

# PLANNING COMMITTEE

## AGENDA



**Wednesday 10<sup>th</sup> December 2025**

**at 10:00 am**

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

### MEMBERS OF PLANNING COMMITTEE:

Councillors Bailey-Fleet, Boddy (C), Dunbar, Dodds, Feeney, Jorgeson, Little, Napper, Oliver, Roy (VC), Thompson

#### 1. **APOLOGIES FOR ABSENCE**

#### 2. **TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**

#### 3. **MINUTES**

- 3.1 To confirm the minutes of the meeting held on 12<sup>th</sup> November 2025

#### 4. **ITEMS REQUIRING DECISION**

##### 4.1 Planning Applications – *Director of Neighbourhood and Regulatory Services*

1. H/2025/0200 Land North of A689, Wynyard Park Estate, Wynyard Woods, Wynyard (page 1)
2. H/2025/0233 Land East of Countryside Properties, Wynyard Park, Wynyard (page 31)
3. H/2024/0388 Land at North Farm, The Green, Elwick (page 83)
4. H/2025/0249 Park Lodge, Ward Jackson Park, Park Avenue (page 195)

#### 5. **ITEMS FOR INFORMATION**

- 5.1 Planning Appeal – 21 Northgate – *Director of Neighbourhoods and Regulatory Services*

### CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone. The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

5.2 Planning Appeal – Land at Whelly Hill Farm, Worset Lane - *Director of Neighbourhoods and Regulatory Services*

**6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**

**7. FOR INFORMATION**

Any requests for a Site Visit on a matter then before the Committee will be considered with reference to the Council's Planning Code of Practice (Section 16 refers). No requests shall be permitted for an item requiring a decision before the committee other than in accordance with the Code of Practice

Any site visits approved by the Committee at this meeting will take place on the morning of the Next Scheduled Meeting on 21<sup>st</sup> January 2026.

**FOR INFORMATION**

Date of next meeting – Wednesday 21<sup>st</sup> January 2026 at 10:00 am in the Civic Centre, Hartlepool.



# **PLANNING COMMITTEE**

## **MINUTES AND DECISION RECORD**

### **12<sup>th</sup> November 2025**

The meeting commenced at 10.35 am in the Civic Centre, Hartlepool.

**Present:**

Councillor Moss Boddy (In the Chair)

Councillors: Martin Dunbar, Michael Jorgeson, Sue Little, Amanda Napper, Karen Oliver, Aaron Roy (VC)

Also Present: In accordance with Council Procedure Rule 4.2 Councillor Corinne Male was in attendance as substitute for Councillor Carole Thompson

Officers: Zoe Craig, Environmental Health Manager (Environmental Protection)  
Jim Ferguson, Planning and Development Manager  
Umi Filby, Principal Property, Planning, Commercial Solicitor  
Daniel James, Planning (DM) Team Leader  
Sarah Scarr, Head of Services (Heritage and Open Spaces)  
Claire Mcpartlin, Democratic Services Officer

### **39. Apologies for Absence**

Councillors Quewone Bailey-Fleet, Tom Feeney and Carole Thompson.

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

None.

### **41. Confirmation of the minutes of the meeting held on 15<sup>th</sup> October 2025**

Confirmed.

### **4.2 Planning Applications** (*Director of Neighbourhoods and Regulatory Services*)

**Number:** H/2025/0196

**Applicant:** MRS CATHARINA HODGMAN 32 THE FRONT  
HARTLEPOOL

<b>Agent:</b>	MRS CATHARINA HODGMAN YOUNGS FISH SHOP 32 THE FRONT HARTLEPOOL
<b>Date received:</b>	12/06/2025
<b>Development:</b>	Advertisement consent for the installation of 1no. externally illuminated fascia sign to replace existing sign
<b>Location:</b>	YOUNGS FISH SHOP 32 THE FRONT HARTLEPOOL

This application had been deferred at the meeting of the Planning Committee on 15<sup>th</sup> October 2025. This was to allow for officers to engage with the applicant following issues raised by Members.

There were no further representations from the applicant.

Councillor Boddy moved that this application be approved as per the officer recommendation. This was seconded by Councillor Little.

As she had not been present at the last committee Councillor Corinne Male was advised she could not vote on the application and therefore she did not participate in the vote. The application was unanimously approved.

A Member commented that this was a great example of how the Local Authority and local businesses could work together to install, keep and improve heritage in Hartlepool.

### **Decision: Advertisement Consent Approved**

#### **CONDITIONS AND REASONS**

1. The express consent is granted for the display of ""1no. externally illuminated fascia sign to replace existing sign"" as applied for. The consent is for five years from the date of this decision and is subject to the five 'standard conditions' set out in Schedule 2 of the Town and Country Planning (Control of Advertisements) Regulations 2007. In the interests of visual amenity.
2. The development hereby permitted shall be carried out in accordance with the plans and details: Location Plan (at a scale of 1:500), Block Plan ('Youngs Fish', scale 1:200), received by the Local Planning Authority on 12th June 2025; Picture No. 1 (featuring proposed signage details), the sectional drawing and installation details, and the document showing 'corbel photo' and 'corbel sizes', received by the Local Planning Authority on 24th October 2025. For the avoidance of doubt.

3. The approved signage hereby approved shall be hand painted onto a timber fascia panel affixed to the existing shop front and in accordance with the details set out in condition 2 (approved plans) of this decision notice. The approved corbels shall be affixed to the shop front and shall be painted in a colour to match the signage (flute blue) in accordance with the 'cover letter' and the document showing 'corbel photo' and 'corbel sizes', both received by the Local Planning Authority on 24th October 2025.  
In the interests of visual amenity and to protect the character of the Conservation Area.
4. Notwithstanding the submitted details, the 6no. spotlights shall be installed flush with the overhanging shop front fascia in accordance with the 'cover letter' received by the Local Planning Authority on 24th October 2025, and shall be illuminated with ""warm white"" colour lighting unless any alternative similar colour is submitted to and approved in writing with the Local planning Authority.  
In the interests of visual amenity and to protect the character of the Conservation Area.

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<b>Number:</b>	H/2025/0140
<b>Applicant:</b>	MR BORTHWICK 9 SOUTH END HARTLEPOOL
<b>Agent:</b>	WARDMAN BROWN MR CHRIS BROWN 62 DUKE STREET DARLINGTON
<b>Date received:</b>	10/06/2025
<b>Development:</b>	Erection of entrance porch and the erection of a fence (part retrospective)
<b>Location:</b>	ALVIN HOUSE 9 SOUTH END HARTLEPOOL

The Planning (DM) Team Leader outlined the application. The officer recommendation was to refuse the application. It was the opinion of the Local Planning Authority that the erected front porch extension was detrimental to the character and appearance of the host dwelling, the setting of the adjacent listed buildings, and surrounding Conservation Area.

In response to Member questions the following points were noted:

- The porch being rendered and painted would not be acceptable due to its design/form and its detrimental impact.
- The property was not a listed building but was within the Conservation Area.

- The Local Authority were not consulted prior to the alterations being made to the property. The application was for retrospective planning permission.
- The projecting frontage of the property is not expected within this area.

The Planning and Development Manager highlighted the importance for Members to consider the information included within the application only.

There were objectors present at the meeting and Mr Neil Humpleby addressed the Committee and outlined his objections. The porch would overlook Mr Humpleby's property even with a fence one meter high. There had been no communication between the applicant and Mr Humpleby regarding the work which was undertaken. Mr Humpleby had concerns that a hedge would be installed if the fence was reduced to one meter and this would not be maintained. He also made reference to civil matters arising from the works.

Councillor Oliver moved that this application be refused as per the officer recommendation. This was seconded by Councillor Jorgeson.

The application was unanimously refused.

### **Decision: Planning Permission Refused**

#### **REASON FOR REFUSAL**

1. In the opinion of the Local Planning Authority, the erected front porch extension, by virtue of its design, use of materials, scale and siting, constitutes an unsympathetic and visually intrusive form of development, to the detriment of character and appearance of the host dwelling and surrounding Conservation Area, and to the detriment of the setting of the adjoining Grade II Listed Building. As such, the development causes less than substantial harm to the designated heritage assets (Seaton Carew Conservation Area and 8 South End respectively). It is further considered that there is no information to indicate that this harm would be outweighed by any public benefits of the development. The proposal is therefore contrary to Policies HE1, HE3, HE4, HE7, HSG11 and QP4 of the Hartlepool Local Plan (2018), as well as Paragraphs 135, 139, 203, 210, 212, 215, and 219 of the National Planning Policy Framework (2024).

Members considered representations in respect to this matter.

### **43. Update on Enforcement Actions** *(Director of Neighbourhood and Regulatory Services)*

Members were informed that one enforcement action had been taken within the reporting period. Details were given within the report.

**Decision**

That the report be noted.

**44. Planning Appeal – Plot 3 Manor Park, Rear of Milbank Close, Land at Fens** (*Director of Neighbourhood and Regulatory Services*)

A planning appeal in respect of the Section 73 application to vary condition 1 (approved plans) of planning permission H/2022/0304 was dismissed. A copy of the decision was appended to the report.

**Decision**

That the outcome of the appeal be noted.

The meeting concluded at 11:10 am.

CHAIR

**No:** 1.  
**Number:** H/2025/0200  
**Applicant:** C/O LICHFIELDS  
**Agent:** LICHFIELDS MR JOSH WOOLLARD THE ST NICHOLAS BUILDING ST NICHOLAS STREET NEWCASTLE UPON TYNE NE1 1RF  
**Date valid:** 09/06/2025  
**Development:** Section 73 application vary the wording of condition 30 (highway works) pursuant to planning permission H/2022/0181 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access) to amend the trigger for implementation of the highway works to the A19 to the 601st dwelling.  
**Location:** LAND NORTH OF A689 WYNYARD PARK ESTATE WYNYARD WOODS WYNYARD

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## PURPOSE OF REPORT

1.1 An application has been submitted for the development highlighted within this report accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

1.2 The application is presented to the Committee due to the number of objections received exceeding 3.

## BACKGROUND

1.3 The application seeks to vary condition 30 on outline approval H/2022/0181 below;

H/2022/0181 - Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access. Approved 26.02.2022

1.4 Condition 30 was previously amended through the following application, conditions 22 and 29 were also removed

H/2025/0070 Non Material Amendment to planning permission H/2022/0181 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access) to change the working of condition 30 and remove conditions 22 and 29

1.5 The following applications relating to the site are also currently under consideration



H/2025/0333 - Section 73 application to amend the wording of condition 31 (highway improvements) of planning permission H/2022/0181 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access) to allow for occupation following the commencement of highway works at the A19 / A689 Wolviston junction. Pending consideration

D/2025/0034 - Discharge of condition 4 of planning permission H/2022/0181 Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access. Condition discharged/approved 25.11.2025.

1.6 The following are applications, again relating to the site, are also submitted as reserved matters to the outline application;

H/2025/0073 – Reserved matters approval for the appearance, landscaping, layout and scale for the erection of a Southern Spine Road in relation to outline permission H/2022/0181 for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access. Pending consideration.

H/2025/0110 – Approval of all reserved matters for Area 5 except access for planning permission H/2022/0181 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access) comprising layout, scale, appearance and landscaping for 170 dwellings with associated infrastructure. Pending consideration.

H/2025/0233 – Approval of outstanding reserved matters (layout, scale, appearance and landscaping) for the erection of 335no. dwellings with associated infrastructure pursuant to planning permission H/2022/0181 dated 26 February 2025 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access). Pending consideration.

1.7 The following applications are adjacent to the application site or in the immediate vicinity and therefore relevant to the setting of the application site;

H/2019/0473 - Residential development comprising erection of 186 dwellings and associated works including access and landscaping. Approved 03.02.2021

H/2022/0255 - Full Planning permission for the erection of 97no. dwellinghouses (Class C3) with associated infrastructure, access and landscaping. Approved 19.11.2025

H/2025/0384 - Non material amendment to amend wording of conditions 3, 4, 9, 11 and 32 of planning permission H/2022/0255 (Full Planning permission for the erection of 97no. dwellinghouses (Class C3) with associated infrastructure, access and landscaping)

Approved 20.11.2025

H/2024/0067 - Engineering works associated with the construction of attenuation pond and drainage infrastructure to serve wider residential development.

Approved 15.05.2025

## PROPOSAL

1.8 The planning application is a Section 73 application that seeks permission to vary the wording of condition 30 (highway works) pursuant to planning permission H/2022/0181 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access) to amend the trigger for implementation of the highway works to the A19 to the 601st dwelling .

1.9 Application H/2022/0181 was approved subject to conditions and a section 106 legal agreement on 26<sup>th</sup> February 2025 with condition 30 originally requiring ;

*Prior to the first occupation of any dwelling hereby approved, the works to the A689/Hanzard Drive / The Wynyard Junction as shown in principle of Stockton-on-Tees Borough Council drawing reference A10958-03-04, are implemented to the satisfaction of the Local Highway Authority and are open to traffic.  
In the interests of highway safety.*

1.10 Condition 30 was subsequently amended through application H/2025/0070 to require ;

*Prior to the occupation of the 401st dwelling hereby approved, the works to the A689/Hanzard Drive / The Wynyard Junction as shown in principle of Stockton-on-Tees Borough Council drawing reference A10958-03-04, are implemented to the satisfaction of the Local Highway Authority and are open to traffic.  
In the interests of highway safety.*

1.11 Submitted as part of the current application alongside the application forms and site location plan, a Technical Note has been provided that sets out the applicant's technical assessment and justification for the variation of 30 from prior to the occupation of the 401<sup>st</sup> dwelling to prior to the occupation of the 600<sup>th</sup> dwelling. Subsequent to the receipt of consultee comments based on the details submitted initially as part of the application, a document providing a sensitivity assessment of the highway works, including up-dated / corrected data, was submitted that superseded the technical note.

## SITE CONTEXT

1.12 The application site is large, irregularly shaped parcel of land on which an outline planning approval exists whereby the approval includes both conditions and a Section 106 legal agreement. The approval granted permission for up to 1200 dwellings including associated infrastructure. At present the majority of the land within the red edge is vacant having previously been used for agricultural purposes. It should be noted that some of the conditions associated with the approval relate to

highway works outside of the application site such as condition 30 to which this application relates.

1.13 Ground levels fall generally from north to south and with developments existing in varying states of implementation around the application site. By way of context for the site, there are three current on-going reserved matters applications being considered within the red edged area of the application site. These comprise the southern spine road (H/2025/0070), Taylor Wimpey (H/2025/0233) toward the south of the site and Bellway (H/2025/0110) situated toward the north of the site.

1.14 Adjacent to the western side of the northern most section of the site is an on-going application (H/2025/0106) which relates to the provision of a section of a SuD's basin alongside engineering works and an electrical sub-station building in association with the on-going Bellway application H/2025/0110. Also on the western side of the application site are a number of residential developments comprising H/2015/0373 outline approval for the development of up to 30 No. residential dwellings (Use Class C3) and its subsequent reserved matters application which was also approved with this development being Duke of Wellington Gardens which has been implemented. Other developments along the sites western boundary are H/2022/0255 for 97 dwellings and the western most section of the southern spine road, and H/2019/0473 by Countryside Properties for a residential development comprising erection of 186 dwellings and associated works including access and landscaping.

1.15 To the south of the site is an earth bund with trees on large portions of it beyond which is the A689 Hartlepool dual carriageway.

1.16 On the eastern side of the application site, is a development approved under reference H/2019/0226 for a residential development comprising 243 houses including associated access, link road connection, infrastructure and open space. Work has commenced on this development. Also to the eastern side of the site but to the south of the above detailed residential development, an application has been approved under reference H/2024/0067 for engineering works associated with the construction of attenuation pond and drainage infrastructure to serve wider residential development. At the time of writing, no works had commenced on this development.

## **PUBLICITY**

1.17 The application has been advertised by way of site notice, press notice and neighbour letters. Wynyrd Parish Council were also notified. The application was consulted (neighbours and technical) on 12<sup>th</sup> June 2025 with a further consultation undertaken on 15<sup>th</sup> August 2025 with Stockton Borough Council and a 14-day re-consultation 17<sup>th</sup> October 2025. To date, there have been three letters of objection.

1.18 The concerns raised by objector's are:

-It would significantly undermine the original purpose of the condition to ensure essential highway improvements are delivered at the appropriate stage of the development to protect local infrastructure, road safety, and community wellbeing.

- The use of a 600-dwelling model to assess network capacity is fundamentally flawed when the wider Wynyard Park development is intended to deliver up to 1,200+ homes (units).
- By artificially capping modelling at 600 units, the application underrepresents the full cumulative impact on the A689, A19 and associated junctions creating a misleading picture of road resilience and risks permitting large-scale occupation without adequate mitigation in place.
- The number of units (600) used in the model does not necessarily represent the number of additional vehicles; it is likely to significantly underestimate this.
- Premature occupation without infrastructure completion
- The original intent of the condition 30 is to ensure critical off-site highway Improvements are delivered while varying it would allow hundreds of new residents to move in before crucial safety measures are in place, creating risks for both new and existing road users.
- Pedestrian and cycle safety is ignored
- The traffic modelling appears vehicle-centric, with no credible scenario testing for pedestrian and cyclist movements that is particularly concerning given the lack of safe, signalised crossings for future residents accessing schools, services, and green space.
- Without tested and funded pedestrian infrastructure, the scheme fails to comply with national and local active travel policies.
- Model omits cumulative development impact
- Recent and pending applications in the Wynyard area mean the true cumulative load on the highway network is significantly higher than modelled.
- A piecemeal, phase-based model is not fit for determining long-term infrastructure delivery or road safety.
- Inconsistency with Local Plan and NPPF policy
- The Hartlepool and Stockton Local Plans, and paragraph 110 of the NPPF, require that development: 1)Provides safe and suitable access for all users; 2)Does not result in an unacceptable impact on highway safety and 3)Delivers infrastructure in step with growth
- The current proposal fails all three criteria when based on incomplete modelling and a weakened Condition 30.
- The A689 and A19, including the Wolviston Roundabout, are already major traffic bottlenecks
- junctions connecting these key routes are frequently congested, particularly during rush hours when vehicles from surrounding developments, including the Wynyard Park Estate, add to the traffic load.
- Recent traffic data indicates that the A689 and A19 often exceed capacity during peak periods, causing significant delays, particularly at key junctions leading to and from the Wolviston Roundabout.
- Allowing up to 1,200 homes to be built and of those, 600 to be occupied before the required highway improvements are completed will further exacerbate the congestion, leading to longer travel times, increased accidents, and worsened air quality in the area.
- added strain on these critical road links, which serve both the Wynyard Park Estate and the surrounding communities, is not something that can be safely accommodated without timely upgrades.
- proposal would exacerbate congestion, increase the risk of collisions, and compromise emergency vehicle response times.

- The cumulative impact of development without timely infrastructure mitigation would be severe.
- The local education infrastructure is already under pressure where nearby primary and secondary schools are insufficient and those that are available are operating at or near capacity.
- Increased congestion caused by delayed highway improvements will affect school access and safety, particularly for children walking or cycling to school.
- Local schools already face issues with traffic congestion during school hours.
- The additional vehicle traffic generated by up to 1,200 new homes—before roads are improved—risks making school commutes more hazardous and increasing reliance on cars due to unsafe or poorly managed routes;
- school travel plans encouraging more sustainable modes of transport will be impacted by delays in the planned roadworks undermining these efforts by making it more difficult for families to consider alternatives to driving. The situation would not only worsen during school drop-offs but could also lead to dangerous crossing points near these schools.
- The area around the A689 and A19 is poorly served by public transport, with infrequent bus services and limited cycling infrastructure. Improvements to bus lanes, cycling paths, and pedestrian crossings are critical to ensuring that future residents of the development have viable alternatives to car use.
- Delaying highway improvements discourages modal shift. The necessary road upgrades often include improvements to bus prioritisation, pedestrian crossings, and cycle infrastructure.
- Delaying these elements will disproportionately affect residents without access to private vehicles and limit access to public services, employment, and education.
- A well-sequenced infrastructure plan is essential to support sustainable transport modes from the outset—not retrofitted after car dependency is already embedded.
- A key purpose of Condition 30 was to manage and reduce environmental harm by ensuring infrastructure was upgraded to accommodate traffic flow efficiently. - Delaying the A19 works will lead to:
  - Increased vehicle idling and emissions from congestion, contributing to poor local air quality; of concerns given the proximity of protected green spaces and wildlife corridors along these routes. The failure to implement highway improvements in line with development will worsen the overall environmental impact of the scheme, including negative effects on local ecosystems and biodiversity.
  - Negative impacts on local wildlife and green corridors from unmanaged traffic growth and piecemeal infrastructure delivery;
  - Undermining of climate targets and sustainability principles embedded in both national and local planning policy.
- The environmental assessment underpinning the original permission is predicated on timely delivery of infrastructure. Altering this now weakens the environmental safeguards originally deemed necessary.
- Condition 30 relates to improvement works at the A689 / Hanzard Drive / The Wynyard Junction and is clearly imposed to ensure that the development only proceeds in tandem with critical infrastructure delivery. Changing the trigger for these works now risks undermining the integrity of the planning process. It would set a dangerous precedent, suggesting that critical infrastructure improvements can be deferred indefinitely after outline planning permission is granted.

- There is no compelling technical or financial justification provided in support of the variation request. Nor has there been sufficient resident/community consultation on the impacts of such a change.
- The 2022 base line data used to assess the traffic modelling is now outdated and requires to be recalculated using more up to date data.
- Post 2022, increase in traffic volume during is experienced due to several factors e.g. more residential dwellings have been occupied within the last 3 years, bringing additional vehicles to the vicinity, a number of additional vehicles will be expected in 2025 when multiple commercial dwellings within Wynyard are to be open e.g. Wynyard retail park due to open Q3/Q4 2025. And also a lot more people have returned to the office work working since 2022. All baseline data needs to be revisited.
- As a community entirely reliant on the A689 for entry and exit, it is paramount that anything that puts the already stretched arterial road network under further strain is given an extremely high level of scrutiny.
- The traffic study included feels like insufficient evidence to overturn the conditions on such a large-scale outline approval and the high threshold of 600 occupied dwellings.
- the proposal should be rejected, with HBC and SBC placing additional pressure on the contractors handling the road network improvements to find a way to minimize the delays, so that the condition can be met as soon as possible, to unblock the applicants development.
- As a resident, have no issue with the outline application and building of the 1200 homes, but I don't want to see another 600 occupied homes, with no road improvements implemented, which is a possibility if this permission is granted as the applicant has no control over highways improvements.

1.19 Background papers can be viewed via the 'click to view attachments' link on the following public access page: [Hartlepool Borough Council | Regeneration and Planning](#)

1.20 The period for publicity has expired.

## CONSULTATIONS

1.21 The following consultation replies have been received:

### **Wynyard Parish Council;**

26<sup>th</sup> June 2025 - Objection

Wynyard Parish Council (Hartlepool) empathises with the applicant and shares their disappointment at the delay in implementing the necessary improvements to the road network required to facilitate further growth in occupied dwellings on Wynyard.

As a community entirely reliant on the A689 for entry and exit, especially on Wynyard Park, where the applicant is yet to implement spine roads, it is paramount that anything that puts the already stretched arterial road network under further strain is given an extremely high level of scrutiny.

Whilst not experts WPC(H) believes that a microsimulation traffic study that includes assumptions about the A19/A689 improvements, which are currently delayed,

provides insufficient evidence to overturn the conditions on such a large-scale outline approval and the high threshold of 600 occupied dwellings.

We believe this request for changing of wording on Condition 30 should be rejected, and that HMC and SBC place additional pressure on the contractors handling the road network improvements to find a way to minimize the delays, so that Condition 30 of the outline application can be met as soon as possible to unblock the applicants development.

Further objection received 3<sup>rd</sup> July 2025:

As you'll be aware, Lichfields on behalf of Wynyard Park are seeking a condition change to the 1200 homes outline under H/2025/0200.

Their traffic model assumes that the interchange improvements have been completed. It is my understanding that the funding is secured for this, but timelines are entirely unknown.

In their attached technical report, on page pages 13, 15 and 18 you will find diagrams that have roads that do not exist as part of the model such as the Southern Spine Road of Wynyard Park, which is connected to Duchy 2 (H/2022/0255) and 80% Spine Road Application (H/2025/0073).

If I've misinterpreted the report, I apologize; however, I hope that by highlighting these points, they won't slip through without scrutiny, even if everything turns out to be above board.

### **National Highways**

*25<sup>th</sup> June 2025;*

Thank you for consulting National Highways on the above application.

We understand that the Applicant is seeking to change the wording for Condition 30 of planning permission H/2022/0181.

Condition 30

Condition 30 relates to an improvement scheme at the A689 / Hanzard Drive / The Wynd junction and prevents any occupations until the works are complete.

The Applicant is seeking to amend the wording of the condition as follows:

- Current condition wording: Prior to the first occupation of any dwelling hereby approved, the works to the A689 / Hanzard Drive / The Wynd Junction as shown in principle of Stockton-on-Tees Borough Council drawing reference A10958-03-04, are implemented to the satisfaction of the Local Highway authority and are open to traffic.
- Proposed condition wording: Prior to the occupation of the 601st dwelling hereby approved, the works to the A689 / Hanzard Drive / The Wynd Junction as shown in principle of Stockton-on-Tees Borough Council drawing reference A10958-03-04, are implemented to the satisfaction of the Local Highway authority and are open to traffic.

Your justification for the proposed change in wording is as follows:

*Additional modelling work has been carried out which builds upon previous modelling work carried out by SCP in order to demonstrate that the trigger of condition 30 could be amended to allow 400 dwellings to come forward. The Technical Note supporting this application demonstrates that 600 dwellings can come forward before highway improvements to the A689 / Hanzard Drive / The Wynd Junction are required.*

We have reviewed the modelling report submitted in support of the application. It is noted that the assessed modelling scenario includes delivery of the scheme at the A19 / A689 Junction but does not include the schemes on the Local Road Network at the A689 / Wynyard Avenue and A689 / Hanzard Drive junctions.

The modelling report includes summary results presented in queue lengths, journey times and average congestion.

The modelling report demonstrates some worsening of the maximum queuing on the A19 slip roads (A19 Northbound in the Morning Peak and A19 Southbound in the Evening Peak), however the queues remain within three quarters of the length of slip road. In addition, the journey times remain unchanged on the slip roads.

However the amendments proposed by the condition result in a considerable worsening of the operation of the Local Road Network in the morning peak with the worst case increase reported on the A689 Eastbound corridor where the journey time increases from 12.2 minutes in the TA Scenario to 30.6 minutes in the A26\_600dw scenario. The A689 Westbound corridor sees a journey time increase from 16.6 minutes in the TA Scenario to 23.2 minutes in the A26\_600dw scenario. In the evening peak the reported results for A689 Eastbound corridor are increases in journey time from 7.5 minutes in the TA Scenario to 18.5 minutes in the A26\_600dw scenario. The A689 Westbound corridor sees a journey time increase from 9.7 minutes in the TA Scenario to 14 minutes in the A26\_600dw scenario.

It is noted that the modelling report states that:

*Traffic signal timings at the A19/A689 interchange have been optimised within the model to maintain operation of the Strategic Road Network and control queuing on the A19 slip roads.*

National Highways confirm that we would recommend approval of the S.73 application to vary Condition 30 on the basis that the optimisation of the signals as identified in the model and the resultant operation of the network is acceptable to both Local Highway Authorities (Hartlepool Borough Council and Stockton Borough Council).

We reserve the right to alter our recommendation if the optimisation of the signals as identified in the model is not acceptable to both Local Highway Authorities (Hartlepool Borough Council and Stockton Borough Council).

We consider that it may be beneficial to agree this with all parties via a Memorandum of Understanding.



On the basis of the above, please see the attached NHPR recommending no objection.

I trust this response is helpful, but should you require any further information please do not hesitate to contact me.

Further Comments Received 18<sup>th</sup> August 2025:

Thank you for consulting with National Highways regarding the comments provided by the Chair of Wynyard Parish Council with regards to the above application.

We understand that the comments provided relate specifically to the planned improvements to the A19(T)/A689 Junction and a section of the local road network within Wynyard Park.

A19(T)/A689 Junction

It is stated that *“Their traffic model assumes that the interchange improvements have been completed. It is my understanding that the funding is secured for this, but timelines are entirely unknown”*.

We agree that the technical note referenced by Wynyard Parish Council states that the A19(T)/A689 Junction improvements have been included in all assessment scenarios.

National Highways previously considered this when we recommended a condition that stated:

*“Prior to first occupation of any dwelling hereby approved, the highway improvement scheme at the A19/A689 Wolviston junction, shown in principle on Drawing number 276864-ARP-ZZ-XX DR-CH - 0101 & Drawing Number 276864- ARP-ZZ-XX-DR-CH- 0102,) shall be completed and implemented to the satisfaction of the Local Highway authority and shall be open to traffic, unless otherwise agreed in writing by the Local Planning Authority and National Highways.”*

By previously recommending the above planning condition, National Highways is satisfied that the proposed development could not be occupied in advance of the A19 interchange improvements (and that this is consistent with the evidence that has been provided to accompany the planning application). If the Applicant were to propose to vary the above planning condition, National Highways would require further evidence to be provided and agreed with us.

For avoidance of doubt, our recommendation of no objection to the proposed variation of Condition 30 does not relate to the A19 interchange; it only relates to the Local Road Network improvement scheme at the A689 / Hanzard Drive / The Wynd junction.

Wynyard local road network

It is stated that: “In their attached technical report, on page pages 13, 15 and 18 you will find diagrams that have roads that do not exist as part of the model such as the Southern Spine Road of Wynyard Park, which is connected to Duchy 2 (H/2022/0255) and 80% Spine Road Application (H/2025/0073). The word “robust” is

used five times in their report, yet it fails to mention that it includes assumptions of a critical spine road connected to two unapproved applications.”

National Highways understands that the local roads being referred to are linked to developments that the Local Planning Authority previously stated were committed developments; and that these roads effectively provide local access between areas of Wynyard and the A689.

These roads are not likely to materially alter the assignment of traffic at the Strategic Road Network (SRN) and their inclusion within the referenced highways modelling is considered to be a matter for the Local Highway Authority.

Once the Local Highway Authority has decided on whether the modelled local road network is appropriate, we would request a meeting to discuss the outcome and any implications on future SRN assessments.

I trust this response is helpful, but should you require any further information please do not hesitate to contact me.

*19<sup>th</sup> November 2025;*

Given Hartlepool BC's confirmation below to JSJV that the recently uploaded evidence does not warrant a change to your previous position (it appears to have been provided to satisfy LHA comments), National Highways response dated 18 August 2025 should be withstanding. For reference, this stated that we offer no objection to this application, on the basis that Condition 30 does not relate to the A19(T) interchange; it only relates to the Local Road Network improvement scheme at the A689 / Hanzard Drive / The Wynd junction.

### **HBC Ecology**

No Objection.

This s73 does not change the nature of the approved development, red line, layout, drainage strategy, open space/green infrastructure, or any previously secured ecology/HRA mitigation. Under HBC's HRA approach for s73s, where the varied condition does not alter ecological impact pathways, the original HRA can be endorsed as still fit for purpose, no new screening/AA is triggered.

### **HBC Traffic and Transport**

*19<sup>th</sup> August 2025*

National Highways have confirmed that the Local Network Connections within Wynyard Park that have not yet been completed but the traffic model assumes that they are in operation do not materially impact the assignment of traffic onto the Strategic Road Network (SRN).

In terms of whether 600 properties could be occupied prior to the implementation of the section 106 works at the A19 / A689 roundabout. We would generally take a lead from National Highways and they have confirmed that they require further evidence from the developer to determine whether this would be acceptable.

*Further Comments Received 8<sup>th</sup> October 2025;*

Further to my previous comments, I can confirm that after further consideration and analysis of the transport assessment the Highway Authority would like to object to this section 73 application to vary condition 30 to amend the trigger for highway works to the A19 to the 601st dwelling.

Amending the condition in this way would result in Average journey times of 30 minutes on the A689 (west) eastbound and 23 minutes on the A689(east) westbound in the morning peak. This is a significant increase in journey times on the local highway network compared to the scenario with the A19 highway mitigation in place. It is considered that the residual cumulative impact on the road network is severe and that the proposed section 73 application should be refused on highway grounds.

#### Further Comments Received 31<sup>st</sup> October 2025

Having looked at the revised modelling information submitted, which is based on the correct A19/ A689 improvement plan, I can confirm that there are no issues and that the proposal is therefore acceptable from a HBC Highways perspective.

#### Further Comments Received 24<sup>th</sup> November 2025

I can confirm that the latest Stockton Borough Council comments provided don't change the most recent HBC comments.

The up to date modelling demonstrates that the impact on the A689 corridor is acceptable, which SBC also confirm in their comments. They are of course entitled to request further information in relation to their own individual junctions, but it is not for Hartlepool Borough Council to comment on these and as stated the overall impact is acceptable.

#### **Stockton Borough Council;**

*2<sup>nd</sup> September 2025;*

I have reviewed the details of the application and have consulted with the Highways, Transport and Design Manager and can offer the following comments: -

#### General Summary

As set out below the Highways, Transport and Design Manager objects to the proposed variation of the wording of condition 30 (highway works) pursuant to planning permission H/2022/0181 as the residual cumulative impacts of the proposals on the road network, taking into account all reasonable future scenarios, would be severe.

#### Highways Comments

The Highways, Transport and Design Manager has reviewed the information provided in the Systra Report 'Wynyard Development Modelling – 600 Residence Test (ref GB01T25C26)' which considers the impact on the local and strategic highways network as a result of an additional 200 dwellings being allowed prior to the highways improvement that the development is reliant on being provided at the Hanzard Drive / A689 junction.

The report compares modelled journey times for the following scenarios:

- TA Scenario 3 – full development of 1200 dwellings **with** mitigation.

- S26\_400dw – up to 400 dwellings **without** mitigation.
- S26\_600dw – up to 600 dwellings **without** mitigation.

It can be seen from the increase in journey times between scenario 'S26\_400dw' and 'S26\_600dw', as shown in Table 9 and Table 10 of the Systra report which are included below, that the proposed variation of condition 30 would have a severe impact on the local highway network.

This is clearly demonstrated by:

- The average journey time in the morning peak period for the A689 (West) Eastbound journey going from 12.2 minutes to 30.60 minutes which is an increase of 250%.
- The average journey time in the evening peak period for the A689 (West) Eastbound journey going from 5.9 minutes to 18.5 minutes which is an increase of over 300%.

Table 9. Journey times and queue length results, morning period

Scenario	Morning period							
	Max queue length (m)		Average journey time (mins)					
	A19 Northbound Off-Slip (285m-3/4)	A19 Southbound Off-Slip (270m-3/4)	A19 Southbound	A19 Northbound	A689 (West) Eastbound	A689 (West) Westbound	A689 (East) Eastbound	A689 (East) Westbound
TA Scenario 3	232	170	4.3	4.1	12.2	5.3	2.9	16.6
S26_400dw	179	146	4.3	4.1	12.2	4.5	2.9	15.3
S26_600dw	171	218	4.3	4.1	30.6	4.7	2.9	23.2

Table 10. Journey times and queue length results, evening period

Scenario	Evening period							
	Max queue length (m)		Average journey time (mins)					
	A19 Northbound Off-Slip (285m-3/4)	A19 Southbound Off-Slip (270m-3/4)	A19 Southbound	A19 Northbound	A689 (West) Eastbound	A689 (West) Westbound	A689 (East) Eastbound	A689 (East) Westbound
TA Scenario 3	188	66	4.1	4.2	7.5	5.9	3.1	9.7
S26_400dw	172	52	4.1	4.2	5.9	5.2	3.1	7.5
S26_600dw	154	165	4.1	4.2	18.5	6.7	3.1	14.0

It is therefore considered that the proposal to vary the wording of condition 30 (highway works) to allow 600 dwellings to be constructed prior to highways improvement at the A689 / Hanzard Drive junction being delivered is unacceptable due to the impact it would have on the local highway network.

The Highways, Transport and Design Manager therefore objects to the proposed variation of the wording of condition 30 (highway works) pursuant to planning permission H/2022/0181 as the residual cumulative impacts of the proposals on the road network, taking into account all reasonable future scenarios, would be severe.

17<sup>th</sup> November 2025

Thank you for providing the list of committed development included within the Systra assessment however, this only addresses one of the issues raised.

The local junction assessments at the Hanzard Drive/A689/The Wynd and the Wynyard Avenue/A689 junctions are still required before we can review our comments.

Further Comments Received 18<sup>th</sup> November 2025:

I still haven't had the opportunity to check the information provided yesterday and this should ideally be agreed before any local junction assessments are undertaken.

However, if the developer chooses to do this work before the base scenario has been agreed we will need the following scenarios modelling at the Hanzard Drive/A689/The Wynd and the Wynyard Avenue/A689 junctions:

- Base + committed
- Base + committed + 400 dwellings and
- Base + committed + 600 dwellings.

Further Comments Received 21<sup>st</sup> November 2025:

General Summary

As set out below the Highways, Transport and Design Manager objects to the proposed variation of the wording of condition 30 (highway works) pursuant to planning permission H/2022/0181 as the residual cumulative impacts of the proposals on the local road network, taking into account all reasonable future scenarios, have not been demonstrated to be acceptable.

Highways Comments

The Highways, Transport and Design Manager has reviewed the information provided in the Systra Reports (ref GB01T25C26, GB01T25H77/TN01 and GB01T25H77)' which considers the impact on the local and strategic highways network as a result of an additional 200 dwellings being allowed prior to the highways improvement that the development is reliant on being provided at the Hanzard Drive / A689 junction.

The report compares modelled journey times for the following scenarios:

- TA Scenario 3 – full development of 1200 dwellings **with** mitigation.
- S26\_400dw – up to 400 dwellings **without** mitigation.
- S26\_600dw – up to 600 dwellings **without** mitigation.

Following the correction of an error within the model used by Systra it is now accepted that the journey times for the A689 corridor are acceptable.

However, no information has been provided that would allow Stockton Borough Council, as the Local Highway authority, to:

- determine if the impact on the capacity of the Hanzard Drive/A689/The Wynd and the Wynyard Avenue/A689 junction associated with allowing 600 houses to be occupied before the mitigation at the junctions has been provided is acceptable or not or

- determine if the queues, particularly those on the side roads, associated with allowing 600 houses to be occupied before the mitigation at the junctions has been provided are acceptable or not.

Stockton Borough Council, as the Local Highway authority, therefore objects to the proposed variation of the wording of condition 30 (highway works) pursuant to planning permission H/2022/0181 as the residual cumulative impacts of the proposals on the local road network, taking into account all reasonable future scenarios, have not been demonstrated to be acceptable.

It is also noted, having reviewed the decision notice and the s106 Agreement for planning approval H/2022/0181, that the mitigation identified in Condition 30 which the development is reliant upon has not been secured against the extant planning approval.

Therefore, should the application be recommended for approval, it is requested that the wording of condition 30 is further amended to include a requirement for the applicant to enter a s278 Agreement to provide the required mitigation prior to the occupation of the 601<sup>st</sup> dwelling.

Suggested wording is included below.

*Prior to the occupation of the 401st dwelling hereby approved, the developer shall enter into a s278 Agreement to provide the works to the A689 / Hanzard Drive / The Wynd Junction, as shown in principle of Stockton-on-Tees Borough Council drawing reference A10958-03-04, and prior to the occupation of the 601<sup>st</sup> dwelling the works shall be implemented to the satisfaction of the Local Highway authority.*

## **PLANNING POLICY**

1.22 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

### Local Policy

#### Hartlepool Local Plan

The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

Policy LS1 - Locational Strategy  
 Policy SUS1 - Presumption in Favour of Sustainable Development  
 Policy ING1 - Sustainable Transport Network  
 Policy QP3 - Location, Accessibility, Highway Safety and Parking  
 Policy QP6 - Technical Matters  
 Policy HSG1 - New Housing Provision  
 Policy HSG6 - Wynyard Housing Development  
National Planning Policy Framework (NPPF)(2024)

1.23 In December 2024 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012, 2018, 2019, 2021 and 2023 NPPF versions. The NPPF sets out the Government's Planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a strong reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

Para	Subject
002	Determination in accordance with the development plan
003	Status of NPPF
007	Meaning of sustainable development
008	Achieving sustainable development (three overarching objectives – Economic, Social and Environmental)
009	Achieving sustainable development (not criteria against which every decision can or should be judged – take into account local circumstances)
010	The presumption in favour of sustainable development
011	The presumption in favour of sustainable development
012	The presumption in favour of sustainable development (presumption does not change statutory status of the development plan as the starting point for decision making)
039	Decision making
048	Determining applications
056	Use of conditions or planning obligations
057	Planning conditions should be kept to a minimum
061	Significantly boost the supply of homes
066	Major development and affordable housing
074	Planning for larger scale development
078	Five year supply of deliverable housing sites
096	Promoting healthy and safe communities
109	Considering transport issues from an early stage
115	Promoting sustainable transport
116	Highway safety
117	New developments and movement
118	Travel Plans and Transport Assessments
130	Efficient use of land
131	Achieving well-designed and beautiful places
135	Achieving well-designed and beautiful places
136	Tree-lined streets
137	Design quality through evolution of proposals

139	Permission should be refused for development of poor design
164	New development addressing climate change
166	New development and energy efficiency
173	Ensuring flood risk does not occur elsewhere
182	Major development should incorporate SUDS
187	Contribute to and enhance the natural environment
193	Determining applications and biodiversity
196	Ground conditions
198	Pollution

### **HBC Land Use/Planning Policy;**

1.24 The application is for the amendment to conditions for the delivery of the associated highway works for application H/2022/0181. Should the proposal be considered appropriate by HBC Highways, Planning Policy have no comments.

### **PLANNING CONSIDERATIONS**

1.25 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the principle of development, highway and pedestrian safety and amenity.

### **PRINCIPLE OF DEVELOPMENT**

1.26 The application site is classified as ‘white land’ within the development limits set by the Local Plan Policies Map where the principle of residential development is acceptable. As such, the provisions of the adopted Hartlepool Local Plan Policies SUS1 and LS1 are considered to be relevant alongside the NPPF.

1.27 Collectively, the relevant paragraphs of the NPPF seek to ensure that development is sited in appropriate locations that support sustainable development through the three overarching objectives – Economic, Social and Environmental. Local Plan Policy SUS1 sets out that when considering development proposals the Borough Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Further, and amongst other things, it will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

1.28 The provisions of Policy LS1 set out the strategic locational provisions for new development, making specific reference to new housing and employment areas within the Wynyard area to help ensure that identified housing needs are met through well considered and appropriately located sites. Such an approach contributes to the strategic delivery of housing in a manner that contribute towards sustainable development within across the Council area.



1.29 The condition to which this submission relates by way of the variation of the approved wording sought is attached to the outline approval considered and determined under reference H/2022/0181. This permission, issued on 26<sup>th</sup> February 2025, granted permission, subject to conditions and a Section 106 legal agreement for Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access.

1.30 Condition 1 of the approval sets out the remaining reserved matters to be the subject of further “reserved matter” submissions while condition 2 sets out a time period for submissions to take place. Three reserved matters submissions have been made and are currently being considered under references H/2025/0070 (southern spine road), H/2025/0110 (170 dwellings by Bellway) and H/2025/0233 (335 dwellings by Taylor Wimpey). As a result of the granting of the outline approval and subsequent submission of 3 reserved matters applications in connection with the outline approval, it can clearly be seen that the principle of development has been established and that the submission of the reserved matters indicates intent to implement the outline approval.

1.31 The proposed variation of condition 30 as proposed in this current submission, to enable the occupation of 600 dwellings does not impact on the principle of the development of the site for residential dwellings with associated infrastructure.

#### HIGHWAY AND PEDESTRIAN SAFETY

1.32 The condition sought to be varied is a highway related condition attached to the outline approval based on comments made by National Highways in response to their assessment of the documents submitted on the outline approval. As such the key to the acceptability or otherwise of the variation of the wording sought is based on the highway consideration by the relevant technical consultees.

1.33 Policy QP3 of the Local Plan as well as paragraphs 109, 115 116, 117 and 118 of the NPPF are relevant to the consideration of highways and parking elements of the application. The provisions of Policy QP3 relate to the location, accessibility, highway safety and parking in association with developments requiring that they, amongst other things, ensure residents and visitors can move with ease and safety, servicing arrangements and highway safety provisions are in line with local guidance, parking standards are met and that parking areas are laid using permeable surfaces.

1.34 Paragraph 115 of the NPPF (2024) states that it should be ensured that “safe and suitable access to the site can be achieved for all users”. Paragraph 116 goes onto state that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

1.35 As part of the submission a highways based technical note was submitted showing the average journey time in the morning peak period for the A689 (West) Eastbound journey going from 12.2 minutes to 30.60 minutes while the average

journey time in the evening peak period for the A689 (West) Eastbound journey going from 5.9 minutes to 18.5 minutes.

1.36 The initial consultation carried out with National Highways, HBC Traffic and Transport and Stockton Borough Council based on the submitted documents resulted in objections being raised by both HBC Traffic and Transport alongside Stockton Borough Council. Highways England noted that while there would be, based on the submitted documents, impacts upon the local highway network they were satisfied the proposal would not impact upon the A19.

1.37 In light of the concerns raised that the submitted note showed the proposal would result in a significant increase in waiting times on the local road network, the agent liaised with their highway consultants and a sensitivity test report was provided which superseded the originally submitted documents. (It seems that the original analysis was not based on the correct A19/A689 improvement plan). A re-consultation was undertaken based on this newly received document which indicated that the increase in travel times on the A689 would be increased from 12.5 to 12.9 minutes eastbound and from 11.8 to 12.2 minutes west bound substantially less than in the original analysis.

1.38 HBC Traffic and Transport have responded commenting that having looked at the revised modelling information submitted, which is based on the correct A19/A689 improvement plan, I can confirm that there are no issues and that the proposal is therefore acceptable from a HBC Highways perspective. Similarly Highways England have no objections. Following the original objection from Stockton Borough Council they were re-consulted on the up-dated information. Their last response indicated that whilst they were content the impacts on the A689 were acceptable the applicant has failed to demonstrate that the impacts on the wider local road network were acceptable they therefore maintained their objection to the proposal. They also requested that in the event that the application is approved the amended condition include a requirement to enter into a S278 agreement (this is reflected in the recommendation).

1.39 The re-consultation comments from Stockton Borough Council are acknowledged however the applicant has declined to provide the further information requested by them. While the officer understands their position, it is important to note that National Highways have commented no objections based on the original and up-dated details alongside Hartlepool Borough Council Traffic and Transport having no objections to the proposal based on the up-dated details provided.

1.40 HBC Traffic & Transportation were asked to comment on the Stockton Borough Council Objection and have advised “I can confirm that the latest Stockton Borough Council comments provided don't change the most recent HBC comments. The up to date modelling demonstrates that the impact on the A689 corridor is acceptable, which SBC also confirm in their comments. They are of course entitled to request further information in relation to their own individual junctions, but it is not for Hartlepool Borough Council to comment on these and as stated the overall impact is acceptable”. In light of this on balance officers are satisfied that the highway impacts of the proposed change to the wording of condition 30 is acceptable in principle. The Stockton Borough Council request that the amended

condition include a requirement to enter into a S278 agreement is reflected in the recommendation.

## AMENITY

1.41 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) stipulates that the Borough Council will seek to ensure all developments are designed to a high quality and that development should not negatively impact upon the relationship with existing and proposed neighbouring land uses and the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overlooking and loss of privacy, overshadowing and visual intrusion particularly relating to poor outlook. Proposals should also ensure that the provision of private amenity space is commensurate to the size of the development.

1.42 It is important to note that the changes to the condition relate to dwelling occupancy levels and that there are no changes to the design, appearance and layout of the development. Further, the condition to be changed relates to highway works at a junction where the impact upon adjacent and nearby dwellings will not be affected beyond what has already been approved. With the exception of the condition and occupancy levels before the works are done (as sought by the application and assuming a favourable recommendation), all other aspects of the outline remain unaffected. From there, reserved matters submissions will address the detail of the development sites as they come forward to ensure no impact upon amenity. It is therefore considered that the proposed change to condition 30 would not result in any adverse or detrimental impacts upon amenity and that the development therefore complies with the provisions of HLP policy QP4.

## OTHER PLANNING MATTERS

### *Nutrient Neutrality and HRA;*

1.43 As a result of the date when the outline application was submitted, 4<sup>th</sup> May 2022, and the date of its determination, 26<sup>th</sup> February 2025, there was a query relating to whether there needed to be an up-dated nutrient neutrality and HRA assessment. HBC Ecologist was consulted. Their response sets out that they have no objections to the scheme as this s73 does not change the nature of the approved development, red line, layout, drainage strategy, open space/green infrastructure, or any previously secured ecology/HRA mitigation. Under HBC's HRA approach for s73s, where the varied condition does not alter ecological impact pathways, the original HRA can be endorsed as still fit for purpose, no new screening/AA is triggered.

1.44 On this basis officers are satisfied the proposal raises no unacceptable impacts on nutrient neutrality or HRA.

## PLANNING OBLIGATIONS

1.45 The originally outline planning permission was subject to the completion of a S106 agreement which secured various planning obligations including (18%) on site affordable housing of which 70% shall be for affordable rent and 70% intermediate

tenure, additional land for a three form entry primary school if the need arises. If the need does not arise then the additional land will be safeguarded as open space, a financial contribution of (£2,014.67 per dwelling) towards primary education if the two form primary school is not delivered, a financial contribution of (£1337.93 per dwelling) towards secondary education, financial contribution (£125 per dwelling) towards school transport, 500 metres squared of commercial floor space for a local centre, with parking and servicing to the east of the pub and hotel site used for a variety of uses, Public open space opposite Musgrave Garden Lane (MGL) - Additional walking links in and around the POS opposite MGL along with dropped kerbs, tree planting, and seating and interpretation material, Play equipment on site D, Land to accommodate a Sports Hub (3G pitch, adult size grass pitch, changing facilities, parking and storage). a Kick around pitch - A fenced off grass area to be located in the southern element of the green wedge north and to be used for informal play and maintained by Wynyard Park, a financial contribution of (£992 per dwelling) towards east to west footway/cycleway, a financial contribution of (£250 per dwelling) towards Castle Eden Walkway, Woodland Footpath Connections – to Deliver and maintain the on-site footpaths which are set out within the Woodland Footpath Strategy, Five promotional events for Tees Flex over a two year period, a financial contribution of (£250 per dwelling) towards built sports facilities, a financial contribution of (£57.03 per dwelling) towards tennis provision within the borough, a financial contribution of (£4.97 per dwelling) towards bowling facilities in the borough, a financial contribution of (£250 per dwelling) towards SPA Coastal Mitigation, a financial contribution of (£100 per dwelling) to provide mitigation for farmland birds, a financial contribution of (£431.67 per dwelling) for highway infrastructure/highway works and a financial contribution (£482.50 per dwelling) for NHS provision.

1.46 A clause in the legal agreement clarifies that in the event S73 application if the council consider that the Planning Obligations are both sufficient and necessary to make the S73 application acceptable in planning terms then the Deed shall apply to the new (S73) permission. This is considered to be the case and the new permission will be bound by the S106 (as varied).

## CONCLUSION

1.47 The principle of development has already been established through the outline planning approval under reference H2022/0181 and a number of reserved matters applications have come forward to develop parcels within the larger site (albeit they are all still pending consideration at the time of writing).

1.48 The proposals impact on the highway network is considered on balance to me acceptable. There will also be no adverse or detrimental impacts upon amenity.

1.49 The proposal therefore complies with the requirements of the relevant HLP policies as well as the provisions of the NPPF.

1.50 On this basis, the application is recommended for approval.

## EQUALITY DUTY

1.51 There is no evidence of equality or diversity implications.

## SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

1.52 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making.

1.53 There are no Section 17 implications.

## REASON FOR DECISION

1.54 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

**RECOMMENDATION – APPROVE** subject to the following conditions:

1. Details of the appearance, landscaping, layout and scale (hereafter called the reserved matters) for each phase of the development shall be submitted to and approved in writing by the local planning authority before the development of that phase, and the development shall be carried out as approved.  
That your application is made in outline only.

2. Application for the approval of the reserved matters (referred to below) and the commencement of development, shall be as follows. The first reserved matters application shall be made to the Local Planning Authority not later than 3 years from the 26<sup>th</sup> February 2025 and the development so approved shall be begun not later than 2 years from the date of approval of the last reserved matters of that phase. Thereafter, all subsequent phased reserved matters applications shall be made to the Local Planning Authority not later than 10 years from the 26<sup>th</sup> February 2025 and the development so approved shall be begun not later than the expiration of 2 years from the final approval of the last reserved matters relating to each phase.  
In accordance with Section 92 of the Town and Country Planning Act 1990.

3. Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in general conformity with the following approved plans.

Drawing No. SD-00.00C (OS Location Plan)

Drawing No. 1595-WYN-SD-10.01 REVF Illustrative Masterplan(A)

1595-WYN-SD-10.02 REVF Illustrative Masterplan SCHEDULE(A)

1595-WYN-SD-20.01C Land Use

Drawing No 1595-WYN-SD-20.02C Building Heights

Drawing No 1595-WYN-SD-20.03C Connectivity

Drawing No. 1595-WYN-SD-20.04C Green Infrastructure

To ensure that the development as carried out does not vary from the approved plans.

4. The permission hereby granted shall permit the phased development of the site and unless otherwise indicated all other conditions shall be construed accordingly. Prior to or alongside the submission of the first ""reserved matters"" application, a Phasing Plan/Programme shall be submitted to and approved in

writing by the Local Planning Authority. The Phasing Plan/Programme shall identify the phasing of all development, infrastructure, landscaping, the means of access/pathways/cycleways, enclosures and gates, and public and amenity open space of the development hereby approved. Thereafter the development shall be undertaken in accordance with the Phasing Plan/Programme so approved unless some variation is otherwise agreed in writing by the Local Planning Authority. To ensure the co-ordinated progression of the development and the provision of the relevant infrastructure and services to each individual phase.

5. The development permitted shall include no more than 1,200 dwellings. More dwellings would result in a denser form of development which would adversely affect the character and appearance of the surrounding area.

6. Prior to above ground works of that phase, a schedule and/or samples of all surfacing materials and finishes for that phase shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development of that phase shall not be carried out other than in accordance with the approved details. To ensure a satisfactory appearance of the development in the interest of the visual amenity of the area.

7. No construction/building/demolition works or deliveries shall be carried out except between the hours of 8.00am and 18.00 Mondays to Fridays and between 9.00am and 13.00 on Saturdays. There shall be no construction activity including demolition on Sundays or Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority. To ensure that the development does not adversely affect neighbours living conditions.

8. Notwithstanding the submitted information and the measures outlined within the submitted Flood Risk Assessment, no development shall take place within each phase of development in relation to surface water drainage until a scheme for a surface water management system including detailed drainage/SUDS design for that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the plant and works required to adequately manage surface water: detailed proposals for the delivery of the surface water management system including a timetable for its implementation and details as to how the surface water management system will be managed and maintained thereafter to secure the operation of the surface water management system. With regard to the management and maintenance of the surface water management system, the scheme shall identify parties responsible for carrying out management and maintenance including the arrangement for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the surface water management system through its lifetime. The scheme shall be fully implemented and subsequently managed and maintained for the lifetime of the development in accordance with the agreed details. In order to ensure satisfactory drainage.

9. Prior to works pertaining to foul water drainage in any phase, a detailed scheme for the disposal of foul water for that phase of the development shall be submitted to and approved in writing by the Local Planning Authority in consultation

with Northumbrian Water and the Lead Local Flood Authority. Thereafter, the development shall take place in accordance with the approved details. In order to ensure satisfactory drainage.

10. Prior to the commencement of each phase of development, a Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The CEMP shall include the routing of all HGVs movements associated with the construction phase, effective dust emission controls from the site remediation and construction works which includes earth moving activities, the control and treatment of stock piles, details and location of parking for use during construction, measures to protect any existing footpaths and verges from vehicle movements, and wheel cleansing measures to reduce mud on highways, road sheeting of vehicles, offsite dust/odour monitoring and communication with local residents. The CEMP shall also set out a minimum site specific measures to control and monitor impacts in relation to construction traffic, noise, vibration, dust and air pollution, land contamination, disturbance to ecology and ground water. Thereafter, the development of each phase shall be carried out in accordance with the approved CEMP.

To ensure that the agreed measures are in place in the interests of the amenities of the area.

11. The development of each phase hereby permitted shall be landscaped in accordance with a fully detailed scheme which shall be submitted as part of the details of the proposed development as required Condition No. 1 above. In the reasons if amenity and to ensure a satisfactory standard of landscaping.

12. All planting, seeding or turfing comprises in the approved details of any landscaping of that phase shall be carried out in accordance with the approved programme of works for implementation. Any trees, plants or shrubs within a phase which within a period of 5 years from the date of the completion of that phase 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 and biodiversity enhancement.

13. No part of the residential development of any phase shall be first occupied until a vehicular and pedestrian access to that phase of development has been constructed to the satisfaction of the Local Planning Authority. In the interests of highway and pedestrian safety and in the interests of the visual amenities of the surrounding area.

14. In the event that contamination is found at any time when carrying out the approved development of any phase works must be halted on that phase affected by the unexpected contamination and must be reported immediately to the Local Planning Authority. An investigation and risk assessment must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed on that phase until a remediation scheme to deal with the contamination of that phase has been carried out in accordance with the details first submitted to and approved in writing by the Local Planning Authority. This

scheme shall evaluate options for the remedial treatment based on risk management objectives. Works shall not resume on that phase until the measures approved in the remediation have been carried out in full.

To ensure any contamination is appropriately dealt with.

15. No development of the phase or phases shall take place until plans of that phase of development showing the existing and proposed ground levels and levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Thereafter, that phase shall not be carried out other than in accordance with the approved details.

To ensure that the work is carried out at suitable levels in relation to adjoining properties and highways having regard to amenity, access, highway and drainage requirements.

16. Clearance and removal of trees and vegetation in any phase shall take place outside of the bird breeding season. The bird breeding season is taken to be March-August inclusive unless otherwise advised by the Local Planning Authority. An exception to this timing restriction could be made if the site within that phase is first checked within 48 hours prior to the relevant works taking place by a suitable qualified ecologist who confirms that no breeding birds are present and a report is subsequently submitted to the Local Planning Authority confirming this.  
In the interests of breeding birds.

17. Notwithstanding the submitted details, prior to occupation of each phase of development, details of the proposed street lighting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the street lighting of that phase shall be provided in accordance with the approved details, prior to first occupation of any dwellings in that phase.  
In the interest of biodiversity.

