

PLANNING COMMITTEE AGENDA



Friday 7 October 2011

at 10.00 a.m.

**in the Council Chamber,
Civic Centre, Hartlepool.**

MEMBERS OF PLANNING COMMITTEE:

Councillors Barclay, Brash, Cook, Fenwick, James, Lawton, A Lilley, G Lilley, Morris, Richardson, Robinson, Shields, Simmons, Sirs, H Thompson, P Thompson, Wells and Wright.

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. TO CONFIRM THE MINUTES OF THE MEETING HELD ON 9 SEPTEMBER 2011**
- 4. ITEMS REQUIRING DECISION**
 - 4.1 Planning Applications – *Assistant Director, Regeneration and Planning*
 1. H/2011/0312 Clavering Primary School
 2. H/2011/0372 Manor House Farm, Stockton Road
 3. H/2011/0307 The Lanyard
 - 4.2 Update on Current Complaints – *Assistant Director (Regeneration and Planning)*
 - 4.3 Review of Planning Delegations in relation to serving Section 215 Notices (Untidy Land and Buildings) – *Assistant Director (Regeneration and Planning)*
 - 4.4 Appeal Ref APP/H0724/H/11/2154372 H/2011/0073 Display of three illuminated signs, The White House, Wooler Road, Hartlepool – *Assistant Director (Regeneration and Planning)*
- 5. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

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

EXEMPT ITEMS

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

7 ITEMS REQUIRING DECISION

- 7.1 Enforcement Action – 4 Henry Smith Terrace, Hartlepool (paras 5 and 6) – *Assistant Director (Regeneration and Planning)*
- 7.2 Enforcement Action – White House Public House, Wooler Road, Hartlepool – Advertisements (paras 5 and 6) – *Assistant Director (Regeneration and Planning)*
- 7.3 Enforcement Action – 271 West View Road (paras 5 and 6) – *Assistant Director (Regeneration and Planning)*

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

9. FOR INFORMATION

Site Visits – Any site visits requested by the Committee at this meeting will take place at 9.00 a.m. on the morning of the next scheduled meeting of the Committee on Friday 4 November 2011 at 10.00 a.m.

PLANNING COMMITTEE

MINUTES AND DECISION RECORD

9 SEPTEMBER 2011

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

Present:

Councillor Rob Cook (In the Chair)

Councillors: Allan Barclay, Jonathan Brash, Mick Fenwick, Marjorie James, Trisha Lawton, Alison Lilley, Geoff Lilley, Carl Richardson, Jean Robinson, Linda Shields, Chris Simmons, Paul Thompson, and Ray Wells.

Also Present: In accordance with Council Procedure Rule 4.2 the following substitutions were in effect: -
Councillor Brenda Loynes attending for Councillor Dr George Morris.

Councillor Mike Turner, Seaton Ward Member.

Officers: Chris Pipe, Planning Services Manager
Jim Ferguson, Principal Planning Officer
Richard Trow, Planning Officer
Kate Watchorn, Commercial Solicitor
Adrian Hurst, Principal Environmental Health Officer
Mike Blair, Highways, Traffic and Transportation Manager
David Cosgrove, Democratic Services Team

39. Apologies for Absence

Councillors Dr George Morris, Kaylee Sirs, Hilary Thompson and Edna Wright.

40. Declarations of interest by members

Councillor Brash declared a personal interest in Planning Application H/2011/0368 Land to the West of Eaglesfield Road, Hartlepool.
Councillor Lawton declared a prejudicial interest in Planning Application H/2011/0358 Hartlepool Power Station, Tees Road, Hartlepool.
Councillor Simmons declared a personal interest in Planning Application H/2011/0336 The Park Hotel, Park Road, Hartlepool.

41. Confirmation of the minutes of the meeting held on

Subject to the addition of apologies for absence from Councillor P Thompson, the minutes were confirmed.

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

The Planning Services Manager submitted the following applications for the Committee's determination.

Number:	H/2011/0368
Applicant:	Cecil M Yuill Ltd Cecil House Loyalty Road Hartlepool
Agent:	Cecil M Yuill Ltd Cecil House Loyalty Road Hartlepool
Date received:	19/07/2011
Development:	Residential development comprising 65 dwellings, associated access, roads, sewers and landscaping
Location:	LAND TO THE WEST OF EAGLESFIELD ROAD HARTLEPOOL
Decision:	Minded to APPROVE subject to the wording of the conditions outlined below being finalised by the Planning Services Manager and the completion of a legal agreement securing developer contributions for play provision, green infrastructure, a cost for the adoption/maintenance of the open space and the delivery of 7 affordable houses.

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 19/07/2011 (Planning Layout: Drawing No. 315:PLANNING:01.U), the 18/07/2011 (The Site Location Plan, The Single Garage Detail - S1- Drawing Number: DET 08 01 Rev A and DET 08 03 Rev A, The External Enclosure Details - Drawing Number: DET 09 02 and DET 09 04, The Ext. Details - Drawing Number: SBD 01, The House Types: Addison (Plan Variant 1 - Drawing Numbers: ADD 20 01 and ADD 20 02), Bedale (Plan Variant 3 - Drawing Numbers: BED 20 01 and BED

20 02), Farnham (Plan Variant 1 - Drawing Numbers: FAR 20 01 and FAR 20 02), Hartford (Drawing Numbers: HAT 20 01), Helmsley (Plan Variant 1 - Drawing Numbers: HEL 20 01 and HEL 20 02), Lythe (Plan Variant 1 - Drawing Numbers: LYT 20 01 and LYT 20 02), Maltby (Plan Variant 1 - Drawing Numbers: MBY 20 01 and MBY 20 02), Rudby (Plan Variant 1 - Drawing Number: RUD 20 01), Whixley (Plan Variant 1 - Drawing Numbers: WHI 20 01 and WHI 20 02), the Drainage Strategy Plan (Drawing No: 3385/FRA/3) and the Landscape Proposals received by the Local Planning Authority on 23/08/2011 (Drawing No: 3124 90 01), unless otherwise agreed in writing by the Local Planning Authority.

For the avoidance of doubt.

3. All planting, seeding or turfing comprised in the approved details of landscaping (as shown on the landscaping proposals drawing received by the Local Planning Authority on 23/08/2011 - Drawing Number: 3124 90 01) 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.
4. Unless otherwise agreed in writing by the Local Planning Authority the existing hedge and trees within the hedge fronting Gardner House and Eaglesfield Road as shown on the Proposed Layout received by the Local Planning Authority on 19/07/2011 (Drawing Number: 315:PLANNING:01.U) shall be retained at all times for the lifetime of the development
In the interests of visual amenity.
5. 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.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other revoking or re-enacting that Order with or without modification), no garage(s) other than those expressly authorised by this permission shall be erected without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way without the prior written consent of the Local Planning Authority.

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

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), 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.

9. 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.

10. 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.

11. Prior to the commencement of the development hereby approved details of a scheme to incorporate embedded renewable energy generation into the 65 properties 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 promoting sustainable development.

12. 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.

13. 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.
14. No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 13.
In the interests of preserving potential archaeological importance.
15. The dwellinghouses hereby approved 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.
16. The development hereby approved shall not commence until a scheme for the removal of hedges has been submitted to and approved in writing by the Local Planning Authority. The hedges should not be removed during the bird breeding season, taken to be March-July inclusive unless they are first checked by a qualified ecologist and it is confirmed in a report to the Local Planning Authority by that ecologist that no breeding birds are present. Once provided the hedges shall be removed in accordance with the agreed scheme.
In the interests of protecting the habitat of breeding birds.
17. 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.
18. Unless otherwise agreed in writing by the Local Planning Authority the sewer discharges of the development hereby approved shall be directed to the Greatham Beck where the maximum discharge rate shall be attenuated to no more than 6.3l/s for the lifetime of the development.
In the interests of the Environment and Flood Risk

The Committee considered representations in relation to this matter.

The applicant's representative, Mr Bell, was present at the meeting and addressed the Committee.

H/2011/0280

Applicant: Enterprise Inns Plc
Monkspath Hall Road SOLIHULL

Agent: TJ Design Studio, Mr Tom Wilson, 5 The Poplars
WOLVISTON

Date received: 01/06/2011

Development: Alterations to replace existing curtain walling with masonry, alterations to windows, erection of two entrance canopies

Location: Fens Hotel Catcote Road HARTLEPOOL

Decision: **Planning Permission Approved**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. 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.
3. The development hereby approved shall be carried out in accordance with the amended plan(s) no(s) 657:02(P) A received on 2 August 2011, unless otherwise agreed in writing by the Local Planning Authority
For the avoidance of doubt.
4. For the avoidance of doubt this permission does not allow for the provision of an outdoor seating area.
In the interests of the amenity of neighbouring properties.

The Committee considered representations in relation to this matter.

The applicant, Mr Wilson, was present at the meeting and addressed the Committee.

Number: H/2011/0348

Applicant: Mr T Bates, Brinkburn Court, HARTLEPOOL

Agent: BIG Interiors Ltd, 73 Church Street HARTLEPOOL

Date received: 06/07/2011

Development: Change of use of land to provide amenity space for camping and caravan site including the provision of tree planting and the formation of play pitches and picnic areas

Location: Brierton Moorhouse Farm Dalton Back Lane
HARTLEPOOL

Decision: **Approve subject to the receipt of a satisfactory response from the National Grid, the variation of the legal agreement relating to part of the site, to accommodate a substantial woodland planting scheme as well as amenity areas, the following conditions, and any other conditions arising from the outstanding consultee response**

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 (BIG/IC/TB/413-01 "Existing Site Plan", Location Plan) and details received by the Local Planning Authority on 5th July 2011 as amended in respect of the proposed site plan by the plan BIG/IC/TB/413 -02 revision A received at the Local Planning Authority on 11th August 2011, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. The amenity space hereby approved shall be used only in association with the caravan and camping site approved by Hartlepool Borough Council under the provisions of planning permission reference number H/2008/0001 and by persons staying in caravans and tents at the aforementioned caravan and camping site. In the event that the permission for the caravan and camping site is not implemented, or the caravan and camping site use ceases, the land shall not be used as amenity space independently of it.
In order to ensure that the implications of the independent use of the land can be properly assessed through the submission of a further planning application and for the avoidance of doubt.
4. The site shall be used only as an ancillary amenity area to the approved caravan and camping site (Planning approval H/2008/0001)

namely for woodland planting, cycle paths, sports pitches, recreation and picnic areas. It shall not be used for the siting or storage of caravans, for camping or for events.

