizes with the existing dwelling, and is unobtrusive and does not adversely affect the character of the street. Supplementary Guidance Note 4 of the Local Plan (2006) further states that most extensions relate to the original property and look better if finished with a pitched roof and two-storey extensions visible from the main street/road or other public viewpoint should usually have a pitched roof detail.

3.14 The applicant has pointed out that a number of nearby properties have unusual roof designs, however, has not provided any specific examples of such cases. Nevertheless, each application must be determined on its merits. It is acknowledged that 58 Fernwood Avenue has been extended to the side (HFUL/1992/0197) however, that property is set back and has a hipped roof reflecting that of the existing house.

3.15 In this instance, the Applicants have indicated that the resultant space from the extension would be utilised for the treatment of their daughter, who suffers from cystic fibrosis. As a result, the room is needed for a number of directly related factors, notably physiotherapy, including the use of varying machinery and equipment necessary to facilitate the necessary care. Furthermore, sufficient room is required to facilitate physical exercise as part of a treatment programme. As a result of the length of time spent within the treatment room, the applicant has indicated that it is necessary to provide associated bathroom facilities, given the symptoms of the disability and in the interests of hygiene.

3.16 The companion guide to PPS1 (PPS1: The Planning System, General Principles) states that personal circumstances may be material considerations in the determination of planning applications, however, they seldom outweigh general planning considerations.

3.17 Discussions have been undertaken with the applicant with regard to revisions to the proposal. It was suggested that the rear element of the extension be reduced in depth and height to allow it to appear subservient to the main property. It was also requested that a hipped roof be provided rather than the flat roof proposed. The

applicant has indicated, however, that a reduction was not feasible as it would not provide sufficient internal ceiling height to accord with Building Regulations. Discussions with Building Control indicate that a minimum 1.8m internal height would need to be provided. The applicant thereafter provided plans which showed that whilst a 1.8m internal height could be provided, it would provide insufficient external height to facilitate a pitched roof. The applicant has, however, provided sketch plans showing a reduction in the depth of the rear element of the extension, so that it sits back off the main rear wall.

3.18 The applicant has indicated that the property in its current form does not offer sufficient space to facilitate the treatment room and no suitable alternative properties are available. The applicant has further indicated that several options have been explored in order to achieve requirement for treatment room, however, has failed to provide details of any alternative options to facilitate the provision of a treatment room, particularly at ground floor level.

3.19 Notwithstanding the above, it is considered that the proposed extension in its current form would be harmful to the character, design and appearance of the property as it would appear out of keeping, excessively dominant and out of proportion with the existing dwelling. Furthermore it is considered that the extension would appear incongruous, and unduly discordant in respect of the design, character and appearance of its immediate surroundings within Fernwood Avenue.

3.20 Whilst regard is to be had to the above and weight is given to the exceptional circumstances of the case, it is considered that insufficient evidence has been offered as to why the scheme in its current form is the only viable option to facilitate the required space as a result of the individual circumstances. It is further considered that a personal condition requiring the removal of the works when no longer required would be unreasonable, particular when regard is had to Circular 11/95 (The Use of Conditions in Planning Permission) which states that the imposition of a personal condition will seldom be justified in the case of a permission for a permanent building.

3.21 Having regard to all the above it is considered that the proposal would have a significant detrimental effect on the character and appearance of the existing property and the street scene in general.

Other Issues

3.22 It should be noted that the plans in some instances are not to scale and omit elements of the proposal, i.e. windows, from floor plans which are detailed on elevational plans. This however could be controlled by condition.

Conclusions

3.23 With regard to the relevant Hartlepool Local Plan (2006) policies as set out above (GEP1 and Hsg10), and with regard to all relevant considerations as discussed above, it is considered that the proposal will have a significant detrimental effect on the character and appearance of the existing property and the street scene in general.

RECOMMENDATION - REFUSE

It is considered that the proposed development by reason of its size, design, appearance and massing would have a significant detrimental impact on the character and appearance of the existing property and would appear incongruous and out of keeping with the street scene contrary to policies GEP1 and Hsg10 of the adopted Hartlepool Local Plan (2006).

54 FERNWOOD AVENUE

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| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 05/04/11 |
| | SCALE 1:1000 | |
| Regeneration and Neighbourhoods Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT | DRG.NO H/2010/0589 | REV |

No: 4
Number: H/2011/0138
Applicant: c/o agent
Agent: Howson Developments Mr Craig Stockley Thorntree
Farm Bassleton Lane Thornaby STOCKTON ON TEES
TS17 0AQ
Date valid: 14/03/2011
Development: Variation of condition no. 12 of H/2010/0703 to allow
trading on Sundays and Bank Holidays between the hours
of 07:00 and 23:00
Location: 132 Station Lane HARTLEPOOL

The Application and Site

4.1 The application site was until recently occupied by a former public house located on the north side of Seaton Lane. It is bounded to the north by allotments. To the west is a railway embankment. To the east are a dwellinghouse and its associated rear garden. To the south is Station Lane beyond which are housing which faces the site, access to the railway station and allotments.

4.2 Planning permission was granted in February 2011 for the demolition of the Station Hotel and erection of retail unit (Use Class A1) with associated car parking (resubmitted application) (H/2010/0703). The application was approved against Officer recommendation with exact wording of conditions delegated to the Development Control Manager in consultation with the Chair of the Planning Committee. In the application forms the applicant had stated that the proposed hours of operation would be 07:00 to 23:00 Monday to Saturday. Condition 12 attached to the permission restricted the hours of operation to those the applicant had requested which did not include Sundays and Bank Holidays. The condition was imposed at the request of the Head of Public Protection in the interests of the amenity of neighbours.

4.3 The current application is to extend the opening hours to include Sundays and Bank Holidays with the proposed opening hours being 07:00 to 23:00.

Related Applications

4.4 An application (H/2011/0160) to vary a condition on the original approval which restricts the type of vehicle which can service the site is also before members on this agenda.

Publicity

4.5 The application has been advertised by neighbour notification (68), site notice and in the press.

4.6 To date three letters of objection, two letters of support and one letter of no objection have been received.

4.7 The objectors have raised the following issues:

- The store will lead to increased vehicular and pedestrian traffic, extending the hours will result in increased disturbance, including disturbance late at night with no respite for residents.
- Traditionally premises with extended hours are not located in highly residential areas.
- Increased antisocial behaviour.
- It is cut and dried and has been all the time

4.8 A person writing in support of the application states that all other supermarkets are open on Sundays and Bank Holidays.

4.9 One person whilst not objecting advises she would like to see a pedestrian crossing to assist road crossing.

The time period for representation expires on 12th April 2011.

Copy letters G

Consultations Responses

4.10 The following consultation replies have been received:

Head Of Public Protection : No objections.

Traffic & Transportation : There are no highway or traffic concerns.

Cleveland Police : No comments received.

Planning Policy

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

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

Com8: States that the sequentially preferred locations for shopping development are firstly within the town centre, then edge-of-centre sites, Victoria Harbour and then other out of centre accessible locations offering significant regeneration benefits. Retail proposals over 500 square metres located outside the primary shopping area

will be required to demonstrate need, to justify appropriate scale and to demonstrate that a sequential approach has been followed. All retail proposals over 2500 square metres gross to be accompanied by a Retail Impact Assessment. For proposals between 500 and 2499 sq metres applicants should agree with the Council whether retail impact assessment is required. Legal agreements may be sought to secure rationalisation of retail provision and the improvement of accessibility and conditions will be attached to control hours of operations.

Com9: States that main town centre uses including retail, office, business, cultural, tourism developments, leisure, entertainment and other uses likely to attract large number of visitors should be located in the town centre. Proposals for such uses outside the town centre must justify the need for the development and demonstrate that the scale and nature of the development are appropriate to the area and that the vitality and viability of the town centre and other centres are not prejudiced. A sequential approach for site selection will be applied with preferred locations after the town centre being edge-of-centre sites, Victoria Harbour and then other out of centre accessible locations offering significant regeneration benefits. Proposals should conform to Com8, To9, Rec14 and Com12. Legal agreements may be negotiated to secure the improvement of accessibility.

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.

Planning Considerations

4.12 The main planning considerations are policy, impact on the amenity of neighbours and crime and antisocial behaviour.

POLICY

4.13 The principle of the development of the site for retail purposes has been accepted. It is not considered that the proposal to extend the opening hours raises

any significant additional policy issues which were not considered by members in respect to the original approval (H/2010/0703).

IMPACT ON THE AMENITY OF NEIGHBOURING PROPERTIES

4.14 The property is bounded to the east by residential properties and there are also residential properties to the south and south east on the other side of Station Lane which face the site. The residential property immediately to the east faces the site with a blank gable and the rear garden is enclosed by a high close boarded fence.

Trading on Sundays and Bank Holidays whilst once restricted is now a common feature of modern retailing. Objections have been received from nearby residents on the grounds that the proposal to extend the opening hours will increase the disturbance they will experience and not allow for any respite from it. It is acknowledged that such concerns can arise however the development replaces a public house on the site from which potentially similar nuisances could have arisen. The closest neighbour faces the site with a blank gable and the provision of an acoustic fence is conditioned which should reduce any disturbance. The residential properties which face the site are located on the opposite side of Station Lane. Station Lane, is one of the main thoroughfares into Seaton Carew, and there will already be a degree of movement and disturbance arising from the traffic movements along the road in any case. No objection has been raised by the Head Of Public Protection and the proposal to extend the opening hours is considered acceptable in terms of its impact on the amenity of neighbours.

CRIME & ANTISOCIAL BEHAVIOUR

4.15 Concerns have been raised that the proposal to extend the opening hours might result in increased antisocial behaviour. Cleveland Police were consulted on the original proposal and made various recommendations in relation to security, alarms, CCTV, lighting, enclosures and landscaping. It is acknowledged that such concerns can arise however the development replaces a public house on the site from which potentially similar nuisances could arise. The original permission includes conditions requiring CCTV, appropriate lighting and landscaping and it considered that with these measures and through the appropriate management of the premises any concerns could be addressed.

CONCLUSION

4.16 The proposal to extend the opening hours is considered acceptable and is recommended for approval.

RECOMMENDATION : GRANT subject to the following conditions.

- 1 This permission relates only to the variation of condition 12 attached to the original approval (H/2010/0703). All the other conditions on the original approval (H/2010/0703) remain extant and must be complied with unless a variation is otherwise approved by the Local Planning Authority.
For the avoidance of doubt.

- 2 The premises shall only be open to the public between the hours of 07:00 and 23:00 on any day.
In the interests of the amenities of the occupants of neighbouring properties.



FORMER STATION HOTEL



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| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 05/04/11 |
| | SCALE 1:1000 | |
| Regeneration and Neighbourhoods Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT | DRG.NO H/2011/0138 | REV |

No: 5
Number: H/2011/0160
Applicant: Euro House 93 Park Road Hartlepool Durham TS26 9HP
Agent: Euro Property Management Ltd Euro House 93 Park Road Hartlepool TS26 9HP
Date valid: 22/03/2011
Development: Variation of condition No 13 on approved application H/2010/0703 to allow "permitted service vehicles" (a vehicle with an axle weight of no more than 18 tonnes) to serve the development□
Location: 132 STATION LANE HARTLEPOOL

The Application and Site

5.1 The application site was until recently occupied by a former public house located on the north side of Seaton Lane. It is bounded to the north by allotments. To the west is a railway embankment. To the east are a dwellinghouse and its associated rear garden. To the south is Station Lane beyond which is housing which faces the site, access to the railway station and allotments.

5.2 Planning permission was granted in February 2011 for the demolition of Station Hotel and erection of retail unit (Use Class A1) with associated car parking (resubmitted application). (H/2010/0703). The application was approved against Officer recommendation with the exact wording of conditions delegated to the Development Control Manager in consultation with the Chair of the Planning Committee. During the course of the consideration of the application the Head of Public Protection requested that a condition be imposed on the permission restricting the size of delivery vehicles to prevent servicing by large articulated vehicles to the site. The information submitted within the applicants transport statement indicated a fixed bed lorry would be used. A condition was imposed restricting the deliveries to the premises to the hours of 07:00 and 21:00 on any day and requiring that the premises shall not be serviced by articulated vehicles. (Condition 13). The condition was imposed in the interests of the amenities of the occupants of neighbouring properties.

5.3 The current application is to vary condition 13 to allow for vehicles with an axle weight of no more than 18 tonnes to service the premises.

Related Applications

5.4 An application (H/2011/0138) to vary a condition on the original approval which restricts the hours of operation of the premises is also before members on this agenda.

Publicity

5.5 The application has been advertised by neighbour notification (30) and site notice.

To date no representations have been received.

Consultation Responses

5.6 The following consultation responses have been received.

Head Of Public Protection : Comments awaited.

Traffic & Transportation : Comments awaited.

Planning Policy

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

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

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

Com9: States that main town centre uses including retail, office, business, cultural, tourism developments, leisure, entertainment and other uses likely to attract large number of visitors should be located in the town centre. Proposals for such uses outside the town centre must justify the need for the development and demonstrate that the scale and nature of the development are appropriate to the area and that the vitality and viability of the town centre and other centres are not prejudiced. A sequential approach for site selection will be applied with preferred locations after the town centre being edge-of-centre sites, Victoria Harbour and then other out of centre accessible locations offering significant regeneration benefits. Proposals should conform to Com8, Com9, Rec14 and Com12. Legal agreements may be negotiated to secure the improvement of accessibility.