18. Notwithstanding the submitted information, prior to first occupation of that phase of the development hereby approved, details of the boundary means of enclosure shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development of that phase shall be implemented in accordance with the approved details prior to the first occupation of each dwelling of that phase.

In the interests of a satisfactory form of development and in the interests of the amenities of future occupiers.

19. Notwithstanding the submitted details, none of the dwellings hereby permitted within that phase shall be first occupied until a scheme to ensure that 10% of the energy requirement for each dwelling in that phase is provided from renewable sources has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development of that phase shall be carried out in accordance with the approved details.  
In the interests of sustainability.

20. Notwithstanding the submitted details none of the dwellings hereby permitted in that phase shall be first occupied until details of a vehicle charging point for each dwelling has been submitted to and approved in writing by the Local Planning



Authority. The vehicle charging points shall be installed and available to use prior to first occupation of the dwelling.  
In the interests of sustainability.

21. No dwelling hereby permitted shall be first occupied until details of refuse and recycling bins to be provided at each property of that phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be provided to each dwelling prior to first occupation.  
To ensure satisfactory refuse and recycling bins are provided for residents.

23. No apartments shall be occupied except by a person or persons over the age of 55 years.  
That the apartments are not suitable for occupation by families with children.

24. When submitting the details pursuant to condition 1, this shall include an Arboricultural Impact Assessment, Arboricultural Method Statement and a Tree Protection Plan.  
To ensure the protection of retained trees on the site.

25. Notwithstanding the submitted information, no development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage design shall demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change and urban creep, will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The approved drainage system shall be implemented in accordance with the approved detailed design prior to completion of the development.  
The scheme shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in the Tees Valley SuDS Design Guide and Local Standards (or any subsequent update or replacement for that document).  
To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity.

26. Prior to the commencement of development on any phase of the development a scheme to provide bat mitigation features to provide long term roost sites for the local bat population within that phase including details of the features and a timetable for their provision shall be submitted to and approved in writing by the Local Planning Authority. These shall include bat nesting bricks to be built into 10% of buildings with the selection of buildings facing onto the larger open spaces to be prioritised. The bat mitigation features shall thereafter be provided in accordance with the approved timetable and details, unless some variation is otherwise approved in writing by the Local Planning Authority.  
In the interest of bats.

27. Prior to the commencement of each phase of the development a detailed scheme of noise insulation measures for the residential properties shall be submitted to and approved in writing by the Local Planning Authority. The scheme of noise insulation measures shall be prepared by a suitably qualified consultant/engineer and shall take into account the provisions of BS 8233:2014 "Guidance on Sound Insulation and Noise Reduction for Buildings". The approved scheme shall be implemented, and verification that the measures identified in the scheme have been implemented shall be provided by a suitably qualified engineer, prior to the occupation of any of the dwellings identified in the scheme and shall be permanently retained thereafter unless some variation is otherwise agreed in writing by the Local Planning Authority.

To ensure an acceptable residential living conditions for future occupiers

28. No part of the development hereby approved shall be occupied unless and until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with National Highways or its successors). The Travel Plan shall be developed to accord with the principles set out in the Framework Travel Plan [Land North of A689, Wynyard Park Estate, Wynyard Woods, Wynyard, Hartlepool - AMA, June 2023]. The Detailed Travel Plan shall thereafter be implemented coincidentally with the phased occupation of the development.

In the interests of sustainable travel.

30. No more than 400 dwellings shall be occupied until the applicant/developer has entered into a S278 Agreement to provide the works to the A689/Hanzard Drive / The Wynyd Junction as shown in principle on Stockton-on-Tees Borough Council drawing reference A10958-03-04. No more than 600 dwellings shall be occupied until the aforementioned works are implemented to the satisfaction of the Local Highway Authority and are open to traffic.

In the interests of highway safety

31. Prior to first occupation of any dwelling hereby approved, the highway improvement scheme at the A19/A689 Wolviston junction, shown in principle on Drawing number 276864-ARP-ZZ-XX DR-CH - 0101 & Drawing Number 276864-ARP-ZZ-XX-DR-CH- 0102,) shall be completed and implemented to the satisfaction of the Local Highway authority and shall be open to traffic, unless otherwise agreed in writing by the Local Planning Authority and National Highways.

In the interests of highway safety.

32. Construction of no part of the development hereby approved shall commence unless and until a Construction Traffic Management Plan (CTMP) has been submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways or its successors). Construction of the development shall thereafter be carried out in accordance with the agreed Construction Traffic Management Plan.

To ensure that the A19 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, and in the interests of road safety.

33. Prior to first occupation of any of the dwellings within a particular phase a site waste audit shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the site waste audit and maintained thereafter.

In the interests of ensuring waste is appropriately dealt with.

34. Alongside the reserved matters application for each phase of development hereby approved, a noise assessment for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Noise Assessment will identify a scheme of mitigation for that phase. Prior to occupation of the phase of development, the scheme of mitigation shall be completed in accordance with the approved details and retained for the lifetime of the development.

To ensure a satisfactory living environment for future occupiers.

## **BACKGROUND PAPERS**

1.55 Background papers can be viewed by the 'attachments' on the following public access page: [https://hbc-edrms.necswscloud.com/PublicAccess\\_Live/SearchResult/RunThirdPartySearch?FileSystemId=PL&FOLDER1\\_REF=H/2025/0200](https://hbc-edrms.necswscloud.com/PublicAccess_Live/SearchResult/RunThirdPartySearch?FileSystemId=PL&FOLDER1_REF=H/2025/0200)

1.56 Copies of the applications are available on-line:  
<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet>

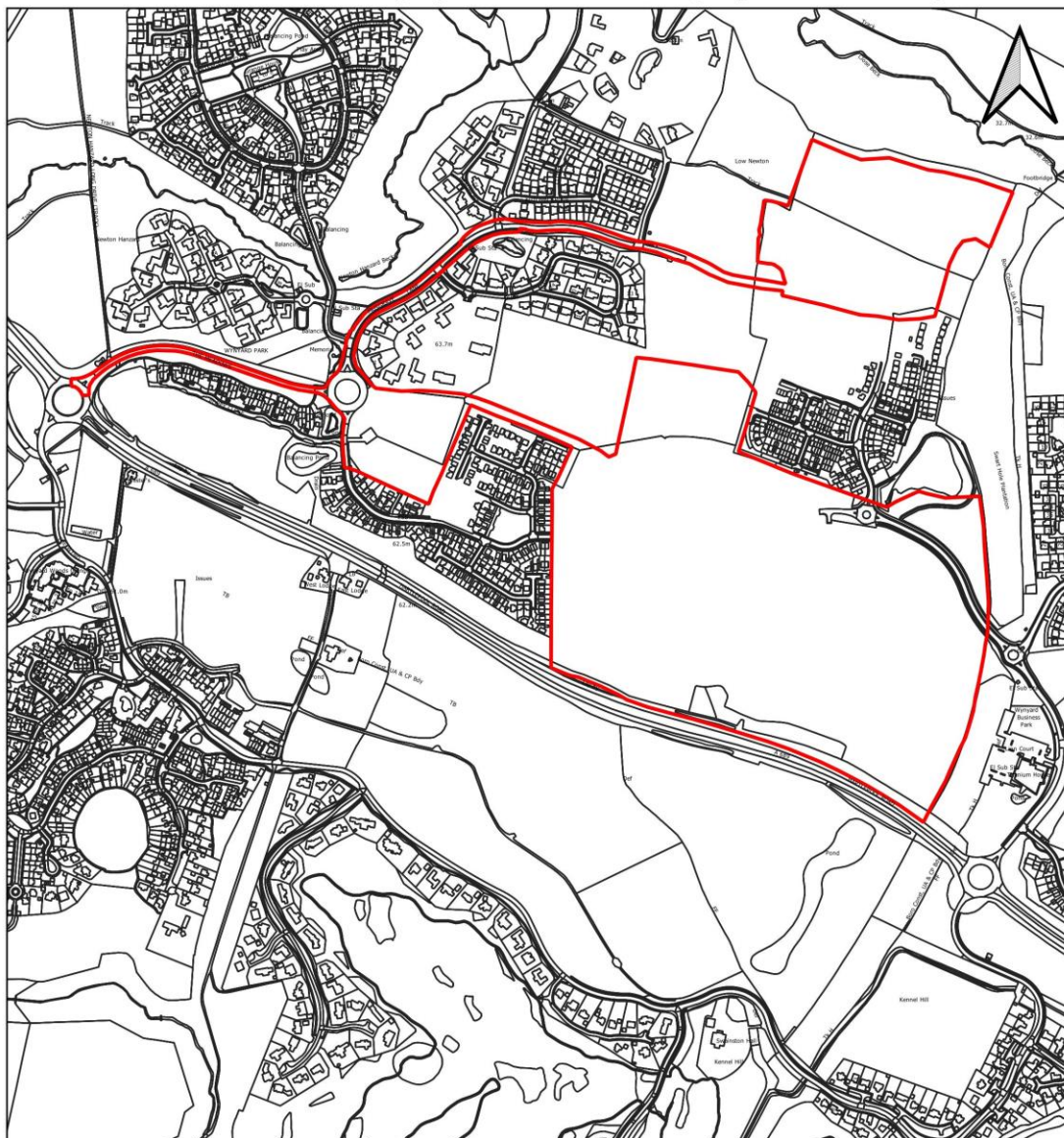
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## Land North Of A689, Wynyard Woods, Wynyard, Hartlepool



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<b>HARTLEPOOL BOROUGH COUNCIL</b>	<b>DRAWN</b> LH	<b>DATE</b> 07/10/2025
	<b>Scale</b> 1:9000	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	<b>DWG.NO</b> H/2025/0200	<b>REV</b>



**No:** 2.  
**Number:** H/2025/0233  
**Applicant:** C/O LICHFIELDS  
**Agent:** LICHFIELDS MR JOSH WOOLLARD THE ST NICHOLAS BUILDING ST NICHOLAS STREET NEWCASTLE UPON TYNE NE1 1RF  
**Date valid:** 14/08/2025  
**Development:** Approval of outstanding reserved matters (layout, scale, appearance and landscaping) for the erection of 335no. dwellings with associated infrastructure pursuant to planning permission H/2022/0181 dated 26 February 2025 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access).  
**Location:** LAND EAST OF COUNTRYSIDE PROPERTIES WYNYARD PARK WYNYARD

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## PURPOSE OF REPORT

2.1 An application has been submitted for the development highlighted within this report accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

## BACKGROUND

2.2 The following history relates to the main outline planning permission under which the current application (H/2025/0233) has been submitted as a reserved matter and there are a number of other related applications;

H/2022/0181 - Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access. Approved 26.02.2022.

H/2025/0070 - Non Material Amendment to planning permission H/2022/0181 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access) to change the working of condition 30 and remove conditions 22 and 29. Approved 07/05/2025.

H/2025/0200 - Section 73 application vary the wording of condition 30 (highway works) pursuant to planning permission H/2022/0181 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access) to amend the trigger for implementation of the highway works to the A689 / Hanzard Drive / The Wynyard

Junction to the 601st dwelling. Pending consideration (and forms part of the same committee agenda as the current item).

H/2025/0333 - Section 73 application to amend the wording of condition 31 (highway improvements) of planning permission H/2022/0181 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access) to allow for occupation following the commencement of highway works at the A19 / A689 Wolviston junction. Pending consideration.

D/2025/0034 - Discharge of condition 4 of planning permission H/2022/0181 Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access. Discharged/approved 25/11/2025.

2.3 There are a number of other pending 'reserved matters' applications associated with the original outline permission (H/2022/0181);

H/2025/0073 – Reserved matters approval for the appearance, landscaping, layout and scale for the erection of a Southern Spine Road in relation to outline permission H/2022/0181 for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access. Pending consideration.

H/2025/0110 – Approval of all reserved matters for Area 5 except access for planning permission H/2022/0181 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access) comprising layout, scale, appearance and landscaping for 170 dwellings with associated infrastructure. Pending consideration.

2.4 The following applications are adjacent to the application site or in the immediate vicinity and therefore relevant to the setting of the application site;

H/2019/0473 - Residential development comprising erection of 186 dwellings and associated works including access and landscaping. Approved 03.02.2021. This site is situated adjacent to the south-west edge of the current application site edge and is under construction (by Countryside Homes/Vistry Group) including a large number of built and occupied dwellings.

H/2022/0255 - Full Planning permission for the erection of 97no. dwellinghouses (Class C3) with associated infrastructure, access and landscaping. Approved 19.11.2025. This site (of which the applicant is Duchy Homes) is situated adjacent to the north-west of the current application site edge and was recently approved subject to a s106 legal agreement.

+

H/2025/0384 - Non material amendment to amend wording of conditions 3, 4, 9, 11 and 32 of planning permission H/2022/0255 (Full Planning permission for the erection of 97no. dwellinghouses (Class C3) with associated infrastructure, access and landscaping). Approved 20.11.2025.

H/2024/0067 - Engineering works associated with the construction of attenuation pond and drainage infrastructure to serve wider residential development. Approved 15.05.2025. The site is situated at the south-eastern corner of the current application site. It is understood that the current site would be served by this infrastructure.

## PROPOSAL

2.5 The application seeks the approval of outstanding reserved matters (layout, scale, appearance and landscaping) for the erection of 335no. dwellings with associated infrastructure pursuant to planning permission H/2022/0181 dated 26 February 2025 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access).

2.6 While initially submitted to include landscaping, this was removed prior to validation as insufficient information had been provided to enable its consideration as part of the proposal.

2.7 Access to the site, approved at outline stage, is off an existing section of the Southern Spine Road along the northern edge of the site. Internally the road from the access point follows the sites eastern boundary southwards and continues westward to connect with the existing access road on the adjacent development approved under reference H/2019/0473. Off this road, a number of other roads travel in both north-south and east-west routes with the dwellings situated of this internal road network. There is an area of open public space and a Locally Equipped Area of Play (LEAP) running north-south for half the depth of the site within the centre of the site.

2.8 Subsequently, amended plans and details have provided including full landscaping details resulting in landscaping now being considered as part of the proposal. The landscaping plans were provided alongside a noise report, ecology report, arboricultural method statement, flood risk assessment, drainage strategy, engineering drawings and external works. In terms of the amended plans provided they relate to issue raised by a number of technical consultees i.e. highways, the urban design officer and case officer, and includes changes to ensure compliance with separation distances. A Transport Note was also provided which is a written response to the highway consultee comments.

2.9 While not part of this submission for consideration, but as highlighted in the 'Background' section above, discharge of condition submission D/2025/0034 has been made seeking to discharge the provisions of Condition 4 of outline approval H/2022/0181. This condition relates to the phasing of the development approved. It sets out the phases the development will be brought forward and has been up-dated during its consideration. Resultantly, the application being considered is highlighted as having;

- the pedestrian access connecting the Taylor Wimpey scheme proposed with the adjacent Countryside Homes development;
- the housing being delivered between 2026 and 2033 / 2034; and
- the play area provided at 20% occupation anticipated in 2028



- Immediately to the north of the application site is the main section of the east-west Southern Spine Road on which the phasing plan details 30% will be completed by 2028.

2.10 The application is referred to Planning Committee due to the number of objections (more than 2) in line with the Council's Scheme of Delegation.

## **SITE CONTEXT**

2.11 The application site is currently a parcel of land of broadly rectangular shape albeit in a waved type of layout sited to the east of the existing Countryside Homes development (H/2019/0473) and to the south of a small section of existing spine road covered with a residential development (by Barratts/David Wilson) under construction to the north (as approved through H/2019/0226 and subsequently amended through H/2025/0001), also served by the same section of road and roundabout.

2.12 There is a gradual change in ground levels with limited areas of trees and hedgerow on the site itself.

2.13 The vehicular access into and out of the site is already in situ toward the eastern end of the sites northern boundary in close proximity to the existing roundabout which the southern spine road will connect into.

2.14 On the opposite side of the spine road to the north, further residential dwellings will be proposed in the future alongside the possibility of a school. To the east of the site there is anticipated to be housing in the future alongside a Sustainable Urban Drainage (SuDs) feature that will serve the surrounding residential developments. To the south of the site it a bund beyond which is the A689 Hartlepool Road, a dual carriage way running northwest to southeast.

2.15 Immediately to the north of the application is where the Southern Spine Road is to be sited, with the spine road being the subject of the current reserved matter application being considered under reference H/2025/0073 (Wynyard Park). Beyond this, a residential development for 243 dwellings by Barratts/David Wilson Homes is understood to be under construction with a large number of dwellings built and occupied (as approved through H/2019/0226 and subsequently amended through H/2025/0001).

2.16 On the opposite side (north) of the southern spine road is a parcel of land sited within the red edge of the outline approval for the 1200 homes with associated infrastructure under reference H/2022/0181 (Wynyard Park).

2.17 Immediately to the west of the above mentioned parcel of land, permission has recently been granted under reference H/2022/0255 (Duchy Homes) for 97 dwellings alongside an initial stretch of the southern spine road (extending from The Meadows roundabout).

2.18 Immediately to the east of the application site is another parcel of land yet to come forward for development. However, just to the east of this parcel of land approval has been granted under reference H/2024/0067 (Wynyard Park) for a development which will provide for a Sustainable Urban Drainage feature into which a number of sites will drain (including the current application proposal as discussed in further detail below).

2.19 To the south of the application site is an existing bund with varying levels of landscaping across its width and depth. Beyond the bund is the A689 Hartlepool Road.

2.20 On the western boundary with the site, approval under reference H/2019/0473 (Countryside Homes) granted permission for the residential development comprising erection of 186 dwellings and associated works including access and landscaping which is well under construction with a large number of dwellings built and occupied.

## **PUBLICITY**

2.21 The application has been advertised by way of press notice and site notice. To date, there have been 6 letters of objection from 6 different addresses and 1 letter of neither supporting nor objecting.

2.22 The application has been consulted upon (neighbours and consultee's) on a number of occasions during the application process in response to the originally submitted documents then subsequently amended documents received.

2.23 The main concerns and objections raised at the time of writing can be summarised as follows:

- Taylor Wimpey still haven't finished their previous development on Wynyard Park to a satisfactory standard for adoption, despite completion of development on the Pentagon months ago;
- Despite numerous objections for similar reasons over the past few years from developers there is still not one single facility built with the HBC area of Wynyard Park for use by residents;
- The public house on Meadows roundabout and associated retail area to rear still hasn't been submitted for planning approval (previous public house approval has now expired);
- Families within Wynyard Park are having to sell and move as the promised Primary School hasn't materialised yet;
- The Southern Spine Road hasn't been built yet)
- The housing density and sufficient lack of green space is not in keeping with the Wynyard vision including conflict over street parking;
- The layout on this development will cause parking issues also with insufficient parking being accounted for;
- No further planning should be approved by HBC until S106, previous promises and delivery of a school and at least some facilities start to be built;

- The area is not sustainable or eco-friendly as envisaged by the Market Garden status. The road network both within the estate and also on the A688 needs attention also prior to any further approvals;
- More dwellings will hugely impact negatively on the local wildlife and their habitat;
- Impact negatively on the local residents already residing in the area, taking away green areas which make it a better way of life;
- The area is too congested with insufficient road crossings;
- Traffic management plan not submitted so it is not clear where the construction traffic will be directed. If it is to come through Siskin park then it is endangering the safety and peace of the residents of Siskin park.
- The southern spine road will need to be completed prior the development as otherwise all traffic between the two part of Wynyard park will be flowing through residential roads instead of the A689;
- Non-Delivery of Educational Facilities
- Lack of Safe Crossing at A689 (Eastern Gateway)
- Unconstructed Road Between Western and Eastern Communities, Incomplete Infrastructure Delivery, Absence of Security Entrance and Presence at Eastern Gateway - The current lack of such provision fails to uphold the quality standards envisaged within the Masterplan;
- Insufficient Spacing Between Houses - Departing from Garden Village Principles. The original garden village concept, embedded in the Wynyard Park Masterplan, envisaged generous open spaces and low-density, high-quality design. The current proposals appear to disregard these principles. The quantity of houses and spacing between seems excessive in density.
- The NPPF specifically supports Garden City/Village Principles, requiring high-quality design underpinned by clear masterplans and design codes (NPPF, Section 12, Achieving Well-Designed Places; Garden Communities Prospectus, MHCLG). The proposed layout fails to reflect this vision.
- Traffic in the area is already at saturation point;
- Wildlife is disappearing;
- Little actual infrastructure such as shops an issue.

2.24 A response of neither Support nor Objection was received making the following comment;

- Hopes traffic will not be going through Siskin Park.

2.25 Background papers can be viewed via the 'click to view attachments' link on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=165874>

2.26 The period for publicity has expired.

## CONSULTATIONS

2.27 The following consultation replies have been received:

**HBC Arboricultural Officer;**

2<sup>nd</sup> September 2025:

The application is for the outstanding reserved matters including landscaping however no detailed landscaping has been provided with this application. When the landscaping scheme comes forward the tree planting scheme should have a focus on climate resilient species suitable of the environment and with a good mix, it is not essential that the trees are native. Ideally to ensure a strong biosecurity and to build a resilient treescape the species mix should consist of:

- No more than 5% of a particular cultivar
- No more than 10% of a particular species
- No more than 20% of a particular genus and
- No more than 30% of a particular family

An Arboricultural method statement has been provided by Elliott Consultancy Ltd dated June 2025. This covers the protective measures to be installed before and during the development. Tree protection fencing is to be erected to G6 which is a linear row of trees protected trees (TPO 260). This differs from the original outline application which had originally proposed to remove this group. Communication is ongoing between HBC Arboricultural Officer and the agent to arrange a site meeting for the tree protection measures conditioned by condition 7 of application H/2024/0067 which is for the attenuation pond and drainage infrastructure to the east of this site. A condition should also be included within this application for the same site meeting for completeness. The submitted AMS should also be conditioned for its compliance.

The development hereby approved shall be carried out in accordance with the following approved plan(s) and details;

Arboricultural Method Statement ARB/CP/3442 received 07/07/2025  
For the avoidance of doubt.

The development shall be implemented in accordance with Arboricultural Method Statement, Appendix 3, Tree Protection Plan. Furthermore, prior to the commencement of development the implementation of tree protection measures in accordance with the tree protection plan shall be installed, an onsite meeting shall be arranged with the councils Arboricultural Officer and the project manager to ensure tree protection measures area in place prior to commencement of works on site. For the long-term preservation of protected trees.

Detailed landscaping plans still required as mentioned in comments above.

Further Comments Received 24<sup>th</sup> October 2025:

An updated Arboricultural method statement has been provided by Elliott Consultancy Ltd dated October 2025. This covers the protective measures to be installed before and during the development. Tree protection fencing is to be erected to G6 which is a linear row of trees protected trees (TPO 260). This differs from the original outline application which had originally proposed to remove this group. Communication is ongoing between HBC Arboricultural Officer and the agent to arrange a site meeting for the tree protection measures conditioned by condition 7 of

application H/2024/0067 which is for the attenuation pond and drainage infrastructure to the east of this site. A condition should also be included within this application for the same site meeting for completeness. The submitted AMS should also be conditioned for its compliance.

The proposed planting scheme is well-considered, with a suitable mix of species and appropriate placement across the site. However, I recommend the following minor amendments to further enhance the scheme:

- Plot 131 : Add a tree to the verge at the front of the plot to strengthen street-level greening.
- Plots 139 and 140 : Add a tree to the front garden area to provide a visual focal point along the north - south road corridor.
- Plot 95 : Relocate the tree currently positioned to the northwest of the plot to the verge northeast of the plot for improved spatial integration.
- Plot 74 : The Apple tree proposed to the front/southwest of the plot should either be:
  - Replaced with a non-fruiting species to avoid fruit litter on driveways, or
  - Relocated to the verge at the front of Plot 131 if retention of the species is preferred.

Subject to the above amendments, the planting scheme should be conditioned to ensure full implementation prior to the first occupation of the development.

**HBC Building Control;** A Building Regulation application will be required for the development.

**HBC Countryside Access Officer;** Limited countryside walks in the area, will defiantly need a link path to a public footpath to the North, and a link path to the South East, to link into another public footpath. A bund is getting built to the east and a definite link to a walk around this will be valuable for the area.

**HBC Ecology;**

6<sup>th</sup> November 2025;

Information needed. At present, no specific BNG metric/Biodiversity Gain Plan, lighting or CEMP has been submitted with this application. Those are needed to demonstrate that the layout delivers the outline ecology/HRA position and site-wide strategy. No new survey effort is required.

The site forms part of the wider Wynyard Park allocation (outline ref H/2022/0181) for up to 1,200 dwellings. Ecology and HRA matters were assessed and secured at outline stage through conditions and the Section 106 agreement, including:

off-site Hartlepool Coastal Mitigation Scheme (HCMS) contributions for recreational impacts;

foul water discharge to Billingham/Seaton Carew WwTW (long-sea outfall) screened out for nutrient effects; and  
site-wide woodland enhancement and farmland-bird compensation under the approved Woodland Management Plan and BNG Masterplan.

This application must simply evidence its alignment with those established measures.

#### HRA

The outline HRA for Wynyard concluded no likely significant effect on the Teesmouth and Cleveland Coast SPA/Ramsar site where foul flows connect to Billingham/Seaton Carew WwTW and recreation is mitigated via the HCMS. This phase appears consistent with that approach. Provided the foul drainage and HCMS contribution routes remain unchanged, no new HRA issues are expected.

#### Details required

Biodiversity Metric & Biodiversity Plan tying this parcel to the Woodland Management Plan parcels and monitoring timetable.

LEMP with target condition tables, work schedules, monitoring, and remedial triggers.

Lighting strategy for woodland edges & hedgerows demonstrating minimal light spill.  
CEMP (biodiversity) to be submitted.

Once the above documents are submitted and checked, it is anticipated that a no objection recommendation can be confirmed subject to standard conditions for CEMP, Lighting, LEMP and Biodiversity Plan compliance.

#### Further comments received 18<sup>th</sup> November 2025:

No ecology objection.

This parcel forms part of the wider H/2022/0181 outline consent for up to 1,200 homes. Ecology matters were assessed at outline and are already secured through the conditions on that permission.

The submitted Biodiversity Net Gain Assessment (OS Ecology, Oct 2025) shows the site as c.14 ha of former arable land that has naturally succeeded to other neutral grassland, with species-poor hedgerows and treelines, a small pocket of broadleaved woodland, and a substantial pond on the southern edge.

The BNG Assessment records a baseline of 53.55 habitat units and 1.83 hedgerow units, and a post-development position of 8.79 habitat units and 0 hedgerow units, leaving an on-site shortfall of -83.58% HU and -100% hedgerow units. That outcome is expected for a housing parcel of this type and the assessment sensibly proposes securing the uplift off-site within the wider Wynyard landholding, which is consistent with the approved woodland-enhancement strategy for the estate. The statutory Biodiversity Gain Plan (under the general BNG condition) will secure this before the phase commences.

#### Conditions

*No new ecology conditions are required at RM stage.*

Ecology matters can be addressed through the outline conditions already in place.

#### HRA

The outline HRA for Wynyard concluded no likely significant effect on the Teesmouth and Cleveland Coast SPA/Ramsar site where foul flows connect to Billingham/Seaton Carew WwTW and recreation is mitigated via the HCMS. This phase appears consistent with that approach. Provided the foul drainage and HCMS contribution routes remain unchanged, no new HRA issues are expected.

#### Further/Updated Comments Received 25<sup>th</sup> November 2025:

No objection on ecological grounds.

#### Site context

This parcel forms part of the wider H/2022/0181 outline consent for up to 1,200 homes. Ecology matters were assessed at outline and are already secured through the conditions on that permission. As the outline application was submitted prior to the commencement of mandatory Biodiversity Net Gain (BNG), this reserved matters application is not subject to the statutory BNG regime; the relevant test remains to avoid harm and to achieve at least no net loss of biodiversity in line with Local Plan policies NE1–NE3.

#### Biodiversity Net Gain (BNG)

The submitted Biodiversity Net Gain Assessment (OS Ecology, Oct 2025) shows the site as c.14 ha of former arable land that has naturally succeeded to other neutral grassland, with species-poor hedgerows and treelines, a small pocket of broadleaved woodland, and a substantial pond on the southern edge.

The BNG Assessment records a baseline of 53.55 habitat units and 1.83 hedgerow units, and a post-development position of 8.79 habitat units and 0 hedgerow units, leaving an on-site shortfall of -83.58% HU and -100% hedgerow units. That outcome is expected for a housing parcel of this type and the assessment sensibly proposes securing the uplift off-site within the wider Wynyard landholding, which is consistent with the approved woodland-enhancement strategy for the estate.

The housing layout leaves a significant on-site habitat deficit. The applicant proposes to offset this through woodland enhancement elsewhere on the Wynyard estate, supported by a £100 per-dwelling contribution for farmland birds.

At outline, it was accepted that woodland enhancement does not compensate for the loss of farmland/grassland function, and an off-site farmland bird contribution was secured through the S106. That obligation continues to apply to this parcel and sits in addition to any BNG unit delivery.

#### Habitat Regulations Assessment (HRA)

Mitigation of in-combination recreational disturbance is delivered via the Hartlepool Coastal Mitigation Scheme (HCMS), as established at plan and outline stage.

The outline HRA for Wynyard concluded no likely significant effect on the Teesmouth and Cleveland Coast SPA/Ramsar site where foul flows connect to

Billingham/Seaton Carew WwTW. This phase appears consistent with that approach. Provided the foul drainage and HCMS contribution routes remain unchanged, no new HRA issues are expected.

#### HRA conclusion

With those mechanisms in place: Billingham WwTW foul discharge and HCMS contribution, the scheme can be screened out for likely significant effects under Reg. 63, and no Appropriate Assessment is required.

#### Conditions

No additional ecology conditions are recommended at RM stage. Ecology matters, including construction environmental management and external lighting, are controlled through the outline conditions already in place (e.g. CEMP and lighting conditions on H/2022/0181).

#### Informatives:

3 informatives are requested relating to bats, nesting birds and mammal safety.

#### **HBC Engineering Consultancy;**

9<sup>th</sup> September 2025:

#### Contamination

In regard to the above application, we would recommend that a condition is imposed in relation to any unexpected contamination found. This would be consistent with condition 14 of the outline planning permission (H/2022/0181).

#### Further Comments Received 11<sup>th</sup> September 2025:

#### SuD's Summary

Approval of outstanding reserved matters (layout, scale, and appearance) for the erection of 335 no. dwellings with associated infrastructure pursuant to planning permission H/2022/0181 dated 26 February 2025 (Outline planning application for the erection of up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters reserved except access).

#### Conclusions/Observations

We have seen a great deal of summary information based on previously agreed design criterion with the LLFA for the Wynyard Park development. As a result, we have not included further review of available information or the site wide drainage strategy, including:

Use of current climate change allowances

FSR methodology has been used in Micro Drainage. In accordance with LS15 of the Tees Valley Sustainable Drainage Systems (SuDS) Guidance Design Guide & Local Standards, FEH methodology is required at full planning.

Default Runoff Coefficients (Cv) being used in place of current best practice values of 1. Tees Valley guidance states that Cv values should be in accordance with LS17.

We note that flow controls and attenuation for this development plot are not included within the application. We cannot approve proposals on this basis as the applicant needs to demonstrate that flood risk is not increased post-development. When submitted for approval in isolation, this application proposes unrestricted discharge.



Acceptance of this application is reliant on discharging the relevant condition attached to the H/2024/0067 South Pond application (as this defines flow control and attenuation requirements for this development plot).

Although it is stated within the FRA that NWL will deal with maintenance, no correspondence has been provided that supports this.

Further Comments Received 9<sup>th</sup> October 2025:

Having reviewed this one with Joe, we consider that a similar approach to H/2022/0255 can be adopted and therefore there would be sufficient controls in place through conditions 8 and 25 of the outline planning permission H/2022/0181.

Further Comments Received 16<sup>th</sup> October 2025:

In relation to the above application, we do not have any further comments to make given the nature of the amendments.

**HBC Landscape Officer;**

21<sup>st</sup> August 2025:

Subject to an agreed layout, full details of hard and soft landscape proposals shall be provided prior to any consent being given.

Hard landscape details should include all enclosing elements, street furniture and street lighting locations. Details of external finishing materials should include finished levels, and all construction details confirming materials, colours, finishes and fixings.

Soft Landscaping details should include a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. Details of rabbit protection should be provided. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan.

Details of proposed soft landscape management should be provided. The soft landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic garden. Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years.

Further Comments Received 17<sup>th</sup> October 2025:

Detailed landscape proposals have been provided that are acceptable. Details of proposed soft landscape management should be provided. The soft landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic garden. Landscape maintenance shall be detailed for the initial 5 year establishment from date of

completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years.

Further Comments Received 5<sup>th</sup> November 2025:

The landscape Management Plan is still outstanding.

**HBC Public Protection;** Environmental Protection have reviewed the reserved matters submission. Environmental Protection have no additional comments to make on the reserved matters relating specifically to layout, scale, appearance or landscaping.

**HBC Traffic and Transport;**  
25<sup>th</sup> September 2025

The access to the shared surface areas is restricted to 4 metres this is below the minimum width of 4.8 metres. We would prefer the standard access detail for shared surfaces as per the Tees Valley Design Guide for Residential Developments. The current proposal may restrict access for delivery vehicles / bin wagons.

It looks like the shared surface areas are proposed to be constructed from block Paving. It is preferred that these highways are constructed from a standard tarmac. A commuted sum for extra maintenance costs would be required if non standard materials are proposed ie Block paving / red surfacing.

Visitor parking areas in shared, this would potentially require passengers to alight onto the grass.

The Design Guide and specification allows a maximum 25 of properties of a shared surface, there are 29 houses proposed Plots 162 - 191.

Traffic Calming features on junctions, will there be sufficient sight line provision on the minor junction? Have you used these features on any other developments? We are a bit under decided on these features. Have you used these features on any other developments?

The distance between the roundabout and the access onto the spine road should be 60 metres. The proposed distance is 45 metres.

Footway connections should be provided from each cul-de-sac onto the spine road and through the green areas / play area.

Condition required for construction management Plan.

Further Comments Received 8<sup>th</sup> October 2025:

Further to my previous comments I would like a condition implementing which prevents the occupation of the development until the central boulevard link road is fully operational.

Further Comments Received 26<sup>th</sup> November 2025:

I have reviewed my requirement for the access to be sighted 60 metres from the roundabout and accept that the 45 metre spacing is appropriate.

The internal layout is acceptable and the following main issues being addressed.

The number of properties served of a shared surface has been reduced to comply with the standards.

Evidence has been provided indicating that refuse vehicles and Fire appliances can access the shared surface areas. I can therefore accept the proposed access width.

Some of the traffic calming features have been amended and now are acceptable.

A footway connection has been provided through the central green area.

I can confirm that the issues previously raised on the internal layout have now been addressed and that I have no further objections.

**HBC Waste Management;** Developers are expected to provide and ensure at the point of first occupancy that all new developments have the necessary waste bins/receptacles to enable the occupier to comply with the waste presentation and collection requirements in operation at that time.

Developers can choose to enter an undertaking to pay the Council for delivery and associated administration costs for the provision of bins/ receptacles required for each new development. These charges are a one-off cost and the bins remain the property of the Council. Alternatively, developers are required to source and provide containers which meet the specifications necessary for the required bins/ receptacles to be compatible with the Council's waste collection service and vehicle load handing equipment.

Please see our Developer Guidance Waste and Recycling for new properties; document which can be found at <https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.hartlepool.gov.uk%2Fusingyourbins&data=05%7C02%7CRichard.Redford%40hartlepool.gov.uk%7C31cb744b25c949f34d7508dde232e61d%7Ce0f159385b7b4e50ae9acf275ba81d0d%7C0%7C0%7C638915430411379366%7CUnknown%7CTWFPbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUslYiOiIwLjAuMDAwMCIsIIAiOiJXaW4zMilslkFOljoiTWFpbCIsIldUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=iajYAggjOCjnWmw9wKWxnrCy0kAKqIC1%2FsjMUMQqxQ8%3D&reserved=0> for further information.

Residents must ensure that bins are presented at the required kerbside collection point for 7.30am on the day of collection and returned to the property after they have been serviced.

Collection days can be found at <https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.hartlepool.gov.uk%2Ffindmybinday&data=05%7C02%7CRichard.Redford%40hartlepool.gov.uk%7C31cb744b25c949f34d7508dde232e61d%7Ce0f159385b7b4e50ae9acf275ba81>

[d0d%7C0%7C0%7C638915430411394855%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMilslkFOIjoiTWFpbCIsIldUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=9rKn9VQVvQWeR3N1C8W2JR2cFTaU0oFPAeOxO79ZWX8%3D&reserved=0](https://www.anglianwater.co.uk/property-boundary-checker/?property=11394855&unknown=1&CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMilslkFOIjoiTWFpbCIsIldUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=9rKn9VQVvQWeR3N1C8W2JR2cFTaU0oFPAeOxO79ZWX8%3D&reserved=0)

Waste must be stored within the property boundary, and must only be placed out for collection on the day stated by the Council.

**Anglican Water Services;** This application is outside of Anglian Water's sewerage boundary – we have no comments to make thereon.

Please note Anglian Water will only comment on drainage/surface water within our boundaries.

**Cleveland Police;**  
2<sup>nd</sup> September 2025

With regards to your recent planning application H/2025/0233 for a development of 335 x Dwellings, Wynyard.

Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED).

I would like to make you aware that Cleveland Police operate the “Secured by Design” initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments. I recommend applicant actively seek Secured by Design accreditation; full information is available within the SBD Residential Guide 2025 Guide at [www.securedbydesign.com](http://www.securedbydesign.com)

I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour. Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

The Secured by Design Residential Guide highlights that the concepts and approach adopted within this guide can be used to influence strategic planning policies, in support of Paragraph 102a of the NPPF.

The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...

The National Planning Policy Framework 2024, paragraph 135(f) which states that “Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.

Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure. Developers will be expected to have regard to the following matters, where appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.

Another material consideration is Section 17 of The Crime and Disorder Act 1998.

Further information on the Secured By design initiative can be found on [www.securedbydesign.com](http://www.securedbydesign.com)

Although not an SBD requirement, Cleveland, along with many other areas nationwide suffers from offences of metal theft. These include copper piping, boilers, cables, and lead flashing. Buildings under construction are particularly vulnerable. I recommend that alternative products be utilized where possible. Many new builds are now using plastic piping where building regulations allow and alternative lead products.

Strong consideration should also be given in relation to the provision of On- Site Security throughout the lifespan of the development. There is information contained within the Construction Site Security Guide 2021 also on the SBD website that may assist.

In addition to the above and having viewed the proposal I would also add the following comments and recommendations.

All doors and windows are recommended to be to tested and certified PAS24:2022+A1:2024 standards (or equivalent)

This includes garage doors.

These must be dual certified for both fire and security.

Dusk till dawn lights are recommended to each elevation with an external door-set. This also includes any proposed garage doors and side in curtilage parking areas, particularly those that are 50% or more of the length of side elevation of plot it serves.

ALL roadways and pathways, adopted or otherwise, are strongly recommended to be to BS5489-1:2020 standards with a uniformity preferably to Secured by Design recommended one of 40%, as a minimum 25%.

Neighbourhood permeability... is one of the community level design features most reliably linked to crime rates. Excessive permeability should be eliminated.

All proposed side and rear treatments onto public realm are recommended to be to 2.0m in height.

Those to rear/rear side of Plots backing onto open space recommended to be increased to minimum of 2.2m, preferably 2.4m.

Defensive planting to external façade of boundary treatments backing onto open space should be considered also.

Locate all side boundary treatments as far forward to the front elevations of the properties as possible to eliminate recesses.

I note that, as examples, rear access gates to Plots 128/129 and 130/131 are showing contrary to this advice. These rear access gates and any other such shown should be brought forward as recommended.

Boundary treatments between rear gardens are recommended to be 1.8m in height. Often these rear side treatments are proposed to be lower-level post and rail, this option offers neither security or privacy and I would recommend against it.

Defensible space to each plot is an important consideration.

Ginnel access serving several rear gardens should be avoided where possible. If they are deemed necessary, a lockable gate is required at initial access point as well as each individual garden.

This is the case at Plots 115-118, 328-331 and 315-317.

The layout by Plot 317 is of concern as this is effectively creating an alley giving rear access to 8 x properties and must be reconsidered.

Any proposed PROW, informal pathways, cycle lanes etc. are to be incorporated into active street frontages to avoid creating potential crime generators.

Any proposed links to existing or future phases of development are to be afforded maximum surveillance, be formalised and be fronted onto.

Vehicles should either be parked in locked garages or on a hard standing within the dwelling boundary.

Where communal parking areas are necessary, bays shall be sited in small groups, close and adjacent to homes, be within view of active rooms and clearly marked, so that it is obvious which parking spaces belong to which dwellings.

The word 'active' in this sense means rooms in building elevations from which there is direct and regular visual connection between the room and the street or parking court. Such visual connection can be expected from rooms such as kitchens and living rooms, but not from more private rooms, such as bedrooms and bathrooms.

Rear parking courtyards are discouraged for the following reasons:

They introduce access to rear elevations, which may leave dwellings vulnerable to burglary. In private developments, such areas are often left unlit and therefore increase the fear of crime. Ungated courtyards provide areas of concealment which can encourage anti-social behaviour.

Where rear parking courtyards are considered absolutely necessary, they must be protected by a gate, the design of which shall be discussed with the DOCO at the earliest possible opportunity. Where gardens abut the parking area an appropriate boundary treatment should be discussed and agreed by the DOCO.

Again, the above lighting specification standards apply.

In relation to any proposed play areas, poorly designed and specified communal areas, such as playgrounds, toddler play areas, seating facilities have the potential to generate crime, the fear of crime and anti-social behaviour.

These may often be referred to as: Local Areas of Play (LAP) – primarily for the under 6-year-olds.

Local Equipped Area for Play (LEAP) – primarily for children who are starting to play independently.

Neighbourhood Equipped Area of Play (NEAP) – primarily for older children.

Multi-Use Games Areas (MUGA) – primarily for older children.

Facilities should be designed to allow natural surveillance from nearby dwellings with safe and accessible routes for users to come and go.

Boundaries between public and private space should be clearly defined and open spaces must have features which prevent unauthorised vehicular access. Communal spaces as described above should not immediately abut residential buildings.

The provision of inclusively designed public open amenity space, as an integral part of residential developments, should make a valuable contribution towards the quality of the development and the character of the neighbourhood.

To do this, it must be carefully located to suit its intended purpose – mere residual space unwanted by the developer is very unlikely to be acceptable. The open space must be inclusively designed with due regard for wayfinding, permeability and natural surveillance. Adequate mechanisms and resources must be put in place to ensure its satisfactory future management and maintenance.

Care should be taken to ensure that a lone dwelling will not be adversely affected by the location of the amenity space. It should be noted that positioning amenity/play space to the rear of dwellings can increase the potential for crime and complaints arising from increased noise and nuisance.

Play areas should ideally be designed so that they can be secured at night. This is to reduce the amount of damage and graffiti that occurs after dark. The type of fencing and security measures will need to vary to suit the area. However, consideration should be given to a single dedicated entry and exit point to enable parental/guardian control and supervision.

Fencing at a minimum height of 1.2m can often discourage casual entry, provide a safe clean play area, and reduce damage to the equipment.

The specific requirements such as child safeguarding, preventing dogs entering, etc. should be discussed with the DOCO.

Fixtures and fittings should be as resistant to damage and graffiti as possible.

In relation to the positioning of this proposed LEAP it is suitably located but all of the above should be considered in addition.

Further Comments Received 28<sup>th</sup> October 2025:

In relation to this application, my comments previously submitted on 2-9-25 are still valid.

Further Comments Received 10<sup>th</sup> November 2025

CFB offers no further comments as the amendments do not impact access or water supply.

**Environment Agency;** Thank you for consulting us on the above reserved matters application, which we received on 19 August 2025. We **have no objections** to this application for the reserved matters, including layout, scale and appearance, for 335 dwellings associated to planning permission H/2022/0181.

**National Grid;** Regarding planning application H/2025/0233, there are no National Grid Electricity Transmission assets affected in this area.

**National Highways;** Thank you for consulting with National Highways regarding the above planning application. We understand that this Reserved Matters application is pursuant to planning permission H/2022/0181 (1,200 dwellings). We have considered the evidence contained in the proposed Compliance Statement and Design and Access Statement. The “*HIGHWAYS SUPPORTING STATEMENT*” that accompanies the application was not available for download and has therefore not been considered by National Highways.

Considering the location of the site relative to the Strategic Road Network(SRN), the submitted flood risk assessment & drainage strategy reports are not of relevance to National Highways.

We understand that the proposed development seeks approval of layout, scale, appearance and landscaping of 335no. dwellings, together with other associated works including the construction of an internal road, footpaths, landscaping, and drainage infrastructure.

National Highways previously recommended that planning conditions should be attached to any grant of planning permission for H/2022/0181. We support the fact that the Compliance Statement that accompanies this Reserved Matters application does make reference to these conditions.

Considering the location of this site and National Highways’ previous position for planning permission H/2022/0181, we do not consider the matters relating to appearance, landscaping, or layout to be relevant to us. The scale of the site is, however, relevant (to ensure the total quantum of the site and its associated trip generation at the Strategic Road Network are within the levels previously agreed).

National Highways are aware of two other reserved matters applications that are pursuant to planning permission H/2022/0181:

H/2025/0110 - Reserved matters approval for 170 dwellings; and

H/2025/0073 - Reserved matters approval for the internal southern spine road.



On 16 April 2025, National Highways offered no objection to reserved matters application H/2025/0110 (170 dwellings); and on 31 March 2025, National Highways offered no objection to reserved matters application H/2025/0073 (internal spine road).

When combining this Reserved Matters application (335 dwellings) with the previously proposed Reserved Matters applications (170 dwellings), it is clear that the total development proposal remains well within the quantum of development that was granted as part of the planning permission for H/2022/0181 (1,200 dwellings). Consequently, National Highways would offer no objection to this application for reserved matters approval of appearance, landscaping, layout and scale for the development of 335no. dwellings.

We would note that this position has been reached on the basis that the traffic impact of the outline permission (that this RM is pursuant to) has been previously agreed and demonstrated as acceptable to National Highways (subject to the conditions attached to that grant of planning permission). If any future Reserved Matters application for this site could result in materially higher trip generation forecasts than the outline permission assessed, further evidence (potentially including SRN Assessments) will be required.

**Natural England;** Natural England has no comments to make on this reserved matters application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland, ancient and veteran trees which you can use to assess any impacts on ancient woodland or trees.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our Site of Special Scientific Interest Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

**Stockton On Tees Borough Council;** Thank you for the re-consultation for the above application. I can confirm I have no comments to make.

**Tees Archaeology;** Thank you for the consultation on this application. Much of the site has previously been evaluated with trial trenching, and aerial imagery indicates that there has previously been disturbance on the land that hasn't been trenched. Based off the previous evaluation findings and site disturbance, the site is considered to be of low archaeological potential. No further archaeological work is required.

**Wynyard Parish Council; - Object**

Our objection is based on multiple negative impacts for local residents and the wider community, outlined below.

**Overdevelopment and High Density**

The proposed development represents significant overdevelopment of this area, contributing to high-density housing that is not in keeping with the local context or vision for Wynyard Park.

Adding 335 dwellings in this phase, towards an eventual total of up to 1,200, will exacerbate congestion, diminish the area's character, and reduce the quality of life for current and future residents, especially in the context of the following contributing factors.

**Insufficient Green Space**

There is not enough green space, particularly for children to play or for the well-being of families and dog walkers. The scheme replaces former natural habitats with built development and vegetated gardens, resulting in an 83% loss of habitat units and a total loss of hedgerow units according to its own biodiversity assessment.

**Detrimental Effects on Wildlife**

The development will have detrimental effects on wildlife, including birds and protected habitats.

The biodiversity net gain report and public representations confirm the complete removal of ponds, woodland, and grassland, eliminating habitats for local wildlife and contradicting the area's eco-development branding. Such losses cannot be compensated for on-site and will result in significant harm to local biodiversity.

**Lack of Primary School Provision**

The Environmental Statement acknowledges the major adverse effect on local primary education, with pressure on existing schools that are already oversubscribed, and no concrete confirmations of new provision within the development.

**Insufficient Amenities**

The proposals currently submitted within the 1200 homes outline do not intend to deliver any amenities beyond a single play park. To date, there have been zero amenities delivered within the Wynyard boundary of Hartlepool. There are currently

no shops, pubs, medical facilities, or other essential services planned or in place for this phase or the wider masterplan within the Hartlepool boundary.

#### Lack of Spine Road and Infrastructure

There is a lack of a completed spine road and other key infrastructure. The application relies on primary access via routes that remain incomplete, and the lack of proper traffic circulation inside the estate leads to bottlenecks that the existing main roads and junctions cannot absorb.

Residents frequently express difficulty accessing the A19/A689, and traffic surveys confirm increasing congestion.

#### Traffic Congestion on A689 and A19

Development at this scale will aggravate already severe traffic congestion on the A689 and A19, the main road links for Wynyard. The noise and traffic assessments both confirm very high weekday and weekend traffic volumes, predicted to worsen by 2039, which will severely impact journey times and air quality. Current traffic lights and junctions are already inadequate for peak flows.

#### Lack of Parking for Visitors

There is insufficient parking provision for visitors within the development. The compliance statement and illustrative master plans lack detail and commitments for adequate visitor parking, which will result in overspill onto surrounding roads and inconvenience for residents, as expressed in objections and local consultations.

#### Public Waste and Dog Bins

The submitted location plans do not identify positions for public waste or dog refuse bins. There is a well-documented history of residents complaining that developers delay the installation of street furniture, as well as failing to commit to its maintenance and timely emptying. To address this, the Parish Council requests that the applicant provide clearly defined locations and timelines for street furniture, with planning conditions requiring regular servicing until full adoption by either Hartlepool Borough Council or Wynyard Park, depending on the locations. Recommended locations for bins include estate entry and exit points, SUDS ponds, play parks, and designated access points to woodland areas.

#### Section 106 Contributions

The Parish Council also recommends that Section 106 contributions be secured to ensure the long-term sustainability of community infrastructure. Contributions should support the following:

- Ongoing bus service provision and improvements.
- On-site education provision, specifically to facilitate the construction of the proposed Primary School at Wynyard Park.
- On-site sports facilities, including the development of the proposed playing pitches and community sports hub.
- On-site NHS provision, including GP and dental services.

For these reasons, Wynyard Parish Council Hartlepool, requests that planning permission for the current reserved matters application be refused or deferred until the following are addressed:

- Reduced overall housing density
- Increased and protected green space
- Robust biodiversity and habitat retention/mitigation
- Concrete provision for new primary school(s)
- Delivery of essential amenities and services
- Completion of the spine road and supporting infrastructure prior to further housebuilding
- Effective traffic management solutions for A689 and A19
- Sufficient on-site and visitor parking

**Chief Fire Officer;**

5<sup>th</sup> September 2025:

Cleveland Fire Brigade offers the following representations regarding the development as proposed. There appears to be numerous 'shared driveways' throughout the plan which are coloured grey and appear to be of different construction. It must be ensured that these roads can withstand the weight of a fire appliance, it should be noted that in line with AD B Vol 1 Section B5 Table 13.1 **Note 1** Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1. The following rows of plots have 'private drive' access that exceed the dead-end road condition as described in ADB V1 Para 13.4 (20m) and therefore should be provided with turning facilities as displayed in AD B Vol 1 Section B5 diagram 13.1. Access to private driveways will be required due to the farthest dwelling not meeting the 45m rule (ADB V1 Para 13.1). Whilst in some cases the farthest dwelling may meet the 45m rule (ADB V1 Para 13.1), fire appliances will inevitably access these areas to ensure that essential firefighting resources required at an incident are as close as reasonably practicable to ensure speed of response for any required rescues or firefighting measures. It would therefore be prudent to ensure that these roads meet the requirements of ADB V1 Table 13.1 with the amendments below in line with Note 1 of table 13.1.

The areas in question are 'Private Driveways' giving access to plots-

Plots 12 – 16

Plots 45 – 47 Plots 26 – 29

Plots 48 – 50

Plots 182 – 184

Plots 303 – 305

Plots 291 – 293

Plots 306 – 308

Plots 192 – 195

Access and Water Supplies should meet the requirements as set out in:

Approved Document B, Volume 1:2019, Section B5 for Dwellings.

Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in AD B Vol 1 Section B5 Table 13.1.

Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system.

Further comments may be made through the building regulation consultation process as required.

Further Comments Received 14<sup>th</sup> October 2025:

Cleveland Fire Brigade offers the following representations regarding the development as proposed.

There appears to be numerous 'shared driveways' throughout the plan which are coloured grey and appear to be of different construction. It must be ensured that these roads can withstand the weight of a fire appliance, it should be noted that in line with AD B Vol 1 Section B5 Table 13.1 Note 1.

Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1.

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## PLANNING POLICY

2.28 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

### Hartlepool Local Plan

2.29 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

SUS1	Presumption in Favour of Sustainable Development
LS1	Locational Strategy
CC1	Minimising and Adapting to Climate Change
CC2	Flood Risk
INF1	Sustainable Transport Network
HE1	Heritage Assets
HE2	Archaeology
QP3	Location, Accessibility, Highway Safety and Parking
QP4	Layout and Design of Development
QP5	Safety and Security
QP6	Technical Matters
QP7	Energy Efficiency
HSG1	New Housing Provision
HSG2	Overall Housing Mix
HSG6	Wynyard Housing Developments
HSG9	Affordable Housing
NE1	Natural Environment

### Supplementary Planning Documents (SPD's) and Other Documents

2.30 Wynyard Masterplan (adopted November 2019)

2.31 Residential Design SPD (2019)

### National Planning Policy Framework (NPPF)(2024)

2.32 In December 2024 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012, 2018, 2019, 2021 and 2023 NPPF versions. The NPPF sets out the Government's Planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each

mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a strong reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

- 002 Determination in accordance with the development plan
- 003 Status of NPPF
- 007 Meaning of Sustainable Development
- 008 Achieving sustainable development (three overarching objectives – Economic, Social and Environmental)
- 009 Achieving sustainable development (three overarching objectives – Economic, Social and Environmental)
- 010 The presumption in favour of sustainable development
- 011 The presumption in favour of sustainable development
- 012 The presumption in favour of sustainable development (presumption does not change statutory status of the development plan as the starting point for decision making)
- 039 Decision making
- 048 Determining planning applications
- 056 Use of conditions or planning obligations
- 057 Planning conditions should be kept to a minimum
- 058 Planning obligations tests
- 059 Contributions and viability
- 061 Significantly boost the supply of homes
- 066 Major development and affordable housing
- 074 Planning for larger scale development
- 078 Five year supply of deliverable housing sites
- 082 Housing in rural areas
- 096 Promoting healthy and safe communities
- 098 Social, recreational and cultural facilities to meet
- 100 Sufficient choice of school places should be available to meet the needs of existing and new communities
- 103 Access to a network of high quality open spaces and opportunities for sport and physical activities
- 109 Considering transport issues from an early stage
- 115 Promoting sustainable transport
- 116 Highway safety
- 117 New developments and movements
- 118 Travel Plans and Transport Assessments
- 129 Achieving appropriate densities
- 130 Efficient use of land
- 131 Achieving well designed and beautiful places
- 135 Achieving well designed and beautiful places
- 136 Tree lined streets
- 137 Design quality through evolution of proposals
- 139 Permission should be refused for development of poor design

- 164 New development addressing climate change
- 166 New development and energy efficiency
- 172 Ensuring flood risk does not occur elsewhere
- 182 Major development should incorporate SUDS
- 187 Contribute to and enhance the natural environment
- 193 Determining applications and biodiversity
- 196 Ground conditions
- 198 Pollution

2.33 **HBC Land Use/Planning Policy comments;** The principle of development was established through the outline application H/2022/0181 the below comments are in relation to the detailed design of the proposal.

#### Layout

2.34 The proposal has been subject to pre-application discussions and subsequent amendments. The current layout provides a perimeter block development with a central green space and tree lined central boulevard, this is considered to provide a permeable and attractive layout which connects appropriately with the existing residential area to the west. The tree lined boulevard and the inclusion of build outs and incremental open space with tree planting are a positive feature contributing to the provision of street trees.

2.35 The location and level of green space through the centre of the site is in accordance with the Green Infrastructure Parameter Plan. It is noted that the play area is identified within the greenspace, full details for the play area should be conditioned.

2.36 The proposal provides a mix of house sizes from 2 to 5 bedroom, including 16 x 3bed bungalows and on-site affordable homes at 18% which is welcomed by Land Use Policy.

2.37 Previous comments regarding the treatment of properties onto the central spine road and the boulevard have been addressed.

#### Movement

2.38 The delivery of the central spine road will be key in ensuring the proposal for this area of Wynyard has east to west movement. The Movement Framework with the Wynyard Masterplan (2019) identifies the spine road as the primary arterial route and is considered necessary to provide the primary access into the main residential areas. The delivery of the spine road (H/2025/0073) is vital to ensure the completion of this key arterial route and facilitate the necessary east to west movement, in particular, to ensure the ease of movement for residents within this proposal.

2.39 Land Use Policy have no further comments.

### PLANNING CONSIDERATIONS

2.40 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular are the principle of development, proposed site layout, design, scale



and appearance of the development, landscaping, highways and parking, ecological impacts of the development, amenity

## PRINCIPLE OF DEVELOPMENT

2.41 The provisions of Hartlepool Local Plan (2018) policies SUS1 and LS1 are relevant alongside paragraphs 007, 008, 009, 010, 011 and 012 of the NPPF are relevant.

2.42 Collectively, the relevant paragraphs of the NPPF seek to ensure that development is sited in appropriate locations that support sustainable development through the three overarching objectives – Economic, Social and Environmental.

2.43 Local Plan policy SUS1 sets out that when considering development proposals the Borough Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Further, and amongst other things, it will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

2.44 The provisions of Policy LS1 sets out the strategic locational provisions for new development, making specific reference to new housing and employment areas within the Wynyard area to help ensure that identified housing needs are met through well considered and appropriately located sites. Such an approach contributes to the strategic delivery of housing in a manner that contribute towards sustainable development within across the Council area.

2.45 HLP Policy HSG1 sets out that the Council will seek to ensure new housing provision is delivered in an appropriate manner and location with Wynyard Park North identified for approx.. 400 dwellings.

