

PLANNING COMMITTEE AGENDA



Wednesday 20th November 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, Martin-Wells, Morris, Robinson, Shields and Sirs

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 23rd October 2013

4. ITEMS REQUIRING DECISION

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

1. H/2013/0287 Park Lodge, Ward Jackson Park, Park Avenue (page 1)
2. H/2013/0478 Lower Piercy Farm, Dalton Piercy (page 14)
3. H/2013/0472 Pound Saver, 2 Brus Corner (page 22)
4. H/2013/0494 Land opposite Three Gates Farm, Dalton Piercy Road (page 27)
5. H/2013/0432 Land at The Front/The Cliff, Seaton Carew (page 32)
6. H/2013/0383 Land adjacent to Raby Arms, Front Street, Hart (page 49)

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

4.3 Appeal at 59-61 Honiton Way, Hartlepool – *Assistant Director (Regeneration)*



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

6. **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 18th December 2013



PLANNING COMMITTEE

MINUTES AND DECISION RECORD

23 October 2013

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

Present:

Councillor: Rob Cook (In the Chair)

Councillors: Jim Ainslie, Paul Beck, Kevin Cranney, Mary Fleet, Sheila Griffin, Marjorie James, Alison Lilley, Geoff Lilley, Brenda Loynes, Ray Martin-Wells, George Morris, Jean Robinson and Linda Shields.

Officers: Damien Wilson, Assistant Director (Regeneration)
Chris Pipe, Planning Services Manager
Jim Ferguson, Planning Team Leader (DC)
Mike Blair, Highways, Traffic and Transportation Manager
Sylvia Pinkney, Public Protection Manager
Adele Wilson, Community Regeneration and Development Co-ordinator
Adrian Hurst, Principal Environmental Health Officer
Philip Timmins, Principal Estates Surveyor
Sinead Turnbull, Senior Planning Officer
Tracy Rowe, Community Regeneration Officer
Richard Trow, Planning Officer
Tony Macnab, Solicitor
Jo Stubbs, Democratic Services Officer

61. Apologies for Absence

Apologies were submitted by Councillors Keith Fisher and Kaylee Sirs.

62. Declarations of interest by members

Councillor Ray Martin-Wells declared a personal interest in planning application H/2013/0287 Park Lodge, Ward Jackson Park, Park Avenue, Hartlepool.

63. Confirmation of the minutes of the meeting held on 25th September 2013

Approved

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

Number: H/2013/0320

Applicant: Mrs Sylvia Wilkinson
4 Worset Lane HARTLEPOOL

Agent: Mr Malcolm Arnold 2 Siskin Close Bishop Cuthbert
HARTLEPOOL

Date received: 28/06/2013

Development: Erection of a single storey family room at the rear and a two storey extension at the side to provide garage with bedroom above (AMENDED PLANS RECEIVED)

Location: 21 SWANAGE GROVE HARTLEPOOL

Prior to the meeting members had undertaken a site visit. It was noted that as the applicant's agent and an objector had spoken at a previous meeting on this issue under procedural rules they were unable to speak at this time

Decision: **Planning Permission Approved**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission. To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 20/06/2013 (Sheets 1,2 and 4) and the amended plan received by the Local Planning Authority on 26/09/2013 (Sheet 3 Revision A), unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt.
3. The external materials used for this development shall match those of the existing building unless otherwise agreed in writing with the Local Planning Authority. In the interests of visual amenity.
4. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting the Order with or without modification), no additional windows shall be inserted in the elevations of the extensions facing 11, 20 and 22 Swanage Grove without the prior written consent of the Local Planning Authority. To prevent overlooking.
5. The proposed first floor windows to the rear of the two storey extension hereby approved shall be glazed with obscure glass which shall be installed before the hereby approved extension is occupied and shall

thereafter be retained at all times while the windows exist. To prevent overlooking.

Number: H/2013/0287

Applicant: Mr Dale Clarke
Bryan Hanson House Hanson Square

Agent: Mr Dale Clarke Hartlepool Borough Council Bryan Hanson House Hanson Square

Date received: 02/08/2013

Development: Change of use to single dwellinghouse including alteration to form access from Elwick Road and provision of boundary fencing

Location: Park Lodge Ward Jackson Park Park Avenue
HARTLEPOOL

An objector (Fran Johnson) addressed the meeting. She highlighted concerns with highway safety and referred to the inclusion of extra land as part of the package, land which was currently being used to store plants and gardening equipment. While objectors and more specifically the Friends of Ward Jackson Park would be delighted to work toward retaining the lodge as a heritage asset the potential risk to pedestrians and other road users and the loss of land used to maintain the park meant they objected to the plan in its current form.

Members agreed that highway safety was a concern and queried the possibility of an alternative access to the site or physical traffic calming. The Planning Services Manager advised that alternative access had been considered but was quite constrained particularly as the main park gates were locked at night. The Traffic and Transportation Manager felt that the emergency services would object to traffic calming in that area. Members voted to defer their decision to enable them to undertake a site visit.

Decision: **Deferred to enable Members to carry out a site visit prior to determination**

Number: H/2013/0440

Applicant: Mr Jon Whitfield
Euro Property Management Ltd Hub Two Innovation Centre Venture Park HARTLEPOOL

Agent: Mr Malcolm Arnold 2 Siskin Close Bishop Cuthbert
HARTLEPOOL

Date received: 05/09/2013

Development: Alterations to windows and shopfronts, creation of new openings to create three A1 retail units and external works including erection of boundary wall, fence and service gates

Location: THE MOWBRAY MOWBRAY ROAD
HARTLEPOOL

The Agent for the Applicant (Malcolm Arnold) and an objector (Mr I Jenkins) attended the meeting. Mr Arnold was unable to confirm the opening hours for the premises. The Planning Services Manager noted that this was not in the remit of the Planning Committee. Mr Jenkins raised a number of objections and highlighted errors within the report. He indicated that planning law allowed for automatic conversion from a public house to a retail unit but not for conversion to multiple units as in this case. He advised that the developer had not engaged with local residents and had already begun refurbishment work prior to permission being given. He asked that members add conditions to limit the development to retail units in perpetuity and that the south wall be rendered

A member felt there should be restrictions placed on opening hours given its proximity to housing. The Chair reminded members that they were unable to limit opening hours.

Decision: **Planning Permission Approved**

Councillors Alison Lilley and Geoff Lilley asked that their votes against approval be recorded.

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission. To clarify the period for which the permission is valid.
2. The development hereby approved shall be carried out in strict accordance with the following approved plans: Site location plan; Drawing no. 6, Site plan; Drawing no. 4, Proposed floor plan; Drawing no. 5, Proposed elevations; received by the Local Planning Authority on 5/9/2013. For the avoidance of doubt.

The Committee considered representations in relation to this matter.

Number: H/2013/0432

Applicant: MR DALECLARKE

BRYAN HANSON HOUSE HANSON SQUARE

Agent: MR DALE CLARKE HARTLEPOOL BOROUGH COUNCIL BRYAN HANSON HOUSE HANSON SQUARE

Date received: 04/09/2013

Development: Change of use to siting of amusements, rides, catering vans and use of bus station kiosk for sale of hot beverages, snacks and newspapers

Location: LAND AT THE FRONT / THE CLIFF SEATON CAREW HARTLEPOOL

Decision: **This item was withdrawn from the Planning Committee agenda**

Number: H/2013/0417

Applicant: Mr ADunn
36 Catcote Road HARTLEPOOL

Agent: Mr A Dunn The Lunchbox 36 Catcote Road HARTLEPOOL

Date received: 06/09/2013

Development: Change of use from A1 retail to A5 hot food takeaway

Location: 36 Catcote Road HARTLEPOOL

A member raised concerns as to the number of takeaways in this area. Officers advised that competition was not a legitimate reason for refusal and the proportion of similar premises was felt to be acceptable. A member suggested that the shutters on the premises be pulled up during the day to make the area look more occupied.

Decision: **Planning Permission Approved**

Councillors Kevin Cranney and Mary Fleet asked that their votes against approval be recorded

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 premises shall only be open to the public between the hours of 7:30am and 4:00pm Mondays to Friday, Saturdays 8:00am and 4:00pm and Sundays 9:00am and 4:00pm inclusive and at no other time including Bank Holidays. In the interests of the amenities of the occupants of neighbouring properties.
 3. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 06/09/13, unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt.
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65. Update on Current Complaints *(Assistant Director Regeneration)*

18 ongoing planning issues were highlighted to Members. Further information was requested on the following:

- A complaint regarding the use of rooms as an art gallery at a residential property on York Place
- A councillors complaint regarding the erection of a boundary fence along the side of the Medieval Village of Low Throston, Hart Lane
- A complaint regarding car and caravan sales existing at a property on Arbroth Grove
- The placement of a modular building used as a collection site for clothes recycling on Teesbay Retail Park, Brenda Road

Decision

That the report be noted.

66. Heritage Champion for Hartlepool *(Assistant Director Regeneration and Planning)*

English Heritage established a network of Heritage Champions in 2004 to help ensure that the historic environment plays a central role in the development of all the authority's policies, plans, targets and strategies. The role of the Heritage Champion would be for the appointee to determine. The former Mayor had previously occupied the role and it was felt appropriate that the Planning Committee nominate a Member from their ranks to fill the vacancy.

Officers were also proposing the circulation of a quarterly newsletter around

volunteers and interested parties giving details of current conservation issues in Hartlepool. The newsletter would be emailed out and made available on the authority's website.

Councillors noted their disappointment that members of Hartlepool Histories group, who had been present to record the meeting in relation to the Park Lodge planning application, had felt it appropriate to leave the meeting during consideration of this particular item.

Decision

- I. That Councillor Jim Ainslie be appointed as Heritage Champion for Hartlepool
- II. That the circulation of a newsletter on Conservation Issues in Hartlepool be approved

67. Neighbourhood Plan Boundary and Forum Designation *(Director of Regeneration and Neighbourhoods)*

Neighbourhood Planning had been introduced as part of the Localism Act 2011. Once adopted a Neighbourhood Plan would become part of the formal planning process and must therefore be in general conformity with the National Planning Policy Framework and the Local Authority's Development Plan. The Chair advised that legal advice was being sought given the current status of Hartlepool's Local Plan. In Hartlepool 2 areas have been formally designated as Neighbourhood Planning areas to date – the Rural area and Headland. Details were given within the report of the overall Neighbourhood Planning process and the current status of the individual Neighbourhood Plans.

Members raised serious concerns that this process could lead to a small group of people influencing a very large area. Councillors had no rights to vote on some of these groups despite representing thousands of constituents within the affected areas. Allowing groups to choose their boundaries independent of the Electoral Commission could lead to confusion and have a negative impact on town plans and ward plans. Also the cost of consultations and referenda as required under the new legislation would need to be borne by the Council and this could be considerable particularly as groups would choose their own referendum dates and not necessarily link them to existing Council election dates. Funding would need to be set aside for this as a precaution which would take money away from services. In terms of planning this would conflict with other processes and it was felt that members should have training on the future impact.

The Community Regeneration and Development Coordinator advised members that the consultation process was required to be robust. Any Neighbourhood Plan would be examined independently prior to proceeding to referendum and if the consultation process was found to be insufficient, the

process would not be allowed to continue and the Group asked to re-visit this. She was unable to comment on the details of constitutions of individual groups but did state that in the case of Park, the membership of the Forum extended to two Councillors, both of whom had a vote. If Councillors were resident within the Park area, they would have a vote as a resident. In terms of boundaries, Central Government were not concerned with administrative boundaries (including Ward boundaries) but boundaries should be legitimate in planning terms. Central Government would reimburse local authorities for the cost of boundary and Forum consultations, designations, independent examinations and referenda. Members were reassured that thought had already been given to running referenda in conjunction with local elections in order to make them as cost and resource efficient as possible. The Supporting Communities and Neighbourhoods in Planning Programme (hosted by Locality) would provide a mixture of direct support (delivered by Planning Aid) and grants to assist groups with developing their Neighbourhood Plans; both of which have been drawn down for Groups in Hartlepool.

The Chair agreed that training on this issue would be beneficial as part of an overall package looking at issues raised by recent activity around Hartlepool's Local Plan. He urged all Members to attend when a date was identified.

Decision

That the report be noted.

The meeting concluded at 11:30am

CHAIR

No: 1
Number: H/2013/0287
Applicant: Mr Dale Clarke Bryan Hanson House Hanson Square
HARTLEPOOL TS24 7BT
Agent: Mr Dale Clarke Hartlepool Borough Council Bryan
Hanson House Hanson Square TS24 7BT
Date valid: 02/08/2013
Development: Change of use to single dwellinghouse including alteration
to form access from Elwick Road and provision of
boundary fencing
Location: Park Lodge Ward Jackson Park Park Avenue
HARTLEPOOL

BACKGROUND AND UPDATE

1.1 The planning application was deferred at Planning Committee on 23rd October 2013 so that members could undertake a site visit to the property.

1.2 In terms of publicity a further letter of objection has been received.

1.3 Following the Planning Committee a Member has sought clarification over the extent of the existing Park compound which will be incorporated into the curtilage of the proposed dwellinghouse. Officers consider it prudent to discuss this aspect of the application in further detail for the avoidance of doubt. The area of the compound to be incorporated into the curtilage of the proposed dwellinghouse measures approximately 15.5m x 10m. The area of land to be retained as a compound will measure approximately 15m x 11.5m (at its widest point). In terms of the land to be retained for use as the Park Keeper's compound the Council's Parks and Countryside Team discussed this with the Council's Estates Team prior to the application being submitted and it was agreed that the size of the compound was of a sufficient size to ensure the satisfactory upkeep of Ward Jackson Park. In terms of the loss of the land into the curtilage of the proposed dwellinghouse it is considered by officer's that this will not have any significant detrimental impact on the function or character and appearance of the registered park and garden or the wider Park Conservation Area. Given that the area of land to be incorporated into the curtilage of the proposed dwellinghouse is not currently used for amenity or recreational purposes by the general public and that the revised Park Keeper's compound will not take in any further land, it is not considered that the incorporation of the land will have any significant adverse impact on the visual and amenity value of the area as a whole and the Park in general or its character, nor is it considered that the proposal would have any significant impact on the amount of facilities available for recreational purposes within the Park.

