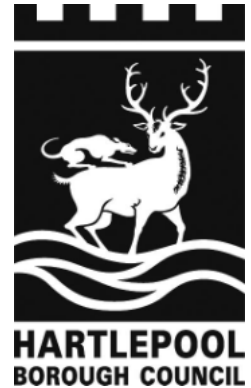


PLANNING COMMITTEE AGENDA



3 July 2013

at 10.00am

in the Council Chamber,
Civic Centre, Hartlepool.

MEMBERS OF PLANNING COMMITTEE:

Councillors Ainslie, Beck, Cook, Cranney, Fisher, Fleet, Griffin, James, A Lilley, G Lilley, Loynes, Morris, Robinson, Shields, Sirs and Wells.

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 5 June 2013

4. ITEMS REQUIRING DECISION

4.1 Planning Applications – *Assistant Director (Regeneration)*

1. H/2013/0128 Former Crown House, Surtees Street, Hartlepool. (page 1)

2. H/2011/0350 Nelson Farm, Nelson Farm Lane, Hartlepool. (page 14)

4.2 Update on Current Complaints – *Assistant Director (Regeneration)*

4.3 Review of Planning Delegations in Relation to Prior Approvals Process –
Assistant Director (Regeneration)

4.4 Appeal Update Report – *Planning Services Manager (to follow)*

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT



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

EXEMPT ITEMS

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

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

FOR INFORMATION

Site Visits – Any site visits requested by the Committee at this meeting will take place on the morning of the Next Scheduled Meeting on 31 July 2013.



PLANNING COMMITTEE

MINUTES AND DECISION RECORD

5 June 2013

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

Councillor: Rob Cook (In the Chair)

Councillors: Jim Ainslie, Paul Beck, Kevin Cranney, Keith Fisher, Mary Fleet, Sheila Griffin, Marjorie James, Brenda Loynes, George Morris, Jean Robinson, Linda Shields and Ray Wells

In accordance with Council Procedure Rule 4.2 Councillor Cath Hill was in attendance as substitute for Councillor Alison Lilley, Councillor Keith Dawkins was in attendance as substitute for Councillor Geoff Lilley and Councillor Carl Richardson was in attendance as substitute for Councillor Kaylee Sirs

Officers: Denise Ogden, Director of Regeneration and Neighbourhoods
Damien Wilson, Assistant Director (Regeneration)
Chris Pipe, Planning Services Manager
Jim Ferguson, Planning Team Leader (DC)
Mike Blair, Highways, Traffic and Transport Manager
Adrian Hurst, Principal Environmental Health Officer
Jane Tindall, Planning Officer
Tony Macnab, Solicitor
Jo Stubbs, Democratic Services Officer

17. Apologies for Absence

Apologies were submitted by Councillor Alison Lilley, Councillor Geoff Lilley and Councillor Kaylee Sirs.

18. Declarations of interest by members

The following declarations were made:

- Councillor Paul Beck – H/2013/0145 Former Henry Smith School Site – personal, non-prejudicial
- Councillor Rob Cook - H/2013/0145 Former Henry Smith School Site – personal, non-prejudicial
- Councillor Kevin Cranney – H/2013/0197 Land to the side and rear of 21 Seaton Lane – personal
- Councillor Keith Dawkins - H/2013/0197 Land to the side and rear of 21 Seaton Lane – prejudicial

- Councillor Mary Fleet - H/2013/0197 Land to the side and rear of 21 Seaton Lane – personal
- Councillor Sheila Griffin - H/2013/0145 Former Henry Smith School Site – personal, non-prejudicial

19. Confirmation of the minutes of the meeting held on 8th May 2013

Approved

20. Planning Applications (*Director of Regeneration and Neighbourhoods*)

Number:	H/2013/0145
Applicant:	Vela Group Stranton HARTLEPOOL
Agent:	Blake Hopkinson Architecture LLPMr D Blake Suite 22A Union Quay NORTH SHIELDS
Date received:	21/03/2013
Development:	Hybrid planning application comprising: Full application for the erection of 25 dwellings with associated landscaping, infrastructure and access; Outline application for up to 113 dwellings and associated access with all other matters reserved
Location:	Former Henry Smith School Site King Oswy Drive HARTLEPOOL
Representations:	An objector was present and addressed the Committee.
Decision:	Minded to APPROVE subject to a legal agreement under S106 of the Planning Act securing developer contributions of £250 per dwelling towards offsite play provision, £250 per dwelling towards built sports facilities within the locality and the completion of a targeted training and employment charter. The final wording of the conditions was delegated to the Planning Services Manager.

The Committee considered representations in relation to this matter.

Number: H/2013/0197

Applicant: Mr Jeff Hutchinson
Field House Farm GREATHAM Billingham

Agent: ASP Associates Mr Paul Alexander Vega House 8
Grange Road Hartlepool

Date received: 23/04/2013

Development: Erection of two detached dwelling houses and
detached garage and associated access

Location: LAND TO THE SIDE AND REAR OF 21 SEATON
LANE HARTLEPOOL

Representations: An objector was present and addressed the
Committee

Decision: **Planning Permission Refused**

REASON FOR REFUSAL

1. In the opinion of the Local Planning Authority, the proposed development would constitute tandem development and the use of the proposed access road serving the dwelling on plot 2 would be detrimental to the amenities of the future occupants of the dwelling on plot 1 in terms of noise and disturbance contrary to policies GEP1 and Hsg9 of the Hartlepool Local Plan 2006 and policy ND4 of the emerging Hartlepool Local Plan.

The Committee considered representations in relation to this matter.

Number: H/2013/0128

Applicant: Dunelm Homes
Mr Paul Armstrong

Agent: Dunelm Homes Mr Paul Armstrong Esh Business Park
Heighington Lane Aycliffe Industrial Estate

Date received: 18/03/2013

Development: Residential development comprising 35 dwellings,
associated roads and infrastructure including demolition of
sports hall, youth centre and caretaker's house

Location: Land adjacent Seaton Carew Nursery School Brompton

Walk HARTLEPOOL

Decision: **Minded to APPROVE subject to a legal agreement under S106 of the Planning Act securing developer contributions for 3 affordable housing units, £8750 offsite Play Contribution and £8750 Green Infrastructure Contribution and the following conditions**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans (Location Plan, Drawing No(s):303 ED 2012 Rev A - Standard enclosures, 303 GD 03 Single garage type 2, 303 GD 09 Twin garage type 2, 303 GD 26 joined double & single garage, SW-S-OO The Shrewsbury 2012, DH-S-OO The Durham 2012, RO-S-OO The Rochester 2012, RODG-S-OO The Rochester DG 2012, RY-S-OO The Ripley 2012, WLX-S-OO The Wells Special 2012, WL-S-OO The Wells 2012, PT-S-OO The Peterbrough 2012, AR-S-OO The Arundel 2012, HBM-S-OO Hornbeam, CY-S-OO Cypress, C-924-01 landscape proposals) and details received by the Local Planning Authority on 6 March 2013, and the amended plans (SC PSL 003 RevD Proposed site layout, 030-GD-11 Twin garage type 3) received at the Local Planning Authority on 25 April 2013 and the amended plan (Eng/0085/02 Drainage detail) received at the Local Planning Authority 14 May 2013, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no garage(s) other than those expressly authorised by this permission shall be erected without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure, shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which

fronts onto a road, without the prior written consent of the Local Planning Authority.

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

6. Notwithstanding the submitted details prior to the commencement of the development hereby approved details of acoustic fencing to be erected between plots 20, 21, 22, 33, 34 and 35 and the existing Seaton Carew nursery school shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be implemented in accordance with the approved details prior to the occupation of any of the dwellings on the aforementioned plots and retained for the lifetime of the development.

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

7. No demolition or removal of trees and shrubbery on site shall take place during the bird breeding season (March to August inclusive), unless they are inspected prior to the proposed works being carried out by a suitably experienced ecologist and a report is submitted to and agreed in writing by the Local Planning Authority stating that no breeding birds are present.

In the interests of the protection of breeding birds

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

In the interests of visual amenity.

9. No development shall take place until a scheme for the protection during construction works of all trees to be retained on the site, in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations', has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.

In the interests of the health and appearance of the preserved tree(s).

10. Notwithstanding the submitted details prior to any of the hereby approved dwellings being occupied a scheme for resurfacing works to the access road between Elizabeth Way and the approved development shall be submitted to and approved in writing to the Local Planning Authority. Thereafter, the approved scheme shall be implemented in accordance with the details so approved.
In the interests of highway safety.
-

21. Appeal at 33 Harvester Close, Hartlepool (*Assistant Director (Regeneration)*)

Members were informed of an appeal against the refusal for the erection of a two storey rear extension at 33 Harvester Close made under delegated powers. The appeal was to be determined by the Householder Fast Track procedure.

Decision

That the appeal be contested.

22. Appeal at Three Gates Farm, Dalton Piercy, Hartlepool (*Assistant Director (Regeneration)*)

Members were informed of an appeal against the refusal for the conversion and extension of existing outbuildings to form a single storey residential annexe at Three Gates Farm made under delegated powers. The appeal was to be determined by written representations.

Decision

That the appeal be contested. Councillor Ray Wells asked that his objection to this be recorded.

23. Update on Current Complaints (*Assistant Director (Regeneration)*)

Details were given of 18 ongoing issues currently being investigated.

Decision

That the report be noted

24. Green Infrastructure Supplementary Planning Document (SPD) (*Assistant Director (Regeneration)*)

Members were informed of the completion of the public consultation on the

draft green infrastructure SPD. Part of the Local Plan this would outline the benefits and purpose of Green Infrastructure and its importance to the Borough. Accompanying it there would be an Action Plan. The finalised SPD would be taken to a future Regeneration Services Committee and Council.

Members queried whether this would impact upon current or pending applications. The Planning Services Manager advised that while it would be a material consideration in future applications it was primarily about enhancing and improving the environment.

Decision

That the report be noted.

25. New Dwellings in the Open Countryside Supplementary Planning Document (SPD) *(Assistant Director (Regeneration))*

Members were informed of the completion of the public consultation on the New Dwellings Outside of Development Limits SPD. This had been formulated following the replacement of the Planning Policy Statements with the National Planning Policy Framework and was designed to provide clarification to planning applicants as to any special requirements or functional tests. The finalised SPD would be taken to a future Regeneration Services Committee and Council. The Planning Services Manager advised that it would not impact upon current or pending applications until formal adoption.

Decision

That the report be noted.

26. Changes to Permitted Development Rights Effective from 30 May 2013 *Assistant Director (Regeneration)*

Members were informed of a number of changes to planning control which had come into force at the end of May. Officers highlighted two changes in particular, the proposal to allow the conversion of offices to residential dwellings and the decision to allow certain extensions of dwelling houses without prior planning consent. In the latter case applicants would be allowed to extend by 8 metres on a detached house and 6 metres on all others. Planning officers would be given 42 days to inform neighbours of the planned extension and, depending upon objections, assess the impact. If no objections were received, or the 42 day deadline was breached, the developer would be able to proceed unimpeded. This could result in additional work for planning authorities for which there would be no financial recompense. The Planning Services Manager highlighted that where two or more objections were received planning officers would be unable to bring

those cases to full Committee due to the tight timescales and these cases would instead need to be considered by the Chair and Vice-Chair under delegated powers. A member suggested that sub-committees be set up to alleviate the burden on the Chair and Vice-Chair but the Chair felt this was unnecessary. He highlighted the additional work and pressure this would put on the planning officers.

A member referred to the proposal to allow the conversion of agricultural buildings to commercial premises, querying whether this could ultimately result in conversion to a residential property. The Planning Services Manager advised that there were caveats but she could not be 100% sure how effective they would be.

Members asked that a letter be sent to the Government highlighting their concerns at these changes. The Planning Services Manager indicated that consultation among planning authorities had resulted in 75% against these changes but the DCLG had gone ahead anyway. Members asked that the letter query what the rationale had been to ignore such an overwhelming consultation response.