In the interests of visual amenity.

5. The site shall not be used for any motorsport including any use by motorcycles or off road vehicles.
In the interests of the amenity of neighbouring properties.
6. No external lighting shall be installed on the site unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity.
7. Details of any bridge/crossing to be installed across the ditch in the centre of the site shall be submitted to and approved in writing by the Local Planning Authority. Any bridge/crossing installed shall be in accordance with the approved details.
In the interests of visual amenity.
8. This permission does not authorise engineering or earthworks including site levelling and raising, including any required in the formation of sports pitches, paths, recreation and picnic areas.
The application states no engineering works will be required and permission has only been sought and obtained for a change of use of the land. Any engineering or earthworks would need to be subject to a separate application and the appropriate fee paid.
9. Notwithstanding the details submitted prior to the site being brought into use the proposed site layout including a detailed tree planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved tree planting scheme shall be implemented in the first planting season following the commencement of the use of the site.
In the interests of visual amenity.
10. The tree planting scheme shall thereafter be maintained for the lifetime of the development and any trees which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity.
11. Prior to the commencement of development a scheme for the provision and management of a buffer zone alongside the watercourse shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:
 - plans showing the extent and layout of the buffer zone
 - details of the planting scheme (for example, native species)
 - details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
 - details of any footpaths, fencing, lighting and any other structures/items.
 Development that encroaches on watercourses has a potentially severe impact on their ecological value. This is contrary to government

policy in Planning Policy Statement 1 and Planning Policy Statement 9 and to the UK Biodiversity Action Plan. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.

12. Prior to their installation details of any works for the drainage of the site shall be submitted to and approved in writing by the Local Planning Authority. The drainage system so approved shall be installed and retained for the lifetime of the development.
In order to ensure that any drainage proposals are acceptable.

The applicant, Mr Bates, was present at the meeting.

Number:	H/2011/0294
Applicant:	Mr J Odgers Fernbeck Dalton Back Lane BILLINGHAM
Agent:	Sean McLean Design The Studio 25 St Aidans Crescent BILLINGHAM
Date received:	09/06/2011
Development:	Erection of a two storey dwellinghouse
Location:	Fernbeck Dalton Back Lane Claxton BILLINGHAM
Decision:	Minded to APPROVE subject to the completion of an appropriate legal agreement tying the dwellinghouse to the holding and restricting the occupation of the dwellinghouse to a person solely, mainly/or last employed prior to retirement at the livery business on the holding or a dependent of such a person residing with him or her, or a widow or widower of such a person 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 (1183/LP'O', 1183/01'O', 1183/02'O', 1183/03'O') and details received by the Local Planning Authority at the time the application was made valid on 9th June 2011, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. The occupation of the dwelling hereby approved shall be limited to a person solely or mainly, or last employed prior to retirement, in the

commercial livery business located on the holding (Fernbeck), as defined on drg. no. 1183/LP'O' received by the Local Planning Authority on the 9th June 2011 or a dependent of such a person residing with him or her, or a widow or widower of such a person.

The site of the proposed dwelling is in an area where the Local Planning Authority considers that new housing should only be allowed in exceptional circumstances where it is essential in the interests of agriculture or forestry or an appropriate rural enterprise.

4. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose. Thereafter the development shall be carried out in accordance with the approved details.
In the interests of visual amenity.
5. Details of all walls, fences and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced. Thereafter the development shall be carried out in accordance with the approved details.
In the interests of visual amenity.
6. A detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works.
In the interests of visual amenity.
7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity.
8. Notwithstanding the details submitted prior to the commencement of development details of the proposed methods for the disposal of foul and surface water arising from the site shall be submitted to and approved in writing with the Local Planning Authority. The development shall thereafter proceed in accordance with the details so approved and the approved drainage details shall be retained for the lifetime of the development.
To prevent pollution of the water environment.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way without the prior

written consent of the Local Planning Authority.

In order to ensure that the dwellinghouse remains commensurate with the needs of the enterprise in accordance with PPS 7 and in the interests of the visual amenity of the area.

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)/outbuilding(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 visual amenity of the area.
11. The curtilage of the dwellinghouse hereby approved shall be as indicated by the red line shown on the approved drawing 1183/01'O' received at the Local Planning Authority on 9th June 2011. The curtilage shall not be extended without the prior written consent of the Local Planning Authority.
For the avoidance of doubt and in the interests of the visual amenity of the area.
12. No development shall be commenced until a scheme for the provision of a visibility splay of 2.4 metres x 90 metres to the north of the entrance to the site from Dalton Back Lane has been submitted to and approved in writing by the Local Planning Authority. The visibility splay shall thereafter be provided and retained for the lifetime of the development.
In the interests of highway safety.
13. The existing caravan shall be removed from the site within one year of the commencement of the development.
In order to ensure that the caravan is removed from the site.

Number:	H/2011/0336
Applicant:	Mr Richard Hanlon Park Road HARTLEPOOL
Agent:	Mr Richard Hanlon The Park Inn Park Road HARTLEPOOL
Date received:	20/07/2011
Development:	Alterations to boundary wall and erection of fence on top of existing wall
Location:	PARK HOTEL PARK ROAD HARTLEPOOL
Decision:	Planning Permission Approved

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
 2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 27 June 2011 Drg No: Park 01 and site location plan, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
 3. The railings hereby approved shall be colour treated black within one month of its erection and maintained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.
In the interests of visual amenity.
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Number: H/2011/0345

Applicant: Mr A Phipps, 33 The Holborn LONDON

Agent: arc- part of riley consulting Matthew Rollings ARC -
PART OF RILEY CONSULTING 21 -22 Great
Sutton Street London

Date received: 06/07/2011

Development: Display of two illuminated fascia signs and two
illuminated hanging signs

Location: Station Hotel Station Lane HARTLEPOOL

Decision: **Approve subject to no objections being received
during the outstanding consultation period.
Should any objection be received delegate final
decision to the Planning Services Manager in
consultation with the Chair of the Planning
Committee and the following conditions:**

CONDITIONS AND REASONS

1. The signs hereby permitted shall be in accordance with the plans and details received by the Local Planning Authority on 5th July 2011 as amended in respect to the details of the signs by the drawing GO1 - Elev Revision 1b received at the Local Planning Authority on 25/08/2011, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.

2. The maximum intensity of the illuminated sign(s) shall not exceed 750 cd/square metre.
In the interests of visual amenity.
3. For the avoidance of doubt this permission does not authorise the display of any free standing Totem signs on the premises.
For the avoidance of doubt.

Councillor Lawton declared a prejudicial interest in the following planning application and left the meeting room during its consideration.

Number: H/2011/0358

Applicant: EDF Energy Barnett Way Barnwood GLOUCESTER

Agent: EDF Energy Barnett Way Barnwood GLOUCESTER

Date received: 14/07/2011

Development: Display of 20 advertising signs

Location: Hartlepool Power Station Tees Road
HARTLEPOOL

Decision: **Advertisement Consent Approved**

CONDITIONS AND REASONS

1. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 14/07/2011 (Bounded document titled: Rebranding EDF Energy_External signage - Hartlepool power station, June Planning version 1.0), unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.

Councillor Lawton returned to the meeting.

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

Members' attention was drawn to twenty-nine current ongoing issues, which were being investigated. Any developments would be reported to a future meeting if necessary.

Decision

That the report be noted.

**44. Appeal Ref: APP/H0724/A/11/2157369 H/2011/0015
Change of Use From Vehicle Dismantling Yard to
Storage of Skips, Plant, Brick, Rubble, Clay, Top Soil
And Wood - Unit 4 Sandgate Industrial Estate,
Mainsforth Terrace, Hartlepool** *(Assistant Director,
Regeneration and Planning)*

The Planning Services Manager informed Members that a planning appeal had been lodged against the refusal of the Local Planning Authority to grant planning permission for the 'change of use from vehicle dismantling yard to storage of skips, plant, brick, rubble, stone, clay, top soil and wood'. Members refused permission at Planning Committee on 20th May 2011. The appeal is to be decided by the written representations procedure and authority was sought to contest the appeal.

Decision

That the Assistant Director, Regeneration and Planning be authorised to contest the appeal.

**45. Appeal by: Mr R Ainsley, 3 Henry Smith Terrace -
Appeal Ref No: APP/H0724/H/11/2152708** *(Assistant
Director, Regeneration and Planning)*

The Planning Services Manager informed Members that a planning appeal had previously been lodged against the refusal of Hartlepool Borough Council to allow the retention of a front composite door. The Planning Inspector dismissed the appeal concluding that the door failed to preserve the character or appearance of the conservation area, contrary to the provisions of Hartlepool Local Plan policy HE1. The decision letter was submitted for Members information. The Planning Services Manager indicated that this case had been referred to during the Members Training session on conservation issues that had preceded the meeting.

Decision

That the Planning Inspector's decision be noted.

46. 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 paragraphs 5 and 6 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006; 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 47 – Enforcement Action – Various Sites in Seaton Carew

Minute 48 – Enforcement Action – Land opposite C.C.S. site, Sandgate Industrial Estate, Mainsforth Terrace, Hartlepool

Minute 49 – Complaint Files to be Closed

Minute 50 – Enforcement Action – Station Hotel, Seaton Lane Hartlepool

Minute 51 – Enforcement Action - 3 Henry Smith Terrace, Hartlepool.

47. Enforcement Action – Various Sites in Seaton Carew

(Assistant Director, Regeneration and Planning)

The Planning Services Manager reported on potential enforcement action, should this be required, in respect of the untidy condition of a series of properties in Seaton Carew.