1.4 During the consideration of the item at the previous Planning Committee meeting Members discussed if there was any scope to introduce traffic calming measures onto Elwick Road. Furthermore, the consideration of a revised access to the proposed dwelling was asked to be considered.

1.5 With regard to the above Officer's have been in discussions with the Traffic and Transportation Team. With regard to traffic calming the Council's Highway's Traffic and Transportation Team has advised that after meeting with representatives of the emergency services there is no scope for traffic calming measures to be introduced onto Elwick Road.

1.6 In terms of a revised access, it is prudent to state that the proposed access was proposed as this was considered to be the most suitable option. The proposal would allow cars to enter the property and leave in a forward gear, therefore removing the need for a car to reverse on Elwick Road. Furthermore, it is considered that the only alternative access to the property would be through the existing Park access. The Council's Highway's Traffic and Transportation Manager has advised that this is likely to be more dangerous than the access proposed due to the geometry of the junction.

PURPOSE OF REPORT

1.7 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

1.8 The Lodge is located at the south-east corner of the park. It is situated inside one of the two main entrances to the park (the other being to the north end of Park Avenue). The entrance allows for both pedestrian and vehicular access.

1.9 The Park is grade II listed on the English Heritage Register of Historic Parks and Gardens due to its special historic interest. Ward Jackson Park is also part of the Park Conservation Area.

1.10 The park was developed in memory of Ralph Ward Jackson, a local industrialist, who was one of the benefactors and founding fathers of West Hartlepool. Late in life he fell into financial troubles and a fund was set up by the townspeople in acknowledgement of what he had done for the area to support him. Following his sudden death, it was decided that the money should go to a public park to be named in his honour. Opened in July 1883, to a design by the son of the Town Surveyor, Mathew Scott the park covers 7ha.

1.11 The Lodge is a grade II listed building. Built as the Park-Keeper's Lodge in 1883 it was designed by Henry Suggitt, Park Manager. The building was constructed in brick with sandstone ashlar dressings and rusticated quoins at angles. The roof is covered in Welsh slate with stone gable copings and kneelers, finished with decorative metal finials.

1.12 The proposal is to change the use of the dwelling including alterations to form two access points from Elwick Road and the provision of boundary fencing.

PUBLICITY

1.13 The application has been advertised by way of neighbour letters (5) site notice (2) and press notice. To date, there have been in excess of 400 letters of objection received.

The concerns raised include:

1. The property is unsuitable for conversion.
2. A drive way opening onto Elwick Road means both cars travelling East and West will have little notice of any vehicles exiting the property. This of course carries its danger of collision but will also make emerging from Park Avenue more dangerous.
3. The building was gifted to the people of the town.
4. It is unethical to take something from the people and give it to the highest bidder. It is part of Ward Jackson Park. If it is not it changes the use of the park. The park is for public use.
5. Local groups have offered many times to help turn the building over to more community use.
6. This area is awash with middle class private dwellings but the problems is this Park although in a relatively affluent area serves people from all over the town as Ralph Ward Jackson intended – but it lacks communal indoor space. If this building was used closer to intention it would either be the park keeper's residence or if that use is surplus to requirements a centre for local history would be more useful and tasteful.
7. We do not want more up market residences – there are enough for sale in this area as it is to meet requirements.
8. Ward Jackson Park is not a housing estate and the planning committee if they are to serve the town that pays their wages must send a clear message that this thin end of a potentially very damaging wedge should be assigned to history.
9. There is a covenant, in perpetuity, in favour of the people of Hartlepool and that the Council has no right to sell the lodge.
10. The Council received a grant to secure the future of Ward Jackson Park – has the money been used for this purpose? I understand that the council claim there is no covenant, despite witness evidence to the contrary. The application should be rejected until the legal position is established.
11. This should be used for the good of the people of the town.
12. It should be used to benefit everyone, not just one family who might renovate and destroy any historic features of the house. Its our history.... Not to be sold off for short term profit!
13. This is another piece of Hartlepool the Council are ruining.
14. Being sold purely for the benefit of the Council and not for the benefit of the people of Hartlepool.
15. Building should be restored and used by the community.
16. It is your responsibility to restore the towns heritage and not let it slip through your fingers as the Council has done with the likes of Tunstall Court.
17. The building is not the Council's to sell.

18. The road is inadequate at the junction the amount of traffic using the road is increasing.
19. Please do not let us lose any more of our heritage. Use it to benefit the town.
20. The Council were granted more than £1 million to secure the future of Ward Jackson Park, my guess is that English Heritage want their money back.
21. Proposed access is too close to the existing junction.
22. The property is within the boundary of Ward Jackson Park and in a Conservation Area.
23. This house is one of several impressive buildings that this town has and should be kept in the ownership of the town and its people and for future generations.
24. This adds to the proposed list of potential destruction of the conservation area
25. It would be better served as a community arts project centre.
26. Perhaps the Council should entice a recreational business into the building to promote use of the park (e.g. Segway hire, radio controlled boat hire...)
27. I believe the original deed written by the estate of Ward Jackson forbid any development or change of use by the Council.
28. If the building is to be used as a residential dwelling it should be solely for the use of a park warden, not a normal residential dwelling.
29. Changing the lodge to a private dwelling will permanently change the atmosphere of this area.
30. If this is to go ahead what is to stop future private housing development in the Park.
31. If you do this it will be an international disgrace.
32. A private house does not belong within the limits of a public park.
33. Proposing access to the Lodge as a private dwelling directly onto Elwick Road is a recipe for disaster. This stretch of road is very busy as one of the main routes out of town and to High Tunstall School. It would also make pulling out of The Parade onto Elwick Road even more hazardous than it already is.
34. Changes put forward will be detrimental to the public enjoyment and appearance of Ward Jackson Park.
35. It is an unsuitable use for an area within the ground of Ward Jackson Park.
36. Can this legally be done with the green belt and what effects will it have on the rest of the park?
37. Any change of use of this property could weaken the covenant and potentially affect the security of the park.
38. You have sold off the majority of the towns historic buildings and now they stand in disrepair.
39. If you are desperate to raise funds why don't you try selling HUFC the ground for a reasonable price, instead of being a complete pack of mercenaries?
40. Another loss of the towns heritage.
41. If historical buildings are not kept sacrosanct, your descendants and other anglophiles will be bereft of the treasures and the reminders of your rich English heritage.
42. I would hedge a bet that all members of Council cannot name another park/area that allows for children's play areas, fishing, duck observing, open lawns for any number of games, picnics etc.
43. I strongly object to the destruction and desecration of this listed building.

44. The park should be left as it is, once the council sell one little bit, they will think they have the right to sell a little bit more, until it is a housing estate, or even a gypsy site.
45. To allow the Park Keepers Lodge to be changed into any development would be worse than a tragedy. It would make a mockery of the sacrifices that the citizens made in the formation of this park as a whole.
46. We should be restoring these buildings not using them for the wrong purposes.
47. Ward Jackson Park is one of a small number of Grade II listed parks in the UK. The Council should be protecting this listing and be proud of retaining this beautiful park and the lodge.
48. Issues in terms of refuse storage, bins, laundry hanging out, privacy and safety.
49. Should be left for kids to play in.
50. Access is an accident waiting to happen.
51. Don't need anymore houses in this area.
52. Get the town's people to look after the park which I think would save the Council money.
53. Change of use should be restricted to public use only.
54. Could we be considered to be re-housed in this property?
55. This building is one of the Park's fixtures and fittings as are the fountain and bandstand. They should remain in public ownership to maintain the historic quality of the park as a whole.
56. The trees on this site are under a TPO.
57. There would be a significantly, adverse effect on the setting and character of this main entrance to Ward Jackson Park.

Copy Letters **A**

1.14 Following the September Planning Committee meeting a further letter of objection has been received. The areas of concern raised are similar to those outlined above.

CONSULTATIONS

1.15 The following consultation replies have been received:

Traffic and Transportation – The two access points will allow vehicles to enter and leave the parking area in a forward gear. Each access should be constructed to HBC specifications and by a NRASWA approved contractor.

English Heritage – Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion.

The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Garden History Society – No comments received

Council's Arborist – The proposal involves the removal of a small section of overgrown privet hedge and scrubby undergrowth in order to create an access between the proposed parking area and the lodge house. None of the trees at the site, which, should be transferred into private ownership are protected by virtue of their being in the park conservation area, will be affected by the proposal. Therefore I would raise no objection.

Tees Archaeology – No objections

Garden History Society – No comments received

The Civic Society – The Society has no comment to make regarding the planning application, however it would emphasise its serious objection to the actual sale of the property – the view which the Council has been aware of. We would like to remind members of the Planning Committee of our concerns:

Park Lodge is a most attractive listed building located in the Park Conservation area and is also an important feature of Ward Jackson Park, which is registered as a historic park and garden by English Heritage. The Society is extremely worried at the sale of a corner of the park and the pitfalls of separating the ownership of the lodge and associated garden/trees from the park of which it is so important a feature.

New owners, sooner or later, will wish to completely alter the scale of the building. It is doubtful the effect on the character of the park will be a concern and some of the trees included within the sale site are also going to be at risk. There are examples of how separate ownership of lodges to the large houses in The Park area can result in poorly scaled extensions destroying the scale and character of these buildings. It would be a tragedy for this to happen to the Park Lodge and for this corner of the park to be dominated by a completely disproportionate building.

The Society is realistic enough to know that the Council is looking for assets to release capital; however, it is difficult to believe that this one small building is going to make any significant contribution. We can only assume that this is being viewed purely as a commercial property transaction with no consideration as to the historic, cultural and economic importance of Ward Jackson Park as a whole.

The Society is aware of a Council initiative to buy up and renovate empty properties to be renting out through Housing Hartlepool. We feel this is a very positive and laudable scheme. Why not include such property already in the ownership of the council? The Park Lodge would appear to be an excellent candidate and could be easily renovated – it would only need cosmetic work.

Alternatively perhaps the Council might be more creative and could follow the National Trust or Landmark Trust scheme of renting out historic properties for holiday lets. There must be many who would find Ward Jackson Park an attractive base for a holiday. The building could then pay for itself and also provide employment for cleaning staff. The property might even make a continuing contribution to the council's coffers. If the council feels unable to manage such a scheme there are instances of working in partnership with the likes of the Landmark Trust – an excellent opportunity to add to tourism in the area.

We would strongly urge the Council to withdraw this property from the For Sale List – the **negative implications of breaking up the park** make the proposed sale a **huge mistake outweighing any limited monetary benefit**. Ward Jackson Park is an extremely well-used public facility inserting a private home into its boundary is a dubious concept

PLANNING POLICY

1.16 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

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

GEP1: General Environmental Principles

GEP2: Access for All

GN3: Protection of Key Green Space Areas

HE1: Protection and Enhancement of Conservation Areas

HE2: Environmental Improvements in Conservation Areas

HE6: Protection and Enhancement of Registered Parks and Gardens

National Policy

1.18 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 Government's 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 headings – 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 surroundings, 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.

7: Presumption in favour of sustainable development

14: Presumption in favour of sustainable development

49: Housing and the presumption in favour of sustainable development

56: Good design is a key aspect of sustainable development

57: High quality inclusive design

60: Promote or reinforce local distinctiveness

128: Describe the significance of any heritage assets affected, including any contribution made by their setting

129: Identify and assess the particular significance of any heritage asset

131: Viable uses consistent with the conservation, positive contribution to sustainable communities and local character and distinctiveness

132: Great weight should be given to the asset's conservation

PLANNING CONSIDERATIONS

1.19 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the principle of the development, the impact upon the character and appearance of the conservation area/listed building and park, impact on the amenity of nearby residential properties, restrictive covenants and highway safety.

Principle of Development

1.20 The lodge house, Ward Jackson Park and the Park Conservation Area are all designated heritage assets. It was originally built as a dwelling for the park keeper. The definition of which is 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of heritage interest.'

1.21 Current National Policy as set out in the NPPF advises that Local Planning Authorities (LPAs) should identify and assess the particular significance of any heritage asset that may be affected by a proposal. In determining applications LPAs are required to examine the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a proposed development on the significance of a designated heritage asset the NPPF advises great weight should be given to the asset's conservation. It also states that where a proposed development will lead to substantial harm to, or total loss of significance of a designated heritage asset, LPAs should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or various other criteria apply (the nature of the heritage asset prevents all reasonable uses of the site, no viable use of the heritage asset itself can be found, conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and the harm or loss is outweighed by the benefit of bringing the site back into use).

1.22 The following Local Plan policy remains relevant,

HE1 'Proposals for development within a conservation area will be approved only where it can be demonstrated that the development will preserve or enhance the character or appearance of the area.'

HE6 'Developments within or in the immediate vicinity of those areas included in the register of parks and gardens of special historic interest should take account of the character of those parks and gardens. Such developments should not involve the loss of features considered to form an integral part of the special character or appearance of the area.'

1.23 In light of the above, having considered the impact of the proposed development on the heritage assets, including the Conservation Area, the lodge house and Ward Jackson Park along with issues regarding the impact upon the character of the area and highway safety and given the nature of the proposed use the Local Planning Authority considers that in principle the change of use of the property to a single dwelling is acceptable. The justification for this reasoning is outlined in the remainder of the report.