Decision

That the report be noted and that a letter be sent to the DCLG on behalf of the Committee highlighting their concerns and querying the reasons for ignoring the results of the consultation.

27. Local Government (Access to Information) (Variation Order) 2006

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

Minute 29 – (Case Reference: SC01/2012) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (paras 1 and 2) information relating to an individual and information which is likely to reveal the identity of an individual.

28. Any Other Items which the Chairman Considers are Urgent

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

- 29. Case Reference: SC01/2012** (*Chief Solicitor*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (paras 1 and 2) information relating to an individual and information which is likely to reveal the identity of an individual.

Following an investigation by Standards Committee a number of recommendations had been made regarding future Planning Committee procedural matters. Details are contained within the exempt minutes.

Decision

Contained in the exempt minutes.

The meeting concluded at 12:15pm.

CHAIR

No: 1
Number: H/2013/0218
Applicant: Mr Steve Bell Vela Group Greenbank HARTLEPOOL
TS24 7QS
Agent: Jane Darbyshire and David Kendall Joe Crinion
Millmount Ponteland Road Newcastle upon Tyne NE5
3AL
Date valid: 08/05/2013
Development: Erection of 4 buildings to provide student accommodation
totalling 56 bedrooms with associated works
Location: FORMER CROWN HOUSE SURTEES STREET
HARTLEPOOL

PURPOSE OF REPORT

1.1 A valid 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.

PROPOSAL AND SITE CONTEXT

1.2 The application site is situated on Surtees Street, also sharing its east boundary with Whitby Street and its west boundary with Tower Street. To the south is a British Telecom property. To the north on the opposite side of Surtees Street are offices a college workshop and a club. To the west are college buildings and a DIY store. To the east is a public house. The site was previously occupied by Crown House, a commercial property, until it was demolished. The site is currently vacant and is split over two levels with a major part of the site set approximately 1500mm below street level.

1.3 The application seeks consent for the erection of 4 buildings to provide student accommodation totalling 56 bedrooms with associated works. The accommodation comprises:

- 2 x apartment blocks comprising of 21 En-suite bedrooms each
- 2 x townhouses comprising 2 En-suite bedrooms and 4 bedrooms

1.4 The Design and Access Statement submitted in support of the planning application states that the proposal has been developed with Cleveland College of Art and design (CCAD) staff and students and Vela Group, to provide student accommodation for CCAD's further education students. The Statement further states that, it is thought the accommodation will encourage more students from outside the region to attend the college as many are discouraged due to the lack of student accommodation.

PUBLICITY

1.5 The application has been advertised by way of neighbour letters (30), site notice and press advert. To date, there has been one letter of support, one letter of no objection and one letter of objection received.

1.6 The concerns raised are:

1. The proposed 'blocks' size in relation to existing surrounding structures, namely 2 Surtees Street and the building at the eastern end of Surtees Street (South Side), is overbearing.
2. Notwithstanding the distance requirement between structures from a planning perspective, there is a potential issue in respect of overlooking/privacy from the commercial building (Surtees Street) and the proposal, a 'tiered' approach may be more applicable?

Copy Letters A

The period for publicity has expired.

CONSULTATIONS

1.7 The following consultation replies have been received:

Traffic and Transportation – The proposed property is just outside the town centre for parking. The parking requirement for this proposal is 9 spaces the applicant has provided 11 spaces this is acceptable in parking terms. The applicant is providing the provision of 12 cycle parking spaces per 56 students this is also acceptable, the cycle parking should be secure locker type provision.

The old vehicular access onto Tower Street should be made good and return back to footway this would be at the expense of the developer. The details to be agree with the highways section. The applicant is also proposing a vehicle crossing onto Tower Street, this work to be carried out by accredited RASWA contractor.

Refuse collection details should be provided.

A pre highway inspection will be required before works commence on site.

Public Protection – I would have no objections to this proposal subject to a sound insulation condition as there is a workshop and a couple of licensed premises in close proximity to the site.

Arboricultural Officer – An indicative landscaping scheme for the proposed development has been submitted which includes the provision of new trees, shrubs, hedges, grassed areas and climbing plants. In general the scheme appears acceptable, and in particular the inclusion of new trees on the Surtees Street frontage is welcomed, however insufficient detail is included to allow a full assessment of the proposal therefore I would recommend that these details be required by condition.

Standard conditions J161 and J170 apply.

Northumbrian Water – No comments to make

Environment Agency – The Environment Agency has no objections to the proposed development

Cleveland Fire Brigade – Vehicle access and water supplies to comply with B5 of Approved Document B Volume 2 – ‘Buildings Other Than Dwellinghouse’ of the Building Regulations.

Engineering Consultancy – You may be aware that I was involved with the demolition of the former Crown House Structure. The development may wish to know that the former foundations’ pad footings etc are still present. The demolition contractor was instructed to separate the former structural columns 100mm below existing ground level. Also, I note from the application that surface water drainage is proposed for mains sewer – I have no objections to this as there is currently a balancing tank system (that served the former structure) that would accommodate new flows generated from the development.

In terms of land contamination, I note the PRA undertaken by Arc Environmental. Given that the proposal will cap the majority of the area, the risks from exposure to potential contamination are low, and I would not have any further comments.

Council’s Public Lighting Manager – No issues

PLANNING POLICY

1.8 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

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

Com4: Edge of Town Centre Areas
 GEP1: General Environmental Principles
 GEP2: Access for All
 GEP3: Crime Prevention by Planning and Design
 GEP9: Developers’ Contributions
 Hsg12: Homes and Hostels
 Hsg5: Management of Housing Land Supply
 Hsg9: New Residential Layout – Design and Other Requirements

Emerging Local Plan

1.10 The following policies in the emerging Hartlepool Local Plan (anticipated to be 2013) are relevant to the determination of this application:

SUS1: The Presumption in Favour of Sustainable Development
 LS1: Locational Strategy
 CC1: Climate Change
 CC2: Energy Efficiency
 ND1: Planning Obligations and Compulsory Purchase Order
 RC4: The Edge of Town Centre Locations
 RC5: Innovation and Skills Quarter

Regional Policy

1.11 An Order to revoke the Regional Strategy for the North East was laid in Parliament on the 22 March 2013 which resulted in the RSS being officially revoked on 15 April 2013.

National Policy

1.12 In March 2012 the Government consolidated all planning policy statements, circulars and guidance into a single policy statement, termed the National Planning Policy Framework (NPPF). The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development, and approve all individual proposals wherever possible. It defines the role of planning in achieving sustainable development under three topic heading – economic, social and environmental, each mutually dependent. There is a presumption in favour of sustainable development. It requires local planning authorities to approach development management decisions positively, utilising twelve ‘core principles’ that should underpin both plan-making and decision taking, these being; empowering local people to shape their surrounding, proactively drive and support economic development, ensure a high standard of design, respect existing roles and character, support a low carbon future, conserve the natural environment, encourage re-use of previously developed land, promote mixed use developments, conserve heritage assets, manage future patterns of growth and take account of and support local strategies relating to health, social and cultural well-being.

14: Presumption in favour of sustainable development
 56: Good Design
 114: Green Infrastructure
 196: Determination in accordance with the development plan
 197: Presumption in favour of sustainable development

PLANNING CONSIDERATIONS

1.13 Having regard to the requirement of Section 38(6) of the Planning and Compulsory Purchase Act 2005 the relevant Development Plan policies, relevant guidance and all other material planning considerations, including representations received, it is considered that the main planning issues in this instance relate to the principle of the development, impact upon the character and appearance of the area, the effect of the proposals on neighbouring properties/premises, the amenity of

future occupants of the student accommodation, developer contributions, highway safety, landscape, drainage and ground contamination.

Principle of Development

1.14 The development area is a brownfield site. The site is currently vacant following the demolition of a commercial property.

1.15 The Local Planning Authority considers that in principle the provision of 4 buildings to provide student accommodation totalling 56 bedrooms on the site is acceptable in terms of land use policy should all other material planning considerations be satisfied.

1.16 Policy GEP9 of the Hartlepool Local Plan 2006 states that The Borough Council will seek contributions from developers for the provision of additional works deemed to be required as a result of development. A developer contribution is a mechanism which can enhance the quality of the development and enable proposals which in the absence of the obligation may be refused planning permission.

1.17 In this instance the Council considers it reasonable to request the following developer contributions and obligations as part of a legal agreement:

1. £250.00 per bedroom towards green infrastructure

1.18 The applicant has agreed to pay the requested contribution.

Impact upon the Character and Appearance of the Area

1.19 The National Planning Policy Framework 2012 (NPPF) sets out the Government's commitment to good design. Paragraph 56 states that, good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

1.20 The Hartlepool Local Plan 2006 and the emerging Local Plan advise that development should normally be of a scale and character which is in keeping with its surroundings and should not have a significant detrimental effect on the occupiers of adjoining or nearby properties, or the environment generally. Policy GEP1 of the 2006 Local Plan states that development should take into account issues such as, the external appearance of the development, its relationships with the surrounding area, visual intrusion and loss of privacy. Policy ND4 of the Emerging Local Plan states that all new development should be designed to take into account a density that is reflective of the surrounding area.

1.21 As outlined earlier in this report, the existing site is currently vacant. The site is visually unattractive. Officers consider that the proposed redevelopment of the site would provide the opportunity to improve the appearance of the site and wider area.

1.22 The site is located in an area of the town which is largely commercial in character and whose buildings exhibit a variety of scale and design. Officers consider that whilst the scale of the proposed buildings, in particularly the apartment

blocks is large it is acceptable in this location. The density of the proposed buildings upon the site is acceptable. Notwithstanding the letter of objections received, whilst the separation distances in some instances are below the 10m and 20m guidance outlined in the Hartlepool Local Plan the site layout is considered to be acceptable in design terms. The reason for this justification is outlined below.

1.23 The proposed building uses a mixture of materials including render and brickwork. It is considered that the buildings proposed are all of an appropriate scale and design. Overall, Officers consider that the scale and massing of the buildings is considered acceptable and will have a positive impact upon the character and appearance of the area.

The Effect of the Proposals on Neighbouring Properties/Premises

1.24 It is considered that the layout of the four buildings upon the site has been designed in such a way so to restrict the impact upon the amenity of the neighbouring premises adjoining the site and overlooking it. It is considered that the scale of the proposed buildings is acceptable having regard to neighbouring properties in close proximity.

1.25 On balance, it is considered that the relationships between the properties adjoining the site and in the immediate vicinity and the proposed student accommodation buildings are acceptable.

1.26 Given the context of the area in general and taking into consideration the mixed appearance of the neighbouring premises, in terms of both scale and design, it is considered that the design, scale and massing of the four buildings proposed is acceptable.

1.27 In terms of the separation distances between buildings located upon the site, the proposed layout in some instances does not accord with the guidance outlined in the Hartlepool Local Plan in that the gable wall of the apartment block located in the centre of the site is sited approximately 8m at ground floor level from the rear windows of the two townhouses located upon Tower Street. The separation distance increases between the first and second floors of the townhouses and the apartment block to approximately 9m. With regard to the aforementioned relationship, on balance Officers consider that the relationship is acceptable. Given the orientation of the two houses towards the gable wall of the apartment block the rear windows of the proposed town houses will still be afforded a general degree of outlook beyond the gable wall of the apartment block down Surtees Street and across the BT site respectively. Furthermore, given the transient nature of the occupants of the proposed accommodation it is not considered that the proposed relationship will significantly impact the amenity of the occupants of the town houses to a level whereby a refusal could be sustained. Moreover, given that the separation distances proposed are only marginally below what the guidance stated in the 2006 Local Plan and that the buildings are located in close proximity to the town centre in an area which is characterised by properties sited in close proximity to one another it is not considered that a reason for refusal could be sustained in this instance.

1.28 Further to the above, it is prudent to state that separation distances between commercial properties located in close proximity to the proposed site upon Surtees Street between principle elevations in some instances are as low as approximately 16.5m.