Decision

That authorisation be approved subject to the conditions set out in the exempt section of the minutes.

48. Enforcement Action – Land opposite C.C.S. site, Sandgate Industrial Estate, Mainsforth Terrace, Hartlepool

(Assistant Director, Regeneration and Planning)

The Planning Services Manager sought authorisation to issue a S215 notice, if deemed necessary, in respect of the untidy condition of land opposite C.C.S., Sandgate Industrial Estate, Mainsforth Terrace.

Decision

That authorisation be approved subject to the conditions set out in the exempt section of the minutes.

49. Complaint Files to be Closed

(Assistant Director, Regeneration and Planning)

The Planning Services Manager sought Member's authority to close an outstanding complaint case.

Decision

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

50. Enforcement Action – Station Hotel, Seaton Lane Hartlepool

(Assistant Director, Regeneration and Planning)

The Principal Planning Officer sought Member's authorisation to enforcement action, should this be required, in respect of non-compliance with condition

10 of planning approval H/2010/0703, by way of issuing a Breach of Condition Notice.

Decision

That authorisation be approved subject to the conditions set out in the exempt section of the minutes.

51. Enforcement Action - 3 Henry Smith Terrace, Hartlepool *(Assistant Director, Regeneration and Planning)*

The Planning Services Manager reported that in light of the appeal decision reported to the Committee, authorisation was sought to issue an enforcement notice in respect of the unauthorised installation of a front door at 3 Henry Smith Terrace.

Decision

That authorisation be approved subject to the conditions set out in the exempt section of the minutes.

52. Any Other Items which the Chairman Considers are Urgent

Members noted that quite a number of enforcement actions had been approved over recent meetings of the Committee and requested that a brief report be submitted to update Members on the progress being made. The Planning Services Manager reported that such a report was in preparation and would be submitted to the November meeting of the Committee.

The Planning Services Manager also informed Members that the Portfolio Holder had recently approved the introduction of charges for pre-application advice at the one-stop shop.

The meeting concluded at 12.50 p.m.

CHAIR

No: 1
Number: H/2011/0312
Applicant: Mr Philip Timmins Bryan Hanson House Hanson Square
HARTLEPOOL TS24 7BT
Agent: Hartlepool Borough Council Philip Timmins Bryan
Hanson House Hanson Square HARTLEPOOL TS24
7BT
Date valid: 29/06/2011
Development: Change of use of the caretaker's bungalow to various
educational uses
Location: Clavering Primary School Clavering Road HARTLEPOOL

The Application and Site

1.1 The site to which this application relates is the caretaker's bungalow – a single storey residential property located within the grounds of Clavering Primary School. Directly north of the property are the residential properties of 30-34 Talland Close.

1.2 The application seeks consent to change the use of the bungalow from residential (C3) for community uses associated with the existing school (D1) for staff and pupils, parents and governors. Examples of the uses include the relocation of the Breakfast and After School Clubs to the bungalow, accommodation of small groups of SEN (Special Educational Needs) children, parent workshops and mother/toddler groups.

1.3 The application is presented to Members as it relates to an application relating to the Council's own land and there is an objection to the scheme.

Publicity

1.4 The application has been advertised by way of neighbour letters (3) and site notice. To date, there has been one letter of objection.

1.5 The concerns raised include:

- Use should only be until 6pm;
- Object to the garden area being used after 3pm at all due to noise from after school activities.

1.6 The period for publicity has expired.

Copy letters B.

Consultations

1.7 The following consultation replies have been received:

Head of Traffic and Transportation – No objections.

Head of Public Protection – No objections.

Planning Policy

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

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

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

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

Planning Considerations

1.9 The main planning considerations in this instance are the appropriateness of the proposals in relation to the relevant Hartlepool Local Plan (2006) policies, with particular regard to the potential impact on neighbouring residential properties in terms of noise and disturbance and the potential impact on highway safety.

1.10 It is acknowledged that the use of the property for school related activities has the potential to have an impact on those properties on Talland Close directly to the north (30-34). It is considered that whilst the property is located adjacent to the rear garden areas of the neighbouring properties, it is unlikely the activities proposed would give rise to levels of noise and disturbance which would significantly affect the amenity of neighbours, particularly when considered within the context of the existing school grounds. It is unlikely any levels of noise from the property would be above and beyond current levels that are experienced from the day to day activity of the main school itself.

1.11 It is indicated that the proposal is unlikely to result in an increase of traffic into the site, and it is considered unlikely therefore that the neighbouring properties will experience disturbance from increased traffic noise. It is considered prudent to impose a condition to ensure that the property is used only for purposes relating to the existing school rather than any independent community facilities which may give rise to significant levels of noise and disturbance. It is proposed to operate the property between 8am and 8pm. It is considered appropriate to impose such hours

via condition to ensure that use of the property does not occur during unsociable hours.

1.12 Concerns raised regarding the use of the garden area beyond 3pm are acknowledged. However, it is considered that there is no control over the use of remainder of the school grounds beyond 3pm and as such a condition preventing the use of the garden area is considered unreasonable. Furthermore the Council's Head of Public Protection has raised no concerns with the scheme and it is considered unlikely on the basis of the above that the proposal will give rise to significant levels of noise and disturbance.

1.13 As discussed above it is considered unlikely that the proposal will result in a significant increase in vehicular traffic. There is existing parking in place on the site. The Council's Traffic and Transportation section have raised no objection to the proposals. The proposal is considered acceptable in highway safety terms.

Conclusions

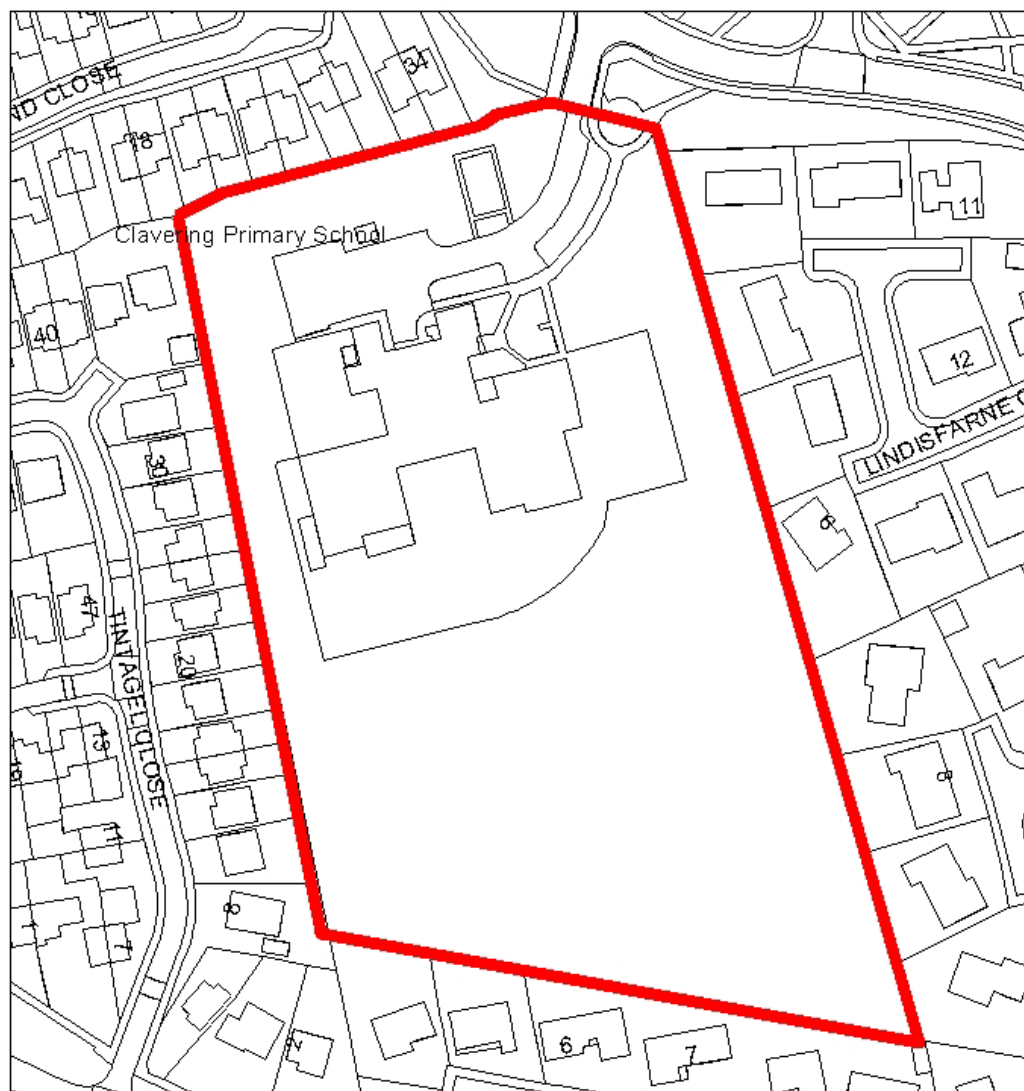
1.14 Having regard to the relevant Hartlepool Local Plan (2006) policies, and the relevant planning considerations discussed above, the proposal is considered acceptable subject to the conditions set out below.

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 'E/G/465-A' and 'E/G/465-B' received by the Local Planning Authority on 29 06 11.
For the avoidance of doubt.
3. The premises shall be used for purposes associated with the existing school only and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).
In the interests of the amenities of the occupants of neighbouring properties.
4. The premises shall only be used between the hours of 08.00 and 20.00.
In the interests of the amenities of the occupants of neighbouring properties.