2.46 Wynyard Housing Developments are covered specifically through the provisions of HLP Policy HSG6 (of which HBC Land Use Planning have advised that the current application site lies partially within this policy allocation on the Local Plan Proposals Map), which sets out the dwelling numbers as being 400 on Wynyard Park North, 100 on North Pentagon and 232 at Wynyard Park South. Specific provisions are made for each of the 3 parcels with the Wynyard Park North requiring no more than 20.2ha of land will be developed for a full range of house types, developed to a high standard of design to reflect its rural location. These are amongst other features such as buffer zones and landscaping.

2.47 The application site is a parcel of land within the red edge boundary of the approved outline planning approval under reference H/2022/0181 for 1200 houses with associated infrastructure. Furthermore, the application is a reserved matter application to that outline approval approved in February 2025 subject to conditions and a section 106 legal agreement.

2.48 By virtue of the development proposed through this reserved matter scheme being an application linked to the outline approval, it can be seen that the principle of development has already been established through the outline approval.

2.49 As such the proposal complies with the requirements of Hartlepool Local Plan (HLP) Policies SUS1, LS1, HSG1 and HSG6 as well as the provisions of the NPPF.

#### *Housing Type, Mix And Density*

2.50 Local plan policy HSG1 sets out that the Council will seek to ensure new housing provision is delivered in an appropriate manner and location with Wynyard Park North identified for approx. 400 dwellings.

2.51 Local Plan policy HSG2 relates to the overall housing mix of developments and advises that new housing provision will be required to deliver a suitable range and mix of house types that are appropriate to their locations and local needs. New housing should contribute to achieving an overall balanced housing stock that meets local needs and aspirations, now and in the future.

2.52 Wynyard Housing Developments are covered specifically through the provisions of local plan policy HSG6 (of which the current application site lies partially within this policy allocation on the Proposals Map), which sets out that the land will be developed for a full range of house types, developed to a high standard of design to reflect its rural location. These are amongst other features such as buffer zones and landscaping.

2.53 In the form proposed, the development comprises 30 x two-bed dwellings, 145 x three-bed dwellings, 121 x four-bed dwellings and 39 x 5-bed dwellings at a density of 26.6 dwellings per hectare.

2.54 The dwellings proposed take the form of a mix of detached, semi-detached and terraced bungalows and houses with parking spaces provided to a combination of front of property and side of property. In respect of affordable housing within the scheme, a total of 60 affordable units will be provided comprising 30 x two-bed and 30 x three-bed units. The mechanism to secure the provision of this is held within an obligation of the s106 legal agreement associated with the original outline permission.

2.55 From these it can be seen that the density as proposed is higher than those indicated within the Local Plan. It should be noted that this in itself is not considered to be a reason for refusal in itself and it is not considered that the slightly higher than desired density could in this instance be defended at appeal.

2.56 As such the proposal complies with the requirements of HLP Policies HSG1, HSG2 and HSG6 alongside the provisions of the NPPF.

#### LAYOUT, SCALE AND APPEARANCE

2.57 HLP Policy QP4 relates specifically to the layout and design of development, indicating that the Council seeks to ensure that all developments are designed to a high quality and positively enhancing their location and setting. It continues in setting out a number of ways in which this is to be achieved including through appropriate separation distances, being of an appropriate layout, scale and form while also having adequate open spaces and being aesthetically pleasing.

2.58 Within HLP Policy QP5, relating to safety and security, it is established that the Council will seek to ensure that all developments are designed to be safe and secure while developers will be expected to have regard to the a number of different matters where necessary, including adhering to national safety and security standards as set out by central government and being developed in a way that minimises crime and the fear of crime.

2.59 The Residential Design SPD contains guidance and best practice relating to several aspects of design including density, local distinctiveness, accessibility, safety and energy efficiency. The development should, where possible, respond positively to the guidance set out in the SPD.

2.60 The amended site layout plan has been submitted based upon the responses of several technical consultees, taking account of their comments in order to overcome issues that had been raised. It utilises a single point of access and egress from the eastern section of the southern spine road that has been constructed in close proximity to an existing roundabout. From this access point, there is a single main stretch of road which connects with the existing development to the west of the site. Access to all other roads within the proposed developments are taken off this key stretch of road. There is a section of open space running north-south situated centrally in the east-west width of the site which provides the open space and a locally equipped area of play (LEAP) covering approx. 400 square metres. The proposed dwellings have been arranged in a manner that orientates them to address the roads including the private drives with those dwellings sited on corner plots having active frontages on both roads.

2.61 The site location plans indicates the provision of a sign at the site entrance to set out the name of the development / estate. While its location on the grassed area to the western side of the vehicular access from the southern spine road is acceptable, no details in regards to its appearance, scale and materials have been provided. A planning condition is therefore recommended requiring these details be provided prior to its construction and this is considered to be acceptable in this instance.

2.62 A suite of plans showing the internal floor plans and elevations of the dwellings have been provided along with details of materials to be used for each dwelling type. Within the context of the road layout, the dwellings are positioned so that they face onto the roads of which they are accessed. Parking is provided to either the front or side of each dwelling with areas of soft landscaping also provided to the front of each dwelling. A number of the dwellings also have garages proposed. The proposed provision of soft landscaped open space to the front of the dwellings helps ensure expanses of hard standing for parking purposes within the

streetscene is kept to a minimum while also contributing to creating an attractive character, appearance and streetscene.

2.63 Furthermore, HBC Land Use/Planning Policy have commented that the proposed layout, which includes a central green space and tree lined central boulevard, is considered to provide a permeable and attractive layout which connects appropriately with the existing residential area to the west. The tree lined boulevard and the inclusion of build outs and incremental open space with tree planting are considered to be a positive feature contributing to the provision of street trees.

2.64 Consideration of the proposed layout alongside other existing and approved developments has also taken place so as to ensure that dwellings proposed in this application are sited appropriately in association with the neighbours. Further, the layout is such that it is of an arrangement that provides an active street frontage whereby each dwelling has sufficient parking space provision alongside soft and hard landscaping to the front and rear. Such arrangements enable the dwellings proposed to be accommodated in the site but during the assessment it was established that there were a number of instances where the separation distances fell below the 20m required between principle elevations and 10m between a principle elevation and a gable wall.

2.65 Details of the shortfalls in the separation distances set out in both policy QP4 and the Residential Design SPD were discussed with the applicant and agent with suggested layout changes and plot substitutions put forward. Resultantly, the site layout plan has been amended. The effect of these amendments is that the separation distances required have been met and exceeded. The amended layout has maintained on-site parking levels in accordance with standards alongside the retention of street trees and green areas within the streets so contributing positively to an attractive streetscene and enhancing the character and appearance of the development.

2.66 An assessment of the proposed dwellings shows a number of different dwelling types proposed while the proposed site layout plan indicates a variety of different materials to be used in the construction of the dwellings. The dwellings proposed have a variety of different designs of similar scale that contain elements similar to other dwellings on the wider Wynyard site being developed yet have a number of elements that enable this development to be unique in its own right.

2.67 In terms of the materials proposed, the introduction of a third brick material and additional contrasting brick allows for variety within the built form and when considered in combination with the introduction of landscaping will aid in legibility within the proposal.

2.68 As a result of amended site layout plans, an amended materials plan has been provided. This plan details a mixture of 2 types of roof tile and 4 types of brick be used across the dwellings with a number having chimneys. It also details boundary treatments will consist of 1.8m high close boarded fencing, 1.8m high brick walls, 1.2m high estate fencing, 0.45m high kick rails and landscaping in the form of hedging.

2.69 It is considered that the mix of materials and boundary treatments will fit in with the development and each other in a manner appropriate and in-keeping with the design and appearance of the dwellings proposed. Furthermore, it is considered that such details would be in keeping with and are respectful of the other dwellings in the immediate and wider area without being out of keeping or detrimental to the character and appearance of the area.

2.70 It is of note that no objections have been received from either of the Council's Landscape Architect or Land Use/Planning Policy team.

2.71 Based on this assessment, it can be seen that the proposal complies with the provisions of Local Plan policies QP4 and QP5 as well as the Residential Design SPD and therefore the proposed Layout, Scale and Appearance of the dwellings and overall scheme is considered to be acceptable in this instance subject to the identified planning conditions as well as satisfying through the (partial) discharge any relevant planning conditions of the outline permission (H/2022/0181) including final levels details (condition 15).

#### IMPACT ON AMENITY OF EXISTING AND FUTURE OCCUPIERS

2.72 Policy QP4 (Layout and Design of Development) of the HLP requires, amongst other provisions, that the Borough Council will seek to ensure all developments are designed to a high quality and that development should not negatively impact upon the relationship with existing and proposed neighbouring land uses and the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overlooking and loss of privacy, overshadowing and visual intrusion particularly relating to poor outlook. Proposals should also ensure that the provision of private amenity space is commensurate to the size of the development.

2.73 Policy QP4 also stipulates that, to ensure the privacy of residents and visitors is not significantly negatively impacted in new housing development, the Borough Council seeks to ensure adequate space is provided between houses and sets out minimum separation distances. These requirements are reiterated in the Council's adopted Residential Design SPD (2019). The following minimum separation distances must therefore be adhered to:

- Provide and maintain separation distances of at least 20m from habitable room to habitable room.
- Provide and maintain separation distances of at least 10m from habitable room to non-habitable room and/or gable end.

2.74 The proposed site layout plan submitted with the application had the dwellings proposed sited in relationships with each other as well as existing dwellings on the Countryside Properties development site to the west of the application site which have been consulted. As such it is important to ensure that these interactions are acceptable in the context of separation distances as well as amenities for future and existing occupiers.

#### *Amenity and Privacy of Future Occupiers*

2.75 The initially submitted site layout plan had a small number of dwellings within the proposed development which fell below the above mentioned (and required) 20m and 10m separation distances which were identified by the case officer through the assessment and consideration of the application.

2.76 These shortfalls were raised with the agent for the application alongside a number of suggestions of how the shortfalls could be addressed. Resultantly, an amended site layout was provided which addressed the shortfalls in a manner that resulted in the 20m and 10m separation distances being met and thus in conformity with the provisions of policy QP4 on separation distances.

2.77 It is noted that there are instances of gable elevations with bathrooms or landings (classed as non – habitable room) windows facing one another at limited separation distances, however, as above, there are no minimum separation distance policy requirements with respect to these relationships, and as these are non-habitable room windows, it is considered this would not have a significant impact on the privacy of future occupiers.

2.78 The proposed scheme would provide a varied range of house types. Through the course of the planning application, amendments were sought (and achieved) as a result of concerns raised by the Council's Planning Policy section in order to not only provide active street frontages but good levels of amenity and site layout. The Council's Land Use/Planning Policy section were subsequently satisfied with the revised layout in this respect and raised no further issues with respect to amenity standards.

2.79 It is considered that, the proposed scheme raises no significant concerns in respect to amenity standards of future occupiers.

#### *Privacy & Amenity of Neighbouring Land Users*

2.80 The site adjoins the existing Countryside Homes residential development at the applications sites western edge where a large proportion of the 186 dwellings approved under reference H/2019/0473 have been built and are occupied.

2.81 An assessment of the separation distances for the dwellings proposed against these adjacent dwellings was undertaken which indicated that the 20m and 10m separation between the existing dwellings and those proposed adjacent to the existing dwellings would be complied with.

2.82 With regards to the separation distances between the proposed dwellings to the northern/north eastern portion of the current application site (that are set back from the intended southern spine road to the north) and those built dwellings to the north (of the Barratts/David Wilson Homes site as approved through H/2019/0226 and subsequently amended through H/2025/0001), such neighbouring properties are located beyond the required/proposed southern spine road (with intervening land in between that forms part of the outline approval H/2022/0181). Such properties are located at a substantial and satisfactory separation distance (ranging between approximately 80m and 135m (and therefore well in excess of the required 20m)

from the nearest proposed dwellings along the northern boundary to the application site. Likewise, it is anticipated that satisfactory relationships and distances would be maintained to any development to the north side of the intended southern spine road and that a substantial and satisfactory distance would remain to the recently approved dwellings to the north west of the site (H/2022/0255). The proposal is therefore acceptable in this respect.

2.83 The compliance with the separation distances and the height of the dwellings proposed are such that the separation distances are acceptable that when taken into account with the height of the proposed dwellings, as well as the proposed boundary treatment, would not result in any unacceptable levels of overlooking, loss of privacy or detrimental impacts on levels of light the existing dwellings currently receive. Notwithstanding this, final details of levels will need to be agreed through the (partial) discharge of the relevant levels condition (15) of the outline planning permission (H/2022/0181).

2.84 Vehicular access to and from the application site take place by way of a vehicular access point from the adjacent southern spine road toward the eastern edge of the sites northern boundary (which runs on the east-west axis) and centrally on the sites western boundary as a result of the continuation of an existing internal road on the adjacent Countryside Homes development.

2.85 The access point that will connect the application site to the existing internal road on the adjacent Countryside Properties has the potential to increase noise and disturbance on the occupiers of the dwellings on the adjoining site.

2.86 While a concern, it is noted that HBC Public Protection have commented no objections to this arrangement. It is also of note that both the application site and adjacent Countryside Properties site are to the south of the southern spine road which will accommodate the majority of the traffic movements whereby concerns are minimised in respect of noise and disturbance. Furthermore, the applicant will need to agree a number of related details through the (partial) discharge of the relevant conditions of the outline planning permission (H/2022/0181), including condition 10 (construction management plan) as well as control of hours of construction/deliveries (condition 7) of the outline planning permission.

2.87 Condition 27 of the outline approval (H/2022/0181) requires the submission of a noise insulation scheme prior to the commencement of each phase of development. This has been assessed by HBC Public Protection who have commented that they have no additional comments to make. Within the submitted noise assessment it sets out that a number of dwellings proposed will not meet the required level of protection with these dwellings located to the southern section of the development proposed - namely those closest to the A689 which is located on the southern side of an earth bund. The required mitigation (in the form of glazing and ventilation) set out in the noise assessment accompanying this application will therefore need to form part of the details to satisfy the requisite (partial) discharge of the outline condition (27) and ensure that such measures are implemented. Subject to this, it is considered that this would ensure future occupiers are protected in regards to their amenity.

2.88 In view of the above considerations, it is considered that the proposed development would not lead to a significant detrimental impact on the amenity and privacy of existing (neighbouring) and future occupiers and is therefore considered acceptable in this respect.

## LANDSCAPING

2.89 Policy QP4 details that the Council will seek to ensure all developments are designed to a high quality and positively enhance their location and setting while also requiring amongst other things that they have adequate, well located and planned public space/s.

2.90 Landscaping was originally proposed to be considered as part of this application but was withdrawn from consideration prior to the application being made valid.

2.91 As a result of discussions between officers, the developer and their agent in regards to the layout of the development resulting in amended plans being provided, landscaping was subsequently re-introduced into the application for consideration and appropriate consultation with neighbours and technical consultees undertaken. An up-dated Arboricultural report was also provided.

2.92 The landscaping scheme proposed is encapsulated in a number of plans although it is noted that a landscape management plan has not been submitted either with the proposed as initially submitted or subsequently when landscaping was re-introduced in to the application for consideration.

2.93 Within the plans provided, an extensive range of trees and shrubs are proposed across the site alongside existing trees and hedgerows to be retained as well as new trees, shrubs, native mixed hedging, grass and multi-seed meadow mix. The intention from the mix of species to be planted and sown is that they will inter-connect those being retained to create a species rich network of planting across the site that will in turn connect into the wide planting scheme of adjacent developments site. The proposed layout includes a central green space and tree lined central boulevard which is considered to provide a permeable and attractive layout which connects appropriately with the existing residential area to the west. The tree lined boulevard and the inclusion of build outs and incremental open space with tree planting are considered to be a positive feature contributing to the provision of street trees. Collectively, it is considered that the proposals (subject to final details) will not only contribute to a well thought out planting scheme to the benefit of the proposed development but will also provide environmental and ecological enhancements.

2.94 Notwithstanding this and in response to the landscaping details and updated arboricultural method statement (AMS) having been provided, the Council's Arboricultural officer has commented that the proposed planting scheme is well-considered, with a suitable mix of species and appropriate placement across the site. They also highlight that minor amendments are required in association with the planting scheme and that the tree protection differs from the original outline application and communication is ongoing between HBC Arboricultural Officer and the agent to arrange a site meeting for the tree protection measures conditioned by



condition 7 of application H/2024/0067 which is for the attenuation pond and drainage infrastructure to the east of this site. They continue that a condition should also be included within this application for the same site meeting for completeness and that the submitted AMS should also be conditioned for its compliance. They also indicate that subject to the amendments, the planting and soft landscaping scheme should be conditioned to ensure full implementation with an appropriate trigger.

2.95 The landscaping planting provides a range of planting across the development which, as already highlighted, will fit in with and compliment the existing trees and hedgerows to be retained through the development. While it represents a comprehensive and details scheme based upon the assessments by both the Council's Landscape Architect and Arboricultural Officer, there are some areas which could be improved without impacting on the wider scheme while the provision of a management plan covering the short, medium and longer terms periods of the landscaping, these can be covered by way of the above referenced and recommended planning conditions.

2.96 It is noted that in their consultation response following the receipt of the landscaping details, the HBC Landscape Architect commented that the Landscape Management Plan is still outstanding. There are no conditions attached to the outline approval requiring the submission nor mention in the Section 106 Agreement associated with the outline approval. The aforementioned planning condition is therefore recommended requiring the provision of both the final detailed landscaping scheme as well as details of long term maintenance and management.

2.97 As such and subject to the identified recommended planning conditions, it is considered that Landscaping matters are acceptable and that the proposal complies with the requirements of HLP Policy QP4 and the NPPF.

## HIGHWAYS AND PARKING

2.98 HLP Policy QP3 of the Local Plan as well as paragraphs 109, 115 116, 117 and 118 of the NPPF are relevant to the consideration of highways and parking elements of the application.

2.99 The provisions of Policy QP3 relate to the location, accessibility, highway safety and parking in association with developments requiring that they, amongst other things, ensure residents and visitors can move with ease and safety, servicing arrangements and highway safety provisions are in line with local guidance, parking standards are met and that parking areas are laid using permeable surfaces.

2.100 Paragraph 115 of the NPPF (2024) states that it should be ensured that "safe and suitable access to the site can be achieved for all users". Paragraph 116 goes onto state that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

2.101 A highway supporting statement was submitted as part of the application with an additional highway statement being submitted part way through the consideration of the submission.

2.102 National Highways, having been consulted on the submission, commented considering the location of the site relative to the Strategic Road Network (SRN), the submitted flood risk assessment & drainage strategy reports are not of relevance to National Highways. They continue that they previously recommended that planning conditions should be attached to any grant of planning permission for H/2022/0181, supporting the fact that the Compliance Statement that accompanies this Reserved Matters application does make reference to these conditions (albeit and as noted above, two separate section 73 applications are pending consideration with respect to amending identified highway conditions as set out in the Background section of this report).

2.103 They continue that considering the location of this site and their previous position for planning permission H/2022/0181, they did not consider the matters relating to appearance, landscaping, or layout to be relevant. The 'scale' of the site is, however, relevant (to ensure the total quantum of the site and its associated trip generation at the Strategic Road Network are within the levels previously agreed).

2.104 National Highways were aware of two other reserved matters applications that are pursuant to planning permission H/2022/0181 and that are currently pending consideration at the time of writing (as set out in the Background to this report):

- H/2025/0110 - Reserved matters approval for 170 dwellings; and
- H/2025/0073 - Reserved matters approval for the internal southern spine road.

2.105 On 16 April 2025, National Highways offered no objection to reserved matters application H/2025/0110 (170 dwellings); and on 31 March 2025, National Highways offered no objection to reserved matters application H/2025/0073 (internal spine road).

2.106 When combining this Reserved Matters application (335 dwellings) with the previously proposed Reserved Matters applications (170 dwellings), National Highways advise that the total development proposal remains well within the quantum of development that was granted as part of the planning permission for H/2022/0181 (1,200 dwellings). Consequently, National Highways offer no objection to this application for reserved matters approval for the development of 335no. dwellings.

2.107 The applicant will need to satisfy a number of planning conditions of the outline permission including the partial discharge of condition 10 (construction management plan) and 32 (construction traffic management plan in agreement with National Highways).

2.108 HBC Traffic and Transport initially raised a number of points relating to shared surface areas, potential restrictions for delivery vehicles / bin wagons, visitor parking and shared surfaces. These, along with other consultation responses,

resulted in an amended site layout being received alongside a number of other documents including the updated highways report.

2.109 Following a subsequent review, HBC Traffic and Transport commented that further to their previous they had no objections to the layout of the scheme in terms of highway safety, access and car parking. They have however (through the agreement of the now discharged Phasing Plan) removed their request for a condition being attached requiring no occupation until the southern spine road currently being considered under references H/2022/0255 and H/2025/0073 is fully operational. The request has been removed due to the Phasing Plan having been discharged which sets out an agreed 33% of the spine road being provided pre-occupation. This will ensure the relevant section will be done prior to occupation and also ensure work has started on the delivery of the spine road.

2.110 With regards to the condition asked for, while the reasoning for the request is noted, officers are of the opinion that it fails to meet the test for conditions and it's delivery can be dealt with through the phasing plan which has recently been agreed through the discharge of condition submission (D/2025/0034). In this respect, the agreed Phasing Plan notes

- the pedestrian access connecting the Taylor Wimpey scheme proposed with the adjacent Countryside Homes development;
- the housing being delivered between 2026 and 2033 / 2034; and
- the play area provided at 20% occupation anticipated in 2028

2.111 Through the discharge of the Phasing Plan condition, the matter of the implementation and completion (in full or part) of the southern spine road can be dealt with to ensure it is done at an appropriate time that would achieve what has been sought by HBC Traffic and Transport.

2.112 On the basis of the information submitted including the additional highways assessment and the technical responses, it can be seen that the proposal would not result in any adverse or detrimental highway safety impacts.

2.113 Resultantly, it is considered that the proposal complies with the provisions of HLP Policy QP3 and the provisions of the NPPF and is acceptable in this respect.

## ECOLOGY

2.114 The provisions of Local Plan Policy NE1 on the natural environment are relevant to the consideration of the application including its impacts upon ecology. Policy NE1 sets out that the Council will protect, manage and enhance the natural environment through a number of means including the enhancement of ecological network and green infrastructure. Further provisions are set out within the NPPF.

2.115 Ecological matters were addressed part of the outline application (ref H/2022/0181) approved on 26<sup>th</sup> February 2025. As part of that approval, a number of conditions were attached to the permission relating to;

- The clearance and removal of existing landscaping during specified periods (condition 16) in the interests of protecting breeding birds;

- Street lighting details to be approved and installed (condition 17) in the interests of biodiversity;
- The requirement to submit Arboricultural Impact Assessment, Arboricultural Method Statement and a Tree Protection Plan alongside the submission of the reserved matters application (condition 24 – as noted above, this has been submitted);
- Bat mitigation details (condition 26) to ensure the protections of bats as a protected species.

2.116 The s106 legal agreement associated with the outline permission also secured a number of ecology related mitigation measures including;

- a financial contribution of (£250 per dwelling) towards SPA Coastal Mitigation,
- a financial contribution of (£100 per dwelling) to provide biodiversity mitigation for farmland birds.

2.117 These require a variety of items including some being submitted prior to works on each phase of development commencing.

2.118 Based on the submitted ecological documents provided, both Natural England and HBC Ecology were consulted and their comments are reflected in the section below.

2.119 Natural England commented that they have no comments to make on the application.

2.120 HBC Ecologist has received the submission and documents, commenting in their initial response that subject to a number of further ecological documents being provided, they would have no objections subject to a number of conditions being attached to any approval.

2.121 Further to the initial comments, discussions took place between the agent and HBC Ecology with details provided. Based on these details the Ecologist revised their comments stating that they have no objections to the development subject to the identified planning conditions and obligations of the original outline permission being complied with.

#### *Biodiversity Net Gain (BNG)*

2.122 The application is not bound by the requirements of mandatory Biodiversity Net Gain as the original outline permission was made/submitted prior to mandatory BNG coming into force (February 2024). Nonetheless, there is still an expectation that such schemes will ensure at least no net loss in line with the provisions of the HLP and those of the NPPF.

2.123 In respect of BNG, the submitted Biodiversity Net Gain Assessment (OS Ecology, Oct 2025) shows the site as c.14 ha of former arable land that has naturally succeeded to other neutral grassland, with species-poor hedgerows and treelines, a small pocket of broadleaved woodland, and a substantial pond on the southern edge.

2.124 HBC Ecology have set out in their response that the BNG Assessment records a baseline of 53.55 habitat units and 1.83 hedgerow units, and a post-development position of 8.79 habitat units and 0 hedgerow units, leaving an on-site shortfall of -83.58% HU and -100% hedgerow units. That outcome is expected for a housing parcel of this type and the assessment sensibly proposes securing the uplift off-site within the wider Wynyard landholding, which is consistent with the approved woodland-enhancement strategy for the estate.

2.125 While the housing layout leaves a significant on-site habitat deficit, it is detailed in the submission that the applicant proposes to offset this through woodland enhancement elsewhere on the Wynyard estate, supported by a £100 per-dwelling contribution for farmland birds.

2.126 While conditions were requested, a review of the current submission and outline approval have resulted in up-dated comments being provided setting out that at outline, it was accepted that woodland enhancement does not compensate for the loss of farmland/grassland function, and an off-site farmland bird contribution was secured through the S106 associated with the outline permission (H/2022/0181). That obligation continues to apply to this parcel and sits in addition to any BNG unit delivery. On this basis the Ecology Officer was satisfied the conditions requiring the scheme to demonstrate compliance with the mandatory BNG requirement (10% gain) previously sought were no longer required. The proposal is therefore acceptable in this respect.

#### *Habitat Regulations Act*

2.127 Having reviewed the submission, the HBC Ecologist has commented that the mitigation of in-combination recreational disturbance is delivered via the Hartlepool Coastal Mitigation Scheme (HCMS), as established and secured through planning contributions at the outline stage in the form of an obligation within the s106 legal agreement that would apply to this development

2.128 The outline HRA for Wynyard concluded no likely significant effect on the Teesmouth and Cleveland Coast SPA / Ramsar site where foul flows connect to Billingham Wastewater Treatment Works (WwTW). This phase appears consistent with that approach. Provided the foul drainage and HCMS contribution routes remain unchanged, no new HRA issues are expected.

2.129 In conclusion the HBC Ecology officer commented that with those mechanisms in place: Billingham Wastewater Treatment Works foul discharge and HCMS contribution, the scheme can be screened out for likely significant effects under Reg. 63, and no Appropriate Assessment is required.

2.130 The HBC Ecology conclusion sets out that no additional ecology conditions are recommended at RM stage. Ecology matters, including construction environmental management and external lighting, are controlled through the outline conditions already in place (e.g. CEMP and lighting conditions on H/2022/0181).

#### *Ecology Conclusion*

2.131 On the basis of the up-dated comments offering no objections to the proposal, it can be seen that the development will not result in any unacceptable nor detrimental impacts upon ecology.

2.132 Resultantly the proposal complies with the requirements of HLP Policy NE1 as well as the provisions of the NPPF.

## FLOODING AND DRAINAGE

2.133 The provisions of Local Plan Policy CC2 is relevant alongside the provisions of paragraphs 172 and 182 of the NPPF when considering matters of drainage.

2.134 Policy CC2 sets out that all new developments will be required to show how they will minimise flood risk to people, property and infrastructure by meeting the requirements of 9 points in the policy including by avoiding inappropriate development in areas of risk at flooding, provision of site specific flood risk assessments and requiring all developments include provision for the full separation of foul and surface water flows.

2.135 Paragraph 172 of the NPPF sets out that plans should take a sequential, risk based approach to the location of development so as to avoid where possible flood risk to people and property. It continues that this is to be done applying the sequential test and then, where applicable, the exceptions test.

2.136 Within paragraph 182 of the NPPF, it details that applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should: a) take account of advice from the Lead Local Flood Authority; b) have appropriate proposed minimum operational standards; and c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.

2.137 A flood risk assessment and drainage report were submitted as part of the application. Based on the submission of these items, both the Environment Agency (EA) and HBC Engineering Consultancy were consulted as part of the consultation undertaken.

2.138 The initial response from the HBC Engineering Consultancy commented on contamination that they have no objection but request a condition be attached to any approval regarding to any unexpected contamination being found in the implementation of the development. Whilst these comments are noted, such a condition (14) exists on the outline planning permission and the current application will be bound by this.

2.139 Turning to the issue of drainage and sustainable urban drainage, initial comments indicated details of flow control and attenuation were needed along with maintenance details.

2.140 There is an existing planning approval to the east of the application site which was granted approval under reference H/2024/0067. This approval was for engineering works associated with the construction of attenuation pond and drainage infrastructure to serve wider residential development. The attenuation pond will serve a number of separate development sites with the dwellings proposed through the current application feeding into this already approved attenuation pond. During its consideration, it was established that as proposed, and subsequently approved, it was of a size commensurate to cover a large number of dwellings and as such this contributes to the ability to ensure the development proposed in this application is suitably catered for in respect of drainage.

2.141 These were raised with the agents leading to discussions with HBC Engineering Consultancy who have resultantly set out that they consider that sufficient controls are in place to ensure a satisfactory scheme for surface water and drainage is agreed through conditions 8 and 25 of the outline planning permission H/2022/0181, and that based on these they had no further comments to make.

2.142 The sites location within Flood Zone 1 which is the area at lowest risk from flooding meaning the potential flood risk implications are considered to be minimal. This coupled with the drainage details that are required to be provided (through the discharge of the identified outline conditions) it is anticipated that the surface water run off and drainage can be appropriately controlled through drainage scheme including the use of sustainable drainage features it is considered that the proposal complies with the provisions of HLP Policy CC2 as well as paragraphs 172 and 182 of the NPPF.

## OTHER PLANNING MATTERS

### *Archaeology and heritage assets*

2.143 The provisions of Local Plan Policies HE1 (heritage assets) and HE2 (archaeology) are relevant to the consideration of the application. These are alongside Section 16, paragraphs 202 to 221, of the NPPF.

2.144 Policy HE2 details that the Council will seek to protect and enhance archaeological heritage and, where appropriate, encourage improved interpretation and presentation to the public. The aims and objective of these local plan policies are reflective of the contents of Section 16 of the NPPF.

2.145 Within their consultee response, Tees Archaeology have commented that much of the site has previously been evaluated with trial trenching, and aerial imagery indicates that there has previously been disturbance on the land that has not been trenched. Based off the previous evaluation findings and site disturbance, the site is considered to be of low archaeological potential and no further archaeological work is required.

2.146 On the basis of these comments, it can be seen that the proposal will have no unacceptable or detrimental on archaeology.

2.147 There are no statutorily listed buildings within the vicinity of the site. There are also no conservation areas in the vicinity of the site nor are there any locally listed buildings. In the absence of any of these designated and local heritage assets, the proposal will not therefore impact on any above ground heritage assets.

2.148 The proposal would not therefore impact on any heritage assets above or below ground and thus complies with the provisions of HLP Policy HE2 and the NPPF.

### *Safety and Security*

2.149 Within HLP Policy QP5, relating to safety and security, it is established that the Council will seek to ensure that all developments are designed to be safe and secure while developers will be expected to have regard to the a number of different matters where necessary, including adhering to national safety and security standards as set out by central government and being developed in a way that minimises crime and the fear of crime.

2.150 From a safety and security perspective, Cleveland Police were consulted on the application and commented that the development should seek to meet Secured By Design standards alongside other technical requirements.

2.151 The various points made are welcomed however are unable to be covered by way of conditions. They are however able to be brought to the attention of the applicant by way of being attached to the decision notice as an informative. Such an approach would enable the developer to be aware of the comments made by the Police and factor them into account in the implementation of the development.

2.152 Subject to this, it is considered that the proposal would be acceptable from a safety and security perspective.

### *Fire Safety/Access*

2.153 Cleveland Fire Brigade has provided advice for the applicant with respect to fire safety and access.

2.154 The agent has also, along with the amended site layout plan, confirmed that in respect of the points made the applicant has confirmed that all private drives will meet the requirements for a fire brigade vehicle in terms of weight and dimensions.

2.155 On the basis of these points, officers are satisfied that concerns raised by the fire brigade have been addressed in a manner whereby there will be no adverse or detrimental impacts on the development or the ability of the fire service to undertake its functions. Ultimately, such a matter will need to be satisfactorily agreed through the required Building Regulations process.

### *Responses to objections*

2.156 As set out earlier in the report, a number of objections have been made on the development. In response to the grounds of objection the following are relevant.



2.157 With regards to the comments that Taylor Wimpey have not finished their previous approval on the Wynyrd Park Estate to a satisfactory standard for adoption, this is not a reason to refuse planning permission for the development proposed in this application. It is an acceptable principle of planning that each application is considered and determined on its own merits.

2.158 In respect of the lack of built facilities on the wider development site, as with the previous point, this is not a reason for refusal to be issued in this instance. As part of the wider site developments and legal agreements, it is anticipated that other facilities would come forward in due course and to refuse this application on the grounds they have not come forward at present would not be a refusal reason that could be sustained at appeal. The same applies to the public house previously approved at The Meadows roundabout.

2.159 In respect of the provision of a school, while no application has been submitted at present, it is understood that its provision forms part of a section 106 legal agreement which serves to ensure it will come forward.

2.160 The Southern Spine Road application is currently being considered. The consideration and determination of this application (H/2025/0233) and possible determination prior to the southern spine road does not pose an impact in planning terms. Furthermore, the delivery of the relevant sections of the spine road have since been agreed through the discharge of the relevant Phasing Plan condition (discussed further in the report above).

2.161 The provision of a pedestrian crossing point across the A689 near the eastern gateway to the site is not a matter within this current reserved matter application.

## CONCLUSION

2.162 It can be seen that the outline approval issued under reference H/2022/0181 subject to conditions and a section 106 legal agreement has established the acceptability, in principle, of the development proposed through this reserved matters application.

2.163 Through the assessment and consideration of the submission, up-dated plans have been submitted which has addressed concerns relating to the Layout, Appearance, Scale and Landscaping of the development proposed resulting in their acceptability including no adverse impacts upon the character and appearance of the surrounding area, neighbour amenity, landscaping, ecology, highway safety, drainage and flooding and any other identified material considerations for the reasons set out in the report and subject to any identified recommended planning conditions.

2.164 The application is therefore recommended for approval subject to the identified conditions and informatives.

## EQUALITY DUTY

2.165 The Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

## **CRIME AND DISORDER ACT IMPLICATIONS**

2.166 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making. Matters of crime, fear of crime and anti-social behaviour are considered in detail in the relevant section of this report. Overall and for the reasons set out in the report, the proposal is considered, on balance, to be acceptable when having regard to Section 17 of the Crime and Disorder Act 1998.

## **REASON FOR DECISION**

2.167 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

**RECOMMENDATION - APPROVE** subject to the following planning conditions;

1. The development hereby approved shall be implemented in accordance with the following plans;

1347.01 (Location Plan),  
 EMA22/2021/PL3 Rev F (PROPOSED PLANNING ELEVATIONS (BRICK) - BEAFORD)  
 EMA22/2021/PL2 Rev G (PROPOSED FLOOR PLANS - BEAFORD)  
 EMA33/2021/PL2 Rev G (PROPOSED FLOOR PLANS - EYNSFORD)  
 EMA33/2021/PL3 Rev F (PROPOSED PLANNING ELEVATIONS (BRICK) - EYNSFORD)  
 EMA43/2021/PL3 Rev F (PROPOSED PLANNING ELEVATIONS (BRICK)- COLFORD)  
 EMA43/2021/PL2 Rev F (PROPOSED FLOOR PLANS - COLFORD)  
 EMA46/2021/PL3 Rev F (PROPOSED ELEVATIONS (BRICK) - RIGHTFORD)  
 EMA46/2021/PL3 Rev F (PROPOSED ELEVATIONS (RENDER) - RIGHTFORD)  
 EMA46/2021/PL2 Rev F (PROPOSED FLOOR PLANS - RIGHTFORD)  
 EMA49/2021/PL3 Rev F (PROPOSED PLANNING ELEVATIONS (BRICK) - RAYNFORD)  
 EMA49/2021/PL2 Rev F (PROPOSED FLOOR PLANS - RAYNFORD)  
 EMA51/2021/PL3 Rev F (PROPOSED PLANNING ELEVATIONS (BRICK) - THIRLFORD)  
 EMA51/2021/PL2 Rev D (PROPOSED FLOOR PLANS - THIRLFORD)

EMB31/2021/PL3 Rev J (PROPOSED PLANNING ELEVATIONS (BRICK) - HARRTON)  
 EMB31/2021/PL2 Rev J (PROPOSED FLOOR PLANS - HARRTON)  
 EMG31/2021/PL3 Rev F (PROPOSED PLANNING ELEVATIONS (BRICK) - BYRNEHAM)  
 EMG31/2021/PL2 Rev F (PROPOSED FLOOR PLANS - BYRNEHAM)  
 EMG43/2021/PL3 Rev G (PROPOSED PLANNING ELEVATIONS (BRICK) - HUBHAM)  
 EMG43/2021/PL3 Rev G (PROPOSED PLANNING ELEVATIONS (RENDER) - HUBHAM)  
 EMG43/2021/PL2 Rev G (PROPOSED FLOOR PLANS (RENDER) - HUBHAM)  
 EMG44/2021/PL3 Rev F (PROPOSED PLANNING ELEVATIONS (BRICK) - KITHAM)  
 EMG44/2021/PL2 Rev G (PROPOSED FLOOR PLANS - KITHAM)  
 EMG45/2021/PL3 Rev F (PROPOSED PLANNING ELVEVATIONS (BRICK)- ELTERHAM)  
 EMG45/2021/PL3 Rev F (PROPOSED PLANNING ELVEVATIONS (RENDER)- ELTERHAM)  
 EMG45/2021/PL2 Rev F (PROPOSED FLOOR PLAN - ELTERHAM)  
 EMT31/2021/PL3 Rev F (PROPOSED PLANNING ELEVATIONS (BRICK) - AYNESDALE)  
 EMT31/2021/PL3 Rev F (PROPOSED PLANNING ELEVATIONS (RENDER) - AYNESDALE)  
 EMT31/2021/PL2 Rev G (PROPOSED FLOOR PLANS - AYNESDALE)  
 EMT41/2021/PL3 Rev F (PROPOSED PLANNING ELEVATIONS (RENDER) - PLUMDALE)  
 EMT41/2021/PL2 Rev F (PROPOSED FLOOR PLANS - PLUMDALE)  
 EMT41/2021/PL3 Rev F (PROPOSED PLANNING ELEVATIONS - PLUMDALE)

All received by the Local Planning Authority 16<sup>th</sup> July 2025;

EMG51/2021/PL3 Rev F (PATTERHAM ELEVATIONS) and  
 EMG51/2021/PL2 Rev G (PATTERHAM FLOOR PLANS)

All received by the Local Planning Authority 19<sup>th</sup> August 2025;

1347.07 Revision A (Materials Layout), received by the Local Planning Authority 17<sup>th</sup> October 2025;

1347.05 Revision J (Proposed Site Layout),  
 BUNGV2/2021/PL2 (Bungalow V1-PL2 Planning Elevations)  
 BUNGV2/2021/PL1 (Bungalow V1-PL2 Floor Plans)  
 BUNGV1/2021/PL2 (Bungalow V2-PL2 Planning Elevations)  
 BUNGV1/2021/PL1 (Bungalow V2-PL2 Floor Plans)  
 All received by the Local Planning Authority 24<sup>th</sup> October 2025.

To ensure the development is implemented in accordance with the drawings submitted, assessed and found to be acceptable and for the avoidance of doubt.

2. Notwithstanding the submitted details and the requirements of condition 12 of the outline planning permission (H/2022/0181) and prior to commencement of the development hereby approved, a scheme for the provision, long term maintenance and management of all landscaping and tree and shrub planting within the site shall be first submitted to and agreed in writing with the Local Planning Authority. The scheme shall specify sizes, types and species, indicate the proposed layout and surfacing of all areas, include a programme of the works to be undertaken, details of the existing and proposed levels of the site including any proposed mounding and or earth retention measures. All soft landscaping including planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following completion or first occupation of individual dwellings (whichever is sooner). All planting, seeding or turfing comprised in the approved details of landscaping for all other areas (out with the residential curtilages) including areas of open space within the site shall be carried out in the first planting season following the occupation of the dwellings or completion of the development, whichever is the sooner. Thereafter the development hereby approved shall be carried out and maintained in accordance with the agreed scheme, for the lifetime of the development hereby approved. 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, biodiversity enhancement and to ensure a satisfactory form of development.
3. Prior to any equipment, machinery or materials being brought onto the site for the purposes of the development hereby approved (including for any demolition), the submitted scheme for the protection and retention of the trees and hedges, as identified in Arboricultural Method Statement report ref ARB/CP/3442 dated October 2025 by Elliott Consultancy Ltd received by the Local Planning Authority 31/10/2025, shall be implemented on site and an on-site meeting shall be undertaken with the Local Planning Authority to confirm that all protection measures have been installed in accordance with the approved Tree Protection Plan contained in the aforementioned report and prior to commencement of works on site. Thereafter such protection measures shall be retained until the completion of the development) Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Should any trees be found to be dead, dying, severely damaged or diseased as a result of site works, it shall be replaced with a tree of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.  
In the interests of the health and appearance of the existing trees and hedges to be retained and the visual amenity of the area and surrounding area.
4. Notwithstanding the requirements of condition 10 of the associated outline planning permission (H/2022/0181), and prior to the commencement of

development, full details of any temporary construction access/egress and temporary construction compound(s), shall be first submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all temporary buildings (including elevations), areas of temporary hardstanding, any temporary enclosures to be erected, and a timetable for the installation and thereafter removal of the temporary construction access/egress, hardstanding and compound (including any installed/erected structures). Such works (including removal) shall be in accordance with the approved timetable and not later than 1 month after the completing of the development.

In the interests of visual amenity and neighbour amenity.

5. Notwithstanding the submitted details, no development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) and timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
  - a. Risk assessment of potentially damaging construction activities;
  - b. Identification of "biodiversity protection zones";
  - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
  - d. The location and timing of sensitive works to avoid harm to biodiversity features;
  - e. The times during construction when specialist ecologists need to be present on site to oversee works;
  - f. Responsible persons and lines of communication;
  - g. The role and responsibilities on site of an ecological clerk of works (ECOW) or similarly competent person; and
  - h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented in accordance with the agreed details and timetable and throughout the construction period strictly in accordance with the approved details.

To ensure suitable provision of ecological mitigation measures.

6. Notwithstanding the requirements of condition 17 (street lighting) of the outline planning permission (H/2022/0181), and prior to the installation of any external lighting, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure lighting is positioned so as to avoid unnecessary spill onto adjacent woodland or any habitat enhancement features to be incorporated into the development; detail all angles of lighting so as to avoid direct lighting and light spill onto areas of habitat that are of importance as commuting pathways and / or foraging areas; provide details on the lighting including luminescence and where possible avoiding the use of white and blue light; and where possible reducing the height of lighting columns to avoid unnecessary light spill. Maintenance details shall also be provided. The development shall then be implemented in accordance with the approved details prior to the completion of the development.
- To minimise the impacts of lighting on protected species in accordance Local Plan policy NE1.

7. Notwithstanding the submitted details (or any requirements of condition 6 of the outline permission H/2022/0181) and prior to the laying of any hard surfaces, final details of proposed hard landscaping and surface finishes shall be submitted to and agreed in writing by the Local Planning Authority. This shall include all external finishing materials, finished levels, and all construction details, confirming materials, colours and finishes. Thereafter and following the written approval of the Local Planning Authority, the agreed scheme shall be implemented prior to the occupation of the dwellings and/or the site being open to the public or completion of the development hereby approved (whichever is sooner) unless an alternative, similar scheme (and timetable) is submitted to and approved in writing with the Local Planning Authority.

In the interests of visual amenity and to accord with the provisions of the NPPF in terms of satisfying matters of flood risk and surface water management.

8. Prior to the first occupation or completion (whichever is sooner) of the dwellings hereby approved, full layout and elevational drawings of the 'Development Entrance / Name Feature Wall' shall be submitted along with materials details and a timetable for implementation to the Local Planning Authority for approval. The 'Development Entrance / Name Feature Wall' shall then be implemented in accordance with the approved details and timetable.

In the interests of the visual amenity of the development and wider area.

9. Prior to any works above Damp Proof Course (DPC), full drawings and details of all play equipment to be installed in the development (as identified on plan 1347.05 Revision J (Proposed Site Layout)) alongside a scheme for their subsequent long term management and maintenance, and timetable for implementation shall be first submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the agreed details and timetable and thereafter maintained in accordance with agreed scheme for the lifetime of the development hereby approved unless otherwise agreed in writing with the Local Planning Authority. To ensure details of the play equipment, timetable for implementation, and the long term management and maintenance are considered by the Local Planning Authority to ensure they are acceptable.

10. Notwithstanding the requirements of condition 6 of the outline planning permission (H/2022/0181), the external finishing materials of the dwellings and shall be completed in accordance with drawing numbered 1347.07 Rev A (Materials Layout, received by the Local Planning Authority on 17<sup>th</sup> October 2025) unless an alternative, similar scheme is submitted to and approved in writing with the Local Planning Authority. For the avoidance of doubt and to ensure the development is constructed of the materials considered as part of the submission and found to be acceptable in accordance with Local Plan Policy QP4.

11. All tree works as detailed in the 'Arboricultural Method Statement' report ref ARB/CP/3442, dated October 2025, received by the Local Planning Authority on 16<sup>th</sup> October 2025 shall be undertaken and comply with BS 3998:2010 'Tree work - Recommendations', paying particular regard to section 7 'Pruning and related work'.  
In the interests of the health and appearance of the existing site trees.
12. Notwithstanding the requirements of condition 27 (noise insulation measures) of the outline permission (H/2022/0181), the development hereby approved shall ensure that the identified noise mitigation measures (to be applied to the identified plots of the development) as set out in Noise Assessment report dated October 2025 by NJD Environmental Associates (received by the Local Planning Authority on 16<sup>th</sup> October 2025) are implemented to the identified plots and prior to the occupation or completion (whichever is sooner) of the identified plots.  
To ensure an acceptable residential living conditions for future occupiers
13. Notwithstanding the provisions of Classes AA and B of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the dwellinghouses hereby approved shall not be extended in any manner without the written approval of the Local Planning Authority.  
To enable the Local Planning Authority to exercise control in the interests of the visual amenities of the area and the amenities of future occupiers.
14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 principal wall/elevation of that dwellinghouse or that which fronts onto a road or footpath, without the prior written consent of the Local Planning Authority with the exception of those enclosures approved as part the partial discharge of condition 18 of the outline planning permission (H/2022/0181).  
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential properties and the appearance of the wider area.

## BACKGROUND PAPERS

2.168 Background papers can be viewed by the 'attachments' on the following public access page:  
<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=165874>

2.169 Copies of the applications are available on-line:  
<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet>

## CONTACT OFFICER

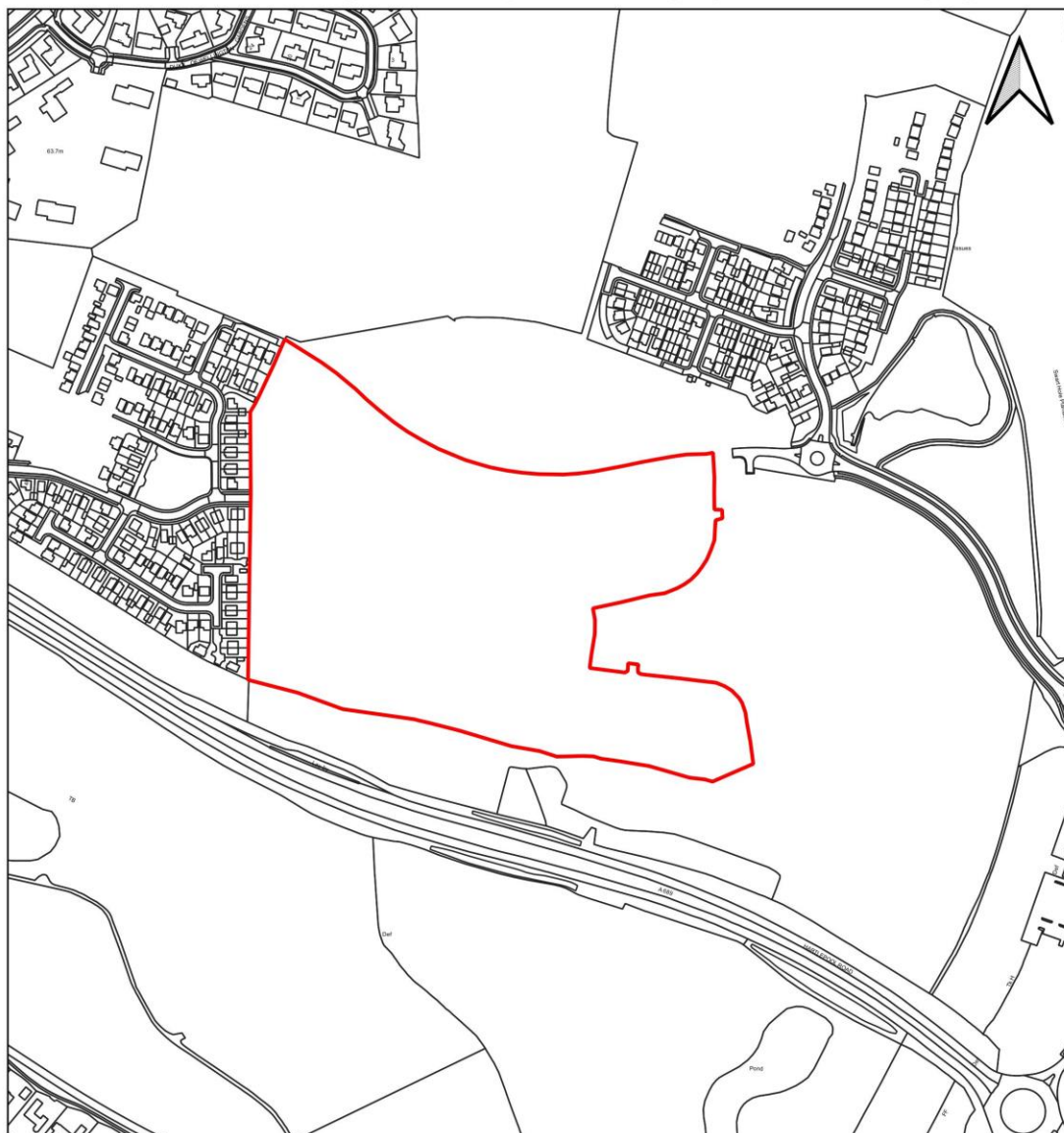
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# Land East Of Countryside Properties, Wynyard Park, Wynyard



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THIS PLAN IS FOR IDENTIFICATION PURPOSES ONLY

<b>HARTLEPOOL BOROUGH COUNCIL</b>	<b>DRAWN</b> LH	<b>DATE</b> 19/11/2025
	<b>Scale</b> 1:5000	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	<b>DWG.NO</b> H/2025/0233	<b>REV</b>

**No:** 3.  
**Number:** H/2024/0388  
**Applicant:** LOVELL HOMES 1 MANDARIN ROAD RAINTON  
BRIDGE BUSINESS PARK HOUGHTON LE SPRING  
DH4 5RA  
**Agent:** ORIGIN PLANNING SERVICES UNIT 408, HUB 2  
HARTLEPOOL INNOVATION CENTRE QUEENS  
MEADOW BUSINESS PARK HARTLEPOOL TS25  
5TG  
**Date valid:** 15/01/2025  
**Development:** Erection of 43no. dwellings and associated  
landscaping and infrastructure  
**Location:** LAND AT NORTH FARM THE GREEN ELWICK  
HARTLEPOOL

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## PURPOSE OF REPORT

3.1 An application has been submitted for the development highlighted within this report accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

## BACKGROUND

3.2 The following planning applications are considered relevant to the application site (although it is understood that neither permission was implemented and both have since lapsed):

H/2008/0026 - Change of use alterations, extensions and new build to create 14 dwellings and creation of new vehicular access. Approved March 2010.

H/2014/0579 - Extension of time of planning application H/2008/0026 for change of use, alterations, extensions and new build to create 14 dwellings and creation of new vehicular access. Approved April 2016.

## PROPOSAL

3.3 This planning application seeks permission for the demolition of some of the farm buildings and the proposed residential development of 43 dwellings and associated infrastructure. The proposed dwellings comprise a mix of 1, 2, 3 and 4 bedroom terraced, semi-detached and detached properties and bungalows. The proposed dwellings include in-curtilage car parking and private rear gardens to serve each property.

3.4 Vehicular access to the development is to be taken from a new access road off Elwick Road. The proposals also make provision for internal footpath routes and involve the temporary diversion of a Public Footpath for use during the construction period. This would run along Elwick Road to the east and then turn north through the

rear gardens of proposed plots 43, 42 and 41, before taking a defined route north through the proposed open space area and exiting the site through a timber gate in the north east corner of the site. Following the construction of the internal roads and footpaths, the temporary route through the rear gardens would be removed.

3.5 The proposal includes a sustainable drainage system (SuDS) feature in the south west corner of the application site. The proposed SuDS feature would include a reed filtration bed, with a native species-rich grass mix being planted around the feature.

3.6 The proposal includes the retention and enhancement of existing landscaping to the proposed open space areas. The proposed development also includes the planting of tree lined streets, formal hedgerows and ornamental planting throughout the site.

3.7 Following the access road from the south (Elwick Road), the layout would include properties on both sides, and the internal road layout would create small parcels of properties split by access roads. The access road running east to west would provide access to properties in the south west of the site, as well as to the northern boundary and those in the north east corner. The layout of the proposed dwellings would feature a row along the northern boundary of the application site, with an internal road extending from the north, from which proposed dwellings would be laid out in a north-south section in the centre of the site, with footpaths along the eastern and western boundaries, and further properties laid out facing these boundaries.

3.8 The design of the layout is such that detached, 'heritage style', properties are featured close to the access road and junction with Elwick Road (namely plots 1 and 43), whilst some terraces and semi-detached properties as well as detached properties are located further into the site, in the northern and north western extents of the site.

3.9 The materials of the proposed properties include properties with a mix of red and buff coloured brick and grey and terracotts roof tiles, with some properties within the development featuring a part render finish to the first floor front elevation. Properties include fenestration, garage doors, canopies and arch features in a grey, cream or white colour, and fascia boards and drainage pipes in black.

3.10 The proposal retains existing boundary treatments to include a stone wall with a height of approximately 1.5m to the rear of Carlton, Elwick Road, adjacent to the east, and post and rail fencing along the western boundary. The proposed boundary treatments comprise a reclaimed stone wall with a height of approximately 2m adjacent to Elwick Road and the retained farm buildings to the south of the site, a post and rail timber fence with a height of approximately 0.9m along the eastern boundary, north east corner, and part of the western boundary, close boarded timber fence or close boarded fence with brick pillars with a height of approximately 1.8m-2.2m within rear and side gardens of individual plots, and a knee rail timber fence with a height of approximately 0.6m around an ancient tree in the north west corner, and to front gardens that face the open space area.

3.11 The application has been amended during the course of consideration on more than one occasion. The application site initially related to 46no. dwellings and included the demolition of farm buildings within the south west corner of the application site, however following concerns expressed during the consultation process including those by the Council's Head of Service for Heritage and Open Spaces, these buildings are to be retained and have been removed from the application site boundary. Other amendments have been made with regards to the layout of the individual plots within the site, and the provision of public open space areas, the proposed SuDS feature, the proposed design of the properties facing Elwick Road, and the retention of an access road from Elwick Road to serve the farm buildings, at the request of consultees. The applicant confirmed that any future redevelopment of the existing farm buildings would be handled sensitively and provided a supporting statement to explain this further (albeit in respect to the buildings in question and ultimately the matter of how the buildings will be used and retained falls outside of the red line boundary of the application site, save for the retained access).

3.12 The application is supported by a number of supporting documents to include a Heritage Statement, Flood Risk Assessment and Drainage Strategy, Biodiversity Net Gain Assessment, Archaeological Assessment and Geophysical Assessment, Noise Assessment, Ecological Impact Assessment and Arboricultural Impact Assessment.

3.13 The application has been referred to Planning Committee as more than three objections have been received, in line with the Council's scheme of delegation.

## **SITE CONTEXT**

3.14 The application site is a parcel of open fields measuring approximately 1.69 hectares located in the village of Elwick, in Hartlepool. The application site is within the development limits, and is part of a larger site allocated for housing development under Policy HSG7 of the Hartlepool Local Plan (2018).

3.15 The main element of the application site is situated within (and immediately adjoins) the boundary of the Elwick Conservation Area; an element of the site where the proposed access is to be taken and the immediate adjacent proposed plots towards the site frontage as well as the rear/northern section of the application site fall outside of the conservation area boundary but as above, the area would adjoin the conservation area boundary. The application site includes locally listed buildings 'North Farm including farmhouse and outbuildings', some of which will be demolished/removed as part of the proposals.

3.16 The application site is accessed from the northern side of Elwick Road. To the south west corner is a farmhouse and farm buildings, whilst residential properties are situated adjacent to the site on its eastern and western sides, with open fields bounding the site to the north, as well as to the north east and north west. An ancient 'veteran' tree is located immediately adjacent to the application site in the north east corner. The application site is situated on a slope, such that the site itself slopes from the south to the north, and the site is raised relative to the main village to the west.

3.17 Existing boundary treatments include post and rail fences with a height of approximately 0.9m to 1.5m in places along the eastern, western and northern boundaries, a close boarded timber fence with a height ranging between approx. 1.2 and 1.5m and a stone wall with a height of approx. 1.5m between the application site and the neighbouring property of Carlton to the east, and a high hedge along the southern boundary.

3.18 The existing public footpath travels through the agricultural field, from a stile access located on the southern boundary hedge, off Elwick Road.

3.19 The village of Elwick is characterised by residential two storey dwellings and bungalows, some of which are brick and some are finished in render, as well as agricultural buildings and limited commercial properties.

## **PUBLICITY**

3.20 The application was advertised by way of 152 neighbour letters, site notice and press advert. Further consultation was undertaken on two occasions on receipt of amended plans.