1.29 However in the case of the club the facing elevation is blank, in the case of the workshop the facing elevation includes high level windows and a vehicle and pedestrian doors which mean there will be limited mutual impact on privacy. In the case of the office block, located on the corner of Surtees Street and Tower Street this will most directly face the blank gable of the town houses, with views towards the apartment blocks largely oblique. In light of the relationships the Local Planning Authority is unable to raise significant concerns in relation to the separation distances proposed between a commercial property and dedicated student accommodation (approximately 16.5m). It is considered that the existing separation distances between properties in the immediate vicinity and a consideration of the detailed relationships justify the proposed separation distances as being acceptable on this basis. Regard also has to be given to a building which previously stood on the site which included primary windows in the elevation facing Surtees Street. It is not considered that the proposed relationships exacerbate any overlooking which hasn't previously been established between the site and properties in close proximity. It is considered that in overlooking terms, the proposals are acceptable and unlikely to have a significant effect in such terms.

1.30 It is considered that the relationships between the properties adjoining the site and in the immediate vicinity and the proposed buildings are acceptable. The layout of the site is considered to be acceptable and in terms of appearance will assimilate itself quickly into the wider streetscene. Whilst it is acknowledged that the design of the proposed buildings is modern in appearance it is not considered that it will appear jarring in terms of its relationships with existing properties in the immediate area and will quickly assimilate into the wider area. Officers consider that the proposed design of the dwellings accords with the principles outlined within the NPPF and Local Policy. It is not considered that the proposal would create a significant impact upon the working conditions of any of the properties surrounding the site at a level whereby the Local Planning Authority could sustain a refusal.

The Amenity of Future Occupants

1.31 Notwithstanding the separation distances as outlined earlier in this report it is considered that the occupants of the proposed accommodation will be afforded an acceptable level of outlook and amenity. Notwithstanding this, Officers consider it prudent to attach a planning condition requiring the side windows of the apartment block located in the centre of the site facing Tower Street to be obscurely glazed to prevent any detrimental overlooking towards the rear windows of the two town houses upon Tower Street, and vice versa.

1.32 It is considered that the site layout as proposed benefits from an acceptable amount of open space provision which will include the provision of trees and hedges.

1.33 The Head of Public Protection has raised no objections to the proposed development subject to a sound insulation condition being attached as there is a

workshop and a couple of licensed premises in close proximity to the site. Given this, Officers have attached a suitably worded planning condition requiring the submission of a sound insulation scheme to be submitted to and approved in writing by the Local Planning Authority should Members be minded to approve the application.

Highway Safety

1.34 The application site is located just outside the town centre. The parking requirement for this proposal is 9 spaces. The applicant has provided 11 spaces. The Council's Traffic and Transportation Team have confirmed that the proposed provision is acceptable in parking terms.

1.35 The applicant is also proposing the provision of 12 cycle storage spaces. The Council's Traffic and Transportation Section has also confirmed that such a provision is acceptable.

1.36 The Traffic and Transportation Section have stated that the old vehicular access onto Tower Street should be made good and returned back to a footway at the expense of the applicant. Given this, Officers have attached a suitably worded planning condition should members be minded to approve the application.

Landscape

1.37 Whilst the applicant has submitted an indicative landscape scheme for the proposed development which includes the provision of new trees, shrubs, hedges, grassed areas and climbing plants the Council's Arborist has stated that there is insufficient detail included to allow a full assessment of the proposals. It is therefore prudent to attach a condition requiring a landscaping scheme be submitted to and approved by the Local Planning Authority.

Drainage

1.38 The Council's Engineering Consultancy Section, Northumbrian Water and the Environment Agency have all raised no objections to the proposed methods of drainage. Foul sewage and surface water are both to be disposed of by way of main sewer, this is considered to be acceptable. In terms of surface water drainage the Council's Engineering Consultancy Section have advised that there is currently a balancing tank system (that served the former structure upon the site) that would accommodate new flows generated from the development.

Ground Contamination

1.39 The Council's Engineering Consultancy Section has viewed the ground investigation report submitted with the application. The Engineers have advised that given that the proposal will cap the majority of the area, the risks from the exposure to potential contamination are low.

EQUALITY AND DIVERSITY CONSIDERATIONS

1.40 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

1.41 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.

1.42 The final scheme will be designed with the reduction of crime and anti social behaviour in mind and an appropriate condition is proposed.

REASON FOR DECISION

1.43 Having regard to the policies identified in the Hartlepool Local Plan 2006 above, the National Planning Policy Framework and in particular considerations of the effects of the development on the amenity of neighbouring properties in terms of overlooking, overshadowing and its appearance in relation to the surrounding properties, the impact upon future occupants of the student accommodation, the streetscene, highway considerations, drainage and potential ground contamination the development is considered satisfactory and recommended for approval subject to the conditions set out below.

RECOMMENDATION – Minded to APPROVE subject to the completion of a legal agreement securing £250 per bedroom towards Green Infrastructure and the following conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 07/05/2013 (Drawing No's: 3318 P 01 Revision N/A, 3318 P 02 Revision N/A, 3318 P 03 Revision N/A, 3318 P 04 Revision N/A, 3318 P 05 Revision N/A, 3318 P 06 Revision N/A, 3318 P 07 Revision N/A, 3318 P 08 Revision N/A and E-(90)-00-001 Revision 0), unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose. Thereafter the development shall be carried out in accordance with the approved details.
In the interests of visual amenity.
4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without

modification the four buildings hereby approved shall be used solely for the purposes of accommodation of students undertaking full time educational courses, unless otherwise agreed in writing with the Local Planning Authority. In the interests of the potential adverse impact of an unrestricted consent on the use of the site and the surrounding area

5. Prior to the commencement of development hereby approved, a scheme highlighting how site CO2 emissions will be reduced by 10% over the maximum CO2 emission rate allowed by the Building regulations Part L prevailing at the time of development, will be submitted to and approved in writing by the LPA. The development hereby approved shall be constructed in line with the approved scheme in the interests of sustainable construction. In the interests of sustainable construction

6. Prior to the commencement of development details of the proposed surfacing materials of all paths, roads, parking areas and hardstandings shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented at the time of development and, unless otherwise agreed in writing with the Local Planning Authority, retained for the lifetime of the development. In the interests of highway safety and amenity

7. Unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of the development hereby approved a scheme of security measures incorporating 'secured by design' principles shall be submitted to and approved in writing by the Local Planning Authority. Once agreed the measures shall be implemented prior to the development being completed and occupied and shall remain in place throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority. In the interests of crime prevention.

8. Notwithstanding the submitted details a scheme for the installation of a public footpath at the point of the old vehicular access onto Tower Street shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development. Thereafter the footpath shall be implemented in accordance with the agreed details prior to the occupation of the development. In the interests of highway safety.

9. Notwithstanding the plans and information submitted prior to the commencement of development full details of bin storage facilities serving the student accommodation shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented at the time of development and, unless otherwise agreed in writing with the Local Planning Authority, retained for the lifetime of the development. In the interests of visual amenity

10. Notwithstanding the plans and information submitted prior to the commencement of development full details of cycle parking facilities serving the student accommodation shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the cycle parking should be secure locker type parking. The approved details shall thereafter be implemented at the time of development and, unless otherwise agreed in writing with the Local Planning Authority, retained for the lifetime of the development.
In the interests of visual amenity and secure cycle parking provision
11. A detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works.
In the interests of visual amenity.
12. If within a period of five years from the date of the planting of any tree that tree, or any tree planted as a replacement for it, is removed, uprooted, destroyed, dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
In the interests of visual amenity.
13. Prior to the commencement of the development hereby approved by this planning permission a sound insulation scheme for the protection of the proposed student accommodation from external sources, including a nearby workshop and licensed premises, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include predicted noise levels within the buildings. Any works, which form part of the scheme, shall be completed in accordance with the approved scheme and prior to any part of the development being first occupied.
To protect the amenity of students from excessive noise from the neighbouring commercial premises
14. Details of all walls (including any retaining walls and details of their structural integrity), fences, gates and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced. Thereafter the development shall be carried out in accordance with the approved details.
In the interests of visual amenity.
15. Notwithstanding the plans and details for the apartment block located in the centre of the site hereby approved as outlined in Condition 2 of this approval the side window of the apartment block facing Tower Street shall be glazed with obscure glass which shall be installed before the building is occupied and shall thereafter be retained at all times while the windows exist. Alternatively,

a scheme to amend the side elevation of the building and the provision of windows upon it shall be submitted shall be submitted to and approved in writing by the Local Planning Authority. Once agreed the building shall be constructed and retained in accordance with the agreed details for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

To prevent overlooking

16. The area(s) indicated for car parking on the plans hereby approved shall be provided before the use of the site commences and thereafter be kept available for such use at all times during the lifetime of the development. In the interests of the amenities of the occupants of neighbouring properties and highway safety.

BACKGROUND PAPERS

1.45 Background papers used in the compilation of reports relating to planning items are listed within the report and are available for inspection in Bryan Hanson House, Hanson Square, Hartlepool during working hours. Copies of the applications are available on-line:

<http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet> except for such documents that contain exempt or confidential information and a paper copy of responses received through publicity are also available in the Members library.

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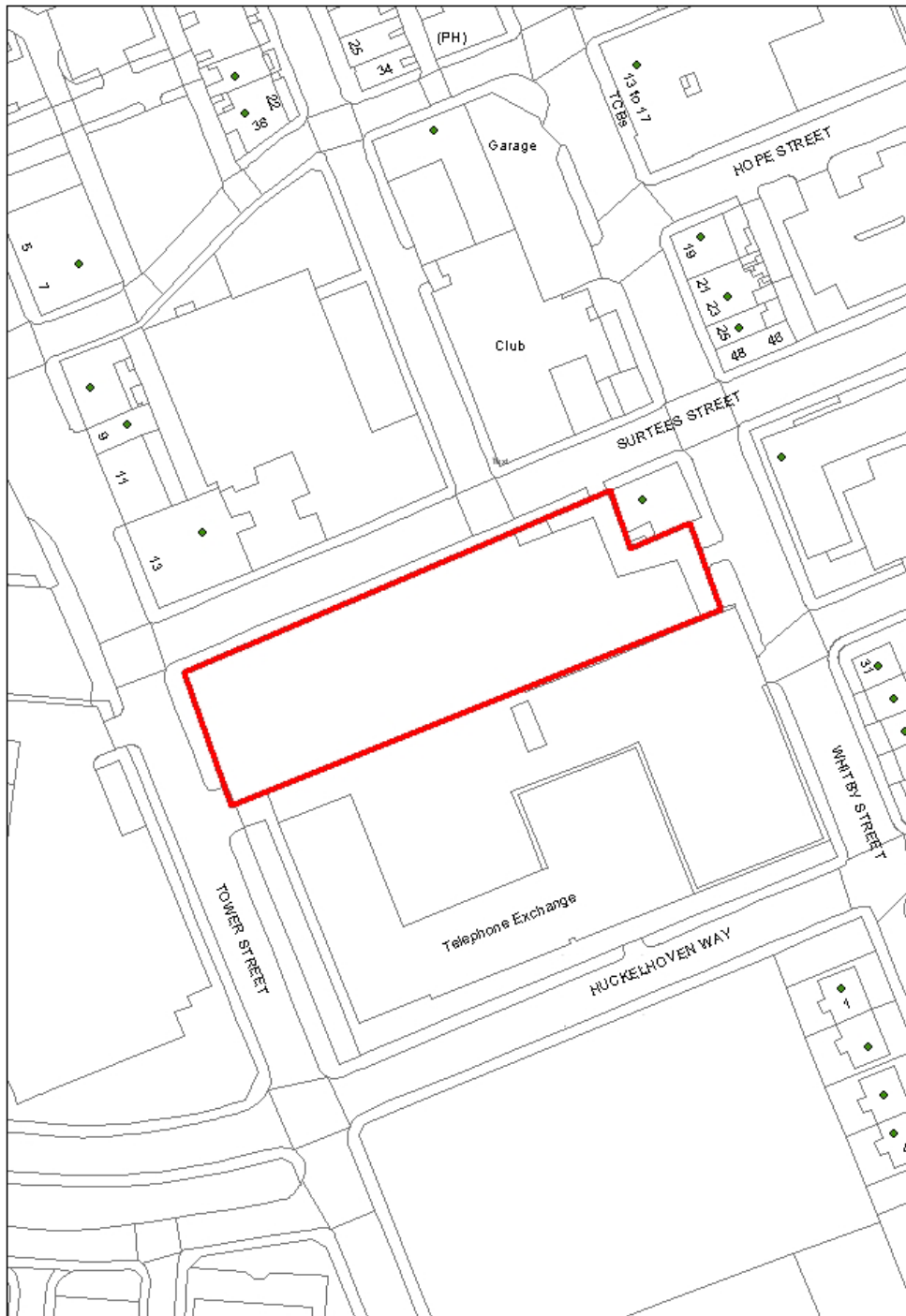
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FORMER CROWN HOUSE, SURTEES STREET



THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY
HARTLEPOOL BOROUGH COUNCIL
Bryan Hanson House, Hanson Square, Hartlepool, TS24 7BT
Department of Regeneration and Planning

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Scale: 1:1000
Date : 18/06/13
H/2013/0218

No: 2
Number: H/2011/0350
Applicant: Mr M Ford c/o Agent
Agent: WYG Planning & Design Miss Liz Wells Arndale Court
Otley Road Headingley LEEDS LS6 2UJ
Date valid: 19/09/2011
Development: Erection of dwellinghouse (retrospective application)
Location: Nelson Farm Nelson Farm Lane HARTLEPOOL

PURPOSE OF REPORT

2.1 A valid 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 This application was originally reported to Members in May 2012. Members were minded to approve the application subject to a section 106 legal agreement which required the commencement of the applicant's proposed cattle fattening enterprise before 31 December 2012. Members may recall that it was the establishment of the cattle fattening enterprise which justified the provision of the second dwelling on the farm.

APPLICATION AND SITE

2.3 The application site forms part of an existing agricultural holding located to the north-west of Hartlepool accessed from the A179 close to the northern boundary of the Borough. The land is currently in agricultural use. The dwelling is located east of the main farm house and associated agricultural buildings and storage.

2.4 To the north, south and west of the site are fields. To the east is Ash Vale Caravan Park. The access runs from the A179, adjacent to the rear gardens of Redwood Close. The site is located 400m north-west of the properties of Applewood Close.

2.5 Planning permission is sought on a retrospective basis for the retention of a single storey dwellinghouse to serve the agricultural holding. The house is fully complete and occupied. It is indicated that it is used in conjunction with the main dwelling on Nelson Farm to provide accommodation on-site for an agricultural worker. The house is located to the east of the main farm house, sited on the former location of a cattle shed and close to the main agricultural buildings of the holding. The property is surrounded on three sides by mature planting and is screened from the access to the holding.

2.6 The dwellinghouse is single storey and comprises lounge, kitchen/diner, bathroom and three bedrooms. The house is constructed of red brick with slate tiled roof. The original farm house on Nelson Farm is a substantial, two-storey detached property.

2.7 The applicant has provided an Agricultural Assessment in support of the application. The holding comprises the following:

- The holding extends to 263 hectares (650 acres) and is owned entirely by the applicant;
- Nelson Farm forms the main nucleus of the holding, however, it is also comprises land in Brierton, Thornley, Seaham and Washington;
- The holding comprises 242 hectares (598 acres) of arable land, 9.7 hectares (24 acres) of woodland and 11.3 hectares (28 acres) of grass for suckler cows;
- The labour at the farm is provided by the applicant and his two sons;
- The enterprise comprises 20 suckler cows, that calve all year round;
- There are around 30 of the suckler cows progeny on the farm at any one time;
- There is accommodation for 140 Friesian bulls, bought in at two-three weeks old and took to finishing at 14-16 months;
- Three-four batches of Friesian bull calves are bought in per year, with around 30 calves per batch;
- It is essential that two workers are on site day and night in case animals require care at short notice;
- The business has a labour requirement for two full time workers;
- The applicant has been farming at Nelson Farm for 41 years and the business has been profitable for the last 3 years;
- There is no other accommodation that meets the requirements of the holding.

UPDATE

2.8 There has been significant delay in signing the section 106 agreement due to the unwillingness of the applicant's mortgage lender to enter into the agreement. This led to the applicant having to pursue refinancing of the farm enterprise. In the interim, the cattle fattening enterprise was begun in any case in early 2013. The applicant has provided certified invoices which show the purchase of cattle in January 2013. The applicant's solicitor has also provided confirmation that the beef rearing has commenced. Finally, a Planning Officer visited the site on 10 June 2013 and observed the cattle fattening enterprise taking place on site. It is considered therefore that the cattle fattening has sufficiently begun in accordance with the original requirement of the section 106 agreement. On that basis it is considered that the legal agreement is no longer required and it is recommended that the application now be approved subject to the conditions set out below.

REASON FOR DECISION

2.9 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. The dwelling and its curtilage (as agreed by condition 6) hereby approved shall be removed from the site in its entirety and the land restored to its former condition on or before three years from the date of this permission in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority unless prior consent has been obtained to an extension of this period.
To assess the functional need and viability of the enterprise in accordance with Policy Rur7 of the adopted Hartlepool Local Plan.
2. The development hereby permitted shall be carried out in accordance with the plans 'A069734 Drawing No 01' and 'Agricultural Appraisal' received by the Local Planning Authority on 11 07 11, the Phase 1 Desk Study received by the Local Planning Authority on 11 08 11, 'Location Plan' received by the Local Planning Authority on 26 08 11, and the drainage details received by the Local Planning Authority on 21 09 11.
For the avoidance of doubt.
3. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or forestry, or a widow or widower of such a person, and to any resident dependants.
The site of the proposed dwelling(s) is in an area where the Local Planning Authority considers that new housing should only be allowed in exceptional circumstances where it is essential in the interests of agriculture or forestry.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property and to ensure the dwelling remains commensurate with the needs of the holding.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other revoking or re-enacting that Order with or without modification), no garage(s) or outbuildings shall be erected without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
6. Notwithstanding the approved details, details of the final extent of the curtilage associated with the hereby approved dwelling shall be submitted to and agreed in writing by the Local Planning Authority within 6 months of the date of this permission.
or the avoidance of doubt.

BACKGROUND PAPERS

2.10 Background papers used in the compilation of reports relating to planning items are listed within the report and are available for inspection in Bryan Hanson House, Hanson Square, Hartlepool during working hours. Copies of the applications are available on-line:

<http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet> except for such documents that contain exempt or confidential information and a paper copy of responses received through publicity are also available in the Members library.

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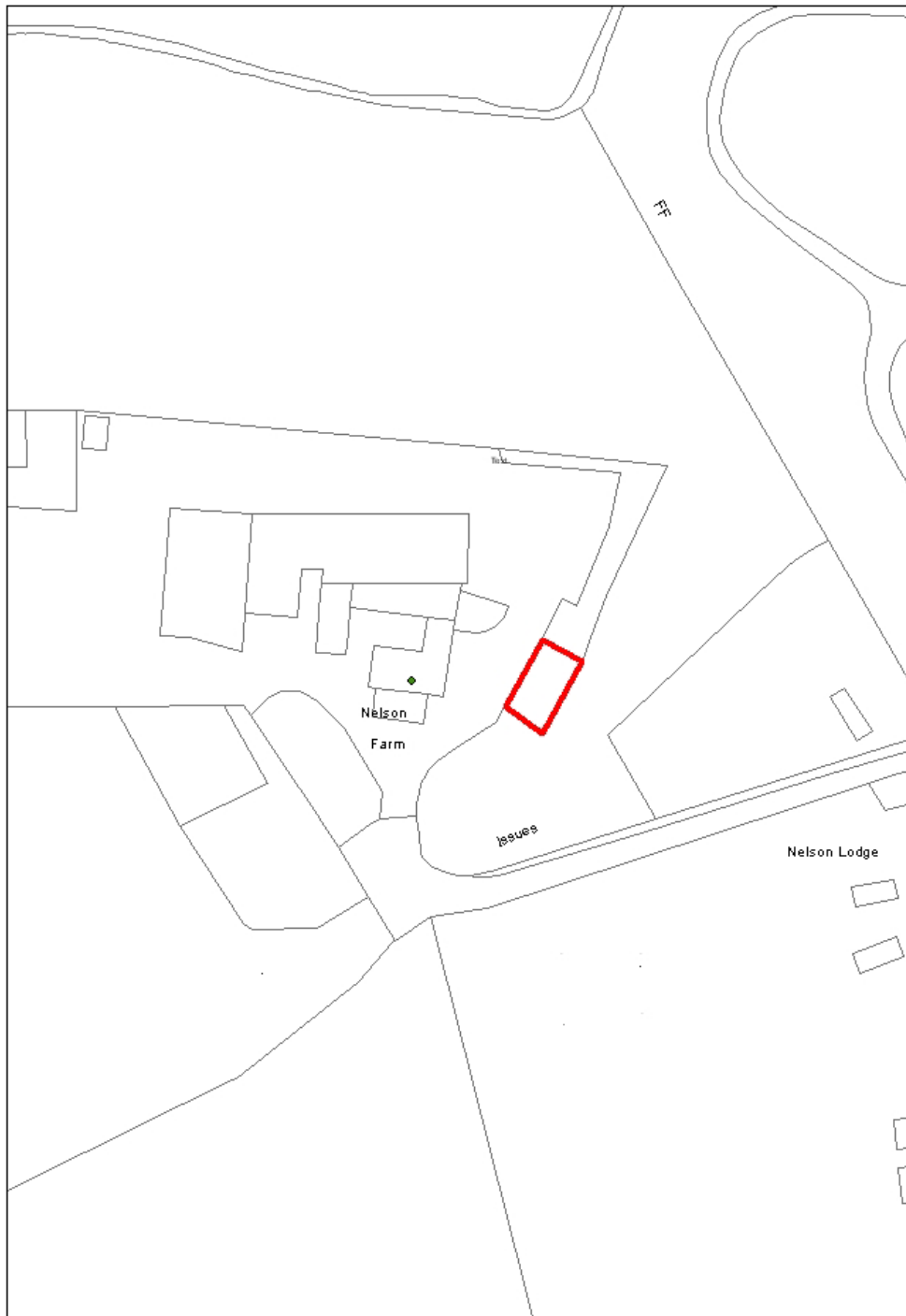
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NELSON FARM



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HARTLEPOOL BOROUGH COUNCIL
Bryan Hanson House, Hanson Square, Hartlepool, TS24 7BT
Department of Regeneration and Planning

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Date : 18/06/13
H/2011/0350

POLICY NOTE

The following details a precis of the policies referred to in the main agenda. For the full policies please refer to the relevant document.

ADOPTED HARTLEPOOL LOCAL PLAN 2006

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

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

GEP3 (Crime Prevention by Planning and Design) - States that in considering applications, regard will be given to the need for the design and layout to incorporate measures to reduce crime and the fear of crime.

GEP9 (Developer Contribution's) States that the Borough Council will seek contributions from developers for the provision of additional works deemed to be required as a result of the development. The policy lists examples of works for which contributions will be sought.

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

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

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

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

EMERGING LOCAL PLAN POLICIES (2012)

SUS1 (Presumption in favour of Sustainable Development) – states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

LS1 (Locational Strategy) - states that the development of Hartlepool will be based on a strategy of maintaining a compact urban form with most expansion being concentrated in areas adjoining the existing built up area.

CC1 (Climate Change) - advises that the Council will work with partner organisations to help minimise and adapt to climate change.

CC2 (Energy Efficiency) - advises that the Council will seek to ensure high levels of energy efficiency in all new development.

ND1 (Planning Obligations and Compulsory Purchase Orders) - advises that in appropriate circumstances the Borough Council will seek developer contributions towards amongst other things affordable housing, play provision, green Infrastructure and Highway Improvements.