CLAVERING PRIMARY SCHOOL



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/09/2011
	SCALE 1:1250	
Regeneration and Neighbourhoods Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2011/0312	REV

No: 2
Number: H/2011/0372
Applicant: c/o Agent
Agent: Smiths Gore Ms J Hadland 26 Coniscliffe Road
DARLINGTON DL3 7JX
Date valid: 18/07/2011
Development: Outline planning application with some matters reserved
for residential development comprising the conversion of
farm buildings to three dwellinghouses and the erection of
a dwellinghouse
Location: Manor House Farm Stockton Road Newton Bewley
BILLINGHAM

The Application and Site

2.1 The application site is a complex of farm buildings in the centre of Newton Bewley village. The farm which lies on the south side of the A689 dual carriageway, consists of a number of buildings ranging from the old farm house (not included in this application) with a wide variety of outbuildings and bams, modern and traditional.

2.2 To the east is the former Letch Farm which has now been redeveloped and provides 3 residential units with gardens and garages (Letch Farmhouse, Honey Cottage and Katy Cottage). To the west is Fairfields Farm which is still a working farm. There are open fields to the south with residential properties and farms on the north side of the dual carriageway.

2.3 The farm, which lies within the village envelope, has been vacant for some time and is in a very run down condition. None of the buildings are listed neither is the farm within a conservation area.

2.4 The proposal, which is in outline, involves the conversion of outbuildings and barns to form 3 new residential units together with the erection of one new dwelling at the south end of the site. Although full plans have been submitted which show details of all four units i.e. floor plans and elevations, the application is for outline planning consent only with all matters except means of access to the site being reserved for later applications. These reserved matters would include appearance, landscaping, layout and scale of the development.

2.5 The details provided, which are for illustrative purposes only indicate:-

- a) 2 single storey conversions to provide 3-bedroom dwellings
- b) 1 two-storey conversion to provide 2-bedroom dwelling
- c) 1 new build dwelling (on the footprint of a barn) to form a 2 storey, 4 bedroom dwelling

2.6 All new units will have private amenity space and parking. Building materials will be traditional;- brick, slate, rubble stone and timber.

2.7 Access to the site is by way of the existing farm access from the A689.

2.8 A number of surveys have been carried out prior to the submission of this application. These include an ecology report, tree survey, historic building survey, archaeological field evaluation and full structural survey.

Publicity

2.9 The application has been advertised by way of press advert, site notice and letters to neighbours. 1 letter of no objection, 2 letters with comments and 2 letters of objection have been received. The objections include;-

- a) applicants have claimed the village green in their ownership and as it is registered village green it should not be included.
- b) The registered village green is not on the plans. It should be clearly marked and indicate how it is going to be protected during construction.
- c) The village green is not in the ownership of the Church Commissioners as indicated.
- d) If the Church Commissioners can provide proof of ownership it should not be included in the scale of the land.

2.10 The no objections with comments relate to the provision of new fences around the site and between the new dwellings and the adjacent working farm. Another comment states that there would be no objection to the development provided that there would be no overlooking.

The period for publicity has expired.

Copy letters A

Consultations

2.11 The following consultation replies have been received:

Public Protection – No objections

Engineering Consultancy – Awaited

Neighbourhood Services – Awaited

Northumbrian Water – No objections

Traffic and Transport – Awaited

Cleveland Police – Awaited

Tees Archaeology – No objections. The application includes a full record of the farm buildings and archaeological evaluation report. The trial trenching was completely negative in this case.

Newton Bewley Parish Council – The village green borders the application site and it should be clearly marked on all plans and protected if planning goes ahead. The village green does not belong to the applicant. There is no objection to the planning application.

Planning Policy

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

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

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

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

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.

Rur3: States that expansion beyond the village limit will not be permitted.

Rur5: States that minor infill/redevelopment of existing sites within the defined village limit will only be approved where no increase in the volume of traffic at access points will result.

Tra15: States that new access points or intensification of existing accesses will not be approved along this road. The policy also states that the Borough Council will consult the Highways Agency on proposals likely to generate a material increase in traffic on the A19 Trunk Road.

Planning Considerations

2.13 The main issues in this case are the appropriateness of the proposal in terms of the policies contained within the Hartlepool Local Plan, National Policy and

guidelines and the impact of the scheme on residential and visual amenity, highway safety, archaeology, ecology, trees and drainage.

Policy

2.14 Government advice/policy contained in Planning Policy Statement 1(PPS1). Delivering Sustainable Development, states that the government is committed to “ensuring the provision of sufficient, good quality new homes in sustainable locations, whether through new development or the conversion of existing buildings”.

2.15 PPS3 Housing states that the planning system should deliver “a sufficient quantity of housing taking into account need and demand and seeking to improve choice”. The site is within the limits to development of Newton Bewley village and would make use of existing buildings through conversion and new build. Whilst Newton Bewley does not have much in the way of community facilities, it does have a pub/restaurant and is located on a main bus route within easy access of Hartlepool, Billingham, Wolviston and Greatham.

2.16 PPS7 Sustainable Development in Rural Areas seeks to promote the government's objectives for achieving sustainable patterns of developments in or next to existing towns and villages. This also supports the re-use of appropriately located and suitably constructed buildings in the countryside.

2.17 The redevelopment of the Manor House Farm is considered to be suitable for residential development given its location and relationship to adjacent residential properties.

2.18 Local Plan Policy Rur5 Development at Newton Bewley states that minor infill developments and redevelopments of existing sites within the defined village limit around Newton Bewley will only be approved where there will be no material increase in vehicular traffic at existing access points. The increase in vehicular traffic to the site is not considered to be significant for the new development given the potential for comings and goings to a working farm of this size. (This issue will be discussed further in the highway safety section of the report).

Residential and Visual Amenity

2.19 As previously mentioned this application is for outline approval only. Notwithstanding this, plans have been submitted which indicate (for illustrative purposes only) that a high quality, attractive infill residential development can be achieved in this location. The proposal has taken into account the existing layout of the farm and proposes an interesting development set out around a courtyard, using existing buildings. The new dwellings, of different sizes and design, would reflect and retain the character of this rural village setting. Many of the original openings and features have been incorporated in order to preserve the façade of the old buildings.

2.20 It is anticipated that where possible, materials will be recycled or sourced locally. The new build dwelling has been sited towards the south end of the site, away from existing residential and farm buildings. In view of this the development is

considered to have a limited impact on neighbouring properties and the street scene in terms of usual amenity. The works will result in a small residential development which will be well integrated in the existing village setting offering further residential choice whilst at the same time respecting the historic layout of the farm. However, as already indicated these drawings are for illustrational purposes only and the layout, design, appearance and scale would be the subject of separate application(s).

Archaeology

2.21 A number of reports have been provided with the application which include a structural survey, a historical building survey/recording and an archaeological field evaluation.

2.22 The surveys provide a wide range of investigations, written descriptions and photographs of the existing site. This provides a comprehensive record of the farm complex and its setting.

2.23 The archaeological evaluation consists of two trial trenches within the site. Nothing of any archaeological value or interest has been found.

2.24 In view of the above, no objections have been raised by Tees Archaeology who considers that the applicant has provided a thorough assessment of the sites heritage assets.

Ecology

2.25 The Council's ecologist has commented that the bat risk assessment has identified the fact that most of the buildings have a low potential for roosting bats. Notwithstanding this, a method statement should be provided before commencement of any works on site. This would include works to trees as well as buildings.

2.26 Further surveys will be required prior to commencement of any works, to deal with barn owls and other breeding birds. Provision should also be made for barn owls in the completed development ie nest box/space incorporated in loft spaces.

2.27 Other bird nesting features should be included within the site for swifts, house martins and sparrows. This can be controlled by condition.

2.28 The Council's arborist has examined the tree survey and is satisfied that this accurately reflects the site and its trees. No objections have been raised to the proposed development. None of the trees are considered to be worthy of Tree Preservation Order protection. A comprehensive landscaping scheme for the site will be required.

Highway Safety

2.29 Access to the new dwellings will be from the existing farm access from the A689. There is a layby immediately outside the access road.

Other Matters

2.30 The objections received relate to the village green. This is a small area of grassed open space to the north of the current application site. The land, which is included in Hartlepool Borough Council's Register of Village Greens, lies to the rear of the village bus shelter. Whilst the agent for the applicant (Church Commissioners for England) has confirmed that this land (village green) is in the applicant's ownership (edged blue on the site location plan) it has not been included in the planning application site (edged red on the site location plan). The current plans do not indicate any works on this area of land.

2.31 In view of this it would be difficult to sustain any kind of objection on these grounds. Whilst the Parish Council has contested the ownership of the 'village green', the agent has provided copies of Land Registry plans which appear to indicate that the land is owned by the Church Commissioners (applicant). Notwithstanding this, the ownership of the land does not preclude the consideration and determination of any planning application. The plans submitted do not indicate any development in this area of open space.