Impact Upon the Character and Appearance of the Conservation Area/Listed Building and Ward Jackson Park

1.24 As outlined earlier in the report, The Lodge is located in the Park Conservation Area and is a Grade II listed building. Furthermore, the property is located within Ward Jackson Park, which is grade II listed on the English Heritage Register of Historic Parks and Gardens.

1.25 With regard to the proposed change of use of the building to a dwelling house, including the provision of boundary fencing to define the dwellings curtilage and accesses, given the history of the building, it is considered by officer's that purely changing the use of the property, providing a suitable boundary fence and the insertion of accesses onto Elwick Road would not have any significant detrimental impact on the character and appearance of the listed building, the registered park and garden or the wider Park Conservation Area. Moreover, it is not considered that the use of the property as a single dwelling house and land as the proposed garden areas will have any significant impact upon the function of Ward Jackson Park or the surrounding area as a whole. In general appearance terms, aside from the provision of boundary fencing and the insertion of two accesses onto Elwick Road there will only be very minor visual alterations, none of which are considered to be significantly detrimental upon the character of the area, subject to suitable materials being used. An appropriate condition has been suggested with regard to boundary enclosure details and surfacing materials to be used in the construction of the parking area to be created.

1.26 Further to the above, it is considered that the proposed use is a sustainable and viable use which will conserve the future of The Lodge as a heritage asset. Moreover, the proposal will not lead to any substantial harm to the significance of not only The Lodge but Ward Jackson Park and the Park Conservation Area as a whole. It is therefore considered that the proposal accords with National and Local policy. It is prudent to state that English Heritage have raised no objections to the proposal.

Impact on the Amenity of Nearby Residential Properties

1.27 The Lodge is located at the south-east corner of the park. It is situated inside one of the two main entrances to the park (the other being to the north end of Park Avenue).

1.28 Residential properties are located to the south and east of the property. Given the separation distances, nature of the proposed use and screening it is not considered that the proposal will unduly affect the amenity of any of the neighbouring properties in terms of loss of light, outlook, privacy or in terms of any overbearing effect.

Restrictive Covenants

1.29 Several concerns have been received with regard to a restrictive covenant upon the property. It is prudent to state in the context of this report that any issues with regard to restrictive covenants are out with the remit of the planning system and the consideration of this planning application.

Highway Safety

1.30 A number of concerns have been received with regard to the proposed access arrangements, it is proposed that two accesses will be formed onto Elwick Road. The Council's Traffic and Transportation Team have considered the proposal and have stated that the two access points will allow vehicles to enter and leave the proposed parking area in a forward gear. The Traffic and Transportation Team have raised no objections to the proposed access arrangements. It is considered therefore that in highway terms the proposed access arrangements are acceptable.

EQUALITY AND DIVERSITY CONSIDERATIONS

1.31 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

1.32 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.

1.33 There are no Section 17 implications.

REASON FOR DECISION

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

RECOMMENDATION – APPROVE subject to the conditions outline below

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 02/08/2013 (DRWG NO's: E/S/761c, E/S/761-a and E/S/761-b), unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. Notwithstanding the details shown on the proposed plans as outlined in condition 2 of this permission prior to the occupation of the dwellinghouse further details of all fences and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and in the locations detailed on DRWG NO: E/S/761-b.
In the interests of the character and appearance of the Conservation Area, the Listed Building and visual amenity.
4. Prior to the occupation of the dwellinghouse details of the proposed treatment of the proposed hardstandings, including the driveway/parking/manoeuvring areas and pathways, shall be submitted to and approved in writing by the Local Planning Authority. These features shall thereafter be constructed in accordance with the details so approved and retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity, the character and appearance of the Conservation Area and the Listed Building.
5. Prior to the occupation of the dwellinghouse a scheme detailing how the existing garage door opening into the park will be sealed shut (as outlined on DRWG NO: E/S/761-b) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in accordance with the details so approved and retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
In the interests of the character and appearance of the conservation area and users of the park
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling hereby approved shall not be extended or altered 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.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure other than those agreed by way of condition 3 of this permission, shall be erected within the curtilage of the dwellinghouse without the prior written consent of the Local Planning Authority.

To enable the Local Planning Authority to exercise control in the interests of the character and appearance of the conservation area and the listed building.

8. 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), shed(s) or any other outbuilding(s) shall be erected without the prior written consent of the Local Planning Authority.

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

BACKGROUND PAPERS

1.35 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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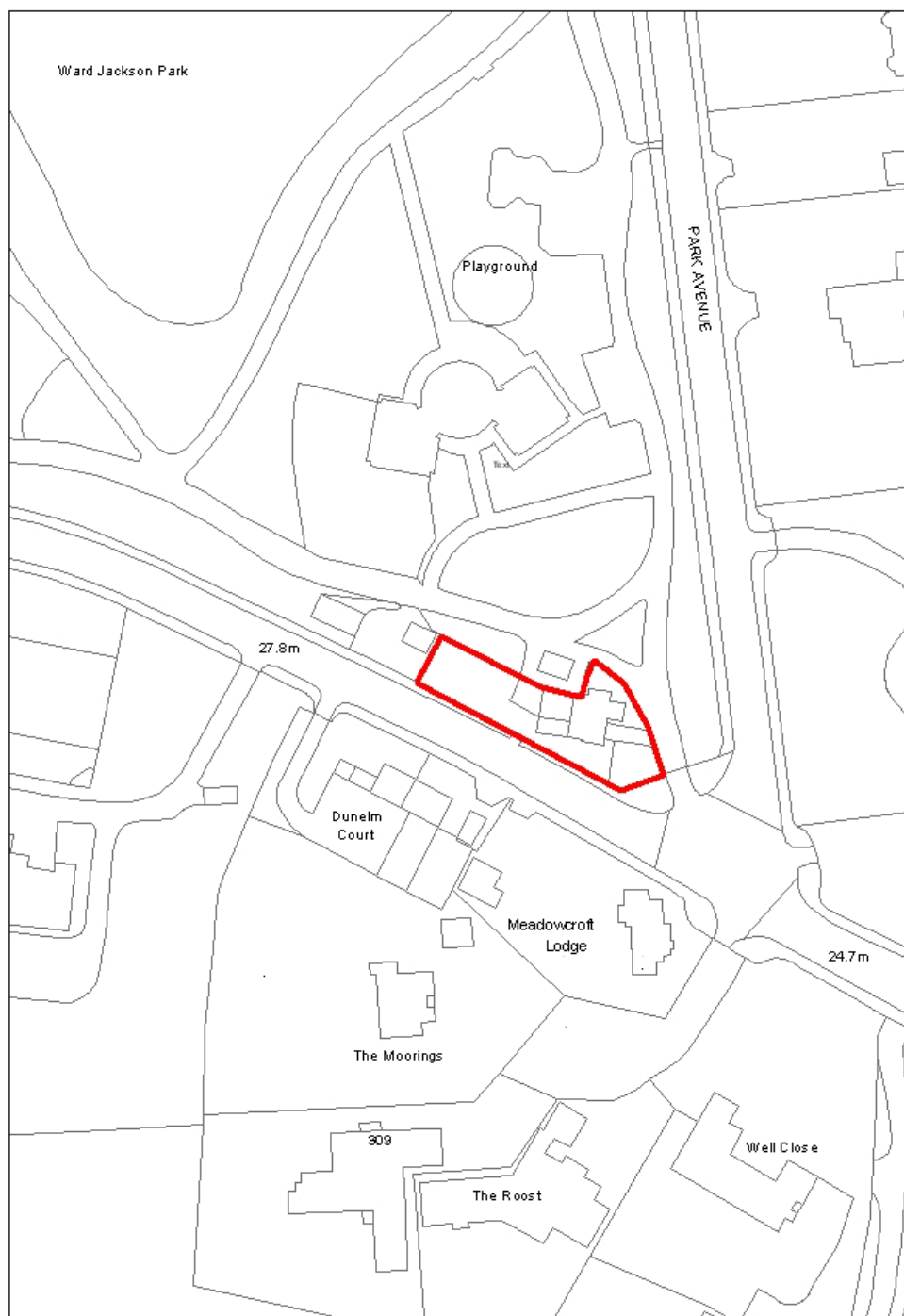
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PARK LODGE, ELWICK ROAD



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

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Scale: 1:1000
Date : 6/9/13
H/2013/0287

No: 2
Number: H/2013/0478
Applicant: Miss Richelle Hunter The Grange Low Piercy Farm
HARTLEPOOL TS27 3HS
Agent: AJ Riley Architects Mr Andrew Riley 24 Bedford Road
Nunthorpe MIDDLESBROUGH TS7 0BZ
Date valid: 27/09/2013
Development: Demolition of existing stable block and erection of stable
block with associated car parking and hardstanding
Location: Lower Piercy Farm Dalton Piercy 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 The wider application site has been subject to numerous planning applications and is located approximately 500 metres to the south of Dalton Piercy Village. A detached property for use in connection with an existing livery and equestrian business was approved in 2008. Relevant planning applications in the determination of this application include:

H/FUL/0073/04 – Planning permission was granted on 16th April 2004 for the use of an agricultural building for horse livery and the provision of a car parking area.

H/2008/0461 - Planning permission was granted on 18th November 2008 for use of land in connection with the existing livery and equestrian business and erection of a detached dwelling

PROPOSAL

2.3 The application seeks consent for the demolition of the existing stable block and the erection of a new stable block with associated car parking and hardstanding.

2.4 The design and access statement submitted with the planning application states that the existing stable block is built on a sloping site from fairly low quality materials with a flat roof. A lack of general maintenance by previous owners has resulted in wind damage to the roof sheeting and a number of structural cracks appearing, resulting in water damage and the subsequent closure of 6 of the 16 stables currently accommodated within the building.

2.5 The proposed building, like the existing, will accommodate 16 stables. The new stable block will also consist of a storage area for owners tack and feedstuffs, a male

and female accessible toilet, shower and changing facility. The stable block is in the form of a courtyard with 2 arched double doors provided. The design and access statement advises that the stable block is styled on Newmarket Racing Stables and is designed to ensure increased viability in the very competitive horse livery market, by offering high quality facilities with monitored security, access and facilities for the disabled and easy safe access to exercise facilities.

SITE CONTEXT

2.6 The site lies in open countryside, outside the village envelope as defined by the adopted Hartlepool Local Plan 2006.

PUBLICITY

2.7 The application has been advertised by way of neighbour letters (14) and site notice. To date, there has been one letter of objection received.

2.8 The concerns raised include:

1. The property has no legal right of access over the village green area adjacent to the pond
2. On numerous occasions large vehicles have been using this access and I have seen damage caused to the verge and the litter bins adjacent to the pond.
3. The use of this access is dangerous and should be restricted in any event and the proposed development will increase the use of the access strip and increase the risk of accidents.
4. The access is unsuitable for the proposed use and the increase in traffic that this will cause.

Copy Letters B

2.9 The period for publicity is still outstanding and expires prior to the Committee Meeting. Any further representations received will be tabled at the meeting.

CONSULTATIONS

2.10 The following consultation replies have been received:

Public Protection – No objections to this application as there are no more stables provided in the proposal than in the current stable block

Traffic and Transportation – There are no highway or traffic concerns with this application, it is not expected that the replacement stables will generate any further traffic than the existing use

Countryside Access Officer – There is no data that implies that there are any records of any recorded or unrecorded public and/or permissive rights of way running through, abutting to or affected by development of this site

Council's Ecologist – The application would not require a bat survey

Dalton Parish Council – The Parish Council feel that the planning department should not proceed with the application at present. The proposed buildings have no access to them and, therefore the matter should be held in abeyance until the situation is resolved. The Parish Council believe that the process is illegal and to grant the application encourages the applicant to act illegally.

Engineering Consultancy – No comments received

PLANNING POLICY

2.11 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

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

GEP1 – General Environmental Principles
 GEP3 – Crime Prevention by Planning and Design
 Rur14 – The Tees Forest
 Rur7 – Development in the Countryside

National Policy

2.13 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.

Paragraph 12 – Status of the Development Plan

Paragraph 14 – Presumption in favour of sustainable development

Paragraph 28 – Support economic growth in rural areas

Paragraph 196 – Primacy of the development plan

Paragraph 197 – Presumption in favour of sustainable development.

PLANNING CONSIDERATIONS

2.14 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the 2006 Hartlepool Local Plan and the National Planning Policy Framework and in particular the principle of the development, design and visual amenity, ecology and highway safety.

Principle of Development

2.15 The site is located in the open countryside outside the limits to development. The application seeks consent for the demolition of an existing stable block and the erection of a new stable block with associated car parking and hardstanding.

2.16 The wider application site has planning consent as a horse livery. The proposed stable block, like the existing will accommodate 16 stables. It is therefore not considered that there will be any increase in noise and disturbance or traffic movements by way of the new stable block. The scale of the building whilst large will be sited approximately 250m away from the nearest residential property. The principle of erecting a replacement stable block, subject to the demolition of the existing block is considered to be in accordance with the National Planning Policy Framework and all relevant Local Plan policies.

Design and Visual Amenity

2.17 The proposed stable block will be constructed using traditional materials with vernacular detailing, arched brickwork openings, dog tooth brick eaves, dark tiled roof and handmade facing brickwork internally and externally.

2.18 Whilst it is acknowledged that the stable building is large it is not considered that its appearance will detract from the character of the immediate site or the surrounding area in general. A similar scale and design of stable block has been approved in the immediate area. It is considered that over time the stable block will assimilate into the wider site and surroundings. Given the siting, scale, appearance and nature of the development, it is not considered that the stable building will be so visually prominent when viewed from the neighbouring residential properties or the surrounding area to a level whereby Officer's could sustain a refusal. The Head of Public Protection has raised no objections to the proposal as there are no more stables provided in the proposal than in the current stable block. It is not considered that views of the wider countryside or its setting will be lost or unduly compromised by way of the development.