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.

Planning Considerations

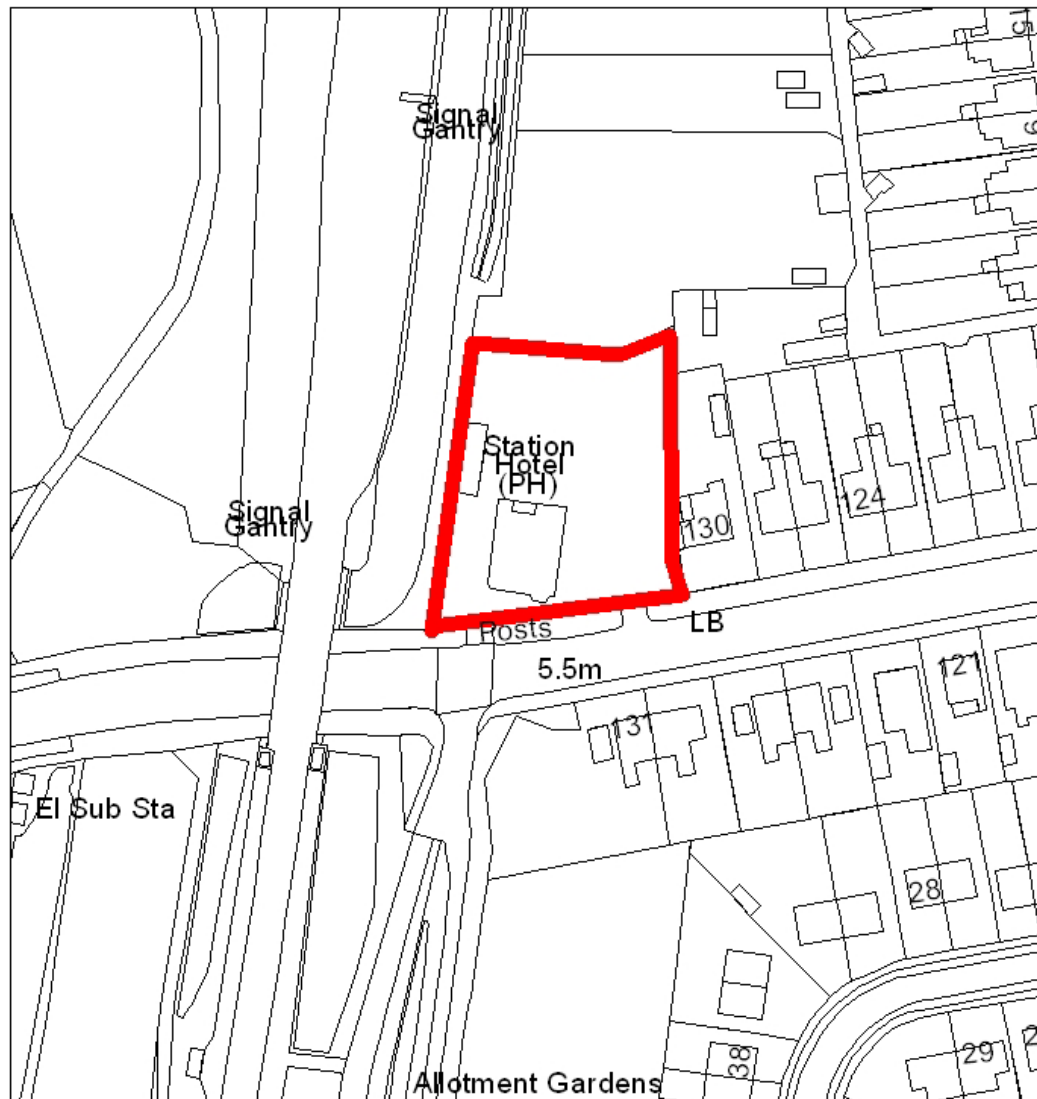
5.8 The main planning considerations are impact on the amenity of neighbours and highway safety.

5.9 As the responses of key consultees are awaited an update report will follow.

RECOMMENDATION : UPDATE report to follow.



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| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 05/04/11 |
| | SCALE 1:1000 | |
| Regeneration and Neighbourhoods Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT | DRG.NO H/2011/0160 | REV |

No: 6
Number: H/2010/0672
Applicant: Mr Ed Alder Investor House Colima Avenue
 SUNDERLAND Tyne and Wear SR5 3XB
Agent: Ben Bailey Homes Mr Ed Alder Investor House Colima
 Avenue SUNDERLAND SR5 3XB
Date valid: 25/11/2010
Development: Residential development comprising 17 three and four
 bedroomed dwellings and associated works (resubmitted
 application)
Location: Throston Grange Court Monmouth Grove
 HARTLEPOOL

The Application and Site

6.1 The application site is a brownfield site having previously been used as a nursing home, of which the buildings have been demolished leaving a cleared site. The site is situated on Monmouth Grove in the predominantly built up area of the Throston Grange area of Hartlepool comprising of mainly housing with schools and local services located nearby.

6.2 Full planning permission is sought for the erection of 17 three and four bedroom dwellings and associated works. The site is owned by Hartlepool Borough Council. The applicant is Ben Bailey Homes. It is intended that the site be developed for 100% market housing. Emerging local policy would require that 10% of the houses to be provided (i.e. two) were affordable. Notwithstanding this, as part of the terms of sale, Ben Bailey Homes are willing to enter into a legal obligation to build 5 affordable housing units on behalf of Endeavour Housing Association on land to the rear of St Marks Church and Community Centre at Clavering Road a site which is also owned by Hartlepool Borough Council. The application at Clavering Road is linked to this application and is also on the committee agenda for consideration at the meeting (H/2010/0648). The two sites are proposed be tied together by way of a legal agreement(s) for the offset affordable housing provision.

6.3 The proposed housing will be erected within a cul-de-sac. The houses will incorporate gardens, landscaping and off street parking. All proposed dwellings will have a garage. The site is bounded to the north by bungalows in Tenby Walk, to the south by properties in Flint Walk which encompass front gardens facing the application site. To east of the site beyond the proposed entrance is Chepstow Walk and the north is an area of open space with Conway Walk located beyond.

Publicity

6.4 The application has been advertised by way of neighbour letters (72), site notices (x4) and press advert. To date, there has been one letter of objection.

6.5 The concerns raised are:

1. Regarding the provision of a six foot high fence to the boundary of the site which will impact upon amount of light entering the objector's windows.

The period for publicity has expired.

Copy Letters D

Consultations

6.6 The following consultation replies have been received:

Traffic and Transportation – Roads and footpaths to be constructed to adoptable standard, by either section 38 agreement or advance payment code agreements.

Landscape and Conservation – The applicant has submitted a tree report in support of the application which provides details of the position, type, size, structural condition and physiological condition of the existing trees at the site.

Most of the trees were found to be in generally fair to good condition with 11 assessed as being category B (moderate quality and value), 6 Category C (low quality and value) and 3 category R (remove, dead, dying and dangerous).

The proposal involves the removal of most of the existing trees from the site in order to facilitate the development.

The removal of most of the existing trees at the site is regrettable and will result in a loss of visual amenity in the short to medium term; however the applicant has sought to retain a small number of the existing trees and has provided a landscaping scheme which includes the planting of replacement trees.

The existing trees to be retained should be protected during the course of construction works by temporary protective fencing in accordance with BS5837:2005 and as tree protection measures have not been submitted with the application, these will be required by condition.

The landscaping scheme includes the provision of 12 heavy standard trees to be located in the front gardens of the proposed properties. However, the scheme includes the planting of a number of apple trees and given the potential for the fruit of these trees to become a cause for complain in the future, I would recommend that they be reconsidered and submitted with Holly or flowering Pear.

The submitted boundary details show a proposal for the site to be bounded by a 1.8m high close boarded fence, however the site is currently bounded by an approximately 1.5m high wall which on the western boundary retains the shrubs and trees contained in planters. Should this wall be removed then the contents of the planters would be unrestrained and may collapse. Therefore it is recommended that, instead of removing the existing wall and replacing it with fence, the existing wall is retained and a smaller fence be provided on top of it in order to attain the desired height of boundary.

Standard conditions apply.

Northumbrian Water – No objections

Hartlepool Water – No comments received

Public Protection – No objections

Tees Archaeology – No objections

Engineering Consultancy - I have reviewed the 'Ground Investigation Report' (Scott Doherty Associated Ltd, SDA/10044/FINAL, Aug 2010) for the above application.

Following this review, I consider that a ground gas risk assessment is required. Therefore I request that a suitably worded condition is imposed on any permission. I have provided more information below.

The Ground Investigation report includes:

- A combined PRA and site investigation, with site walkover, an assessment of the historical/environmental setting, and inclusion of a conceptual site model. The PRA phase of the report did not highlight any contamination issues.
- Fieldwork included the excavation of 9no. trial pits (to between 3.3 and 3.7m), 6no. window sample boreholes (to between 3.5 and 5.0m). Gas monitoring standpipes were installed in 3no boreholes, and monitoring was undertaken on one occasion. From this visit, carbon dioxide was recorded up to 4%; therefore the report does make valid recommendations for a ground gas risk assessment.
- Both soil and water samples were subject to chemical testing. From this testing, no elevated concentration levels were recorded other than 1no. TPH values within the natural deposits. I consider that the GAC value Scott Doherty have derived for TPH (C10-C40) to be inappropriate; I would only accept derived TPH values using a CLEA model where individual fractions have been considered; regardless of this, I do not consider the TPH value, as recorded, to be problematic.

Other than the requirement for a ground gas risk assessment, could I request that the applicant or the applicant's consultant confirm the intention regarding re-use of onsite materials, i.e. the chemical nature of the existing topsoil and subsoil made ground would be suitable for use in proposed garden areas, however I note the presence, consistently, of fill materials including concrete, metal, plastic, bricks. These materials are undesirable in soft landscaped garden areas. Could I have some assurance that this material will be screened/removed prior to replacement within gardens areas?

Cleveland Police - Cleveland Police operate the 'Secured by Design' initiative. This is an ACPO and Home Office scheme which promotes the inclusion of crime prevention measures into new developments. I would recommend that this development seeks to achieve Secured by Design Standards which will help to

reduce incidents of crime and disorder if the following recommendations are implemented there is no reason why this development should not achieve Secured by Design accreditation.

Dwelling Boundaries

The proposed development is located within an existing housing estate which will result in the development inheriting features such as rear footpaths to side and rear of dwellings which is not desired. I am aware that this cannot be avoided but would therefore recommend that boundary treatments to these areas are enhanced with a 200mm boxed trellis to the top of the proposed 1.8m close boarded fence. I would also recommend a more secure sub divisional fencing than the proposed post and rail. I would recommend a close boarded fence min 1.4m with 1.8m fence every third plot to prevent any runs through rear gardens. It is also important to have some demarcation between public and private areas at the front of dwellings a low brick wall fence or hedge would be appropriate to a max of 1m I would also recommend that any boundary fencing should have the horizontal supporting rail placed on the private side of the boundary fence to avoid providing a climbing aid.

Landscaping

I understand that the existing tree and shrub planting area is to be incorporated into the dwelling gardens this will prevent this area being subject to miss use. Any proposed landscaping should not hinder natural surveillance nor conflict with street lighting.

Door Security

These should comply with PAS 24 1999 Doors of enhanced Security any glazing to doors and immediate adjacent should be laminated min 6.4mm. Door sets should be fitted with a door chain or limiter. Front Door a door viewer must be fitted between 1.2m and 1.5m from the bottom of the door unless a vision panel is incorporated in the door

Window Security

These should be certified to BS7950 1997 windows of enhanced security.

Dwelling Security Lighting

Lighting is required to illuminate external doors car parking and garages areas I would recommend Dusk to dawn low energy lamps with a manual override.

Intruder Alarms

A 13amp non switched fused spur suitable for an alarm system should be fitted. If an alarm system is to be fitted this should comply with BS EN 50131&PD6662

Street Lighting

All street lighting for footpaths and highways must comply with BS5489.1.2003. The lighting scheme should not create shadows and the overall uniformity of light is expected to achieve a rating of 0.4Uo and should never fall below 0.25Uo.

Further to above I have concerns with regard bin storage a number of plots do not appear to have a side access to the rear gardens if it is proposed to have bin storage to the front then this must be in a purpose secure unit. Any side access

gates should be lockable and fitted as close to the front of the building as possible. I would also wish to raise the risk of valuable metal theft such as lead flashing consideration should be given to a substitute material. During construction period this is particular at risk along with other theft from building sites suitable preventive measures are recommended.

Hartlepool Water – No comments received

Head of Property Services – No comments received

Planning Policy

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

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

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

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

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.

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

Hsg9: Sets out the considerations for assessing residential development including design and effect on new and existing development, the provision of private amenity space, casual and formal play and safe and accessible open space, the retention of trees and other features of interest, provision of pedestrian and cycle routes and

accessibility to public transport. The policy also provides general guidelines on densities.