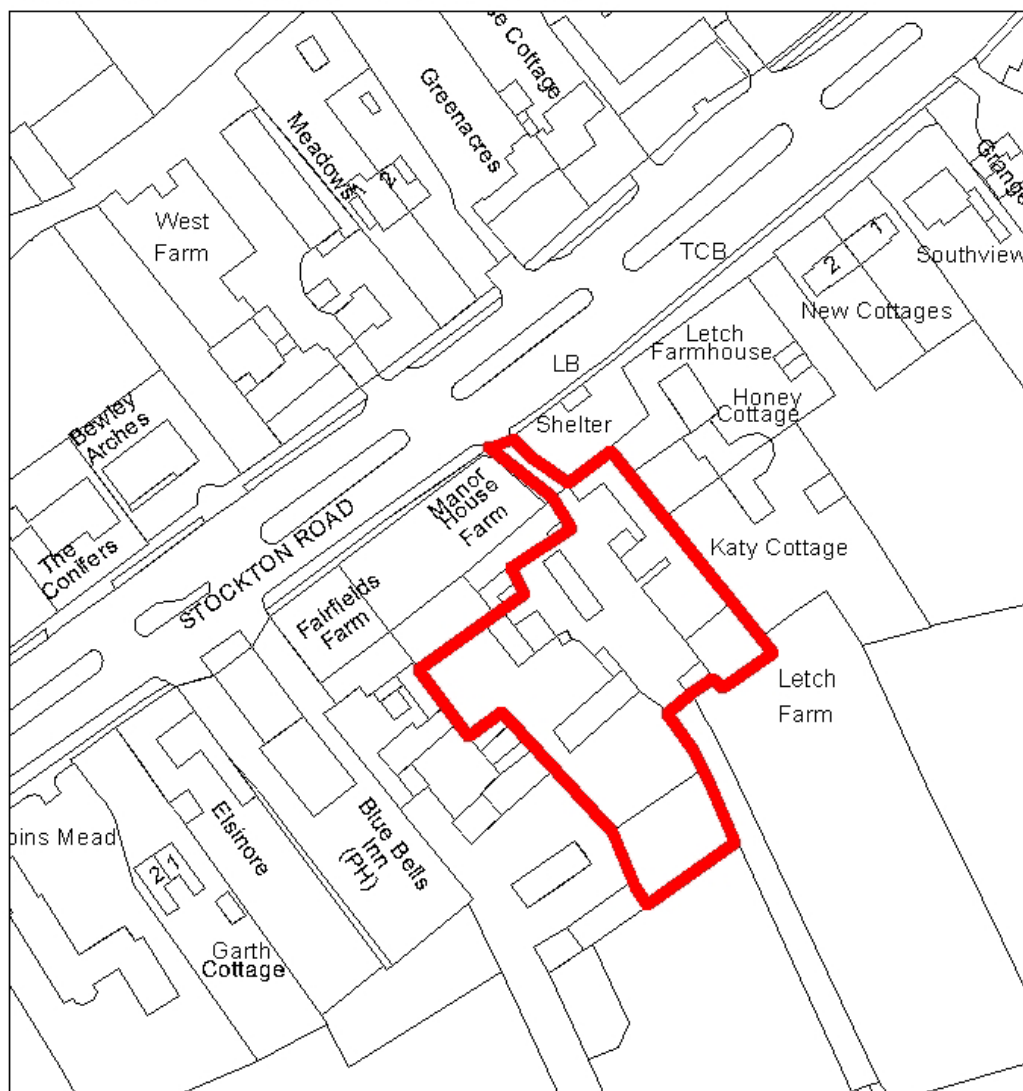
Outstanding Matters

2.32 The comments of consultees are awaited including the Council's Engineers (drainage/contamination and highways/traffic) regarding the impact of the development on drainage and on highway safety. These are anticipated to be provided in an update report prior to the meeting.

RECOMMENDATION – Update report will follow.



MANOR HOUSE FARM



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/09/2011
	SCALE 1:2500	
Regeneration and Neighbourhoods Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2011/0372	REV

No: 3
Number: H/2011/0307
Applicant: Jomast Developments Limited
Agent: Signet Planning Ltd. Mr Simon Chadwick The Hamlet
 Hornbeam Park Harrogate HG2 8RE
Date valid: 24/06/2011
Development: Erection of a 65 bedroom hotel (Use Class C1) and
 restaurant/bar facility (Use Class A3/A4) including
 amendments to car parking (AMENDED PLANS
 RECEIVED 07/09/2011)
Location: LAND AT THE LANYARD HARTLEPOOL

The Application and Site

3.1 The application seeks consent for the erection of a five-storey 65 bedroom hotel and restaurant at land situated off The Lanyard at the Metropolitan Park immediately to the north of Hartlepool town centre. The application site comprises car parking which is used for the Metropolitan Park. The proposed hotel will be located immediately to the east of the existing KFC restaurant. The remainder of the Metropolitan Park comprises a cinema (operated by Vue) and a Pizza Hut restaurant.

3.2 The proposal site is located in close proximity to the town centre boundary. The land to which this application relates to is defined within the Hartlepool Local Plan 2006 as Com 4 (Edge of Town Centre Areas), Com8 (Shopping Development) and Rec13 (Late Night Uses).

3.3 It is prudent to state within the context of this application that the applicant Jomast, own the land located immediately to the north and east of the proposed hotel site, comprising the Trincomalee Wharf site. Members may recall that the site is subject of a resolution to grant planning permission subject to conditions and a legal agreement (Reference: H/2007/0918) for a mixed commercial, residential and leisure scheme. The status with regard to the implications this development will have upon the aforementioned position will be discussed later in this report.

Description of Proposal

3.4 The application site covers some 2.01 hectares of land situated off The Lanyard. The proposed hotel building will be five storeys in height and will include 65 bedrooms, a reception area and a restaurant and bar area. The building (as proposed) is some 18.25m in height and has a footprint of approximately 636sqm. The restaurant/bar area will account for 349 sqm of the aforementioned overall figure. The proposal will involve the loss of 37 parking spaces in the car park immediately to the east of the KFC restaurant; however the applicant is proposed to reconfigure the parking area to the extreme west of the Metropolitan Park to provide

an additional 32 spaces. There will therefore be a net loss of overall car parking on the site as existing of five spaces.

3.5 The main façade of the proposed hotel will front onto The Lanyard. Bedrooms within the hotel will also face onto the railway line to the rear of the site.

3.6 The external appearance of the hotel has been amended since it was original submitted. The elevations of the hotel will be a mixture of high performance cladding sheets, coloured renders, art stone dressings, double glazed metal framed windows and decorative concrete blocks to the ground floor. The overall appearance of the hotel is proposed to reflect the corporate image of Travelodge.

Publicity

3.7 The application has been advertised and re-advertised following the receipt of amended drawings by way of neighbour letters (141), site notice (x4) and press advert. To date 5 letters of objection, 10 letters of no objection and one letter of support have been received.

3.8 The concerns raised are:

1. If the development goes ahead, I will look onto the back of the hotel. Whilst much has been made in the planning application of the appearance of the front of the hotel, I would hope that the rear wall does have some degree of architectural interest given that this will be my view from my windows.
2. I note that the proposed height of the hotel is to be five storeys. I would just question the wisdom of this, when compared to the height of the existing buildings in Church Street, which are all contained within the Conservation Area.
3. I have seen a lot of change, the road has got busier and nosier circus's come and go, and the noise of the shows too, I cannot understand the need for another hotel, come restaurant/bar area will create more noise we don't need more congestion, also troubles with drinkers littering around.
4. Concerns raised by Mecca Bingo regarding the noise and traffic that will be generated during construction period. Consideration should be given to the implementation of planning conditions restricting works hours of development.

3.9 The period for publicity expires upon the date of the Planning Committee. Any further responses received will be tabled accordingly.

Copy letters C

Consultations

3.10 The following consultation replies have been received:

Public Protection – I would have no objections to this application subject to an extract vent condition to the kitchen and an hours restriction to the bar of no later than midnight.

Head of Property Services – Concern raised whether the car park extension strays onto adopted highway land.

Hartlepool Water – No diversionary works will be required to existing Hartlepool Water Mains. Water is available to supply the development. The developer will need to pump water to feed the upper floors of the proposed building.

Tourism Officer – Economic Development would support this application as it will bring job creation and increase expenditure in the visitor economy. If the hotel is a national company, the hotel will be backed by a multi-million brand which will bring new potential visitors to Hartlepool who are loyal to that brand. This may cause displacement from smaller independent businesses, however there are those visitors who are more likely to use national companies and there are currently only 2 of these in Hartlepool. Therefore this proposal will enhance the accommodation offer.

The marina is a core location for the tourism economy of Hartlepool and therefore the visual appearance of the hotel should be kept to a high standard and visual appealing.

Engineering Consultancy – I note that drainage proposals (storm and foul) are to discharge to main sewer. Northumbrian Water's advice should be sought with appropriate planning conditions imposed following their advice.

Environment Agency - You have confirmed to us that the LPA have formally accepted the findings of the submitted Sequential and Exception Tests and deem them to have been passed. On this basis, we can withdraw our previous objection subject to conditions being imposed on any permission.

Northumbrian Water – No objections.

Head of Community Services – I am supportive of the principle of the hotel, I trust that this will be beneficial in triggering additional development in this general area.

Traffic and Transportation – The parking provision for a hotel and restaurant development can be accommodated within the existing provision and the proposed amendments to the cinema car park to create further parking.

The development should not compromise the future Trincomalee Wharf development in terms of parking provision and highway layout.

Network Rail - With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met.

Drainage

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways must be located so as to discharge away from the railway infrastructure.

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Engineer. In relation to access as described in the design and access statement as submitted it is difficult to see how access from the hotel to town centre via the Station could be achieved without crossing the railway - which would not be permitted. It should be noted that here is a general presumption against encouraging non-passenger related access through Stations because of issues of security.

Method Statements/Fail Safe/Possessions

Method statements may require to be submitted to Network Rail's Asset Protection Engineer at the below address for approval prior to works commencing on site. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks. **Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.**

Lighting

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application.

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

It is realised that much of the above does not apply directly to the application but should be taken into consideration as appropriate. Nevertheless it gives a useful guide as to the considerations to be taken into account in relation to development adjacent to the railway. I would advise that in particular the **method statements and lighting** should be the subject of conditions, the reasons for which can include the safety, operational needs and integrity of the railway. For the other matters we would be pleased if an informative could be attached to the decision notice.

Landscape and Conservation – No objections raised to the amended proposals

Planning Policy

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

Com4: Defines 10 edge of town centre areas and indicates generally which range of uses are either acceptable or unacceptable within each area particularly with regard to A1, A2, A3, A4, A5, B1, B2, & B8 and D1 uses. Proposals should also accord with related shopping, main town centre uses and recreational policies contained in the plan. Any proposed uses not specified in the policy will be considered on their merits taking account of GEP1.

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.

GEP10: Encourages the provision of public art and craftwork as an integral feature of new development.

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.

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

3.12 The main issues for consideration in this instance are the appropriateness of the proposals in terms of the policies and proposals contained within the Hartlepool Local Plan 2006, the principle of the use, siting, design, height, massing, sustainability, noise, the highway and traffic considerations and the impact on nearby premises/properties, and these are dealt with in detail in the report below.