2.19 It is considered that the design of the proposed development is acceptable and that it will have an acceptable impact on the visual amenity of the area.

Ecology

2.20 The Council's Ecologist has advised that there are no ecological issues regarding the proposed development.

Highway Safety

2.21 Concerns have been received from Dalton Parish Council and a neighbouring property regarding the legality of the access to the site over the village green. With regard to this issue it is considered by Officers that this is a civil issue between the two land owners and not a material planning consideration in the determination of this planning application.

2.22 Further to the above, concerns have been raised regarding the increase in traffic movements by way of the proposed development upon the access to the site, concern has also been raised that the access is inadequate.

2.23 With regard to the above the Council's Traffic and Transportation Team have raised no highway and traffic concerns with the application. Given that the number of stables to be provided by way of the development is the same as the number as existing it is not expected that the replacement stables will generate any further traffic movements than the existing site uses. With regard to the comments made regarding the suitability of the access to the site, it is prudent to state in the context of this report that the site already has consent to operate as a livery utilising the existing access, notwithstanding the civil issues regarding the access. As outlined above, it is not considered that the proposed stable block will increase the number of vehicle movements to and from the site.

Other Matters

2.24 Officers are aware that the ownership of the site has changed. Given the planning history associated with the site it is considered prudent to repeat a number of conditions which were placed on the original 2004 planning permission when it was granted consent as a horse livery.

EQUALITY AND DIVERSITY CONSIDERATIONS

2.25 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

2.26 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.

2.27 There are no Section 17 implications.

REASON FOR DECISION

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

RECOMMENDATION – APPROVE subject to the conditions outlined below:

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 (Drawing No's 01, 02 and 03) and details received by the Local Planning Authority on 27/09/2013, 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. The permission hereby granted shall relate to the use of the building hereby approved and the site in association with the land as defined by the red edges on the plans Drawing No DP/10 approved under planning application H/FUL/0073/04 and on the site location plan approved under planning application H2008/0461 for the stabling and keeping of horses owned by the site owner and the stabling and keeping of horses on a livery basis only. To ensure that the site and building operates in a way which will not be detrimental to the amenities of the occupiers of nearby houses
5. No lessons, competitions, gymkhanas or events which would encourage visiting members of the public to the site shall be held at any time at the site without prior planning permission. To ensure that the site and building operates in a way which will not be detrimental to the amenities of the occupiers of nearby houses.
6. Prior to the stables hereby approved being brought into use the existing stable block (as shown on the Location Plan on Drawing No 03 received by the Local Planning Authority on 27/09/2013) shall be demolished and the car park area as shown on the Block Plan (as shown on Drawing No 03 received by the Local Planning Authority on 27/09/2013) provided and made available for use. Any debris arising from the demolition of the existing stable block which are not used in the construction of the new stable block or car parking area shall be removed from the site. In the interests of visual amenity
7. Notwithstanding condition 6 of this permission and the submitted details, the final layout and construction details of the parking area shall be agreed in writing by the Local Planning Authority. The scheme shall include provision for the parking of trailers and/or horse boxes. The parking area shall thereafter be constructed in accordance with the approved details and retained for such uses for the lifetime of the development. To ensure a satisfactory form of development in the interests of the visual amenities of the area.
8. Prior to the commencement of the development a scheme for the storage and removal of manure arising from the stabling of horses at the building and site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the use commences and thereafter the storage of manure shall only take place in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority. In the interests of the amenities of the occupiers of nearby housing.

9. No floodlights(s) or tanoy system(s) of any type shall be used or erected at the site in the interests of the amenities of the occupiers of nearby housing.
10. No development shall commence until details for the disposal of foul sewage arising from the development have been submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented as approved at the time of the development.
In order to ensure that there is no pollution of the environment.

BACKGROUND PAPERS

2.29 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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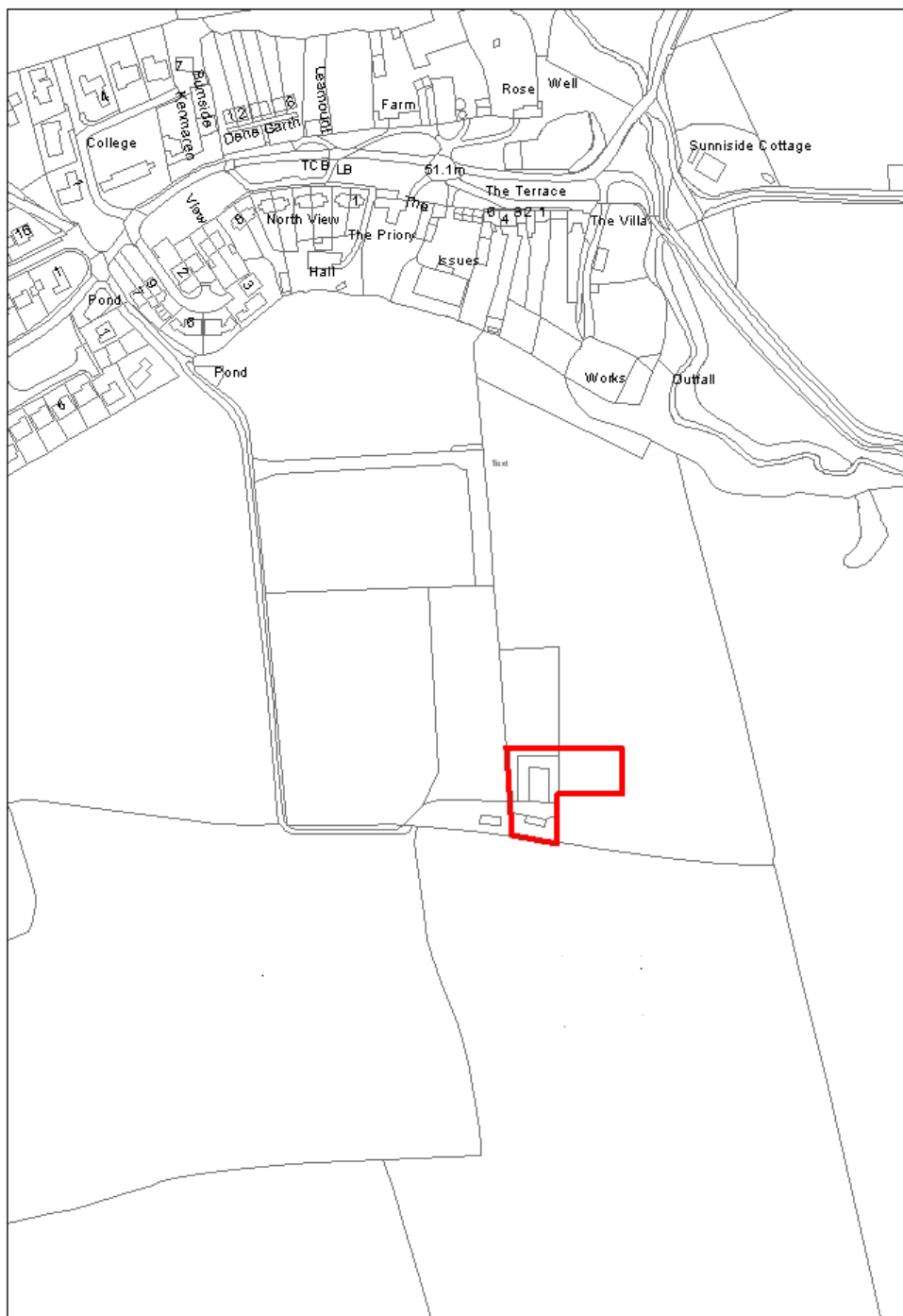
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LOWER PIERCY FARM



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

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Scale: 1:3000
Date : 07/11/13
H/2013/0478

No: 3
Number: H/2013/0472

Applicant: Mr Gurvir Singh 122 West View Road HARTLEPOOL
TS24 0BN
Agent: Mr Gurvir Singh 122 West View Road HARTLEPOOL
TS24 0BN
Date valid: 23/10/2013
Development: Change of use from retail (Class A1) to hot food takeaway
(Class A5) and provision of extract ventilation equipment
Location: Pound Saver 2 Brus Corner HARTLEPOOL

PURPOSE OF REPORT

3.1 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

3.2 The application site is a retail unit with flats above. The unit is located on the end of a row of similar commercial units all with flats above. Brus Corner consists of a number of uses including a newsagent, a bakery, a pharmacy, a florist, a post office, a hairdressing salon and two hot food takeaways.

3.3 The application has been referred to planning committee as it is anticipated that a number of objections will be received regarding the proposal.

PROPOSAL

3.4 The proposal involves the change of use from a (A1) retail unit to a (A5) hot food takeaway. The opening hours requested are Monday to Saturday 11:00am to 14:00pm and 16:00pm to 22:00pm, with the business closed on Sundays and Bank Holidays. It is also proposed to add two extract flues to the rear of the premises.

SITE CONTEXT

3.5 To the front of the unit is hard standing public highway constituting the footpath with an access road serving the shop units located beyond. To the rear of the premises is a yard with an open forecourt beyond offering rear access to all of the retail units. To the east of the application site are residential properties upon West View Road, to the rear are residential properties upon Winfield Drive. To the front of the premises is an area of open space with a train line beyond.

PUBLICITY

3.6 The application has been advertised by way of neighbour letters (27) and site notice. To date, there has been one letter of objection received.

3.7 The concerns raised are:

1. Anti social behaviour issues
2. Concerns regarding noise
3. Concerns regarding smells
4. Concerns regarding late night opening

Copy Letters E

3.8 The period for publicity is still outstanding and expires after the Committee Meeting.

CONSULTATIONS

3.9 The following consultation replies are all still awaited:

Public Protection
Traffic and Transportation
Cleveland Police

PLANNING POLICY

3.10 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

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

Com12: Food and Drink
Com5: Local Centres
GEP1: General Environmental Principles
GEP2: Access for All
GEP3: Crime Prevention by Planning and Design

National Policy

3.12 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.

Paragraph 196 – Primacy of the Development Plan

Paragraph 197 – Presumption in favour of sustainable development.

PLANNING CONSIDERATIONS

3.13 The main planning considerations in this case are the appropriateness of the proposal in terms of the policies and proposals contained within the Development Plan, in particular the impact of the development on the amenity of neighbouring properties, the character and vitality of the Local Centre and on highway safety.

PRINCIPLE OF DEVELOPMENT

3.14 Adopted Hartlepool Local Plan Policy Com 5 (Local Centres) makes provision for food and drink premises including hot food takeaways (A5) within designated local centres, providing that there is no significant adverse impact on the occupiers of adjoining or nearby properties and the highway network. The policy also requires the potential of the proposal upon the function, character and appearance of the area to be considered.

3.15 Brus Corner is a busy local centre consisting of ten retail units which provides a wide range of services including two existing hot food takeaways. In view of this, it is considered that the proposed change of use is acceptable and that an additional takeaway in this location is unlikely to prejudice the function of the local centre or unduly affect the character and appearance of the area. Notwithstanding this, the comments from the Council's Public Protection and Traffic and Transportation Teams are still awaited as well as those from Cleveland Police.

3.16 Given that a number of consultation responses are outstanding it is considered prudent in this instance for a comprehensive update report to be provided.

EQUALITY AND DIVERSITY CONSIDERATIONS

3.17 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

3.18 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.

3.19 The comments of Cleveland Police are awaited.

RECOMMENDATION – Comprehensive update report to be provided.

BACKGROUND PAPERS

3.20 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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2 BRUS CORNER



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

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Scale: 1:1000
Date : 07/11/13
H/2013/0472

No: 4
Number: H/2013/0494
Applicant: Mrs P Taylor Stead Lane BEDLINGTON Northumberland
NE22 5LX
Agent: Mrs P Taylor 57 Stead Lane BEDLINGTON NE22 5LX
Date valid: 09/10/2013
Development: Change of use of land for use by Western Living History
Group and siting of caravans
Location: Land opposite Three Gates Farm Dalton Piercy Road
HARTLEPOOL

PURPOSE OF REPORT

4.1 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

4.2 This application is to regularise a use that has already been implemented on the site.

PROPOSAL

4.3 The application seeks permission to regularise the use of the application site by a Western Living History Group and for the siting of caravans which the group use when they are using the site. The Group use the site to re-enact the life of the old west of America. A number of single storey buildings have been erected on the south east corner of the site in the style of frontier style cabins. A stable block which previously existed on the site has been superficially altered in a frontier style. This permission seeks to establish planning permission for the use of the site. It is anticipated that planning permission for the buildings will be the subject of a separate planning application should planning permission be granted for the use.

4.4 The application site is a field located in agricultural land to the west of Dalton Piercy. The field is bounded to the west, north and east by a hedge. To the north is the public road between Dalton Piercy and the A19. Access to the site is taken from this road. To the north west is the Windmill (A public house/restaurant and hotel). To the north east are isolated residential properties. To the west and east are fields. Beyond the fields to the east are residential properties which front onto Dalton Back Lane. To the south the boundary is a fence which bounds onto fields.

PUBLICITY

4.5 The application has been advertised by site notice and neighbour notification. The time period for representations expires before the meeting.

4.6 To date one letter of objection has been received. The objector raises the following concerns

- Highway Safety.
- Concerns unoccupied buildings will attract squatters & travellers.

Copy Letters **D**

CONSULTATIONS

4.7 The following consultation responses have been received.

Parks & Countryside : There is no data that implies that there are any records of any recorded or unrecorded public and/or permissive rights of way running through, abutting to or affected by development of this site. A public footpath (Public Footpath No.4, Dalton Piercy) runs along a neighbouring boundary, to the east but is not apparently affected by this proposed development.

Landscape Planning & Conservation : There does not appear to be any ecological issues associated with this proposal.

Environment Agency : The Environment Agency has assessed this application as having a low environmental risk, and therefore has no comments to make.