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

Planning Considerations

6.8 The main issues for consideration in this case are the appropriateness of the proposal in terms of the policies and proposals held within the Hartlepool Local Plan 2006 in terms of design and layout, trees, the impact of the development on the amenity of the occupiers of nearby residential properties, highways and ground contamination. Of particular significance to the consideration of this application is the residential scheme proposed at land to the rear of St Marks Church and the Community Centre at Clavering Road (H/2010/0648) in terms of the proposed 'offset' of affordable housing. As outlined earlier in the report, this is proposed be subject to an appropriately worded legal agreement(s).

Policy

6.9 The site is located upon brownfield land, located in an area of existing housing and within the limits to development and its redevelopment for housing is considered acceptable in principle.

6.10 As outlined earlier in the report emerging local policy would require that 10% of the houses to be provided (i.e. two) were affordable. Notwithstanding this, as part of the terms of sale, Ben Bailey Homes are willing to enter into a legal obligation to build 5 affordable housing units on behalf of Endeavour Housing Association on land to the rear of St Marks Church and Community Centre at Clavering Road.

6.11 In accordance with current local plan policies the developer has agreed to provide a developer contribution of £250.00 per dwellinghouse towards off site play and £250.00 towards green infrastructure as well as the completion of a targeted training and employment charter.

6.12 In policy terms the proposal is considered acceptable, subject to the consideration of the elements below.

Design and Layout

6.13 The design of the individual dwellings is considered acceptable. In terms of the relationship with properties within and without the site the layout meets or exceeds the Council's guideline separation distances. It is not considered that the proposed development will unduly affect the amenity of neighbouring properties in terms of loss of light, privacy, outlook or in terms of any overbearing effect.

6.14 The application site is currently overgrown following the demolition of a former nursing home. It is considered that the proposal overall will have an acceptable impact on the visual amenity of the area.

6.15 A resident has raised concerns regarding the proposed boundary enclosures and the impact the fencing will have on outlook. With regard to impacts upon outlook for the surrounding residential properties it is considered that the separation distances associated with the site are adequate and therefore the impact which will be created upon outlook will not be of a level to sustain a refusal. Notwithstanding this, a planning condition has been attached requiring further details of boundary enclosures to be submitted. The condition has been attached following concerns raised by the Police (along with the Arboriculturist) regarding the height of the fence. With regard to the outer boundaries of the site the Police have advised an additional 200mm of box trellis upon the top of the proposed 1.8m high close boarded fence and brick pillars. This is considered to be a satisfactory request and can be controlled by way of condition. In relation to the residents concerns it is not considered that a 2m high boundary enclosure will have a significant impact upon outlook.

6.16 The proposals indicate that a number of trees will be removed to facilitate the development. However, within the site others will be retained. The applicant has submitted a landscaping scheme which shows the provision of a number of additional trees as well as general planting. The Arboriculturalist has raised no objections in principle to the proposal but has raised concerns regarding the planting of apple trees within the site due to the potential for future complaints regarding its fruit. It is therefore prudent to condition that a further landscaping scheme is proposed. As outlined earlier in the report the Arboricultural Officer has raised concerns regarding the demolition of a wall to the west of the site, which is proposed to be replaced with a 1.8m boundary fence with brick pillars. Concerns have been raised regarding the potential impact upon the integrity of the existing raised planted area should the wall be removed. To reiterate further, with regard to this concern, and that of the Police as per the height of the boundary fence itself a condition is proposed requiring an amended scheme of boundary enclosures to be submitted to and agreed by the Local Planning Authority.

6.17 Although Cleveland Police highlighted concerns regarding the potential for bin storage to be at the front of properties as a number of properties do not appear to have side access to the rear gardens. It should be noted that these plots do have attached garages with doors in the rear to allow access to the rear gardens. It is therefore not considered there is a lack of access to rear gardens.

Highways

6.18 The proposal accommodates adequate parking for the scale of development, all properties have a minimum of 2 parking spaces, some accommodate 3 spaces. Traffic & Transportation have advised that they have no objections to the development.

Ground Investigation

6.19 The site has been subject to a Ground Investigation Report. Further investigation work is required. The report has been examined by Hartlepool Borough Council's Engineering Consultancy which has requested that an appropriate condition be imposed with regard to ground gas risk assessment. It is considered that with the proposed condition any concerns raised in relation to ground gas arising from the development of the site can be satisfactorily addressed.

6.20 In addition, The Council's Engineers have requested some reassurances regarding the re-use of onsite materials with garden areas. The applicant has confirmed that any re-used soils will be screened prior to re-use. Notwithstanding this, it is considered appropriate to attach a suitable worded planning condition.

Conclusion

6.21 The proposal is considered acceptable and is recommended for approval subject to the completion of a legal agreement(s) securing developer contributions and the delivery of the off-site affordable housing.

RECOMMENDATION – APPROVE subject to the completion of a legal agreement(s) securing developer contribution of £250.00 per dwellinghouse towards off site play and £250.00 towards green infrastructure, the completion a targeted training and employment charter and the delivery of 5 affordable houses to the rear of St Marks Church as per planning application H/2010/0648.

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 25/11/2010 (Drawing Number: MG/SL/01, MG/LP/01, 410 EX GARAGE AS_PL1, 410 EX GARAGE OPP_PL1, 410 EX GARAGE AS_PL2, 410 EX GARAGE OPP_PL2, 371 AS_PL, 366 AS_PL, 366 OPP_PL, 371 OPP_PL, 410 AS_PL1, 410 AS_PL2, MGH_GD_01, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. Notwithstanding the submitted plans 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.
4. 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

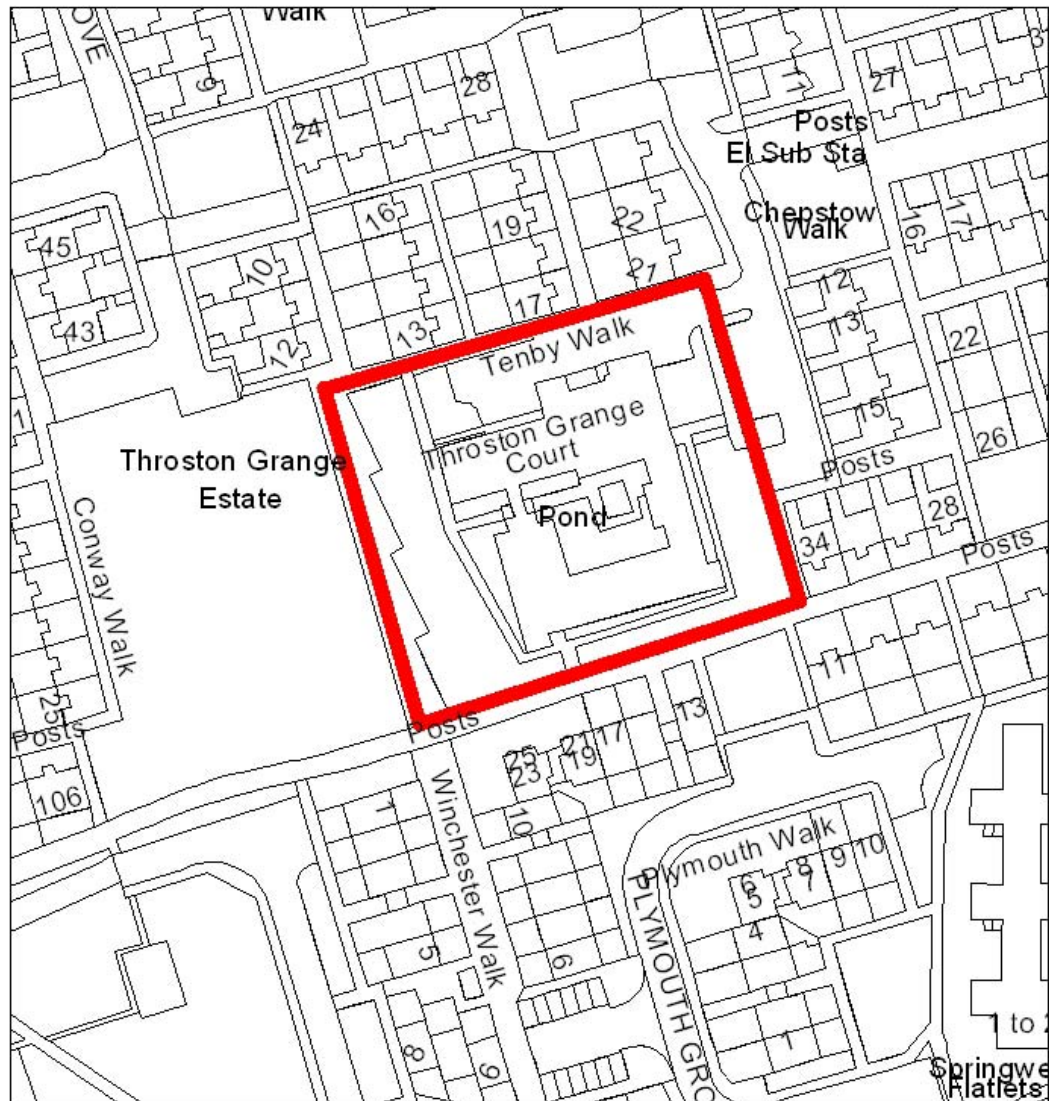
damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

In the interests of visual amenity.

5. No development shall take place until a scheme for the protection during construction works of all trees to be retained on the site, in accordance with BS 5837:2005 (Trees in relation to construction - Recommendations), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.
In the interests of the health and appearance of the preserved tree(s).
6. Notwithstanding the details submitted further amended 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.
7. A ground gas risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the potential impacts on the development and end-users. The contents of the risk assessment are subject to the approval in writing of the Local Planning Authority. The ground gas 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 development hereby approved shall be carried out in accordance with the approved assessment.
To ensure that risks from ground gas risk to the future users of the land and neighbouring land are minimised.
8. Prior to the re-use of existing topsoil and subsoil on-site in the garden areas of the properties hereby approved all materials shall be screened to remove any fill materials including concrete, metal, plastic and bricks prior to its use.
In the interests of the occupiers of the dwellinghouses.
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) 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 dwellings 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. Prior to the commencement of development details of the proposed surfacing materials of all paths, roads, parking areas and hardstandings shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented at the time of development and, unless otherwise agreed in writing with the Local Planning Authority, retained for the lifetime of the development.
In the interests of highway safety and amenity.
14. 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.
15. Unless otherwise agreed in writing by the Local Planning Authority the tree belt/buffer currently in situ to the west of the site as shown on the proposed site layout plan (DRG NO: MG/SL/01) shall be retained.
In the interests of visual amenity.
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.

THROSTON GRANGE COURT



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| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 17/03/11 |
| | SCALE 1:1000 | |
| Regeneration and Neighbourhoods Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT | DRG.NO H/2010/0672 | REV |

No: 7
Number: H/2011/0031
Applicant: Miss Louise Nicholson Cecil House Loyalty Road Hartlepool TS25 5BD
Agent: Cecil M Yuill Ltd Miss Louise Nicholson Cecil House Loyalty Road Hartlepool TS25 5BD
Date valid: 21/01/2011
Development: Outline application for the erection of a residential nursing home
Location: LAND TO THE WEST OF EAGLESFIELD ROAD HARTLEPOOL

The Application and Site

7.1 The application site is bound to the north by the upper end of Brierton Lane and to the east by Eaglesfield Road. The site comprises of agricultural land within the limits to development of Hartlepool. The land is approximately 1.4 acres (0.5 hectares) in area.

7.2 The application proposes outline consent the erection of an 80 bedroom nursing home with most of the detailed considerations reserved at this time, however the means of access to the site is to be considered at this stage. The access will open out onto Eaglesfield Road adjacent to Eriskay Walk and an area of green open space.

Publicity

7.3 The application has been advertised by way of neighbour letters (23), site notice (x4) and press advert. To date, there have been four letters of objection received.

7.4 The concerns raised are:

1. Concerns regarding building on agricultural land.
2. This country is the most densely populated country in Europe and this must be stopped
3. There are enough nursing homes in this area like Gardener House, Manor Park and Lindisfam for which is not full to capacity so that is why we object.
4. Increase in traffic resulted in noise and disturbance.
5. Concerns regarding width of Eaglesfield Road.
6. Visitors parking on Eaglesfield Road when car park is at capacity
7. Land is green belt and should not be destroyed.
8. View will be spoilt
9. Impact on wildlife
10. Concerns regarding ambulances coming in and out of site
11. There will be no countryside left

The period for publicity has expired.

Copy letter B

Consultations

7.5 The following consultation replies have been received:

Northumbrian Water – No objections

Public Protection – No objections subject to an extract ventilation condition to the kitchens

Tees Archaeology – No objections subject to a condition requiring a programme of archaeological work including a written scheme of investigation to be undertaken.

Landscape and Conservation – No objections subject to landscaping and tree location, protection and replacement conditions.

Cleveland Police – No objections. It is recommended that the development achieves Secured by Design accreditation

Traffic and Transportation – No highway or traffic concerns. The detailed car parking provision would have to be agreed following the submission of the full planning application.