Planning Policy Considerations – Principle of Use

3.13 In respect of National Policy, PPS1 sets out the overarching planning principles on the delivery of sustainable development through the planning system. It sets out the Government's key aims for sustainable development. Paragraph 33 of this document advises that good design ensures usable, durable, and adaptable places and is a key element in achieving sustainable development. Paragraph 35 states that high quality design that creates well-mixed and integrated developments should be the aim of all those involved in the development process. Paragraph 38 goes on to state that design policies should avoid unnecessary prescription or detail and should concentrate on guiding overall scale, density, massing, height, landscape, layout, and access of new development in relation to neighbouring buildings and the local area more generally.

3.14 Of note, there is also relevant guidance set out in PPS4 which also applies to hotels. One of the key objectives of the guidance note is to promote the vitality and viability of town centres as important places for communities and the Government wants to do this through new economic growth and development of main town centre uses to be focused in existing centres. This has the aim of offering a wide range of services to communities in an attractive and safe environment and remedying deficiencies in areas with poor access to facilities. Policy EC10.1 contained within the statement advises that Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic growth should be treated favourably. Planning applications should be considered against 'impact considerations' which are defined within the statement and refer to carbon emissions and climate change, transport options, and whether a proposal secures a high quality inclusive design.

3.15 With regard to Local Planning Policy, the principle policy support for the development is derived from the site's allocation within the adopted Hartlepool Local Plan 2006, under saved Policy Com 4: Edge of Town Centre Areas which defines appropriate uses for land south of Maritime Avenue (this includes the application site), as well as other areas within the immediate area and the Borough as a whole.

There are a number of uses within this policy which would be suitable for the site, including A3: Restaurants and Cafes and C1: Hotels.

3.16 In land use terms, the proposed site is regarded by Officers as suitable for a hotel and restaurant and the development will be complimentary to the commercial/leisure uses that already take place on Metropolitan Park. The development will be complimented further by the likely future mixed use development of the Trincomalee Wharf Site. The location of the site, close to the town centre and within close proximity of the railway station makes the location acceptable.

The Trincomalee Wharf Masterplan

3.17 Part of the proposed site to which this application relates is the subject of a resolution to grant planning permission (H/2007/0918) for a mixed commercial, residential and leisure scheme. It is prudent to outline that the resolution to grant planning permission for the Trincomalee Wharf site is for an outline application with the scale of the development being approved. All other matters are reserved and there is an indicative masterplan that the Council considered as part of the application. The same masterplan has been subject to several discussions with Officer's prior to the submission of this planning application.

3.18 The indicative masterplan submitted alongside the outline application (H/2007/0918) demonstrates that there is proposed to be a commercial building located on the car parking area to the immediate north of the proposed Travelodge Hotel and Restaurant. It is noted that the land already has permission and is in use as a car park but also is part of the wider Trincomalee Wharf masterplan. Whilst it is acknowledged by Officer's within the Local Planning Authority (LPA) that the masterplan proposals are indicative and can be altered by way of a revised masterplan, it is considered imperative that any grant of permission for a hotel with use of a car park on the aforementioned area to the north of the site does not prevent or compromise the implementation of a development on Trincomalee Wharf.

3.19 With regard to the above, the LPA entered into discussions with the agent acting on behalf of the applicant to ensure that should any future development on the Trincomalee Wharf site come forward the car park proposed as part of the Travelodge application would be relocated. In this regard, the planning application will be subject to a Section 106 legal agreement that will require the relocation of the car parking area to the north of the hotel in the event that a building is permitted on a revised masterplan and is implemented. To summarise, the legal agreement will ultimately make the parking area to the north of the hotel 'temporary' until a scheme for a development on the site is approved at which point the car parking must be relocated to accommodate the development approved. The Council's Legal Section has considered the proposed legal agreement submitted by the applicant to cover this issue and considers it to be feasible.

Design and Layout and Effect On Neighbouring Properties/Premises and the Area in General

3.20 Concerns have been raised regarding the appearance of the hotel and its proposed height and the impact it will have on the Church Street Conservation Area. It is prudent to state that Officer's raised concerns with regard to the original design submitted and requested amendments. It is considered by officers that the amended design of the hotel is now acceptable. A high quality modern design has been achieved through the use of modern products and durable materials. This has ultimately resulted in a building which is modern and striking and appropriate to the location on which it will be sited. It is not considered that the building as proposed is excessively high, there are five storey properties located within the Church Street Conservation Area. Moreover, it is not considered that the building will appear oppressively high given the commercial and leisure environment in which it will be located.

3.21 In terms of the relationships with properties within and around the site the layout meets or exceeds the Council's guideline separation distances. It is not considered that the proposed development will significantly unduly affect the amenity of neighbouring properties in terms of loss of light or privacy. Whilst it is acknowledged that the development will appear prominent within the views of the surrounding area, particularly from Church Street and Hartlepool Railway Station it is not considered that the impact upon outlook, views or general amenity will be so significant to sustain a refusal. It is considered that over time the development will assimilate itself into the wider area, similar to that of the Vue cinema. In addition to the above, the Conservation Officer have raised no objections to the proposal (as amended).

Trees, Landscaping and Street Furniture

3.22 The proposed development will incorporate planting around the entrance and to the side and rear of the hotel. The car park area to the immediate north will also benefit from a degree of landscaping. In addition, following discussion with Officers the applicant is proposing to place decorative stone spheres around the external areas of the hotel, especially to areas to the front elevation fronting the Lanyard. Stainless steel illuminated lighting columns will be positioned so to depict the entrance of the hotel. It is considered that the abovementioned proposals combined will soften the appearance of the hotel upon road and footpath users whilst also assisting in representing the development as a high quality modern development. As the final details of the abovementioned proposals are to be finalised it is considered prudent, should the application be approved to attach appropriately worded planning conditions.

Noise, Disturbance and Construction Methods

3.23 Concerns have been raised with regard to the noise and disturbance created by way of the development during construction. With regards to this the Head of Public Protection has been consulted and has raised no objections to the works. It is not considered reasonable in this instance for a condition to be attached restricting hours of works given the location of the hotel. In terms of the restaurant/bar at ground floor level a planning condition has been attached restricting opening hours to no later than midnight. Given the condition restricting hours of use of the restaurant and the location of the development it is not considered that any detrimental impact will be created upon the amenities of the occupants of nearby residential properties.

3.24 Network Rail have raised no objection to the proposal but have outlined a number of requirements which must be adhered to in order to protect the safety of users of the railway line in close proximity to the site. Officers have considered the requirements and have attached a planning condition, should the application be approved requiring the submission of a Construction Management Plan prior to the commencement of development.

Drainage, Flood Risk and the Environment Agency

3.25 Northumbrian Water has been consulted with regard to the proposed application and has raised no objections. Notwithstanding the above, it is considered prudent in this instance for a planning condition to be attached, should the application be approved requiring the applicant to submit a scheme for the provision of surface water and foul drainage works to be submitted to the Local Planning Authority prior to the commencement of development. This is considered to be appropriate in the interests of ensuring the provision of satisfactory means of surface water and foul drainage disposal.

3.26 The Environment Agency originally raised concerns regarding the proposed development as no evidence was submitted to demonstrate that the flood risk Sequential Test and Exemption Test had been applied. Following the submission of the aforementioned tests which demonstrate that there are no other reasonable available alternative sites in areas with a lower probability of flooding that would be appropriate for the type of development proposed, the Environment Agency have removed their objection. The Environment Agency have recommended a number of conditions to be attached should the application be approved.

Highway Considerations and Parking Provision

3.27 The Design and Access Statement submitted in support of the application outlines that the proposed development will result in the loss of 37 spaces. As compensation for this loss, the reconfiguration and extension of the car parking area in both the extreme western part of the site and the part to the north of the hotel is to take place. A combination of the changes will provide an additional 32 spaces all within land under the ownership of the applicant. Therefore, there will be a net loss of 5 parking spaces resulting from the development.

3.28 The Parking Study, submitted by JNP Group, outlines that the existing parking supply at the site is more than adequate for accommodating predicted parking demand, even during the busiest periods and that the development will have no measurable impact on the operation of the highway network. The Council's Traffic and Transportation Team have echoed this by stating that, the parking provision for a hotel and restaurant development can be accommodated within the existing provision and the proposed amendments to the cinema car park to create further parking.

3.29 Given the above, it is considered that adequate parking provision will be provided on site. Notwithstanding this, a planning condition has been attached

should the application be approved requiring the final details of the revised parking layout to be submitted and approved.

Renewable Energy

3.30 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, should the proposal be approved it would be appropriate to attach a planning condition requesting a scheme for the use of renewable energy within the development.

Conclusion

3.31 Having regard to the policies and proposals contained within the Adopted Hartlepool Local Plan 2006 and the relevant planning considerations discussed above, the proposal is considered acceptable subject to the conditions outlined below and the completion of a legal agreement.

RECOMMENDATION – Minded to approve subject to the wording of the conditions outlined below being finalised by the Planning Services Manager and the completion of a legal agreement requiring the car park to the north of the site to be relocated should a scheme for development on the wider Trincomalee Wharf site be approved at which point the car parking must be relocated to accommodate the development approved.

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 13/06/2011 (Drawing Title - LOCATION PLAN - Drawing Number + Revision: 006_C, Drawing Title - EXISTING SITE - Drawing Number + Revision: 007_C, Drawing Title - GROUND FLOOR PLAN - Drawing Number + Revision: 100_H, Drawing Title - FIRST FLOOR PLAN - Drawing Number + Revision: 101_F, Drawing Title - SECOND FLOOR PLANS - Drawing Number + Revision: 102_B, Drawing Title - THIRD FLOOR PLANS - Drawing Number + Revision: 103, Drawing Title - LOCATION PLAN - Drawing Number + Revision: 006_C, Drawing Title - FOURTH FLOOR PLANS - Drawing Number + Revision: 105, Drawing Title - ROOF PLAN - Drawing Number + Revision: 104_E, Drawing Title - UNDERPASS AREA - Drawing Number + Revision: 014_B, Drawing Title - LONG SECTION - Drawing Number + Revision: 201_D), the plans and details received by the Local Planning Authority on 07/09/2011 (Drawing Title - HOTEL AREA - Drawing Number + Revision: 013_H and Drawing Title - ELEVATIONS - Drawing Number + Revision: 200_P) and the Amended plan received by the Local Planning Authority on 21/09/2011 (Drawing Title - PROPOSED SITE - Drawing Number + Revision: 011_D), unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.