3.21 To date, 41 neighbour objections have been received from members of the public, with multiple objections submitted from the same individuals in some cases. The objections can be summarised as follows:

- More houses are not required in the village,
- Impact on community wellbeing,
- Loss of green space and agricultural land,
- Standard new build design of dwellings does not fit in with the character and heritage of the historic parish/village,
- Overdevelopment – proposal does not reflect original approval, and proposed housing should convert farm buildings, and proposal is utilising a proportion of the allocated housing site,
- Lack of regard to the Rural Plan and Village Design Statement,
- Environmental pollution,
- Noise,
- Harm to biodiversity,
- Loss of trees,
- Increased traffic and parking – existing traffic diverts through Elwick to the A19,
- Dangerous access/egress point onto Elwick Road,
- Poor road infrastructure – no further developments should be granted until the bypass is built,
- Poor footpath links between the site and Elwick village,
- No school crossing patrol,
- Poor drainage and unsuitable SuDS,
- Impact on utilities infrastructure including sewage, water, gas and electricity,
- Limited public bus service,
- Disruption from construction activities,
- Boundary disputes,

- Objective of getting more council tax and contributions and financial conflict of interest,
- Insufficient consultation with residents,
- Existing properties in Elwick not selling.

3.22 Background papers can be viewed via the 'click to view attachments' link on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=163868>

3.23 The period for publicity has expired.

## CONSULTATIONS

The following consultation replies have been received:

**HBC Head of Service for Heritage and Open Spaces:** The application site is partly located in Elwick Conservation Area, which is recognised as a designated heritage asset. To the front of the site is a farm house and associated buildings, these structures are locally listed and therefore considered to be heritage assets. Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets.

When considering any application for planning permission that affects a conservation area, the 1990 Act requires a local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The National Planning Policy Framework (NPPF) goes further in seeking positive enhancement in conservation areas to better reveal the significance of an area (para. 219, NPPF). It also looks for local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness (paras. 203 & 210, NPPF).

Further to this at a local level, Local Plan Policy HE3 states that the Borough Council will, 'seek to ensure that the distinctive character of conservation areas within the Borough will be conserved or enhanced through a constructive conservation approach. Proposals for development within conservation areas will need to demonstrate that they will conserve or positively enhance the character of the conservation areas.'

With regard to locally listed buildings (heritage assets) the, NPPF looks for local planning authorities to take a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset (para. 216, NPPF).

Policy HE5 of the Local Plan states that the Borough Council will support the retention of heritage assets on the List of Locally Important Buildings particularly when viable appropriate uses are proposed.

The buildings to be found in Elwick Conservation Area reflect the settlement's early agricultural origins. Many properties appear to date from the 18th century, although this may disguise their earlier origin. In addition there are examples of early and late

19th century terraced dwellings and some individual houses. The scale and character is predominantly residential.

The earliest buildings are single and two storey most constructed in rubble or stone, often white washed or rendered subsequently. Roofs are steeply pitched finished with clay pantiles. Windows can be either horizontal sliding sashes (Yorkshire lights) or vertical sash windows. Later 19th Century terraced dwellings are constructed in brick (with contrasting brick detail) with roofs of welsh slate.

For clarity, there is an Article 4 Direction in the conservation area, withdrawing permitted development rights to residential buildings. The extent of the direction does not indicate that properties outside of this are of, 'lower architectural quality' or do not contribute to the significance of the conservation area. Nor should it be considered that they are not included with the locally listing.

Previous approvals on the site dating back to 2008 (H/2008/0026) agreed the principle of a modest development (14 houses). This included the retention of the main farmhouse, and range of buildings alongside this and a stone built barn, identified as Agricultural Building A, in the supporting information for this application, albeit, with some extensions and alterations. The character of the new build reflected that of the existing with barn style structures proposed reflecting the origins of the site.

The current proposal is the erection of 46no. dwellings and associated landscaping and infrastructure. This includes the loss of all of the farm structures on the site apart from the farmhouse.

The loss of these buildings from the site is disappointing. A structural survey is provided which covers the range of buildings to the front of the site, attached to the farm house. This states that the structure is in, 'poor to fair condition' and the structure was, 'generally suffering from a lack of maintenance'.

Structural surveys are not provided for the other remaining brick and stone buildings on the site, however a 'Historic Building Record' has been produced, in order to provide, 'a permanent record of the farm's extant historic buildings to mitigate the potential impact of the site's proposed redevelopment.' a permanent record of the farm's extant historic buildings to mitigate the potential impact of the site's proposed redevelopment.'

Policy HE3 of the Local Plan states that, 'Proposals for demolition within Conservation Areas will be carefully assessed' with demolition only permitted if it can be demonstrated that it would help conserve and/or enhance the character, appearance and significance of the area, and it's condition is beyond reasonable repair or removal is necessary to deliver a public benefit.'

The above structures are all within the conservation area and considered to be part of the locally listed designation. Whilst in the previous application the loss of a small number of the buildings was agreed, this was in the context of a much smaller development which strongly reflected the character of the site. In this instance the proposals are very different and no reasoned justification appears to have been

provided for the loss of those existing buildings. It should be stated that there is no objection to the loss of the modern large barn structure to the rear of the site.

With regard to the development itself, the proposal does not reflect the character of the existing site, nor the wider conservation area. In particular the loss of the range of structures to the front of the site results in the introduction of detached houses to the streetscene which is not reflective of the wider area. Further to this the materials proposed, e.g. predominantly brick, and the detailing suggested, such as estate fencing, canopies over entrance doors and garages, do not echo the design of buildings within the village.

It is accepted that there is scope for development on the site however, it is considered that the current proposal would cause less than substantial harm to both the heritage asset and the designated heritage asset.

Update 24/09/2025 following amended layout to retain farm buildings:

These comments should be read alongside those previously submitted. It is welcomed that the proposal will now retain the farm building and range of barns to the front of the site. It is hoped that the owner will develop a positive plan to ensure that these are retained, restored and developed in the short term, and are not forgotten should the site to the rear progress.

With regard to the wider scheme it is considered that the comments previously made remain relevant. The scheme as it is proposed does not reflect the arrangements of the host site or the wider conservation area. It is considered that this was an opportunity to provide houses around the existing 'farm yard' arrangements with a small development of complementary more modern properties to the rear, offering additional housing for the village, but of a design and style which reflects not only the existing site but more widely the character of the village.

The amendments do not address those issues previously raised and therefore it is still considered that the proposed development will cause less than substantial harm to both the heritage asset and the designated heritage asset.

Update 20/10/2025 following amended design of front facing properties:

Thanks for sending this information through. The amendments to the layout and property are noted.

Whilst it is welcomed that an improved access to the site has been provided, which retains the existing buildings and therefore immediate views for those passing the site, it is disappointing that further couldn't be done within the main site itself. This does appear to be a missed opportunity to create housing which reflects the original use of the site itself as a farm, this could have been a range of buildings which reflected the barns that were located to the rear of the main property. As it is most of the site has the look of a generic style, than one tailored specifically to the design and detailing of buildings found on the farm or in Elwick village.

It is accepted that, with the barns retained at the front and the new build set back, this is an appropriate solution for this site.



**Tees Archaeology:** It is disappointing that the proposed houses along North Lane do not take more inspiration from the stone buildings that are currently extant on site and prominent when entering Elwick from the east. The site has been subject a variety of archaeological works thus far, including a desk based assessment, historic building recording, geophysical survey, trial trenching, and an earthwork survey. The evaluation of the site has indicated that there is low archaeological potential across the wider site. However, the trial trenching report recommends that archaeological monitoring is undertaken “in the area of the farmstead and farmyard during the construction groundworks associated with the proposed housing development, including during the removal of building footings/floors and yard surfaces. This would help to mitigate potential damage to any significant surviving features/deposits associated with medieval/early modern farmstead which most likely preceded the extant 18th/20th-century farm complex, and which may have occupied the very same site.” We agree with this recommendation, which can be secured by a planning condition.

We set out the proposed wording of the condition below:

Recording of a heritage asset through a programme of archaeological works

A) No demolition/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. 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.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

This condition is derived from a model recommended to the Planning Inspectorate by the Association of Local Government Archaeology Officers.

Update 03/10/2025 following amended layout and retained farm buildings:

Thank you for the additional consultation on this application. We are pleased to see that the proposal will now retain the farm building and range of barns to the front of the site. We echo the comments made by Heritage and Open Spaces and hope “that the owner will develop a positive plan to ensure that these are retained, restored and developed in the short term, and are not forgotten should the site to the rear progress”. Our previous comments of Feb 2024, requesting archaeological monitoring secured by condition upon the development, remain unchanged.

**Historic England:** Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

**HBC Traffic and Transport:** The proposed layout and access are generally acceptable. The visitor bay next to plot 7, is difficult to access. It would be ok to remove this bay. The adopted highway should be constructed from standard bit mac surfacing. If it is proposed to use block paving in any areas a commuted sum should be provided to cover any additional maintenance costs.

Update 08/05/2025 following amended layout to amend visitor parking:

The amended plans are acceptable.

Update 16/10/2025 following amended layout to retain the farm buildings:

The amended layout is acceptable.

Update 17/10/2025 following amended layout to retain the access to the existing farm buildings:

The retained access is ok, it is a private access with low traffic flow. Normal junction spacing requirements would not apply.

Update 26/11/2025 following discussions regarding National Highways comments and the CMP:

I can confirm that I am happy for the development to proceed prior to the construction of the Elwick Bypass.

The applicant has submitted a transport statement which details the vehicle trips associated with the site. I can confirm that I do not consider that the development would have a severe impact on the Trunk Road and Local Road network and therefore would believe it would be difficult to enforce a condition requiring no occupancy until the bypass is complete.

The requirement for the development to contribute to the bypass would still be required, this is for the cumulative impact and it is a council policy for all developments of 10 properties or more which will benefit from the bypass to contribute on a pro rata basis.

The only issue I have with the CMP is the routing of vehicles, it is proposed to use Church Bank. Some larger construction vehicles will struggle to use this access as it's only 3 metres wide in places. Vehicles should be routed along Hart Lane / Elwick Road.

I would secure a CMP pre-commencement condition.

**National Highways:** Referring to the consultation on a planning application dated 30 January 2025 referenced above, in the vicinity of the A19 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);

Recommended Condition(s)

1, The development hereby approved shall not be occupied unless and until the works to the A19 Elwick Junction, as shown in principle on drawing reference PR568/OD/GA (B), are implemented to the satisfaction of the Local Highway Authority (in consultation with the Highways Authority for the A19) and are open to traffic.

Reason To ensure that the A19 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, and in the interests of highway safety.

Technical summary

- JSJV has reviewed the TS, TP and CMP within this TM and despite the deficiencies found with the trip generation and distribution of the TS, it is not considered that the development proposals will have a significant impact at the SRN; more so given that the proposed junction on the A19 to access the village of Elwick which will accommodate the trips generated by the development quantum of the sites in the Local Plan in this locale, of which this site is one; however
- It is recommended that National Highways places a condition on the development proposals – should they gain consent – to ensure that the proposed junction on the A19 (H/2023/0057) is substantially complete and open to traffic before the development proposals come into use.

Update 21/05/2025 following submission of a Technical Note to address queries:

Technical Summary

- JSJV previously noted that 21% of the distribution data is missing in Table 12 of the TS, and the TN has not addressed or clarified this issue. As a result, JSJV still considers the trip distribution problem unresolved. (refer paragraph 4.5 and 4.6).
- It is considered by JSJV that the collision data for periods that were influenced by Covid-19 restrictions should be identified separately. (refer paragraph 4.8).
- It is considered by JSJV that the site is not considered to be in a sustainable location, so any modal shift generated by the TP is considered to be negligible at best. (refer paragraph 4.10).

- It is considered by JSJV that additional information such as construction trip generation and trip distribution will need to be provided within the updated CMP. (refer paragraph 4.12).

JSJV has reviewed the information provided by Origin Planning, with a JSJV TM attached.

The Heads of Terms agreement which was supplied by Origin Planning clearly demonstrates a commitment from the applicant to provide a contribution towards the proposed A19 Elwick junction. As such, this information is welcomed, and this matter is considered closed.

Further, whilst the information provided within the Technical Note received on 14 May is welcomed, a number of deficiencies have been identified. Notwithstanding, it is considered that the pragmatic approach to move things forward would be to secure the Construction Management Plan as a pre-commencement planning condition, and not pursue the planning condition which restricts the development coming forward until the A19 Elwick junction is operational. This should enable a greater understanding of movements relating to construction traffic and how this will affect the SRN, and any related matters can be agreed before the development commences.

Please find our formal response also attached removing our objection with a pre-commencement condition requiring a Construction Management Plan. This should provide National Highways with surety regarding the construction impacts of the development proposals.

*No part of the development hereby permitted shall commence until a Construction Management Plan has been submitted and agreed in writing by the Local Planning Authority in consultation with National Highways. Construction of the development shall then be carried out in accordance with the agreed Construction Management Plan.*

*Reason: To mitigate any adverse impact from the development on the A19 trunk road in accordance with DfT Circular 01/2022.*

I also attach for information of relevance to the application the Section 106 Heads of Terms and Transport Note from Systra supporting the application added to address issues raised by National Highways

*Update 29/07/2025 to amend previous response requiring a CMP prior to determination:*

Further to our request for a revised Construction Management Plan (CMP) of 22 May 2025 to support this application as a planning condition, National Highways have yet to receive further information in this regard.

Our Pre-existing response recommending that planning permission is not granted expires on 1st August 2025.

Our most recent communication (22 May 2025, below) states that we can remove our objection to the application if a condition that a revised CMP is put in place.

If the CMP is provided ahead of determination of this application we can remove our objection. If at time of determination the CMP is not in place it can subsequently be addressed via a discharge of conditions application.

National Highways have targets to meet responses within timescales. As some time has passed it appears that the CMP may not be forthcoming shortly, can I revise our response to allow the development to go ahead with a condition that a CMP is put in place.

If the applicant wishes and the CMP is received ahead of determination, National Highways are happy to revise this response accordingly.

Our response recommending no objection with conditions is attached.  
I trust this is clear, but please get in touch if further information is required.

Referring to the consultation on a planning application dated 11 April 2025 referenced above, in the vicinity of the A19 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons)

1. No part of the development hereby permitted shall commence until a Construction Management Plan has been submitted and agreed in writing by the Local Planning Authority in consultation with National Highways. Construction of the development shall then be carried out in accordance with the agreed Construction Management Plan which should adequately address impacts on the A19 Trunk Road.  
Reason To ensure that the A19 trunk road continues to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, and in the interests of highway safety.

*Update 07/10/2025 following submission of an updated CTMP:*

We have had a review undertaken of the updated Construction Traffic Management Plan (CTMP) (produced by Lovell, dated August 2025).

We asked for additional information including construction trip generation and trip distribution be included in the CTMP. And that this information be based on Lovell's experience of working on similar sites and using a first principles approach.

The CTMP states that 'during the construction phase, vehicle movements will be generated primarily by workforce travel and deliveries of materials, plant, and equipment'. Further to this, the CTMP emphasises that the daily construction trip generation is significantly lower than that associated with the operational development, with the majority of workforce trips anticipated to originate locally from Hartlepool and surrounding areas. We note and accept this information.

The forecast daily construction trips are stated as follows:

- Site set-up will generate approximately five staff car trips and two delivery trips per day;
- Earthworks around five staff trips and 10 deliveries per day;
- Road and sewer installation around five staff trips and two deliveries per day;
- Main plot construction phase around 20 staff trips and 10 deliveries per day; and
- Remedial works and site closure are expected to reduce to five staff trips and two deliveries per day.

Additional information regarding the breakdown of construction trips takes the ‘first principles’ approach and is correctly distributed such that staff trips will occur mainly at shift start and end times (07:30 – 08:00 and 16:00 – 16:30) and delivery trips across the working day (08:00 – 16:00), with all traffic will routed via Church Bank and the A19. This is consistent with information already presented regarding construction trips / movements.

It is also stated that construction traffic will be managed through designated routing agreements, with delivery scheduling controlled to avoid morning and evening peak network periods, thereby preventing conflict with commuter flows on the A19 – which we welcome.

Overall, the additional information presented in the CTMP is considered that sufficient to discharge the planning condition pertaining to the CTMP.

**HBC Arboricultural Officer:** The arboricultural documentation submitted by Elliotts Consultancy, dated November 2024, provides comprehensive information necessary to support the application regarding the impacts on trees within the site. Construction of the proposed layout will necessitate the removal of three individual trees, one group of trees, three hedgerows and sections of one other hedge. The amount to be removed is deemed to be acceptable given that planting is proposed as mitigation.

T1, 1 no. Ash tree, although not labelled as a veteran tree has features that would qualify it to be such. Following a site visit on the morning of 18th February 2025 it was confirmed by HBC arboricultural officer that the tree is at least a veteran tree, possibly Ancient. This has since been uploaded to the Ancient Tree inventory administered by the woodland trust. Veteran trees are irreplaceable habitat, Section 193, states “development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.” To that end it is proposed that the tree have the minimal amount of work required in order to make it safe in its current setting and the proposed footpath is moved outside the limits of the canopy if it is within. To further safeguard this important habitat a low-level fence should be included around the trees canopy line to divert people away from the danger it may pose. The inclusion of this as a landscape feature and valuable habitat is a welcome addition to the scheme providing that it is done appropriately and sensitively.

Looking at the proposed Planting Strategy it is not ideally suited to be climate resilient. Trees that may have been suitable for the last 50 years are slowly becoming less suitable for the ever-changing climate conditions of the UK and the serious threat from incoming pests and diseases. The focus should no longer be using native species as a default position and instead introducing non-natives into planting schemes where they are expected to be a vital part of the street scene for many years. Two reference guides for suitable species in relation to plantings are “Trees and Design Action Group - Trees Species Selection for Green infrastructure, A guide for Specifiers” and “The Essential Tree Selection Guide” from RBG Kew. The applicant should work with an arboriculturist to identify and optimise the species selections to ensure a strong biosecurity and to build a resilient treescape. If the applicant wishes to reach out to Hartlepool Borough Councils Arboricultural Officer after making some changes taking the above into account this may be beneficial to ensure its suitability. Ideally to ensure a strong biosecurity and to build a resilient treescape the species mix should consist of:

- No more than 5% of a particular cultivar;
- No more than 10% of a particular species;
- No more than 20% of a particular genus; and
- No more than 30% of a particular family

Notwithstanding the proposed planting strategy, I would recommend a scheme for the planting be conditioned for its submission prior to the development taking place with a view to address the points aforementioned.

Update 25/04/2025 following amended plans to address consultee comments:

Original comments in relation to Arboriculture still remain.

Update 02/10/2025 following amended layout:

1. Consultee Comments (any associated tree/landscaping background to site or proposals) including whether outstanding information can be covered by planning conditions

A total of 3 individual trees, 1 tree group, and 3 hedgerows and 1 part hedgerow will require removal to facilitate the proposed development, including the SUDs basin, footpath link, Plot 1, public open space, and highway access. The overall arboricultural impact is considered low and can be mitigated through proposed replacement planting.

Following a site visit on 18 February 2025, it was noted that T1, although not originally identified as a veteran tree, exhibits characteristics consistent with veteran status. This has now been formally verified and recorded on the Ancient Tree Inventory (Tree ID: 272156). As such, the tree is afforded additional protection under national planning policy.

Veteran trees are classified as irreplaceable habitats, and Section 193 of the National Planning Policy Framework (NPPF) states: “Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and

a suitable compensation strategy exists.” Considering this, I recommend that only essential arboricultural works be undertaken to ensure public safety, with a strong presumption against unnecessary intervention. Specifically, I do not support the proposed 3m crown reduction over the adjacent footpath. Instead, the footpath should be realigned outside the tree’s Root Protection Area (RPA) and canopy drip line to avoid conflict and reduce risk. To further safeguard both the tree and public users, I recommend the installation of a low-level protective fence around the canopy perimeter. This will discourage informal access and reduce the likelihood of the area becoming a resting spot for walkers, which could lead to waiting times, compaction and disturbance of the root zone. If sensitively designed, this feature could also serve as a positive landscape element, highlighting the ecological and heritage value of the tree. The same type 04 Post and Rail fencing as already proposed on site would be ideal. I understand after speaking to the case officer that it had been verbally agreed however looks to have been missed off the latest plans.

The current species composition within the proposed landscaping strategy remains unchanged and does not reflect best practice for climate resilience or biosecurity. Tree species that have historically performed well may no longer be suitable due to changing climate conditions and the increasing threat from pests and diseases.

It is no longer appropriate to default to native species alone. A diverse mix, including well-adapted non-native species, should be considered to ensure long-term viability and resilience.

I recommend the applicant refer to the following guidance documents:

- Trees and Design Action Group (TDAG) – Tree Species Selection for Green Infrastructure: A Guide for Specifiers
- Royal Botanic Gardens, Kew - The Essential Tree Selection Guide

The applicant should engage with a qualified arboriculturist to review and revise the species list, ensuring it aligns with the following recommendations:

- No more than 5% of any single cultivar
- No more than 10% of any single species
- No more than 20% of any single genus
- No more than 30% of any single family

This approach will help build a resilient treescape and reduce the risk of catastrophic loss due to species specific threats.

The landscape management plan in terms of tree planting is a good document and should be conditioned for its compliance. Additionally, full details of the proposed planting scheme, including species, stock size and planting locations should be submitted to ensure compatibility with the overall design and to avoid future conflicts. This should be submitted and then implemented prior to the first occupation of the development to ensure it can be implemented as approved while the land is still under the control of the developer.

2. Suggested Planning Conditions (either in full or the basis of a condition) or requirements to address outstanding matters



Notwithstanding the submitted details and prior to the completion of development, a detailed scheme for the provision of all soft landscaping (primarily in respect to the tree and hedge planting) within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify sizes, types and species and indicate the proposed layout. Thereafter the development hereby approved shall be carried out and maintained in accordance with the agreed scheme. All planting comprised in the approved details of landscaping shall be carried out prior to the first occupation of the development hereby approved. Any planting 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.

3. Suggested Planning Obligations/Financial Contributions to be secured via legal agreement where necessary.

N/A

4. Summary - Object/Support/Neither  
Neither

5. Informative (advice to applicant re any other requirements such as any other tree/landscaping requirements)

Trees in a conservation area informative Trees in a conservation area that are not protected by an Order are protected by the provisions in section 211 of the Town and Country Planning Act 1990. These provisions require people to notify the local planning authority, using a 'section 211 notice', 6 weeks before carrying out certain work on such trees, unless an exception applies. The work may go ahead before the end of the 6-week period if the local planning authority gives consent. This notice period gives the authority an opportunity to consider whether to make an Order on the tree. General tree planting informative Tree planting within the development should support and consider biodiversity, visual amenity, and climate resilience. Species selection should reflect local landscape character and site conditions. Planting locations should be carefully considered to avoid future conflict with buildings, utilities, and highways, and ensure adequate space for canopy and root development. Newly planted trees should be maintained for at least five years, including watering, mulching, and replacement of failed specimens.

**HBC Landscape Architect:** A Landscape Appraisal has been provided, the conclusions of which are informative. It notes that "The consideration of layout and design of the properties, taking cues from the existing character of built form, will be key to integrating the development sensitively into the East of the Village" ( 7.1.4), which the Landscape Section are in full agreement with.

The standard house types and boundary treatments could be more appropriately detailed to more positively contribute to the street scene and Conservation Area (Street Scene DD). A single roof colour may be more appropriate.

Property boundaries currently shown on Elwick Road consist of hedges and estate railing. The ultimate control of hedge planting is with the property owners and so cannot be relied upon to as part of the street scene. A Landscape Strategy has been provided which provided some generic information. Full hard and soft landscape details should be provided as part of the application.

Hard landscape details should include all enclosing elements, street furniture and street lighting locations. Details of external finishing materials should include finished levels, and all construction details confirming materials, colours, finishes and fixings.

Soft Landscaping details should include a detailed planting plan and specification of works indicating soil depths, plant species, numbers, densities, locations inter relationship of plants, stock size and type, grass, and planting methods including construction techniques for pits in hard surfacing and root barriers. Details of rabbit protection should be provided. All existing or proposed utility services that may influence proposed tree planting shall be indicated on the planting plan.

Details of proposed soft landscape management should be provided. The soft landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas/ retained vegetation, other than small privately owned domestic garden. Landscape maintenance shall be detailed for the initial 5 year establishment from date of completion of the total scheme regardless of any phased development period followed by a long-term management plan for a period of 20 years.

Update 11/04/2025 following amended details to address consultee comments:

Previous comments remain.

Update 19/09/2025 following amended layout and supporting documents:

A Landscape Appraisal has been provided, the conclusions of which are informative. It notes that “The consideration of layout and design of the properties, taking cues from the existing character of built form, will be key to integrating the development sensitively into the East of the Village” ( 7.1.4), which the Landscape Section are in full agreement with. The house types could be more appropriately detailed to more positively contribute to the street scene and Conservation Area. A single roof colour may be more appropriate.

The Landscape details and Management plan provided that are acceptable.

**HBC Ecology:** Ecology summary

- Several conditions, including the preparation of a Habitat Management and Monitoring Plan.
- Issuing of Bat Informative.
- HRA provided separately – a financial contribution of £9,200 must be secured.

Ecology

The Ecology Service has assessed the following submitted documents:

- Ecological Impact Assessment report, December 2024 (OS Ecology).
- Bat Survey, August 2024 (OS Ecology).
- Statutory Biodiversity Metric (OS Ecology).
- BNG Assessment report v4, December 2024 (OS Ecology).

Ecological Impact Assessment (EclA) report.

Section 4 (Site Assessment) is supported.

Condition required.

Further survey of the buildings and trees must be undertaken if demolition and development has not commenced within 12 months of the 16/05/2024 ecological survey.

Conditions required.

The following measures should be conditioned to avoid impacts on wildlife:

- External lighting may affect bats, and if required, must be low level - avoiding use of high intensity security lights.
- Works must not be undertaken during the nesting bird season (March to August inclusive) unless the site is checked by an appropriately experienced ecologist and nests are confirmed to be absent.
- Any excavations left open overnight must have a means of escape for mammals that may become trapped, in the form of a ramp at least 30cm in width and angled no greater than 45°.
- Retained trees and hedges must be protected from damage in line with the recommendations in British Standard: BS5837:2012.
- Method Statements to avoid risk of harm to bats, badger, common toad and hedgehog are required.
- Landscape planting must include berry and fruit-bearing species, to provide foraging opportunities for wildlife.

Condition required.

Planning mitigation is required to ensure no overall harm to hedgehogs: All perimeter and Regeneration & Neighbourhoods Department internal fencing on the new development should contain suitably sized Hedgehog highway gaps (13cm x 13cm), to allow the continued movement of hedgehogs through the grounds and wider environment. It is recommended that a sign is placed above each gap to prevent accidental blocking up (Figure 1).

The EclA report refers to the loss of agricultural buildings which support nesting swallows. The loss of suitable swallow nest sites is a concern in the borough and this loss must be compensated.

Condition required.

A nesting structure must be provided to accommodate nesting swallows (which nest on joists or beams within a roof space).

Bat Survey report.

I support the report's site assessment conclusions. Integral bat roost bricks should be built into the new houses to mitigate possible harm to bats.

Condition required.

Each house (or garage) should be built with one integral bird brick for either swifts, sparrows or starlings, to be >3m above ground level (house or garage) and one integral bat roost brick to be >3m above ground level (total 46 bat and 46 bird bricks for the project).

The bricks should be in sunlight for part of the day, therefore a sunny location on the east or south facing side of the building is preferred.

The following examples would be suitable: Universal swift bricks:

<https://cieem.net/swift-bricks-the-universal-nest-brick-by-dick-newell/>

Bat and bird bricks:

HBC Bat Informative to be issued. I recommend that the Hartlepool bat informative is issued, which reminds the applicant that it is a legal requirement to stop work if bats are found.

Bats are highly mobile species, and individual bats can turn up in any building or any tree which has suitable holes or crevices. All species of bat in the UK are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection, whether bats are present or not. Should bats or signs of bats (such as droppings, dead bats etc) be discovered in any buildings and/or trees to be demolished or altered, work should stop immediately, and advice sought from Natural England. Failure to do this may result in the law being broken. The Natural the Bat Conservation Trust or Natural England. Failure to do this may result in the law being broken. The National Bat Helpline number is: 0345 1300228.

Statutory BM (sBM) findings and the BNG Assessment report.

The finding of these documents are supported. The final sBM result is copied below.

The following sections are noted and should be achieved.

- |   |
|---|
| <p>3.8 For the purposes of the metric, it is assumed that a detailed management plan will be produced and adhered to, to ensure delivery of the target habitats and conditions.</p> <p>3.9 A figure illustrating the location of habitat creation proposals is provided within the appendices (Figure 4). The following table details each element of the habitat creation proposed, including the target condition, other criteria assigned by the metric and the associated biodiversity units delivered by each element.</p> <p>3.10 For the areas of other neutral grassland, species-rich hedgerow, trees, mixed scrub and SuDS it is anticipated that a target condition of 'moderate' can be achieved given the nature of the habitats and urban location. For the remaining habitat types, a target condition of 'poor' is considered appropriate, or a condition assessment is not applicable based on the habitat type.</p> |
|---|

Condition required. A Habitat Management and Monitoring Plan must be submitted.

NPPF (December 2023) paragraph 180 d).

This includes the bullet point: Planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Net gain should be appropriate to the scale of the development and should be conditioned.

Ecological enhancement is distinct from Biodiversity Net Gain and is aimed at providing opportunities for protected and priority species, which are not otherwise secured under the purely habitat based BNG approach. Ecological enhancement can be secured by the inclusion of one integral bird brick in each new dwelling, as noted above as a condition requirement.

Habitats Regulations Assessment (HRA).

An HRA is required to cover the issues of Increased recreational disturbance and Nutrient Neutrality. This is provided as a separate consultation response. The HRA screens out Nutrient Neutrality and HRA assesses that Increased recreational disturbance must be mitigated by a financial contribution of £9,200. Natural England must be consulted on the HRA AA.

Update 23/10/2025 following query from applicant regarding updated surveys:

Thanks for the update, I'm satisfied with that and won't be seeking updated surveys.

Update 19/11/2025 following amended layout:

Summary: No Objection.

I have reviewed the following updated documents:

- HMMP (Draft) v3 (OS Ecology, October 2025)
- Bat Survey v2 (OS Ecology, October 2025)
- Ecological Impact Assessment v4 (OS Ecology, October 2025)
- Biodiversity Net Gain Assessment v5 (OS Ecology, October 2025)
- Statutory Biodiversity Metric v5 (OS Ecology, October 2025)

HBC Ecology previously asked for an updated Biodiversity metric to be submitted to reflect the updated proposals, this has been provided and is considered acceptable.

+0.35 Habitat Units (+10.45%) from a baseline 3.31 (requirement 3.64) and +0.97 Hedgerow Units (+54.83%) from a baseline 1.78 (requirement 1.95).

The submitted draft HMMP mentions: "An additional area off-site is proposed for habitat enhancement (area to be confirmed following update survey within the core botanical season)."

This additional area of off-site enhancement does not appear to be discussed in any more detail but has not been relied upon in the submitted metric. If plans change and off-site enhancement or units are relied upon, these must be secured by a legal agreement (s106 or conservation covenant) and reflected in appropriate documents.

The remaining comments remain valid, as does the updated HRA & HCMS contribution. (Natural England must be consulted).

Since HBC Ecology's previous comments, the scheme has reduced from 46 to 43 dwellings). This affects the HRA contribution (see below). There have also been changes to the redline boundary, which affects the previously suggested conditions (see below). These changes also necessitate an updated sBM to be submitted (see below).

Previous HBC Ecology advise sought compensation for the loss of swallow nesting where agricultural buildings were to be removed. The applicant has now removed the farmhouse and front range of barns from the red line and proposes to retain them for future reuse under a separate scheme. On that basis, swallow compensation is no longer triggered by this application; it will need addressing at the point any works to those buildings are proposed.

HBC Ecology has reviewed the updated Landscape Strategy & Detailed Softworks Sheets (1-3) submitted following the Arboricultural Officer's request. There are no ecology objections to the revised design.

Given the amended red line, unit numbers and softworks, the applicant should provide an updated Statutory Biodiversity Metric calculation showing the 10% net gain is met for habitats and hedgerows under the current proposals.

Earlier HBC Ecology comments required update surveys if works hadn't commenced within 12 months of 16/05/2024. That threshold is now passed, so pre-commencement update checks are necessary (see conditions).

Suggested Planning Conditions:

- Update ecological survey condition (now triggered, see above): Undertake pre-commencement update surveys of buildings/trees and any necessary method statements before works, given >12 months since the 16/05/2024 survey date.
- No longer a need for swallow nesting compensation condition due to the agricultural building which supports nesting swallows no longer being within the redline boundary.
- The remaining conditions highlighted on 02/04/2025 by HBC Ecology all remain valid and are all still suggested.

HRA Update:

Nutrient Neutrality (Stage 1)

As set out in Graham's HRA, the scheme is served by Seaton Carew WwTW and includes SuDS; it is screened out for NN at Stage 1 (non-EIA development, embedded mitigation). No change.

Increased recreational disturbance (Stage 2 Appropriate Assessment)

The previous HRA AA concluded mitigation via the Hartlepool Coastal Mitigation Scheme (HCMS) with £200/dwelling derived from distance banding and lack of SANGS on site; that approach and funding formula remain applicable. With 43 dwellings, the updated contribution is £8,600 ( $43 \times £200$ ), to be secured by S106.

Natural England must be re-consulted on this updated HRA.

Update 27/11/2025 following clarification from applicant regarding off-site mitigation and queries from the case officer:

Summary: No Objection.

I have reviewed the following updated documents:

- HMMP (Draft) v3 (OS Ecology, October 2025)
- Bat Survey v2 (OS Ecology, October 2025)
- Ecological Impact Assessment v4 (OS Ecology, October 2025)
- Biodiversity Net Gain Assessment v5 (OS Ecology, October 2025)
- Statutory Biodiversity Metric v5 (OS Ecology, October 2025)

HBC Ecology previously asked for an updated Biodiversity metric to be submitted to reflect the updated proposals, this has been provided and is considered acceptable. +0.35 Habitat Units (+10.45%) from a baseline 3.31 (requirement 3.64) and +0.97 Hedgerow Units (+54.83%) from a baseline 1.78 (requirement 1.95).

On-site BNG works will be secured for 30 years via the S106, with monitoring.

The remaining comments remain valid, as does the updated HRA & HCMS contribution.

(Natural England must be consulted).

Below are HBC Ecology's previous comments which the above addresses:

Since HBC Ecology's previous comments, the scheme has reduced from 46 to 43 dwellings). This affects the HRA contribution (see below). There have also been changes to the redline boundary, which affects the previously suggested conditions (see below). These changes also necessitated an updated sBM to be submitted (see below).

Previous HBC Ecology advise sought compensation for the loss of swallow nesting where agricultural buildings were to be removed. The applicant has now removed the farmhouse and front range of barns from the red line and proposes to retain them for future reuse under a separate scheme. On that basis, swallow compensation is no longer triggered by this application; it will need addressing at the point any works to those buildings are proposed.

HBC Ecology has reviewed the updated Landscape Strategy & Detailed Softworks Sheets (1-3) submitted following the Arboricultural Officer's request. There are no ecology objections to the revised design.

Given the amended red line, unit numbers and softworks, the applicant should provide an updated Statutory Biodiversity Metric calculation showing the 10% net gain is met for habitats and hedgerows under the current proposals. – This has been provided.

Earlier HBC Ecology comments required update surveys if works hadn't commenced within 12 months of 16/05/2024. That threshold is now passed, so pre-commencement update checks are necessary (see conditions). – This has been discussed with the applicant and is no longer required.

Suggested Planning Conditions:

- Update ecological survey condition (now triggered, see above): Undertake pre-commencement update surveys of buildings/trees and any necessary method statements before works, given >12 months since the 16/05/2024 survey date.
- This has been discussed with the applicant and is no longer required.
- No longer a need for swallow nesting compensation condition due to the agricultural building which supports nesting swallows no longer being within the redline boundary.
- The remaining conditions highlighted on 02/04/2025 by HBC Ecology all remain valid and are all still suggested.

HRA Update:

Nutrient Neutrality (Stage 1)

As set out in Graham's HRA, the scheme is served by Seaton Carew WwTW and includes SuDS; it is screened out for NN at Stage 1 (non-EIA development, embedded mitigation). No change.

Increased recreational disturbance (Stage 2 Appropriate Assessment)

The previous HRA AA concluded mitigation via the Hartlepool Coastal Mitigation Scheme (HCMS) with £200/dwelling derived from distance banding and lack of SANGS on site; that approach and funding formula remain applicable. With 43 dwellings, the updated contribution is £8,600 (43 × £200), to be secured by S106. Natural England must be re-consulted on this updated HRA.

**HBC Engineering Consultancy: Summary**

Erection of 46no. dwellings and associated landscaping and infrastructure.

Conclusions/Observations

This application includes for a proposed residential development consisting of 46no. dwellings and associated landscaping and infrastructure. We have noted the following points which are relevant to the site:

- This is for full planning. We would expect to see detailed modelling of the full system in addition to Source Control. We note that the invert and cover levels are shown for manholes, and this may already be available. In accordance with LS15 of the Tees Valley Sustainable Drainage Systems (SuDS) Guidance Design Guide & Local Standards, FEH methodology is required at full planning.



- We understand that permeable paving has been proposed for the development.
- How has the permeable paving element been accounted for within the Micro Drainage modelling? An impermeable area of 0.888ha has been provided but it is unclear whether this has taken into account in the modelling. Please provide a post-development impermeable area plan.
- How is permeable paving within private property boundaries to be maintained? Typically, planning authorities are not in favour of private attenuation features being included as part of whole site attenuation requirements.
- Whilst the proposed SuDS basin has been designed with safety in mind, including freeboard allowances and 1 in 3 side slopes, the following details are still outstanding:
  - Please provide cross sections for the SuDS basin.
  - Confirm the overflow arrangements for the proposed basin (managing offsite flows) to ensure exceedance flows are managed without increasing flood risk elsewhere.
  - A residual risk map will be required for the SuDS basin.
  - The Drainage Layout plan does not currently indicate any flow control management measures, including any requirements for debris screens and overflows should a hydro brake be constructed.
  - We recognise that there is an agreement in place with Northumbrian Water Limited and they have agreed to a discharge rate of 13.7l/s, but what is the discharge based upon? Please provide an assessment of predevelopment runoff rates.
  - Groundwater has been identified within the FRA and DS as the primary source of flood risk to the site and it is considered to be low/medium risk for the proposed development in its final state. It is understood that groundwater has been encountered depths between 0.9-2.7mbgl.
  - Impacts of groundwater interaction with the proposed SuDS features, including both the proposed basin and permeable paving, will need to be considered. No detailed designs for either the permeable paving or basin have been provided.
  - Whilst two samples within the basin have indicated no groundwater, the sample WS106 adjacent to the basin shows groundwater rising to 1mbgl (we note that the site layout has changed between the Phase II Geo-Environmental Assessment, however the SuDS basin is still located within the same location). How will groundwater be prevented from entering the attenuation basin and limiting the volume of attenuation?
  - No management and maintenance plan has been submitted for the development. Who will maintain the SuDS features for the lifetime of the development? This should include for both the proposed basin and permeable paving.
  - The Drainage Strategy should include a discussion on water quality (e.g., the Simple Index Approach published by CIRIA could be used to assess the suitability of the proposed SuDS features to manage water quality on the site).

Update 23/10/2025 following amended layout and drainage strategy:

Summary

Erection of 46no. dwellings and associated landscaping and infrastructure.

## Conclusions/Observations

This application includes for a proposed residential development consisting of 46no. dwellings and associated landscaping and infrastructure. We have previously responded to this application on the 10/03/2025. Whilst several updated documents have been submitted, including an updated Flood Risk Assessment and Drainage Strategy, basin cross sections and detailed modelling, further detail is required to demonstrate the suitability and effectiveness of proposals.

## 2nd Review

We noted the following points which are relevant to the site:

1. Whilst we acknowledge that detailed modelling has now been submitted for review, FSR methodology has been used within the Microdrainage calculations. In accordance with LS15 of the Tees Valley Sustainable Drainage Systems (SuDS) Guidance Design Guide & Local Standards, FEH methodology is required at full planning. FEH-22 should also be used in line with best practice.
2. How has the permeable paving element been accounted for within the Micro Drainage modelling (i.e., has permeable paving been included as impermeable area)? There is no reference to impermeable areas in the updated FRA and Drainage Strategy. The SuDS ID Plan also does not include numerical values.
3. A management and maintenance plan has now been submitted for the development.
  - It is understood that permeable paving within the private property boundaries will be maintained by the homeowners. If this permeable paving is critical to whole site attenuation requirements, then this would not be acceptable (refer to comment 5). Typically, planning authorities are not in favour of private attenuation features being included as part of whole site attenuation requirements. If permeable paving is proposed for treatment only, then proposals are reasonable.
4. The proposed SuDS basin has been designed with safety in mind, including freeboard allowances and 1 in 3 side slopes. We note that:
  - A Sections Through Basin plan has been provided but this does not consider groundwater (refer to comment 5).
  - A Flood Exceedance Map has been provided for review and demonstrates that exceedance flow routes predominantly drain by the active drainage network to the basin in the southwest of the site. Please include the residual risk map for the basin confirming overflow arrangements to ensure exceedance flows are managed.
  - The Drainage Layout plan does not currently indicate any flow control management measures, including any requirements for debris screens and overflows should a hydro brake be constructed.
5. Groundwater has been identified within the FRA and DS as the primary source of flood risk to the site and it is considered to be low/medium risk for the proposed development in its final state. It is understood that groundwater has been encountered depths between 0.9-2.7mbgl. This doesn't appear to have been addressed since our initial review.

- Impacts of groundwater interaction with the proposed SuDS features, including both the proposed basin and permeable paving, will need to be considered. No detailed designs for either the permeable paving or basin have been provided.
- Whilst two samples within the basin have indicated no groundwater, the sample WS106 adjacent to the basin shows groundwater rising to 1mbgl (we note that the site layout has changed between the Phase II Geo-Environmental Assessment, however the SuDS basin is still located within the same location). How will groundwater be prevented from entering the attenuation basin and limiting the volume of attenuation?

6. The Drainage Strategy should include a discussion on water quality (e.g., the Simple Index Approach published by CIRIA could be used to assess the suitability of the proposed SuDS features to manage water quality on the site).

Update 14/11/2025 following additional information provided:

Summary

Erection of 46no. dwellings and associated landscaping and infrastructure.

Conclusions/Observations

This application includes for a proposed residential development consisting of 46no. dwellings and associated landscaping and infrastructure. We have previously responded to this application on the 23/10/2025. Whilst several updated documents have been submitted, including a Flood Risk Assessment and Drainage Strategy and a Surface Water Management Plan, further detail is required to demonstrate the suitability and effectiveness of proposals.

3rd Review

1. Whilst we acknowledge that detailed modelling has been submitted for review, FSR methodology has been used within the Microdrainage calculations. In accordance with LS15 of the Tees Valley Sustainable Drainage Systems (SuDS) Guidance Design Guide & Local Standards, FEH methodology is required at full planning. FEH-22 should also be used in line with best practice.

- Whilst updated modelling has been supplied both within the FRA and as supplemental documentation entitled FEH, FSR methodology has been simulated within the modelling. Therefore, our comment does not appear to have been addressed.
- Micro Drainage modelling does not appear to include the urban creep allowance in accordance with the Impermeable Areas Plan.

2. It is understood that permeable paving within the private property boundaries will be maintained by the homeowners. If this permeable paving is critical to whole site attenuation requirements, then this would not be acceptable. Typically, planning authorities are not in favour of private attenuation features being included as part of whole site attenuation requirements. Given that permeable paving is proposed for treatment only, proposals are reasonable.

3. The proposed SuDS basin has been designed with safety in mind, including freeboard allowances and 1 in 3 side slopes. We note that:

- A Flood Exceedance Map has been provided for review and demonstrates that exceedance flow routes predominantly drain by the active drainage network to the basin in the southwest of the site. Please include the residual risk map for the basin confirming overflow arrangements to ensure exceedance flows are managed.
- The Drainage Layout plan has been updated to include a hydrobrake at SW12 from the basin. We note that this has not been updated to include for any requirements for debris screens and overflows (this links to the comment above).

3. Groundwater has been identified within the FRA and DS as the primary source of flood risk to the site and it is considered to be low/medium risk for the proposed development in its final state. It is understood that groundwater has been encountered depths between 0.9-2.7mbgl. A “*Sections Through Basin*” plan has been provided. This has been updated to include for typical geotextile or clay liners to manage the impacts of groundwater interaction with the basin. No further comments.

4. The Drainage Strategy has been updated to include a discussion on water quality via the Simple Index Approach. No further comments.

Update 21/11/2025 following query regarding the use of the standard planning condition to secure the outstanding details (summarised):

The standard condition is acceptable.

**HBC Engineering Consultancy (Contamination):** I believe that we still need to include the provision of a remediation statement within the condition as it is acknowledged within the report that this could be influenced by the outcome of a post-demolition survey. Technically this could have been covered by the reporting element however they have referenced this as a potential risk. Similarly, we would need to cover off the submission of the gas monitoring results as these could lead to additional requirements and/or further monitoring.

**HBC Countryside Access Officer:** I am not particularly happy with the proposed arrangement for a public footpath diversion. It may enable the site to be developed but does not satisfy the requirements/tests in relation to a legal diversion. A diversion must be enjoyable and satisfactory. These terms are not the same as how they are used in general conversation but related to the public perception of satisfactory and enjoyable.

How will someone or a group of walkers know that there is a public footpath tucked away in the north east corner of the site? It must be satisfactory - easy to find and easily signposted. It must be enjoyable - the public must be able to enjoy it in an easy fashion and not have to hunt for where it is located.

Basically, as it stands, this suggested diversion route does not meet the legal tests required. Signposting from the main road will not be straight forward/acceptable as there is a corner involved and you can only signpost where the footpath meets the adopted or to be adopted highway, which will include the development roads and footways.

I need to see a better option provided that give proper consideration of what a legal diversion entails. This footpath connects Elwick to Hart village and is regarded as an important link route between the two villages and wider access network.

Update 25/09/2025 following amendments to the layout:

I'm happy with the proposed temp PROW route, as long as it joins the main PROW as soon as it can at the side of plot 36/37.

I feel that there needs to be better access to link up with the original village footpaths to gain access to the village amenities, mainly the School.

Update 02/10/2025 following further discussions (summarised):

*The proposal is acceptable and nothing further is required.*

**HBC Public Protection:** 1. Object/Support/Neither

- No Objections subject to the conditions below.

2. Comments and background to any licensing position

- None

3. Suggested Planning Conditions

- Prior to installation of any security/other lighting to be used during the construction period, details shall be submitted to and approved in writing by, the Local Planning Authority.
- The working hours for all construction activities on this site are limited to between 08:00 and 18:00 Mondays to Fridays and 09:00 to 13:00 Saturdays and not at all on a Sunday or Public Holidays. Deliveries and collections during works to be limited to these times as well.
- There should be adequate dust suppression facilities on site as detailed in the accompanying CMP.

4. Informative (advice to applicant re any other requirements such as licensing)

- No open burning at all on site.
- Wheel wash provision provided to the site at all times.

**HBC Waste Management:** 'Provision of Waste and Recycling Collection and Storage Facilities to new properties'

Developers are expected provide and ensure at the point of first occupancy that all new developments have the necessary waste bins/ receptacles to enable the occupier to comply with the waste presentation and collection requirements in operation at that time.

This includes, but is not limited to, provision for general waste (minimum of 240 litres per dwelling), recycling (minimum of 240 litres per dwelling) and food waste (minimum of 23 litres per dwelling). Therefore, storage space must be adequate to accommodate the above requirements.

Developers can choose to enter an undertaking to pay the Council for delivery and associated administration costs for the provision of bins/ receptacles required for each new development. These charges are a one-off cost and the bins remain the property of the Council. Alternatively, developers are required to source and provide containers which meet the specifications necessary for the required bins/ receptacles to be compatible with the Council's waste collection service and vehicle load handling equipment.

Receptacles will be expected to be presented at the kerbside on the day of collection.

Please see our 'Developer Guidance Waste and Recycling for new properties' document which can be found at <https://www.hartlepool.gov.uk/usingyourbins> for further information.

**HBC Community Safety:** No comments received.

**Cleveland Police:** With regards to your recent Outline planning application H/2024/0388 for 46 x Dwellings, Elwick. Hartlepool. Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED).

I would like to make you aware that Cleveland Police operate the "Secured By Design" initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments.

I recommend applicant actively seek Secured By Design accreditation, full information is available within the SBD Homes 2024 Guide and the Commercial 2023 Guide [www.securedbydesign.com](http://www.securedbydesign.com)

I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour.

Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

- The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...
- The National Planning Policy Framework 2024, paragraph 135(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".

- Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure. Developers will be expected to have regard to the following matters, where appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.

- Another material consideration is Section 17 of The Crime and Disorder Act 1998.

Further information on the Secured By design initiative can be found on [www.securedbydesign.com](http://www.securedbydesign.com)

Although not an SBD requirement, Hartlepool along with many other areas nationwide suffers from offences of metal theft. These include copper piping, boilers, cables and lead flashing. Buildings under construction are particularly vulnerable. I recommend that alternative products be utilized where possible. Many new builds are now using plastic piping where building regulations allow and alternative lead products.

Strong consideration should also be given in relation to the provision of On- Site Security throughout the lifespan of the development. There is information contained within the Construction Site Security Guide 2021 also on the SBD website that may assist.

In addition to the above, and having viewed the proposal I would also add the following comments and recommendations.

All doors and windows are recommended to be to tested and certified PAS24:2020/2016 standards (or equivalent) This includes garage doors. These must be dual certified for both fire and security.

Dusk til dawn lights are recommended to each elevation with an external door-set. This also includes any proposed garage doors and side in curtilage parking areas, particularly those that are 50% or more of the length of side elevation of plot it serves.

ALL roadways and pathways, adopted or otherwise, are recommended to be to BS5489:2020 standards with a uniformity preferably to Secured By Design recommended one of 40%, as a minimum 25%. Neighbourhood permeability... is one of the community level design features most reliably linked to crime rates. Excessive permeability should be eliminated.

I recommend permeability be reduced, the proposed informal path to the western boundary of the development should be incorporated into the active street scene as shown to front of Plots 17 – 21.

Locating it so close to rear and side boundaries could create a crime generator. Likewise for the cut through to the side of Plot 12. The proposed diversion of the

PROW on eastern boundary to be incorporated into an active street scene is supported.

All proposed side and rear treatments onto public realm are recommended to be to 2.0m in height. Those to rear/rear side of Plots backing onto open space recommended to be increased to minimum of 2.2m, preferably 2.4m.

Defensive planting to external façade of boundary treatments backing onto open space should be considered also. Locate all side boundary treatments as far forward to the front elevations of the properties as possible to eliminate recesses. Boundary treatments between rear gardens are recommended to be 1.8m in height. Defensible space to each plot is an important consideration.

Ginnel access serving several rear gardens should be avoided where possible. (Plots 17-21 & 24-26) If absolutely necessary a lockable gate is required at initial access point as well as each individual garden.

Update 17/04/2025 following amendments to address consultee concerns:

In relation to this application, my previously submitted comments are still valid.

Update 10/10/2025 following amended layout:

In relation to this application, my previously submitted comments are still valid.

**Cleveland Fire Brigade:** Cleveland fire Brigade offers no representations regarding the development as proposed. However, Access and Water Supplies should meet the requirements as set out in: Approved Document B, Volume 1:2019, Section B5 for Dwellings. It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1.

Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in AD B Vol 1 Section B5 Table 13.1. Recommendations Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system. Further comments may be made through the building regulation consultation process as required.

Update 12/10/2025 following amended layout:

Cleveland Fire Brigade offers the following representations regarding the development as proposed.

As per ADB V1 Para 13.1, access for fire appliances should be provided to within 45m of all points inside the dwelling house. Currently this criteria is not met in Plots 10, and 37.



Therefore, fire appliances would require access to private driveways for housing plots:

Plots 8 – 10

Plots 37 – 40

Turning heads should be provided in line with ADB V1 diagram 13.1, this is due to dead end access being greater than the specified 20m. Access routes and hard standing should comply with the guidance in diagram 13.1.

It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1. Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in AD B Vol 1 Section B5 Table 13.1.

Access and Water Supplies should meet the requirements as set out in: Approved Document B, Volume 1:2019, Section B5 for Dwellings.

Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system. Further comments may be made through the building regulation consultation process as required.

*Update 11/11/2025 following confirmation and amended driveway details from applicant:*

The AD B Vol 1 Section B5 13.1 'For dwellinghouses, access for a pumping appliance should be provided to within 45m of all points inside the dwellinghouse'. In its current design fire appliances will inevitably require access to both the 'shared surface road' and 'the private shared drive' to meet this requirement to firefight and carry out rescues. Therefore, it is the developer's responsibility to ensure that the surface provided meets the requirements of AD B Vol 1 Section B5 Table 13.1 taking into consideration Note 1.

It would not be for Cleveland Fire Brigade to depict the suitability for infrequent use by commercial and emergency vehicles. If access was made by Cleveland Fire Brigade in the event of fire resulting in damage to the road surface, Cleveland Fire Brigade would not be accountable for such damage.

**Civic Society:** Hartlepool Civic Society wish to object to this application. It is our understanding that when the decision to build the Elwick Bypass was made, Highways England and Hartlepool Borough Council agreed planning conditions as follows in relation to the developments on the outskirts of Hartlepool;

- Prior to the occupation of the 209th dwelling of the 1200 dwellings hereby approved, the scheme to provide a bypass of Elwick Village and a grade separated junction on the A19 shall be fully open to traffic, to the satisfaction of the Hartlepool BC, Durham BC and Highways England. In the interests of highway safety and to

accord with the provisions of policies HSG5 and INF2 of the Hartlepool Local Plan 2018

If there was sufficient concern then to additional traffic then surely this proposed development of 48 dwellings, potentially 100+ additional cars should be of equal concern.

The is a very important site in one of our attractive and historic villages. A national developer has come up with a disappointing scheme which fails to recognise the unique identity, heritage and character of the location.

The application is very clearly that of an ordinary standard suburban development. The same house types and designs can be found repeated on Lovell Homes' sites up and down the country. The proposal totally fails to reflect the character of Elwick and in particular the village green and conservation area which is identified as the style to reflect by Elwick Village Design Statement. The Society has noticed on application after application from major developers that they will suggest the most minor of adjustments to claim they reflect local character. A particularly popular method are lintel details which are far too little to be effective. Windows will be divided to smaller panes supposedly to fit with historic areas, but smaller panes of glass are too generic. On this application they have chosen just 2 details from 2 properties in Elwick to inspire the design of the proposed new houses and even these have been incorrectly copied. Holmlea does not have arched lintels and the WI Hall which is 22a has polychromatic brickwork not feature brick courses as displayed on the proposed designs. Such extremely minor adjustments are far from being a serious effort to reflect local identity.

It is odd that the application proposes darker and lighter multi/mottled brick for the walls of the houses. The reference for this is not clear especially as the majority of the properties around the village green are rendered. The proposal also includes slate effect tiles. In a conservation area with an article 4 directive surely natural slate tiles might be expected as they would be of existing residents.

The existing farmhouse and the associated random rubble stone farm buildings are locally listed. While the plan retains the farmhouse it is proposed to demolish all the farm buildings. The front range of buildings and the random stone roofless barn behind also lie within Elwick Conservation Area. The entire loss of these buildings is unacceptable as they are an important feature of the conservation area and part of the historic fabric and development of the village. The structural survey provided by the applicant only covers the front range of farm buildings. The survey found the buildings to be in poor to fair condition, the recommendation was Intensive repair is required. There is a great deal of design guidance provided by Hartlepool Local Plan, a Residential Design SPD produced by the Borough Council, Hartlepool Rural Neighbourhood Plan and Elwick Village Design Statement. All appear to have been ignored.

Density of the proposed development is a concern. The Local Plan has an allocation of approximately 35 dwellings in policy HSG7. The allocation does not include the farmyard but does include the larger adjacent field. The application is for 46

dwellings on nearly half the site and despite adding a strip of open space outside the development area offers much less open space than suggested in HSG7.

The street scenes provided do not show the side of the streets which are not fronted by houses. These are broken with the side of rear gardens and almost blank side gables. These unattractive street scenes are required to get as many houses as possible on the site.

The Statement of Community Involvement indicates a very limited consultation with the local community, just one leaflet drop to the eastern end of Elwick village. Given the efforts made by the community to make their wishes known via design statement and neighbourhood plan an early fuller engagement might reasonably have been expected. One may conclude that the developer has not engaged in a proper consultation because they have no intentions of amending their standard repetitive development model to accommodate a local community. Angela Rayner, Secretary of State for Housing, Communities and Local Government and Deputy Prime Minister promised that new homes and new towns built under a Labour government would have “only exemplary design with real character.” The National Planning Policy Framework Chapter 12 gives guidance on achieving well designed places.

Quoting Civic Voice, research has consistently shown that high quality design makes new residential developments more acceptable to local communities. Developers like Lovell Homes show no ability to be either innovative or adjust their standard models to produce high quality well designed places. If developers constantly repeat the same houses on every development how can they provide well-designed places that are beautiful, enduring and successful as guided by National Design Guide. We would commend this excellent guide to Lovell Homes. This application is not in line with NPPF Chapter 12 paragraphs 131, 132, 133, 134, 135, 137 and 139; Hartlepool Local Plan policies HSG7, QP4, QP6 AND RUR1; Hartlepool Rural Neighbourhood Plan policies GEN2, HA1, HA2 and HA4; HBC Residential Design SPD; Elwick Conservation Area Appraisal and Elwick Village Design Statement. As such this applications should be refused.

## References

NPPF Paragraph 131. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

NPPF Paragraph 132. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.

NPPF Paragraph 133. To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design.

NPPF Paragraph 134. “Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. All guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area.

NPPF Paragraph 135. Planning policies and decisions should ensure that developments:

- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

NPPF Paragraph 137. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should, where applicable, provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy, and should work closely with those affected by their proposals to evolve designs that take account of the views of the community.

NPPF Paragraph 139. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents.

Hartlepool Local Plan (HLP) policy HSG7 also identifies the site with a total allocation of approximately 35 dwellings a The development being determined in accordance with criteria including “no more than 1.67ha of land will be developed for new housing and will incorporate a minimum of 0.40ha of green infrastructure, informal open space and recreational and leisure land” also “development proposals for the site will be expected to take account of, respect and conserve the significance and setting of the adjacent heritage assets”.

HLP QP4 “The Borough Council will seek to ensure all developments are designed to a high quality and positively enhance their location and setting. Development should be of an appropriate layout, scale and form that positively contributes to the Borough and reflects and enhances the distinctive features, character and history of the local area, respect the surrounding buildings, structures and environment, have

adequate, well located and planned public space/s, be aesthetically pleasing, using a variety of design elements relevant to the location and type of development, use an appropriate mix of materials and colour and sustain and/or enhance the historic environment and heritage assets, and their settings. Proposals relating to residential development should be in accordance with the Residential Design SPD”.