Neighbourhood Services – No comments received

Tees Valley Joint Strategy Unit – No comments received

Council's Ecologist – There are no ecological concerns with this site

Planning Policy

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

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

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

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

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.

GN5: Seeks additional tree and woodland planting in this area through the use of planning conditions and obligations.

Hsg12: States that proposals for residential institutions will be approved subject to considerations of amenity, accessibility to public transport, shopping and other community facilities and appropriate provision of parking and amenity space.

Rur1: States that the spread of the urban area into the surrounding countryside beyond the urban fence will be strictly controlled. Proposals for development in the countryside will only be permitted where they meet the criteria set out in policies

Rur7, Rur11, Rur12, Rur13 or where they are required in conjunction with the development of natural resources or transport links.

Rur14: States that proposals within the Tees Forest should take account of the need to include tree planting, landscaping and improvements to the rights of way network. Planning conditions may be attached and legal agreements sought in relation to planning approvals.

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

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

Comments - There are no planning policy concerns with regard to the proposals providing (i) the development site is contained completely within the urban fence (Rur1) and (ii) £50 per bed is provided for green infrastructure (GEP9) to contribute to the urban/rural fringe (GN5d).

Planning Considerations

7.7 The main planning considerations in this instance are the appropriateness of the proposal in terms of the policies and proposals contained within the adopted Hartlepool Local Plan 2006, the impact of the proposals upon neighbouring properties, the streetscene in general, highway safety considerations and the general environment.

National Guidance

7.8 Also relevant to the proposed development is the advice contained within Planning Policy Statements 1 (Sustainable Development and Climate Change), 9 (Biodiversity and Geological Conservation), 22 (Renewable Energy) and Planning Policy Guidance Notes 13 (Transport) and 24 (Noise).

7.9 The principle of developing a nursing home in the proposed location on agricultural land is considered to be acceptable. It is not considered that the proposals would create any significant detrimental impact. The proposed site is within the urban fence of Hartlepool. The eastern elevation fronts onto Eaglesfield Road. The west elevation overlooks open fields with views towards Brierton. Whilst the layout as shown on the supporting plans is merely indicative, the separation distances between the bulk of the main building frontage and the properties located upon Eaglesfield Road is in excess of 40m. The proposed two storey building is predominantly “L” shaped. Vehicular access will be from a new access from Eaglesfield Road adjacent to Eriskay Walk.

7.10 The developer has agreed to enter into a planning agreement (S.106) to provide a financial contribution of £50 per bedroom (80 proposed) for green infrastructure.

Relevant Planning History

7.11 Following the completion of a legal agreement planning permission was granted for a two-storey residential/nursing home on land adjacent to Gardner House, Brierton Lane on 18 February 2009. The application site was to the north of the proposed site and incidentally forms part of the site for an application for residential development which appears on today's agenda (H/2011/0014). The application was similar to that which is proposed. The previously approved scheme is similar to that which is proposed.

Effect on Neighbouring Properties and the Area in General

7.12 The plans and information provided do indicate the scale, layout and external appearance of the proposed two-storey nursing home however at this stage such information is provided for illustrative purposes only. With regard to the aforementioned it is considered prudent to state that there is a discrepancy between the proposed location of the nursing home as it appears on the planning layout plan and a drainage strategy plan. The discrepancy has been raised with the applicant who has confirmed that it is the drainage strategy plan which is inaccurate. With regard to this Northumbrian Water have been made aware and have again raised no concerns. Notwithstanding the above the scale, layout and external appearance are reserved for future consideration in the event the application is successful and can therefore only be viewed as illustrative to give an indication of the development. As the access is to be considered for full permission, should the application be approved a planning condition will be attached requiring the access to be constructed in accordance with the plan showing the home and access in the accurate location.

7.13 The plans do indicate that the separation distances between the bulk of the front elevation of the building and the nearest residential properties is in excess of 40m. This distance demonstrates that adequate separation distances can be achieved. The separation distances between this proposal and the proposed residential development to the north are considered acceptable and meet current guidelines (20 mtrs).

7.14 The surrounding residential properties facing the application site are predominantly two storey. Notwithstanding this it is considered prudent to impose a planning condition requiring the development to be limited to two storey so as not to appear overbearing or dominant, and therefore in turn be detrimental to the character of the area. Whilst the building will appear prominent within the views of surrounding residential properties it is not considered that the impact upon outlook will be so significant to sustain a refusal, given the separation distances and the height of the building proposed and conditioned.

7.15 Whilst it is accepted that there are a number of existing residential/nursing homes within the immediate area and the town as a whole it is not considered that an additional nursing home would detract from the character of the area. The proposed development is considered to be an acceptable form of development on this site.

Highway Considerations

7.16 The applicant has submitted a Transport Statement with the application. The Council's Traffic and Transportation Section have assessed the proposals and the statement and in principle have raised no highway or traffic concerns.

7.17 Concerns have been raised regarding increased traffic generation resulting in noise and disturbance. It is not considered that the traffic levels and associated vehicles created by way of developing an 80 bedroom nursing home will be of a level which would create undue levels of noise and disturbance upon the amenities of the occupiers of neighbouring properties so to sustain a refusal. The Head of Public Protection has raised no objections to the proposal.

7.18 In the interests of sustainable development it is considered prudent to condition a scheme for cycle storage to be provided on site.

Trees and Landscaping

7.19 With regard to landscaping, this is specified as a reserved matter for subsequent approval in this outline application. A condition relating to the reserved matters submission, as well as additional conditions relating the provision of replacement planting to compensate for the loss of a piece of hedgerow created by way of the formation of the access to the site are recommended. It is considered that the conditions attached adequately address the comments made by the Council's Arboricultural Officer.

7.20 With regard to ecology concerns the Council's Ecologist has examined the potential effect on nature and has raised no concerns.

Drainage

7.21 Northumbrian Water have been consulted with regard to the proposed application and have raised no objections. The Council's Engineering Consultancy Section has requested that suitable land drainage measures are incorporated to deal with any overland flow. It is also considered prudent given the discrepancy between the layout plan and drainage strategy plan to condition details of foul drainage to be submitted to and agreed in writing by the Local Planning Authority. A suitably worded planning condition has been attached.

Renewable Energy

7.22 Planning Policy Statement 22 (PPS22) sets out the Government's policies for renewable energy, which planning authorities should have regard to when taking planning decisions. With this in mind, it is considered appropriate to attach a planning condition requested a scheme to incorporate energy efficiency measures and embedded renewable energy generation to be submitted to and agreed in writing by the Local Planning Authority.

7.23 Cleveland Police have raised no objections to the proposed development; however they have recommended that the development achieves Secured by Design accreditation. An appropriately worded planning condition has been attached with regard to this.

RECOMMENDATION – APPROVE subject to the completion of a legal agreement to secure a financial contribution of £50 per bedroom for green infrastructure and the following conditions.

1. Application for the approval of the reserved matters referred to below must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) the expiration of five years from the date of this permission; or (b) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
To clarify the period for which the permission is valid.
2. Approval of the details of the layout (including parking), scale, external appearance and landscaping (herein after called the "reserved matters") shall be obtained in writing from the Local Planning Authority.
To clarify the period for which the permission is valid.
3. 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.
4. The access hereby permitted shall be carried out in accordance with the layout plan received by the Local Planning Authority on 21/01/2011 (Drawing No. Nursing: Outline Planning: 01.B - Plan Dated:23rd September 2010)

unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.

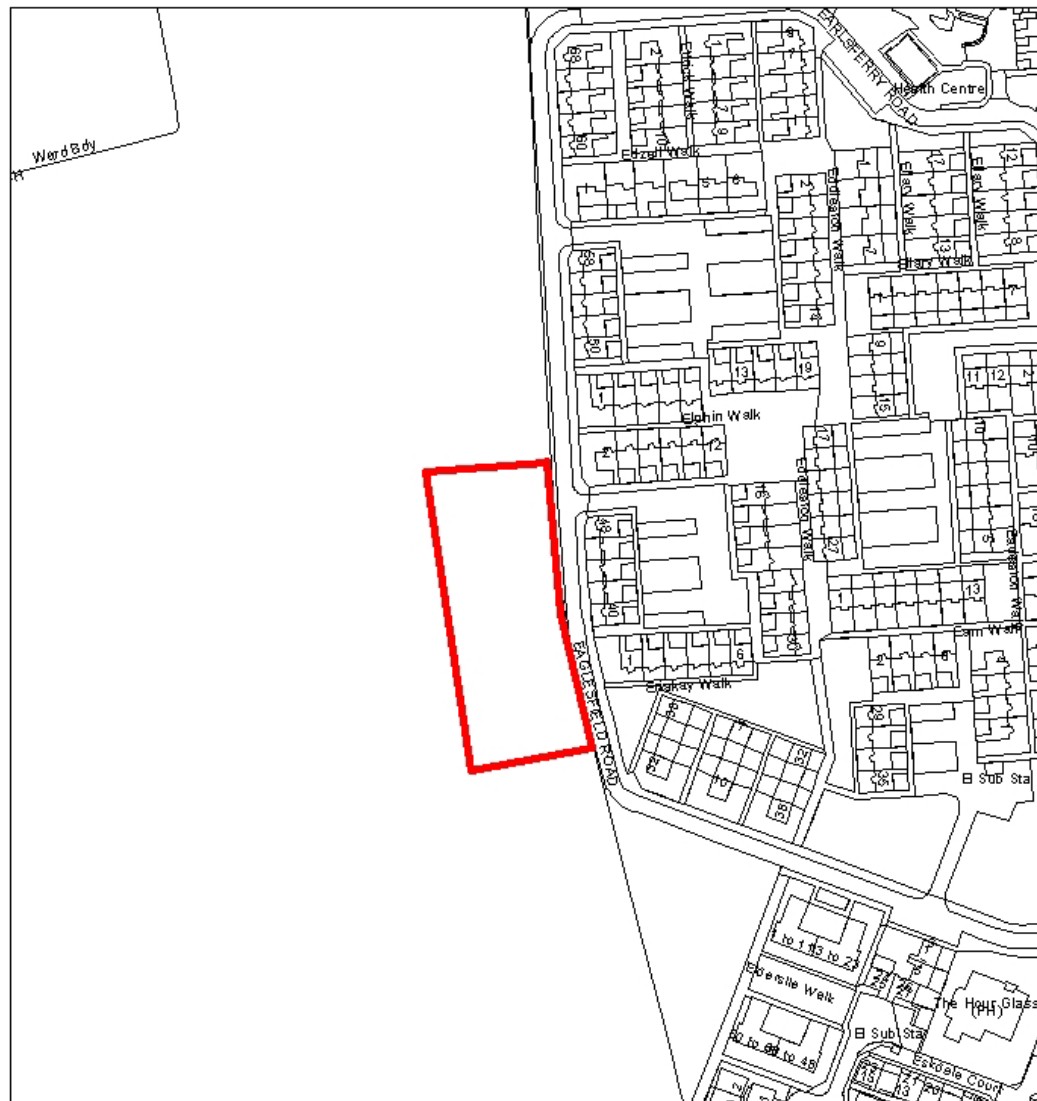
5. The access hereby approved shall not be constructed until a scheme of compensatory planting and landscaping has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be carried out in accordance with the approved details and implemented within one month of the commencement of works of the access.
In the interests of visual amenity.
6. For the avoidance of doubt the access hereby approved as shown on the layout plan received by the Local Planning Authority on 21/01/2011 (Drawing No. Nursing: Outline Planning: 01.B - Plan Dated:23rd September 2010) is only for the access and does not include any hardstanding areas for car parking and storage.
For the avoidance of doubt.
7. Notwithstanding the approved plans a scheme for refuse and cycle storage, lighting and boundary treatments shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details and retained for the lifetime of the development.
In the interests of visual amenity and ample cycle storage provision.
8. The development hereby approved shall incorporate 'secured by design' principles. Details of proposed security measures shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details.
In the interests of crime prevention.
9. The proposed building shall not exceed 2 storeys in height
In the interests of visual amenity.
10. No development approved by this permission shall be commenced until a scheme for the provision of land drainage measures have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the approved details and a timetable agreed.
To prevent the increase risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.
11. A scheme to incorporate energy efficiency measures and embedded renewable energy generation shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
To encourage sustainable development.
12. No development shall take place until details indicating existing and proposed levels, including finished floor levels have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall conform with the approved details.
In the interests of visual amenity.
13. Prior to the commencement of works on site a scheme detailing a wheel washing facility for use during the construction period shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the approved scheme shall be used during the construction period, unless

otherwise agreed in writing with the Local Planning Authority.
In the interests of amenity.

14. No development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. Once agreed the scheme shall be carried out in accordance with the approved scheme. The scheme shall include an assessment of significance and research questions; and:
 1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

In the interests of preserving potential archaeological importance
15. No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 14.
In the interests of preserving potential archaeological importance
16. The development shall not be occupied until the site investigation and the post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 14 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
In the interests of preserving potential archaeological importance
17. The development 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.
18. No development approved by this permission shall be commenced until a scheme for the provision of a foul drainage system 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.
For the avoidance of doubt.