3. Details of all external finishing materials, including examples of proposed coloured cladding sheets, coloured renders samples, art stone dressings samples, double glazed metal framed windows samples, decorative concrete block samples, the concrete feature spheres and the stainless steel rising bollards to the hotel entrance 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. Notwithstanding the submitted information a detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works.

In the interests of visual amenity.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the hotel or restaurant, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

In the interests of visual amenity.

6. The development hereby approved shall not be brought into use until there have been submitted to and approved in writing by the Local Planning Authority final detailed plans and specifications for ventilation filtration and fume extraction equipment and vents serving the kitchens, bathrooms and toilets, and all approved equipment has been installed. Thereafter, the approved scheme shall be retained and used in accordance with the manufacturers instructions at all times.

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

7. The ground floor restaurant/bar licensed premises hereby approved shall only be open to the public between the hours of 09:00hrs and 00:00 (midnight).

In the interests of amenity.

8. The external areas outside of the hotel and restaurant/bar hereby approved shall not be used as an outside eating/drinking area. No eating or drinking shall take place outside any building approved by way of this permission within the site at any time.

In the interests of amenity.

9. The premises shall be used as a restaurant/bar facility (A3/A4) and for no other purpose (including any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

10. Notwithstanding the details submitted, prior to the commencement of the development hereby approved scaled plans and details of the proposed refuse compound shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and implemented prior to the opening of the hotel or restaurant/bar, whichever is sooner.

For the avoidance of doubt.

11. Notwithstanding the submitted information prior to the commencement of the development hereby approved final details of the cycle storage area shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be retained at all times in accordance with the approved details for the lifetime of the development.

To ensure that there is sufficient cycle parking facilities for users of the development.

12. Notwithstanding the submitted details final plans of the revised parking arrangements shall be submitted to and approved in writing by the Local Planning Authority before development commences. The submitted information should show the provision of disabled person parking bays including final numbers and siting. Thereafter the development shall be carried out in accordance with the approved details and implemented prior to the opening of the hotel or restaurant/bar, whichever is the sooner. Thereafter the parking scheme agreed shall be retained at all times for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority or as per the legal agreement associated with their permission.

In the interests of highway safety.

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 completed prior to the opening of the hotel or restaurant/bar, whichever is open sooner 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. Prior to the commencement of development an Energy Assessment shall be submitted to and approved in writing by the Local Planning Authority. The

assessment shall include the details and mechanisms for the use of renewable energy.

In the interests of promoting sustainable development.

15. 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.

16. No development shall commence until the proposed details of the external lighting scheme, including any lighting of the buildings, outlining details of light spill, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

In order to safeguard the appearance of the development and in the interests of amenity for the occupants of nearby properties as well as the potential impact upon train drivers.

17. 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.

18. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall provide for:

- (1) the parking of vehicles of site operatives and visitors;
- (2) loading and unloading of plant and materials;
- (3) storage of plant and materials used in constructing the development;
- (4) the erection and maintenance of security hoarding;
- (5) the location of any site huts/cabins/offices;
- (6) details of proposed temporary lighting;
- (7) details of isolated drainage systems for foul water to prevent discharge to surface or groundwater;
- (8) details of containment measures for fuels, oils and chemicals;
- (9) plans to deal with accidental pollution;
- (10) security and access arrangements for the railway boundary should any alterations be made to the existing boundary and accesses;

- (11) details of any excavations or piling works within 10m of the railway boundary;
- (12) any construction works which will only be achievable by way of the closure of the railway line;
- (13) all operations to be carried out in a fail safe manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3 metres of the nearest rail of the adjacent railway line, or where the railway is electrified within 3 metres of overhead electrical equipment or supports.

To ensure the site is developed in a satisfactory manner.

19. No development approved by this permission shall be commenced until a scheme for the provision of surface water and foul drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water and foul drainage disposal.

20. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Addendum dated May 2011 produced by JNP Group in association with the Cundall FRA dated 15th November 2007 and the following mitigation measures:

- 1. An emergency evacuation plan is formulated with the agreement of the Local Planning Authority and the emergency planners.
- 2. Finished floor levels are set no lower than 5.35m above Ordnance Datum (AOD).

To ensure safe access and egress from and to the site for all residents and staff and to reduce the risk of flooding to the proposed development and future occupants.

21. The development hereby permitted shall not be commenced until such time as a scheme for surface water management has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

22. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

To prevent pollution to controlled waters. The information provided with the planning application indicates that the site has been subject to a potentially contaminative land-use, as railway land and timber storage. The environmental setting of the site is sensitive as it lies on the Magnesian Limestone, a principal aquifer. This condition will ensure that the risks posed by the site to controlled waters are assessed and addressed as part of the redevelopment.

23. Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

To prevent pollution to controlled waters. This condition will ensure that information is provided to confirm that any risks to controlled waters have been addressed.

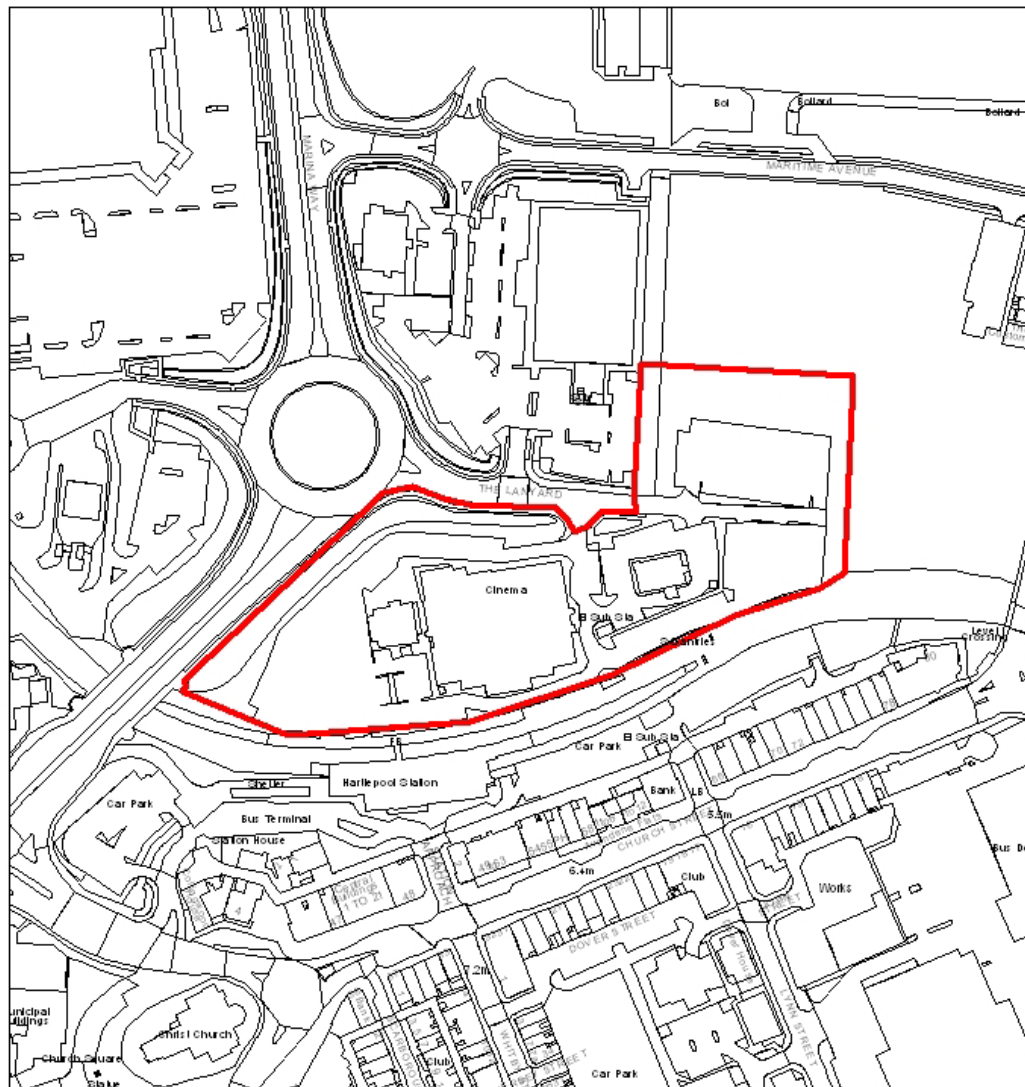
24. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local

Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

To prevent pollution to controlled waters. This condition is to ensure that any unsuspected contamination is identified and has been appropriately addressed.



THE LANYARD



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN GS	DATE 26/09/2011
	SCALE 1:2500	
Regeneration and Neighbourhoods Bryan Hanson House, Hanson Square, Hartlepool TS24 7BT	DRG.NO H/2011/0307	REV

UPDATE

No: 2
Number: H/2011/0372
Applicant: c/o Agent
Agent: Smiths Gore Ms J Hadland 26 Coniscliffe Road
DARLINGTON DL3 7JX
Date valid: 18/07/2011
Development: Outline planning application with some matters reserved
for residential development comprising the conversion of
farm buildings to three dwellinghouses and the erection of
a dwellinghouse
Location: Manor House Farm Stockton Road Newton Bewley
BILLINGHAM

2.1 Since the original report was created the following consultations have been received:-

Traffic and Transportation – There are no highway or traffic concerns with this application. The site will use an existing access and will not be in contravention of local plan policy TRA15 as it is expected that the traffic generated by a busy farm would be greater than that generated by 4 domestic properties.

Engineering Consultancy – No objections in terms of contamination. Northumbria Water would have to give consent for the applicant to make a new connection to the existing system.

2.2 In light of the responses set out above and the considerations discussed in the original report, the proposal is considered to be acceptable and is therefore recommended for approval.