HLP QP6 “All proposals must ensure that the following matters are investigated and satisfactorily addressed including the presence of any heritage assets, including any impact upon their significance and setting and the requirement to satisfy the relevant planning requirements of statutory consultees.

HLP RUR1 The Borough Council will seek to ensure the rural area is protected and enhanced to ensure that its natural habitat, cultural and built heritage and rural landscape character are not lost.

1. Development in the rural area should, where relevant be in accordance with Hartlepool Rural Neighbourhood Plan.

3, Where possible re-use existing buildings and/or materials.

5. Through good design, enhance the quality, character and distinctiveness of the immediate area, villages and landscapes, taking into account relevant design guides and statements.

6. Be in keeping with other buildings in terms of siting, size, materials and colour.

9) Not have a detrimental impact on the landscape character or heritage assets.

Hartlepool Borough Council Residential Design SPD. Section D deals with Creating Locally Distinctive and Aesthetically Pleasing Housing Areas :- 4.22 All applicants should consider and describe the positive aspects that exist within an area and in turn seek to reflect upon those aspects within the design and layout of new housing. It would be inappropriate to consider reflecting the negative or more generic aspects of an area as that does not assist in embedding the Borough’s history, heritage and local distinctiveness within design. For example, if a proposal is put forward within one of the Borough’s villages then the homes proposed should resemble homes typically located within a village rather than those found in an urban housing estate. When designing residential schemes that would affect heritage assets or their settings, harm to their significance should be avoided. When considering the impact of a proposed development on the significance of a designated heritage asset, the Council will give great weight to the asset’s conservation, in line with paragraph 193 of the NPPF. When preparing proposals for development on the urban/rural fringe then reference should be drawn to the site’s existing rural location and any new dwellings should be reflective of the rural setting and the local distinctiveness that exists within that area of the Borough.

Elwick Conservation Area Appraisal produced by the Borough Council exists. In the conclusion and recommendations of this document it says “negative aspects have been introduced in terms of a suburban feel either by farm buildings and houses being removed and replaced with houses of a suburban design”. A solution proposed was to “use development control power to refuse consent to inappropriately designed buildings” and “encourage appropriate reinstatement of traditional architectural details in future development proposals”.

Hartlepool Rural Neighbourhood Plan (HRNP). Policy GEN2 asks that new development should demonstrate “how relevant village design statements and conservation area appraisals have been taken into account”, “how the design helps to create a sense of place and reinforces the character of the village or rural area by being individual, respecting the local vernacular building character, safeguarding and enhancing the heritage assets of the area”.

HRNP Heritage Policy HA1 would only support applications that “preserve and enhance their physical character and facilitate new uses for buildings at risk”, “ensure that the distinctive character of Conservation Areas, within the Rural Plan area, is conserved or enhanced through a constructive conservation approach and encourage the retention of heritage assets on the List of Locally Important Building”.

HRNP Policy HA2 regarding conservation areas expects particular regard to be given to “the design, height, orientation, massing, means of enclosure, materials, finishes and decoration proposed”, “the retention of original features of special architectural interest such as walls, gateways and other architectural details”, “the protection of important views and vistas” and “guidance provided in relevant Conservation Appraisals, Visual Assessments and Village Design Statements.

Regarding demolition in conservation areas only proposals that demonstrated “removal would help to conserve or enhance the character or appearance of the Conservation Area”, “structural condition is such that it is beyond reasonable economic repair, or retention and restoration through some form of charitable or community ownership is not possible or suitable”. HRNP Policy HA4 In determining applications affecting locally listed Important buildings, the effect on the significance will be assessed including “the historic or architectural importance of the building, features which contribute significantly to the character of the building, the contribution to the appearance of the locality” and scarcity.

Elwick Village Design Statement includes a section specifically devoted to the development of this site. This points out that “any new development should look to reflect the Village Green and Conservation Area, which have been identified as the most attractive and valued parts of the village character “ and “New development should incorporate the use of the existing buildings to the south of the site. Due to their conservation status these buildings have to remain.

**Rural Plan Working Group:** Thank you for consulting Hartlepool Rural Neighbourhood Plan Group. The following Hartlepool Rural Neighbourhood Plan (HRNP) policies are relevant. Comments appear after each policy.

#### POLICY GEN1 – DEVELOPMENT LIMITS

Within the Development Limits as defined on the Proposals Map, development will be permitted where it accords with site allocations, designations and other policies of the development plan. The application site is almost entirely within the development limits of Elwick village. There is a small strip to the east of the site which is outside the development limits, however, there are no buildings proposed within this strip which is proposed as predominantly landscaping/open space. As such the site is

acceptable so long as it is in accordance with the with other policies of the development plan.

## POLICY GEN 2 - DESIGN PRINCIPLES

The design of new development should demonstrate, where appropriate:

1. how relevant village design statements and conservation area appraisals have been taken into account;
2. how the design of new housing scores against the Hartlepool Rural Plan Working Group's Checklist as set out in appendix 4;
3. how the design helps to create a sense of place and reinforces the character of the village or rural area by being individual, respecting the local vernacular building character, safeguarding and enhancing the heritage assets of the area, landscape and biodiversity features;
4. how the design helps to reinforce the existing streetscape or green public spaces by facing onto them
5. how the design preserves and enhances significant views and vistas;
6. how the design demonstrates that it can be accessed safely from the highway and incorporates sufficient parking spaces;
7. how the design uses sustainable surface water management solutions in new developments to reduce all water disposal in public sewers and manage the release of surface water into fluvial water and;
8. how the design ensures that homes are flexible to meet the changing needs of future generations.

While the planning statement does mention Elwick Village Design Statement once (para 5.7) little if any indication has been offered to demonstrate how this has influenced the new development. This is particularly regrettable since the village design statement specifically addresses the development of the important site at North Farm. Statements in the village design statement include “New development should incorporate the use of the existing buildings to the south of the site. Due to their conservation status these buildings have to remain”. The application seeks total demolition of all these buildings including those in the older traditional random stone construction which are an important feature on entering the conservation area.

The pedestrian link to the west, independent of the vehicular access, is welcomed. This does responds to the requirement raised in the village design statement for better pedestrian links to the heart of Elwick. The capacity to safely connect this to the rest of the village needs to be confirmed given private drives and rules safeguarding village greens.

The types of housing called for by the village design statement “are smaller dwellings, for example single storey bungalows or terraced property and 2-3 bed houses for first time buyers”. “This mix of housing was another key point which was raised and is felt strongly by the residents. It provides opportunities for a community to grow where the mix of ages can enjoy the green space and links to the centre of the village.

An additional point raised was that by having the bungalows nearer the heart of the village and on the pedestrian routes, they will have ease of access but also have a

sense of community around them. This was felt to be crucial for the wellbeing of the residents”. While there are some smaller properties the emphasis is on larger detached properties, including the bungalows which are detached and 3 bedroom.

It was envisaged that “the access road runs around the perimeter of the site, in order to reduce the amount of boarded fence on this edge and instead having a natural border such as bushes and hedges next to the road”. The roads are now internal and while the external boundaries are largely natural a lot of close boarded garden fencing is exposed internally. The proposed eastern boundary (where the site extends outside development limits) shows a post and rail fence. The planting of native hedging along this boundary would provide a better solution and enhance the environment. The boundary to the side of plots 27 & 43 runs alongside the estate road and also closes the view from the entrance road coming in from the village. This will be highly visible entering the site, and as with the boundaries running along the village street, deserves something better designed.

Another quote from the village design statement specific to this site is “as with the established sites, detached and long rows of terraced housing will not be supported – rather semi-detached and small groups of terraced properties of 4-6 dwellings, to produce a design of housing that feels consistent with the village rather than just another residential street”. The proposals have clearly dismissed this guidance as detached dwellings dominate and the largest terrace is of 3 dwellings. The result is a layout and design which is just another suburban residential street.

The Village Design Statement concludes with the following requirements:-

- Any new development should look to reflect the Village Green and Conservation Area, which have been identified as the most attractive and valued parts of the village character.
- Any new developments in the Village should include open spaces as a central feature of their layout, similar to those in The Walk and along Manor Close, Martindale Close and in North Lane, which are highly valued as pleasant features contributing to the sense of space in the village.
- The mix of housing in any future development must reflect the needs of the population of the village, recognising both the ageing population and the need to provide homes for young purchasers, in order to maintain a sustainable community rather than simply the commercial demands of developers.
- Any new development must include sufficient car parking to alleviate the need for parking on pavements.
- The Village Envelope, as defined in the Rural Plan, should be preserved to ensure Elwick’s distinct identity as a small rural village.
- The network of pavements around the village should be preserved and maintained and, where possible, linked into any new developments.
- Street furniture in the village, particularly on the Village Green should be reviewed, minimised and, where possible, a unity of style adopted.

The proposal offered in this application is immediately identifiable as being of a standard suburban developers style. The proposal totally fails to reflect the character of the village green and conservation area. There are open spaces though these are not central to the development. Some interesting open spaces are proposed for the suds and the eastern edge. A central open space that would be a safe place for



informal children's play should have been included. The housing need survey produced as part of the Rural Neighbourhood Plan indicated a clear demand in Dalton Piercy, Elwick and Hart for smaller homes to buy outright or to rent. "These would be to for elderly people wishing to downsize or young people becoming independent of their families. Such developments would then free up larger homes for growing families to move into. With an increasingly ageing population, the need for homes that are of a good design, accessible and adaptable to the needs of those becoming infirm or disabled, and on a single level, such as bungalows, is a key issue for these villages.

Local knowledge informs that many young people, who would like to live in the villages of their birth, are excluded due to the high cost of housing in these areas. The need for affordable homes is vital, to encourage the return of young people and their families, in order maintain the schools and the vitality of the villages". The dominance of larger detached houses are clearly aimed at the market developers aim for, to the detriment of many village communities, rather than aiming to meet rural housing needs. 8 affordable homes does meet the minimum requirement of 18%. With an ageing population it is important to have accessible, adaptable homes such as bungalows, are the 6 x 3 bed bungalows sufficient and to an adaptable design (eg. doors wide enough for wheelchair/assisted access)?

The proposed development is largely contained within the village envelope. The area that extends beyond the village envelope contains no buildings and is predominantly green open space. The pavements and link to the right of way are well considered and welcomed. More information is needed as to how the narrow footpath from the farmhouse to the village green will be made suitable for pushchairs and wheelchairs. Details are needed as to how the right of way on the eastern side of the development will be safely maintain during construction. Should street furniture be provided on the new development it is beneficial for the local village identity to be reinforced.

The relation of the new development to Elwick Conservation Area will be considered under the comments for Policy HA2 - PROTECTION AND ENHANCEMENT OF CONSERVATION AREAS. Appendix 4, Design Criteria Checklist includes :-

- a/ Is the development of an appropriate layout, scale and form that contributes to the location and reflects and enhances the distinctive features and character of the area within which it is immediately located?
- b/ Does the development take into account the relevant village design statement and does it respect the local vernacular building character?
- c/ Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well? It is considered that the proposed development does not meet these criteria. Particularly the design fails to reflect or enhance the distinctive features or character of Elwick.

We have also indicated that, as a standard suburban design, the proposals have failed to take into account the village design statement or local vernacular. In order to fit the maximum standard house types into site the streetscape suffers. Plots 7, 14, 17, 22, 27, 29 & 44 do not enhance corner plots presenting predominantly blank walls to the street (these are not illustrated by the street scenes provided). Plot 40 closes a street with the rear of a property and a 6ft close boarded wooden back

garden fence. These are example of poor/clumsy design more intent on maximum density rather than good design.

## POLICY H1 - HOUSING DEVELOPMENT

Permission will be granted for further new homes on the following site: Elwick, North of North Farm/ Potters Farm, 25 additional dwellings considered over the 14 already approved. (Note: site numbers refer to HBC SHLAA numbers). 8.27 Elwick: The site to the north of Potters Farm to be integrated into the sites at North Farm with no further access being created across the village green. A mixture of house types and sizes should be provided to include two bedroomed homes and bungalows set around incidental open space. New housing development should provide a mix of house types and tenures on sites of five or more dwellings; the mix should have regard to the latest evidence of housing need applicable at the time. While this site is identified for housing the quantity of houses and density is far in excess of that indicated by the Neighbourhood and Local Plan. This seems to be the standard developers way, always seeking to squeeze more into a site, presumably with profit in mind.

Local Plan Policy HSG7 states no more than 1.67ha of land will be developed for new housing with a minimum of 0.40ha of green infrastructure, informal open space and recreational and leisure land. The proposal seeks to develop approx. 1.824 ha with only 0.275ha of open space, including the proposed SUD's area. A significant portion of this open space is actually formed by using extra land previously outside the development area which means an even greater density than first perceived in development control documents. Where is the mix of tenures?

## POLICY H2 - AFFORDABLE HOUSING

1. Affordable housing will be required in applications for residential development that consist of a gross addition of six or more dwellings. For schemes of between 6 and 10 units, financial contributions in lieu of on-site provision can be made and any commuted sums received must be used for the provision of affordable housing within or adjacent to the villages in the plan area.
2. Developers will be required to deliver 18% affordable housing in a bid to contribute to the delivery of this. The affordable provision and tenure and mix will be negotiated on a site-by-site basis, having regard to the economic viability of the development and the most up-to-date evidence of housing need, aspiration and the local housing market. The affordable homes provided must be of a tenure, size and type to help meet identified local housing needs and contribute to the creation of mixed, balanced and inclusive communities where people can live independently for longer.
3. Market and affordable homes on sites should be indistinguishable and achieve the same high design quality.
4. It is expected that affordable housing will be delivered through on-site provision and where appropriate, be pepper-potted throughout the development. However in certain circumstances it will be acceptable for provision to be made off-site, preferably within the same village, where:
  - applicants can provide sound, robust evidence why the affordable housing cannot be incorporated on-site; and/or
  - Hartlepool Borough Council and the Parish Council is satisfied that off-site provision will benefit the delivery of affordable housing in the Rural Plan area.

5. Other than in exceptional circumstances all affordable units will be delivered in partnership with a Registered Provider by means of a Legal Agreement, and appropriate provision to secure long term availability.

6. Where the scheme's viability may be affected, such that an adequate amount of affordable housing cannot be provided, developers will be expected to provide viability assessments which will be submitted as an open book viability assessment.

There may be a requirement for the provision of 'overage' payments to be made to reflect the fact that the viability of a site will be agreed at a point in time and may need to be reviewed, at set point(s) in the future. It is stated the proposed development seeks to deliver the 18% affordable properties with 8 properties to meet this policy and that of the Local Plan (HSG9). The affordable properties are 2x 1-bed flats, 4x 2-bed houses and 2x 3-bed houses. In what way are these 8 homes affordable? Are any of these properties to be rented via a registered provider, and who is that provider? Disappointingly none of the bungalows are indicated as affordable.

#### POLICY T1 - IMPROVEMENTS TO THE HIGHWAY NETWORK

Where development proposals are shown, through evidence to be required to contribute towards any of the following schemes so as to make the development acceptable, appropriate financial contributions will be sought through a planning obligation:

1. improvement of the A179/A19 junction
2. the dualling of the A179
3. improved village approach roads and junctions to the A179, A689 and A19
4. alleviating the impact on the villages of the increase in traffic arising from new development in Hartlepool
5. appropriate measures to discourage traffic related to any new development on the edge of Hartlepool from using minor roads through the villages in the Plan
6. Measures that promote good driver behaviour, such as speed cameras.

The above improvements must be designed, as far as possible, to be in keeping with the rural setting. There is a clear priority for this development to contribute to the provision of the Elwick By-pass. Given the resulting increase in traffic contributions might also be considered toward traffic calming in Elwick village.

#### POLICY T2 - IMPROVEMENT AND EXTENSION OF THE PUBLIC AND PERMISSIVE RIGHTS OF WAY NETWORK

Improvement and extension of the public and permissive network of bridleways, cycleways and footpaths will be supported and where justified by and shown to be directly related to specific development proposals, financial contribution will be sought towards the following schemes.

1. New bridges over the A19 near Elwick and over the A689 near Greatham suitable for pedestrians, cyclists and equestrians;
2. A new traffic light controlled safe crossing point on the A689 at Newton Bewley;
3. Cycleways and footpaths from Brierton, Dalton Piercy and Elwick to Hartlepool;

4. Cycleways and footpaths linking Brierton, Dalton Piercy, Elwick, Greatham, Hart and Newton Bewley and providing direct and circular routes between the villages and the countryside;
5. A cycleway and footpath from Greatham to the Tees Road at Greatham Creek, to link into routes to RSPB Saltholme, Seal Sands, Middlesbrough via the Transporter Bridge and Graythorp;
6. A network of bridleways throughout the rural area. There is an existing right of way through the proposed site which appears to have been successfully incorporated into the finished development. A scheme is needed to ensure the right of way is safely maintained while building work is underway. Contributions to introduce footpath/cycleway links between Elwick and Hartlepool/the other villages should be sought.

#### POLICY C1 - SAFEGUARDING AND IMPROVEMENT OF COMMUNITY FACILITIES

Community buildings, play areas, sports/recreation facilities, allotments and open spaces will be safeguarded unless they are proven to be surplus to requirements or unless improved alternative provision, of similar or better quality, is to be made. Recreation and associated facilities will be supported where the proposed facilities are of a type and scale appropriate to the size of the settlement.

Contributions will be sought from new housing development towards the improvement of leisure, community and recreation facilities and open spaces serving the settlement where it is shown that the need for the facility, open space or the contribution towards the improvement of existing facilities is directly required as a result of the proposed development.

Development contributions from this development should be sought for facilities within Elwick Parish. Elwick Parish Council will be able to assist in directing these contributions effectively.

#### POLICY NE1 - NATURAL ENVIRONMENT

The rural plan will seek to protect, manage and enhance the areas natural environment.

3. Where possible, new development should conserve, create and enhance habitats to meet the objectives of the Tees Valley Biodiversity Action Plan. Any development should not result in, or contribute to, a deterioration in the ecological quality of the Greatham Beck waterbody.
4. The planting of woodland and trees, and the restoration of hedgerows, using appropriate species, will be encouraged, particularly in conjunction with new development, to enhance the landscape character of the plan area. New tree and hedgerow planting must where possible:
  - a. Aim to reduce the impact of any new buildings or structures in the landscape setting. In the area that forms the urban fringe of Hartlepool, areas of woodland and tree belts at least 10 metres wide designed to promote biodiversity and include public access routes must, where possible, be planted along the western edge of any areas to be developed, prior to any development commencing;
  - b. Provide screening around any non-agricultural uses;

- c. Use a mix of local native species appropriate to the landscape character of the area;
- d. Ensure that trees are planted at distances from buildings that provide sufficient space for the future growth of the tree to maturity. The scheme for planting both within and around the perimeter of the proposed development is largely welcomed.

The boundary at the North East corner (where the right of way will be diverted) indicates an open post and rail wooden fence, planting of a native hedgerow should be sought. Such would be a positive contribution to enhance the natural environment and landscape and provide some screening for the non-agricultural domestic development.

## POLICY HA1 – PROTECTION AND ENHANCEMENT OF HERITAGE ASSETS

Planning applications will be supported which:

1. preserve and enhance their physical character and facilitate new uses for buildings at risk.
2. ensure all heritage assets including Scheduled Ancient Monuments and the ridge and furrow landscape, within the Rural Plan area are conserved or enhanced through a constructive conservation approach;
3. ensure that the distinctive character of Conservation Areas, within the Rural Plan area, is conserved or enhanced through a constructive conservation approach;
4. protect, conserve or enhance the area's Listed Buildings by preventing unsympathetic alterations, encouraging appropriate physical improvement work, supporting viable proposals to secure their re-use and restoration, and supporting the local authority's continued review and management of these assets.
5. encourage the retention of heritage assets on the List of Locally Important Buildings, particularly when viable, appropriate uses are proposed. A list of heritage priorities within the rural area is set out in Appendix 5.

The primary heritage asset with relation to this development is Elwick Conservation Area which will be considered under Policy HA2 below. The Farm buildings constructed in the historic tradition of random rubble stone are important features within the conservation area. The loss of these should be avoided and certainly not replaced by characterless standard suburban housing.

Elwick Village Design Statement specifically addresses the development of this site. The Design Statement states “new development should incorporate the use of the existing buildings to the south of the site. Due to their conservation status these buildings have to remain”. This appears to have been ignored. The Limited Visual Structural Condition Report states “3.1.1. Generally, the buildings were found to be in poor to fair condition” and recommends include “Intensive repair is required”, there isn't a recommendation of complete demolition being necessary.

Should Lovell Homes be unwilling to undertake this work consideration should be given to selling off the southern farmyard including the North Barn for a more considerate independent development.

In the Design, Access and Heritage Statement, 3.3 Impact of the proposals it states “The character of the Village Green is maintained through hedgerow retention and

the construction of a new natural random stone wall to the frontage of the dwellings, reflecting the stone construction of the existing buildings.” This recognizes the importance of this material to the character of the Conservation Area. The Proposed Boundary Treatment on the plans, however, indicate metal estate fencing or close boarded fencing with brick piers. The application is contradictory. The structural survey has been restricted to the row of buildings that front onto the road which runs past the site to the village green. The building identified as the North Barn in the Historic Building Record, which is also locally listed, does not appear to be part of the structural survey despite its historic interest and interesting architectural details. While the roof of this building has apparently collapsed the walls may be structurally sound.

## POLICY HA2 - PROTECTION AND ENHANCEMENT OF CONSERVATION AREAS

In determining applications within Conservation Areas, or which affect the setting of a Conservation Area, particular regard will be given to the following:

1. The scale and nature of the development;
2. The design, height, orientation, massing, means of enclosure, materials, finishes and decoration proposed;
3. The retention of original features of special architectural interest such as walls, gateways and other architectural details;
4. The retention of existing trees, hedgerows and landscape features, with appropriate landscaping improvements incorporated into design proposals;
5. The protection of important views and vistas;
6. The location of appropriately designed car parking, landscaped in such a way as to minimise impact on the character of the area, and
7. Guidance provided in relevant Conservation Appraisals, Visual Assessments and Village Design Statements. Proposals for demolition within Conservation Areas will be carefully assessed in order to avoid the loss of important features and buildings, but to encourage removal of unsympathetic later additions.

Where any demolition in conservation areas is proposed, the Rural Plan will support proposals only if it can be demonstrated that:

1. The removal would help to conserve or enhance the character or appearance of the Conservation Area;
2. Its structural condition is such that it is beyond reasonable economic repair, or
3. Retention and restoration through some form of charitable or community ownership is not possible or suitable, and
4. The removal is necessary to deliver a public benefit which outweighs the removal.

A key problem with this application is the demolition of the existing farm buildings which are a prominent feature of Elwick Conservation Area. The traditional historic rubble stone construction is a distinct feature which represents the rural development and character of the village. Situated at the original entrance to the village where the street opens out into the village green they are important to the views of the village and its conservation area. As original features of special architectural interest every effort should be made to retain as much as possible.

Elwick Conservation Area Appraisal identified potential negative aspects which can undermine the positive qualities of Elwick Conservation Area including :-

- inappropriate alterations to farm houses and buildings which have resulted in the removal or alteration of doors, windows and roofing materials for example, which could make a positive contribution to the character of the conservation area.
- poor detailing and design of housing within the identifiable historic core of Elwick (both inside and outside the conservation area) which could also make a positive contribution to the quality of Elwick as a village and as a conservation area.

The Appraisal Conclusion and Recommendations (G1) states “however negative aspects have been introduced in terms of a suburban feel either by farm buildings and houses being removed and replaced with houses of a suburban design or the removal of original details to remaining original properties”. Potential actions identified included “use development control power to refuse consent to inappropriately designed buildings” and “encourage appropriate reinstatement of traditional architectural details in future development proposals”.

This application is definitely a suburban style development using as it does standard house types that can be found in Lovell Homes sites throughout the country including suburban areas. The application cannot therefore have taken into account the village design statement or Conservation Area Appraisal. It should therefore be considered to be damaging to the heritage status of Elwick Conservation Area and refused in line with the Conservation Area Appraisal recommendations.

The proposed demolition of the front row of farm buildings and the north barn cannot be said to conserve or enhance the character or appearance of the Conservation Area. The evidence for these structures being completely beyond reasonable economic repair or retention in some form has not been provided. Similarly there is no evidence that the public benefit of removing these buildings delivers public benefit.

The earlier application H/2008/0026, extended by H/2014/0579 is far superior in identifying and enhancing the character of Elwick and intent on retaining the random stone structures, converting them to residential. Perhaps Lovell Homes may learn something from this earlier proposal. The Design, Access and Heritage Statement para 5.3 states “The appearance of the house types has been influenced by the prevailing features identified in the character appraisal and heritage statement. Dwellings are to be finished in a mixture of darker and lighter multi/mottled brick types, reflecting those in the conservation area.

Traditional building features on Elwick Green such as arched brick header courses over windows (Holmlea), and feature brick coursing (22a Elwick Green) are utilised on house types throughout the development. Furthermore, glazing bars link the development to the traditional character of the village. Roof coverings are proposed in a mix of terracotta pantile style roof tiles and slate effect tiles, reflecting the variety in the village”. This is simply inaccurate.

The predominant finish within Elwick Conservation Area is rendered properties not multi/mottled brick types. Holmlea is quoted as a reference for arched brick header courses over windows, but Holmlea features flat(not arched) one and a half brick (stretched and header) courses over windows. Holmlea would be a reasonable building to inspire, but not with only one fragment of the window openings, Holmlea’s

windows are also tall sash, the proposed new houses are long casements. 22a The Green is referenced as inspiring feature brick courses for the new development, 22a is the WI Hall (a former Wesleyan chapel) which features polychromatic brickwork rather than the feature brick coursing (presumably protruding stretcher or header courses). Using a non-domestic property, which by its different usage warrants distinct detailing, as inspiration for detailing on an estate of domestic properties is a very dubious principle. To suggest simply using glazing bars will link the development to the traditional character of the village erroneously suggest the character of Elwick has little to distinguish it. Glazing bars are a very common feature to be found in as many places across these islands as Lovell Home's standard housing types.

It is expect at the very least the new properties within the conservation area would use natural slates not slate 'effect' tiles. The feeble tweaking of the lintel treatment is a common feature coming from the larger developers as they attempt to justify the repeating of standard house types again and again on sites all over the country ignoring local identity and sense of place. This practice is contrary to NPPF chapter 12 Achieving Well Designed Places, especially as guidance is provided in the various documents of the Neighbourhood Plan. Had the Neighbourhood Plan Group been approached we would have been happy to assist the developers in understanding local styles and identity.

#### POLICY HA4 - PROTECTION AND ENHANCEMENT OF LOCALLY IMPORTANT BUILDINGS

In determining applications for planning permission that affect entries on the List of Locally Important Buildings, the effect of the application on the significance of the following will be assessed:

1. The historic or architectural importance of the building.
2. Features which contribute significantly to the character of the building.
3. Their contribution to the appearance of the locality.
4. Their scarcity value to the local area.
5. The scale, nature and importance of the proposed redevelopment, which should clearly demonstrate how it would conserve or enhance the site or setting of other buildings nearby.
6. The design and means of enclosure. A balanced judgement will be made, having regard to the scale of any harm or the loss and the significance of the heritage asset.

The retention of the mid-19th century farmhouse is welcomed being locally listed, but the older 18th century range of single storey farm buildings in random rubble and brick is also part of the local listing. Also included is the early 19th century north barn, again in random rubble but with brick detailing. The total loss of these important buildings is unacceptable as they are important to the appearance, character and history of Elwick which is why they have been given this local protection. The historic vernacular random rubble is an increasingly rare survivor. The development should retaining all the buildings which form part of the listing and which were not part of the development site allocation of Local Plan HSG7. No effort appears to have been made to seek a redevelopment that would preserve as much as possible of the listing, if not by Lovell Homes then by testing the open market see if a separate developer can be found.



## POLICY PO1: PLANNING OBLIGATIONS - CONTRIBUTIONS TOWARDS MEETING COMMUNITY INFRASTRUCTURE PRIORITIES

Developer contributions towards improved community infrastructure will be sought where it is shown that the obligation is necessary to make the scheme acceptable in planning terms, is directly related to the development and is fairly and reasonably related in scale and kind to the development. Developer contributions will be determined on a site by site basis in accordance with Hartlepool Borough Council's Supplementary Planning Document on Planning Obligations and due consideration should be given to priorities listed in Appendix 5.

Where a developer deems a scheme's viability may be affected they will be expected to submit an open book viability assessment. There may be a requirement for the provision of 'overage' payments to be made to reflect the fact that the viability of a site will be agreed at a point in time and may need to be reviewed, at set point(s) in the future. There is a list of priorities in Appendix 5 of the Rural Neighbourhood Plan, which is currently being updated. Elwick Parish Council should be consulted as to how best contributions can be used to improve community infrastructure.

### SUMMARY

NPPF Section 12, paragraph 131 states "the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process".

Good design should be sensitive to the locality not the continual repetition of standard house designs that can be found on every site a developer builds anywhere in the country – that is just cheap and lazy.

There are clear indications of what is expected of developers provided in the Rural Neighbourhood Plan and Elwick Village Design Statement. The developer has not engaged with the Rural Neighbourhood Plan Group.

In line with NPPF 133 Hartlepool Borough Council has provided a Residential Design SPD. Section D deals with Creating Locally Distinctive and Aesthetically Pleasing Housing Areas :-

4.22 All applicants should consider and describe the positive aspects that exist within an area and in turn seek to reflect upon those aspects within the design and layout of new housing. It would be inappropriate to consider reflecting the negative or more generic aspects of an area as that does not assist in embedding the Borough's history, heritage and local distinctiveness within design. For example, if a proposal is put forward within one of the Borough's villages then the homes proposed should resemble homes typically located within a village rather than those found in an urban

housing estate. When designing residential schemes that would affect heritage assets or their settings, harm to their significance should be avoided.

When considering the impact of a proposed development on the significance of a designated heritage asset, the Council will give great weight to the asset's conservation, in line with paragraph 193 of the NPPF.

When preparing proposals for development on the urban/rural fringe then reference should be drawn to the site's existing rural location and any new dwellings should be reflective of the rural setting and the local distinctiveness that exists within that area of the Borough. There is no evidence that the applicant has taken the Residential Design SPD onboard.

The National Design Code would also have been a useful tool especially the chapter on identity, but there is no indication that this has been referenced by the applicant either. According to the Statement of Community Involvement the consultation exercise was restricted to a leaflet drop to half of the village. A series of questions was included but the result of these questions was not included in the Statement. We feel this falls far short of the guidance provided in NPPF para. 137. Lack of engagement with the Rural Neighbourhood Plan Group, Elwick Parish Council and the community that produced village design guides also fails NPPF para. 132 "neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers".

NPPF 135, Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

As previously detailed the proposed housing has failed to be sympathetic to local character and history. Also as detailed these are standard Lovell Home housing designs so no innovation. Continually repeating the same designs on site after site is poor, not good architecture and can not add to the overall quality of the area. As these houses are to be found up and down the country in any Lovell Home development they do nothing for sense of place even with the erroneous attempt to pluck limited details from just a couple of local buildings.

139. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which

use visual tools such as design guides and codes. Conversely, significant weight should be given to:

- (a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes; and/or
- (b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surrounding.

We have identified throughout how this proposal is NOT well designed particularly with regard to local design policies and guidance. Equally there is nothing outstanding or innovative that might help raise the standard of design. It is considered that this application is not compliant with Rural Neighbourhood Policies GEN 2, HA1, HA2 and HA4. There are also significant concerns regarding policies HA1 and HA2. As these policies are in line with those of Hartlepool Local Plan it will be none compliant with that document too. There are also clear failings with respect to NPPF Section 12. As such the Rural Neighbourhood Plan Group strongly object to the application.

Update 25/04/2025 following amended layout:

The provision of some smaller two bedroom bungalows that may address the housing needs identified by the Rural Neighbourhood Plan and Elwick Village Design Statement is welcome. These bungalows however still require the total demolition of the locally listed farm buildings which front the village street and are important architectural and historic features of the conservation area. As such they remain unacceptable.

The aim of the other changes to the house type/styles is unclear. They do not appear to offer any improvement with regard to the aims of the various planning policies to preserve local character and distinctiveness. Perhaps the applicant could provide a cover letter which explains the choice of the new designs.

The amendments do not alter the original response of the Rural Neighbourhood Plan Group which remains valid. The conclusion was and remains a strong objection.

Update 16/10/2025 following amended layout:

Thank you for re-consulting Hartlepool Rural Neighbourhood Plan Group. This response should be read alongside previous responses from the Rural Plan Group.

The Group welcomes the retention of the front range of farm buildings. The barn to the rear of this range, is part of the same heritage designations yet the proposal continues to be shown this as demolished.

There is a further problem regarding the retained farmhouse and associated buildings. The existing (farmyard) access to these buildings to be removed. The previously proposed replacement access, running alongside the proposed SUDS, shown in earlier layouts has also been removed. This will severely hinder any future

use for these heritage assets. Either the existing farm access must be retained or an alternative access must be provided from within any new development.

## SUMMARY

While pleased to see the retention of the front range of farm buildings there remain issues relating to these heritage assets as outlined above. Many other issues contained in the Group's earlier responses are not addressed therefore the Group continue to strongly object to the planning application as presented.

**Elwick Parish Council:** Elwick Parish Council welcomes the development on the North Farm site, however we object to the application in its current form.

There are some areas that we must highlight, which are concerns for residents and/or the Parish Council, but also, we are keen to work together to address these concerns.

We request the opportunity to work with Lovell Homes and HBC to ensure that this is a sustainable, sympathetic development that both complements and integrates with the village.

## Consultation

A fourteen page "Statement of Community Involvement" has been published which claims,

1.5 "In accordance with Hartlepool Borough Council's Statement of Community Involvement Guidance adopted September 2019 a comprehensive engagement exercise was commissioned by the Applicants to establish key stakeholders and local resident's views prior to the submission of this outline planning application."

The details of the Community Consultation Exercise are as follows;

2.3 In relation to the public consultation, the following was undertaken:

- A Public Consultation leaflet, containing details of the proposed development, was delivered on 19/12/2023 to approximately 100 local homes

Around this time a hoarding was illegally erected without permission outside the proposed development and subsequently taken down In terms of the response to the consultation 3.4 In total, we received responses from 15 local people, including 1 parish council member, regarding the development. These individuals expressed their views (both positive and negative) towards the proposal.

A summary of the comments raised is identified below:

- Concern over scale and design of the development
- Concerns regarding traffic
- Concern over proposed access location
- Loss of green fields
- Flooding concerns
- Concerns regarding the impact of the development of the village facilities
- Concern over proposed housing mix

The document does not mention that the referenced “parish council member” was an email from the Chairman of Elwick Parish Council, sent in January of 2024 to origin Planning, and forwarded in May 2024 to Lovell Homes, requesting that the illegal signage is removed (which was done quickly), and explaining in detail that the proposed development differs significantly from the Elwick Design Statement and the approved Official Rural Neighbourhood Plan (link to both of which were included) as well as details of the previous approved planning application for the site as evidence of significant work that had been done in the past to create a suitable development.

There was no mention of this in the Statement of Community Involvement, and little if any mention of either key document in any subsequent published documents in the planning application. Neither origin Planning nor Lovell Homes subsequently chose to have any further engagement with Elwick Parish Council regarding this development.

It is disappointing that the numerous planning officers at HBC that have been involved in working with Lovell Homes did not encourage or insist on more thorough engagement with Elwick Parish Council, the Hartlepool Rural Neighbourhood Plan Group, or Residents.

The basic result will be that either HBC and the Planning Committee will ignore the Hartlepool Rural Neighbourhood Plan, or the developer will be incurring additional cost to adjust their plans.

Hartlepool Rural Neighbourhood Plan and Elwick Village Design Statement.

A comprehensive response to the planning application has been prepared for submission to HBC by the Hartlepool Rural Neighbourhood Plan Group, as part of the consultation process. Without copying it, it raises a number of concerns, not least of which is that the Hartlepool Rural Neighbourhood Plan was developed in conjunction with HBC and the emerging Local Plan and was subsequently adopted following a public referendum with the premise that this would be a governing feature of development in the Hartlepool Rural area. We understand that significant work has been done between Lovell Homes and HBC in developing the proposal, but it is very clear that much of the published Hartlepool Rural Plan has been ignored.

Additionally, as a part of the Rural Plan the Elwick Village Design Statement documents and outlines the importance of the site at North Farm due to its heritage influence within the Village and addresses any development on the site.

In particular, the Elwick Village Design Statement includes the following statement “New Development should incorporate the use of existing buildings to the south of the site. Due to their conservation status these buildings have to remain”.

Retention of historic buildings

The farm buildings are prominent features of the Elwick Conservation area, the traditional rubble stone construction is a distinct feature which is a signature mark of

the character of the village, as these are original features especially being on the entrance to the Village as it leads onto the Village Green.

The frontage of North Farm onto Elwick Village Road is a key feature of the appearance to the village, and many concerns have been raised as to the proposed frontage which will be little different to numerous new build housing estates.

At the recent public meeting, we were very encouraged to discuss with Lovell representatives that there is room to negotiate the retention of the farmhouse as a community building - would look to expand this to the frontage of the barns, perhaps as a shielding wall to allow parking, and to minimise the visual impact of a new build estate on the entrance to the village.

Housing Design – As presented, the plans are for all the houses to be of brick build, which is described as based on two properties in the village (Holmlea and the WI Hall). This does appear, as noted by several respondents to offer an estate that could be anywhere in the country and not particularly a rural village.

The homes in Elwick feature several distinct styles, with a good number of white rendered houses among the later brick gap additions and specific brick houses such as Holmlea and the Terrace.

Again, following the public meeting, Lovell have already proposed that they could add some variety to the finish, which we feel would be much more in keeping with the existing village look. We have examples from their portfolio that may match various village dwellings, and feel that some of these, interspersed through the development would much better match the character of the rest of the village.

It is encouraging that Lovell are proposing house designs that feature a high level of efficiency and sustainability with insulation, EV charging provision on PV systems where possible.

Number of houses – There is mismatch between Local and Rural Plan. Rural Plan 14 + 25, Local Plan, 14 + 35, which also offer issues with the proposed density of the development.

It is worth mentioning that the original numbers from both the Rural and Local plans consider using North Farm AND Potters Farm land, and while the new site incorporates the original site for the first 14 houses, the remainder of the houses are concentrated just on North Farm at a much higher than planned density.

#### Housing Mix

As per The Elwick Village Design Statement, and Rural Plan Housing Needs Survey, the types of houses that have been specified are smaller dwellings such as 2-to-3-bedroom houses suitable for first time buyers or those who wish to downsize, single storey bungalows etc, thus enabling the Village community to grow amongst a variety of age groups.

We understand that the developer is proposing up to 8 affordable homes, in line with government guidelines, and also that at the insistence of HBC more bungalows than originally intended are now in the design, however it is also note that the bungalows are of a 3 bed design, when perhaps 2 bedrooms would better meet the needs of elderly villagers looking to downsize.

The feeling is the developer has focused larger detached properties. With very few smaller builds included in the development. Another quote from The Elwick Village Design Statement specific to this site is “as with the established sites, detached and long rows of terraced housing will not be supported – rather semi-detached and small groups of terraced properties of 4-6 dwellings, to produce a design of housing that feels consistent with the village rather than just another residential street”.

The Parish Council feel that HBC has not pushed this guidance as detached dwellings dominate, and the largest terrace is of 3 dwellings.

The previous application approved in 2008, and subsequently extended in 2016 featured a conversion to the barn building in the frontage to produce a small number of 1- and 2-bedroom dwellings.

We urge the developer to consider revival of this as a part of the overall development, which could satisfy both the need for smaller homes, and retaining the heritage assets

We appreciate that this may be outside the scope of the planned development, but could perhaps be done in partnership with another organisation?

The site design and plot layout does not complement the characteristics of Elwick Village, overall, the general feedback from residents is the developers have concentrated on maximum density as opposed to considering the character of Elwick Village and its heritage assets

#### Traffic Volume

Many residents along with the Parish Council have raised concern regarding the increase of traffic which will impact the Village significantly once the houses are occupied, especially with the lack of progress being made with the proposed bypass. During the Public meeting held on the 17th February, hosted by Elwick Parish Council, representatives from Lovell Homes advised they are making a contribution to the bypass, however from the time scales given, this development could be completed and houses would be occupied before the bypass completion, increasing the traffic on an already busy road.

We believe that additional traffic will mainly be an issue pending the bypass construction, after which the overall traffic should reduce significantly. We would request specifically the occupation criteria as per other developments meaning the bypass needs to be open before occupation.

Additionally, the exit and entrance to the site is in a place where despite the 20mph speed limit, cars still travel too fast into or out of the village. Traffic calming measures

on the road above the site, as originally proposed by HBC previously could go some way to actively control the speed of traffic around the site access.

Construction Traffic – The two routes from the site through the village are not suitable for heavy vehicles or additional traffic. Heavy vehicles must be prohibited from accessing the site via the two village roads or via Worset lane, which is a narrow road and heavily used by village traffic travelling north. Construction traffic must be routed down to the roundabout at Dunston and back up go down past ALDI – Worset Lane, North Lane etc. all unsuitable. Construction worker's private vehicles must also be routed away from the village and parking provided on site as already outlined by Lovell representatives. Lovell did state that they propose to put in place a detailed traffic management plan.

#### Infrastructure and Power

We understand that Lovell will be working directly with Northern Power to ensure that there is sufficient capacity, and any necessary upgrades will be made to ensure that this is the case.

We need to have a better understanding and assurances on the sewage network capacity also.

The Village already has a poor digital infrastructure, this development this is going to add further impact the digital network, what measures are being put in place to alleviate this? We need reassurance that the addition of these houses will not compromise connectivity for the rest of the village.

Access Footpath – The proposed access footpath comes out onto Village Green, where there are no existing footpaths and where footpaths cannot be constructed.

Note that the foot path as proposed will need suitably designed handrail as there is a drop to the Elwick Village Road.

The previous approved application had the following recommendation from HBC head of traffic and transportation to route foot traffic across to the south side of the village.

3.29 He has suggested that the proposed footway onto Elwick Road is extended, and a pedestrian crossing point created from the development site to the south side of Elwick Road to make the centre of the village more accessible for residents to walk to it. This matter will require further detailed consideration and discussion given ownership and levels issues.

3.30 A requirement for the provision of a crossing point outside of the site could be included in a Section 106 Agreement or as a Grampian condition should it be considered feasible.

#### Flooding



Consultation was made to Anglian water who state that “This application is not relevant to Anglian Water – we have no comments to make. Please note Anglian Water will only comment on matters relating to drainage/surface water connections to our network.”

We had had significant experience in the last few years of flooding and water management issues, in a large part relating to water coming down into the village from the area of the development. There was in existence both at least one spring, and a pond / lake on the site of the development.

The current drainage in the village is insufficient and is frequently blocked. The water table in the village is quite high and has recently knocked out the power to one residence on the Green, which needed emergency repair work to restore.

On contacting Anglian water to raise these issues, we were advised “Whilst we sympathise with the flooding incidents and concerns raised, I must clarify that Northumbrian Water is responsible for foul and surface water sewerage services and should be contacted for further comments relating to any drainage concerns.”

We would strongly urge HBC to consult with the relevant group at Northumbrian Water regarding issues that have been experienced and revisit the flood risk analysis. Surface water is a major issue in the village due to the number of springs around and above the village and poor drainage infrastructure.

#### Village School

A concern raised by several residents is the strain that the development will put on the local primary school, St Peter's, which is already operating at capacity. The additional 46 homes, many designed for families will considerably impact numbers of place needed at the school, and there is little scope for expansion of the school.

#### Public Transport

Despite the Tees Flex service mentioned in the application, there is no established public bus service. The Tees Flex service is not assured year on year to continue, and is already overstretched as it services a vast area with limited buses. Elwick would need a dedicated bus service from the town to accommodate school children or the elderly increase in population.

**HBC Parks and Countryside:** No comments received.

**Environment Agency:** No comments received.

**Natural England:** Designated Sites [European] – No Objection Subject To Securing Appropriate Mitigation

This advice relates to proposed developments that falls within the ‘zone of influence’ (ZOI) for one or more European designated sites, such as Northumbria Coast SPA, Teesmouth and Cleveland Coast SPA. It is anticipated that new residential development within this ZOI is ‘likely to have a significant effect’, when considered

either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development. On this basis the development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts in the form of a strategic solution Natural England has advised that this solution will (in our view) be reliable and effective in preventing adverse effects on the integrity of those European Site(s) falling within the ZOI from the recreational impacts associated with this residential development.

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

*Further/updated comments received 27/11/2025 following amended HRA:*

Designated Sites [European] – No Objection Subject To Securing Appropriate Mitigation

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for one or more European designated sites, such as Northumbria Coast SPA, and Teesmouth and Cleveland Coast SPA. It is anticipated that new residential development within this ZOI is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development. On this basis the development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts in the form of a strategic solution Natural England has advised that this solution will (in our view) be reliable and effective in preventing adverse effects on the integrity of those European Site(s) falling within the ZOI from the recreational impacts associated with this residential development.

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

**National Grid:** Regarding planning application H/2024/0388, there are no National Grid Electricity Transmission assets affected by the proposal. If you would like to view if there are any other affected assets in this area, please raise an enquiry with <https://www.lsbud.co.uk>. Additionally, if the location or works type changes, please raise an enquiry.

Please note this response is only in reference to National Grid Electricity Transmission assets only. National Gas Transmission (formerly National Grid Gas) should be consulted separately where required.

**Northumbrian Water:** In making our response to the local planning authority Northumbrian Water assesses the impact of the proposed development on our assets and assesses the capacity within our network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/services/developers/>

We have no issues to raise with this application, provided it is approved and carried out within strict accordance with the submitted document entitled “Flood Risk Assessment and Drainage Strategy Version 2 dated Jan 2024” and accompanying plan “proposed Engineering Layout rev. 5 dated 29/11/24”. This document reflects our pre-planning enquiry advice identifying connections at manhole 6401 for foul flows and manhole 5305 at restricted rates of 13.7l/s.

We request that the following approval condition is attached to a planning approval, so that the development is implemented in accordance with the above named document:

**CONDITION:** Development shall be implemented in line with the drainage scheme contained within the submitted documents entitled “Flood Risk Assessment and Drainage Strategy version 2 dated January 2024 and Proposed Engineering Layout revision 5 dated 24/11/24”. The drainage scheme shall ensure that foul flows discharge to the combined sewer at manhole 6401 and ensure that surface water discharges to the surface water sewer at manhole 5305. The surface water discharge rate shall not exceed the available capacity of 13.7l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

**REASON:** To prevent the increased risk of flooding from any sources in accordance with the NPPF.

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developer’s approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy. The required discharge rate and volume may be lower than the Northumbrian Water figures in response to the National and Local Flood Policy requirements and standards. Our comments simply reflect the ability of our network to accept flows if sewer connection is the only option. They are not part of any approval process for determining whether the proposed drainage layouts / design put forward at the planning stage satisfies the adoption criteria as set out in the Code for Sewer Adoption (sewer sector guidance). It is important for developers to understand that discussions need to take place with Northumbrian Water prior to seeking planning permission where it is their intention to offer SuDS features for adoption.

## For Information Only

Please note that the site lies within drainage area 11-D28. This drainage area discharges to Seaton Carew Sewerage Treatment Works, which is named on the Nutrient Neutrality Budget Calculator.

**Anglian Water:** This application is outside of Anglian Water's sewerage boundary – we have no comments to make thereon. Please note Anglian Water will only comment on drainage/surface water within our boundaries.

**Independent Water Networks:** Please take this email as a confirmation that GTC has no assets within the order limits of this search area.

**CPRE:** No comments received.

**HBC Economic Development:** No comments received.

**Tees Valley Wildlife Trust:** No comments received.

**Teesmouth Bird Club:** No comments received.

**Northern Gas Networks:** Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

**HBC Building Control:** No comments received.

**HBC Housing Standards:** No comments received.

**HBC Estates:** No comments received.

**HBC Housing:** No comments received.

**PLANNING POLICY**

3.24 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

Hartlepool Local Plan

3.25 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

Policy	Subject
SUS1	The Presumption in Favour of Sustainable Development
LS1	Locational Strategy
CC1	Minimising and adapting to Climate Change
INF2	Improving Connectivity in Hartlepool

QP1	Planning Obligations
QP3	Location, Accessibility, Highway Safety and Parking
QP4	Layout and Design of Development
QP5	Safety and Security
QP6	Technical Matters
QP7	Energy Efficiency
HSG1	New Housing Provision
HSG2	Overall Housing Mix
HSG7	Elwick Village Housing Development
HSG9	Affordable Housing
HE1	Heritage Assets
HE2	Archaeology
HE3	Conservation Areas
NE1	Natural Environment
NE2	Green Infrastructure
NE4	Ecological Networks

### Hartlepool Rural Plan

3.26 The following policies in the adopted Hartlepool Rural Neighbourhood Plan 2018 are relevant to the determination of this application:

<b>Policy</b>	<b>Subject</b>
GEN1	Development Limits
GEN2	Design Principles
H1	Housing Development
H2	Affordable Housing
T1	Improvements to the Highway Network
NE1	Natural Environment
HA1	Protection and Enhancement of Heritage Assets
HA2	Protection and Enhancement of Conservation Areas
PO1	Planning Obligations

### Supplementary Planning Documents

3.27 The following Supplementary Planning Documents (SPDs) are considered relevant to the determination of the application:

- Transport Assessments / Statements and Travel Plans SPD 2010
- Residential Design Guide SPD 2019
- Trees and Development Guidelines SPD 2013
- Green infrastructure SPD and Action Plan 2020
- Public Rights of Way Standards and Guidance SPD 2020
- Planning Obligations SPD 2015

### Tees Valley Minerals and Waste DPD

3.28 The Tees Valley Minerals DPDs (TVMW) form part of the Development Plan and includes policies that need to be considered for all major applications, not just those relating to minerals and/or waste developments.

3.29 The following policies in the TVMW are relevant to this application:

Policy	Subject
MWP1	Waste Audits

#### National Planning Policy Framework (NPPF)(2024)

3.30 In December 2024 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012, 2018, 2019, 2021 and 2023 NPPF versions. The NPPF sets out the Government's Planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a strong reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

Para	Subject
001	Govt's planning policies for England
002	Status of NPPF
007	Meaning of sustainable development
008	Achieving sustainable development (three overarching objectives – Economic, Social and Environmental)
009	Achieving sustainable development (not criteria against which every decision can or should be judged – take into account local circumstances)
010	Achieving sustainable development (presumption in favour of sustainable development)
011	The presumption in favour of sustainable development
012	The presumption in favour of sustainable development does not change statutory status of the development plan as the starting point for decision making
039	Positive and creative decision approach to decision making
048	Applications to be determined in accordance with the development plan, unless material considerations indicate otherwise
056	Use of conditions or planning obligations
058	Planning obligations tests
061	Delivering a sufficient supply of homes
072	Identifying land for homes

073	Small and medium sized sites
082	Rural housing
083	Sustainable development in rural areas
096	Promoting healthy and safe communities
103	Open space and recreation
109	Promoting sustainable transport
129	Achieving appropriate densities
131	Achieving well-designed places
136	Tree-lined streets
139	Refusal of poor design
187	Conserving and enhancing the natural environment
202	Conserving and enhancing the historic environment

### **HBC Land Use/Planning Policy comments:**

#### **Principle of development**

3.31 The application site is largely contained within the limits to development for Elwick as defined by the Local and Neighbourhood Plan Policies Maps. The site is allocated under Local Plan Policy HSG7 for approximately 35 dwellings at the site known as Potters Farm / North Farm and includes land up to the eastern edge of the village envelope. Rural Plan Policy H1 allocates the site for approximately 25 additional units on top of the 14 already approved (39 units in total), the site allocation is smaller than that in the Hartlepool Local Plan as the site does not extend to the eastern edge of the village envelope.

3.32 It is noted that this proposal is for the erection of 46 dwellings which is above that allocated within both plans, the figure in the plan is an approximate figure and providing that the site can accommodate more than the anticipated number of units then a greater number may be acceptable. Given that the site is allocated within two development plans then the principle of residential development is broadly acceptable in this location.

3.33 Part of the site extends further eastward than the allocation, beyond the development limits of the village. This area of land is relatively small scale and allows primarily for open space, with a redirected public right of way and a small section of a shared drive. There are no houses or private gardens proposed beyond the development limits. Planning Policy are of the view that taken as a whole, despite the incursion into the rural area, this does not undermine the principle of the development being broadly acceptable in this location.

3.34 Criterion one of policy HSG7 sets out that no more than 1.67ha of land will be developed for new housing and that a minimum of 0.40ha of green infrastructure, informal open space and recreational and leisure land should be provided. Planning Policy note that areas of Green Infrastructure have been shown on the proposal, which is welcomed, however the proposals are for development of approximately 1.8 hectares of land and the provision of only 0.27 hectares of open space. Inevitably, an increase in the density of development has resulted in an increased area of development, however Planning Policy note that the site does not cover the full allocation. As such, it is considered the level of open space provision should be

proportionate to the amount of the allocation covered by the proposals, given there is the potential for further residential development proposals to come forward at a later date on the adjacent site, which would also need to deliver an amount of open space.

3.35 Criterion 3 sets out that a landscape buffer must be created between the site and the bypass to the north and that no built incursion into the landscape buffer will be permitted other than for uses intrinsically linked to its use as a landscape buffer. Planning Policy note that a landscape buffer has been included to the north of the site, which appears broadly acceptable. Notwithstanding that, the views of the Council's Landscape, Ecology and Tree officers should be sought in assessing the landscaping of the site.

3.36 Criterion 4 sets out that development proposals for the site will be expected to take account of, respect and conserve the significance and setting of the adjacent heritage assets. Planning Policy trust that the Council's heritage expert will critique the scheme with regards to the impact that the proposal has on surrounding heritage assets. Notwithstanding that, Planning Policy have concerns about the proposed appearance of the development, particularly in terms of the house types at the site frontage. It is considered that the houses proposed do not reflect the character of the village but are rather more generic house types. The submitted street scene plan shows the distinction between the existing farmhouse, which is to be retained, and the style of the houses proposed. The difference in scale of the window openings is particularly noticeable. Planning Policy consider that to ensure a sense of place is created and that the character of the village is respected, then the positive elements of the village should be reflected within the design of the site and therefore a more bespoke design is put forward that better reflects the context of Elwick Village, rather than stock 'heritage' house types.

3.37 Advice from the Head of service for Heritage and Open Spaces should be sought and adhered to, to ensure that the scheme respects and conserves the Elwick Conservation Area and any surrounding heritage assets.

3.38 Criterion 5 sets out that appropriate pedestrian and cycle linkages to the adjoining areas of countryside and linking to Hartlepool along Elwick Road will be required as part of the residential development, along with a contribution towards a subsidised bus service to help maximise the sustainability of the site.

3.39 In light of the rural location of the site and the lack of services within the village, Local Plan policy HSG7 was written to include the need for assistance in subsidising the bus service along with better pedestrian and cycle links to the adjoining areas of countryside and along Elwick Road. Better links will allow new residents to access facilities and services without the need for a car. Without such links the sustainability credentials of the site are reduced to an unacceptable level and would not be in accordance with the adopted plan. While the submitted Planning Statement references criterion 5 of the policy, it makes no reference to any contribution towards bus services.

3.40 Criterion 6 sets out that the development will be expected to contribute, on a pro-rata basis to the provision of the grade separated junction and bypass to the



north of Elwick Village. The cost per dwelling for the scheme is £12,000. It is noted this contribution is included in the developer's draft Heads of Terms document.

3.41 Rural Plan policy T2 (improvement and extension of the public and permissive rights of way network) sets out that a priority for Elwick is the delivery of cycleways and footpaths from Elwick to Hartlepool and cycleways and footpaths linking Elwick to other villages and the countryside. It is noted that footpath links within the immediate area are proposed as part of the scheme and Planning Policy trust that HBC Traffic and Transport and HBC Countryside Access Officer will comment on the suitability of these links.

3.42 Rural Plan policy GEN 2 (design principles) sets out (in criterion 1) that the design of new development should demonstrate, how relevant village design statements and conservation area appraisals have been taken into account. Of paramount importance is that the Elwick Village Design Statement is considered and adhered to.

3.43 Local Plan Policy HSG2 requires new housing to achieve an overall balanced housing stock to meet local needs. The 2014 Strategic Housing Market Assessment (SHMA) should be considered when deciding what dwellings to include in the application and attention should be paid to NPPF paragraph 63 which places greater emphasis on having homes delivered that meet identified needs and thus shows the direction of the Government with regards to how it expects decisions to be made. It is significant to note that in 2014 there was a pressing need for bungalows, which has not yet been met. The scheme proposes six bungalows, equating to approximately 13% of the units proposed, this is welcomed by Planning Policy. Affordable Housing

3.44 Local Plan policy HSG9 (Affordable Housing) advises that the Council will seek an affordable housing target of 18% on all sites above the 15 dwelling threshold. There is a significant affordable housing need within the borough therefore in a bid to have a positive impact upon meeting the Council's overall affordable housing targets, the development should provide 18% of the 46 dwellings as affordable units, this equates to 8.28 units or eight dwellings on site plus a financial contribution to equate to the remaining 0.28. The developer has confirmed on-site delivery will be made and this is welcomed.

3.45 Affordable housing need in the Rural West ward is for 3-bedroom or larger properties. There needs to be a 70/30 split between affordable rent and intermediate tenure properties. These requirements are set out in Local Plan policy HSG9 and the Strategic Housing Market Assessment.

3.46 The information provided does not reflect the requirements set out above and should be reviewed.

## Design

3.47 Planning Policy note that the local and neighbourhood plans set out what is likely to occur within the borough and the two plans look to give a level of certainty to residents, developers and other stakeholders. The housing figures within the plans

are a guide only and it is noted that a higher number of units than put forward in the allocations has been proposed by this application. Of paramount importance is that the layout and design of the site including the open space is of high quality, blends seamlessly with the village, provides the required homes and mitigates any likely infrastructure impacts.

3.48 In addition to the concerns raised above about whether the scheme reflects the character of the village, there are some issues with the proposed layout that it is considered could be improved. These include large amounts of car parking being to the front of properties rather than to the side, some plots having very small gardens, parking spaces that appear to be within the open space/SUDS area, parking spaces that are in impractical locations making them unattractive for occupiers to use. All of these taken together give the impression of the development being squeezed.

### Planning Obligations

3.49 In the interests of achieving sustainable development and ensuring that the proposal is acceptable in planning terms, and in accordance with Local Plan policy QP1 Planning Obligations and the Planning Obligations SPD, the following developer contributions will be required based on the current submission.