EAGLESFIELD ROAD



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

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|---|------------------------------|-------------------------|
| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 05/04/11 |
| | SCALE 1:2000 | |
| Regeneration and Neighbourhoods Bryan Hanson House.Hanson Square. Hartlepool TS24 7BT | DRG.NO H/2011/0031 | REV |

No: 8
Number: H/2010/0648
Applicant: Endeavour House St. Mark's Court THORNABY TS17 6QN
Agent: Ben Bailey Homes Mr Chris Dodds Investor House Colima Avenue Sunderland Enterprise Park SUNDERLAND SR5 3XB
Date valid: 24/11/2010
Development: Erection of four two storey dwellinghouses and a bungalow with associated works (Further amended plans received - alteration to site layout)
Location: Land to the rear of St Marks Church and Community Centre Clavering Road HARTLEPOOL

The Application and Site

8.1 The application site is an area of incidental open space located to the rear of St Marks Church on Clavering Road. The wider area of incidental open space is divided by a road which provides vehicular access to the site. The southern part of the site, to which this application relates, is identified for development, whereas the northern part is to be retained as incidental open space. The application site is 0.48 acres (0.19 hectares) in area and is relatively flat and clear of any buildings. There is a local centre to the south east of the site. The surrounding area is predominately housing.

8.2 Full planning permission is sought for the erection of four two storey dwellinghouses and a bungalow with associated works. The site is owned by Hartlepool Borough Council. It is intended that the site be developed for 100% affordable housing. Ben Bailey Homes is the applicant and will enter into an agreement with the Council and Endeavour Housing Association to build the affordable units. The dwellings will be constructed to Code for Sustainable Homes Level 3 in order to meet the standards required by the RSL (Registered Social Landlords), Endeavour Housing Association. The affordable housing proposed has been offset from another proposal for housing in the town at Monmouth Grove, H/2010/0672. The application at Monmouth Grove is intrinsically linked to this application and is also on the committee agenda for consideration. The two sites will be tied together by way of a legal agreement(s) for the offset affordable provision from the aforementioned scheme.

8.3 The site boundary and layout has been amended since first submission. The houses will be accessed off a private road located to the north of the site. All proposed dwellings will have two parking spaces and gardens to the front and rear. A 3m tree buffer is proposed to the southern boundary of the site bounding the rear curtilages of the commercial properties located upon Clavering Road. To the north of the site are residential properties located in Turnberry Grove. To the west is Templeton Close and Gleneagles Road to the east.

Publicity

8.4 The initial and amended layouts have been re-advertised by way of neighbour letters (31), site notices (x4) and press advert. To date, there have been six letters of objection, these are summarised below. Only one letter of objection has been received with regard to the amended plans.

1. Concerns regarding loss of daylight/sunlight entering rear rooms
2. Close proximity of the development to property and overlooking concerns
3. The grassed area is currently used by children for sporting activities. There are no other grassed areas in the local vicinity for the children to use.
4. Concerns regarding future occupiers of proposed houses.
5. Concerns regarding increase in street crime.
6. Concerns regarding existing accesses onto application site from neighbouring properties
7. Concerns regarding height of land as development would look into bedroom windows
8. Concerns regarding access to maintain outer fence of neighbouring properties boundary.
9. Noise and disturbance issues.
10. Properties will affect house values
11. Reputation of area will drop
12. Concerns regarding families who will move into properties

The period for publicity has expired.

Copy Letters C

Consultations

8.5 The following consultation responses have been received with regard to the amended scheme.

Cleveland Fire Brigade – No concerns subject to a clause in the tenancy agreements restricting parking upon the private road

Police – The general layout appears fine. Recommendations cited with regard to location of side gates and Secured by Design Standards as well as an additional fence or gate to the rear of the development.

Engineering Consultancy – No objections

Public Protection – No objections subject to an acoustic fence/wall and landscaping to the boundaries of the gardens.

Northumbrian Water – No objections

Neighbourhood Manager (North) – (1) Roads should be built to adoptable standards. (2) Funding should be provided to improve the adjacent open space and also the land to the rear of the shopping parade.

Landscape and Conservation – The amended plans show an indicative scheme of new tree and shrub planting, however no details such as sizes, species etc are provided therefore these details will be required by condition.

Traffic and Transportation – The layout of the site does not conform with Hartlepool Borough Council Residential Design Guide and specification and could not be recommended for adoption, however it is acceptable to have 5 properties served by a private access road. A 1.8m footway should be provided to the side of the site from the rear of St.Marks Church to the site access.

Planning Policy

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

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

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

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

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.

GN6: Resists the loss of incidental open space, other than in the exceptional circumstances set out in the policy. Compensatory provision or enhancement of nearby space will be required where open space is to be developed.

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

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

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

Planning Considerations

8.7 The main issues for consideration in this case are the appropriateness of the proposal in terms of the policies and proposals held within the Hartlepool Local Plan 2006 in terms of design and layout, trees, the impact of the development on the amenity of the occupiers of nearby residential properties and the future occupants of proposed properties, noise and disturbance, highways and legal obligations. The application at Monmouth Grove, which is intrinsically linked to this one, is of particular consideration in the determination of this application. As outlined earlier in the report, this is proposed to be subject to an appropriately worded legal agreement(s).

Policy

8.8 The development area is incidental open space. The wider area of incidental open space is bisected by a road (running northwest/southeast, with a cul-de-sac turning northeast) which provides the vehicular access to the site. The development relates to the southern area of incidental open space, the northern area is to be retained. The proposed redevelopment for housing is considered acceptable.

8.9 As outlined earlier in the report it is intended that the site be developed for 100% affordable housing. Ben Bailey Homes is the applicant and will enter into an agreement with the Council and Endeavour Housing Association to build the affordable units. The affordable housing proposed has been offset from another proposal for housing in the town at Monmouth Grove (H/2010/0672). The two applications are intrinsically linked and both appear on the Committee Agenda.

8.10 In accordance with local plan policies the applicant has agreed to provide a developer contribution of £1250 towards green infrastructure within the immediate built environment, in particular the adjacent piece of incidental open space. This is proposed to compensate for the loss of this piece of incidental open space.

8.11 In policy terms the proposal is considered acceptable.

Design and Layout

8.12 The design of the individual dwellings are considered acceptable. In terms of the relationship with properties within and without the site the layout meets or exceeds the Council's guideline separation distances. With regard to concerns raised regarding overlooking etc it is not considered that the proposed development will unduly affect the amenity of neighbouring properties in terms of loss of light, privacy, and outlook or in terms of any overbearing effect given the separation distances associated with the development.

8.13 The application site is an incidental area of open space which appears to be underused. It is considered that the proposal overall will have an acceptable impact on the visual amenity of the area.

Access Arrangements and Highways

8.14 The Council's Traffic and Transport Team have examined the amended site layout and whilst indicating that the layout does not conform to Hartlepool Borough Council's Residential Design Guide and specifications it is acceptable as a private road serving 5 properties. The applicant has confirmed that it is their intentions for the road to be private in nature. The applicant accepts that it will be the housing associations responsibility to ensure refuge is taken to the site entrance for collection.

8.15 Concerns have been raised with regard to existing gated accesses which have been formed in the boundary fence to the rear of properties upon Turnberry Grove. The applicant is not proposing to alter the existing boundary fencing to this site boundary. Notwithstanding this, should any concerns be actualised during the development or upon completion this will be a civil matter between the individual households and the land owner.

8.16 The Fire Brigade raised initial concerns with regard to adequate access arrangements in case of emergency. In order to negate the concerns raised the applicant has stated that they would be willing to enter a clause into the tenancy agreements of occupants restricting the parking of cars upon the private road. Notwithstanding this, it is considered that even if a car should park upon the private road there would still be adequate road width retained to facilitate an access in case of emergency. It is also considered that the fire brigade could reasonably enter the rear gardens of the proposed properties from the car park area to the side/rear of the Public House.

8.17 This has been assessed by the Council's Building Control Team who have confirmed that a fire services vehicle can be stationed 45 metres from the site and a hose run through to the necessary location to comply with regulations. The Building Control Team have confirmed in this instance this can be achieved and that a fire brigade vehicle can adequately serve the dwellings.

8.18 The Council's Traffic and Transport Team have advised that a 1.8m wide footway should be provided between the site access and the side of St Marks Church. This is considered to be necessary and has been conditioned appropriately.

Land to the Rear of St Marks Church

8.19 Discussions have taken place with regard to an area of land to the rear of St Marks Church outside the boundaries of the application. It has been an aspiration of the Church and the wider community to create a useable space in the form of a community garden area. Over recent years when development has been discussed on the site this is something which has always been looked to be attained. The LPA consider the creation of such a space to be advantageous for all concerned, but not necessary to enable the proposal to progress. Endeavour Housing has stated that they would carry out works to the piece of land to clear and seed it. Notwithstanding this, the Planning Authority is unable to condition such works and any future development with regard to this as this is an issue between Endeavour Housing, the Church, and relevant land owner.

Police

8.20 Cleveland Police have assessed the proposed development and consider the general layout to be acceptable. Notwithstanding this, the Police have recommended that the proposed site gates and fences are fitted as close to the front of the building line as possible and at a height of 1.8m for security reasons. With regard to this and notwithstanding details previously submitted, a condition has been attached requiring the submission of further details of means of enclosure to be agreed.

8.21 The Police have also advised that the area of land to the rear of St Marks Church, outside of the application site, as discussed earlier in this report be secured with a lockable gate. Whilst the LPA have no control over this area of land officers have discussed the need for a fence and gate to be installed. Endeavour Housing, along with Council's Neighbourhood Manager (north) have both confirmed that they would be willing to contribute towards the cost of a gate.

8.22 It is prudent to state that the development as proposed is considered to be acceptable even if the envisaged works to the rear of the church are not completed. Whilst an area of land between the rear of the Church, shops and Public House and the back gardens of the proposed properties would be retained it is not considered that the land would act as a focal point for anti social behaviour whereby a refusal could be sustained.

Affordable Housing

8.23 Objections have been received which relate to the nature of the development and the provision of affordable housing and their future occupants. In short, the social standing of future residents is not a material planning consideration. Other issues such as property devaluation are also not considered to be material planning considerations.

Conclusion

8.24 The proposal is considered acceptable and is recommended for approval subject to the completion of a legal agreement(s) securing £1250 to improve green open space.

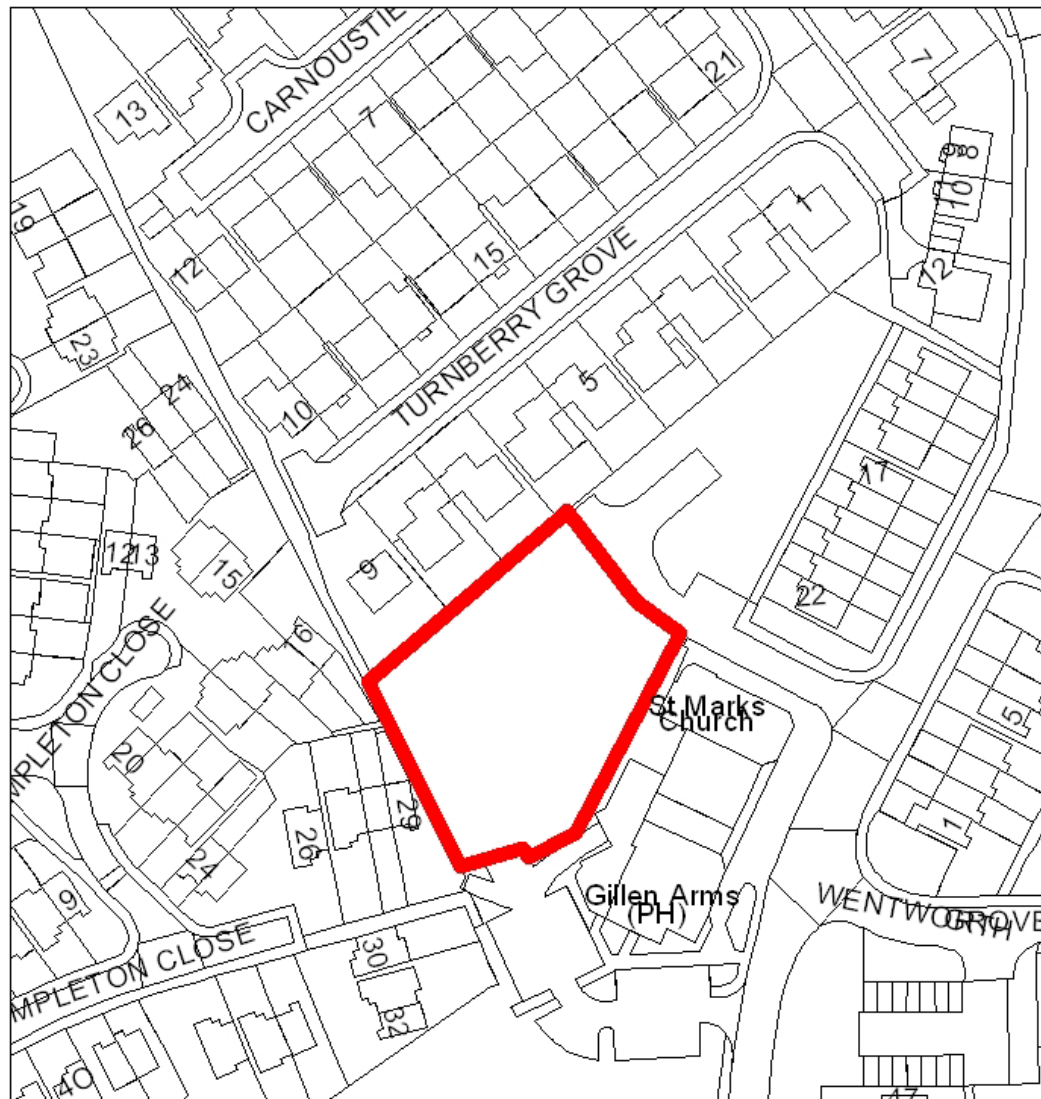
RECOMMENDATION – APPROVE subject to a legal agreement for a developer contribution of £1250 for green infrastructure and the approval of planning application H/2010/0648 for 17 dwellings at Monmouth Grove which would secure the provision of these 5 dwellings as affordable.