RC4 (The Edge of Town Centre Locations) – The Borough Council will seek to diversify, support and protect edge of town centre locations.

RC5 (Innovation and Skills Quarter) – The Borough Council will continue to encourage and promote the development of an Innovation and Skills Quarter.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2012

Paragraph 14: At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 56: The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable

development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 114: Local planning authorities should:

- set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure; and
- maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast, and improve public access to and enjoyment of the coast.

Paragraph 196: The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions.

Paragraph 197: In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

PLANNING COMMITTEE

3 July 2013



Report of: Assistant Director (Regeneration)

Subject: UPDATE ON CURRENT COMPLAINTS

1. PURPOSE OF REPORT

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

1. A complaint regarding the conversion of ground floor retail space to residential use has been investigated. A site inspection noted the alleged change of use had not taken place. No action necessary.
2. An investigation has commenced in response to a complaint regarding the siting of a chalet/mobile home on land adjacent to Hart Lane.
3. A complaint regarding the erection of a boundary wall to the front of a property on Wooler Road has been investigated. A site inspection noted the wall did not lie adjacent to a highway, nor exceed 2 metres above ground level therefore permitted development rights applied. No action necessary.
4. An investigation has been carried out and completed regarding the erection of a neighbour's boundary fence to the rear of a property on Silverbirch Road. A site inspection noted the height of the fence did not exceed 2 metres above ground level and therefore permitted development rights applied. No action necessary.
5. An investigation has commenced in response to an anonymous complaint regarding a car repair activity being carried out at a residential property on Studland Drive.
6. An investigation has commenced in response to a complaint regarding a dance studio operating from an industrial unit on Whitby Street South.
7. A complaint has been received regarding overgrown trees and shrubs in the rear garden of a residential property on Caledonian Road.
8. An investigation has commenced in response to a complaint regarding a shop front encroaching onto a public footpath to the front and erection of a balcony to the rear of a commercial premises on The Front, Seaton Carew.

9. An investigation has commenced regarding a motorcycle training business being run from a residential property on Relton Way.
10. An investigation has commenced in response to a complaint regarding a dog breeding business being run from a residential property on Ashwood Close.
11. An investigation regarding a high hedge complaint at a property on Teesdale Avenue has been completed. The height of the hedge did not exceed the minimum height to breach relevant legislation in this instance.
12. An investigation has commenced in response to the Council's Public Protection Team carrying out late night visits to a take-away on York Road, noticing it was opening outside its permitted hours breaching licensing and planning conditions.

2. RECOMMENDATION

- 2.2 Members note this report.

PLANNING COMMITTEE

3 July 2013



Report of: Assistant Director (Regeneration)

Subject: REVIEW OF PLANNING DELEGATIONS IN RELATION TO PRIOR APPROVALS PROCESS

1. PURPOSE OF THE REPORT

1.2 To review the terms of the officer delegation scheme in relation to a number of relaxations to planning control which came into force on the 30th May as contained within the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013.

2. BACKGROUND

2.1 A report was considered by the Planning Committee on 5th June 2013 which detailed the relaxation of planning controls which came into force on 30th May 2013.

2.2 The provisions and potential implications of the Amendment Order were discussed and a letter is to be sent to the Department of Communities and Local Government on behalf of the Committee expressing their concerns regarding these changes and the consultation carried out. It was also discussed that the scheme of delegation may require amendments to reflect the new prior approval process.

3 PRIOR APPROVAL PROCESSES

3.1 The changes include provisions for additional prior approval processes relating to the relaxation of permitted development rights for home owners and also to change of uses as detailed below. These prior approvals are time critical, 42 days for completion of the process for householder development and 56 days for completion for change of use process. If a decision is not made within the timescales specified the developments can proceed regardless.

Introduction of Prior Approval regime for home extensions

- 3.2 New permitted development rights allow single storey extensions of up to 8 metres in depth on detached houses (6 metres in all other cases) to be built without planning permission, effective for a 3 year period. This amendment introduces a Prior Approval system for single storey extensions over current permitted development limits but within the new temporary limit (developments must be completed prior to 30th May 2016). These notifications will not attract a planning fee but will require the local authority to register it, publish the details and notify any property with an adjoining boundary. Additionally, a copy of the notice to neighbours will be sent with the acknowledgement of the notification to the developer. If any neighbour objects then the Local Planning Authority will be required to assess the impact of the extension on the amenity of neighbours but if no representations are received from neighbours in the specified period (as set out in the letter of notification) the developer may proceed. If a proposed development does not go through this prior approval process it cannot benefit from this relaxation. A flow chart is attached at **Appendix 1** to demonstrate this process.

Introduction of Prior Approval regime for Change of Use of commercial premises to dwellings

- 3.3 New permitted development rights will allow a change of use from office B1 (a) to dwellinghouse (C3) to provide new residential units in existing buildings.

Introduction of Prior Approval regime for Change of Use of commercial premises to a state funded school

- 3.4 The amended Order allows premises such as offices, hotels, residential and non-residential institutions, and leisure and assembly to change use permanently to a state-funded school. The relaxations also allow any building to be used for 1 academic year as a state-funded school

Introduction of Prior Approval regime for Change of Use of agricultural buildings to commercial use

- 3.5 This provision allows redundant agricultural buildings of 500m² or less to be able to change (without need for planning permission) to a range of new business uses including shops, financial and professional services, restaurants and cafes, storage and distribution, hotels and leisure uses. However where the building is listed this provision does not apply.

Introduction of Prior Approval regime for Change of use of buildings and land to commercial uses

- 3.6 New retail, financial and professional services, restaurants, cafes and other business uses will be able to open for up to 2 years in buildings currently designated as A1, A2, A3, A4, A5, B1, D1 or D2 classes

(shops, financial services, restaurants, pubs, hot food takeaways, business, non-residential institutions, leisure and assembly).

Implications of the relaxations on the Local Planning Authority

- 3.7 Officers and Members have already expressed concern over the implications on local communities and the effective planning of the Borough which some of these ‘relaxations’ will bring about. Officers are also of the view that these arrangements introduce a level of complexity which will create confusion – particularly for householders and neighbours.
- 3.8 The introduction of a range of prior approvals which do not attract any planning fee will lead to resource pressures on planning departments; this is an aspect which the Local Government Association are raising with Government.
- 3.9 The timescales associated with the determination of these prior approvals is short, and therefore the process for delegation needs to be clear and quick. Should a decision not be made by the Council in respect of the prior approvals within the set timescales the development/change of use can occur regardless.

4. CURRENT DELEGATION SCHEME

- 4.1 The Hartlepool Borough Council Constitution 2013-2014 (Part 3) specifies all functions relating to town and country planning and development control are delegated to the Director of Regeneration and Neighbourhoods subject to a number of exceptions. None of these exceptions relate to any restriction regarding the approval of an application (prior approval or any other application type) where there are objections to the scheme. Previously applications where there were 3 or more objections and there was a recommendation to approve the application was presented to the Planning Committee for determination. Any application with 2 or less objections and a recommendation to approve was delegated to the Planning Services Manager in consultation with the Chair of Planning Committee. The recently adopted Constitution does not have these distinctions and allows any application, recommendation for approval where there are objections to be determined by the Director of Regeneration and Neighbourhoods.

Under this recently adopted scheme of delegation, refusals of application are delegated to the Director of Regeneration and Neighbourhoods in consultation with the Chair of the Planning Committee. This is what the Planning Services Team have operated for some time.

5. PROPOSED DELEGATION

- 5.1 It is not recommended to change the scheme of delegation in relation to these prior approval applications.
- 5.2 Delegation has benefits for all stakeholders in terms of simplifying procedures, minimising costs and freeing up committee members to concentrate on major or controversial cases. Where there is no need to await a committee decision, up to four weeks can be saved in dealing with a prior approval process where time is critical. Delegation is a positive process that gives benefits not just in terms of streamlining internal procedures but also in terms of improved responsiveness for the general public and to ensure deadlines are achieved.

6. SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

- 6.1 There are no Section 17 implications.

7. EQUALITY AND DIVERSITY CONSIDERATIONS

- 7.1 There are no equality or diversity implications.

8. LEGAL CONSIDERATIONS

- 8.1 Should Members wish to amend the scheme of delegation it has been confirmed by the Chief Solicitor that this should be referred to Council for approval. The Constitution places an onus on Council to reflect who has responsibility for particular types of decisions, including those decisions which relate to particular areas or functions. The current Planning Committee Scheme of Delegation is contained within the Hartlepool Borough Council's Constitution (Part 3 refers).

9. RECOMMENDATIONS

- 9.1 That Members note the contents of this report and agree the scheme of delegation as proposed.

10. REASON FOR RECOMMENDATION

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

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

11. BACKGROUND PAPERS

- 11.1 The following background papers were used in the preparation of this report:-

- (i) The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013
<http://www.legislation.gov.uk/ukxi/2013/1101/contents/made>
- (ii) Hartlepool Borough Council's Constitution 2013-2014
http://www.hartlepool.gov.uk/site/scripts/download_info.php?fileID=3955

12. APPENDICES

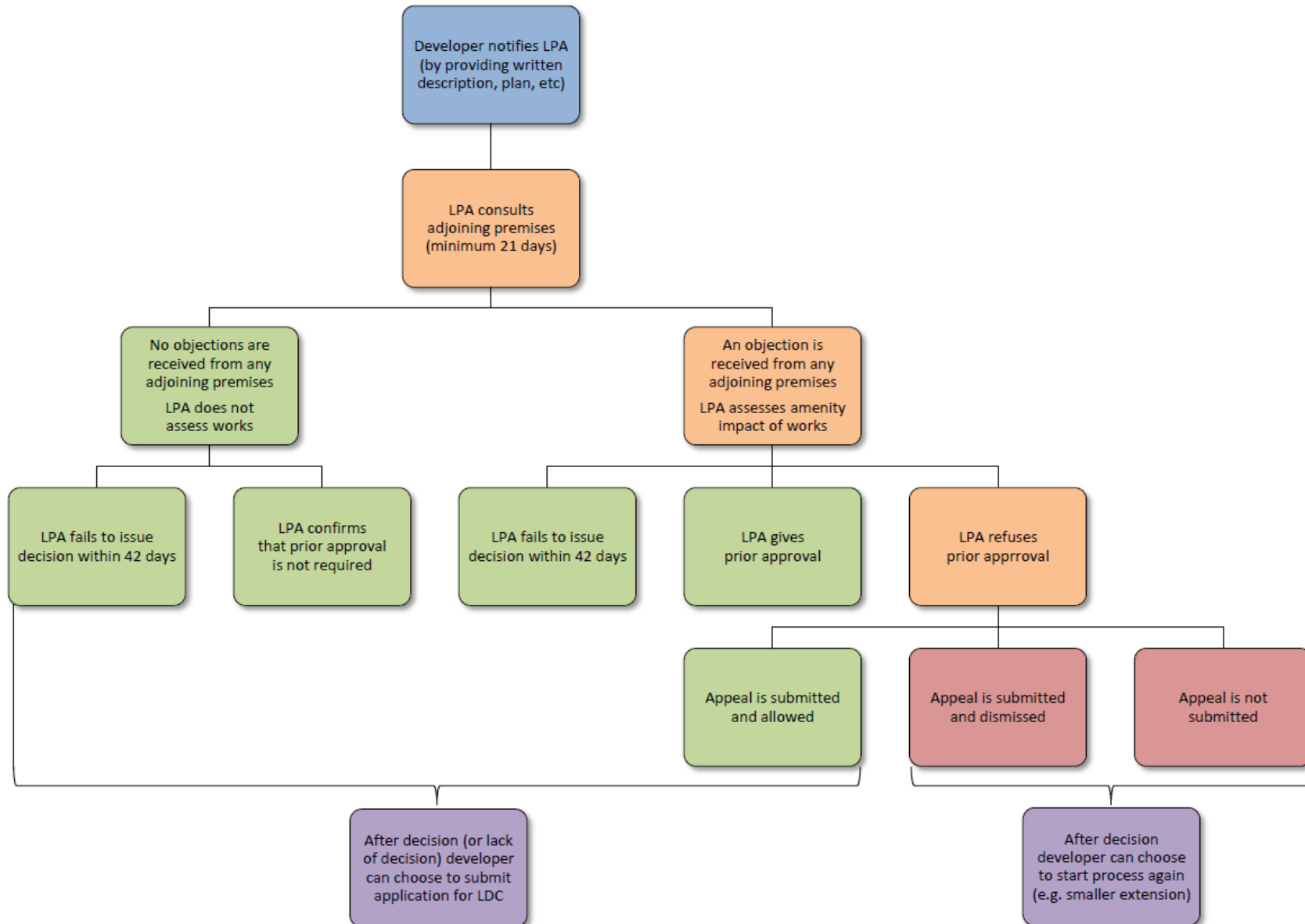
- 12.1 **Appendix 1** – General Permitted Development Order 2013 Flow Chart