Ramblers Association : No comments.

Highways Agency : Comments Awaited.

Traffic & Transportation : Comments Awaited.

Public Protection : Comments Awaited.

Dalton Piercy Parish Council : Comments Awaited

PLANNING POLICY

4.8 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

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

Emerging Local Plan

GEP1: General Environmental Policies

GEP12: Trees, Hedgerows and Development
GEP3: Crime Prevention Planning and Design

Rur1: Urban Fence.
 Rur16: Recreation in the Countryside.
 Rur3: Village envelopes.
 Rur7: Development in the Countryside

National Policy

4.10 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.

Paragraph 28 – Rural Economic Growth
 Paragraph 123 – Noise

PLANNING CONSIDERATIONS

4.11 A number of responses are awaited an **UPDATE** will follow.

EQUALITY AND DIVERSITY CONSIDERATIONS

4.12 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

4.13 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. There are no Section 17 implications.

REASON FOR DECISION

4.14 A number of responses are awaited an **UPDATE** will follow.

RECOMMENDATION – An **UPDATE** report will follow.

BACKGROUND PAPERS

4.15 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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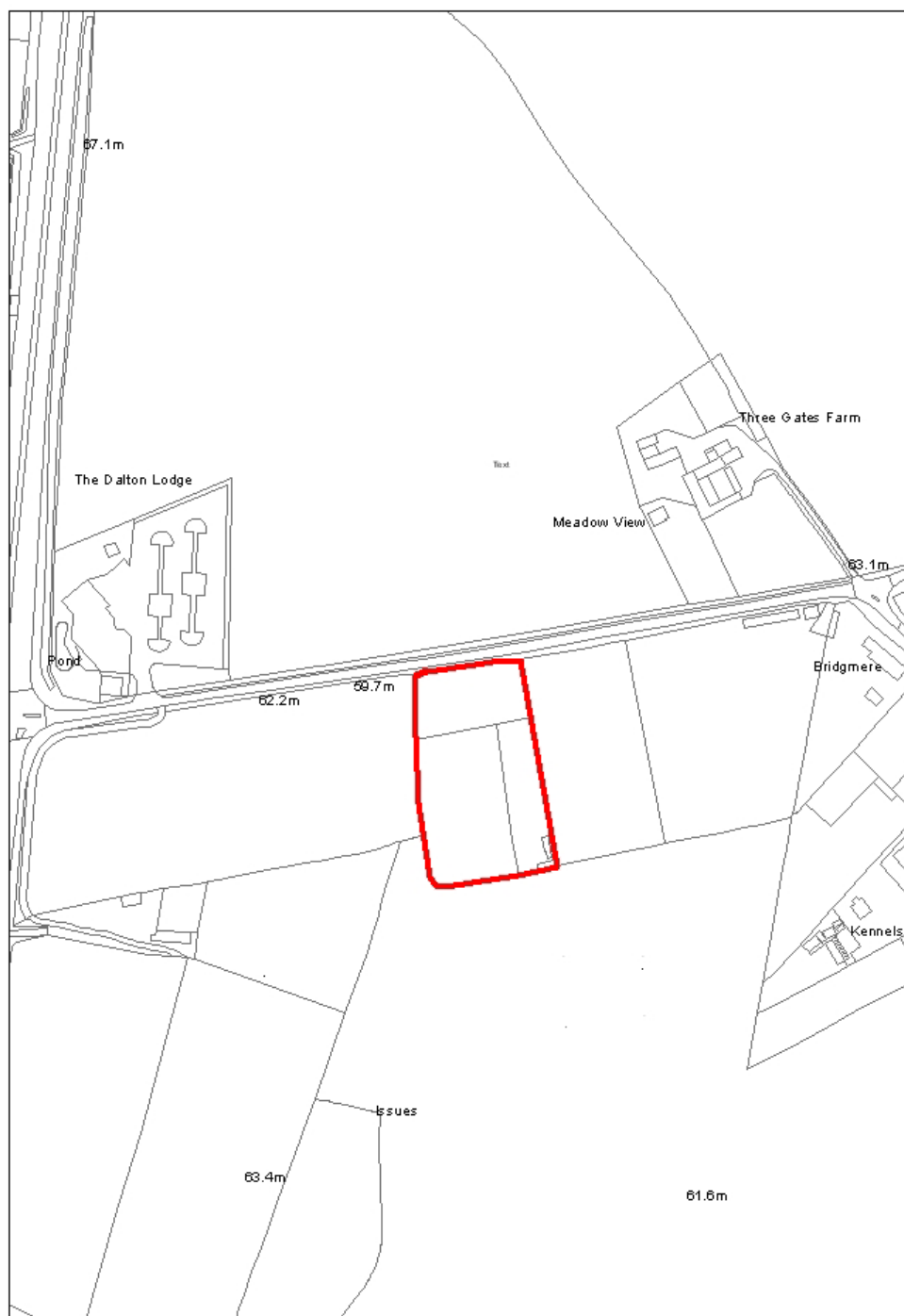
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LAND OPPOSITE THREE GATES FARM



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: 1:3000
Date : 07/11/13
H/2013/0494

No: 5
Number: H/2013/0432
Applicant: MR DALE CLARKE BRYAN HANSON HOUSE HANSON
SQUARE HARTLEPOOL TS24 7BT
Agent: MR DALE CLARKE HARTLEPOOL BOROUGH
COUNCIL BRYAN HANSON HOUSE HANSON
SQUARE TS24 7BT
Date valid: 04/09/2013
Development: Change of use to siting of amusements, rides, catering
vans and use of bus station kiosk for sale of hot
beverages, snacks and newspapers
Location: LAND AT THE FRONT / THE CLIFF SEATON CAREW
HARTLEPOOL

PURPOSE OF REPORT

5.1 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

5.2 Seaton Carew has seen much activity over the years and numerous licensing, highways and planning permissions/restrictions exist along the Seaton Front area. The Council's estates team have been approached by numerous business operators all with varying ideas regarding what tourist attractions / services they would like to bring to Seaton. This application seeks to set a clear basis for future investors as to what they can do and in what location. The proposal is also part of a wider strategy to bring tourism into Seaton Carew.

PROPOSAL

5.3 The applicant seeks permission for commercial activities on three separate parcels of land located along Seaton Carew Front and the reopening of the newsagents kiosk within the bus station. The three parcels of land starting from the north are entitled site A, site B and site C.

Site A

Land East of the Village Green is proposed to be used for small facilities such as bouncy castles, catering vans, etc, that would arrive early on a morning and vacate the site at the end of the same day.

Site B

The Land North of the Paddling Pool is proposed to have small children's rides, such as tea cups, hook-a-duck and merry-go-rounds. Rides on this site may be in use for 6 month period covering April to September.

Site C

The Land to the rear of the Bus Station is proposed to be used for larger rides, such as dodgems and waltzers. Rides on this site may be in use for 6 month period covering April to September.

Bus station kiosk

The vacant kiosk within the bus shelter is proposed to be re opened, the last known use was as an A1 shop, the internal floor area of the kiosk is 13 metres squared.

SITE CONTEXT

5.4 The application relates to three parcels of land along Seaton front. The northern most site (site A) is currently a landscaped area of public open space opposite the residential area of The Green. The middle site (site B) is currently a grassed area of public open space adjacent to the fenced off paddling pool site and opposite commercial and residential properties along The Front. The southern most site (site C) is located to the rear of the grade II listed bus station, the area is grassed and paved public open space with footways running through it, opposite to the bus station lies the commercial but predominantly residential area of The Front and the surrounding streets (Church Street, South End and Crawford Street). The kiosk already exists within the bus station but it has been vacant for a number of years.

5.5 All three parcels of land are within the Seaton Carew Conservation Area. The Conservation Area contains some 20 listed buildings (heritage assets in their own right) the most notable of which are the Bus Station, the Seaton Hotel and the Marine Hotel. There is a concentration of listed buildings around The Green, particularly on the western side.

5.6 Public transport services are operational within the Seaton Carew area and thus provide sustainable travel options for access to the area. Car parking facilities are provided along The Front, and in two public car parks (The Rocket House car park and Seaton Coach Park). Public conveniences are located within the bus station.

PUBLICITY

5.7 This item was removed from the October agenda as the description of the application location was amended requiring re consultation.

5.8 This application has been advertised by neighbour notification, site notice and in the press.

5.9 Twenty One Representations were received from residents twenty letter of objection, four included elements of support and one was neither a letter of objection or support.

The elements of support include:

- Amusements are an excellent attraction for The Front.
- Generally support the commercial development of the Seaton area.

- Do not object to the application as a whole, nor to the underlying principle of seeking to improve Seaton Carew as a visitor destination.
- No issues with site A and B being developed and would be happy for those to go ahead.
- Would support ad hoc events.
- Support the use of the grass spaces behind the Bus Station for ice cream vans, etc. and we are pleased the Kiosk is to be restored.

The concerns raised by residents include:

Site 1 (land opposite The Green)

- Parcel 1 is a designated protected green space in accordance with saved Local Plan Policy GN3.
- No additional amusements and catering vans should be allowed north of Seaton Lane and south of Warrior Drive.
- The area is a residential area and should not have commercial activity within it the area is used for quiet and pleasant recreation. This area has always been separate from the Commercial area.
- The area is a conservation area and not a commercial area, HBC have produced literature in the past 'Looking after Your Historic home' which indicated HBCs values for historic properties.
- The village area is enclosed by landfill and commercial activity should not be located in this residential area.
- Noise pollution will increase from the generators, the proposed time span (April-September) will add to noise disturbance as residents are likely to have windows open.
- Increased litter pollution.
- Increased parking and traffic problems.
- Drainage problems will increase.
- Odours from the catering vans will be a problem.
- Vans and equipment will impede the view of the sea front.
- HBC should support existing businesses and not allow further competition.
- Flowerbeds have already been removed, why has this occurred?
- The site should remain open and not be fenced off.
- The area is adjacent to a local wildlife site (Seaton Carew beach) commercial activity would not benefit the local flower and fauna.
- Damage to the grass due to continuous coming and going.
- There is sufficient land available near the bus station and the Longscar for commercial activity.

Site 2 and site 3

- Parcels 2 and 3 are designated as development sites in Seaton Carew in saved Local Plan Policy TO4a and TO4c.
- Concerns regarding the application will be mitigated if the change of use was restricted to Parcels 2 & 3 which is a logical approach as Parcel 3 in particular is a predominantly tarmaced area which has a greater degree of separation distance from the bus station to residential properties on the opposite side of the road.
- Loss of opens space to allow for play and recreation including dog walking.

- Existing activities such as Bonfire Night already cause noise and disturbance, the noise and disturbance will increase, this could have a negative impact upon shift workers.
- Noise and Disturbance is more apparent as residents are not allowed plastic windows.
- Increase in litter.
- Increased parking and traffic problems.
- Increase in smells.
- Increased anti social behaviour.
- Loss of a view
- Detrimental impact upon the historic clock tower.

Representations that relate to all three sites include:

- The public land is freely enjoyed and a well maintained community space, no one should have the right to change the traditional purpose of the land for commercial purposes.
- The land is leisure space and should remain so.
- The area is a conservation area and forms part of the character of the area which assists in attracting visitors to the area.
- The 'jewel of Hartlepool's crown' should be maintained.
- Application sites are within a conservation area and thus not inline with the conservation area character.
- This scheme could be contrary to what the Esh group are proposing.
- People residing on the sites over night in caravans.
- Sites further to Coronation Drive would be more suitable as they are away from dwellings.
- Fairground rides are unsightly because of their size.
- Road safety concerns with fairground rides close to the road.
- Lack of privacy as some of the rides go up in the air and people would see into properties.
- An increase in noise and vibration from generators, tannoys, traffic and people which will be particularly worse for those without double glazing.
- Pollution from dangerous combustible solvents.
- Increased litter including dog fouling.
- Increase in smells.
- Traffic and parking problems will increase.
- The addition of further commercial uses would create unfair competition for existing traders.
- HBC should be trying to support businesses that operate all year, these activities will not add to the economy all year round.
- The Council dictate on what windows can be installed but then proposed fairground rides!
- Question whether Seaton actually needs any more food outlets/catering vans.
- Concerns over the length of opening time and that this will have an impact upon residential amenity.
- It would be better to consolidate uses into a smaller area and as such focus on land which is available closer to the town centre which would also minimise its impact upon the Seaton Carew Conservation Area.

- A balance must be struck between the tourism aspirations and the right of the home owners to live peacefully in a residential area.
- What right does Dale Clark have to apply for planning permission.
- Disputes regarding the necessity for planning permission as such activities have occurred in the past anyway.
- The location shown on the application form is misleading.
- Concerned that the details of the scale and the proposed amount of vehicles, amusement rides and associated paraphernalia has not been specified in the application. Policy HE1 criteria i and ii cannot be satisfied due to the lack of information.
- Further information should be provided so that residents can comment further.
- Lack of trust regarding the council's future intentions and the uses becoming permanent once given.

Miscellaneous representations

One resident also submitted information regarding the types of uses that exist along The Front, all listed are A1, A3 and A5 uses.

At the time of writing, the time period for representations had not expired. Any further representations received will be included in the update report.

Copy letters **C**

CONSULTATIONS

5.10 The following consultation replies have been received:

HBC Economic Development - no comments

HBC Engineering Consultancy - no comments

HBC Estates (economic regeneration division) - I have been consulted on the proposals by colleagues as they have been developed, given my involvement in the wider longer term plans for this area of Seaton Carew. I have no objections to the suggested use of these areas and as they will not adversely affect the long term plans we are developing, given the short term nature of any licenses that are granted.