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 amended plans and details received by the Local Planning Authority on 20/01/2011 (Proposed Site Layout Re Design, DRG NO: CRH/SL/02, the house types, DRG NO's: LIN AS_PL_1, LIN OPP_PL_1, ALDER-ELEV (Det) Rev C) and the site location plan received on 24/11/2010, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. 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.
4. 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.
5. Notwithstanding the details submitted further details of all 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. 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.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other revoking or re-enacting that Order with or without modification), no garage(s) shall be erected without the prior written consent of the Local Planning Authority.

- To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
8. 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 dwellings 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 properties.
 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), 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 properties.
 10. Prior to the commencement of development details of the proposed surfacing materials of all paths, roads, parking areas and hardstandings shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented at the time of development and, unless otherwise agreed in writing with the Local Planning Authority, retained for the lifetime of the development.
In the interests of highway safety and amenity
 11. 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.
 12. Notwithstanding the submitted plans and details prior to the commencement of development final details of 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.
 13. Prior to the occupation of the dwellinghouses hereby approved an acoustic fence along the rear boundary shall be erected in accordance with details and in a location to be previously agreed in writing with the Local Planning Authority. Thereafter the fence shall be erected in accordance with the agreed details and retained at all times.
In order to safeguard the amenity of occupants from potential noise emissions
 14. Notwithstanding condition 4 prior to the occupation of the dwellinghouses hereby approved a tree buffer shall be planted in accordance with a scheme and location to be previously agreed in writing with the Local Planning Authority. Thereafter the approved tree buffer shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

15. In order to safeguard the amenity of occupants from potential noise emission Notwithstanding the submitted details a scheme for the installation of a public footpath from the site entrance to the side of St Marks Church shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development. Thereafter the footpath shall be implemented in accordance with the agreed details.
In the interests of highway safety and the amenities of the occupants of properties.

LAND TO THE REAR OF ST MARK'S CHURCH



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

| | | |
|--|------------------------------|-------------------------|
| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 05/04/11 |
| | SCALE 1:1000 | |
| Regeneration and Neighbourhoods Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT | DRG.NO H/2010/0648 | REV |

No: 9
Number: H/2011/0118
Applicant: Mr William Morgan c/o Agent
Agent: Prism Planning Ltd Mr Rod Hepplewhite 1st Floor Morton House Morton Road DARLINGTON DL1 4PT
Date valid: 02/03/2011
Development: Use of six apartments (1,4,6,9,13 and 14 Sylvan Mews) approved by planning application H/2006/0338, currently restricted to occupation by persons aged 55 years and over, for general occupation
Location: 1, 4, 6, 9, 13 and 14 Sylvan Mews The Wynd Wynyard BILLINGHAM BILLINGHAM

The Application and Site

9.1 The application site is six apartments located within two apartment blocks and their associated car parking. It forms part of a care home and apartment development located on the Wynyard Estate at the junction of The Wynd and Wynyard Woods. To the west/north west is the Care Home and a parking area. To the west are two other apartment blocks and a parking area. To the south is a small copse beyond which is housing which fronts onto Spring Bank Wood.

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

9.3 The applicant is seeking permission to allow for the general occupation of six apartments. This will mean that the occupation of the six apartments will not be restricted to persons 55 years and over. The apartment blocks are located in the south east corner of the site. Three of the apartments are located in block 1 a two storey block of six apartments, one on the ground floor and two on the first floor. The other three apartments are located within block 2 a three storey block of nine apartments, one on the ground floor and two on the second floor.

RELEVANT PLANNING HISTORY

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

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

9.6 H/2009/0518 Use of six apartments approved under the provision of planning permission H/2006/0338, currently restricted to occupation by persons aged 55 years and over, for general occupation. This application was withdrawn in favour of the application below when the Case Officer noted that the development as built had deviated from the approved scheme (H/2009/0633).

9.7 H/2009/0633 Retention of amendments to the approved design and layout and use of six apartments (25-30), currently restricted to use by persons 55 and over, for general occupation. This application to allow six of the apartments to be used for general occupation by persons of any age and to retain various minor amendments to the approved design and layout was approved in January 2010.

9.8 H/2010/0339 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. This application to allow four apartments (16,19,21 & 22) to be used for the general occupation by persons of any age was refused by Committee against Officer recommendation in August 2010. A subsequent appeal was allowed. Appeal decision **attached**.

9.9 The legal agreement which also restricts the use of the apartments is in the process of being amended.

Publicity

9.10 The application has been advertised by site notice, neighbour notification and in the press (39). The time period for responses expires on 12th April 2011. To date no responses have been received.

9.11 Additional neighbours in the adjacent housing development in Spring Bank Close and Tilery Woods have been consulted. The time period for representations from these neighbours will expire after the meeting.

9.12 Members will be updated on any additional responses received at the meeting.

Consultations

9.13 The following consultation responses have been received.

Public Protection : No objection.

Grindon Parish Council : The objection is due lack of parking. The age restriction was placed on these properties as it was felt that over 55 year olds would only have

one car. This problem still exists as no changes have been made to alleviate the problem.

Elwick Parish Council : The Parish Council objected to a similar application in June last year, Ref. H/2010/0339 on the grounds that removing the age restriction contravened the original planning approval and would create a precedent. Since we now have a further application for 6 more flats, this proves our point and we object on the same grounds as before.

Previous response to H/2010/0339 “The Committee of Elwick Parish Council has met to discuss the above proposal. They expressed reservations about the change of use to the original planning permission. They feel that we have a growing, ageing population and the original use may be needed in future”

Traffic & Transportation : There are no highway/traffic concerns, the site provides a minimum number of 1.5 spaces per property.

Stockton Borough Council : No comments received

Planning Policy

9.14 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.

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.

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

Planning Considerations

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

POLICY

9.16 The application relates to existing apartments within two apartment blocks located within the limits to development for Wynyard. The proposal to extend the occupancy to include persons under 55 years is considered acceptable in policy terms.

HIGHWAYS

9.17 The applicant has indicated that 9 of the existing parking spaces will be retained to serve the apartments in line with the Highway Authority's requirement that 1.5 spaces are retained per dwelling.

9.18 A condition on the recent appeal decision requires the provision of additional parking and discussions with the applicant to provide additional parking to serve the apartment development at the western end of the site are ongoing. It is anticipated a scheme providing additional parking at the western end of the site will be submitted shortly for consideration and implemented. As well as this the applicant has indicated that he would be willing to provide further additional parking if required, though the details of this parking are not indicated. As this has not been requested by Traffic & Transportation in relation to the current application it is not considered necessary. In highway terms the proposal is considered acceptable.

IMPACT ON THE AMENITY OF NEIGHBOURS

9.19 No objections had been received in relation to the current application at the time of writing of this report. Concerns have previously been raised in relation to the impact opening up the occupancy of the apartments to younger people might have on the amenity of the care home and neighbouring apartments. These matters were considered by the Planning Inspector in detail when he considered, and allowed the appeal on apartments in a block to the west when he concluded "Taking all matters into account, I consider that this proposal need not result in any noticeable additional noise and disturbance to existing residents". The apartments are small two bedroom apartments and it is difficult to see that they would be an attractive option for large families. It might be the case however that younger occupants might be expected to attract additional activity to the site. The Head of Public Protection has not objected to the proposal and in line with the view expressed by the Inspector it is not considered that the proper use of the apartments would necessarily unduly disturb the amenity of any elderly neighbours, or the neighbours outwith the site. Any issues of antisocial behaviour would need to be addressed by the appropriate authorities.

CONCLUSION

9.20 The proposal is considered acceptable and the application is recommended for approval. The current legal agreement will also need to be amended to allow for the general occupation of the units in question.

9.21 Additional neighbours have been consulted and the time period for representations for these additional neighbours expires after the meeting. The recommendation allows for the consideration of any additional representations received.

RECOMMENDATION – GRANT subject to the consideration of any further representations received before the expiry of the consultation period and subject to the following conditions. The final decision to be delegated to the Development Control Manager 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 (80825 /G2/001, 80825 /G2/002, 80825 /G2/003, 80825 /G2/004) and details received by the Local Planning Authority on 2nd March 2011, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. Unless otherwise agreed in writing with the Local Planning Authority within one month of the date of this permission details of the parking spaces to be designated to each apartment for parking, including any shared visitor parking, shall be submitted to and approved in writing by the Local Planning Authority. The parking areas shall thereafter be kept available for the use of the apartments to which they are designated, or for visitor use, in accordance with the agreed details and retained for the approved use at all times during the lifetime of the development.
For the avoidance of doubt and in the interests of the amenities of the occupants of neighbouring properties and highway safety.

Members are also requested to authorise the amendment to the legal agreement to allow for the general occupation of these units.



Appeal Decision

Site visit made on 24 November 2010

by **D R Cullingford BA MPhil MRTPI**

**an Inspector appointed by the Secretary of State
for Communities and Local Government**

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
10 December 2010

Appeal Ref: APP/H0724/A/10/2136622

Sylvan Mews, The Wynd, Wynyard, Billingham, TS22 5BF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is by Mr William Morgan against the decision of the Hartlepool Borough Council.
- The application (ref: H/2010/0339 and dated 14 May 2010) was refused by notice dated 5 August 2010.
- The development is described as the 'use of 4 apartments approved under the provision of planning permission H/2006/0338, currently restricted to occupation by persons aged 55 and over, for general occupation'.

Decision

1. For the reasons given below, I allow this appeal, and grant planning permission for the use of 4 apartments at 16, 19, 21 and 22 Sylvan Mews, The Wynd, Wynyard, Billingham, approved under the provisions of planning permission H/2006/0338 and currently restricted to occupation by persons aged 55 and over, for general occupation in accordance with the terms of the application (ref. H/2010/0339) dated 14 May 2010, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans submitted to the Local Planning Authority and numbered as 80825-GA-301, 80825-SI-302 and 80825-EL-302.
 - 3) Unless otherwise agreed in writing with the Local Planning Authority, the areas indicated for car parking on the plans, hereby approved, and numbered 16, 19, 21 and 22 shall be kept available for the use of the apartments to which this application relates at all times during the lifetime of the development.
 - 4) Unless otherwise agreed in writing with the Local Planning Authority, within 6 months of the date of this permission a scheme for an additional parking area and the access to it shall be submitted to the Local Planning Authority. The scheme shall include detailed landscaping proposals and planting schedules (or other measures) to protect the amenity of nearby residents. Unless otherwise agreed in writing with the Local Planning Authority, the approved scheme shall be implemented within 1 year of the date of this permission and the additional parking provision shall, thereafter, be retained as approved for the lifetime of the development.

Reasons

2. These apartments are in a 3-storey block of 9 flats that is itself one of 4 similar blocks grouped around a substantial care home. The complex lies close to the 'village centre' in the spacious and sylvan surroundings of the peripheral Wynyard Estate. It is carefully designed. The complex was originally conceived as a 'care village', a section 106 Agreement restricting occupancy to people over 55 as well as offering 'first refusal' of places, and access to facilities, in the care home. The Agreement also required such particulars to be

Appeal Decision: APP/H0724/A/10/2136622

included in contracts of sale or rent, arrangements for the provision of a minibus and allowed for the construction of an overflow car park. Apart from the Agreement, the age restriction on the occupation of these apartments is reflected in the description of the approved development; there is no occupancy condition. The development approved in April 2007 was described as the *'erection of 50 bed residential care home and 4 blocks of apartments comprising 30 dwellings for occupation by people aged over 55'*.