13. CONTACT OFFICERS

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APPENDIX 1
GENERAL PERMITTED DEVELOPMENT ORDER 2013 FLOW CHART



PLANNING COMMITTEE

3 July 2013



Report of: Assistant Director (Regeneration)

Subject: Appeal Update Report

1. PURPOSE OF THE REPORT

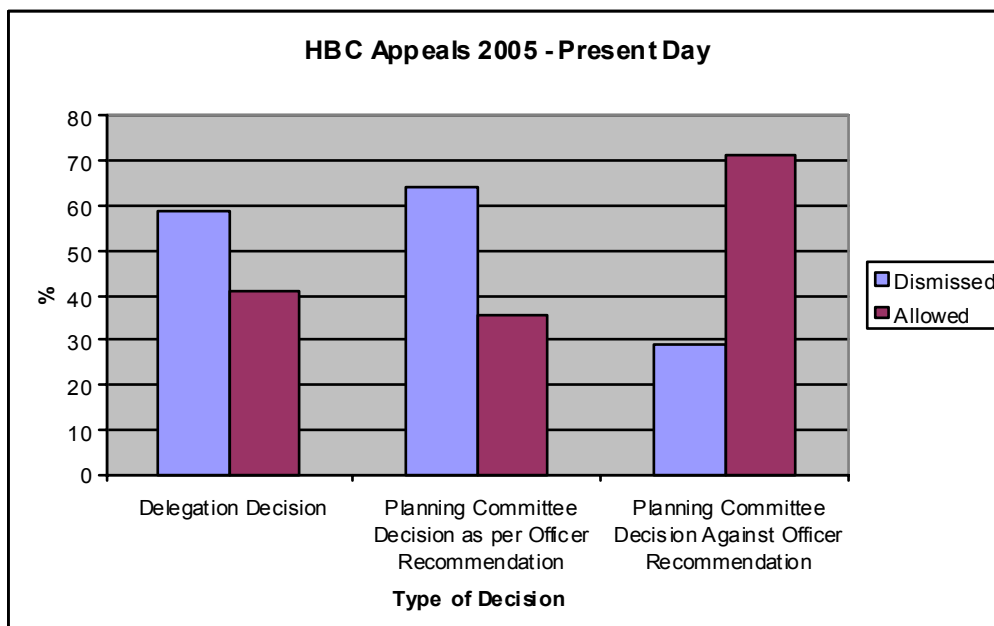
1.2 To review the planning appeal record of Hartlepool Borough Council.

2. BACKGROUND

2.1 Discussions were held by the Planning Committee on 5th June 2013 regarding how the authority was performing in relation to planning appeals and how the proposals for ‘Special Measures’ could impact on Hartlepool. During that discussion the Planning Services Manager proposed to bring a paper to the Committee detailing the Councils appeal record.

3 PLANNING APPEALS

3.1 Details of the Council’s appeal record since 2005 are contained within Appendix 1, in summary please see the Chart below which reflects the way the application decision made and % allowed and dismissed at appeal.



3.2 The figures used to formulate the Chart above are shown below:

	Delegated Decisions	Committee Decision as per officer recommendation	Committee Decision against officer recommendation
Dismissed	28 (59%)	18 (64%)	10 (29%)
Allowed	26 (41%)	10 (36%)	25 (71%)
Total	64	28	35

3.3 The above statistics do not including anomalies such as appeal against non-determination, conditions and part allowed part dismissed decisions.

4. FINANCIAL CONSIDERATIONS - AWARDS OF COSTS

4.1 Awards of costs which Hartlepool have paid out to appellants since 2005 are detailed below:

Award of costs to Appellant	Decision made on application
£500,569.85	Committee decision against officer recommendation
£4838.18	Committee decision as per officer recommendation
£1632.78	Delegated decision
£7000	Non determination appeal

4.2 Total award of costs since 2005 equate to £514,040.81. The appeals to which these costs relate are detailed within Appendix 1.

4.3 An award of costs is always at the Inspector's or Secretary of State's discretion. But he/she would normally make an award if:
 (i) one of the parties has applied for costs at the appropriate stage *and*
 (ii) a party has behaved 'unreasonably'; *and*
 (iii) this 'unreasonable' behaviour has caused the applicant for costs to incur or waste expense unnecessarily

4.4 The publication 'Communities and Local Government Circular 03/2009 – Costs awards in appeals and other planning proceedings' specifies that the most common examples of 'unreasonable behaviour' concern non-compliance with procedural requirements or failure by the planning authority to substantiate a stated reason for refusal of planning permission.

5. PLANNING INSEPTOR INFORMATION

5.1 Appendix 2 details Planning Inspectors who have determined planning appeals within Hartlepool, the figures show the percentage of all appeals allowed and dismissed Nationally by that particular Inspector since 2009.

6. APPEAL RECORDS FOR OTHER LOCAL AUTHORITIES

- 6.1 Appendix 3 details the record for authorities within the surrounding area of Hartlepool as a comparison for how Hartlepool are performing in terms of appeals. In 2012-2013 it should be noted that Hartlepool had 71% of appeals allowed, this is the highest percentage of appeals allowed within the area.

7. SPECIAL MEASURES

- 7.1 The Government proposes to introduce new performance measures to judge the speed and quality of determination of planning applications by local planning authorities. Poor performance would place a local planning authority into special measures. This measure is aimed only at those few situations where councils are clearly failing to deliver an effective service.
- 7.2 Where an authority is designated as being in 'special measures', it is proposed that major applications could be submitted to the Planning Inspectorate (on behalf of the Secretary of State), where the applicant chooses this route. A designated authority would need to demonstrate a sufficient degree of improvement before the designation is lifted.
- 7.3 In terms of speed, the Government considers that local planning authorities should aim to determine 70% of major applications within 13 weeks. Poor performing authorities – defined as determining less than 30% within the timeframe allowed – would be placed in special measures. In terms of quality, a poor performing authority can also be defined as one who has more than 20% of its major planning applications determined, allowed on appeal. Again such an authority would be placed in special measures.
- 7.4 The Government has stated that these initial performance measures set a low bar and that initially very few local planning authorities will be 'designated'. The time period for initial assessment will be 1 April 2011 to 31 March 2013. 'Designations' will come into force in October 2013. The Government has indicated that the bar will be raised in subsequent assessment periods.
- 7.5 In the period 01.04.2011 to 31.03.2012 Hartlepool's acting as Local Planning Authority determined 35 major planning applications – of which 12 were determined within 13 weeks (34.28%). Of the 35 major applications determined only one was appealed. On this basis, having regard to the Government intended assessment criteria, Hartlepool Borough Council would not be placed in special measures (designation), however the Government intends to 'raise the bar' in future.
- 7.6 If the local planning authority's performance declines to below 30% of major applications determined within 13 weeks or 20% of major applications determined are allowed on appeal the authority would be

placed in special measures. There are obvious implications related to this which include:

- The workload of major applications dealt with by the authority would potentially decline.
- The authority would not receive any fees associated with submissions made directly to the Secretary of State. Major applications attract the highest fees.
- The authority would not have any powers to consider and determine any major applications submitted directly to the Secretary of State.

8. SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

8.1 There are no Section 17 implications.

9. EQUALITY AND DIVERSITY CONSIDERATIONS

9.1 There are no equality or diversity implications.

10. LEGAL CONSIDERATIONS

10.1 There are no legal considerations with this paper.

11. RECOMMENDATIONS

11.1 That Members note the contents of this report and seek clarification where necessary.

12. BACKGROUND PAPERS

12.1 The following background papers were used in the preparation of this report:-

- (i) The Planning Inspectorate Statistical Report: England 2012-2013
http://www.planningportal.gov.uk/uploads/pins/statistics_eng/annual_2012_13.pdf
- (ii) The Planning Inspectorate Statistical Report: England 2011-2012
http://www.planningportal.gov.uk/uploads/pins/statistics_eng/stats_report_final_2011_2012.pdf
- (iii) The Planning Inspectorate Statistical Report: England 2010-2011
http://www.planningportal.gov.uk/uploads/pins/statistics_eng/10_11/stats_report_final_2010_2011.pdf
- (iv) The Planning Inspectorate Statistical Report: England 2009-2010
http://www.planningportal.gov.uk/uploads/pins/statistics_eng/09_10/full_report.pdf
- (v) The Planning Inspectorate Statistical Report: England 2008-2009
http://www.planningportal.gov.uk/uploads/pins/statistics_eng/statistical_report_08-09_eng.pdf
- (vi) Costs Awards in Planning Appeals (revised 2009 – England).
<http://www.planningportal.gov.uk/portal.gov.uk>

- (vii) Communities and Local Government Circular 03/2009 – Costs awards in appeals and other planning proceedings
<http://www.planningportal.gov.uk/planning/appeals/guidance/costs>

13. APPENDICES

- Appendix 1: Table of statistic relating to Hartlepool appeal performance since 2005.
- Appendix 2: Planning Inspectors statistics over the last 4 years.
- Appendix 3: Statistical Report: England - Decided Appeals: by Local Planning Authority

14. CONTACT OFFICERS

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Appendix 1: Table of statistic relating to Hartlepool appeal performance since 2005.

APPEALS RECEIVED 2005

REF NO.	APPEAL DECISION	DELEGATED DECISION	COMMITTEE DECISION AS PER OFFICER RECOMMENDATION	COMMITTEE DECISION AGAINST OFFICER RECOMMENDATION	AWARD OF COST	PLANNING INSPECTOR	MAJOR DEVELOPEMNT PS CODE 1 - 12
H/OUT/0479/04	ALLOWED		X			Z HILL	
H/FUL/0547/04	DISMISSED			X	ALLOWED £3348.75	A J WILSON	
H/FUL/0632/04	DISMISSED			X		W FABIAN	X
H/FUL/0633/04	DISMISSED			X		W FABIAN	X
H/FUL/0733/04	DISMISSED			X		P JAMIESON	
H/FUL/0760/04	DISMISSED	X				W FABIAN	
H/FUL/0861/04	ALLOWED			X		R FORSTER	X
H/FUL/0921/04	DISMISSED	X				W FABIAN	
H/FUL/0985/04	DISMISSED	X				P JAMIESON	
H/FUL/1027/04	DISMISSED	X				P JAMIESON	
H/FUL/0095/05	ALLOWED	X				R FORSTER	
H/TEL/115/05	DISMISSED			X		P MAJOR	
H/FUL/0126/05	DISMISSED	X				R FORSTER	
H/FUL/5135/05	DISMISSED		X			D METCALF	
H/FUL/5180/05	ALLOWED	X				R FORSTER	
H/FUL/5220/05	DISMISSED		X			C CHECKLEY	
H/FUL/5379/05	DISMISSED	X				D JOHNSON	X
H/FUL/5334/05	DISMISSED	X				G SNOWDON	
H/2005/5131	DISMISSED					D METCALE	
H/2005/5576	ALLOWED	X				R BROOKS	