HBC Landscape Planning and Conservation – The National Policy Framework (NPPF) under the Core Planning Principles includes the conservation of heritage assets in a manner appropriate to their significance. The NPPF indicates that when considering the impact of development on the significance of a heritage asset great weight should be given to the assets conservation and its preservation or enhancement. The more important the heritage asset, the greater the weight that should be given. Heritage assets are irreplaceable and any harm of loss should require clear and convincing justification. The NPPF also takes into account the desirability of putting heritage assets to a viable uses consistent with their conservation and the contribution assets can make to economic vitality. Seaton Carew is a designated Conservation Area consisting of the area along the sea front including The Green and is therefore a heritage asset. The Conservation Area

contains some 20 listed buildings (heritage assets in their own right) the most notable of which are the Bus Station, the Seaton Hotel and the Marine Hotel. There is a concentration of listed buildings around The Green particularly on the west side.

The re-use of the kiosk in the bus station for the sale of snacks etc is supported subject to any listed building consents for any alterations or adaptations for the proposed use. The proposed use for the siting of rides and catering vans (at the area behind the Bus Station, and opposite both the Marine Hotel and The Green) is proposed to be temporary in nature for about six months of the year and involves temporary structures and not permanent buildings. There is historic evidence of temporary rides etc in the area north of the Longscar Hall and amusement rides are typically found in sea side resorts, so are not unexpected. There was a large fair ground south of the Bus Station until relatively recently. The area behind the Bus Station previously contained the South Shelter and was therefore intended in the original design as an area of public activity, reinforced by the presence of bathing shelters which have also been removed. As a consequence the area is now relatively little used. To a large degree the main planning issue is one of impact upon the amenity of nearby building occupiers and the scale of the uses at particular locations, rather than a permanent effect upon a heritage asset.

One potential permanent affect upon the Conservation Area is the affect on existing landscaping, in this case mostly grass planting which will be affected by the siting of amusement rides for up to six months and the effect of vehicles crossing the grassed areas. These open grassed areas form part of the character of the Conservation Area and one of its positive aspects. A potential negative impacts can be avoided by giving consideration to the design of areas to receive the rides and catering vans to prevent damage to landscaping and to provide a design solution which is acceptable in the context of the Conservation Area whether a ride, for example, is present or not. The considered design of the area behind the Bus Station has not been undertaken since the loss of the South Shelter and was recommended as part of the Environmental Impact Assessment for the coastal defence works extension to the area behind the Shelter. In terms of scale both in physical size and activity, the most appropriate would be for a reduction in scale moving from the Bus Station to the areas opposite The Green.

Ecology - The Local Wildlife Site (LWS) isn't on Seaton Beach itself but is just to the north on Carr House Sands. It is known as Carr House Sands and West Harbour LWS and is designated on account of the number of wintering water birds that use the site. I have attached a map showing the site boundary. The birds tend to be concentrated on discrete areas within this boundary, principally West Harbour, Newburn Bridge outfall, Long Scar and Seaton Reach with smaller numbers on Little Scar and fewer still dotted along the tide line. Within the area of the LWS, the rocks of Little Scar and Long Scar are also designated as a Local Geological Site. As the resident states, the southern boundary of both the LWS and LGS are adjacent to the northern most section of the application site. However it is not anticipated that the proposals would have any adverse effect on the interest features of either the LWS or LGS as the proposed activities would be on the promenade.

HBC Parks and Countryside - I have no comments to make with regards to this application as there is no data that implies that there are any records of any recorded

or unrecorded public and/or permissive rights of way running through, abutting to or affected by development of these sites. The public have open access to these sites at all times.

HBC Public Protection - I have serious concerns about the proposals on the land to the East of the Green (the Northern pocket of land in the application). This site is located within a residential area of Seaton Carew directly adjacent to residential properties. In my opinion the use of this site for fairground rides, mobile traders etc for a continuous period of up to 6 months of the year would have a significant impact upon the residential amenity of the adjacent housing due to the noise from generators, amplified music from the fairground rides etc. There are also potential odour impacts from any hot food catering units that may occupy the site. There is also the likelihood that there will be constant movements by operators on and off the site over the season to attend other events around the local area, adding to the impact on the adjoining neighbors. My concerns on this site could be alleviated if there were conditions prohibiting the use of generators, no amplified music at any time, no hot food catering units and a condition restricting the times that fairground rides etc can be moved on and off the site to daytime working hours only.

The central pocket of land North of the paddling pool is less sensitive as it is located closer to the commercial area of Seaton Front. However there are a number of residential properties opposite that the proposals will have an impact on. I would recommend that there should be a restriction on the type of funfair rides that can operate on this site to small scale children's rides and bouncy castles only. There are currently two hot food catering units that operate from this site. This level of usage is acceptable and has not given rise to any complaints and I would therefore propose that any approval restricts the number of hot food catering units to this number. Consideration should be given to providing a power supply to this site to alleviate the need to operate numerous mobile generators. I would also recommend a condition restricting the times that fairground rides etc can be moved on and off the site to daytime working hours only.

We currently have seven street traders holding street traders licences operating between Newburn Bridge and the Coach Park. Three of these traders currently operate from sites on these pockets of land. The Council has always endeavored to control the number and type of street traders operating along Seaton Sea Front in order to minimise the impact on the permanent traders operating commercial businesses throughout the year. Street Trading licences would be required to operate on any of these sites. Should this application be approved there is a potential loss of current income from other street trading sites in the locality.

The bulk of these sites are laid to grass, the constant movement of vehicles on and off the sites and potentially large numbers of people walking across the sites will inevitably churn up the land and there is the potential that it will visually look poor. I am also assuming that adequate management arrangements will be in place on the sites to control litter, security, etc?

The Donkey/Pony rides on the beach will require a 'Riding Establishment Licence'. If there are any caravans occupying the sites then a site licence may be required.

HBC Traffic and Transport - All uses should not obstruct any existing footways. Access onto each site, should be agreed with Highways Section. Suitable vehicle crossings should be provided at each site to allow vehicles to cross the footway safely and without damaging the pavement and any Public Utilities.

The Chief Fire Officer Cleveland Fire Brigade - No comments, however access and water supplies should meet the requirements as set out in approved document B volume 1 of the building regulations for domestic dwellings, or where buildings other than dwelling houses are involved then these should meet the requirements of Approved Document B Volume 2 for both access and water supply requirements. Further comments may be made through the building regulation consultation process as required.

Cleveland Police – no comments received

The Ramblers Association - no comments received

Tees Archaeology - Thank you for the consultation on this planning application. These areas of Seaton Carew were reclaimed in the early to mid 20th century. As a result they have a low archaeological potential. The proposed use of the land is also unlikely to have a physical impact on below ground features should they have been present. I therefore have no objection to the planning application and have no further comments to make.

All comments have been taken into account when assessing this application.

PLANNING POLICY

5.11 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

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

GEP1: General Environmental Principles
 GEP2: Access for All
 GEP3: Crime Prevention by Planning and Design
 GEP7: Frontages of Main approaches
 GN3: Protection of Key Green Open Spaces
 HE1: Protection and Enhancement of Conservation Areas
 HE2: Environmental Improvements in Conservation Areas
 REC9: Recreational Routes
 To3: Core Area of Seaton Carew
 To4: Commercial Development Sites at Seaton Carew

National Policy

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 Government's 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.

Paragraph 14 presumption in favour of sustainable development

Paragraph 19 support sustainable economic growth

Paragraph 61 the connections between people and places and the integration of new development

Paragraph 74 Protection of open space, sports and recreational buildings and land, including playing fields

Paragraph 123 Noise pollution

Paragraph 131 sustaining and enhancing the significant of heritage assets

Paragraph 132 impact upon heritage assets

Paragraph 133 consent should be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss

Paragraph 134 harm of a designated heritage asset should be weighed against the public benefits of the proposal

Paragraph 196 determination in accordance with the development plan

Paragraph 197 presumption in favour of sustainable development

PLANNING CONSIDERATIONS

5.12 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan, the impact upon the conservation area and listed buildings, the impact upon residential amenity and the amenity of the area including the loss of open space and highway/pedestrian safety.

5.13 Principle of Development

In terms of the development as a whole the uses proposed are ones that might be expected in a seaside resort, however the capacity of each site to accommodate these uses and the impacts arising requires careful consideration given the characteristics of each site.

5.14 It is considered that Site A should only be used for the two catering vans that use the site at present. It is however considered acceptable to allow for further commercial activity on site B and C. The Council's Regeneration team have

confirmed that allowing temporary permission at the sites would not impede future regeneration plans as a whole.

5.15 The detailed consideration regarding the proposals for each of the sites is set out below. General considerations applying to all three sites are discussed at the end of the site specific assessments.

Site A

5.16 Local Plan allocation

Site A is allocated in the extant Local Plan as key green open space. Policy GN3 seeks to strictly control development within such locations and advises planning permission will only be granted for development that relates to the use of the land within these spaces as parkland or other amenity recreational or landscaped open space. The area of land is used for recreational purposes such as informal play, cycling and walking including dog walking. The area offers recreational opportunities for residents and leisure opportunities to visitors. The area of land is considered to be an integral part of the quality of life and visitor offer at Seaton Carew.

5.17 Given the above it is not considered that the increased commercial activities would be acceptable on this site and therefore this element of the proposal should be limited to only allow the continued use of the two catering vans that are currently licensed to use the land at present.

5.18 Impact upon the conservation area

Concerns have been raised with regard to the impact that the rides etc could have upon the Conservation Area. It is considered that the open grassed spaces are part of the overall character of the conservation but that some limited facilities for temporary periods each year as detailed in the paragraph above, would be unlikely to have a detrimental impact upon the conservation area.

5.19 Impact upon visual amenity

Concerns have been raised with regard to the loss of the open space and its contribution to the visual amenity of the area. The site has been recently regenerated with landscaping and seating throughout. The southern element of the site does not contain landscaping.

5.20 It is considered that there is sufficient open green space within the area to add to the visual amenity of Seaton Carew, however this site is of particularly high amenity value and its use should therefore be strictly controlled in line with the comments above.

5.21 The impact upon residential amenity

Concerns have been raised regarding the impact of the proposal on the amenity of nearby residents. The Council's Public Protection team have serious concerns regarding any increased activity on this site and consider that the use of the site for a continuous period of up to 6 months of the year would have a significant impact upon the residential amenity of the adjacent housing due to the noise from generators, amplified music from the fairground rides etc. It is considered that activity on this site should therefore be limited, and as there is already licensing permission for two

catering vans and they have not given rise to any significant disturbance then it is considered that this level of activity could be accommodated.

Site B

5.22 Local Plan allocation

Site B also lies within the Seaton Carew Conservation Area and is identified in the extant Hartlepool Local Plan (2006) as a commercial development site (Policy To4) where more intensive commercial and recreational development would be acceptable. The proposed use of the site for commercial and recreational facilities that will enhance the attraction of Seaton Carew is therefore acceptable in terms of the Local Plan.

5.23 Impact upon the conservation area

Site B is currently open green space and the open space elements do form part of the character of the conservation area. The Council's Landscape and Conservation team advise that there is historic evidence of temporary rides etc in the area north of the Longscar Hall and amusement rides are typically found in sea side resorts, so are not unexpected. The Landscape and Conservation Team raised no concerns regarding locating temporary commercial facilities on the site, providing that the facilities are small in scale size when compared to site C. It is considered the temporary use of the site for smaller funfair rides such as bouncy castles and swing seats are unlikely to have a detriment impact upon the character of the Conservation Area overall. National Planning Policy recognises the desirability of putting heritage assets to a viable uses consistent with their conservation and the contribution assets can make to economic vitality. It is considered that a small funfair would not be overbearing and detract from the character and nature of the conservation area and is appropriate given the sites location within the heart of the Seaton Carew commercial area. To mitigate against any possible impact upon the character and appearance of the conservation area the scale of the fun fair can be limited by planning condition.

Site C

5.24 Site C also lies within the Seaton Carew Conservation Area. It is identified in the extant Hartlepool Local Plan (2006) as a commercial development site (Policy To4a) where more intensive commercial and recreational development would be acceptable. Facilities that will enhance the attraction of Seaton Carew are acceptable providing that development is appropriate to the character and setting of the listed building and Conservation Area. Given the allocation within the adopted local plan it is considered that some commercial activity is acceptable on this site.

5.25 Impact upon the conservation area and listed building (the Clock Tower)

Site C is currently open space incorporating paved and tarmac areas and grass concerns have been raised regarding the impact of the facilities upon the listed clock tower and on the loss of the open space particularly with regard to it's contribution it makes towards the character of the Conservation Area. The Council's Landscape and Conservation team have confirmed that the area of open space is a positive aspect of the character of the Conservation Area. The area behind the Bus Station previously contained the South Shelter and was therefore intended in the original design as an area of public activity, reinforced by the presence of bathing shelters which have now been removed. The Conservation and Landscape team raise no

concerns regarding commercial activity on this site as it was historically used for such activities and, given the temporary nature of such activities, it is considered unlikely they would have a significantly negative impact upon the character of the Conservation Area and the listed clock tower.

Site B and C shared considerations

5.26 Impact upon visual amenity

Concerns have been raised with regard to the loss of open space and the contribution that the space makes to the visual amenity of the area. The Council's Public Protection team raised concerns regarding the condition of the land following periods of activity. It is noted that the area of open space is visually attractive however on balance it is considered that there is substantial open space within the Seaton Carew area and that the use of these sites for 6 months of the year would not have a significant detrimental impact upon the visual amenity of the area as a whole. To ensure that visual amenity of the site remains once the funfair has vacated the application can be appropriately conditioned, so that the siting of rides is controlled the commercial users return the site back to its previous state when it is no longer in use.

5.27 The impact upon residential amenity

Concerns have been raised regarding the loss of public open space which residents make use of however proposed the use is only for part of the year and it is considered that there is sufficient open space within the immediate vicinity and area as a whole to provide space for informal recreation.