- Affordable Housing – 18% onsite delivery, equivalent to 8 units, plus £14,997.12 (equivalent to 0.28 of a unit).
- Elwick/A19 Grade separated junction and the new road north of Elwick - A sum of £12,000 per unit should be secured and directed towards the new road infrastructure.
- Primary Education Primary Education - a sum of £136,036.95 towards primary education.
- Secondary education – a sum of £88,983.62 towards primary education.
- Play – £250 per unit should be secured and directed towards the village play park.
- Built sport - A sum of £250 per dwelling should be secured and directed towards Built Sports Facilities in Elwick i.e. for activities in the village Hall or another appropriate locations i.e. the new HBC leisure centre
- Playing Pitches - A sum of £233.29 per unit should be secured and directed towards the nearest playing pitch provision.
- Tennis Courts - A sum of £57.02 per unit should be secured and directed towards the nearest playing pitch provision.
- Bowling Greens - A sum of £4.97 per unit should be secured and directed towards borough wide bowling provisions.
- Sustainable transport links – advice pending
- Subsidised bus contribution – advice pending
- NHS contribution – It is trusted the decision maker will consult with HBC Public Health and the NHS to establish whether a contribution is required from this development.

Update 23/04/2025 following amendments to some house types:

3.50 Further to the re-consult regarding amended plans for the above application. Our comments are that the frontage house types (i.e. plots 1, 10, 11, 12, 44, 45, 46) need to better reflect the style and proportions of the existing farmhouse (particularly the windows) and respect the conservation area setting of the site. Neither the original submission nor the current iteration do so, and therefore the house types proposed across the site frontage are considered inappropriate.

3.51 In relation to all other policy matters, I would refer you back to our original comments which remain applicable.

Update 17/11/2025 following amended Viability Assessment:

Principle of development – UPDATED COMMENTS

3.52 The application site is largely contained within the limits to development for Elwick as defined by the Local and Neighbourhood Plan Policies Maps. The site is allocated under Local Plan Policy HSG7) for approximately 35 dwellings at the site known as Potters Farm / North Farm and includes land up to the eastern edge of the village envelope. Rural Plan Policy H1 allocates the site for approximately 25 additional units on top of the 14 already approved (39 units in total), the site allocation is smaller than that in the Hartlepool Local Plan as the site does not extend to the eastern edge of the village envelope.

3.53 Amendments to the proposal to address previous comments raised have resulted in a reduction of the number of units from 46 to 43 dwellings. The number of units proposed remains above that allocated within both plans, the figure in the plan is an approximate figure and providing that the site can accommodate more than the anticipated number of units then a greater number may be acceptable. Given that the site is allocated within two development plans then the principle of residential development is acceptable in this location.

3.54 Part of the site extends further eastward than the allocation, beyond the development limits of the village. This area of land is relatively small scale and allows primarily for open space, with a redirected public right of way and a small section of a shared drive. There are no houses or private gardens proposed beyond the development limits. Land Use Policy are of the view that taken as a whole, despite the incursion into the rural area, this does not undermine the principle of the development being broadly acceptable in this location.

3.55 Criterion one of policy HSG7 sets out that no more than 1.67ha of land will be developed for new housing and that a minimum of 0.40ha of green infrastructure, informal open space and recreational and leisure land should be provided. Land Use Policy note that areas of Green Infrastructure have been shown on the proposal, which is welcomed. The proposals are for development of approximately 1.69 hectares of land and the provision of 0.22 hectares of open space. Land Use Policy note that the site does not cover the full allocation. As such, it is considered the level of open space provision should be proportionate to the amount of the allocation covered by the proposals, given there is the potential for further residential development proposals to come forward at a later date on the adjacent site, which

would also need to deliver an amount of open space. The current proposal is considered to provide a proportionate level of green infrastructure.

3.56 The landscape buffer set out in criterion 3 of Policy HSG7 has been provided, the views of the Council's Landscape, Ecology and Tree officers should be sought in assessing the landscaping of the site.

3.57 Criterion 4 sets out that development proposals for the site will be expected to take account of, respect and conserve the significance and setting of the adjacent heritage assets. Land Use Policy trust that the Council's, heritage expert will critique the scheme with regards to the impact that the proposal has on surrounding heritage assets. To date there have been several discussions over the house types proposed at the front of the proposal, with the current proposal retaining the existing farm buildings, plots 1 and 43 (Newbury house type) will now be the only houses proposed onto Elwick Road. The elevational treatment of the Newbury house type has been amended to provide a more bespoke design using a single building material, preferably brick, and the removed the canopy to provide an elevation which sits more comfortably with the retained farm house.

3.58 Advice from the Head of service for Heritage and Open Spaces should be sought to ensure that the scheme respects and conserves the Elwick Conservation Area and any surrounding heritage assets.

3.59 Criterion 5 sets out that appropriate pedestrian and cycle linkages to the adjoining areas of countryside and linking to Hartlepool along Elwick Road will be required as part of the residential development, along with a contribution towards a subsidised bus service to help maximise the sustainability of the site.

3.60 In light of the rural location of the site and the lack of services within the village, Local Plan policy HSG7 was written to include the need for assistance in subsidising the bus service along with better pedestrian and cycle links to the adjoining areas of countryside and along Elwick Road. Better links will allow new residents to access facilities and services without the need for a car. Without such links the sustainability credentials of the site are reduced to an unacceptable level and would not be in accordance with the adopted plan. It is noted that the existing PRoW will be diverted through the site and pedestrian connections into the village are identified. Further information is required, from the applicant, on assistance in subsidising the bus service.

3.61 Criterion 6 sets out that the development will be expected to contribute, on a pro-rata basis to the provision of the grade separated junction and bypass to the north of Elwick Village. The cost per dwelling for the scheme is £12,000. It is noted this contribution is included in the developer's EVA.

3.62 Rural Plan policy T2 (improvement and extension of the public and permissive rights of way network) sets out that a priority for Elwick is the delivery of cycleways and footpaths from Elwick to Hartlepool and cycleways and footpaths linking Elwick to other villages and the countryside. It is noted that footpath links within the immediate area are proposed as part of the scheme and Land Use Policy

trust that HBC Traffic and Transport and HBC Countryside Access Officer will comment on the suitability of these links.

3.63 Rural Plan policy GEN 2 (design principles) sets out (in criterion 1) that the design of new development should demonstrate, how relevant village design statements and conservation area appraisals have been taken into account. Of paramount importance is that the Elwick Village Design Statement is considered and adhered to.

3.64 Local Plan policy HSG2 requires new housing to achieve an overall balanced housing stock to meet local needs. The scheme provides a range of house sizes from 2 to 4 bedroom and proposes five bungalows providing a mix of 2 and 3 bed, this is welcomed by Land Use Policy.

#### Affordable Housing

3.65 Local Plan policy HSG9 (Affordable Housing) advises that the Council will seek an affordable housing target of 18% on all sites above the 15 dwelling threshold. There is a significant affordable housing need within the borough therefore in a bid to have a positive impact upon meeting the Council's overall affordable housing targets, the development should provide 18% of the 43 dwellings as affordable units, this equates to 7.74 units or seven dwellings on site plus a financial contribution to equate to the remaining 0.74. The developer has proposed on-site delivery of five affordable dwellings on site due to viability. The submission of a viability assessment has confirmed that the provision of the additional 2.74 units would be unviable.

#### Design

3.66 Land Use Policy note that the local and neighbourhood plans set out what is likely to occur within the borough, and the two plans look to give a level of certainty to residents, developers and other stakeholders. The housing figures within the plans are a guide only and it is noted that a higher number of units than put forward in the allocations has been proposed by this application. Of paramount importance is that the layout and design of the site including the open space is of high quality, blends seamlessly with the village, provides the required homes and mitigates any likely infrastructure impacts.

3.67 Throughout the application process several amendments have been made. The current proposed layout has addressed previous comments providing a permeable residential area with activation over the proposed open space. The level of landscaping within the street has been increased, reducing the dominance of parking and the creation of a tree lined street. Elevational changes have also been applied to dwellings proposed onto Elwick Road to reflect the existing farmhouse.

#### PLANNING OBLIGATIONS

3.68 The applicant is proposing to deliver 11% on site affordable housing and a contribution of £516,000 to the Elwick by-pass.

3.69 A viability assessment has been submitted for the proposal. Land Use Policy accept the findings of the Financial Viability Assessment report which shows a 10.8% profit. Seeking any additional planning obligations would therefore not be appropriate.

Verbal update 21/11/2025 following query regarding sustainable transport options contribution offered by the applicant (£15,000):

3.70 The contribution is acceptable.

## **PLANNING CONSIDERATIONS**

3.71 The main planning considerations with respect to this application are the principle of development (including viability and planning obligations, planning balance, energy efficiency and renewable energy and house types), design and impact on the visual amenity (including heritage assets), residential amenity, ecology (including biodiversity net gain, biodiversity mitigation measures, biodiversity enhancement, habitats regulation assessments (including recreational impact on designated sites and nutrient neutrality), trees and landscaping, highway safety and parking, flood risk and drainage and contamination. These and any other planning matters (including archaeology, crime, fear of crime and anti-social behaviour) and residual matters are considered in detail below.

### **PRINCIPLE OF DEVELOPMENT**

3.72 The application site is located, for the most part, within the development limits as defined by Policy LS1 (Locational Strategy) of the Hartlepool Local Plan (HLP) and forms part of the wider allocation for housing development, allocated by HSG7 (Elwick Village Housing Development) on the Hartlepool Local Plan Policies Map (HLPPM) (2018). The site is entirely within the development limits set out in Policy GEN1 the Hartlepool Rural Neighbourhood Plan (HRNP) (2018), and forms part of the housing development allocation under Policy H1 (Housing Development) of the HRNP (2018).

3.73 Policy HSG7 of the HLP (2018) relates to the wider site at Potters Farm / North Farm measuring approximately 2.07 hectares. The policy states that approximately 35 dwellings are anticipated, and the development will be phased over the plan period. Policy H1 of the HRNP (2018) allocates the site for approximately 25 additional units on top of the 14 already approved (39 units in total), however it is noted that the site allocation is smaller than that in the Hartlepool Local Plan as the site does not extend to the eastern edge of the village envelope.

3.74 It is noted that this proposal is for the erection of 43 dwellings which is above that allocated under Policy HSG7 (which indicates approximately 35 dwellings can be accounted for across both phases), and Policy H1 of the HRNP (2018) (which states that approximately 39 dwellings would be provided). However, the Council's Land Use Policy team have confirmed that 35 dwellings (in the HRP policy) is an approximate figure and providing that the site can accommodate more than the anticipated number of units then a greater number may be acceptable.

3.75 Part of the site extends further eastward than the allocation, beyond the development limits of the village. This area of land is relatively small scale and allows primarily for open space, with a redirected public right of way and a small section of a shared drive. There are no houses or private gardens proposed beyond the development limits. Notwithstanding that the proposed development includes more dwellings than is allocated in Policy HSG7 of the HLP (2018) and Policy H1 of the HRNP (2018), given that the site is allocated within two development plans then the principle of residential development is broadly acceptable in this location, subject to the proposal meeting the relevant criteria of these policies together with other relevant policies of the HLP and HRNP (2018).

3.76 Policy HSG7 requires that applications are determined in accordance with the following criteria:

- 1) No more than 1.67ha of land will be developed for new housing. The development will incorporate a minimum of 0.40ha of green infrastructure, informal open space and recreational and leisure land.
- 2) The site will be accessed via Elwick Road at the North Farm access. No access will be permitted from the new bypass or via the village green.
- 3) A landscape buffer, as illustrated on the Policies Map, will be created between the site and the bypass to the north. No built incursion into the landscape buffer will be permitted other than for uses intrinsically linked to its use as a landscape buffer.
- 4) Development proposals for the site will be expected to take account of, respect and conserve the significance and setting of the adjacent heritage assets.
- 5) Appropriate pedestrian and cycle linkages to the adjoining areas of countryside and linking to Hartlepool along Elwick Road will be required as part of the residential development, along with a contribution towards a subsidised bus service to help maximise the sustainability of the site.
- 6) The development will be expected to contribute, on a pro-rata basis with High Tunstall (HSG5), Quarry Farm 2 (HSG5a) and Briarfields (HSG3(3)), to the provision of the grade separated junction and bypass to the north of Elwick Village.

3.77 Policy H1 of the HRNP (2018) requires:

- 1) The site to the north of Potters Farm to be integrated into the sites at North Farm with no further access being created across the village green.
- 2) A mixture of house types and sizes should be provided to include two bedroomed homes and bungalows set around incidental open space. New housing development should provide a mix of house types and tenures on sites of five or more dwellings; the mix should have regard to the latest evidence of housing need applicable at the time.

3.78 In respect to criterion 1 of Policy HSG7 of the HLP (2018) and Policy C1 (Safeguarding and Improvement of Community Facilities) of the HRNP (2018), areas of Green Infrastructure have been shown on the proposed layout plan. The proposals are for development of approximately 1.69 hectares of land with the provision of only 0.27 hectares (approx.) of open space. It is considered that the level of open space provision should be proportionate to the amount of the allocation covered by the proposals, given there is the potential for further residential

development proposals to come forward at a later date on the adjacent site, which would also need to deliver an amount of open space. The Council's Land Use Policy team support this view and have confirmed that the provision of open space areas is proportionate and acceptable in this instance.

3.79 In respect to criterion 2 of Policy HSG7 (2018) and the requirements of Policy H1 of the HRNP (2018), the application site takes access from Elwick Road adjacent to the existing North Farm access. This is considered to be acceptable.

3.80 Criterion 3 of Policy HSG7 of the HLP (2018) and Policy NE1 (Natural Environment) of the HRNP (2018) sets out that a landscape buffer must be created between the site and the bypass to the north and that no built incursion into the landscape buffer will be permitted other than for uses intrinsically linked to its use as a landscape buffer. A landscape buffer to the north of the site is shown on the submitted proposed Layout (and landscaping) Plan. The Council's Landscape Architect, Ecologist and Arboricultural Officer have all confirmed that this is acceptable (subject to their respective comments which are detailed in full in the relevant sections of the report).

3.81 Criterion 4 of Policy HSG7 of the HLP (2018) sets out that development proposals for the site will be expected to take account of, respect and conserve the significance and setting of the adjacent heritage assets. Rural Plan policy GEN2 (design principles) sets out (in criterion 1) that the design of new development should demonstrate, how relevant village design statements and conservation area appraisals have been taken into account. The Elwick Village Design Statement is therefore particularly relevant.

3.82 As discussed further in the section of the report below, the Council's Head of Service for Heritage and Open Spaces, the Council's Land Use Policy team, the Rural Neighbourhood Plan Group, Elwick Parish Council and the Civic Society initially raised concerns that the proposed dwellings do not reflect the character of the village but are rather more generic house types. The submitted street scene plan shows the distinction between the existing farmhouse, which is to be retained, and the style of the houses proposed. The case officer requested that further thought be given to the design of the proposed development as a whole to ensure a sense of place is created and that the character of the village is respected. The case officer requested that the positive elements of the village should be reflected within the design and a more bespoke design that better reflects the context of Elwick Village, rather than stock 'heritage' house types be provided. This was reflected in updates to the two most prominent dwellings to the front of the site where viewed from the Conservation Area (proposed plots 1 and 43) whereby the house type was amended to remove the canopy and simplify the finishing materials to a single brick finish). The applicant also provided a supplementary 'Retained Farmhouse and Barns Response', detailing that it is important to ensure these buildings can be appropriately redeveloped and reused, albeit it is acknowledged that they are outside the application site boundary (as amended). Overall and for reasons set out in main body of report, it is considered that these changes assist in providing an acceptable design and ensure that the proposals do not result any adverse harm to the to the character and appearance of the designated heritage asset (Elwick Conservation



Area) and non-designated heritage assets (locally listed building(s) within the site) and the context of Elwick Village.

3.83 Criterion 5 of Policy HSG7 (2018) and Policy T2 (Improvement and Extension of the Public and Permissive Rights of Way Network) of the HRNP (2018) sets out that appropriate pedestrian and cycle linkages to the adjoining areas of countryside and linking to Hartlepool along Elwick Road will be required as part of the residential development, along with a contribution towards a subsidised bus service to help maximise the sustainability of the site. As discussed further in the report below, the Council's Countryside Access Officer has confirmed that the proposed diverted Public Footpath is acceptable.

3.84 The aims of Policy HSG7 of the HLP (2018) and Policy T2 of the HRNP (2018) set out that a priority for Elwick is the delivery of cycleways and footpaths from Elwick to Hartlepool and cycleways and footpaths linking Elwick to other villages and the countryside. Given the rural location, it is essential that the proposed development provided a contribution towards a subsidised bus service along with better pedestrian and cycle links to the adjoining areas of countryside and along Elwick Road. Without such links the sustainability credentials of the site are reduced to an unacceptable level and would not be in accordance with these identified policies of the HLP and HRNP. It is noted that the existing Public Footpath will be diverted through the site and pedestrian connections into the village are identified.

3.85 In respect to a subsidised bus service, the applicant has agreed to contribute a sum of £15,000 to be payable towards sustainable transport options, which is accepted by the Council's Land Use Policy team and the Council's Traffic and Transport team. This would need to be secured via a S106 legal agreement.

3.86 Criterion 6 of the HLP (2018) and Policy T1 (Improvements to the Highway Network) of the HRNP (2018) sets out that the development will be expected to contribute, on a pro-rata basis to the provision of the grade separated junction and bypass to the north of Elwick Village. The cost per dwelling for the scheme is £12,000. The applicant has agreed to pay this amount, which needs to be secured via a S106 legal agreement.

3.87 Policy HSG2 of the HLP (2018) and Policy H1 of the HRNP (2018) requires new housing to achieve an overall balanced housing stock to meet local needs. The 2014 Strategic Housing Market Assessment (SHMA) should be considered when deciding what dwellings to include in the application and attention should be paid to NPPF paragraph 63 which places greater emphasis on having homes delivered that meet identified needs and thus shows the direction of the Government with regards to how it expects decisions to be made. It is significant to note that in 2014 there was a pressing need for bungalows, which has not yet been met. The scheme proposes five bungalows, equating to approximately 11.6% of the units proposed.

3.88 Policy LS1 of the HLP (2018) and Policy H1 of the HRNP (2018) supports sustainable development based on a strategy of balanced urban growth with expansion being concentrated in areas adjoining the existing built-up area to ensure that growth occurs in a controlled way and is delivered alongside local and strategic infrastructure improvements.

3.89 The Council's Land Use Policy team and the Rural Plan Working Group acknowledge that the creation of areas of green space and footpaths throughout the site would bring benefits to the borough's residents (as well as to future occupants of the proposed development), albeit it is acknowledged that a children's play area is not provided.

3.90 Officers consider that some weight can be attributed to the positive contributions of the scheme to the creation of areas of open space, footpaths and landscaping, and the retention of the existing farm buildings. Ultimately, the weight afforded to this, will need to be factored into the overall planning balance (which is detailed in full below).

#### *Viability and Planning Obligations*

3.91 In the interests of providing sustainable development and in ensuring that the proposal is acceptable in planning terms, and in accordance with Policy QP1 (Planning Obligations) of the Hartlepool Local Plan (2018) and the Planning Obligations SPD, and Policy PO1 (Planning Obligations – Contributions Towards Meeting Community Infrastructure Priorities) of the HRNP (2018) the Council's Land Use Policy section has confirmed that given the size of the proposed residential development and its intended purpose and in the interests of providing sustainable development, a commitment from the developer in terms of the provision of the following should be sought:

- Clean energy provision - local plan policy CC1 (Minimising and Adapting to Climate Change) requires that for major developments, 10% of the energy supply should be from decentralised and renewable or low carbon sources.
- Green infrastructure - Commitment to deliver access and surface improvements to the existing track to the east and south.
- Play – a sum of £250 per unit should be secured and directed towards the village play park.
- Built sports - A sum of £250 per dwelling should be sought and directed towards Built Sports Facilities in Elwick i.e. for activities in the village Hall or another appropriate locations i.e. the new HBC leisure centre.
- Playing pitches - A contribution of £233.29 per dwelling is required and should be directed towards the nearest playing pitch provision.
- Tennis courts - A contribution of £57.02 per dwelling is required to be directed towards the nearest tennis courts provision.
- Bowling greens - A contribution of £4.97 per dwelling is required to be directed towards the bowling green facilities within the borough.
- Primary education - A sum of £136,036.95 should be secured and directed towards primary education. This sum is based on 46 dwellings.
- Secondary education - A sum of £88,983.62 should be secured and directed towards secondary education. This sum is based on 46 dwellings.
- Training and employment - To assist in ensuring that Hartlepool's economy grows sustainably, the Council's Land Use Policy team would also seek to ensure that a training and employment charter is signed; this will ensure that

some employment is provided to local residents. Further advice can be sought from the Council's Economic Development team.

- Affordable housing – 18% on site delivery, equivalent to 8 units, plus £14,997.12 (equivalent to 0.28 of a unit). (This was based on 46 dwellings)
- Elwick/A19 Grade separated junction and the new road north of Elwick - A sum of £12,000 per unit should be secured and directed towards the new road infrastructure.
- A contribution towards subsidised bus service provision (including infrastructure and street furniture), and pedestrian and cycle linkages to address sustainability in accordance with Local Plan Policy HSG7.

3.92 Notwithstanding the above, in terms of the Habitat Regulations and preventing and Likely Significant Effects from recreational disturbance on the designated sites, and as considered in further detail in the Ecology section below, the applicant has confirmed their agreement to paying a contribution of £200 per dwelling (£8,600 in total) towards coastal wardening, which will need to be secured through a legal agreement.

3.93 Subsequently, the applicant submitted a Viability Assessment, which has been considered in detail by the Council's Land Use Policy team who have confirmed that whilst the development is unable to deliver all of the contributions sought, there is sufficient viability within the scheme to provide;

- the contribution to the grade separated junction (£12,000 per dwelling),
- 11.63% affordable housing (equating to 5 on site dwellings),
- the coastal wardening contribution (£8,600 in total), and
- £15,000 contribution towards subsidised bus service provision (including infrastructure and street furniture), and pedestrian and cycle linkages to address sustainability in accordance with Local Plan Policy HSG7.

3.94 Policy QP1 (Planning obligations) of the HLP has a caveat that "The Borough Council will seek planning obligations where viable", and it is noted that Policy PO1 of the HRNP (2018) has a similar caveat. In view of the submitted Viability Assessment, it is considered that insisting on further contributions would render the scheme unviable. In view of the policy context, and taking into account the comments from the Rural Plan Working Group and Elwick Parish Council, the Council's Land Use Policy team sought to prioritise meaningful improvements to the design of the development when considering the character and heritage of the village setting and the provision of affordable dwellings above some other planning obligations.

3.95 In full, the following financial contributions, obligations and planning conditions are to be secured:

- £516,000 (£12,000 per dwelling) financial contribution towards the grade separated junction;
- £8,600 (£200 per dwelling) financial contribution towards coastal wardening;
- 5 affordable dwellings (equivalent to 11.63%);

- £15,000 towards subsidised bus service provision (including infrastructure and street furniture), and pedestrian and cycle linkages to address sustainability in accordance with Local Plan Policy HSG7;
- the proposal will provide solar panels to all dwellings,
- EV charging to all dwellings;
- Temporary and permanent Public Footpath diversions and links, and appropriate signage;
- the provision, maintenance and long term management of landscaping and open space;
- the provision, maintenance and long term management of Biodiversity Net Gain (both on site and offsite);
- the provision, maintenance and long term management of surface water drainage and SuDS;
- an employment and training charter.

3.96 The applicant has agreed to the above measures which would need to be secured by a s106 legal agreement as well as appropriate planning conditions where applicable.

3.97 In view of the submitted Viability Assessment and the comments from the Council's Land Use Policy section, the proposal is, on balance, considered to be acceptable in this respect.

#### *Energy Efficiency and Renewable Energy*

3.98 Policy QP7 (Energy Efficiency) of the Local Plan seeks to ensure high levels of energy efficiency in all development, and the development is therefore expected to be energy efficient. In line with this Policy, the development is required to ensure that the layout, building orientation, scale and form minimises energy consumption and makes the best use of solar gain, passive heating and cooling, natural light and natural ventilation alongside incorporating sustainable construction and drainage methods.

3.99 In addition to this, Policy CC1 (Minimising and Adapting to Climate Change) of the Local Plan requires that major developments include opportunities for charging of electric and hybrid vehicles and, where feasible and viable, provide a minimum of 10% of their energy supply from decentralised and renewable or low carbon sources.

3.100 The submitted Sustainability Statement indicates that the proposed development would seek to utilise the most cost effective method of improving energy efficiency, reducing demand and as such reducing the long-term carbon emissions for the development. Predominantly this is proposed through utilising either a "fabric first approach" or a "renewable energy approach" or a combination of these two approaches, which ensures that thermal performance and sustainability are embedded within the fabric of dwellings for the lifetime of the development.

3.101 The applicant has advised that dwellings would feature solar panels and EV charging points. Full details of the renewable energy infrastructure including solar panels (to meet a minimum of a 10% energy supply from decentralised and

renewable or low carbon sources) and EV charging points (to all 43 dwellings) can be secured by appropriate planning conditions.

3.102 In respect to energy efficiency, it is of note that Building Regulations have been updated as of 15th June 2022, and any forthcoming Building Regulation application will now be assessed under the new Regulations. In light of the above, given the implementation and requirements of the new Building Regulations, a planning condition is not required in respect of any energy efficiency improvement (previously required to be 10% improvement above the Regulations, prior to 15<sup>th</sup> June 2022) and such matters will need to be addressed through the new Building Regulations requirements.

3.103 The application is therefore considered on balance to be acceptable with respect to energy efficiency and renewable energy provision subject to the identified planning conditions.

### *House Types*

3.104 Policy HSG2 (Overall Housing Mix) of the HLP (2018) seeks to ensure that all new housing contributes to achieving an overall balanced mix of housing stock and that due regard should be given to the latest evidence of housing need. Policies H1 and GEN2 of the HRNP (2018) sets out that new housing development should provide a mix of house types and tenures and that the mix should have regard to the latest evidence of housing need applicable at the time. Policy H1 of the HRNP (2018) sets out in paragraph 8.24 that development should be designed to incorporate a diverse housing mix with a variety of house types, sizes and tenures.

3.105 The proposal is for a mix of terraced, semi-detached and detached bungalows and two storey 2, 3 and 4 bedroom properties. The most up-to-date published Strategic Housing Market Assessment 2014 (SMHA) notes that the greatest need is for bungalows and detached 1-3 bed properties.

3.106 The Elwick Village Design Statement indicates that smaller dwellings, for example single storey bungalows or terraced properties and 2-3 bed houses for first time buyers are required. It is acknowledged on this basis that concerns have been raised by the Rural Plan Working Group in this respect.

3.107 Following concerns raised by officers regarding the design of some of the house types in respect to their 'standard' design and nature, and a request to retain the existing farm buildings or to incorporate them more into the design of the proposed development, amended plans were received to incorporate the changes to the designs of some of the house types and the layout of plots within the scheme, as detailed in full in the Proposal section of this report.

3.108 Whilst the design and layout is discussed in further detail below, overall, and on balance, it is considered that the range and mix of house types is considered to be acceptable in this instance.

### *Planning Balance*

3.109 Notwithstanding the consideration of Viability (above), it is considered that the requirements of Policy HSG7 of the HLP (2018) and Policies H1 and GEN2 of the HRNP (2018) must be given considerable importance and weight.

3.110 In weighing up the balance of benefits of the scheme against any identified adverse impacts, emphasis is placed on balancing any identified potential harms of a proposal against the prospective benefits of development.

3.111 The NPPF (2024) applies a presumption in favour of sustainable development and states that “achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways”. In this context and in weighing up the balance of the proposal, the main benefits and adverse impacts arising from the proposal (in the above context) are outlined below:

### 3.112 *Benefits*

- The main element of the application site is located within the development limits of both the HLP and HRNP and allocated as a strategic housing site under Policy HSG7 of the HLP and Policy H1 of the HRNP and the site is considered to be a relatively sustainable location (social + environmental + economic)
- The proposed development would retain the existing farm buildings which contributes to the character and appearance of the conservation area (social + environmental)
- The proposed development would provide some enhancements and improved connectivity to the existing public footpath through the site by way of a diverted footpath, to the benefit of existing and future residents of the Borough (social + environmental)
- The proposed development would provide an area of open space within the development site (social + environmental)
- The proposal would deliver some biodiversity enhancement in the form of soft landscaping as well as the mandatory 10% biodiversity net gain (environmental)
- The proposal would provide a contribution towards the council's 5 year housing supply including a mix of housing types (economic\*)  
*\*there will also be 'social' benefits delivered by private housing provision however this benefit is reduced by the reduced provision of affordable housing provision in this instance.*
- The submitted information indicates the proposed development is intended to support/provide renewable energy in the form of solar panels points and EV charging (social + economic + environmental)
- The proposed development provides a financial (pro-rata) contribution to the proposed Grade Separated Junction on the A19 (economic + social).

### 3.113 *Adverse impacts*

- The development does not make the sought contributions towards all of the affordable housing provision (18%) and does not secure contributions to all of

the planning obligations including play and built sports, tennis, playing pitches and bowling greens (economic + social)

- The design of the proposed development does not take an opportunity for reusing the existing farm buildings (environmental + social + economic)
- Loss of agricultural land, hedgerows and habitat (environmental + social)

3.114 In conclusion, and when weighing up the balance of the benefits of the proposed residential development against the adverse impacts, primarily that the proposal does not provide the full required planning obligations and contributions including affordable housing provision, it is considered that these impacts would, on balance, be outweighed by the identified economic, environmental and social benefits of the proposal in this instance for the reasons set out above and that the proposal does, on balance, represent a sustainable form of development.

#### Principle of Development Conclusion (and Planning Balance)

3.115 The majority of the land falls within the Limits to Development as identified under Policy LS1 of the HLP (2018) and the HRNP (HRNP), where housing is generally supported, and within a strategic allocated housing site under Policy HSG7 of the HLP (2018) and Policy H1 of the HRNP (2018). There are a number of identified impacts that have been weighed in the planning balance against the benefits of the development as set out above.

3.116 However, and in view of the above considerations including the benefits, it is considered that the proposed development would, overall, positively benefit each of the threads of economic, social and environmental sustainability. Despite the identified shortcomings of the application, Officers consider that there are material considerations that allow the proposals to be considered as a sustainable form development and that the principle of development is therefore considered to be acceptable in this instance, subject to satisfying other material planning considerations as detailed below.

#### DESIGN & IMPACT ON VISUAL AMENITY OF SURROUNDING AREA (INCLUDING IDENTIFIED DESIGNATED AND NON-DESIGNATED HERITAGE ASSETS)

3.117 A large element of the application site is situated within (and immediately adjoins) the boundary of the Elwick Conservation Area. The application site includes locally listed buildings 'North Farm including farmhouse and outbuildings', some of which will be demolished/removed as part of the proposals.

3.118 When considering any application for planning permission that affects a conservation area, section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

3.119 Further to this at a local level, Policy HE3 (Conservation Areas) of the HLP (2018) states that the Borough Council will, 'seek to ensure that the distinctive character of conservation areas within the Borough will be conserved or enhanced through a constructive conservation approach. Proposals for development within

conservation areas will need to demonstrate that they will conserve or positively enhance the character of the conservation areas.'

3.120 Policy HA1 (Protection and Enhancement of Heritage Assets) and Policy HA2 (Protection and Enhancement of Conservation Areas) of the HRNP (2018) states that planning applications will be supported which preserve and enhance their physical character and facilitate new uses for buildings at risk, and "ensure that the distinctive character of Conservation Areas, within the Rural Plan area, is conserved or enhanced through a constructive conservation approach". Particular regard will be given to the scale and nature of the development, the retention of original features of special architectural interest and the protection of important views and vistas.

3.121 Policy HE5 (Locally Listed Buildings) of the HLP (2018) states that the Borough Council will support the retention of heritage assets on the List of Locally Important Buildings particularly when viable appropriate uses are proposed. Similarly, Policy HA4 (Protection and Enhancement of Locally Important Buildings) of the HRNP (2018) states that the effect of the application on the significance of the historical or architectural importance of the building is a key consideration.

3.122 The Elwick Village Design Statement states, with regard to this development, "New development should incorporate the use of the existing buildings to the south of the site. Due to their conservation status these buildings have to remain" and requires that the proposed development should look to reflect the Village Green and Conservation Area, include open spaces as a central feature of their layout, preserve the village envelope to ensure Elwick's distinct identity as a small rural village.

3.123 The NPPF (2024) goes further in seeking positive enhancement in conservation areas to better reveal the significance of an area (para. 219). It also looks for local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness (paras. 203 & 210).

3.124 With regard to locally listed buildings (heritage assets) the, NPPF (2024) looks for local planning authorities to take a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset (para. 216).

3.125 Policy QP4 (Layout and Design of Development) of the Local Plan seeks to ensure all developments are designed to a high quality and positively enhance their location and setting. Development should be of an appropriate layout, scale and form that positively contributes to the Borough and reflects and enhances the distinctive features, character and history of the local area, and respects the surrounding buildings, structures and environment.

3.126 Policy GEN2 (Design Principles) of the HRNP (2018) requires that the design of new development should demonstrate, where appropriate:

1. how relevant village design statements and conservation area appraisals have been taken into account;
2. how the design of new housing scores against the Hartlepool Rural Plan Working Group's Checklist as set out in appendix 4;



3. how the design helps to create a sense of place and reinforces the character of the village or rural area by being individual, respecting the local vernacular building character, safeguarding and enhancing the heritage assets of the area, landscape and biodiversity features;
4. how the design helps to reinforce the existing streetscape or green public spaces by facing onto them
5. how the design preserves and enhances significant views and vistas;
6. how the design demonstrates that it can be accessed safely from the highway and incorporates sufficient parking spaces;
7. how the design uses sustainable surface water management solutions in new developments to reduce all water disposal in public sewers and manage the release of surface water into fluvial water and;
8. how the design ensures that homes are flexible to meet the changing needs of future generations.

3.127 The NPPF (2024) sets out the Government's commitment to good design. Paragraph 131 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 135 of the NPPF (2024) stipulates that planning decisions should ensure development will add to the overall quality of the area for the lifetime of the development, be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, be sympathetic to local character and history (whilst not preventing or discouraging appropriate innovation or change), establish a strong sense of place and optimise the potential to accommodate and sustain an appropriate amount and mix of development.

3.128 As set out in the comments from the Council's Head of Service for Heritage and Open Space, the buildings to be found in Elwick Conservation Area reflect the settlement's early agricultural origins. Many properties appear to date from the 18th century, although this may disguise their earlier origin. In addition, there are examples of early and late 19th century terraced dwellings and some individual houses. The scale and character is predominantly residential.

3.129 The application site is bounded to the east and west by residential properties, and to the front by the retained farm buildings, and Elwick Road, with further residential properties beyond. Given the location of the site within the eastern extent of the village of Elwick, and raised in relation to the main area of the village, it is acknowledged that the site would be readily visible on approach into Elwick. When considering the existing residential properties on the approach into Elwick from the east, it is acknowledged that the majority of these properties on both sides of Elwick Road are bungalows, with two large two storey dwellings further east (on the northern side of Elwick Road).

3.130 To the west of the application site, the surrounding properties are primarily two storey semi-detached and links of terraced properties, albeit it is acknowledged that the application site is situated on a higher level than this main approach into the village (to the west). In this context, it is acknowledged that the proposed residential development would be readily visible on approach into Elwick from the east and when leaving the village towards Hartlepool.

3.131 The initial comments from the Council's Land Use Policy team and the Council's Head of Service for Heritage and Open Space advised that the proposals did not reflect the character and heritage of the village of Elwick, and would result in a cramped development, and therefore did not fully accord with the requirements of Policy HSG7 of the HLP. The Hartlepool Rural Neighbourhood Plan Group, Elwick Parish Council, the Civic Society and members of the public all raised similar concerns.

3.132 In view of this, the case officer requested that consideration be given by the applicant to retaining and converting the existing farm buildings into dwellings in order to retain the character and appearance of this prominent section of the street scene which forms the approach into Elwick from elsewhere in the borough.

3.133 The case officer also requested that the applicant reduce the scale/quantum of dwellings and amend the design and layout of the proposals, amongst other amendments, to include alterations to the house types, particularly those fronting onto Elwick Road or visible from the main highway (and therefore main views from the conservation area), car parking to the side rather than to the rear of properties, removing parking spaces from the open space/SuDS area, removing parking spaces from impractical locations and increasing garden sizes.

3.134 In response, the applicant duly provided amended plans to seek to address the above mentioned concerns.

3.135 Following a review of the amended plans, the Council's Head of Service has advised that whilst it is welcomed that an improved access to the site has been provided (which retains the existing buildings and therefore immediate views for those passing the site), it is disappointing that the proposals do not seek to retain and convert the existing buildings. It is therefore considered that the amended layout to remove the farm buildings from the application site boundary is a missed opportunity to create housing which reflects the original use of the farm, which could have included a range of buildings which reflected the barns that were located to the rear of the main property.

3.136 The Council's Head of Service for Heritage and Open Spaces has further commented that most of the site has the look of a 'generic style', than one tailored specifically to the design and detailing of buildings found on the farm or in Elwick village. These comments are echoed throughout the comments and concerns from the Rural Plan Working Group, Elwick Parish Council, the Civic Society and objections from members of the public.

3.137 In terms of layout and form of the proposed development, as noted above, amendments to the layout of the proposed development have been made following officer concerns in respect to the design and layout of some of the proposed dwellings, particularly in respect to the amended house type at plots 1 and 43 which feature a removed porch and a simplified material. Further amendments have been made with regard to the layout of plots, the provision of car parking spaces, and the size of private rear gardens serving individual properties.

3.138 Whilst the detailed concerns from the Rural Plan Working Group and Elwick Parish Council are fully acknowledged, it is considered that the appearance of the site results in an acceptable density of plots with a range of house types including some of the developer's "heritage" range of house types which feature architectural detailing including heads and cills, contemporary fenestration and a mix of finishing brick colours and rooftiles, as well as the removal of canopies to the fronts of the two identified and most prominent plots to the front of the site.

3.139 The palette of materials of surrounding residential developments is varied and includes red, buff and brindle brick and red or grey rooftile and render. Roofs are pitched, comprising a mix of hipped and gabled designs and there are examples of projecting gable features to the front and chimneys. Some properties have detached or integral garages. It is considered that each of these features are replicated in the house types proposed as part of this development. It is noted that the closest neighbouring properties do not predominately feature porches or canopies, and it is for this reason that the case officer requested the applicant remove the canopies to the front doors of the plots closest to the entrance to the site from Elwick Road (plots 1 and 43).

3.140 It is acknowledged that the Council's Landscape Architect has commented that a single roof colour would be preferable. However, consideration is given to the Elwick Village Design Statement, as well as the comments from the Council's Head of Service for Heritage and Open Spaces and the Rural Plan Working Group, where no objections are raised from these consultees in respect to the colour of the roofs. It is noted that there is not a uniform style of dwelling (including roof colour) in the immediate vicinity, with the neighbouring bungalows and dwellings along this section of Elwick Road featuring a mix of grey and terracotta rooftiles. Overall, it is considered that this is acceptable in this respect.

3.141 Given the relatively modern character and appearance of the properties adjacent to the site, it is considered that the amended design and materials to be used in the proposed dwellings are generally considered to be reflective of the character and appearance of the immediate adjacent area and therefore the development is considered acceptable in this respect subject to final details being secured by a planning condition.

3.142 Further consideration is given to the existing farmhouse buildings which would be retained, as well as the set back of the dwellings from the main highway of Elwick Road. It is understood that existing planting would be protected and retained along part of the southern boundary of the site which would further assist in softening any adverse impacts on the character and appearance of the wider area.

3.143 In view of the amendments to the scheme that are broadly taken as positive changes, the Council's Head of Service for Heritage and Open Spaces has confirmed that with the barns retained at the front and the new build set back that "this is an appropriate solution for this site". In light of this and in the above context, as well as the design changes made to the two most prominent dwellings at the front of the site (plots 1 and 43), it is considered that the proposal would not, on balance, result in an adverse harm to the character and appearance of the application site,

Elwick Conservation Area (and the wider area) and the locally listed buildings within the wider site of North Farm.

3.144 Whilst it is acknowledged that the application has its shortcomings in terms of the density of plots around the proposed development being more consistent with a typical residential housing estate, consideration is given to the positive design changes that the applicant has provided as well as the benefits of the proposals, including the creation of internal footpaths and areas of open space throughout the site. These are considered to be beneficial to the local area, as echoed in the comments from the Council's Land Use Policy team and the Rural Neighbourhood Plan Group.

3.145 The Rural Plan Working Group have commented that internal roads run through the centre of the application site which means that properties are placed in parcels around the site and there would be some visible side boundary treatments. Whilst this is acknowledged, consideration is given to the range of boundary treatments, including reclaimed stone wall features to the front of the site, brick walls and low level fences, as well as landscaping proposed throughout the site.

3.146 Furthermore, it is considered that the provision of meaningful open space within the application site contributes to the visual amenity and wellbeing of proposed occupants of properties within the site. It is considered that this results in a positive contribution to the overall layout and to the benefit of future occupiers of the estate.

3.147 The proposed development includes soft landscaping within front and side gardens that would assist in softening the appearance of the street scene within the development in addition to the proposed reclaimed stone walls. There are some examples within the site where smaller units have limited soft landscaping to the front in order to accommodate hard surfacing for car parking, albeit it is acknowledged that a mixture of car parking provision is included, with some parking being to the side or rear rather than to the front.

3.148 Although it is welcomed that the properties have front gardens, it is the case that such areas can provide visual amenity provided they remain open plan. The submitted boundary treatment scheme is considered to be acceptable subject to final details of the materials and appearance of the enclosures.

3.149 Furthermore, it is also considered necessary that an appropriate boundary treatment is agreed and facilitated between the rear of plots 41 and 43 (43 being towards the front of the site) and the neighbouring property at Carlton (east) given the existing low boundary fence that exists along part of the front/side/rear boundary of Carlton (including a detached garage serving this property), as well as this area being a prominent location of this part of the site on Elwick Road with views from the Elwick Conservation Area (particularly the shared boundary with plot 43). It is anticipated a suitable boundary treatment scheme can come forward and without prejudice to such details being considered and agreed, it is likely to need to consist of one or more suitable boundary treatments (such as a mature hedge) along the immediate front boundary between plot 43 and Carlton, and it is anticipated that a closed boarded fence or other similar solid boundary is likely to be required along the

rear boundary to plot 41. Ultimately, the final details for the boundary treatments including this relationship can be secured by planning condition, which is recommended accordingly.

3.150 It is considered necessary for the long term maintenance and management of the on site landscaping and areas of open space, and additional planning conditions are recommended to ensure that the proposed development remains open plan to the front of the identified dwellings.

3.151 It is acknowledged that the existing levels at the site are such that it slopes south to north as well as east to west and this has been reflected in the applicant's design and layout of the scheme. Notwithstanding this, the final proposed site levels can be secured by an appropriately worded planning condition along with hard and soft landscaping, and final finishing materials. These conditions are duly recommended.

3.152 Given that design changes have been made with respect to plots 1 and 43 which front onto Elwick Road, by way of amending the finishing materials and removing the canopy to the front, it is considered prudent that permitted development rights be removed from these properties, which would otherwise permit extensions or alterations in the form of porches, extensions or the introduction of rooflights that could otherwise be detrimental to the overall character and appearance of the estate as designed as well as to the wider conservation area. It is also considered prudent to remove permitted development rights to some other plots (24, 28, 36 and 40), to protect the character of the immediate area and amenity of future occupiers. Planning conditions are recommended in this respect.

3.153 Overall, it is considered that the proposed development would result in an acceptable design, scale and layout which would not result in any adverse impact on the visual amenity or result in any adverse harm to the character and appearance of the surrounding conservation area (and the locally listed buildings).

## RESIDENTIAL AMENITY

3.154 It is acknowledged that objections from members of the public have been received in respect of overdevelopment of the site, privacy and amenity considerations and impacts resulting from noise and disturbance.

3.155 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) stipulates that the Borough Council will seek to ensure all developments are designed to a high quality and that development should not negatively impact upon the relationship with existing and proposed neighbouring land uses and the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overlooking and loss of privacy, overshadowing and visual intrusion particularly relating to poor outlook. Proposals should also ensure that the provision of private amenity space is commensurate to the size of the development.

3.156 As above, Policy QP4 also stipulates that, to ensure the privacy of residents and visitors is not significantly negatively impacted in new housing development, the

Borough Council seeks to ensure adequate space is provided between houses. The following minimum separation distances must therefore be adhered to:

- Provide and maintain separation distances of at least 20m from habitable room to habitable room.
- Provide and maintain separation distances of at least 10m from habitable room to non-habitable room and/or gable end.

3.157 The above requirements are reiterated in the Council's Residential Design SPD (2019).

Impact on Carlton, (Elwick Road, east), Greencroft and Jersey Cottage (Elwick Road, west), properties to the south (including Hill Lodge and High Garth, and the retained farm buildings)

3.158 Carlton Bungalow is the closest residential property to the application site, being situated approximately 3.4m from the application site boundary, within the south east extent, with an existing boundary fence between. The rear of the plots 42 and 43 are situated at separation distances of approximately 20m to the windows in the side/west elevation of this neighbouring bungalow. The garage serving plot 41 would maintain an oblique separation distance of approximately 13.6m to this neighbouring bungalow, with a detached garage building serving Carlton between. The submitted boundary treatment plan indicates that the boundary includes an existing boundary fence with a height of approx. 1.2m to 1.5m to the front and rear sections, whilst proposed boundary fences would be erected between the main side of this neighbouring property and the rear gardens of plots 42 and 43. It is considered that this existing boundary treatment to the side of Carlton (with a height of approx. 1.2m to 1.5m) boundary fence, is likely to be unacceptable as a boundary to the rear garden boundaries of plots 41 and 43. As noted above, it is anticipated that an appropriate boundary treatment (without prejudice to such details being considered and agreed through the requisite planning condition) could be provided and could include a mature hedge between the rear of plot 43 and the side of Carlton (given the prominent location), and it is likely to require a close boarded fence (or other solid treatment) with a height of a minimum of 1.8m between the rear of plot 41 and the rear boundary to this neighbour. A planning condition is duly recommended to secure appropriate boundary treatments to these plots.

3.159 Beyond Carlton to the east is Jersey Cottage, whereby the rear garden of this property abuts the application site boundary (and public open space areas), with an existing boundary fence with a height of approx. 1.5m between.

3.160 Greencroft is a farmhouse and associated farm buildings occupying the land on the southern extent to the west of the site, and an oblique separation distance of approximately 19.1m would remain from the side/rear corner of this neighbour and the side of plot 12, with boundary treatments comprising an open boarded post and rail fence and landscaping between.

3.161 To the south, the closest property is Hill Lodge, which would be a separation distance of approximately 33.7m from the front elevation of plot 43 (the closest plot), with landscaping and the main highway between. High Garth is situated

approximately 42m from the front of plot 1, similarly with landscaping and the main highway between.

3.162 Finally, a separation distance of approximately 11.2m would be maintained between the side of plot 10 and an oblique separation distance of approximately 10.6m from the front/side corner of plot 1 and the retained farm buildings to the south of the application boundary, respectively.

3.163 These distances are considered to be acceptable and satisfy the requirements of Policy QP4 and that of the aforementioned SPD. It is therefore considered that the relationships between the proposed dwellings and the existing dwellings in the area are, on balance, considered sufficient to prevent any unacceptable loss of amenity or privacy in terms of loss of light, outlook, overbearing appearance or overlooking for existing or future occupiers of neighbouring properties or the proposed dwellings.

#### Impact on land to the north, north east and north west

3.164 The land immediately to the north and along the northern extents to the east and west of the development site is open fields with substantial separation distances and an intervening landscaping buffer to the existing farm buildings. As such, it is considered that there are no neighbouring properties to the north (including the north east and north west) that would be adversely affected in terms of any impact on the amenity and privacy by the proposed development.

#### *Internal relationships*

3.165 Following submission of amended plans, the proposed layout of the properties within the proposed scheme complies with the separation distances identified within Policy QP4 of the Hartlepool Local Plan (2018) and Residential Design Guide SPD (2019), to include distances in excess of 10m where primary elevations face side elevations and in excess of 20m where primary elevations face each other from the dwellings proposed, and therefore internal relationships between plots are considered to be acceptable and would not result in any adverse impact on the amenity or privacy of future occupiers of these plots in terms of loss of light, outlook, overbearing appearance or overlooking.

3.166 As noted above, the submitted layout plan indicates that the temporary Public Footpath diversion would enter through the private rear garden serving plot 43, and travel through the rear gardens of plots 42 and 41. In order to safeguard the amenity and privacy of occupiers of these properties, it is considered that the route of the permanent Public Footpath (i.e. the footpath along the internal road) must be in place and the temporary footpath closed up prior to the completion or occupation of these plots. In addition, as noted above, an appropriate (higher) boundary treatment (than existing) will need to be secured between the rear of plots 41 and 43 and the front/side/rear boundary of Carlton and this is recommended to be secured via planning condition.

3.167 The proposed development includes some properties with very modest size gardens, such as plots 3, 11, 23, 33 and 34. Policy QP4 of the HLP (2018) requires

adequate amenity space is provided to meet the day to day needs of occupants, though there are no minimum size standards. Although some of the gardens are relatively small, it is considered they would still offer the ability of future occupiers to enjoy private amenity space while also accommodating practical needs, such as bin storage, for example. Overall, the level of space afforded to the properties is, on balance, considered sufficient to meet the needs of occupiers without unduly affecting amenity, however in order to protect this provision it is considered necessary to limit the permitted development rights of some plots (plots 24, 28, 36 and 40) to build extensions to avoid undue impacts on amenity space and the amenity of neighbours in terms of light, privacy or overbearing appearance. Such a condition is duly recommended.

#### *Amenity and privacy conclusion*

3.168 Taking account of the above considerations regarding overlooking, light, outlook, overbearing appearance and private amenity space, it is considered the proposed development is acceptable in terms of amenity and privacy for all existing and future occupants of nearby and neighbouring properties (including those within the proposed development site, the occupants of Carlton to the east, Greencroft to the west and the retain farm buildings, and High Garth and Hill Lodge to the south).

#### *Noise*

3.169 The application has been supported by a Noise Impact Assessment which concludes that no mitigation measures beyond glazing and trickle vents are required in order to make the development acceptable. The Council's Public Protection have assessed the proposals and have raised no objection to the development of the site for residential dwellings (subject to conditions which are detailed in full below). The proposed development is therefore considered to be acceptable with regards to noise impacts.

3.170 It is inevitable that the development of a site of this scale will cause some disruption, however, it is considered appropriate conditions will help to manage this. The Council's Public Protection section has requested a number of planning conditions to include dust control measures during construction, to control lighting during construction, and to control hours of construction and delivery, to seek to minimise disruption. Such matters can be secured by separate conditions (including the requirement for an updated Construction Management Plan, discussed further below), which are recommended accordingly.

#### *Neighbour Amenity Conclusion*

3.171 Subject to the identified planning conditions, it is considered the proposed development would not unduly impact upon the amenity and privacy of occupants of neighbouring properties or those of future occupiers of the proposed dwellings and the scheme would meet the requirements of Policy QP4 of the HLP and the Residential Design Guide SPD (2019) and is therefore acceptable in this respect.

#### **ECOLOGY**



3.172 It is acknowledged that concerns have been raised from members of the public in respect to the impact of the proposals on local wildlife and ecology.

### *Biodiversity Net Gain*

3.173 The Environment Act 2021 includes Biodiversity Net Gain (BNG), with a requirement for at least 10% BNG post-development.

3.174 A Biodiversity Net Gain Assessment including a Statutory Biodiversity Metric spreadsheet has been prepared to measure biodiversity change between baseline and post-development scenarios, as measured in Habitat Units. The conclusions of the Biodiversity Metric indicate that the post-development biodiversity would result in a net change of +0.35 Habitat Units (+10.45%) from a baseline requirement of 3.31 Habitat Units, and +0.97 Hedgerow Units (+54.83%) from a baseline 1.78 Hedgerow Units. To deliver the net gain for biodiversity in relation to the proposed residential development, the submitted draft Habitat Management and Monitoring Plan indicates that this can be accommodated on site, by way of the planting of a species rich native hedgerows, non-native and ornamental hedgerows, trees to open spaces, native scrub planting, shrub and herbaceous planting, flowering lawn mix, proposed turf to gardens, wildflower seeding to open spaces, species rich grass and wildflower and reed filtration beds to the SuDS.

3.175 A final Habitat Management and Monitoring Plan will need to be secured by way of a 'deemed' (mandatory) planning condition (that is not applied to the planning decision but an informative is recommended to remind the applicant of such requirements) and an obligation within a S106 legal agreement to ensure the stated BNG is delivered and then appropriately managed for a minimum period of 30 years, with monitoring throughout the period (the requisite monitoring fee will need to be secured through the s106 too). The Council's Ecologist agrees with this approach.

3.176 In addition to the BNG obligation, a planning condition can ensure that details of a full soft landscaping scheme including maintenance and management (along with biodiversity enhancement measures) is secured. A further obligation is also recommended to secure the implementation, long term maintenance and management of all areas of landscaping and open spaces out with the residential curtilages.

### *Biodiversity Compensation and Mitigation Measures*

3.177 As noted above, the application is accompanied by an Ecological Impact Assessment which sets out a number of mitigation measures that are required namely;

1. External lighting may affect bats, and if required, must be low level - avoiding use of high intensity security lights.
2. Works must not be undertaken during the nesting bird season (March to August inclusive) unless the site is checked by an appropriately experienced ecologist and nests are confirmed to be absent.
3. Any excavations left open overnight must have a means of escape for mammals that may become trapped, in the form of a ramp at least 30cm in width and angled no greater than 45°.

4. Retained trees and hedges must be protected from damage in line with the recommendations in British Standard: BS5837:2012.
5. Method Statements to avoid risk of harm to bats, badger, common toad and hedgehog are required.
6. Landscape planting must include berry and fruit-bearing species, to provide foraging opportunities for wildlife.

3.178 The Council's Ecologist has recommended that these mitigation measures be secured and a number of planning conditions are recommended accordingly including the requirement to provide a Construction Environmental Management Plan (CEMP), enhancement measures as part of the required landscaping scheme and hedgehog gaps in the boundary fences (to be secured as part of the means of enclosure for the development).

3.179 The application has been amended to retain the outbuildings beyond the red line boundary to the south of the site. The Council's Ecologist initially sought updated surveys to the buildings within the site (as proposed to be demolished). In response, the applicant's Ecologist advised that such surveys were no longer required due to the affected buildings being removed from the application site boundary, to which the Council's Ecologist has agreed that this is no longer required.

#### *Ecological Enhancement*

3.180 Ecological enhancement (as per the NPPF) is additional to BNG and is aimed at providing opportunities for protected and priority species, which are not otherwise secured under the purely habitat based BNG approach.

3.181 The NPPF (2024) requires development to provide net gains for biodiversity. In particular, paragraph 187(d) states that planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Net gain should be appropriate to the scale of the development and should be conditioned.

3.182 Paragraph 193(a) of the NPPF (2024) states that when determining planning applications, local planning authorities should apply the following principles: if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

3.183 The site is adjacent to open countryside which supports declining bat and bird populations, which could benefit from the provision of integral bat roost bricks and integral bird nest bricks. In the interests of biodiversity enhancement, the Council's Ecologist has confirmed that each new dwelling should include one integral bat roost brick (43 in total) and one integral bird nest brick (43 in total). This can be secured by appropriately worded planning condition, which is recommended in this respect.

### 3.184 *Habitats Regulation Assessment*

#### 1) *Recreational impacts on designated sites*

3.185 As the site is 7.3km from the European Protected Site, Teesmouth and Cleveland Coast Special Protection Area (SPA) and suitable alternative natural green space (SANGS) is not provided on site, following the completion of a Stage 1 and Stage 2 Habitat Regulations Assessment by the Council's Ecologist (as the competent authority), a financial contribution of £8,600 (£200 per property) is necessary to mitigate the adverse recreational impacts on the SPA. The applicant has confirmed agreement to this. In turn, Natural England have been consulted on the HRA and have confirmed that they have no objection to the application. This would be subject to a suitable legal agreement to secure the financial contribution. This will be secured in the s106 legal agreement.

#### 2) *Nutrient Neutrality*

3.186 On 16 March 2022 Hartlepool Borough Council, along with neighbouring authorities in the catchment of the Tees, received formal notice from Natural England that the Teesmouth & Cleveland Coast Special Protection Area/Ramsar (SPA) is now considered to be in an unfavourable condition due to nutrient enrichment, in particular with nitrates, which are polluting the protected area.

3.187 Given this application would involve development comprising residential development, it is considered the proposals are 'in scope' for further assessment. The applicant submitted a Nutrient Input Report which concludes that the application does not result in a net increase in nitrates due to foul and surface water discharging to the Seaton Carew Waste Water Treatment Works (which has also been confirmed by Northumbrian Water within their response). A HRA Stage 1 Screening Assessment was duly completed by the Council's Ecologist which confirms there would not be a Likely Significant Effect on the designated sites.

3.188 The application is considered to be acceptable in respect of any Likely Significant Effects on designated sites.

### TREES + LANDSCAPING

3.189 It is acknowledged that objections from members of the public raise concerns regarding the impacts of the proposals on open space, trees and wildlife.

3.190 The application is accompanied by an Arboricultural Impact Assessment (AIA) including an Arboricultural Survey, Tree Protection Plan and Method Statement that identifies the removal of three individual trees, one group of trees, three hedgerows and sections of one other hedge throughout the application site to facilitate the proposed development, and a number of trees/hedgerows that are to be retained and measures to do so. In response the Council's Arboricultural Officer has raised no objections to the proposals. Protection measures for existing/retained trees and hedgerows can be secured by a planning condition (compliance with the submitted, agreed details), which is recommended accordingly.

3.191 The application proposes a soft landscaping scheme, including street trees, formal hedgerows, ornamental planting and wildflower seeding to be planted within the site as well as the retention and enhancement of some hedges/trees along the boundaries of the site, particularly along the northern boundary (as detailed above), which is considered to offer a measure of enhancement to the development proposed (as identified in the sections above).