3. The current proposal is simply to allow for the general occupation of the 4 apartments identified in Block 3; that would require a new planning permission with a new description of the approved development. Consequent amendments to the section 106 Agreement would also be required, but that must remain a matter for the parties involved. The intention is that 6 parking spaces would be specifically retained to serve the 4 apartments, thus meeting the requirement of 1.5 spaces per flat. Because there is no difference between the parking requirements for flats of this size occupied by those over 55 and anyone else, there would remain 15 spaces available for the care home and 45 spaces for all the apartments. In January this year permission was granted for Nos. 25-30 (in Block 4) to be available for 'general occupation' (ref. H/2009/0633).
4. Nevertheless, the Council are concerned that the current proposal could lead to the occupation of these apartments by young families resulting in additional noise and disturbance for existing residents, contrary to 'saved' policy GEP1. Some residents echo those concerns and also describe parking problems that could be exacerbated by the scheme. Those are the issues on which this appeal turns.
5. On the first issue, I realise that existing residents may well have appreciated the integrated nature of this development and found reassurance in the restricted occupancy of the apartments. But my understanding is that the terms of existing sales or rental agreements are not altered, in spite of the change in ownership of the care home. Hence, it is necessary to consider whether the restriction continues to serve a clear planning purpose. It has already been lifted on the apartments in block 4. In physical terms there is very little to distinguish those dwellings from the apartments that are the subject of this appeal. Moreover, although each apartment offers a fairly modest 2-bedroom dwelling, all are well appointed and well laid out on a floor plate of about 70m²; all enjoy at least one attractive outlook across the sylvan surroundings rather than just over the car parks and they are all designed to be largely separate from the other flats on the same floor, with at least 3 of the walls being external. The central communal area is 'legible' and straightforward; it also adjoins the non-habitable elements of each flat (like bathrooms and store rooms), thus minimising the potential for disturbance. In those circumstances, I do not think that it would be essential for the restriction to apply (or not) *en bloc*. And, although there are no private gardens or play areas, there are acres of space nearby and the neighbourhood centre is 'just round the corner'. There is no obvious physical impediment to these apartments being occupied by people below (even well below) 55 years of age that I can discern.

Appeal Decision: APP/H0724/A/10/2136622

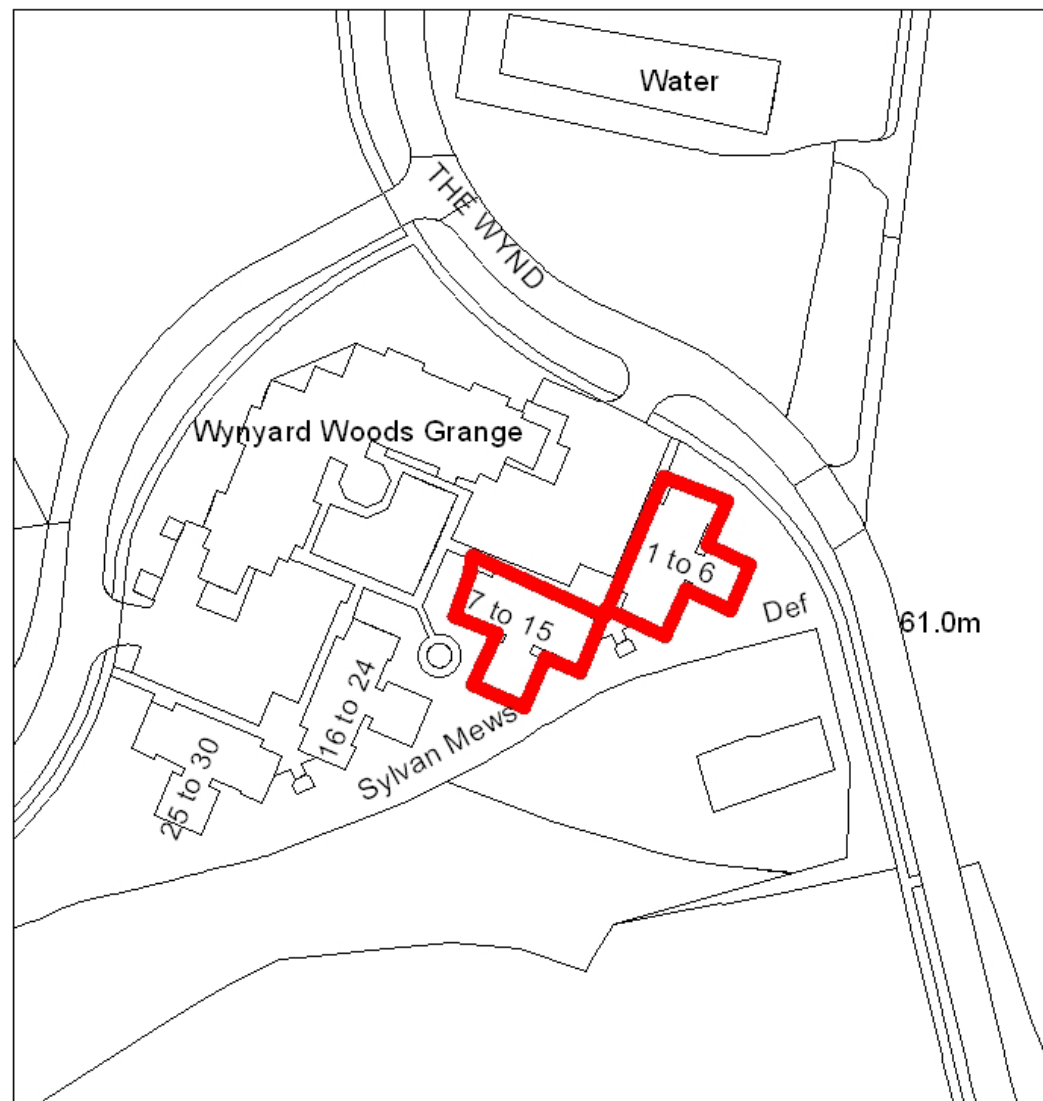
6. Of course, the spectre of young people spoiling the tranquillity of the place by kicking balls against apartment walls or skate-boarding across the car parks and damaging cars is understandable. But I think that it is a chimera. Although the apartments are pleasant, they are relatively peripheral and I doubt that they would be an obvious permanent choice for those seeking to bring up a young family; they would not comfortably accommodate a large household. As the planning officer indicates, the proper use of these premises would not necessarily disturb the amenity of elderly neighbours unduly. In my view that would largely be attributable to their design and layout. I can find no compelling reason why the proposal would engender the improper use of these apartments. However, it would widen the potential market for the dwellings, thereby encouraging financial institutions to provide mortgages and bring attractive dwellings into use. Taking all those matters into account, I consider that this proposal need not result in any noticeable additional noise and disturbance for existing residents. It would not, therefore, necessarily contravene policy GEP1.
7. Turning to the second issue, the parking requirements do not distinguish between apartments occupied by those over or under 55; in both cases the requirement is for 1.5 parking spaces per dwelling. Hence, the proposal would have no direct impact on the amount of parking to be catered for here. Nevertheless, a clause in the section 106 Agreement relating to the original permission allows for the provision of additional parking if deemed necessary. The concerns expressed by residents seem to me to relate partly to that provision, although I agree that younger households (particularly those consisting of young professionals or managers) might exhibit higher levels of car ownership. For those reasons I consider that it would be prudent to provide additional car parking. As the planning officer points out, the original plans indicated that about 10 additional spaces could be accommodated to the south west of the apartment blocks. I saw that a new access might also be required (to prevent cars passing close to apartments in block 3 to reach the new car park) and additional landscaping implemented (to compensate for the landscaping lost in creating the 'overspill' car park). However, I doubt that a general landscaping scheme would be required; landscaping is already in place under the terms of the original permission. And, although I think that it would be reasonable to prepare a scheme within 6 months, the actual provision of the new car park might reasonably take a little longer. I shall impose appropriate conditions.
8. The other concerns raised by residents seem to me to relate largely to management issues. The incidents associated with inconsiderate parking are, as I understand it, being addressed. Residents have been advised that they should use their allocated parking space and that visitor spaces are to be retained for visitors. I saw that the parking areas have been clearly marked out to indicate the number of the apartment to which each space is allocated and that all 'visitor' spaces are prominently marked with a 'V'. The intention is that a traffic management plan would also monitor any abuse of the parking facilities so that 'offences' can be controlled and curtailed. I consider, therefore, that the proposal would not seriously exacerbate existing parking problems here.

Appeal Decision: APP/H0724/A/10/2136622

9. I find nothing else sufficiently compelling to alter my view that this proposal need not result in additional noise and disturbance for existing residents nor exacerbate parking problems. Hence, I conclude that this appeal should be allowed subject to the conditions (designed to ensure that the scheme is carried out as intended) set out above.



INSPECTOR

SYLVAN MEWS

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| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 05/04/11 |
| | SCALE 1:1000 | |
| Regeneration and Neighbourhoods Bryan Hanson House.Hanson Square. Hartlepool TS24 7BT | DRG.NO H/2011/0118 | REV |

No: 10
Number: H/2011/0014
Applicant: Miss Louise Nicholson Cecil House Loyalty Road Hartlepool TS25 1GE
Agent: Cecil M Yuill Ltd Miss Louise Nicholson Cecil House Loyalty Road Hartlepool TS25 1GE
Date valid: 14/01/2011
Development: Residential development comprising 63 dwellings, associated access, roads, sewers and landscaping (Amended site layout received)
Location: LAND TO THE WEST OF EAGLESFIELD ROAD HARTLEPOOL

The Application and Site

10.1 The application site is located on Brierton Lane, west of the junction with Masfield Road. The application site comprises of agricultural land predominantly within the limits to development of Hartlepool. To the north of the site lie residential properties on Brierton Lane, to the east Gardner House, a residential home for the elderly, further east are properties upon Eaglesfield Road. To the south and west of the site is further agricultural land.

10.2 The land is approximately 4.1 acres (1.6 hectares) on which 63 dwellings are proposed. The land is currently 'white' land in the adopted Hartlepool Local Plan. The site is generally level with a gentle slope from west to east with an open outlook over open countryside to the west. Thirteen of the proposed plots have an area of their proposed curtilage which lies outside of the limits to development for Hartlepool. This includes rear and side garden areas as well as parts of houses in many instances. The site is proposed to be accessed by way of a new vehicular access off Brierton Lane.

10.3 The proposal is for a mix of 2, 3 and 4 bedroom, 2 and 2½ storey dwellings. The development will incorporate 7 affordable homes that will be provided through an Regional Social Landlord. These properties will be both rented and shared ownership 2 and 3 bedroom homes.

Publicity

10.4 The amended application has been advertised by way of neighbour letters (33), site notices (x4) and press advert. To date, there have been 5 letters of no objection and 8 letters of objection, including a 12 signature petition of objection received for both the originally proposed application as well as the amended site layout.

10.5 The concerns raised are:

1. The increased volume of traffic which could be up to 60 to 100 vehicles in and out of the one entrance.
2. The suggested parking bay with trees would restrict the view of our cars. A solution would be if the Council or Highways Department allocated the land at the front of the houses to the residents. This would solve parking problems and eliminate off road bikers and other vehicles using the road.
3. It is the only area of development that does not have a green belt between the existing houses and the new development. Currently the new development intends to start from the kerbside opposite the houses. I would prefer that the proposed development outside Eaglesfield Road be moved westward where the developer has available land.
4. The development will loom over the existing houses in Eaglesfield Road from the kerbside
5. The additional 650 houses is likely to equate to approximately 1300 vehicles which will use Brierton Lane in order to access both Catcote Road and the A689 which will cause congestion.
6. Concerns with regard to parking problems in front of properties on Brierton Lane. When it rains land gets boggy and residents are forced to park cars on side of road/Masefield Road which causes congestion. Could we purchase land in front of properties upon Brierton Lane? This will stop people turning on grass and anti-social behaviour concerns. Proposed parking bays by Yuills would not work.
7. Proposals will impact upon views
8. Concerns regarding wildlife
9. Concerns regarding impacts upon property values
10. Concerns regarding fence behind existing hedgerow which will make appearance of property very undesirable.
11. Suggestion to remove hedge and inset 20/30 foot grass verge which would prevent fly tipping.
12. Concerns regarding building on Greenfield Land
13. Concerns regarding environmental/social effect of disruption as well as construction will be considerable
14. Concerns regarding cost of hedge trimming and mess and the cost for the tax payer.
15. Concerns regarding proposed hedge then fence is not an appropriate layout
16. Design does not give the feeling of a community more an 'us and them' feeling.
17. Concerns regarding overlooking and crowding
18. Not an acceptable form of development
19. If planners/developers are so concerned for the environmental/wildlife that they feel they need to keep the hedge then why build there in the first place?
20. Concerns regarding lack of Countryside left.

The period for publicity has expired.

Copy letters A

Consultations

10.6 The following consultation replies have been received:

Public Protection – No objection

Tees Archaeology – A number of conditions have been advised with regard to potential archaeological remains on site.

Cleveland Police – No objections to the development. It has been requested that the development achieves Secured by Design Accreditation.

Environment Agency – No concerns with regard to the amended layout however information is awaited regarding the proposed surface water drainage scheme.

Northumbrian Water – No objections

Traffic and Transportation - The parking provision for the development is slightly below the normal provision of 2 spaces per property, the development consists of 63 properties including 7 affordable houses, and parking provision would therefore be 126 spaces, actual provision 118 spaces including 6 space lay-by opposite the new access. I would however consider this acceptable considering the element of affordable housing which would normally receive a lower provision of parking.

The parking areas off the main highway would not be adopted and are to remain private.

The carriageways and footways are to be constructed under a section 38 agreement or advanced payment code.