5.28 Concerns have been raised with regard to the increase in Noise and odour pollution. The Council's Public Protection team has echoed these concerns. To mitigate against such disturbance the Council's Public Protection team recommend restricting the catering vans and the type of funfair rides that can operate on the sites.

5.29 On site B, two hot food catering vans operate at present under licence and have not given rise to concern, therefore it is considered that this would be an appropriate amount of catering activity. Furthermore on site B it is considered the types of rides should be limited to small scale children's rides and bouncy castles. Conditions are proposed restricting the number of catering vans, restricting the use of generators, requiring details of the rides/amusements and their location to be approved prior to the commencement of the use.

5.30 Site C is further from residential properties and it is therefore considered that more catering vans and larger rides could be accommodated. Again appropriate conditions are proposed.

5.31 To ensure that activity is not operational at a time beyond when residents would expect peace and quiet, a condition restricting the operational hours of the rides and associated equipment is also proposed. To further protect residents' amenity a condition has been attached regarding the hours in which the fairground rides, catering and associated equipment can be moved on and off the site.

5.32 The Public Protection team also considered that the option of a central power supply should be investigated to alleviate the need to operate numerous mobile generators on site C. This suggestion has been discussed with the applicant and the applicant has agreed to investigate the option further during the tender process.

Site A, B and C general considerations

5.33 Impact upon the visual amenity of the area

Concerns were raised regarding the damage that could occur as the proposed traders manoeuvre their equipment on and off the site. It is appreciated that facilities coming and going could lead to tyre marks and pot holes within the grass, however to ensure that the land is returned back to its existing condition once the business have left a condition requiring the restoration of the sites is proposed. Increased litter was another concern that was raised, it is noted an increase in visitors could lead to an increase in litter, however there are separate legislative regimes to deal with litter and it is considered that such powers within the separate legislative regimes should be used to control litter pollution. Furthermore the issue surrounding litter will be subject to discussion in the tender process when assessing the overall management of each site and a condition is proposed to ensure that the Local Planning Authority are satisfied with the stipulations within the management plan.

5.34 Concerns were raised regarding the erection of fencing. Fencing options were incorporated in the application, however on 11th October 2013 the applicant stated that they no longer wished to proceed with any fencing options. It may be the case that business operators erect fencing. To ensure that character and visual amenity of the site remains the details of any future fencing have been conditioned.

5.35 Impact upon highway/pedestrian safety

Concerns were raised regarding the increase in traffic and parking problems. It is appreciated that commercial activity can give rise to an increase in traffic and can lead to a requirement for parking. It is considered that the area is well served by public transport so visitors do have the option to visit the sites by public transport and there is sufficient parking available within the existing car parks in Seaton Carew. The Council's Traffic and Transportation team raised no concerns regarding any increase in traffic and parking problem. They stated that uses should not obstruct any existing footways. If they do, then the Council's Traffic and Transport team have powers of enforcement as such vehicles would cause an obstruction. This application has been conditioned accordingly to ensure that access onto each site is agreed with Highways section and to ensure that suitable vehicle crossings are provided at each site to allow vehicles to cross the footway safely and without damaging the pavement and any Public Utilities.

5.36 Impact upon nature conservation

Concerns have been raised with regard to the site and its proximity to a Local Wildlife Site and the impact that commercial activity could have upon local fauna and flora. The Council's Ecologist has stated that the Local Wildlife Site is located to the immediate north of the site and includes the rocks of Little Scar and Long Scar which are also designated as a Local Geological Site. The Local Wildlife Site is formally known as Carr House Sands and West Harbour Local Wildlife and is designated on account of the number of wintering water birds that use the site. The Local Wildlife

site is afforded protection by virtue of policy WL7. The Council's Ecologist stated that it is not anticipated that the proposals would have any adverse effect on the interest features of either the Local Wildlife Site or Local Geological Site as the proposed activities would be on the promenade.

5.37 Impact upon business competition

Concerns were raised regarding the additional commercial operation and the competition that would exist between existing operations and future operations. Competition between businesses is not a material planning consideration and therefore can not be taken into account in this assessment.

5.38 Impact upon drainage

Concerns were raised regarding drainage problems, it is appreciated that adding equipment to the grassed areas could compact the surfaces of the grass and reduce the amount of land available for natural drainage. However it is not considered that this will significantly reduce the lands ability to drain naturally. No objections have been raised by the Engineering Consultancy Team.

5.39 Increased anti social behaviour

Residents have raised concerns that crime and anti social activities will increase. It is appreciated that an increase in visitors to Seaton Carew could lead to an increase in crime and/or anti social behaviour. However with regard to site A and B, the sites are naturally overlooked by residential properties and therefore afford the sites with some natural surveillance. Site C is not afforded such natural surveillance.

5.40 It is often the case that fun fairs are afforded security by virtue of some staff living on site, details of which will be agreed in writing with the Local Planning Authority. Any crime and anti-social behaviour will be a matter for the relevant authorities. Furthermore the issue surrounding anti social behaviour will be subject to discussion in the tender process when assessing the overall management of each site and a condition is proposed to ensure that the Local Planning Authority are satisfied with the stipulations within the management plan.

5.41 Loss of a view

Concerns have been raised regarding the loss of a view however the loss of a view is not a material planning consideration and can not be factored into this analysis.

CONCLUSIONS

5.42 The application is speculative in nature, and it is difficult to predict precisely all issues arising from the proposed use. The way the site is managed will also be critical to the success of the proposal. In light of this it is considered a temporary permission would be appropriate in the first instance. This would allow the Local Planning Authority to review the situation in the light of experience at some time in the future.

5.43 Site A

In light of the above assessment it is considered that only two catering vans should be permitted to locate within the area. The two catering vans that already have licenses to operate from the site have not caused any known disturbance to the area

or impacted negatively upon the character of the area and therefore it is considered such a level of use is acceptable in planning terms. However any more intensive additional facilities could have a detrimental impact upon the amenity of residents the visual amenity and the character of the conservation area. It is considered that the use of this site should be conditioned accordingly.

5.44 Site B

Given that site B is located within the commercial area of Seaton Carew and that commercial activity such as fun fair is typical of a seaside resort it is considered that some activity can take place upon the site. The type of activity proposed is a small fun fair, typically for smaller children. It is considered that with appropriate conditions including conditions to ensure that full details of all equipment including any ancillary living accommodation and associated ride equipment is submitted to and agreed by the Local Planning Authority at the beginning of the season prior to commencement of development, the use would be acceptable

5.45 Site C

Given that site C is located within the commercial area of Seaton Carew and that commercial activity such as a funfair is typical of a seaside resort it is considered that some activity can take place upon the site. The activity that is permissible on this site would be greater than that of site B as site C as it is further from residential properties and is screened to a degree by the bus station. It is considered that with appropriate conditions including conditions to ensure that full details of all equipment including any ancillary living accommodation and associated ride equipment is submitted to and agreed by the Local Planning Authority at the beginning of the season prior to commencement, the use would be acceptable.

5.46 The reopening of the Kiosk

No concerns were raised with regard to re opening the kiosk located within the bus station. This element of the proposal was supported by some residents and the Council's Landscape and Conservation team providing that any listed building consents for any alterations or adaptations for the proposed use. An informative will be attached to any decision notice ensuring the applicant aware of their responsibility to gain listed building consent.

EQUALITY AND DIVERSITY CONSIDERATIONS

5.47 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

5.48 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.

5.49 There are no Section 17 implications.

REASON FOR DECISION

5.50 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. Conditions are under consideration and will be the subject of an update report

RECOMMENDATION – APPROVE subject to conditions which will be the subject of an **UPDATE** report.

BACKGROUND PAPERS

5.51 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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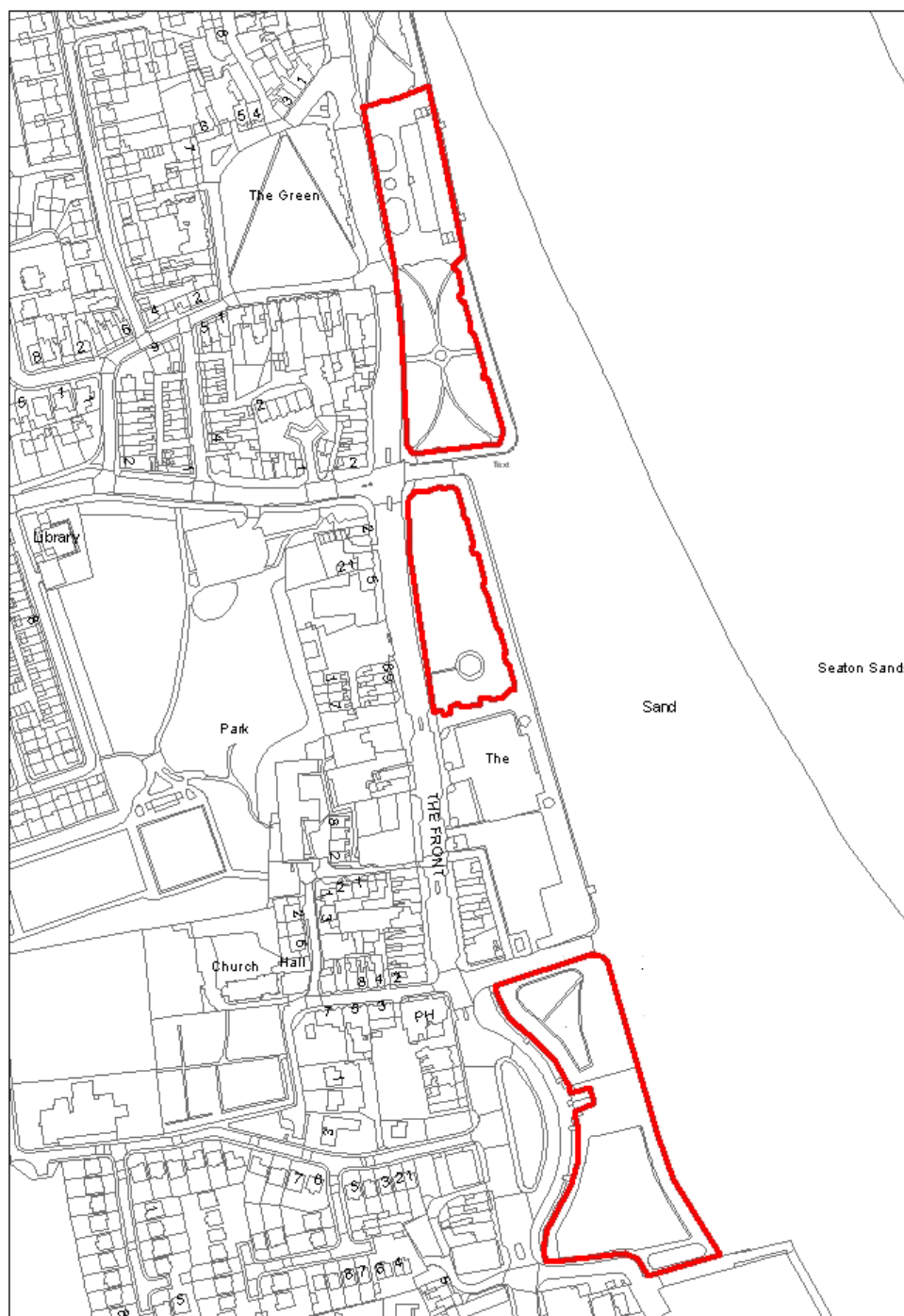
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LAND AT THE FRONT, SEATON CAREW



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: 1:3000
Date : 09/10/13
H/2013/0432

No: 6
Number: H/2013/0383
Applicant: Miss Sian Grindley Gentoo Homes 2 Emperor Way
Doxford International Business Park SUNDERLAND SR3
3XR
Agent: Gentoo Homes Miss Sian Grindley Akeler House 2
Emperor Way Doxford International Business Park SR3
3XR
Date valid: 05/08/2013
Development: Residential development comprising 23 dwellings,
associated roads, drainage and landscaping (amended
site layout plan received)
Location: Land adjacent to Raby Arms Front Street Hart
HARTLEPOOL

PURPOSE OF REPORT

6.1 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

6.2 In September 2012 a planning application was submitted for a residential development comprising 23 dwellings upon the site to which this application relates. In November 2012 the application was withdrawn in order for the developer to address a number of issues such as separation distances, archaeology and highway considerations.

6.3 In April 2013 a planning application for a residential development comprising 23 dwellings upon the site was considered by Members at Planning Committee. The application was refused by members for the following reasons:

1. It is considered that the proposal represents an overdevelopment of the site contrary to policies HSG 1 and ND4 of the emerging Hartlepool Local Plan Submission Document (June 2012).
2. It is not considered that the applicant has demonstrated that foul and surface water drainage arising from the site can be accommodated satisfactorily contrary to policy GEP 1 of the Hartlepool Local Plan 2006 and policy ND4 of the emerging Hartlepool Local Plan Submission Document (June 2012).
3. It is considered that the development would have a detrimental impact on road safety contrary to policy GEP1 of the Hartlepool Local Plan 2006 and policy ND4 of the emerging Hartlepool Local Plan Submission Document (June 2012).

6.4 The decision was issued on the 5th April 2013.

PROPOSAL AND SITE CONTEXT

6.5 The site to which this application relates is located south of the car park of the Raby Arms public house. The site is bound to the north by the aforementioned car park, by Millvale, a large detached bungalow located on Raby Close and No's 11 and 12 Hart Pastures. To the west and south of the site is bound by a tree belt which extends into the south and south-east of the application area. Beyond the southern tree belt lies the A179 Hart Bypass. The site lies outside the village envelope as defined by the adopted Hartlepool Local Plan 2006. The proposal represents a departure from the Hartlepool Local Plan 2006.