3.192 Whilst a general indication of the proposed landscaping within the proposed development has been provided, to which the Council's Landscape Architect, Arboricultural Officer and Ecologist have confirmed no objections in principle following some initial concerns with the proposed native species being included, final landscaping details can be secured by a planning condition, which is recommended accordingly. The Council's Landscape Architect has advised that this should include planning methods for pits in hard surfacing and root barriers and details of rabbit protection. The Council's Ecologist has advised that this should include berry and fruit-bearing species, to provide foraging opportunities for wildlife.

3.193 Notwithstanding the above, as detailed in the initial comments from the Council's Arboricultural Officer, it is considered that one Ash tree (T1), is at least a veteran tree, possibly Ancient, and this has, since the application was first submitted, been formally verified and recorded on the Ancient Tree Inventory. The Council's Arboricultural Officer requested that a low level fence should be included around the tree canopy line to divert people away from the danger they may pose to the tree, to which the applicant has duly included on an amended Layout Plan. A planning condition can ensure that the fence is erected at an appropriate time (following the completion of construction works whilst the tree would also be suitably protected during such construction works as reflected on the to be approved tree protection plan), and is duly recommended.

3.194 In view of the above, and on balance, the application is considered to be acceptable in respect of trees and landscaping and would not warrant a refusal of the application.

#### HIGHWAY SAFETY & PARKING

3.195 It is acknowledged that objections from members of the public as well as Elwick Parish Council and the Rural Plan Working Group have been received in respect of increased traffic on Elwick Road and through the village of Elwick (to the A19 trunk road), dangerous entry/exit point onto Elwick Road, parking, and in respect of construction issues.

3.196 Policy QP3 of the Hartlepool Local Plan (2018) seeks to ensure that development is safe and accessible along with being in a sustainable location or has the potential to be well connected with opportunities for sustainable travel.

3.197 Paragraph 115 of the NPPF (2024) states that it should be ensured that "safe and suitable access to the site can be achieved for all users". Paragraph 116 goes on to state that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

### *Strategic Road Network*

3.198 The application is accompanied by a Transport Survey as well as detailed layout plans indicating that the proposed development would take access from Elwick Road, with a new access including a priority controlled junction and visibility splays of 2.4m by 43m in each direction. The submitted Transport Statement concludes that the proposed development would have appropriate access arrangements, internal highway layout and parking provision and would not result in any unacceptable impact on highway safety or severe impact on network capacity. It is also noted that the originally submitted Heads of Terms included a contribution towards the Grade Separated Junction works to the A19 at £12,000 per dwelling.

3.199 National Highways initially raised concerns that the proposed development would have a detrimental impact on safety at the A19 Elwick junction and initially therefore requested a planning condition to be appended precluding the occupation of any dwelling until such time that the Grade Separation Junction (by virtue of approval H/2023/0057 or any other approved scheme) is completed and open to traffic. National Highways also confirmed that the agreed financial contribution of £12,000 per dwelling is required to make the development acceptable.

3.200 Subsequently, the applicant submitted a Technical Note, which concluded that the level of traffic forecast to use the A19 junctions does not warrant further operational capacity assessment and that limitations on the timing of deliveries during construction activities to the application site could be included in a CMP (Construction Management Plan), and therefore the development can commence provided a CMP is agreed.

3.201 Following further consultation, National Highways confirmed that, despite the deficiencies with the submitted Transport Survey and Transport Statement, no further evidence is required and that the pragmatic approach would be to secure the CMP as a pre-commencement planning condition, and therefore confirmed that a planning condition which restricts occupancy of the dwellings until the A19 Elwick junction is operational is not required in this specific instance.

3.202 Notwithstanding this and critically to the consideration of this application, it is considered that the cumulative effects of the development still require the contribution from this application to the Grade Separated Junction (of £12,000 per dwelling) to which the applicant has agreed and as has been confirmed is necessary by National Highways. This is also reflected in the requirements of Policies HSG7 and INF2 of the HLP (2018) and Policy T1 of the HRNP (2018).

3.203 The applicant has subsequently provided a CMP, and whilst National Highways have confirmed that this is acceptable, the Council's Traffic and Transport team have advised that the intended construction traffic use of Church Bank is not suitable. The Council's Traffic and Transport team have advised that another route is feasible, and it is anticipated that such a CMP can be agreed (it will also need to take account of other amenity related requirements as set out above and within the HBC Public Protection comments). It is therefore considered necessary to secure a pre-commencement CMP, and a condition is recommended accordingly.

### *Local Road Network*

3.204 The Council's Traffic and Transport team have confirmed that the proposed access is acceptable. Following an amendment to the layout to retain the existing access to the existing farm buildings, the Council's Traffic and Transport team have confirmed that this additional access to serve the retained farm buildings (the buildings being located outside of the red line boundary of the application site) would not generate an unacceptable level of traffic and is therefore acceptable in this instance.

3.205 Whilst it is acknowledged that suggestion of traffic calming measures have been put forward by Elwick Parish Council, the Council's Traffic and Transport team have not advised that these would be required to facilitate the proposed development. Such measures would therefore be beyond the scope of the current planning application.

### *Internal Roads & Car Parking*

3.206 Each of the proposed dwellings is to be served by two or three car parking spaces (respective to the number of bedrooms) and there are four visitor parking spaces for general use within the development. The Council's Traffic and Transport team initially commented that the adopted highway should be constructed from standard bitmac, and that the parking for one plot was insufficient. The applicant amended the layout to address these (and other) concerns, following which the Council's Traffic and Transport section have confirmed that the proposed layout and car parking provision is acceptable.

### *Construction Management*

3.207 As noted above, an updated CMP is required to detail the routing of construction traffic and the timing of such operations. The Council's Traffic and Transport team and National Highways have confirmed that such a condition would need to be pre-commencement, to ensure that highway safety matters can be adequately addressed. The Council's Public Protection team have advised that construction activities shall be limited to between 8am and 6pm Mondays to Fridays and between 9am and 1pm on Saturdays, with no construction activities on Sundays or Bank Holidays, and that dust management measures need to be provided. A planning condition to ensure that a CMP is submitted prior to the commencement of development is recommended.

### *Highway Impacts Conclusion*

3.208 Overall and for the reasons identified above, including that the Council's Traffic and Transport section do not object to the application, the application is considered to be acceptable in respect of highway safety and access.

### **PUBLIC FOOTPATHS/RIGHTS OF WAY (+ FOOTPATH CONNECTIONS)**

3.209 It is acknowledged that an objection from a member of the public has been received in respect of the condition of the local footpaths and the lack of footpaths in this part of the village. As noted above, an existing Public Footpath runs from Elwick Road, through the application site to the northern fields and then on to the village of Hart. The proposals include a (temporary) diversion of this footpath along a section of Elwick Road (beyond the application site boundary), through the rear gardens of plots 43, 42 and 41, and then through the open space area located towards the eastern extent of the development site, and through a gate into the existing path to the north. Once the internal roads and footpaths are completed, this temporary footpath (through the rear gardens) would not be required. Signage is proposed in two locations on the southern side of Elwick Road, opposite the retained farm buildings immediately adjacent to the application site boundary and opposite Home Farm, to the west.

3.210 The Council's Countryside Access Officer initially expressed concerns that the proposed diverted footpath, stating that it must be easy to find and signposted in order to meet the legal tests of a public footpath diversion (of being 'satisfactory' and 'enjoyable'). Following amended plans being submitted which details the amended proposed route of the diverted footpath, the Council's Countryside Access Officer confirmed that the proposal was acceptable, provided that the public footpath joined up with the main Public Footpath as soon as is practicable.

3.211 The links to the footpath can be secured by an appropriately worded planning condition, which is duly recommended. As identified in the neighbour amenity section, it is not ideal that the proposed temporary footpath extends across the rear gardens of three of the plots within the proposed development. In order to safeguard the privacy of occupants of these plots, as well as the neighbouring property at Carlton, it is considered that a planning condition is required to ensure that the temporary footpath (through the rear gardens of plots 41, 42 and 43) is closed up prior to the completion or occupation of these properties and the new footpath is implemented, and an obligation for the implementation, maintenance and management of the footpath, which can be secured in the S106 legal agreement. The Council's Countryside Access Officer has confirmed that this would be acceptable in this instance.

3.212 The Council's Countryside Access Officer initially expressed a concern that the development does not adequately provide footpath connections to local amenities, including the village school. However, following discussions with the applicant, the Council's Countryside Access Officer confirmed that the proposals in their current, amended form are acceptable.

3.213 Overall and for the reasons identified above, including the comments of the Council's Countryside Access Officer and Land Use Policy team, and subject to planning conditions and obligation to secure the diverted public footpath, the application is considered to be acceptable in respect of public rights of way.

## SURFACE WATER MANAGEMENT

3.214 It is acknowledged that objections from members of the public have been received in respect to the proposal having an unacceptable impact on existing drainage within and around the site.

3.215 As noted above, the application is supported by a Flood Risk Assessment and Drainage Strategy for the development, which includes a SuDS feature. The Council's Engineering Consultancy confirmed that this has been designed with safety in mind, including freeboard allowances and 1 in 3 slopes. However, the Council's Engineering Consultancy requested details of microdrainage modelling, details of the permeable paving within residential curtilages, and an updated drainage layout to include debris screens.

3.216 It has subsequently been confirmed by the Council's Engineering Consultancy that there are no objections to the proposals in terms of surface water management in principle, however a pre-commencement drainage design condition is recommended. This is recommended accordingly, albeit it is noted that the applicant has provided additional details in an attempt to having this matter resolved prior to the committee date. It is considered prudent that a maintenance and management plan for surface water drainage be required by way of a planning obligation, which would be secured via a S106 legal agreement. The applicant has confirmed their agreement to this planning condition and obligation being imposed and therefore subject to that condition and obligation, the proposals are considered to be acceptable in relation to surface water management. Further advice on requirements to satisfy the condition can be relayed to the applicant via an informative.

3.217 Northumbrian Water have confirmed no objections subject to a planning condition ensuring the development is carried out in line with the submitted Flood Risk Assessment and Drainage Strategy, and the submitted Engineering Layout. As noted above, a planning condition is recommended to secure an updated detailed drainage design. Foul drainage is a matter for Building Regulations.

## CONTAMINATED LAND

3.218 In respect to contaminated land, the application is supported by both a Phase I Geo-Environmental Site Assessment and a Phase II Geo-Environmental Site Assessment. The Council's Engineering Consultancy have confirmed that further details are required, to include the provision of a remediation statement and submission of a gas monitoring results, as the submitted information details that these are required. It is therefore prudent to include the standard pre-commencement contamination planning condition be secured. This planning condition is recommended accordingly and the application is considered to be acceptable in this respect.

## ARCHAEOLOGY

3.219 The application includes an Archaeological Assessment which confirms that the site has been subject a variety of archaeological works, including a desk based assessment, historic building recording, geophysical survey, trial trenching, and an earthwork survey. The evaluation of the site has indicated that there is low



archaeological potential across the wider site. However, the trial trenching report recommends that archaeological monitoring is undertaken in the area of the farmstead and farmyard during the construction groundworks. Tees Archaeology have confirmed that they agree with this recommendation, which can be secured by the inclusion of the standard planning condition, which is recommended accordingly.

3.220 Overall and on balance, in view of the above, the proposals are considered to be acceptable in relation to archaeology.

## OTHER PLANNING MATTERS

### 3.221 *Crime, Fear of Crime and Anti-Social Behaviour*

3.222 The Council's Community Safety team have been consulted on the proposals and have not offered any objections or comments. A consultation response from Cleveland Police has been received which details advice regarding Secured By Design measures including the height of fencing and gates to deter unauthorised access to rear gardens. Cleveland Police initially commented that the rear boundaries facing on to the open space would have the potential for generating instances of crime. As noted above, the layout has been amended, and whilst Cleveland Police have not provided any further comments on the specific amended layout, it is acknowledged that the advice such as the height of boundary treatments and the alteration of open spaces so that it is the fronts of properties which face them, has been taken on board by the applicant and shown in amended plans.

3.223 Cleveland Police have also commented on the proposed car parking to terraced plots, whereby the access to the car park is via alleys from the rear garden. This advice can be relayed to the applicant by way of an informative and the application is therefore considered acceptable in respect of crime, fear of crime and anti-social behaviour.

### *Waste*

3.224 The Tees Valley Joint Minerals and Waste Development Plan Document (2011) requires all major developments to produce a waste audit. The applicant has duly submitted this which demonstrates that waste would be managed and minimised or reused, in accordance with the statutory requirements. A planning condition is recommended in respect of this.

3.225 A consultation response has been received from the Council's Waste Management team regarding the provision of necessary waste receptacles and collection requirements throughout the proposed development. No objections have been received from the Council's Traffic and Transport team in respect of the provision of waste and it is also noted that individual properties feature rear garden areas and footpaths from the highway. However, it is prudent to secure details of in curtilage bin storage provision and a planning condition is duly recommended in this respect. The proposal is therefore, on balance, considered to be acceptable in this respect.

### *Loss of agricultural land*

3.226 The proposals would result in a loss of agricultural land (primarily the land to the north of the site, beyond the rear of the existing farm buildings that are to be demolished). Natural England's Provisional Agricultural Land Classification (ALC) identifies the land as Grade 3 ('good to moderate quality') and their Land Map for the Likelihood of 'Best and Most Versatile' (BMV) Agricultural indicates this to have a moderate-high likelihood of BMV. Whilst noting this loss, in view of the overall planning balance and the benefits of the scheme, it is considered that any loss would not be so significant and would be outweighed by the identified benefits of the scheme in this instance. As such, it is considered that this loss would not result in such a demonstrable harm as to warrant a refusal of the application.

#### *Consultation*

3.227 With reference to the objections that the applicant has not undertaken sufficient public consultation, consideration is given to the submitted Statement of Community Involvement (SCI), which indicates that the applicant has issued a consultation leaflet to neighbouring properties in the vicinity of the site, in line with the Council's Statement of Community Involvement Guidance (2019), the NPPF (2024) and best practice. Ultimately, pre-application consultation by the applicant is not a mandatory requirement for this type of application.

3.228 As stated above, the application has been advertised by the LPA in line with (if not exceeding) the minimum requirements of planning legislation including neighbour letters and by way of a site notice and press advert.

#### *Impact on utilities infrastructure*

3.229 With reference to the objections that the proposal would result in an impact on utilities infrastructure, including sewage, water, gas and electricity, no objections or requirements have been received from Northern Gas Networks, Northern PowerGrid, National Grid, the Environment Agency, or Independent Water Networks.

### RESIDUAL MATTERS

3.230 Cleveland Fire Brigade has provided advice for the applicant with respect to fire safety and access. In their initial response, Cleveland Fire Brigade advised that turning heads should meet the requirements of Cleveland Fire Brigade Guidance, as their appliances would have difficulty accessing some plots. Following amended plans, Cleveland Fire Brigade have advised that they are not able to depict the suitability for infrequent use by commercial and emergency vehicles. If access was made by Cleveland Fire Brigade in the event of fire resulting in damage to the road surface, Cleveland Fire Brigade would not be accountable for such damage. The applicant has confirmed their acknowledgement of this responsibility.

3.231 These matters are principally a consideration for the building regulations process, which the Council's Building Control section has confirmed the application is subject to, and the responsibility of the applicant. Notwithstanding this, an informative to make the applicant aware of this advice is recommended accordingly.

3.232 Property values and devaluation are not material planning considerations.

## CONCLUSION

3.233 Overall, it is acknowledged that whilst the majority of the application site is situated on land within the limits to development in accordance with Policy LS1 of the HLP (2018) and allocated as part of a strategic housing site under Policy HSG7 of the HLP (2018) and Policy H1 of the HRNP (2018).

3.234 Whilst the concerns raised by the Rural Neighbourhood Plan Group and Elwick Parish Council in respect to the scale and design of the development are acknowledged, in view of the consideration of the economic, environmental and social benefits of the scheme, it is, on balance, considered that the development is acceptable for the reasons detailed above. Whilst it is acknowledged that the application has its shortcomings, particularly in that it does not achieve all of the required planning obligations, and it does not seek to reuse the vacant outbuildings within the design, it is considered that these would not be so significant as to warrant a reason to refuse the application in this instance.

3.235 It is further considered that the proposal would not result in significant adverse impacts on the amenity or privacy of neighbouring land users, or result in any adverse impacts or harm on the character and appearance of the application site and surrounding Elwick Conservation Area and locally listed building, and the proposal is considered to be acceptable in respect of all other material considerations.

3.236 Subject to the identified conditions and the completion of a section 106 legal agreement to secure the financial contributions and obligations (as detailed above), as well long term maintenance and management of a number of identified elements, the proposal is considered to be acceptable and is recommended for approval.

## EQUALITY DUTY

3.237 The Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

## CRIME AND DISORDER ACT IMPLICATIONS

3.238 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making. Matters of crime, fear of crime and anti-social behaviour are considered in detail in the relevant section of this report. Overall and for the reasons set out in the report, the proposal is considered, on balance, to be acceptable when having regard to Section 17 of the Crime and Disorder Act 1998.

## REASON FOR DECISION

3.239 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

**RECOMMENDATION – APPROVE**, subject to the completion of s106 Legal Agreement to secure financial contributions toward:

1. the Grade Separated Junction at the A19 (£12,000 per dwelling, total £516,000);
2. HRA financial mitigation (£200 per dwelling, total of £8,500) for indirect adverse impacts on SPA feature birds through recreational disturbance;
3. £15,000 towards subsidised bus service provision (including infrastructure and street furniture) and pedestrian and cycle linkages to address sustainability in accordance with Local Plan policy HSG7;
4. the provision of 5 on site affordable dwellings;
5. the provision, maintenance and long term management of the Public Footpath through and adjacent to the site (including any required signage);
6. the provision, maintenance and long term management of landscaping, open space and play areas;
7. the provision, maintenance, monitoring and long term management (30 years) of Biodiversity Net Gain (on site);
8. maintenance and long term management of surface water drainage and SuDS;
9. to secure an employment and training charter;
10. to secure the appropriate monitoring fees (per obligation including monitoring of on-site BNG), and subject to the following planning conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.  
To clarify the period for which the permission is valid.
2. The development hereby approved shall be carried out in accordance with then following plans:

Dwg. No. 969 - Drayton Heritage – 0701A (Front/Rear and Side Elevation),  
Dwg. No. 936 - Lansdown Heritage – 0701A (Front/Side and Rear Elevation),  
Dwg. No. 765 - Kingfisher Heritage – 0701A (Front/Side and Rear Elevation),  
Dwg. No. 1529 - Sunningdale Heritage – 0702A (Front/Side and Rear Elevation),  
Dwg. No. 1529 - Sunningdale Heritage – 0701A (Ground and First Floor),  
Dwg. No. 1345 - Tilsworth Heritage – 0701A (Front/Side and Rear), received by the Local Planning Authority on 10<sup>th</sup> December 2024;

Dwg No. 829 - Kendleshire Heritage – 0701A Rev P02 (Plans and Elevations),  
Dwg. No. 981 – Milford Heritage – 0701D Rev P01 (Plans and Elevations),  
Dwg. No. 1013 – Newbury Heritage - 0701D Rev P03 (Plans and Elevations) received by the Local Planning Authority on the 2<sup>nd</sup> April 2025;

Dwg. No. Res1018-Bha-St-Xx-Dr-A-1220 Rev P16 (Proposed Site Layout, With Retained Farm Buildings), received by the Local Planning Authority On 21<sup>st</sup> October 2025;

Dwg. No. 1013 - Newbury Heritage – 0701E S4 Rev P01 (Newbury Heritage Plans and Elevations, Plots 1 & 43 Only), and  
Dwg. No. Res1018-Bha-St-Xx-Dr-A-1410 Rev P14 (Proposed Boundary Treatments Plan), received by the Local Planning Authority on the 26<sup>th</sup> November 2025; and

Dwg. No. RES1018-BHA-ST-XX-DR-A-500-S4 Rev P06 (Site Location Plan, scale 1:1250), received by the Local Planning Authority on 27<sup>th</sup> November 2024.

For the avoidance of doubt.

3. Notwithstanding the submitted information and prior to the commencement of development (including demolition), details of the existing and proposed levels of the site (within and outwith the site) including the finished floor levels of the dwellings and buildings to be erected and any proposed mounding and/or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details.  
To take into account the position of the buildings and impact on adjacent properties and their associated gardens in accordance with Policies QP4, QP5 and LS1 of the Hartlepool Local Plan (2018) and Policy GEN2 of the Hartlepool Rural Neighbourhood Plan (2018).
4. Prior to the commencement of development, a Construction Management Plan (CMP) shall be first submitted to and agreed in writing with the Local Planning Authority in consultation with National Highways. The scheme shall agree the routing of all HGVs movements associated with the construction phases to adequately address impacts on the A19 Trunk Road and the local road network; effectively control dust emissions from the site remediation and construction works; this shall address earth moving activities; control and treatment of stock piles; parking for use during construction and measures to protect any existing footpaths and verges, wheel cleansing measures to reduce mud on highways; road sheeting of vehicles, offsite dust/odour monitoring and communication with local residents. The scheme shall also include details of any site construction office, compound, hard standing areas and ancillary facility buildings to be used during the construction period. Thereafter and following the written approval of the Local Planning Authority, the development shall be carried out solely in accordance with the approved CMP for during the construction phase of the development hereby approved. To ensure that the A19 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, in the interests of highway safety, residential amenity and to accord with the provisions of Policies HSG7 and INF2 of the Hartlepool Local Plan 2018.

5. Notwithstanding the submitted information, no development (including demolition) shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage design shall demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change, will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in the Tees Valley SuDS Design Guide and Local Standards (or any subsequent update or replacement for that document). The approved scheme shall be implemented (and thereafter maintained) in accordance with the approved detailed design prior to the completion of the development.

To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity.

6. No development (including demolition) shall commence until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
  - (ii) an assessment of the potential risks to:
    - a. human health,
    - b. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
    - c. adjoining land,
    - d. groundwaters and surface waters,
    - e. ecological systems,
    - f. archeological sites and ancient monuments;
  - (iii) an appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's Land Contamination Risk Management procedures.

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared,

and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

### 3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

### 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of 1 (Site Characterisation) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of 2 (Submission of Remediation Scheme) above, which is subject to the approval in writing of the Local Planning Authority.

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

### 5. Long Term Monitoring and Maintenance

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

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

This must be conducted in accordance with DEFRA and the Environment Agency's Land Contamination Risk Management procedures.

### 6. Extensions and other Development Affecting Dwellings.

If as a result of the investigations required by this condition landfill gas protection measures are required to be installed in any of the dwelling(s) hereby approved, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby

approved shall not be extended in any way, and no garage(s), shed(s), greenhouse(s) or other garden building(s) shall be erected within the garden area of any of the dwelling(s) without prior planning permission.

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

7. Notwithstanding the submitted details and prior to the commencement of the development hereby approved, a scheme for the provision, long term maintenance and management of all landscaping and tree and shrub planting within the site shall be first submitted to and agreed in writing with the Local Planning Authority. The scheme shall be in general conformity with the plan Dwg. No. 1486\_100 Rev I (Landscape Strategy) and the planting schedule as detailed on Dwg. No. 1486\_402 (Detailed Softworks Sheet 3), both received by the Local Planning Authority on 13<sup>th</sup> October 2025, and the Landscape Management Plan (document reference 1486\_R01, dated 29/08/2025 and received by the Local Planning Authority on the 11<sup>th</sup> September 2025). The scheme shall include details of the retained (and buffered) landscaping features as detailed within the Arboricultural Method Statement inc. Impact Assessment, reference ARB/CP/3284, dated August 2025, received by the Local Planning Authority on 11<sup>th</sup> September 2025. The scheme shall specify sizes, types and species, indicate the proposed layout and surfacing of all areas, include a programme of the works to be undertaken, details of the existing and proposed levels of the site including any proposed mounding and or earth retention measures. The scheme shall also include details of a buffer of structural landscaping to the northern boundary and planting methods including construction techniques for pits in hard surfacing and root barriers. The scheme shall also include details of rabbit protection, and the planting mix shall include berry and fruit bearing species.
- All soft landscaping including planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following completion or first occupation of individual dwellings (whichever is sooner). All planting, seeding or turfing comprised in the approved details of landscaping for all other areas (out with the residential curtilages) including areas of open space within the site shall be carried out in the first planting season following the occupation of the dwellings or completion of the development, whichever is the sooner. Thereafter the development hereby approved shall be carried out and maintained in accordance with the agreed scheme, for the lifetime of the development hereby approved. 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, biodiversity enhancement and to ensure a satisfactory form of development.



8. Prior to any equipment, machinery or materials being brought onto the site for the purposes of the development, the tree and hedge protection measures identified in Dwg. No. ARB/CP/3284/TPP (Tree Protection Plan, Appendix 4 of the submitted Arboricultural Method Statement inc. Impact Assessment (reference ARB/CP/3284, dated August 2025, received by the Local Planning Authority on 11<sup>th</sup> September 2025) shall be in place and thereafter retained until completion of the development. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees or hedges which are seriously damaged or die as a result of site works shall be replaced with trees or hedges of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season. In the interests of the health and appearance of the existing trees and the visual amenity of the area.
  
9. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) and timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include Method Statements for the avoidance, mitigation and compensation measures as detailed in section 6 (Recommendations), page 42 of the submitted Ecological Impact Assessment by OS Ecology (reference 23401 V4), document dated October 2025 and received by the Local Planning Authority 05/11/2025. The CEMP (Biodiversity) shall also include the following:
  - a) Details of any temporary external lighting that avoids or reduces impacts to bats during construction;
  - b) The location and timing of sensitive works to avoid harm to biodiversity features;
  - c) The times during construction when specialist ecologists need to be present on site to oversee works;
  - d) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
  - e) Details of means escape to excavations left uncovered overnight, for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°;
  - f) Use of protective fences, exclusion barriers and warning signs;
  - g) Method Statements to avoid risk of harm to bats, badger, common toad and hedgehog.

Thereafter the approved CEMP shall be adhered to and implemented in accordance with the agreed details and timetable and throughout the construction period strictly in accordance with the approved details. In the interests of avoiding or mitigating ecological harm.
  
10. A) No demolition/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. 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.
7. The timetable for completion of all site investigation and post-investigation works.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under part A of this condition (unless an alternative timetable is otherwise first agreed in writing with the Local Planning Authority).

C) The development shall not be occupied until;

- 1) the post-investigation assessment has been completed in accordance with the Written Scheme of Investigation (and timetable) approved under part A of this condition and;
- 2) the provision made for analysis, publication and dissemination of results, and archive deposition secured, has been confirmed in writing to, and approved by, the Local Planning Authority.

In order to ensure that the archaeology of the site is adequately investigated.

11. Notwithstanding the submitted details and prior to the laying of any hard surfaces, final details of proposed hard landscaping and surface finishes shall be submitted to and agreed in writing by the Local Planning Authority. This shall include all external finishing materials, finished levels, and all construction details, confirming materials, colours and finishes. The scheme shall also include details of any resurfacing to the existing access (to be retained) to serve the 'existing farmhouse retained' as annotated on plan Dwg. No. Res1018-Bha-St-Xx-Dr-A-1220 Rev P16 (Proposed Site Layout, With Retained Farm Buildings), received by the Local Planning Authority on 21st October 2025, and all enclosing elements, street furniture and street lighting locations. Thereafter and following the written approval of the Local Planning Authority, the agreed scheme shall be implemented prior to the occupation of the dwellings and/or the site being open to the public or completion of the development hereby approved (whichever is sooner) unless an alternative, similar scheme (and timetable) is submitted to and approved in writing with the Local Planning Authority.

In the interests of visual amenity and to accord with the provisions of the NPPF in terms of satisfying matters of flood risk and surface water management, and to ensure appropriate access/surfacing is provided to the retained existing farmhouse building.

12. The access (and associated visibility splays) to the development hereby approved shall be completed in accordance with Dwg. No. Res1018-Bha-St-Xx-Dr-A-1220 Rev P16 (Proposed Site Layout, With Retained Farm Buildings,

received by the Local Planning Authority on 21<sup>st</sup> October 2025) prior to the completion or first occupation (whichever is sooner) of the development hereby approved unless an alternative timescale is otherwise agreed in writing with the Local Planning Authority.

To ensure a satisfactory form of development and in the interests of highway safety.

13. Notwithstanding the submitted details and prior to above ground construction of the development hereby approved, final details of the external materials (and finishing colours) to the dwellings hereby approved shall be submitted to and approved by the Local Planning Authority, colour treatments and samples (or high quality photographs) of the desired materials being provided for this purpose. Thereafter the approved scheme shall be implemented and retained thereafter.

In the interests of visual amenity, character and appearance of the adjacent conservation area, and to ensure a satisfactory form of development.

14. Prior to the commencement of development above ground level, full details of a minimum of 43no. bat roost bricks and 43no. bird nesting box bricks to be installed integral to each of the dwellings (43no. in total), including the exact location, specification and design, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the agreed enhancement measures shall be installed strictly in accordance with the details so approved prior to the occupation or completion of the individual dwellings, whichever is sooner, and shall be maintained for the lifetime of the development.

To provide an ecological enhancement for protected and priority species, in accordance with Policy NE1 of the Hartlepool Local Plan (2018) and Section 15 of the NPPF (2024).

15. Prior to the commencement of development hereby approved, full details of the permanent and temporary Public Footpath diversion as shown on Dwg. No. Res1018-Bha-St-Xx-Dr-A-1220 Rev P16 (Proposed Site Layout, With Retained Farm Buildings, received by the Local Planning Authority on 21<sup>st</sup> October 2025) including the exact location, specification and design, as well as a timetable for the works and their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The scheme (and timetable) shall ensure that the closure of the temporary public footpath through the rear gardens of plots 41, 42 and 43 (as shown on Dwg. No. Res1018-Bha-St-Xx-Dr-A-1220 Rev P16, Proposed Site Layout, With Retained Farm Buildings, received by the Local Planning Authority on 21<sup>st</sup> October 2025) is completed prior to the occupation of these plots or the completion of the development (whichever is sooner) and in line with the details to be agreed as part of condition 16. Thereafter, the permanent footpath diversion (and any associated gates) shall be installed strictly in accordance with the details so approved including the timetable for implementation.

To provide public infrastructure, in accordance with Policies HSG7 and NE2 of the Hartlepool Local Plan (2018).

16. Notwithstanding the submitted details and prior to above ground construction of the development hereby approved, full details of all walls, fences and other means of boundary enclosure, including size, siting and finishing materials, shall be submitted to and approved by the Local Planning Authority. The scheme for boundary treatments shall be in general conformity with the details shown on plan number Dwg. No. Res1018-Bha-St-Xx-Dr-A-1410 Rev P14 (Proposed Boundary Treatments Plan, received by the Local Planning Authority on 26<sup>th</sup> November 2025, thereafter referred to as 'the Plan'), including the creation of migration corridors between boundary enclosures to enable hedgehog migration, and the provision of the agreed enclosure to the tree identified as 'T1' of the Plan. The scheme shall also provide details of the proposed boundary treatments (including any hedge planting, to be agreed as part of condition 7 of this decision notice) between the rear of plots 41 and 43 (and the adjacent property of 'Carlton') as identified on the Plan. Thereafter the development shall be carried out in accordance with the approved details prior to first occupation of the individual dwellings or completion of the development (whichever is the sooner).  
In the interests of visual amenity, neighbour amenity and privacy, highway safety, and to provide appropriate ecological mitigation measures and to enhance biodiversity in accordance with paragraph 187 of the NPPF (2024).
17. No part of the residential development shall be occupied until vehicular and pedestrian access connecting the proposed development to the public highway has been constructed to the satisfaction of the Local Planning Authority.  
In the interests of highway and pedestrian safety and in the interests of the visual amenities of the surrounding area.
18. Prior to the above ground construction of the development hereby approved, details the proposed solar/photovoltaic panels to meet the minimum of a 10% energy supply from decentralised and renewable or low carbon sources to be installed on the roofs of the units, shall be submitted in writing to the Local Planning Authority. Thereafter and following the written approval of the Local Planning Authority, the agreed scheme shall be installed in accordance with approved details prior to the first occupation or completion of the development (whichever is the sooner).  
To ensure a satisfactory form of development, In the interests of promoting sustainable development and in accordance with the provisions of Local Plan Policy CC1.
19. No part of the residential development hereby approved shall be occupied until details of electric vehicle charging apparatus to serve all 43no. dwellings, including identifying the location of the apparatus, has been submitted and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation of the individual dwellings, the agreed scheme shall be implemented on site.  
In the interests of a satisfactory form of development and in accordance with the requirements of Local Plan Policy CC1.

20. Prior to the installation of any temporary security lighting or permanent external lighting associated with development hereby approved, full details of the method of external illumination, siting, angle of alignment; light colour, luminance of external areas of the site, including parking areas, shall be submitted to and agreed in writing by the Local Planning Authority. Such external lighting shall, where achievable, be limited to low level lighting, avoiding use of high intensity security lighting, as detailed in the submitted Ecological Impact Assessment by OS Ecology (reference 23401 V4, document dated October 2025 and received by the Local Planning Authority 05/11/2025). Thereafter, the agreed lighting shall be implemented wholly in accordance with the agreed scheme and retained for the lifetime of the development hereby approved.  
To enable the Local Planning Authority to control details and in the interests of the amenities of adjoining land users, ecology of the area and highway safety.
21. Prior to the occupation of the dwellings hereby approved, details of the provision for in curtilage refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, provision shall be made for the storage of refuse in accordance with the agreed details prior to the occupation or completion (whichever is sooner) of the identified dwellings, for the lifetime of the development hereby approved.  
To ensure a satisfactory form of development.
22. No construction/building/demolition works or deliveries shall be carried out except between the hours of 8.00 am and 18.00 on Mondays to Fridays and between 9.00 am and 13.00 on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.  
To ensure the development does not prejudice the enjoyment of neighbouring occupiers of their properties.
23. The development hereby approved shall be used as C3 dwelling houses and not for any other use including any other use within that use class of the schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that use class in any statutory instrument revoking or re-enacting that order.  
To allow the Local Planning Authority to retain control of the development.
24. Notwithstanding the provisions of Classes A, AA, B, C and D of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the dwellinghouses at plots 1 and 43 (as identified on plan Dwg. No. Res1018-Bha-St-Xx-Dr-A-1220 Rev P16 (Proposed Site Layout, With Retained Farm Buildings, received by the Local Planning Authority on 21<sup>st</sup> October 2025) hereby approved shall not be extended or altered in any way without the written approval of the Local Planning Authority.  
To enable the Local Planning Authority to exercise control in the interests of the visual amenities of the area (including the character and appearance of the Elwick Conservation Area).

25. Notwithstanding the provisions of Classes A and AA of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the dwellinghouses at plots 24, 28, 36, 39 and 40 (as identified on plan Dwg. No. Res1018-Bha-St-Xx-Dr-A-1220 Rev P16 (Proposed Site Layout, With Retained Farm Buildings, received by the Local Planning Authority on 21<sup>st</sup> October 2025) hereby approved shall not be extended without the written approval of the Local Planning Authority.

To enable the Local Planning Authority to exercise control in the interests of the visual amenities of the area (including the character and appearance of the Elwick Conservation Area) and in the interests of neighbour amenity.

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 principal wall/elevation of that dwellinghouse or that which fronts onto a road or footpath, without the prior written consent of the Local Planning Authority with the exception of those enclosures approved as part of this permission and shown on Dwg. No. Res1018-Bha-St-Xx-Dr-A-1410 Rev P14 (Proposed Boundary Treatments Plan, received by the Local Planning Authority on 26<sup>th</sup> November 2025).

To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential properties and the appearance of the wider area.

27. Waste generated during the demolition, construction and operational phases of the development hereby approved shall be managed and disposed of in accordance with the details set out within the submitted submitted Waste Audit In Relation To Land At North Farm, Elwick (document dated 09/12/2024), date received by the Local Planning Authority on 10<sup>th</sup> December 2024.

To ensure compliance with the requirement for a site specific detailed waste audit in accordance with Policy MWP1 of the Tees Valley Joint Minerals and Waste Development Plan Document 2011.

## BACKGROUND PAPERS

3.240 Background papers can be viewed by the 'attachments' on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=163868>

3.241 Copies of the applications are available on-line:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet>

## CONTACT OFFICER

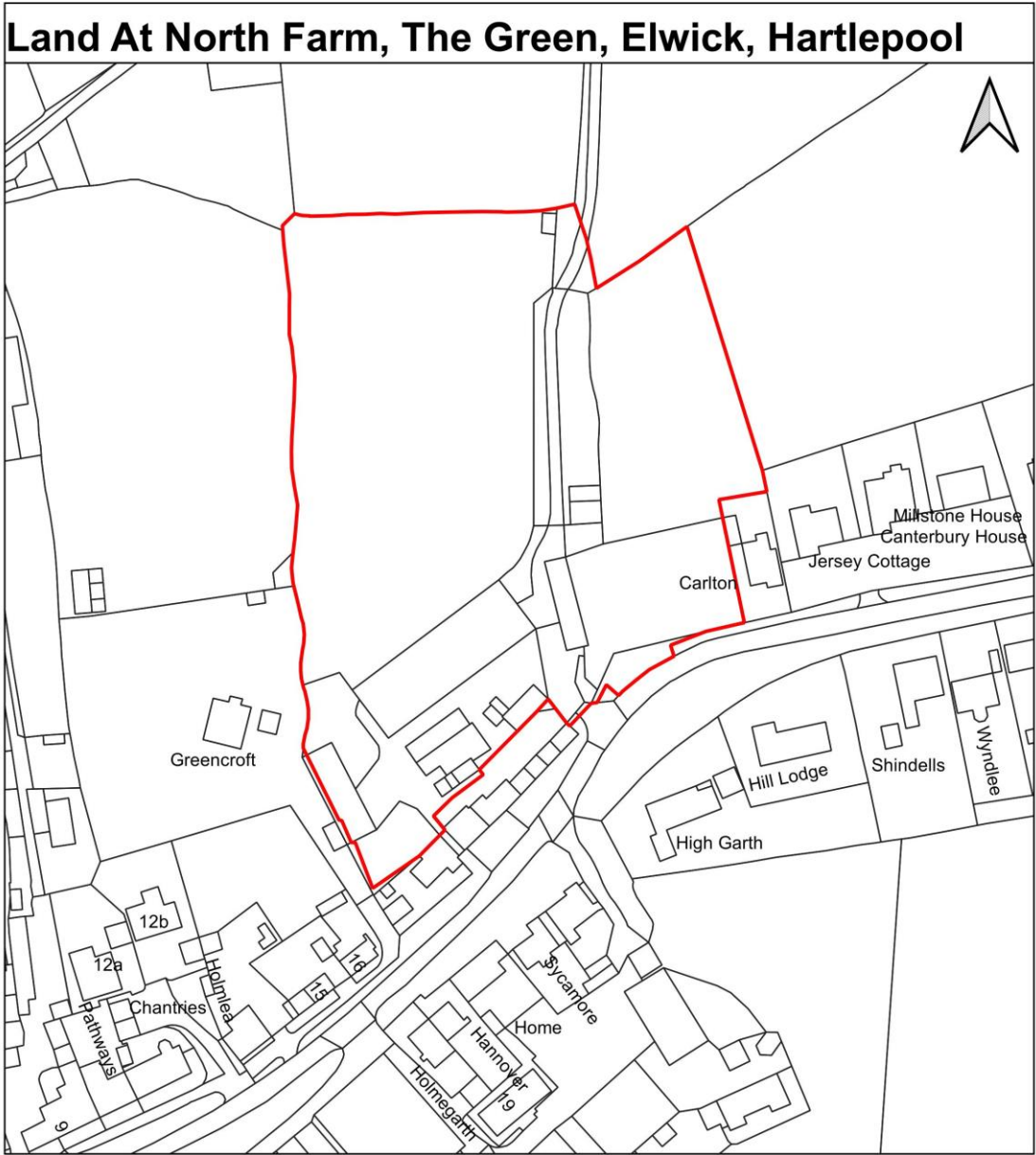
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THIS PLAN IS FOR IDENTIFICATION PURPOSES ONLY

<b>HARTLEPOOL BOROUGH COUNCIL</b>	<b>DRAWN</b> LH	<b>DATE</b> 19/11/2025
	<b>Scale</b> 1:1500	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	<b>DWG.NO</b> H/2024/0388	<b>REV</b>





**No:** 4.  
**Number:** H/2025/0249  
**Applicant:** LIFESTYLE NORTHEAST CHASEWATER WAY  
HARTLEPOOL TS26 0GG  
**Agent:** ASP SERVICES LTD JONATHAN LOUGHREY OFFICE  
5 CHURCH STREET HARTLEPOOL TS24 7DG  
**Date valid:** 09/09/2025  
**Development:** Change of use from offices (E (c)(ii) into a learning and educational centre (F1) for individuals with learning and physical disability requirements.  
**Location:** PARK LODGE WARD JACKSON PARK PARK AVENUE  
HARTLEPOOL

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## PURPOSE OF REPORT

4.1 An application has been submitted for the development highlighted within this report accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

## BACKGROUND

4.2 The following planning applications are considered relevant to the application site:

H/2013/0287 - Change of use to single dwellinghouse including alteration to form access from Elwick Road and provision of boundary fencing. Approved 26/11/2013.

H/2015/0474 - Change of use from storage to commercial, professional offices. Approved 22/01/2016.

## PROPOSAL

4.3 Planning permission is sought for the change of use of Park Lodge, in Ward Jackson Park, Hartlepool, from its current lawful use as a commercial office space (under Use Class E(c)(ii)) to a learning and educational centre for individuals with learning and physical disabilities (under Use Class F1).

4.4 The proposal does not include any external alterations to the building or its setting, nor any structural subdivision or alterations to the internal areas of the host building.

4.5 The submitted Cover Letter indicates that the proposed use of the host building would include the delivery of educational workshops focused on life skills, personal development and learning opportunities; the provision of wellbeing services including counselling, therapeutic interventions, and wellbeing-focused classes; and

support for individuals in the community, particularly those with learning disabilities, mental health challenges, and those in recovery from addiction.

4.6 The submitted plans indicate that the proposal would utilise the existing pedestrian and vehicular accesses and includes 4no. car parking spaces. The plans indicate the location of the proposed bin storage to the rear of the main building, within the service yard area.

4.7 The applicant has advised that activities and meetings would only be undertaken within the property. The rear yard and forecourt/gardens would be used for storage and as low level amenity space. No activities would be taken in the park itself.

4.8 The proposed opening hours are 8.30am to 9.30pm, 7 days a week, including Bank Holidays. The submitted application form indicates that there would be 6 employees. The applicant has advised that there would be fewer than ten individuals utilising the service at any one time.

4.9 The application has been referred to be determined in the planning committee as more than 3 objections have been received, in line with the Council's Scheme of Delegation.

## **SITE CONTEXT**

4.10 Park Lodge is a Grade II listed building situated the south-east corner of Ward Jackson Park, which is also set within the Park Conservation Area. It is situated inside one of the two main entrances to the park (the other being to the north end of Park Avenue). The entrance allows for both pedestrian and vehicular access. The site context of the building comprises a small forecourt and garden area to the front and northern side, and an enclosed rear yard area which includes ancillary outbuildings and a later brick-built garage with timber doors.

4.11 Park Lodge was built as the park-keeper's Lodge in 1883. The building is constructed in brick with sandstone ashlar dressings and rusticated quoins at angles. The roof is covered in Welsh slate with stone gable copings and kneelers, finished with decorative metal finials.

4.12 To the north and west of the application site is Ward Jackson Park to the south and east are highways, beyond which are residential properties, including Glendalough and Brantwood to the east, and Dunelm Court, West Lodge and Meadowcroft Lodge to the south, which are set well within their own respective boundaries.

## **PUBLICITY**

4.13 The application has been advertised by way of notification letters to five neighbouring properties and local ward councillors, site notice and press advert. Amended proposed site plans have been submitted to identify the location of the proposed bin storage area, at the request of the case officer. A re-consultation was not considered necessary.

4.14 To date, three objections have been received. The concerns raised can be summarised as follows:

- Site context and constraints;
- Public amenity;
- Principle of use in a publicly funded lodge – proposal should not be used for commercial use;
- Highway and pedestrian safety;
- Noise, privacy and amenity;
- Heritage impact;
- Design, appearance and layout;
- Environmental sustainability;
- Crime, anti-social behaviour and fear of crime;
- Need and alternative sites;
- Management and concerns regarding the operator;
- Covenant restrictions.

4.15 Background papers can be viewed via the ‘click to view attachments’ link on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=166009>

4.16 The period for publicity has expired.

## CONSULTATIONS

4.17 The following consultation replies have been received:

**HBC Head of Service for Heritage and Open Spaces:** The application site is a grade II listed building located in a registered park which is part of Park Conservation Area, all of which are heritage assets.

Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets. authority to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The National Planning Policy Framework (NPPF) looks for local planning authorities to take account of the significance of a designated heritage asset and give, “great weight” to the asset’s conservation (para 212 and 213, NPPF).

Policy HE4 of the local plan states the Borough Council will seek to “conserve or enhance the town’s listed buildings by resisting unsympathetic alterations, encouraging appropriate physical improvement work, supporting appropriate and viable proposals to secure their re-use and restoration.”

When considering any application for planning permission that affects a conservation area, the 1990 Act requires a local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The NPPF goes further in seeking positive enhancement in conservation areas to better reveal the significance of an area (para. 219, NPPF). It also looks for local planning

authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness (paras. 203 & 210, NPPF).

Further to this at a local level, Local Plan Policy HE3 states that the Borough Council will, “seek to ensure that the distinctive character of conservation areas within the Borough will be conserved or enhanced through a constructive conservation approach. Proposals for development within conservation areas will need to demonstrate that they will conserve or positively enhance the character of the conservation areas.”

The Park Conservation Area is characterised by large late nineteenth century houses, little altered since originally built, and set in extensive landscaped grounds surrounded by walls and railings. Overall the area presents a feeling of spaciousness with dwellings concealed by mature trees and shrubs. Within the conservation area is Ward Jackson Park, a formal park established in the late 1880s.

The proposal is the change of use of the building. The information provided suggests that there will be no alterations to the property and therefore the appearance of the structure both internally and externally will remain the same. No objections.

**Hartlepool Civic Society:** Hartlepool Civic Society have no objections to this application and welcome the change of use as it will assist in preserving this historic asset.

**HBC Traffic and Transport:** The proposed change of use would be acceptable. Although the access onto Park Avenue would not meet current standards, it is an existing well-established access.

Not much detail has been provided on the proposed use, although given the relatively small scale of the building it would restrict the number of staff/ visitors and have a minimal impact on the surrounding highway.

The current car park can accommodate 4 vehicles, these should be restricted to staff use to minimise use of the access.

**HBC Economic Development:** We have reviewed the application and have no objections to the proposals Economic Growth.

**Cleveland Police:** With regards to your recent planning application H/2025/0249 for learning & education facility, Park Lodge, Ward Jackson Park. Hartlepool. Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED).

I would like to make you aware that Cleveland Police operate the “Secured by Design” initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments. Full information is available within the SBD Non-Residential Guide 2025 Guide at [www.securedbydesign.com](http://www.securedbydesign.com)

- The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and

safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...

- The National Planning Policy Framework 2024, paragraph 135(f) which states that “Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.
- Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure. Developers will be expected to have regard to the following matters, where appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.
- Another material consideration is Section 17 of The Crime and Disorder Act 1998. Further information on the Secured By design initiative can be found on [www.securedbydesign.com](http://www.securedbydesign.com)

**HBC Waste Management:** A trade waste agreement is required with a registered waste carrier to ensure the correct disposal of any waste generated by the business. Secure storage will also be required on or in the boundary of the property. Receptacles must not be left on the highway.

**HBC Public Protection:** (summarised) no objections to the scheme including proposed operational hours.

**HBC Building Control:** No comments received.

**HBC Countryside Access Officer:** No comments received.

**HBC Estates:** No comments received.

**HBC Community Safety:** No comments received.

**HBC Parks and Countryside:** No comments received.

**HBC Education:** No comments received.

## PLANNING POLICY

4.18 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

### Local Policy

#### Hartlepool Local Plan

4.19 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

HE1: Heritage Assets  
 HE3: Conservation Areas  
 HE4: Listed Buildings  
 HE7: Conservation Areas at Risk  
 INF4: Community Facilities  
 QP1: Planning Obligations  
 QP4: Layout and Design of Development  
 QP5: Safety and Security  
 QP6: Technical Matters  
 SUS1: The Presumption in Favour of Sustainable Development

#### National Planning Policy Framework (NPPF)(2024)

4.20 In December 2024 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012, 2018, 2019, 2021 and 2023 NPPF versions. The NPPF sets out the Government's Planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a strong reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA001: Role of NPPF  
 PARA002: Determination of applications in accordance with development plan  
 PARA003: Utilisation of NPPF  
 PARA007: Achieving sustainable development  
 PARA008: Achieving sustainable development  
 PARA009: Achieving sustainable development  
 PARA010: The presumption in favour of sustainable development  
 PARA011: The presumption in favour of sustainable development  
 PARA012: The presumption in favour of sustainable development  
 PARA039: Decision making  
 PARA048: Determining applications  
 PARA056: Planning conditions and obligations  
 PARA057: Planning conditions and obligations  
 PARA135: Achieving well-designed places  
 PARA139: Achieving well-designed places  
 PARA202: Conserving and enhancing the historic environment  
 PARA203: Conserving and enhancing the historic environment  
 PARA207: Proposals affecting heritage assets  
 PARA210: Proposals affecting heritage assets  
 PARA212: Proposals affecting heritage assets

PARA215: Proposals affecting heritage assets

PARA219: Enhance or reveal significance of heritage assets

PARA220: Decisions affecting heritage assets.

PARA231: Implementation

**4.21 HBC Land Use Policy comments:** The proposed development would involve the change of use of the Grade II listed Park Lodge at Entrance to Ward Jackson Park from an existing office use (Class E) to an Education and Wellbeing Centre (Class F1). The proposals do not include any external or internal alterations to the existing building. The site is located within the Park Conservation Area (Policy HE3), the Ward Jackson Registered Park and Garden (Policy HE1/NE2b).

**4.22** Policy HE1 of the Hartlepool 2018 Local Plan sets out that proposals for any development including change of use which has an impact on a heritage asset (both designated and non-designated) and its setting will be required to:

- 1) Preserve and /or enhance its special character, distinctiveness, setting and townscape or landscape value in a manner which is appropriate to its significance;
- 2) Be of high quality design which has a positive impact on the heritage asset.
- 3) Ensure the sensitive and viable use of the heritage asset.”

**4.23** The proposed development would result in the effective use of a currently vacant heritage asset, which would contribute towards securing the future of its conservation. The proposals would not meaningfully alter the exterior of designated heritage asset. The proposed use for educational and community facility is in accordance with Policy INF4 which supports the provision of community facilities. The proposed use would also be consistent with the current permitted use of the building in terms of character, and any impact would be minimal.

**4.24** As such, Land Use Policy consider the proposal to be acceptable in principle.

## PLANNING CONSIDERATIONS

**4.25** The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan (the principle of the development), the impact on the character of the Listed Building, the Ward Jackson Park (which is a Registered Park and Garden) and Park Conservation Area and wider surrounding area, the impact on the amenity and privacy of neighbouring land users and future occupiers, and any other planning matters including highways and pedestrian safety, trees and landscaping, and crime and anti-social behaviour. These and all other residual matters are considered in detail below.

## PRINCIPLE OF DEVELOPMENT

**4.26** The application seeks planning permission for the change of use of Park Lodge to a learning and educational centre for individuals with learning and physical health requirements, which is a use falling within Class F1. It is acknowledged that objections have been received in respect to the compatibility of the proposed use in this location.



4.27 Policy INF4 (Community Facilities) of the Hartlepool Local Plan (2018) states that to ensure that all sections of the local community have access to a range of facilities that meet education, social, leisure/recreation and health needs, the Council will protect, maintain and improve existing facilities where appropriate and practicable, and support the provision of new facilities to serve developments.

4.28 The application site is a Grade II Listed Building situated within Ward Jackson Park, which is designated as a Grade II Registered Park and Garden, within the Park Conservation Area, and therefore all of these are designated heritage assets, and any development proposals require sensitive consideration as to their impacts on these designated heritage assets. The proposed change of use of the host property is therefore subject to the considerations of Policies HE1, HE3, HE4 and HE7 of the Hartlepool Local Plan (2018), which seek to preserve, protect and positively enhance all heritage assets including those considered to be 'at risk'.

4.29 The associated works to facilitate the proposed change of use would be limited in terms of any internal or external alterations. No substantial external alterations such as extensions or any amendments to doors and windows are proposed.

4.30 It is considered that the proposals would offer a significant benefit of bringing a prominent, vacant building (and heritage asset) back into use at a key location at the entrance to the Ward Jackson Park from Elwick Road and Park Avenue, and this has been reflected within the comments of the Council's Land Use Policy team as well as the Council's Head of Service for Heritage and Open Spaces.

4.31 In view of the above, the principle of development is considered to be acceptable in this instance, subject to the considerations of any impacts on the designated heritage assets and surrounding area, and any impacts on residential amenity and privacy and highway safety and any other matters, as considered within the following sections.

#### IMPACT ON THE CHARACTER + APPEARANCE OF THE EXISTING LISTED BUILDING, REGISTERED PARK, CONSERVATION AREA, AND WIDER SURROUNDING AREA

4.32 It is acknowledged that objections have been received in respect of the design, appearance and layout of the proposed use. In considering applications for listed buildings the Planning (Listed Buildings and Conservation Areas) section 66 of the Act 1990 requires a local planning authority to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

4.33 When considering any application for planning permission that affects a conservation area, the 1990 Act requires a local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

4.34 Policy HE1 of the Hartlepool Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets. The National

Planning Policy Framework (NPPF, 2024) looks for local planning authorities to take account of the significance of a designated heritage asset and give, 'great weight' to the asset's conservation (para 212 and 213, NPPF).

4.35 Policy HE3 of the Hartlepool Local Plan (2018) states that the Borough Council will, 'seek to ensure that the distinctive character of conservation areas within the Borough will be conserved or enhanced through a constructive conservation approach. Proposals for development within conservation areas will need to demonstrate that they will conserve or positively enhance the character of the conservation areas.'

4.36 Policy HE4 of the local plan states the Borough Council will seek to "conserve or enhance the town's listed buildings by resisting unsympathetic alterations, encouraging appropriate physical improvement work, supporting appropriate and viable proposals to secure their re-use and restoration."

4.37 Policy HE7 of the Local Plan sets out that the retention, protection and enhancement of heritage assets classified as 'at risk' is a priority for the Borough Council. Development of heritage assets which will positively conserve and enhance these assets removing them from being classified as at risk and addressing issues of neglect, decay or other threat will be supported.

4.38 Development decisions should accord with the requirements of paragraph 219 of the NPPF (2024) which states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation and in determining applications irrespective of whether any potential harm amounts to total loss, substantial or less than substantial harm to its significance.

4.39 The NPPF (2024) seeks positive enhancement in conservation areas to better reveal the significance of an area (para. 219). It also looks for local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness (paras. 203 and 210).

4.40 The comments received from Council's Head of Service for Heritage and Open Spaces (set out under the Consultations section) provide further detail regarding significance and special interest of the building, which is derived by its age, form and layout within the wider terrace, the historic fabric and its architectural features.

4.41 The NPPF describes the setting of a heritage asset as "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral." In this context 'experienced' has a broad meaning. It is not purely visual and could include economic, social and historical relationships, and considerations of noise and smell. However, each assessment would be made on individual merit.

4.42 The host property is sited within the wider setting of the Park Conservation area, which derives its unique character from its largely unaltered large properties set in extensive landscaped grounds surrounded by walls and railings. Within the Park Conservation Area is Ward Jackson Park, a formal park established in the late 1880's.

4.43 The proposal does not seek to make any notable alterations to the external fabric of the host property as part of this application, nor the external yard or forecourt/garden areas.

4.44 The detailed comments received from the Council's Head of Service for Heritage and Open Spaces (as set out above), indicate that given that there would be no alterations to the host property, the proposal would not significantly impact upon the character, appearance and any features of special architectural or historic interest of the designated heritage assets (Grade II Listed Building, Registered Park and Garden and Park Conservation Area). The Civic Society have also commented to confirm no objections to the proposed use.

- 4.45 It is acknowledged that objections from neighbours have been received in respect of the impact of the proposed use of the host building on the character of the wider area. When taking into account the location of the host property together with its modest external yard and forecourt/garden areas, which is situated within a public park and adjacent to other commercial buildings, including a café and a public toilets block, within a street scene characterised by predominately residential dwellings, but instances of care homes and other uses, it is considered that the proposed educational and learning institution (F1 Use Class) would be an appropriate use of the building in an appropriate location that would not result in any adverse impact on the character of the wider area in this instance. In addition, whilst the applicant's agent has confirmed no intended use of external areas as part of the proposal, it is acknowledged that should some of the external areas be used on occasion, given the park setting, where a degree of external activity could be expected, the proposed development is considered to raise no significant concerns in respect of impact on the character of the area.

*Impact on character and appearance (including impact on designated heritage assets) conclusion*

4.46 It is considered subject to the above recommended planning conditions that the proposed change of use of the building (and external yard and forecourt areas) to an educational and learning institution would be acceptable in terms of any impacts on the special architectural and historic interest of the Listed Building, its setting, the Registered Park and Garden (Ward Jackson Park), and the wider Park Conservation Area. The proposal is therefore considered to be in accordance with the Historic Environment policies within the Hartlepool Local Plan (2018) and the relevant paragraphs of the NPPF (2024).

**AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS AND FUTURE OCCUPIERS**

4.47 It is acknowledged that objections have been received in respect to neighbour amenity and privacy matters, in terms of noise and disturbance and overlooking. Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) requires that proposals should not negatively impact upon the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overshadowing and visual intrusion particularly relating to poor outlook, or by way of overlooking and loss of privacy. The following minimum separation distances must therefore be adhered to:

- Provide and maintain separation distances of at least 20m from habitable room to habitable room.
- Provide and maintain separation distances of at least 10m from habitable room to non-habitable room and/or gable end.

4.48 The above requirements are reiterated in the Council's Residential Design SPD (2019).

4.49 It is acknowledged that objection comments have been received considering that the proposed development will impact on the residential amenity of surrounding neighbouring occupiers in terms of increased noise and disturbance. These matters are addressed below.

#### Impact on West Lodge, Dunelm Court and Meadowcroft Lodge (south)

4.50 Properties at West Lodge, Dunelm Court and Meadowcroft Lodge are situated to the south of the application site, beyond the main highway of Elwick Road, at a separation distance of approximately 27m to West Lodge, approximately 28m to Meadowcroft Lodge and approximately 30m to Dunelm Court remaining from the host property and these neighbours.