Hartlepool Civic Society - The Society would again implore the Council to retain the trees which remain in accordance with the report from the tree consultants.

Again as mentioned in our telephone conversation - it is bad enough for more countryside to be taken for housing but 63 dwellings, together with cars, services etc. seems a very dense development for such a site.

Cleveland Fire Brigade – No objections to amended scheme

Engineering Consultancy – Awaiting Comment

Landscape and Conservation – Awaiting Comments

Planning Policy

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

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

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

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

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.

GN5: Seeks additional tree and woodland planting in this area through the use of planning conditions and obligations.

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.

Rur1: States that the spread of the urban area into the surrounding countryside beyond the urban fence will be strictly controlled. Proposals for development in the countryside will only be permitted where they meet the criteria set out in policies

Rur7, Rur11, Rur12, Rur13 or where they are required in conjunction with the development of natural resources or transport links.

Rur14: States that proposals within the Tees Forest should take account of the need to include tree planting, landscaping and improvements to the rights of way network.

Planning conditions may be attached and legal agreements sought in relation to planning approvals.

Rur19: Reserves land on the western edge of the urban area for the creation of the Summerhill, Brierton to Cowpen Bewley greenway and requires that development in the vicinity takes account of the need to maintain an adequate through route for use by pedestrians, cyclists and horse riders.

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

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

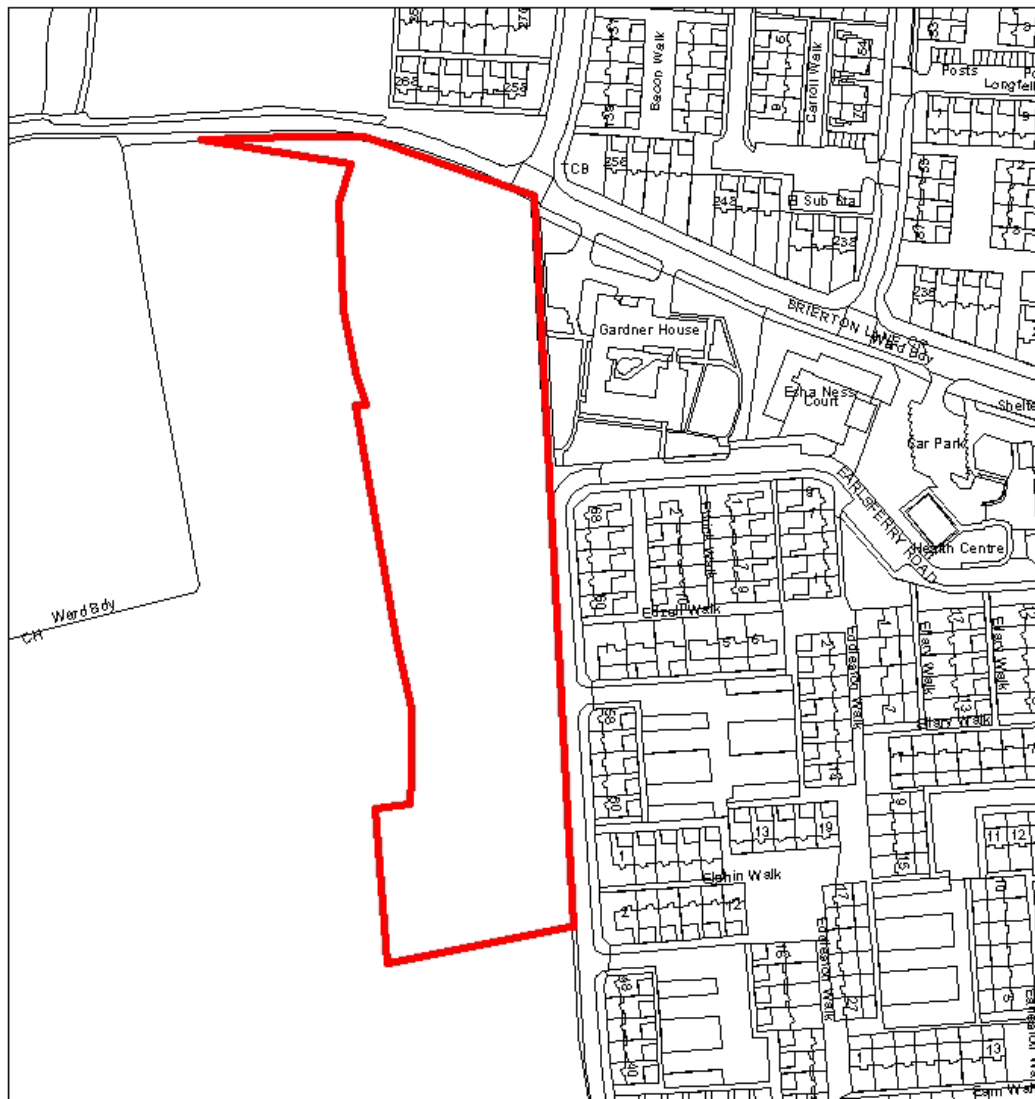
Planning Considerations

10.8 The main issues for consideration in this case are the appropriateness of the proposal in terms of the policies and proposals contained within the Hartlepool Local Plan 2006, National Planning Policies, the design and layout, the impact of the development on the surrounding area and on the amenities of nearby residents, highway safety, parking, the breach of the urban fence, the tenure breakdown of the affordable housing, wildlife and archaeology.

10.9 Given that a number of consultations are outstanding it is considered necessary for a comprehensive update report to follow.

RECOMMENDATION – UPDATE REPORT TO FOLLOW

EAGLESFIELD ROAD



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

| | | |
|---|------------------------------|-------------------------|
| HARTLEPOOL BOROUGH COUNCIL | DRAWN GS | DATE 05/04/11 |
| | SCALE 1:2000 | |
| Regeneration and Neighbourhoods Bryan Hanson House.Hanson Square. Hartlepool TS24 7BT | DRG.NO H/2011/0014 | REV |

UPDATE

Planning Committee – 20 April 2011

4.1

No: 5
Number: H/2011/0160
Applicant: Euro House 93 Park Road Hartlepool Durham TS26 9HP
Agent: Euro Property Management Ltd Euro House 93 Park Road Hartlepool TS26 9HP
Date valid: 22/03/2011
Development: Variation of condition No 13 on approved application H/2010/0703 to allow vehicles with a maximum length (tractor unit & trailer inclusive) of 11m to serve the development□
Location: 132 STATION LANE HARTLEPOOL

Background

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

5.2 Following the receipt of an email from the applicant the applicant no longer wishes to progress an application therefore the application has been withdrawn.

UPDATE

Planning Committee – 20 April 2011

4.1

No: 8
Number: H/2010/0648
Applicant: Endeavour House St. Mark's Court THORNABY TS17 6QN
Agent: Ben Bailey Homes Mr Chris Dodds Investor House Colima Avenue Sunderland Enterprise Park SUNDERLAND SR5 3XB
Date valid: 24/11/2010
Development: Erection of four two storey dwellinghouses and a bungalow with associated works (Further amended plans received - alteration to site layout)
Location: Land to the rear of St Marks Church and Community Centre Clavering Road HARTLEPOOL

8.1 The item is on the main agenda as item 8.

8.2 Following the completion of the original committee report two further letters of objection have been received raising the following concerns:

1. The land to the north eastern side is not just open space it is private parking areas for the residents of Gleneagles Road.
2. The traffic is very busy at the best of times and we already have people taking our property spaces when they are visiting shops/dropping off at the community centre. If the proposed development goes ahead it will cause more traffic and more discontent among people who already live here. If the development goes ahead what happens when they get visitors and we are knocking on their doors asking them to move cars.
3. Further concerns regarding access and congestion to garage site and parking facilities.

8.3 With regard to the concerns outlined above it is considered that there is ample parking provision within the proposed development and within the immediate area to curtail any issues with regard to inconsiderate parking on private land being actualised.

8.4 It is not considered that the increase in traffic generation created as a result of this development will be so significant to create any detrimental amenity concerns for the residents living in the immediate area.

8.5 The objections raised do not alter the recommendation which is to approve subject to the conditions outlined in the previous report and a legal agreement for developer contributions of £1250 for green infrastructure and the approval of planning application H/2010/0648 for 17 dwellings at Monmouth Grove which would secure the provision of these 5 dwellings as affordable.

UPDATE

Planning Committee – 20 April 2011

4.1



Application Reference No. : H/2010/0648
Site Address: Land to the rear of St Marks Church and Community Centre
Clavering Road HARTLEPOOL TS27 3QY Comments by: James Liddle
From:

16 Gleneagles Road

Hartlepool
Cleveland

Submission: Objection

Comments: I wish to object to the proposed building of houses to the rear of St Marks Church and Community Centre Clavering Road on the grounds of access and congestion to my garage site and parking facilities.

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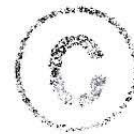
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UPDATE

Planning Committee – 20 April 2011

4.1



Application Reference No. : H/2010/0648
Site Address: Land to the rear of St Marks Church and Community Centre
Clavering Road HARTLEPOOL TS27 3QY Comments by: MR & MRS ELENER
From:

18
GLENEAGLES ROAD

HARTLEPOOL

TS27 3PU
Submission: Objection
Comments: The proposal makes no mention of mine and my neighbours
private parking areas to the proposed site.

Preliminary Risk Assessment
Site Description Point 3.4
The land to the north eastern side is not just open space it is private
parking areas for the residents of Gleneagles Road as described in the
land/house deeds. The traffic is very busy at the best of times and we
already have people taking our parking spaces when they are visiting
shops / dropping off at the community centre. If the proposed
development goes ahead it will cause more traffic and more discontent
among people who already live here and are not happy with people
encroaching on their own private land. If this new development does go
ahead what happens when they get visitors and we are knocking on their
doors asking them to move cars.

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UPDATE

Planning Committee – 20 April 2011

4.1

No: 10
Number: H/2011/0014
Applicant: Cecil M Yuill Ltd Cecil House Loyalty Road Hartlepool
TS25 1GE
Agent: Cecil M Yuill Ltd Miss Louise Nicholson Cecil House
Loyalty Road Hartlepool TS25 1GE
Date valid: 14/01/2011
Development: Residential development comprising 63 dwellings,
associated access, roads, sewers and landscaping
(Amended site layout received)
Location: LAND TO THE WEST OF EAGLESFIELD ROAD
HARTLEPOOL

10.1 Following the receipt of comments by the Traffic and Transportation Team with regard to levels of proposed parking provision, this item has been withdrawn from the committee agenda for further discussion with the applicant regarding parking provision on site.

PLANNING COMMITTEE

20 April 2011



Report of: Assistant Director (Regeneration and Planning)

Subject: UPDATE ON CURRENT COMPLAINTS

1. PURPOSE OF REPORT

1.1 Your attention is drawn to the following current ongoing issues, which are being investigated. Developments will be reported to a future meeting if necessary:

- 1 Officer monitoring recorded the erection of a garden room to the rear without the benefit of planning permission of a property on Silverwood Close.
- 2 Officer monitoring recorded the continued display of an illuminated information sign erected on the external wall of a public building on Maritime Avenue. The current advertisement consent has expired a fresh consent is anticipated.
- 3 A neighbour complaint regarding the erection of a garage to the side of a property on Callander Road.
- 4 An anonymous complaint regarding the erection of a two storey extension to the rear of a property on Murray Street.
- 5 A neighbour complaint regarding a recycling business operating out of a garage in a block of privately owned garages on Lowthian Road.
- 6 A neighbour complaint regarding the installation of a chimney on a garden room extension to the rear of a residential property on West View Road, has been investigated. The chimney was determined as 'permitted development' not requiring planning permission because it did exceed the highest part of the main house roof by more than 1 metre.
- 7 A neighbour complaint regarding a multi-occupied use of two properties on Beaconsfield Street. The properties are located within the Headland Conservation Area and protected Article 4 Direction.
- 8 Officer monitoring recorded the erection of CCTV cameras and a recycling facility operating from an allotment plot on Blakelock Gardens.

- 9 A neighbour complaint regarding a scrap recycling business operating out of a residential property on Brierton Lane.
- 10 Officers received intelligence that a vacant housing association premises on the Headland could be reopened as a single family occupation. The proposed use may be a permitted change of use not requiring planning permission. The premises will be monitored in line with normal practice.
- 11 A complaint from an interested party regarding the repaint of a public house on Wooler Road.
- 12 A Councillor complaint regarding the non-compliance to 1 year temporary consent allowing Sunday trading at supermarket on Dunston Road.
- 13 A neighbour complaint regarding a tattoo business operating from a residential property on Masefield Road.
- 14 A neighbour complaint regarding alterations to a domestic garage roof on Amberwood Close.
- 15 Officer monitoring recorded alterations requiring planning consent to takeaway premises on Navigation Point.
- 16 Officer monitoring recorded the display of an advertisement on the front elevation of a takeaway on Andrew Street.
- 17 A neighbour complaint regarding cars advertised for sale on the highway at Greenock Road.
- 18 A neighbour complaint regarding the erection of a single storey extension to the rear of a property on Grange road.

2. RECOMMENDATION

- 2.1 Members note this report.