APPEALS RECEIVED 2006

REF NO.	APPEAL DECISION	DELEGATED DECISION	COMMITTEE DECISION AS PER OFFICER RECOMMENDATION	COMMITTEE DECISION AGAINST OFFICER RECOMMENDATION	AWARD OF COST	PLANNING INSPECTOR	MAJOR DEVELOPEMNT PS CODE 1 - 12
H/2006/0565	ALLOWED	X				M RIVETT	
H/2006/0502	ALLOWED			X		K ELLISON	
H/2006/0460	ALLOWED			X	ALLOWED £15,000	J CHANCE	
H/2006/0311	WITHDRAWN			X		UNKNOWN	
H/2006/0282	ALLOWED			X		K ELLISON	
H/2006/0239	DISMISSED	X				K ELLISON	
H/2005/5997	DISMISSED		X		ALLOWED £3205.40	G ARROWSMITH	
H/2005/5964	DISMISSED		X		REFUSED	D RUSDALE	
H/2005/5866	ALLOWED	X				G SNOWDON	

H/2005/5856	ALLOWED			X		G SNOWDON	
H/2005/5833	DISMISSED		X		ALLOWED linked to costs for H/2005/5997	G ARROWSMITH	
H/2005/5818	DISMISSED	X				G SNOWDON	
H/2005/5775	ALLOWED		X			M RIVETT	
H/2005/5698	ALLOWED			X		J BRAITHWAITE	
H/2005/5644	ALLOWED			X		G SNOWDON	
H/2005/5697	WITHDRAWN		X			UNKNOWN	
H/2005/5572	DISMISSED		X			M HURLEY	
H/2005/5527	ALLOWED		X			R BROOKS	
H/2005/5521	ALLOWED		X			M HURLEY	
H/2004/0998	ALLOWED	X				K ELLISON	
H/2004/0681	ALLOWED		X		REFUSED	K ELLISON	X
HLAW/0006/04	DISMISSED		X		REFUSED	S SLACK	
H/2005/5940	DISMISSED	X				S SLACK	
H/2006/0311	WITHDRAWN		X			UNKNIOWN	
H/2006/0304	DISMISSED		X			A WILSON	
H/2005/6033	DISMISSED		X			J GILLIS	

APPEALS RECEIVED 2007

REF NO.	APPEAL DECISION	DELEGATED DECISION	COMMITTEE DECISION AS PER OFFICER RECOMMENDATION	COMMITTEE DECISION AGAINST OFFICER RECOMMENDATION	AWARD OF COST	PLANNING INSPECTOR	MAJOR DEVELOPEMNT PS CODE 1 - 12
H/2006/0831	DISMISSED	X				F ELLWOD	
H/2006/0385	ALLOWED		X			G SNOWDON	
H/2006/0834	ALLOWED		X			G SNOWDON	
H/2007/0006	DISMISSED		X		REFUSED	B HELLIER	
H/2006/0839	ALLOWED		X			G SNOWDON	
H/2007/0004	ALLOWED	X				B HELLIER	
H/2007/0005	DISMISSED	X			REFUSED	K WARD	
H/2007/0096	DISMISSED	X				B ROGERS	
H/2006/0891	ALLOWED			X	ALLOWED £4950	K WARD	
H/2007/0192	ALLOWED	X				B ROGERS	
H/2007/0023	ALLOWED (ENF)		X			D HAINSWORTH	
H/2007/0441	DISMISSED	X				C CHECKLEY	
H/2007/0244	ALLOWED			X		C CHECKLEY	
H/2007/0333	ALLOWED		X			G SNOWDON	
H/2007/0264	WITHDRAWN	X				UNKNOWN	
H/2007/0347	ALLOWED	X				D LEEMING	
H/2007/0147	DISMISSED		X			Z HILL	

APPEALS RECEIVED 2008

REF NO.	APPEAL DECISION	DELEGATED DECISION	COMMITTEE DECISION AS PER OFFICER RECOMMENDATION	COMMITTEE DECISION AGAINST OFFICER RECOMMENDATION	AWARD OF COST	PLANNING INSPECTOR	MAJOR DEVELOPEMNT PS CODE 1 - 12
H/2007/0597	ALLOWED			X		J GRAY	
H/2007/0746	ALLOWED	X				M RIVETT	
H/2007/0916	DISMISSED	X			REFUSED (HBC)	A PICKERING	
H/2007/0681	ALLOWED			X		R LYON	
H/2007/0904	WITHDRAWN			X		UNKNOWN	
H/2008/0159	ALLOWED	X				G SNOWDON	
ENF/2008/0006	DISMISSED			X		D WALDRON	
H/2007/0839	ALLOWED	X				G SNOWDON	
H/2008/0309	DISMISSED	X			REFUSED	M RIVETT	
H/2008/0276	ALLOWED	X				B HELLIER	
H/2008/00015	DISMISSED	X				J GILLIS	
H/2008/0043	ALLOWED	X				J GILLIS	
H/2007/0883	ALLOWED			X		J GILLIS	
H/2008/0113	ALLOWED	X				M JOYCE	
H/2008/0459	DISMISSED	X				D CULLINGFORD	
H/2007/0887	ALLOWED			X		J GILLIS	
H/2008/0265	DISMISSED	X				M RIVETT	
H/2008/0553	WITHDRAWN			X		UNKNOWN	
H/2005/5041	ALLOWED			X	ALLOWED £470,099.37	K G SMITH	X
H/2005/5042	ALLOWED			X	As above	K G SMITH	X
H/2005/5043	ALLOWED			X	As above	K G SMITH	X

APPEALS RECEIVED 2009

REF NO.	APPEAL DECISION	DELEGATED DECISION	COMMITTEE DECISION AS PER OFFICER RECOMMENDATION	COMMITTEE DECISION AGAINST OFFICER RECOMMENDATION	AWARD OF COST	PLANNING INSPECTOR	MAJOR DEVELOPEMNT PS CODE 1 - 12
ENF/2010/00001	DISMISSED			X		MARTIN JOYCE	X
H/2008/0494	DISMISSED		X			W FABIAN	
H/2008/0692	DISMISSED	X				W FABIAN	
H/2008/0616	ALLOWED			X		D RANKIN	
ENF/2009/0002	DISMISSED		X			UNKNOWN	
H/2009/0006	ALLOWED			X		W FABIAN	
H/2009/0151	DISMISSED	X				P ASQUITH	
H/2009/0154	DISMISSED	X				K WARD	
H/2009/0082	ALLOWED	X				S BERKELEY	
H/2009/0102	WITHDRAWN			X		UNKNOWN	
H/2009/0171	DISMISSED	X				K WARD	

H/2009/0111	ALLOWED			X		S BERKELY	
H/2009/0248	DISMISSED	X				S BERKELEY	
H/2009/0338	ALLOWED	X				P GOODMAN	
H/2008/0721	DISMISSED			X		D CULLINGFORD	
H/2009/0275	DISMISSED	X				S BERKELEY	

APPEALS RECEIVED 2010

REF NO.	APPEAL DECISION	DELEGATED DECISION	COMMITTEE DECISION AS PER OFFICER RECOMMENDATION	COMMITTEE DECISION AGAINST OFFICER RECOMMENDATION	AWARD OF COST	PLANNING INSPECTOR	MAJOR DEVELOPEMNT PS CODE 1 - 12
H/2009/0671	DISMISSED	X				G SNOWDON	
H/2009/0542	ALLOWED			X	ALLOWED £710.88	M RIVETT	
H/2009/0710	DISMISSED		X			M RIVETT	
H/2010/0001	DISMISSED	X				J NORTH	
H/2009/0524	PART ALL/ PART DIS	X				M MOFFOOT	
H/2009/0473	PART ALL/ PART DIS	X				D CULLINGFORD	
H/2010/0007	ALLOWED	X				D CULLINGFORD	
H/2010/0257	DISMISSED	X				D CULLINGFORD	
H/2009/0530	DISMISSED		X			G SNOWDON	
H/2010/0098	DISMISSED	X			ALLOWED £1632.78	P MAJOR	X
H/2010/0073	DISMISSED	X				G GARNHAM	
H/2010/0067	DISMISSED	X			REFUSED	R MACKENZIE	
H/2010/0339	ALLOWED			X		D CULLINGFORD	
H/2010/0346	DISMISSED		X			D CULLINGFORD	
H/2010/0245	ALLOWED	X				J GRAY	X
H/2010/0483	ALLOWED	X				K WARD	

APPEALS RECEIVED 2011

REF NO.	APPEAL DECISION	DELEGATED DECISION	COMMITTEE DECISION AS PER OFFICER RECOMMENDATION	COMMITTEE DECISION AGAINST OFFICER RECOMMENDATION	AWARD OF COST	PLANNING INSPECTOR	MAJOR DEVELOPEMNT PS CODE 1 - 12
H/2010/0283	DISMISSED	X				G GARNHAM	
H/2010/0592	WITHDRAWN	X				UNKNOWN	X
H/2011/0073	DISMISSED	X				Mrs K.A. ELLISON	
H/2011/0176	DISMISSED			X		MARTIN JOYCE	
H/2010/0622	DISMISSED	X				G SNOWDON	
H/2011/0006	DISMISSED	X				Mrs K.A. ELLISON	
H/2011/0015	ALLOWED			X	ALLOWED £2560.85	G SNOWDON	
H/2011/0232	ALLOWED	X Appeal against conditions				C J CHECKLEY	
H/2011/0311	ALLOWED	X				CHRISTOPHER	

H/201 1/0268	ALLOWED non-determination appeal				ALLOWED £7000	MILLNS SIAN WORDEN	
H/201 1/0185	ALLOWED	X				C J CHECKLEY	
H/201 1/0285	ALLOWED	X				D CULLINGFORD	
H/201 1/0055	ALLOWED		X		ALLOWED £1632.78	JONATHAN G KING	
CMP/201 1/001 01	DISMISSED		X			B.S.ROGERS	
CPM/2008/001 54	WITHDRAWN		X			UNKNOWN	

APPEALS RECEIVED 2012

REF NO.	APPEAL DECISION	DELEGATED DECISION	COMMITTEE DECISION AS PER OFFICER RECOMMENDATION	COMMITTEE DECISION AGAINST OFFICER RECOMMENDATION	AWARD OF COST	PLANNING INSPECTOR	MAJOR DEVELOPEMNT PS CODE 1 - 12
H/201 1/0059	ALLOWED			X	ALLOWED £3,900	ANTONY LYNN	
H/201 1/0598	ALLOWED			X		Mrs K.A. ELLISON	
H/201 2/0146	DISMISSED	X				G ARROWSMITH	
H/201 2/0212	ALLOWED	X			REFUSED	G SNOWDON	
H/201 1/0654	ALLOWED	X				G SNOWDON	
H/201 1/0644	ALLOWED	X				G SNOWDON	
H/201 2/0181	DISMISSED	X				JOHN GRAY	
H/201 1/0268	ALLOWED (RE-APPEAL non-determination)					Mrs K.A. ELLISON	
H/201 2/0442	DISMISSED		X			Mrs K.A. ELLISON	
H/201 2/0209	ALLOWED			X	DECISION PENDING	Mrs K.A. ELLISON	

APPEALS RECEIVED 2013

REF NO.	APPEAL DECISION	DELEGATED DECISION	COMMITTEE DECISION AS PER OFFICER RECOMMENDATION	COMMITTEE DECISION AGAINST OFFICER RECOMMENDATION	AWARD OF COST	PLANNING INSPECTOR	MAJOR DEVELOPEMNT PS CODE 1 - 12
H/201 2/0543	DISMISSED	X				G SNOWDON	
H/201 3/0081	PENDING	X				UNKNOWN	
H/201 3/0063	PENDING	X				UNKNOWN	
H/201 0/0496	PENDING			X		S HOLLAND	X

Appendix 2: Planning Inspectors statistics over the last 4 years.