RECOMMENDATION – APPROVE subject to the following planning 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, scale, appearance of the buildings, and the landscaping (hereinafter called the 'reserved matters') shall be obtained in writing from the Local Planning Authority.
To ensure the site is developed in a satisfactory manner.
3. The access hereby permitted shall be carried out in accordance with the site plan numbered 1017878-05 and details received by the Local Planning Authority on 18 July 2011 unless otherwise agreed in writing by the Local

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Planning Authority.

For the avoidance of doubt.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other revoking or re-enacting that Order with or without modification), no garage(s) or other buildings 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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be altered or 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.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), 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.

7. 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.

8. 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.

9. No development shall take place until details of the provisions to be made for birds (such as swifts, house martins, sparrows and barn owls) nesting sites/boxes and bat roosting sites/boxes have been submitted to and approved by the Local Planning Authority. The approved works shall be implemented in full before the development is first brought into use unless otherwise agreed in writing by the Local Planning Authority.

To ensure that bird and bat species are protected and their habitat enhanced in accordance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010.

10. The development hereby permitted shall be carried out in accordance with the Ecology Report (Document ref ECN/10/071 final report) with regard to roosting bats and nesting birds. In particular, precautionary measures as outlined in Sections 7.1.1 (renovation of the existing buildings), 7.1.2 (felling of mature trees), 7.2 (barn owls and breeding birds) and 7.3 (ecological

UPDATE

enhancements) should be carried out prior to commencement of any works on site to existing buildings, walls or trees.

To mitigate the effect of the proposed development upon any roosting bats or nesting birds.

11. 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.

12. 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.

13. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

To ensure the adequate disposal of foul and surface water drainage from the development.

PLANNING COMMITTEE

7 October 2011



Report of: Assistant Director (Regeneration & 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 A complaint from a member of the public regarding the erection of a large shed in the front garden of a property on Winterbottom Avenue.
- 2 A complaint from a member of the public regarding the erection of a large shed in the front garden of a property on Annandale Crescent.
- 3 A neighbour complaint regarding a lawn mower and bouncy castle business operating from a residential property in Nightingale Close.
- 4 An officer complaint regarding 6 untidy properties on The Front, Seaton Carew which are adversely affecting the amenity of the area.
- 5 A neighbour complaint regarding a property on Friar Terrace being used as a house of multiple occupation (HMO) for young people with children who are supported by a live in carer.
- 6 A neighbour complaint regarding alterations to shared garden boundary wall at a property on Stockton Road.
- 7 An anonymous complaint regarding the construction of a driveway at a property on Owton Manor Lane.
- 8 A neighbour complaint regarding the erection of a garden room and wall at a property on Palace Row.
- 9 An anonymous complaint regarding alterations to land to the front and installation of block paving at a property on Hutton Avenue.
- 10 A councillor complaint regarding the untidy state of a property on Rydal Street.

- 11 A notification from Building Control of a complaint received regarding the erection of a sun room at the rear of a property on Forester Close.
- 12 An anonymous complaint received advising 20 units are being built at a site on Usworth Road level with the boundary fence. It was also advised that static caravans and touring caravans are on the site with people living in them.
- 13 A neighbour complaint regarding the erection of detached structure in the garden of a property in Munro Grove.
- 14 An officer notification regarding an untidy property on West View Road.
- 15 A complaint received from the Police regarding the provision of an outside seating area at a Public House on Church Street.
- 16 A neighbour complaint regarding the running of a business from a property on Blakelock Road.

2. RECOMMENDATION

- 2.1 Members note this report.

PLANNING COMMITTEE

7 October 2011



Report of: Assistant Director (Regeneration and Planning)

Subject: Review of Planning Delegations in relation to serving Section 215 Notices (Untidy Land & Buildings)

1. PURPOSE OF THE REPORT

- 1.2 To review the terms of the officer delegation scheme in relation to the issuing of Section 215 notices and to make suggestions for changes.

2. BACKGROUND

- 2.1 Under Section 215 of the Town and Country Planning Act 1990 Hartlepool Borough Council has the power to require the proper maintenance of land and buildings where it is considered that the condition 'adversely affects the amenity of the area'. The Notice must specify the steps that need to be undertaken to abate the harm to the amenity of the area and the period within which they are to be undertaken.

- 2.2 Section 215 is a relatively straightforward power that can deliver important, tangible and lasting improvements to amenity. A best practice guide is available entitled 'Town and Country Planning Act 1990 Section 215, Best Practice Guidance' dated January 2005, which can be found via the internet:
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/319798.pdf>

- 2.3 National guidance cites delegation as the principal tool from which efficiencies can be made. Delegation is not a process that will generally change the outcome of a planning enforcement decision, nor is it one which transfers power from elected Members to Officers. The purpose of delegation is to simplify procedures, speed up the process, minimise costs and leave committee members with more time to concentrate on major planning issues.

- 2.3 Successive governments have placed increasing emphasis on encouraging Councils to delegate more decision making to their trained and qualified officers, particularly in the case of straightforward or non-contentious cases.

3. CURRENT DELEGATION SCHEME

- 3.1 The Planning Code of Practice specified that except in cases of emergency the Planning Committee authorise the serving of relevant Enforcement Notices. Therefore even the simple Section 215 notices are referred to the Planning Committee for decision.

4 PROPOSED DELEGATION

- 4.1 Members will be aware from previous Planning Committee meetings that Hartlepool Borough Council acting as Local Planning Authority is taking a proactive stance in relation to dealing with untidy land and buildings and have a working group to look at the relevant issues. A Task Group has also been set up with regard to serving these notices which is focused on properties in a poor state of repair within the Housing Regeneration Areas. Along side this a report will be presented to the housing and transition portfolio holder on the 18th October focusing on other enforcement tools the Council will look to employ as part of its strategy to drive up housing standards both in terms of appearance and management.
- 4.2 It should be noted that Members have not declined to authorise the serving of a Section 215 notice when reports have been presented to the Planning Committee.
- 4.3 It is recommended that in order to speed up and streamline the serving of Section 215 notices that authority to issue these notices is given to the Planning Services Manager. It is also recommended that a report be brought to the Planning Committee on a quarterly basis updating Members on the Section 215 Notices which have been served.
- 4.4 Delegation has benefits for all stakeholders in terms of simplifying procedures, minimising costs and freeing up Committee members to concentrate on major or controversial cases. Where there is no need to await a committee decision, up to four weeks can be saved in dealing with an enforcement issue. Delegation is a positive process that gives benefits not just in terms of streamlining internal procedures but also in terms of improved responsiveness for the general public

5 RECOMMENDATIONS

- 5.1 That Members note the contents of this report and agree the scheme of delegation as proposed.
- 5.2 Should Members agreed to amend the scheme of delegation it has been confirmed by Democratic Services & the Chief Solicitor that this would need to be referred to the Constitution Committee and to Council. The current Development Control Scheme of Delegation is contained within the Planning Code of Practice.

PLANNING COMMITTEE

7 October 2011



Report of: Assistant Director (Regeneration & Planning)

Subject: APPEAL REF: APP/H0724/H/11/2154372
H/2011/0073 DISPLAY OF THREE ILLUMINATED
SIGNS, THE WHITE HOUSE, WOOLER ROAD,
HARTLEPOOL

1. PURPOSE OF THE REPORT

- 1.1 To advise members that the above appeal has been determined by the Planning Inspectorate by the written representations procedure.
- 1.2 The appeal was dismissed. The Inspector concluded that the size and position of the signs detracted from the appearance of the building and diminished the contribution which it makes to the Conservation Area.
- 1.3 A copy of the Inspector's decision is attached.

2. RECOMMENDATION

- 2.1 That members note the decision.



The Planning
Inspectorate

Appeal Decision

Site visit made on 17 August 2011

by Mrs K.A. Ellison BA, MPhil, MRTPI

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

Decision date: 30 August 2011

Appeal Ref: APP/H0724/H/11/2154372

White House, Wooler Road, Hartlepool, Cleveland TS26 0DR

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by Mitchells and Butlers against the decision of Hartlepool Borough Council.
- The application Ref H/2011/0073, dated 9 February 2011, was approved in part and refused in part by notice dated 11 April 2011.
- The advertisement proposed is the display of three illuminated signs.

Decision

1. The appeal is dismissed.

Background

2. The appeal property is a large Victorian villa standing in its own grounds which is now in use as a public house. The proposal consists of sign 01, a free standing sign close to the boundary with Wooler Road and signs 02 and 03, attached to the southern and eastern elevations of the building. The Council has approved sign 01 but refused signs 02 and 03. This decision therefore, is concerned only with signs 02 and 03.

Reasons

3. The main issue is the effect of the signs on the building and its surroundings, particularly with regard to the location within the Park Conservation Area.
4. The character of the conservation area is derived principally from the number of large, late-nineteenth century houses set in extensive grounds. The White House is a building of distinctive appearance which occupies an important, corner plot. Despite the loss of outbuildings, much of its external character survives. On the southern elevation, the windows at first floor level reflect the ground floor arrangement which has a large, central entrance area with substantial bay windows to either side. Sign 02 is centrally placed at first floor level, above the entrance. Whilst it has been sited to maintain symmetry, it largely obscures the principal group of windows at this height. Sign 03 occupies a large proportion of the area between the first floor windows on the eastern elevation. Even though it is smaller than sign 02, it nonetheless dominates this elevation. Because of their size and position, the signs detract from the appearance of the building and diminish the contribution which it makes to this part of the conservation area. In these respects, the signs are contrary to Local Plan policy GE1, which sets out general environmental

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principles and to policy HE1 which seeks to preserve or enhance the conservation area. Although these policies are not decisive, they are a material consideration in the appeal.

5. I appreciate that the signs are part of a co-ordinated display and that their role is important to the success of the business. However, as the Regulations allow control to be exercised only in the interests of amenity or public safety, economic considerations such as these are not sufficient to outweigh the harm to the amenity of the area which is associated with these signs.
6. For the reasons given above I conclude that the display of the signs would be detrimental to the interests of amenity.

K.A. Ellison

Inspector