4.51 It is noted that there would not be any internal or external alterations such as any extensions or alterations to windows to facilitate the change of use of the former office building to accommodate the educational and learning institution. As such, it is considered that there would be no adverse impact on the amenity of neighbours to the south, including West Lodge, Dunelm Court and Meadowcroft Lodge, in terms of overshadowing, overbearing impression or loss of outlook, as a result of the proposals.

4.52 It is acknowledged that due to the orientation of these neighbouring properties, that existing windows in the southern elevations of the host property would allow for glimpsed views towards windows in the north facing side elevation of Meadowcroft Lodge, and windows in the rear of West Lodge and Dunelm Court. Notwithstanding this, consideration is given to the established relationship between the host property and these neighbours, and the substantial screening in the form of landscaping forming both boundaries, as well as the main public highway in between.

4.53 Beyond this, it is considered that the first floor windows in the south east facing elevation of the extended element of the host building would be at an oblique angle and relationship to the side and rear elevations of these neighbouring

properties, whilst the distances from the windows in the south east and south west facing elevations in the host building would be a minimum of 27m from the closest elevations and windows of these neighbours, which would meet the requirements of Policy QP4 of the Hartlepool Local Plan (2018) and the Residential Design Guide SPD (2019).

4.54 Overall, it is considered that the proposed change of use of the building to a learning and educational institution would not have an unacceptable impact on the amenity and privacy of West Lodge, Dunelm Court or Meadowcroft Lodge (or properties located beyond this to the south) through overshadowing, overbearing impression, loss of outlook, overlooking, or a perception of overlooking as to warrant a refusal of the application.

#### Impact on Glendalough and Brantwood (east)

4.55 Glendalough and Brantwood are two large two storey dwellings situated to the east of the host property, beyond the main highway of Park Avenue, at a separation distance of approximately 54m and 60m from the host property respectively.

4.56 Given the substantial separation distances, established relationship of the neighbouring properties which includes substantial screening in the form of trees across both the application site and the boundaries of these neighbouring properties, and that the proposal does not include any external alterations to the host property, it is considered that there would be no adverse impact on the amenity or privacy of Glendalough and Brantwood (or any other neighbouring properties to the east, south east or north east) in terms of overshadowing, overbearing impression, loss of outlook, overlooking or perception of overlooking as a result of the proposal.

#### Place in the Park and users of the Ward Jackson Park (to the north and west)

4.57 A separation distance of approximately 44m would remain between the host property and the commercial café (Place in the Park) located within Ward Jackson Park, to the north. Given that the proposed use of the host property would be contained within the existing building and private enclosed yard and delineated forecourt/garden areas, and taking into account the substantial screening in the form of landscaping forming the boundary treatment to the rear of the application site as well as the public park setting, it is considered that the proposal would not result in any adverse impacts on the neighbouring Place in the Park café, users of the public park (Ward Jackson Park) or any other land user to the rear of the application site, in terms of overshadowing, overbearing impression, reduced outlook or overlooking/perception of overlooking.

#### Other Amenity Considerations

4.58 It is acknowledged that a neighbour objection has raised concerns in respect of noise and disturbance. It is recognised that the way a building functions can also give rise to activity in terms of the associated operations in and around the site and any noise and disturbance activity including any such associated comings and goings. It is further acknowledged that the application site includes an enclosed rear yard and a modest garden/forecourt to the front and northern side and is set within

one of the main entrances to the main Ward Jackson Park. With respect to the external areas, the applicant's agent has confirmed that the use would be contained within the building, although it is acknowledged that should some of the external areas be used on occasion, given the park setting, where a degree of external activity could be expected, the proposed development raises no significant concerns in this respect. Furthermore, it is considered not reasonable or enforceable to control/restrict the use of external areas and would therefore not meet the tests for imposing a planning condition. In the event that any issues arise in respect to nuisance from external noise, officers consider such matters are best controlled through separate environmental/nuisance legislation.

4.59 It is therefore acknowledged that the proposed use of the host property as a learning and educational institution has the potential to result in additional activity than the use as an office, although consideration is given to the established and lawful use of the building with no restrictions on the associated activity including visitors or hours of operation. The proposed operational hours of the building are set out in the application form (8.30am to 9.30pm daily including bank holidays). In this respect, the Council's Public Protection team have been consulted on the proposal and have raised no objections including to the proposed operational hours. As such, it is considered appropriate to include a planning condition restricting the use of the host building outside these hours, which is duly recommended.

4.60 In exercising its function, the Local Planning Authority needs to have regard to the general requirements of other legislation, and controls that may be set out through other regimes. To avoid duplicity and conflict between two competing mechanisms, planning legislation should not normally be used to secure objectives achievable under other regimes such as Building Regulations, Environmental Health or Highways. Should there be any issues in respect of unacceptable noise, this would be dealt with by the above mentioned appropriate regulatory powers.

#### Neighbour Amenity Conclusion

4.61 Having regard to the nature of the proposed use, subject to the identified recommended planning conditions, it is considered that the proposed development would not have an unacceptable impact on amenity and privacy of any neighbouring property, in accordance with Policy QP4 of the Hartlepool Local Plan (2018) and the relevant paragraphs of the NPPF (2024).

#### OTHER PLANNING MATTERS

##### *Highway and pedestrian safety*

4.62 It is acknowledged that neighbour objections have raised concerns in respect to the provision of car parking, traffic, access and highway safety.

4.63 In this instance, the Council's Traffic & Transport section acknowledge that the access onto Park Avenue would not meet current standards, however they have advised that it is an existing well-established access, and that given the relatively small scale of the building it would restrict the number of staff and visitors and have a minimal impact on the surrounding highway.

4.64 The applicant has indicated that the use of the car park would be for members of staff and that visitors would not use the car park. As noted above, the applicant has indicated that there would be six people employed by the learning and educational institution, albeit only three of these would be at the property at any one time, and the use of the building would not exceed ten visitors at any one time. The current car park can accommodate four vehicles, and the Council's Traffic and Transport team have advised that these should be restricted to staff use to minimise use of the access. This can be relayed to the applicant by way of an informative.

4.65 Overall, the Council's Traffic and Transport team have confirmed no objections, and the proposal is therefore considered to be acceptable in respect of highway safety, access and parking provision.

4.66 With respect to consideration of public rights of way and footpaths running through, adjacent or affected by the site, the proposed use of the building would not affect the public park or any public footpaths and would not include any additional access points to serve the use of the building. The Council's Countryside Access Officer has been consulted and raises no objections or comments, and therefore it is considered that the proposal is acceptable in this respect.

#### *Crime, fear of crime and anti-social behaviour*

4.67 It is acknowledged that objections have been received in respect of crime, fear of crime and anti-social behaviour. Section 17 of the Crime & Disorder Act (1998) requires the planning system to give consideration to implications for crime and anti-social behaviour. Policy QP5 of the Hartlepool Local Plan (2018) seeks to ensure developments are designed to minimise crime and the fear of crime.

4.68 Fear of crime can be a material consideration. However, there must be some reasonable evidential basis for that fear, rather than unjustified fear motivated by prejudice. There is no evidence within the submission or any of the neighbour objections that the use of the property would result in an increase in criminal activity.

4.69 Cleveland Police have provided advice in relation to Secure By Design principles and in respect to consideration of suitable management procedures, including that the operation of the proposed development in accordance with Crime Prevention Through Environmental Design (CPTED), as well as the abovementioned Secure By Design principles. This advice is recommended as an informative. HBC Community Safety were consulted, with no comments received.

4.70 Taking account of the considerations as detailed above, having regard to the comments of Cleveland Police, the proposed development raises no issues in respect to anti-social behaviour and crime related matters that would warrant the refusal of the planning application on these grounds. Any issues of crime or anti-social behaviour would ultimately be dealt with by the operator's procedures and/or the police, as required.

#### *Waste*

4.71 The Council's Waste Management team have confirmed that secure storage would be required on or in the boundary of the property, and that receptacles must not be left on the highway. The applicant has submitted an amended site plan indicating the location of the proposed bin storage, which is within the service yard area to the rear of the main building.

4.72 The Council's Waste Management team have additionally confirmed that a trade waste agreement is required with a registered waste carrier to ensure the correct disposal of any waste generated by the business. This matter can be relayed to the applicant via an appropriate informative and the proposal is considered to be acceptable in this respect.

#### *Environmental Matters*

4.73 An objection raises concerns about environmental matters such as drainage, flood risk, biodiversity and sustainability. Given that the proposed use would not involve any operational development or a more intensive use than as the approved office use, it is considered that the proposal does not give rise to any concerns in such respect.

#### *Equality Duty*

4.74 As noted in the Proposal section, the proposal would provide development, wellbeing and learning opportunities including support for individuals and those with learning disabilities. It is therefore considered that the proposal would make a positive contribution towards individuals or identifiable groups with protected characteristics in line with provisions of the Equality Act 2010.

### OTHER MATTERS

#### *Objection comments received*

4.75 Objections regarding the need, operator and management of the proposed education and learning institution is not a material planning consideration. Furthermore, any disputes relating to management of the property would constitute a civil matter that would need to be addressed through civil legislation outside of the planning process.

4.76 Covenants are not a material planning consideration.

#### *Building Regulations*

4.77 The Council's Building Control section has confirmed that a Building Regulation application is required for the proposed works as described and an informative note is recommended to make the applicant aware of this requirement accordingly.

### CONCLUSION



4.78 It is considered that the proposed use of Park Lodge (and its private yard and modest garden and forecourt areas) for a learning and educational institution for individuals with learning and physical disability requirements that would bring back into use a vacant building is considered to be acceptable in principle. It is considered that the proposal would not give rise to any significant impacts on the character and appearance of the host Listed Building, Registered Ward Jackson Park or surrounding Park Conservation Area, amenity and privacy of occupants of neighbouring properties, or any impacts on parking or highway safety, trees or any other material planning consideration, so significant as to warrant any reason to refuse the application in this instance. The proposed development is therefore considered to be acceptable in respect of Policies HE1, HE3, HE4, HE7, QP4, and QP5 of the Hartlepool Local Plan (2018), and the relevant paragraphs of the NPPF (2024) and is recommended to be conditionally approved.

### **EQUALITY DUTY**

4.79 The Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have a positive impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

### **CRIME AND DISORDER ACT IMPLICATIONS**

4.80 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making. Matters of crime, fear of crime and anti-social behaviour are considered in detail in the relevant section of this report. Overall and for the reasons set out in the report, the proposal is considered, on balance, to be acceptable when having regard to Section 17 of the Crime and Disorder Act 1998.

### **REASON FOR DECISION**

4.81 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

### **RECOMMENDATION – APPROVE**, subject to the conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.  
By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in accordance with the plans and details: Dwg. No. 1287-SLP (Site Location Plan, scale 1:1250), Dwg. No. 1287/P/6 (Proposed Elevations), Dwg. No. 1287/P/5 (Proposed Floor Plans) received by the Local Planning Authority on 10<sup>th</sup> September 2025; Dwg.

No. 1287/P/7 (Proposed Site Plan) and Dwg. No. 1287/P/8 (Proposed Block Plan) received by the Local Planning Authority on 19<sup>th</sup> November 2025.  
To define the permission.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order revoking or re-enacting that Order, the development hereby permitted shall be used for a learning and educational institution (F1 Use Class) only and for no other purpose in the Town and Country Planning (Use Classes) Order 1987 and its subsequent amendments.  
To which the planning permission is based and in accordance with Policies HE3, HE4 and INF4 of the Hartlepool Local Plan (2018).
4. The learning and educational institution hereby approved shall only be open to the public between the hours of 08.30 and 21.30 Mondays to Sundays inclusive of Bank Holidays.  
In the interests of the amenities of the occupants of neighbouring properties and the character and appearance of the listed building, registered park and garden and conservation area.

## BACKGROUND PAPERS

4.82 Background papers can be viewed by the 'attachments' on the following public access page:  
<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=166009>

4.83 Copies of the applications are available on-line:  
<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet>

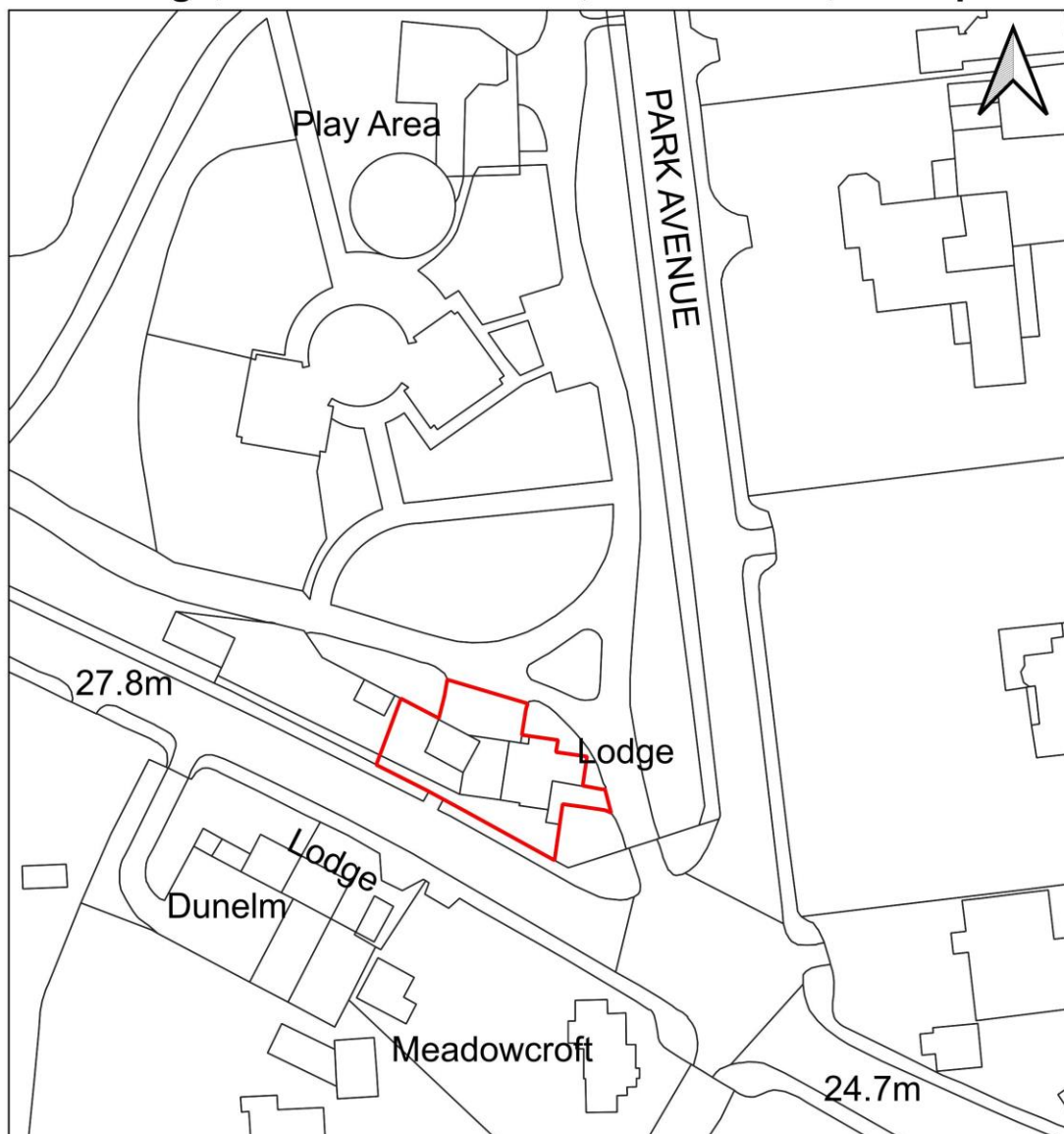
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**Park Lodge, Ward Jackson Park, Park Avenue, Hartlepool**

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<b>HARTLEPOOL BOROUGH COUNCIL</b>	<b>DRAWN LH</b>	<b>DATE 19/11/2025</b>
	<b>Scale 1:800</b>	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	<b>DWG.NO H/2025/0249</b>	<b>REV</b>

## **POLICY NOTE**

The following details a precis of the overarching policy documents referred to in the main agenda. For the full policies please refer to the relevant document, which can be viewed on the web links below;

### **HARTLEPOOL LOCAL PLAN 2018**

<https://www.hartlepool.gov.uk/localplan>

### **HARTLEPOOL RURAL NEIGHBOURHOOD PLAN 2018**

[https://www.hartlepool.gov.uk/downloads/file/4876/hrnp\\_2016-2031 -  
made version - december 2018](https://www.hartlepool.gov.uk/downloads/file/4876/hrnp_2016-2031_-_made_version_-_december_2018)

### **MINERALS & WASTE DPD 2011**

[https://www.hartlepool.gov.uk/info/20209/local\\_plan/317/tees\\_valley\\_minerals  
and waste development plan documents for the tees valley](https://www.hartlepool.gov.uk/info/20209/local_plan/317/tees_valley_minerals_and_waste_development_plan_documents_for_the_tees_valley)

### **REVISED NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2024**

[https://www.gov.uk/government/publications/national-planning-policy-  
framework--2](https://www.gov.uk/government/publications/national-planning-policy-framework--2)

## ILLUSTRATIVE EXAMPLES OF MATERIAL PLANNING CONSIDERATIONS

Material Planning Considerations	Non Material Considerations
<i>Can be taken into account in making a planning decision</i>	<i>To be ignored when making a decision on a planning application.</i>
<ul style="list-style-type: none"> <li>Local and National planning policy</li> </ul>	<ul style="list-style-type: none"> <li>Political opinion or moral issues</li> </ul>
<ul style="list-style-type: none"> <li>Visual impact</li> </ul>	<ul style="list-style-type: none"> <li>Impact on property value</li> </ul>
<ul style="list-style-type: none"> <li>Loss of privacy</li> </ul>	<ul style="list-style-type: none"> <li>Hypothetical alternative proposals/sites</li> </ul>
<ul style="list-style-type: none"> <li>Loss of daylight / sunlight</li> </ul>	<ul style="list-style-type: none"> <li>Building Regs (fire safety, etc.)</li> </ul>
<ul style="list-style-type: none"> <li>Noise, dust, smells, vibrations</li> </ul>	<ul style="list-style-type: none"> <li>Land ownership / restrictive covenants</li> </ul>
<ul style="list-style-type: none"> <li>Pollution and contaminated land</li> </ul>	<ul style="list-style-type: none"> <li>Private access disputes</li> </ul>
<ul style="list-style-type: none"> <li>Highway safety, access, traffic and parking</li> </ul>	<ul style="list-style-type: none"> <li>Land ownership / restrictive covenants</li> </ul>
<ul style="list-style-type: none"> <li>Flood risk (coastal and fluvial)</li> </ul>	<ul style="list-style-type: none"> <li>Private issues between neighbours</li> </ul>
<ul style="list-style-type: none"> <li>Health and Safety</li> </ul>	<ul style="list-style-type: none"> <li>Applicants personal circumstances (unless exceptional case)</li> </ul>
<ul style="list-style-type: none"> <li>Heritage and Archaeology</li> </ul>	<ul style="list-style-type: none"> <li>Loss of trade / business competition (unless exceptional case)</li> </ul>
<ul style="list-style-type: none"> <li>Biodiversity and Geodiversity</li> </ul>	<ul style="list-style-type: none"> <li>Applicants personal circumstances (unless exceptional case)</li> </ul>
<ul style="list-style-type: none"> <li>Crime and the fear of crime</li> </ul>	
<ul style="list-style-type: none"> <li>Planning history or previous decisions made</li> </ul>	

(NB: These lists are not exhaustive and there may be cases where exceptional circumstances require a different approach)

## PLANNING COMMITTEE

10<sup>th</sup> December 2025



**Report of:** Director of Neighbourhoods and Regulatory Services

**Subject:** PLANNING APPEAL - 21 NORTHGATE,  
HARTLEPOOL  
APPEAL REF: APP/H0724/W/25/3367761  
HBC REF: H/2024/0274 - Change of use of ground floor  
former beauty salon into 1no. bed flat (C3 use class).

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### 1. PURPOSE OF REPORT

- 1.1 To advise members of the outcome of a planning appeal that has been determined in respect of the proposed Change of use of ground floor former beauty salon into 1no. bed flat (C3 use class).
- 1.2 The appeal was dismissed. A copy of the Inspector's decision (dated 05/11/2025) is attached (**Appendix 1**).

### 2. RECOMMENDATIONS

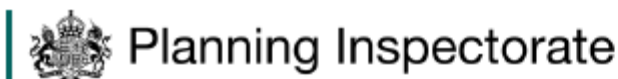
- 2.1 That Members note the outcome of this appeal.

### 3. CONTACT OFFICER

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## Appeal Decision

Site visit made on 15 October 2025

by **P Storey BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4<sup>th</sup> November 2025

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**Appeal Ref: APP/H0724/W/25/3367761**

**21 Northgate, Hartlepool TS24 0JT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr Thomas Cawley against the decision of Hartlepool Borough Council.
  - The application Ref is H/2024/0274.
  - The development proposed is change of use from a former beauty salon into a one bedroom residential dwelling.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is whether the proposed development would have an acceptable effect on the vitality and viability of the local centre.

### Reasons

3. The appeal site comprises the ground floor of a mid-terraced property located on Northgate, within the Headland area of Hartlepool. The surrounding area is characterised by a mix of residential and commercial uses, with several nearby properties featuring ground floor shop fronts and residential accommodation above. The Hartlepool Local Planning Framework, Hartlepool Local Plan, May 2018 (the LP) defines the site as part of the Northgate local centre.
4. Policy RC16 of the LP seeks to protect the vitality and viability of designated local centres by supporting a mix of commercial uses at ground floor level. Although the policy supports residential uses on upper floors, ground floor residential conversions are not listed among the sequentially preferable uses. The policy does, however, allow for flexibility where a unit has been vacant for a significant period and where there is evidence of marketing efforts to bring the unit back into commercial use.
5. In this case, the appellant has not provided formal marketing evidence to demonstrate that the unit is no longer viable for commercial use. The period of vacancy is somewhat unclear, with references suggesting the property has been vacant since either 2022 or 2023. Although informal efforts to let the unit have been cited, including word-of-mouth dissemination and maintaining it in a lettable condition, no formal marketing has been documented. This includes the absence of advertising through commercial agents, online listings, signage, or outreach to prospective occupiers. There is also no supporting information regarding the



duration of any marketing activity, pricing strategy, enquiries received, or feedback from potential occupiers.

6. Although the cited informal measures indicate some attempt to re-let the property, they fall short of the expectations set out in Policy RC16, which requires both a sustained period of vacancy and demonstrable marketing efforts when considering alternative uses. In the absence of such evidence, the proposal does not satisfy the policy's requirements.
7. My site visit confirmed the presence of several vacant units within the local centre, lending some support to the appellant's concerns about commercial viability. However, it also revealed a number of operational businesses and a healthy level of pedestrian activity, indicating that the centre continues to function with a degree of commercial vitality. In this context, the loss of a ground floor commercial unit, without substantiated justification, would conflict with the policy objective of maintaining the vitality and viability of the local centre.
8. The appellant has raised concerns about the lack of advance notification from the Council regarding the requirement for formal marketing evidence during pre-application discussions. While this may be unfortunate, it does not remove the requirement to demonstrate compliance with Policy RC16, nor does it negate the need for robust evidence to justify the proposed change of use.
9. For these reasons, I conclude that the proposal would not comply with Policy RC16 of the LP and would be contrary to the broader objectives of the development plan, which seek to protect and enhance the vitality and viability of designated local centres.

#### **Other Matters**

10. Due to the appeal site's location within the Headland Conservation Area (the CA), I have had regard to the statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the area.
11. The CA forms the historic heart of Hartlepool, originating in the seventh century as a religious settlement and later evolving into an important port. Its significance lies in its distinctive peninsula setting and the strong presence of Victorian architecture. The area is characterised by predominantly two-storey dwellings, with taller three-storey buildings fronting the seafront, and includes notable heritage assets such as St Hilda's Church, which occupies a prominent elevated position near the centre of the CA.
12. The proposal would involve limited external works to the property, and I note that the Council raised no concerns regarding its impacts on the CA. Based on my observations, I agree with this assessment and find that the proposal would preserve the character and appearance of the CA. However, the absence of harm in this respect is a neutral factor that does not weigh in favour of the proposal.

#### **Planning Balance**

13. Although the proposal would conflict with the development plan, it is necessary to consider whether other material considerations indicate that planning permission should nevertheless be granted.

14. The appellant has advanced several such considerations, including personal circumstances, national policy support for housing delivery, and statutory duties under the Equality Act 2010 and the Human Rights Act 1998.
15. The appellant has submitted evidence of personal circumstances in support of the proposal, stating that they are the sole legal owner of the property and have a specific need for accessible, ground-floor accommodation. The proposed development would enable the conversion of the unit into a suitable living space to meet that need. Under Section 149 of the Equality Act 2010, public authorities are required to have due regard to the need to eliminate discrimination and advance equality of opportunity. In this context, the provision of accessible housing for a person in need of such accommodation is a relevant material consideration that carries weight in the overall planning balance.
16. Nevertheless, the absence of formal marketing evidence means that the proposal cannot be considered policy compliant. Whilst the Equality Act requires that personal circumstances be considered, it does not mandate approval where planning harm remains unresolved. In this case, the personal circumstances do not demonstrably outweigh the harm arising through the conflict with the development plan.
17. The Human Rights Act 1998 is also engaged, particularly Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (right to peaceful enjoyment of possessions). Refusal of permission may interfere with these rights. However, such interference can be justified as a proportionate means to achieve a legitimate aim. In this case, that aim is the proper application of the development plan, specifically the protection of the vitality and viability of the designated local centre.
18. The National Planning Policy Framework (the Framework) promotes sustainable development, including the reuse of vacant buildings for residential purposes. Although no substantive evidence has been provided to suggest that this development is needed to meet an unmet housing need, the proposal would nevertheless make efficient use of previously developed land and contribute to housing supply, aligning with the Government's objective of significantly boosting the supply of homes. However, as a single-unit scheme, this contribution would be modest.
19. In conclusion, while the appellant's personal circumstances and the Framework's support for housing delivery weigh in favour of the proposal, these considerations do not overcome the fundamental conflict with Policy RC16. The lack of formal marketing evidence is a significant omission, and the proposal would result in the unjustified loss of a commercial unit in a designated local centre. As such, the material considerations advanced do not indicate that planning permission should be granted contrary to the development plan.

### **Conclusion**

20. For the reasons given above, I conclude that the appeal should be dismissed.

*P Storey*

INSPECTOR

## PLANNING COMMITTEE

10<sup>th</sup> December 2025



**Report of:** Director of Neighbourhoods and Regulatory Services

**Subject:** PLANNING APPEAL - LAND AT WHELLY HILL FARM, WORSET LANE  
APPEAL REF: APP/H0724/W/25/3368455  
HBC REF: H/2022/0423 - Erection of a Solar Electric Forecourt with ancillary commercial uses, and associated electrical infrastructure, a solar photo voltaic (PV) farm. energy storage, new access, car parking, landscaping and associated works.

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### 1. PURPOSE OF REPORT

- 1.1 To advise members of the outcome of a planning appeal that has been determined in respect of the proposed erection of a Solar Electric Forecourt with ancillary commercial uses, and associated electrical infrastructure, a solar photo voltaic (PV) farm. energy storage, new access, car parking, landscaping and associated works.
- 1.2 The appeal was allowed. A copy of the Inspector's decision (dated 12/11/2025) is attached (**Appendix 1**).

### 2. RECOMMENDATIONS

- 2.1 That Members note the outcome of this appeal.

### 3. CONTACT OFFICER

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### 4.0 AUTHOR

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Planning Inspectorate

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## Appeal Decision

Site visit made on 12 November 2025

by **L N Hughes BA (Hons) MSc MRTPI**

an inspector appointed by the Secretary of State

Decision date: 27 November 2025

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**Appeal Ref: APP/H0724/W/25/3368455**

**Land at Whelly Hill Farm, Worset Lane, Hartlepool TS27 3BH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Ms Emma Harding of Gridserve Sustainable Energy Ltd against the decision of Hartlepool Borough Council.
  - The application Ref is H/2022/0423.
  - The development proposed is Erection of a Solar Electric Forecourt with ancillary commercial uses, and associated electrical infrastructure, a solar photo voltaic (PV) farm, energy storage, new access, car parking, landscaping and associated works.
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### Decision

1. The appeal is allowed and planning permission is granted for Erection of a Solar Electric Forecourt with ancillary commercial uses, and associated electrical infrastructure, a solar photo voltaic (PV) farm, energy storage, new access, car parking, landscaping and associated works, at Land at Whelly Hill Farm, Hartlepool, TS27 3BH in accordance with the terms of the application, Ref H/2022/0423, subject to the conditions in the attached Schedule.

### Preliminary Matters

2. The Council issued a Scoping Opinion in October 2021 with regard to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (as amended) ('the EIA Regulations'). This indicated an Environmental Statement (ES) scope for landscape and visual impact assessment, archaeology, and cumulative effects. The application submission included an ES with non-technical summary. An ES Landscape Chapter Addendum was submitted in December 2023 to account for a revised layout, and to incorporate updates to the ES in response to the Council's June 2023 comments.
3. The ES and ES Addendum are considered satisfactory in terms of Schedule 4 of the EIA Regulations. They allow for reasoned conclusions to be made regarding the effects of the proposed development on the environment. Each aspect chapter includes a description of the likely significant effects of the proposed development on the environment resulting from construction, operation and decommissioning, including the cumulative effects associated with the proposed development and other developments in the local area.
4. In reaching my decision on this appeal, I have taken into account all comments from those statutory consultation bodies as required under the EIA Regulations, as well as any representations from interested parties regarding the ES and the likely environmental effects of the proposed development, and any further information provided under Regulation 25. I have also taken into account all other environmental information submitted in connection with the appeal.

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### **Main Issue**

5. The main issue is the effect of the proposed development on highway safety and the highway network.

### **Reasons**

6. The site comprises a series of fields wrapping around Whelly Hill Farm. It is bounded by the A19 to the west and the A179 to the north, with the Hartmoor Substation and Worset Lane forming the eastern boundary. The A19 and A179 are key routes linking Hartlepool to neighbouring towns, converging at the 'Sheraton Interchange' with the B1280 by the northwest corner of the site.
7. The proposal includes a 0.92ha Solar Electric Forecourt (0.92ha) accessed via a new vehicular access from the A179. It would include a series of electric vehicle charging points, an amenity building for customers while vehicles are charging, and supporting infrastructure. The remainder would comprise a hybrid solar farm (87ha) incorporating solar PV panels with trackers to automatically tilt the angles of the panels, and battery energy storage, with associated infrastructure. It would be accessed off Worset Lane and connect to the Hartmoor Substation, at 43.3MWp.
8. The reason for refusal cites that the increased traffic using the solar electric forecourt would result in a potential adverse impact on highway safety and congestion on the A179, and conflict with the Hartlepool Local Plan (LP) Policy QP3 and the National Planning Policy Framework ('the Framework') (2024) paragraph 116.
9. The Council's Officer Report discusses the highway matters considered. Various iterations of the technical evidence base of modelling, detailed design, and potential mitigation was discussed with relevant consultees, such that the final scope of the network considered was limited to the proposed site access junction with the A179, and the Sheraton Interchange. Sensitivity test scenarios were included, to account for different timings of other expected highways works in the vicinity. The Stage 1 Road Safety Audit (RSA) recommended potential mitigation measures along the A179 such as specific road markings and surface treatments to protect right turning lanes, an extension to the existing 40mph speed limit, lighting, and refuge islands.
10. Neither the Highway Authority nor National Highways held any outstanding objections by the time of the Council's decision. This was subject to the imposition of several conditions, including the completion and submission of a Stage 2 RSA to identify and ensure full details of any required highway mitigation measures. This was also subject to a s106 legal agreement for a £30,000 contribution towards sustainable transport, suggested as being a new bus stop and footpath links to it, and a crossing island to the existing bus stop. This would ensure compliance with one of the requirements of the LP Policy QP3, whereby a developer may be required to contribute to the expansion of an existing service. A s106 to provide this contribution is before me, signed by all relevant parties.
11. The Council's appeal Statement of Case reiterates the case background. The only new evidence presented are Highway Authority figures, that in the past five years of recorded accidents, there was one slight injury within 200m of each side of the proposed new access location, and ten slight injuries and one serious injury between Worset Lane and the A179/Palace Row junction. To my mind, one slight injury accident near to the proposed new access location does not suggest a specific highway safety problem on such a busy road.



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12. The Transport Assessment as agreed between the relevant parties, concludes that the proposed Solar Electric Forecourt is not expected to generate additional vehicle trips to or from the east along the A179. Instead, it will primarily serve passing traffic, meaning traffic flows at the Worset Lane/A179 junction would be unaffected. The Council has not explained why the eleven accidents near that junction, at least 1km away from the proposed access point, has relevance to the reason for refusal in terms of direct correlation or causation. The proposed Solar Electric Forecourt access would not generate the same circumstances for accidents, as it would be a priority T junction with a ghost island right turn lane allowing through traffic to bypass queuing right turners.
13. The appellant's additional appeal data on recorded personal injury collisions (PIC) within the vicinity of the site, covers 1 May 2020 to 30 April 2025. This dataset encompasses the area defined in the Transport Assessment, including the Sheraton Interchange, and provides more detail on the circumstances of each PIC than from the Council. Four PICs were identified within this area; three classified as slight in severity, and one as serious. I am satisfied by the appellant's evidence that they were all different in nature and location, and with their own specific circumstances, so as to indicate no inherent road safety issues at the interchange. No details of pre-existing planned improvements to the A179 along this stretch of road have been put before me, so as to infer that it is currently operating at an level of highway safety unacceptable to the relevant authorities.
14. The Council has provided no detailed justification for why Committee Members rejected the conclusions of the existing highways evidence or the advice of the Highway Authority as statutory consultee. No explanation is given as to how the proposal would conflict with the LP Policy QP3 requirements, such as for development to be safe and accessible, and for highway safety provisions to be in line with the relevant guidance. Policy QP3 states that additional access points on roads including the A179 will only be supported if they have the approval of National Highways and/or the Highway Authority, which has been secured for this proposal. The National Highways appeal consultation response confirmed no further comments, other than reiterating a previous request for conditions.
15. My own consideration of the highways evidence base has raised no concerns to suggest that I should come to a conclusion different from the Highway Authority.
16. I note that Council Members suggested that the site access should instead be a roundabout, or be a different new access point off the A19. However, I have to assess the proposal before me on its own merits. In the absence of any information to suggest that the access as proposed would cause harm, it is not my role to consider whether an alternative access point may be more preferable. In any event, the appellant has also provided technical justification as to why this could not be achieved, which I find reasonable in the context of the scheme as a whole, and which again the Highway Authority has accepted.
17. Other interested parties have similarly cited alternative preferential locations for the scheme as a whole, but the Bramley court judgement<sup>1</sup> confirmed that the Framework and the PPG do not mandate the consideration of alternatives for renewable energy scheme site selection. Moreover, as I have found no harm, there is no need to demonstrate the scheme's benefits or other material considerations through evidencing a lack of available other sites.

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<sup>1</sup> Bramley Solar Farm Residents Group v Secretary of State for Levelling Up, Housing and Communities, Bramley Solar Limited & Basingstoke and Deane Borough Council & Others [2023] EWHC 2842 [Admin]

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18. Overall therefore, I find the proposed development would cause no adverse impact to highway safety or congestion. The Framework paragraph 116 directs that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. I find no evidence to suggest that either of these elements would be severe. The proposal would comply with the LP Policy QP3 as already outlined above.

#### **Other Matters**

19. Interested parties have objected about the impact on agricultural land, wildlife, and on the character and appearance of the area, including in relation to cumulative landscape impacts alongside other nearby energy infrastructure. However, the Council and relevant consultees consider these issues to be acceptable. Notwithstanding the subsequent highways reason for refusal, the Officer Report concluded that overall, the proposal was broadly considered to be appropriate development by supporting public infrastructure in the rural area. It was therefore judged to be generally consistent with the development plan, including the LP Policy NE2, which specifically addresses renewable and low-carbon energy schemes. On this basis, and from my site visit observations and my own review of the evidence, I see no reason to reach a different conclusion on these matters.
20. In particular, although the open character and appearance of the site would be altered, existing landscape features would be retained, including no panels on Whelly Hill. Screening would be provided by the existing vegetation, landform, built development, and the proposed landscaping, forming a relatively contained visual envelope with no overwhelming impact on the wider area or on any key receptors. The Solar Electric Forecourt building and access would be more visible, but this is to a large extent an essential aspect of its function, and its design is subdued with a suitable material palette. The Council's Landscape Architect advised that any residual impacts would be local, reduce over time up to year 15, and would be acceptable given the site context. There would be no unacceptable adverse visual impact on the character and appearance of the open countryside, or the approach into and out of Hartlepool.
21. The ES describes the methodology and other developments considered for the assessment of cumulative landscape and visual effects. It provides a summary of the likely significant effects of the proposed development on the environment resulting from the cumulative effects with other developments. None were identified, and having regard to the evidence base as a whole, I similarly conclude that it would read as a standalone development, not contiguous with any nearby energy development schemes.

#### **Habitats Regulations**

22. The appeal site lies approximately 3.7km from the Durham Coast Special Area of Conservation (SAC), and the Northumbria Coast Special Protection Area (SPA) and Ramsar site, with the Teesmouth and Cleveland Coast SPA and Ramsar site, and the Castle Eden Dene SAC lying slightly further away. They are afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations). As the Competent Authority, I may only grant permission after having ascertained that the proposed development would not affect the integrity of these or any other protected site.



23. The qualifying features of the Durham Coast SAC are its vegetated sea cliffs on magnesian limestone exposures. The Northumbria Coast SPA and Ramsar site comprises several discrete sections of rocky foreshore, boulder and cobble beaches, some sandy beaches, and parts of artificial piers. Its qualifying features are its support for important numbers of breeding little tern, as well as populations of overwintering migratory purple sandpiper and turnstone, and its wetland ecosystem. The Teesmouth and Cleveland Coast SPA is a complex of coastal habitats centred on the Tees Estuary, which support internationally important populations of breeding and non-breeding waterbirds. The qualifying feature of the Castle Eden Dene SAC is its yew-dominated woodland.
24. The conservation objectives of all these sites are to ensure maintenance or restoration of their integrity, with relation to the extent, distribution, structure, and function of the habitats, the supporting processes on which those habitats rely, and the distribution and total populations of the qualifying species. The Northumbria Coast Ramsar objectives are further to maintain the wetland's ecological character.
25. Natural England has confirmed that the proposal would cause no Likely Significant Effect on statutorily protected sites. On the evidence before me, and having regard to the precautionary principle, I similarly find the evidence to rule out any Likely Significant Effect on the qualifying species or conservation objectives of the identified designated sites, either alone or in combination with other plans or projects.
26. This is due to the buffer distances being too great from the designated habitats to cause any hydrological changes, physical damage, or air quality impact. No recreational pressure would be caused on those sites. Regarding species disturbance, the appeal site predominantly comprises arable farmland with boundary hedgerows, with dense scrub and plantation woodland plus a small patch of calcareous grassland. This is significantly different to the designated habitats, and although numerous breeding and wintering birds were recorded within the site, the evidence indicates that qualifying species would be unaffected.
27. I note that the proposal would also provide mitigation and protection measures not directly related to the SACs/SPA, to allow for habitat and biodiversity compensation and enhancement. Conditions would secure the implementation of all relevant mitigation measures.

#### **Mitigation Measures and Conditions**

28. The submitted ES means that the proposal should be considered as 'EIA development', with a need to consider mitigation measures. I have considered these in combination with the imposition of planning conditions. Embedded mitigation for the proposed development includes its siting and design, and vegetation planting and green infrastructure. The ES also proposes several management plans to avoid, prevent, reduce, or offset adverse effects on the environment, which would be secured through conditions.
29. I have taken account of the list of conditions within the agreed Statement of Common Ground, subject to slight amendment to reflect the Framework paragraph 57 and the PPG on the use of planning conditions. This includes the appellant's written consent to the imposition of numerous pre-commencement conditions, required in order to provide essential protection or mitigation from construction.



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30. I have excluded conditions requiring layout of specific elements in accordance with the approved plans, as being unnecessary duplication. The proposed 'Biodiversity Net Gain Plan scheme' condition would duplicate in part the statutory condition that development may not begin unless a Biodiversity Gain Plan has been submitted to and approved by the Local Planning Authority. As the proposed wording includes that the 'Biodiversity Net Gain Plan scheme' must include a Management and Monitoring Plan, I have therefore amended it to being the submission of a Habitat Management and Monitoring Plan. This will identify how that approved BNG will then be managed and monitored for a period of 30 years.
31. The statutory condition will limit the lifespan of the planning permission (1), and specifying the approved plans will provide clarity for the terms of the permission (2). Limiting the operational period to 40 years (3) and limiting its electricity generation capacity (4) will bind the proposal to that on which my determination was based. Requiring details of site levels (5), the temporary construction compound (7), soft landscaping details (8), external materials and finishing colours (21), hard landscaping and surface finishes (22), and details of the information panels (23), will provide control over the proposal's impact on character and appearance. Soft landscaping will also protect and enhance biodiversity.
32. Further biodiversity protection and enhancement measures will be achieved through tree protection (9), a Soil Management Plan (10), a Habitat Management and Monitoring Plan (11), a Construction Environmental Management Plan (12), sensitive lighting (26) and a Landscape and Ecological Management Plan (LEMP) (28). The LEMP would encompass the proposed bird nesting box condition.
33. Highway safety interests will be served by a Stage 2 Road Safety Audit (6), a Construction Management Plan (13), a Construction Traffic Management Plan (14), completion of the access and associated visibility splays (25), and restrictions on the solar panel tilt (27). Conditions 13 and 14 would also protect the amenity of neighbouring residents and highway users, mitigate adverse impact on the A19, and protect biodiversity. Hours of construction (19) would also ensure appropriate resident amenity.
34. A surface water drainage condition will ensure control of sustainable drainage (15). A programme of archaeological work and protective fencing and exclusion of construction around Zones of Archaeological Interest (16, 17, 18), are necessary to ensure appropriate heritage considerations. Measures for if unexpected contamination are identified (20) will provide environmental protection. Details of the internal layout of the ancillary forecourt building (24) and its restriction to being for no other purpose or use (29), will control it being a satisfactory and ancillary form of development, and ensure footfall is not taken away from retail centres. Requiring decommissioning and site restoration (30) will protect the area's character and appearance, and reinforce the 40 year timeframe or an earlier timeframe if the solar farm ceases to operate for more than 12 months.

### Conclusion

35. For the reasons given above, and having regard to all other matters raised, I conclude that the development accords with the development plan taken as a whole, and therefore the appeal is allowed.

*L N Hughes*

INSPECTOR

**\*\*\* SCHEDULE OF CONDITIONS\*\*\***

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans;
  - Dwg. No. 8503-BOW-A0-ZZ-DR-A-0101 Rev P1 (Site Location Plan & Red Line Application Boundary,
  - Dwg. No. 8503-BOW-A1-ZZ-DR-A-0110 (Proposed Masterplan),
  - Dwg. No. 8503-BOW-A0-ZZ-DR-A-0106 Rev P2 (Proposed Electric Forecourt Site Plan),
  - Dwg. No. 8503-BOW-A0-ZZ-DR-A-0200 Rev P2 (Proposed Building GA Plans),
  - Dwg. No. 8503-BOW-A0-ZZ-DR-A-0201 Rev P1 (Proposed Building Roof Plan),
  - Dwg. No. 8503-BOW-A0-ZZ-DR-A-0300 Rev P1 (Proposed Building Elevations & Sections),
  - Dwg. No. 8503-BOW-A0-ZZ-DR-A-0301 Rev P1 (Proposed Site Sectional Elevations),
  - Dwg. No. 8503-BOW-ZZ-A)-DR-A-0502 (Proposed Fence Types),
  - Dwg. No. 8503-BOW-ZZ-A)-DR-A-0503 (Proposed Cycle Shelter),
  - Dwg. No. 8503-BOW-ZZ-A)-DR-A-0504 (Proposed Retail Store Coldroom Area),
  - Dwg. No. 1084 Rev 00 (DNO Compound),
  - Dwg. No. 1205 Rev 00 (PCS and BESS Elevations),
  - Dwg. No. 1212 Rev 00 (Monitoring Box Elevation),
  - Dwg. No. 1218 Rev 00 (CCTV Post Details),
  - Dwg. No. 1301 Rev 00 (Customer Substation Details),
  - Dwg. No. 1308 Rev 00 (Access Gate Details),
  - Dwg. No. 1313 Rev 00 (Storage Details),
  - Dwg. No. 1314 Rev 00 (Mesh Fencing Elevation),
  - Dwg. No. 1316 Rev 00 (Deer Fencing Elevation),
  - Dwg. No. 2065 Rev 05 (Proposed Site Plan),
  - Dwg. No. 2217 Rev 01 (Generic Gabion Solution Arrangement),
  - Dwg. No. 21119-CPA-ZZ-ZZ-DR-C-1200 S2 Rev P01 (Proposed Finished Levels),
  - Dwg. No. 20/154/39/TR/001 Rev C (Proposed Access Works),
  - Dwg. No. 20/154/39/TR/002 Rev A (Proposed Access Works),
  - Dwg. No. 22/4106/E63/EX01 Rev A (External Lighting Layout For Planning),
  - Dwg. No. 22/4106/E63/EX02 Rev A (External Lighting Plot),
  - Dwg. No. INTERNAL\_C1026318 Rev B (Construction Standards – Equipment Layout and Conduit Layout),
  - Dwg. No. 3341-TLP-XX-XX-D-L-10001 Rev P05 (Landscape General Arrangement),
  - Dwg. No. 3341-TLP-XX-XX-D-L-50001 Rev P01 (Landscape Sections),
  - Dwg. No. 3341-TLP-XX-XX-D-L-10002\_ Rev P04 (1 of 4) (Landscape General Arrangement Plan Detail Plan 1 of 4),
  - Dwg. No. 3341-TLP-XX-XX-D-L-10003\_ Rev P03 (2 of 4) (Landscape General Arrangement Plan Detail Plan 2 of 4),
  - Dwg. No. 3341-TLP-XX-XX-D-L-10004\_ Rev P03 (3 of 4) (Landscape General Arrangement Plan Detail Plan 3 of 4),
  - Dwg. No. 3341-TLP-XX-XX-D-L-10005 Rev P02 (4 of 4) (Landscape General Arrangement Plan Detail Plan 4 of 4),
  - Dwg. No. PD-O-L-10 (Outline of a Free Standing Feeder Pillar),
  - Dwg. No. OTT10-0666 Rev 01 (600kVA 33 / 0.4 kV Dimensional Drawing).



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- 3) The development hereby permitted shall be limited to a period of 40 years from the date electricity generated by the solar panels is first commercially exported to the electricity grid. This date is referred to hereinafter as 'the First Export Date'. Written notification of the First Export Date shall be given to the local planning authority within 1 month of the First Export Date.
- 4) The export capacity of the development hereby permitted shall not exceed 49.9 MW (AC).
- 5) No development shall take place until details of the existing and proposed levels of the site including the finished floor levels of the buildings to be erected and any proposed mounding and or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
- 6) No development shall take place until a Stage 2 Road Safety Audit has been completed and approved in writing by the Local Planning Authority. The Stage 2 Road Safety Audit shall include full details of any highway mitigation measures, as outlined in the document entitled Stage 1 Road Safety Audit issue 1 dated 17/11/2022 (Section 3.1 Junctions and Section 3.2 Traffic Signs, Carriageway Markings and Lighting). Thereafter, the approved scheme of any highway mitigation works shall be implemented prior to the commencement of the development hereby approved.
- 7) No development including the erection of the temporary construction compound as approved under Dwg. No. 2065 Rev 05 (Proposed Site Plan) shall take place until details of the temporary construction compound and associated structures have been submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable for the installation and removal of the temporary construction compound within 6 months of the First Export Date or completion of the development hereby approved, whichever is sooner. The construction of the development shall be carried out in accordance with the approved details and timetable.
- 8) No development shall take place until a detailed scheme of soft landscape works and implementation programme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in general conformity with; Dwg. No. 3341-TLP-XX-XX-D-L- 10001 Rev P05 (Landscape General Arrangement), Dwg. No. 3544-TLP-XX-XX-SP-L-90005 P02 (Outline Plant Schedule – Hartlepool Solar Farm), and Dwg. No. 3544-TLP-XX-XX-SP-L-90006 P02 (Outline Plant Schedule – Hartlepool Solar Forecourt). The details shall include:
  - (a) Planting plans and written specifications of species, plant sizes and proposed numbers and densities, and cultivation and other operations associated with plant and grassland establishment;
  - (b) The planting mix for the reseeded of the backfilled trenches following the installation of the underground cables hereby approved; and
  - (c) The layout and surfacing of all open space areas; and
  - (d) Maintenance and management for a minimum of 30 years.

The development shall be carried out and maintained in accordance with the approved scheme and the approved implementation programme, for the lifetime of the development hereby approved. If within a period of five years from the date of

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the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree or shrub, or plant of the same species and size as that originally planted, shall be planted at the same place in the next planting season.

- 9) No development including site clearance and any other preparatory works shall take place until the tree protection measures identified in Dwg. No. 221011\_2.1-WHP-TPP-JI (Tree Protection Plan) have been implemented. These tree protection measures shall be retained intact throughout the site clearance and construction period and shall not be breached, removed or repositioned until completion of construction. No altered ground levels, excavations, storage of materials, plant or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of waste or surplus construction materials or liquids, shall take place within any area designated as being fenced off or otherwise protected pursuant to these tree protection measures.
- 10) No development shall take place until a Soil Management Plan (SMP) has been submitted to and approved in writing by the Local Planning Authority. The SMP shall include:
- (a) A method statement to ensure soil is stable and in a condition to promote sufficient aeration drainage, fertility and root growth to sustain the proposed landscape measures including how such materials will be sourced;
  - (b) The scope of any ameliorative work, established via soil testing, in order to identify any incoming soils intended for the landscape measures that require treatment;
  - (c) Presentation of results of laboratory testing of samples of soils to demonstrate their suitability;
  - (d) Standard of topsoil proposed for tree / shrub planting areas, together with details of ripping and other soil amelioration treatments, if required; and
  - (e) Proposals for adhering to relevant guidance set out within the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites 2009' produced by DEFRA.

The development shall be carried out in accordance with the approved SMP.

- 11) No development shall take place until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall include details of:
- (a) The roles and responsibilities of the people or organisation(s) delivering the HMMP;
  - (b) Description and location of the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan and approved biodiversity metric;
  - (c) The management measures including the legal and funding mechanism(s) to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development or from the lifetime of the development (whichever is the longer); and



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- (d) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority, and the remedial measures to be applied if conservation aims and objectives of the plan are not being met.

The development shall be implemented, monitored, and maintained in accordance with the approved HMMP.

- 12) No development including site clearance and any other preparatory works shall take place until a Construction Environmental Management Plan (CEMP) and timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be based on Section 4.0 (General Management Prescriptions) of the Landscape and Ecological Management Plan (LEMP) Version 05 – Updated Masterplan, 20/01/2025. The CEMP shall include the following details:
  - (a) A badger survey to inform the need for any additional badger mitigation and/or compensation;
  - (b) Vegetation within the developable area to be cleared on a phased approach, initially to a height of 150mm and then maintained at or near ground level;
  - (c) Protective fencing to protect sensitive retained features;
  - (d) Any trenches covered overnight;
  - (e) Sensitive working methods detailed in a Precautionary Working Method Statement (PWMS);
  - (f) Vegetation clearance to be undertaken ideally outside the breeding bird season (March to August inclusive), with works in this season undertaken by a qualified ecologist, and ideally outside the breeding hares season (February to September), with works, where unavoidable, to be sensitively undertaken immediately prior to construction;
  - (g) No materials stored on site during the construction phase within 5m of any boundary hedgerows or trees;
  - (h) Adherence to pollution prevention methods;
  - (i) Works within 500m of ponds 8 and 10 shall be undertaken in line with a Non-Licensed Method Statement for Great Crested Newts;
  - (j) A suitably qualified ecologist shall brief the Landscape Contractor on commencement;
  - (k) That an Ecological Clerk of Works shall be appointed by the developer or contractor to deliver a toolbox talk to the Site Manager and/or Site Supervisor and workers on site prior to commencement of work within the Great Crested Newt Risk Zone (GCNRZ), and provide a watching brief as required during site works which shall be submitted to and approved in writing with the Local Planning Authority; and
  - (l) A walkover inspection on site within three months of the start of any works, including vegetation clearance, on site.

The development hereby permitted shall be implemented in accordance with the approved CEMP for the entirety of the construction period.

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13) No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include the following details:

- (a) The routing of all HGVs movements associated with the construction phase; and
- (b) Control of dust emissions from the site demolition/remediation and construction works, to address earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing measures to reduce mud on highways, road sheeting of vehicles, offsite dust/odour monitoring, and communication with local residents.

The development hereby permitted shall be implemented in accordance with the approved CMP for the entirety of the construction period.

14) No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be implemented in accordance with the approved CTMP for the entirety of the construction period.

15) No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage design shall demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change, will not exceed the run-off from the undeveloped site following the corresponding rainfall event (subject to minimum practicable flow control). The scheme shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in the Tees Valley SuDS Design Guide and Local Standards (or any subsequent update or replacement for that document). The approved drainage system shall be implemented in accordance with the approved detailed design prior to completion of the development and maintained thereafter throughout the lifetime of the development.

16) (A) No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:

- (a) The programme and methodology of site investigation and recording;
- (b) The programme for post investigation assessment;
- (c) Provision to be made for analysis of the site investigation and recording;
- (d) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
- (e) Provision to be made for archive deposition of the analysis and records of the site investigation; and
- (f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.



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(B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under (A) and/or the 'Hartlepool West Solar Electric Forecourt Land at Whelly Hill Farm Worset Lane Hartlepool: Outline Construction Method Statement (Archaeology)' (Report No: CA Project MK0952, received by the Local Planning Authority on 21/12/2023).

(C) No part of the development shall be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

- 17) No development including site clearance and any other preparatory works shall take place until a scheme for protective fencing to be erected around the Zones of Archaeological Interest (ZAI) during construction has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be implemented in accordance with the approved scheme for protective fencing for the entirety of the construction period.
- 18) No development shall take place within the Zones of Archaeological Interest (ZAI) unless it is in accordance with Hartlepool West Solar Electric Forecourt Land at Whelly Hill Farm Worset Lane Hartlepool: Outline Construction Method Statement (Archaeology) (Report No: CA Project MK0952), Revision 2, document dated 15/12/2023 submitted by Cotswold Archaeology, date received by the Local Planning Authority on 21st December 2023.
- 19) During construction works, any operation of machinery, carrying out of processes, and construction traffic entering or leaving the site, shall take place only between 0800 to 1800 on Mondays to Fridays, between 0800 and 1300 on Saturdays, and between 0800 and 1400 on Sundays only for those activities detailed in document 'Sunday Working Hour Details' received by the Local Planning Authority on 6th December 2023 detailing activities that are permitted to be undertaken on Sundays, and shall not take place at any time on public and bank holidays.
- 20) In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.
- 21) No development shall take place above ground level until precise details of the external materials and finishing colours of the buildings and structures hereby approved have been submitted to and approved by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.

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- 22) No development shall take place above ground level until details of proposed hard landscaping and surface finishes, including footpaths and car parking, have been submitted to and approved in writing by the Local Planning Authority. These details shall include all external finishing materials, finished levels, and all construction details, confirming materials, colours and finishes. The development shall be carried out and maintained in accordance with the approved details.
- 23) No development shall take place above ground level until details of the information panels providing information on the flora and fauna and information on the solar technology used in the development have been submitted to and approved in writing by the Local Planning Authority. These details shall include their construction materials and finish, and a timetable for installation. The development shall be carried out and maintained in accordance with the approved details.
- 24) Prior to the completion or first use (whichever is the sooner) of the ancillary electric forecourt building hereby approved, details of the internal layout of the ancillary forecourt building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and maintained in accordance with the approved details.
- 25) Prior to the completion or first use (whichever is sooner) of the development hereby approved, the access and associated visibility splays to the development hereby approved shall be completed in accordance with Dwg. No. 20/154/39/TR/001 Revision C (Proposed Access Works), dated 20/09/2022.
- 26) No external lighting shall be installed on site unless details of any external lighting has been submitted to and approved in writing by the local planning authority. Any approved lighting equipment shall then be installed in accordance with the approved details and thereafter retained.
- 27) The modules/solar panels shall be preprogrammed at a tilt of 5 degrees and shall not be permitted to go back to flat (0 degrees) at any time of day / night in accordance with the details in the Solar Photovoltaic Glint and Glare Study, Issue 2 (Pager Power Ltd, October 2022). This programming of the modules shall be maintained for the lifetime of the development hereby permitted.
- 28) The development hereby permitted shall be implemented in accordance with the details and timetable stipulated in the submitted Landscape and Ecological Management Plan V05 (LEMP) (20/01/2025) to include the implementation of the 'Management Objectives' as detailed in Table 3 (Summary and timing of management prescriptions). Following the implementation of the approved 'Management Objectives' within the approved timescales set out within the LEMP, condition assessments shall be collected during the yearly monitoring surveys post construction and every five years thereafter for a minimum of 30 years. Such information shall be made available within 14 days of a written request by the Local Planning Authority.
- 29) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the ancillary electric forecourt building hereby approved shall only be used for a use falling within Use Classes E(a) and E(b) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and for no other



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purpose or use (including within Class E), and the ancillary electric forecourt building hereby approved shall not be extended or altered in any way.

- 30) Within a period of 39 years following the First Export Date of the development hereby permitted, or in the event of the development hereby permitted ceasing to export electricity to the grid for a continuous period of more than 12 months (other than for operational reasons outside of the operator's control) then within 3 months from the end of that 12 month period, an Early Decommissioning Scheme and an Ecological Assessment Report shall be submitted to the Local Planning Authority. Additional details or a revised Early Decommissioning Scheme and Ecological Assessment Report must be submitted if requested by the Local Planning Authority, within its stated timescale. The Plan shall include details of:
- (a) The decommissioning and removal of the development and all ancillary plant, cabling, and equipment;
  - (b) The restoration of the land to its condition as existed at the point the development was permitted, or betterment from that condition detailing site requirements in respect of retaining ecological features; and
  - (c) Timings of works.

Once the Early Decommissioning Scheme and Ecological Assessment Report are approved in writing, the development hereby permitted shall be decommissioned in full in accordance with the approved details.

**\*\*\*END OF SCHEDULE\*\*\***