Inspector	2009/10			2010/11			2011/12			2012/13		
	No.	% Allowed	% Dismissed	No.	% Allowed	% Dismissed	No.	% Allowed	% Dismissed	No.	% Allowed	% Dismissed
Asquith Philip James	49	55%	45%	27	37%	63%	29	59%	41%	51	55%	45%
Arrowsmith George	46	17%	83%	25	48%	52%	31	35%	65%	40	42%	57%
Berkeley Simon	57	39%	61%	37	49%	51%	39	33%	67%	19	26%	74%
Checkley Christopher J	86	28%	72%	25	36%	64%	21	38%	62%	41	39%	61%
Cullingford David R	57	23%	77%	63	35%	65%	59	42%	58%	54	24%	76%
Ellison Kathleen	44	32%	68%	39	21%	79%	22	55%	45%	25	48%	52%
Fabian Wenda	33	42%	58%	44	23%	77%	26	19%	81%	31	32%	68%
Garnham Graham Martin	76	29%	71%	38	26%	74%	52	38%	62%	61	36%	64%
Gillis John D S	32	47%	53%	0	-	-	0	-	-	-		
Gray John L	21	43%	57%	52	58%	42%	43	53%	47%	36	39%	61%
Hellier Bern	54	41%	59%	51	25%	75%	43	35%	65%	36	36%	64%
Joyce Martin J	2	0%	100%	6	67%	33%	14	43%	57%	6	33%	67%
King Jonathan George	29	34%	66%	39	26%	74%	17	59%	41%	14	36%	64%
Lyman Anthony	106	20%	80%	72	21%	79%	57	21%	79%	57	23%	77%
Lyon Ronald Robert	21	29%	71%	25	32%	68%	10	40%	60%	7	14%	86%
Mackenzie Ruth Veronica	13	69%	31%	40	45%	55%	20	45%	55%	0		
Major Philip John	10	40%	60%	31	26%	74%	34	44%	56%	25	48%	52%
Millns Chris	9	33%	67%	23	57%	43%	26	62%	38%	0	%	%
Moffoot Michael	111	23%	77%	63	25%	75%	78	31%	69%	41	39%	61%
North Jacqueline	54	43%	57%	44	32%	68%	61	30%	70%	0		
Rankin Donald	44	43%	57%	0	-	-	0	-	-	-		
Rivett Malcolm	40	38%	62%	70	34%	66%	53	43%	57%	25	48%	52%
Rogers Brian S	9	44%	56%	14	43%	57%	17	29%	71%	12	42%	58%
Snowdon Graham Edward	57	35%	65%	42	50%	50%	35	69%	31%	32	66%	34%
Waldron John D	4	0%	100%	0	-	-	0	-	-	-		
Ward Kevin	69	35%	65%	35	37%	63%	43	35%	65%	23	43%	57%
Worden Sian	57	40%	60%	12	25%	75%	25	56%	44%	10	30%	70%

Appendix 3 - Statistical Report: England - Decided Appeals: by Local Planning Authority
 These stats do not include Enforcement Appeals

	2008-2009						2009-2010						2010-2011						2011-2012						2012-2013					
	Allowed	Split decision	% Allowed	Dismissed	% Dismissed	Total	Allowed	Split decision	% Allowed	Dismissed	% Dismissed	Total	Allowed	Split decision	% Allowed	Dismissed	% Dismissed	Total	Allowed	Split decision	% Allowed	Dismissed	% Dismissed	Total	Allowed	Split decision	% Allowed	Dismissed	% Dismissed	Total
Darlington Total																														
Planning appeals	10	0	43%	13	57%	23	5	1	33%	12	67%	18	4	0	33%	8	67%	12	6	1	39%	11	61%	18	9	0	64%	5	36%	14
Householder Appeals							0	2	33%	4	67%	6	2	0	40%	3	60%	5	1	0	17	5	83	6	0	0	0	2	100	2
Listed Building/Conservation Area Consent Appeals							0	0	0%	0	0%	0	0	0	0%	0	0%	0	0	0	0	0	1	1	0	0	0	1	100	1
Advertisement Consent Appeals							0	0	0%	0	0%	0	0	0	0%	0	0%	0	0	0	0	0	1	1	0	0		0		0
Durham County Council Total	N/A	N/A	N/A	N/A	N/A	N/A																								
Planning appeals							25	3	34%	55	66%	83	14	0	34%	27	66%	41	8	0	25%	24	75%	32	17	1	51%	17	49%	35
Householder Appeals							2	2	40%	6	660%	10	3	0	30%	7	70%	10	4	0	33	8	67	12	3	0	38	5	62	8
Listed Building/Conservation Area Consent Appeals							2	0	40%	3	60%	5	0	0	0%	0	0%	0	1	0	33	0	67	3	0	0		2	100	2
Advertisement Consent Appeals							1+1	1	60%	2	40%	5	1	0	100%	0	0%	1	1		50	1	50	2	0	0		0		0
Gateshead Total																														
Planning appeals	13	3	36%	28	64%	44	16	3	61%	12	39%	31	1	0	8%	12	92%	13	6	0	55%	5	45%	11	2	0	18%	9	82%	11
Householder Appeals							0	0	0%	6	100%	6	2	0	40%	3	60%	5	2	1	50	3	50	6	4	0	57	3	43	7
Listed Building/Conservation Area Consent Appeals							1	1	100%	0	0%	2	0	0	0%	0	0%	0	0	0	0	0	0	0	0	0		0		0
Advertisement Consent Appeals							1	1	67%	1	33%	3	0	0	0%	1	100%	1	1	0	14	6	86	7	0	1	33	2	67	3
Hartlepool Total																														
Planning appeals	12	0	75%	4	25%	16	5	0	45%	6	55%	11	3	1	50%	4	50%	8	6	0	67%	3	33%	9	5	0	71%	2	29%	7
Householder Appeals							0	1	50%	1	50%	2	2	1	43%	4	57%	7	1	0	50	1	50	2	1	0	50%	1	50%	2
Listed Building/Conservation Area Consent Appeals							0	0	-	0	-	0	0	0	0%	0	0%	0	0	0	0	0	0	0	0	0		0		0
Advertisement Consent Appeals							0	0	-	0	-	0	0	0	0%	1	100%	1	0	0	0	1	100	1	0	0		0		0
Middlesbrough Total																														
Planning appeals	6	6	40%	9	60%	15	5	0	28%	13	72%	18	4	0	44%	5	56%	9	6	0	75%	2	25%	8	2	0	67%	1	33%	3
Householder Appeals							0	0	0%	3	100%	3	1	0	33%	2	67%	3	3	2	50	5	50	10	1	0	20%	4	80	5
Listed Building/Conservation Area Consent Appeals							0	0	0%	1	100%	1	1	0	100%	0	0%	1	0	0	0	0	0	0	0	0		0		0
Advertisement Consent Appeals							0	0	0%	2	100%	2	0	1+1	100%	0	0%	2	0	0	0	1	100	1	0	0		0		0
Newcastle Total																														
Planning appeals	16	2	37%	31	63%	49	16	0	46%	19	54%	35	5	0	28%	13	72%	18	5	0	45%	6	55%	11	8	2	53%	9	47%	19
Householder Appeals							1	0	11%	8	89%	9	4	0	36%	7	64%	11	8	0	44	10	56	18	3	1	31	9	69%	13
Listed Building/Conservation Area Consent Appeals							0	0	-	2	-	2	1	0	100%	0	0%	1	0	0	0	0	0	0	0	0		1	100	1
Advertisement Consent Appeals							0	0	0%	5+1	100%	6	0	0	0%	3	100%	3	1	0	12	7	88	8	0	0		2	100	2
North Tyneside Total																														

4.4

Planning appeals	11	1	40%	18	60%	30	11	0	42%	15	58%	26	10	0	48%	11	52%	21	12	0	48%	13	52%	25	9	2	69%	5	31%	16
Householder Appeals							6	0	60%	4	40%	10	1	0	8%	11	92%	12	4	0	27	11	73	15	3	1	29	10	71	14
Listed Building/Conservation Area Consent Appeals							1	0	100%	0	0%	1	1	0	50%	1	50%	2	0	0	0	1	100	1	1	0	100	0	0	1
Advertisement Consent Appeals							0+1	0	25%	3	75%	4	0+1	0	100%	0	0%	1	0	0	0	4	100	4	0	2	67	1	33	3
North York Moors National Park Total																														
Planning appeals	9	1	50%	10	50%	20	7	1	24%	25	76%	33	1	0	10%	9	90%	10	7	1	67%	4	33%	12	5	0	56%	4	44%	9
Householder Appeals							0	0	-	0	-	0	2	1	38%	5	63%	8	3	0	60	2	40	5	2	0	50%	2	50	4
Listed Building/Conservation Area Consent Appeals							0	0	0%	2	100%	2	0	0	0%	2	67%	3	2	0	50	2	50	4	0	0		0		0
Advertisement Consent Appeals							0	0	0%	0	-	0	0	0	0%	0	0%	0	0	0	0	0	0	0	0	0		0		0
Redcar & Cleveland Total																														
Planning appeals	11	0	38%	18	62%	29	4	0	57%	3	43%	7	7	0	47%	8	53%	15	7	0	78%	2	22%	9	5	1	40%	9	60%	15
Householder Appeals							1	0	25%	3	75%	4	1	0	25%	3	25%	4	3	0	60	2	40	5	2	0	20%	8	80	10
Listed Building/Conservation Area Consent Appeals							0	0	0%	1	100%	1	0	0	0%	1	100%	1	0	0	0	0	0	0	0	0		1	100	1
Advertisement Consent Appeals							0	0	-	1	100%	1	2	0	50%	2	50%	4	0	0	0	0	0	0	0	0		0		0
South Tyneside Total																														
Planning appeals	12	0	40%	18	60%	30	8	0	40%	12	60%	20	7	1	42%	11	58%	19	7	0	58%	5	42%	12	2	0	33%	4	67%	6
Householder Appeals							3	1	36%	7	64%	11	5	1	38%	10	63%	16	0	0	0	1	100	1	1	0	20	4	80	5
Listed Building/Conservation Area Consent Appeals							1	0	100%	0	0%	1	1	0	100%	0	0%	1	1	0	100	0	0	1	0	0		0		0
Advertisement Consent Appeals							0	0	0%	1	100%	1	0	0	0%	3	100%	3	0	0	0	1	100	1	0	1	50	1	50	2
Stockton-on-Tees Total																														
Planning appeals	23	0	36%	41	64%	64	12	2	27%	38	73%	52	6	0	26%	17	74%	23	6	0	38%	10	62%	16	5	0	38%	8	62%	13
Householder Appeals							3	0	43%	4	57%	7	1	1	12%	15	88%	17	3	1	44	5	56	9	1	0	12	7	88	8
Listed Building/Conservation Area Consent Appeals							0	0	-	0	-	0	0	0	0%	0	0%	0	0	0	0	0	0	0	1	0	50	1	50	2
Advertisement Consent Appeals							0	0	0%	4	100%	4	0	0	0%	2	100%	2	0	0	0	2	100	2	0	1	33	2	67	3
Sunderland Total																														
Planning appeals	9	2	29%	27	71%	38	9	0	28%	23	72%	32	5	1	26%	17	74%	23	1	0	25	3	75%	4	4	0	57%	3	43%	7
Householder Appeals							4	1	56%	4	44%	9	2	1	50%	3	50%	6	1	0	25	3	75	4	0	0		4	100	4
Listed Building/Conservation Area Consent Appeals							0	0	-	0	-	0	0	0	0%	0	0%	0	0	0	0	0	0	0	0	0		0		0
Advertisement Consent Appeals							0	0	-	1	100%	1	0	0	0%	1	100%	1	0	0	0	2	100	2	0	0		0		0
Yorkshire Dales National Park Total																														
Planning appeals	8	0	47%	9	53%	17	3	2	50%	5	50%	10	2	1	33%	6	67%	9	0	1	17%	5	83%	6						
Householder Appeals							1	0	50%	1	50%	2	0	1	33%	2	67%	3	1	0	50	1	50	2						
Listed Building/Conservation Area Consent Appeals							1	1	67%	1	33%	3	0	0	0%	2	100%	2	0	0	0	1	100	1						
Advertisement Consent Appeals							0	0	-	0	-	0	0	0	1%	0	100%	1	1	0	100	0	0	1						