6.6 The application seeks consent for the erection of 23 dwellings, together with associated roads, landscaping and drainage infrastructure. The plans have been amended since originally submitted to include the revision of a house type. Given the minor nature of the revision it was not considered necessary to re-consult neighbouring properties.

PUBLICITY

6.7 The application has been advertised by way of neighbour letters (36), site notices (x4) and newspaper advert. To date, there has been 1 letter of support and 25 letters of objection received the concerns raised are:

1. Highway safety and traffic concerns
2. Impact on drainage and sewer system
3. The village environment should remain
4. School is full to capacity
5. Trees should not be removed
6. Two roundabouts wont work
7. Potential flooding implications
8. No further strategies have been proposed to tackle potential flooding problem
9. Potential noise implications
10. Residents in close proximity to site will have privacy invaded
11. Not in accord with Planning Policy LS1 of the Emerging Local Plan – site allocated for 15 dwellings
12. An almost identical application by Yuill Homes was refused less than 6 months ago
13. Development not in keeping with surrounding area
14. Loss of wildlife
15. Loss of light
16. Overshadowing
17. Local amenities wont support any possible new residents
18. Impact on public right of way
19. Is there a market need for the development given number of houses being built in the area
20. Third application in a year that a planning application has been put forward for this land
21. Increase traffic in village will travel times

22. Council is not protecting its outlying villages but only seems intent through this and other applications to destroy the village communities by continued encroachment and expansion
23. The field is a rare example of rigg and furrow agriculture which should be preserved
24. Density is too high
25. Congestion caused by development
26. Development will spoil village
27. 22 dwellings will have an adverse impact on the character of the village
28. Affordable housing provision is insufficient
29. Overflow of sewerage is detrimental to farming business
30. Development will impact on the medieval field system which is considered to be a heritage asset
31. There are better sites for housing
32. Hart should remain a village not become an estate
33. Impact on viability of the pub
34. Impact on horses and riders close by
35. Problems with refuse collection
36. Bus company may withdraw service due to traffic issues caused by the development
37. Development is unattractive
38. Development does not cater for the needs of villagers
39. Development would overwhelm the village
40. No cottages or bungalows have been included
41. Erosion of buffer zone
42. Development will become an extension of Middle Warren and Bishop Cuthbert
43. Proposed road calming measures will not work unless they are policed
44. The visual, historical and archaeological qualities of the village should be considered
45. Three storey town houses in a rural community will fail to improve the character of the area
46. Value of property will be impacted upon
47. Development does not accord with Local Plan policy
48. Development does not respect local context and street pattern
49. Development would not benefit the environment and landscape
50. Development would impact upon human rights
51. Noise assessment should be re-written
52. Over development of the site.
53. The landscape plan and Arboricultural Implications Assessment is inaccurate.
54. Inadequate parking
55. The archaeological information is inadequate, the site must be assumed to be archaeologically sensitive until proven otherwise.
56. The greenbelt is disappearing.
57. Consideration should be given to the sites inclusion in Ground Water Catchment Protection Zone.
58. Diverting or maintaining the Public Right of Way must be addressed prior to an approval of the application.
59. Would be detrimental to a local heritage asset – the remains of a Rigg and Furrow field system.

60. Discrepancy between the floor plan of the Beech House type and its description within the design and access statement.

Copy Letters E

6.8 The period for publicity has expired.

CONSULTATIONS

6.9 The following consultation replies have been received:

Hartlepool Water – Situated within the development area we have a 6 inch PVC Water Main which our records show as being abandoned some years ago.

I confirm that Hartlepool Water has sufficient capacity in the local network to supply the proposed development.

We therefore do not anticipate any diversion work

We have no objections to this development

Cleveland Fire Brigade – Cleveland Fire Brigade offers no representations regarding the above application as proposed.

However access and water supplies should meet the requirements as set out in approved document B volume 1 of the building regulations for domestic dwellings, or where buildings other than dwelling houses are involved then these should meet the requirements of Approved Document B Volume 2 for both access and water supply requirements

Environment Agency - We have NO OBJECTIONS to the development proposal as submitted. However, we have the following comments/advice to offer:

Flood Risk - Advice to LPA/Applicant

The application site is located in flood zone 1 and is therefore at low risk of flooding. The Flood Risk Assessment states that surface water will be directed to the public sewers. All drainage arrangements should therefore be made with Northumbrian Water regarding the discharge of surface water.

Car Parking Areas Draining to Ground - Advice to LPA/Applicant

Drainage to soakaway from car parking areas for >50 spaces should be passed through an oil interceptor before discharging to ground. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to groundwater.

Discharge of Foul Sewage - Advice to LPA

The application form indicates that foul sewage is to be discharged via the public sewers. The Sewerage Undertaker should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the

additional flows, generated as a result of the development, without causing pollution.

The Ramblers Association - We thank the council for consulting the Ramblers on the proposed development (message dated 9/8/2013).

We note that FP Hart 03 will run along estate roads. As far as we can see no attempt has been made to keep it on existing line or to find an alternative route away from estate roads.

We ask the council to refuse permission.

Hartlepool Civic Society - We have studied the latest plans and would comment that the application should be revised. The Local Plan states that the number of extra houses for this site is 16 and not 23 as given in this application.

We would urge the Council to ensure the developers comply with this proposed regulation.

Northumbrian Water – Comments awaited

Hart Parish Council – The development offered in the planning application is not dissimilar to the two previous applications by Yuill Homes. Both of these were refused planning permission on the grounds of traffic conflict between the proposed mini roundabout and the A179 roundabout. This is due to the short distance between them and the increase anticipated in traffic movements. The difficulties of exiting Hart village from the east end, and towards the A19 at the west end are already well documented. Additionally there was concern about overdevelopment and also the foul and surface water management. It is considered that the development would have a detrimental impact on road safety. In the recent heavy rain fall a similar development at Redcar was overwhelmed using a similar excess water retention system as proposed for this site. The houses there were flooded.

The parish council would also point out that they are awaiting the report from Northumbria Water regarding their survey of drains and sewers that are raising concerns in regard to overflows particularly in the event of heavy showers. The PC is aware that NW had difficulty getting their CCTV cameras into the pipe work and on one occasion the rising water following a short shower brought work to a standstill. There is obviously a serious problem in the overall drainage system and adding a further 23 dwellings to the load would simply exacerbate this, confirming the findings in the refusal report.

It is well established in rural villages that the demographic tendency is towards an older population and younger members tend to move away mainly because of the cost of housing within their birthplace. There are a reducing number of children within Hart, which does not appear to have been recognised in the application. The village school is full but only by occupation from families outside the village being transported from a wide area. This is evidenced by the traffic problems during term time, which exasperates the difficulty of accessing the A179 at the eastern end.

There still remains an availability of a wide range of housing in the near area of Hart. A range of dwellings within walking distance on the Throston and Warren estates is available and the builders have found it necessary to offer attractive deals in an effort to move these on the market. This in itself makes it questionable that this proposal would attract buyers particularly as houses in the villages generally have premium prices attached.

The offering of 23 houses instantly is an intense attack by the developer when the Local Plan has suggested an acceptable 15 houses over a five year period.

It is a fact that all traffic, regardless of destination, emanating from Hart leaves the village by the eastern exit, as the western exit is impossible particularly for journeys to towards the A19 due to the continuous traffic flow along the A179 in both directions. Indeed one of the bus services was lost to Hart as the schedule needed an extra 3 minutes to service another village and the investigation showed that more than this was being lost at this western junction. Arriva bus drivers were frustrated to the extent that they often drove eastwards to the roundabout then back up the A179 in order to make progress on their journey.

Trees

It appears that the Yuill Homes documentation has been used to cover this and a rearrangement of the plot layout has been made to fit into the retained trees, there has been no fundamental change in this area.

The document number *Statement of Community Consultation* page 7 para 5.7, states that: *The village seat is outside the site and will not be affected.* This appears to be a contradiction with document *Arboricultural Impact Assessment* section 4.3 that indicates that the *construction of the proposed development will necessitate the removal of Trees 1, 11, 12 and 13.* Tree number 1 is south of the seat and the location of this seat was particularly chosen to use the said tree as a shade from the noonday sunshine. The diagram shown suggests that the seat is bound to be affected.

Drainage & Sewerage

The proposed site does flood and the most recent was in December 2012. The water recedes by natural drainage over a time but should there be building on this site then the natural soak away will be lost. Additionally there are existing problems in the area of The Fens. This development in the 1930's was well named and residents have brought to our attention the level of water they experience at their eastern boundary and beyond. The farmer, Mr. Britton, who works this land, has advised the Parish Council of problems with not only surface water but also sewerage/foul water leakage. The existing sewerage and surface water drainage, despite being mathematically capable of handling the programmed through put apparently falls short in reality. The proposal to add further to this load onto the outdated system does not make sense.

Road Alterations

The comments raised by highways at the time of the earlier application presumably still hold good and we assume that Geetoo are prepared to foot the cost of this. It remains a sore point with residents and the Parish Council that this busy outlet can be considered as suitable for the additional traffic from the proposed estate to feed into it. We are aware that the stables opposite the Raby Arms car park are in regular use with younger riders and the complexity of the created junction puts them at risk.

Bats

Bats are evident in the field south of the Raby Arms. It is generally assumed that bats will roost in buildings of which several are available adjacent to the field. However it is known that most bats in the UK evolve to roost in trees. This information was gleaned from The Bat Conservation Trust web site. "About three quarters of British bat species are known to roost in trees. The remaining species tend to favour human-made structures because of a lack of suitable and available tree habitat." It goes on to state that, "Trees provide shelter and attract a diverse range of insects for bats to feed on. Since bats are not able to bore holes or make nests, they use whatever gaps are available – including hollows made by other animals, the natural decay of the wood or arboricultural methods". Has a bat survey been conducted?

Noise

The comments raised by the Parish Council on the previous applications hold good. Despite providing acoustic fencing and double-glazing the reality is those residents do spend time outside their homes during the spring and summer and they will have little respite from the A179 traffic in such times. Double-glazing is not effective in warm weather when windows are opened. The traffic noise from the A179 is noticeable daily throughout the village during the entire 24 hours.

The respected town planner Colin Haycock (Design Council CABE), with the Rural Development Group made an appraisal of the village in 2012 and suggested other locations within the village for the planned 15 houses. He felt that this site was not fit for purpose of a housing development.

Further representation received as follows:

The comments from the Parish Council are in the post following last night's PC meeting. I have been advised that the Raby Arms had to close following the downpour on Friday 6 September due to flooding in the pub and surrounding area. This heavy rainfall is referred to in the comment letter in connection with the systems put in place at a site in Redcar which are supposed to accommodate unusual rainfall, store it to even out the pressure on the drainage system. As indicated in our letter it did not work at Redcar and the same or similar system is just as likely to fail on the proposed site.

Council's Arborist – A comprehensive arboricultural impact assessment that was submitted in support of the previous applications for this site has been submitted in support of the current application. As the site circumstances have not changed

considerably in the intervening time between applications I would consider the contents of the assessment to be acceptable.

A total of fifteen individual trees and eight distinct groups of trees/shrubs are included in the assessment, with six individual trees identified for removal and three tree groups identified for partial removal.

Of the six individual trees identified for removal, three (T12, T14 and T15) are over-mature Ash trees which are in an advanced state of decline, two are small multi-stemmed trees (T11 and T13), and one is a Norway Maple (T1) which is the end tree of a group located adjacent to the proposed entrance to the development. It is not thought that the removal of these trees would have a significant adverse impact upon local amenity and therefore their removal is considered acceptable.

It will be necessary to remove a section of hedgerow (Group 2) at the eastern boundary of the site in order to create the proposed entrance to the development, and two sections of young to semi-mature trees (Groups 7 and 8) will need to be removed in order to allow construction of the proposed pumping station and the proposed dwelling at plot 13. It is not thought that the partial removal of these tree groups would have a significant adverse impact upon local amenity and therefore their removal is considered acceptable.

A draft tree protection plan which indicates the provisional positions of temporary protection barriers around the retained trees at the site has been included with the arboricultural impact assessment. The draft tree protection plan is considered generally acceptable; however, as is stated in section 5.7 of the arboricultural impact assessment, once all technical drawings regarding construction of the proposed development are completed, a finalised arboricultural method statement (which should include a finalised tree protection plan) appropriate to the proposals as approved should be submitted to and approved by the local planning authority prior to commencement of works on site. These details will be required by condition.

Turning to the landscaping of the proposed development, an indicative landscape layout has been submitted in support of the application which shows the retained trees, two areas of open space, and approximately 46 new trees shown to be planted in front and rear residential gardens to each dwelling plot. Insufficient detail has been submitted in order to allow a full assessment of the landscape proposal however; therefore these details will be required by condition.

With regard to the detail of the indicative landscaping proposal, there are a number of particular considerations that I would recommend should be addressed, these are as follows.

- It is recommended that the site layout be amended with respect to the boundary of plot 23, the eastern boundary of this plot should be moved approximately 7m west to outside of the canopy of the adjacent veteran Ash tree in order to avoid requests for overhanging branches to be cut back.
- Details of estate type or post and rail type fencing to enclose the two areas of open space should be included.

- The remaining areas of young/semi-mature trees at plots 1, 4 and 13 should be selectively thinned, favouring the better quality individuals, in order to create more useable garden space.
- Two existing trees located south of plot 16 are shown to be retained on the site layout plan; however these trees are indicated for removal in the arboricultural impact assessment and should therefore be omitted from the site layout plan and suitable replacement trees provided.
- I would consider there to be slight overprovision of new trees, and that consideration should be given to more appropriate spacing of new trees, particularly in relation to the rear of plots 5 – 12.

Should the proposal be approved I would recommend inclusion of the following conditions:

No development shall take place until an arboricultural method statement, including 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.

Standard conditions J161 and J170 also apply.

Following the above comments, an amended site layout plan has been provided. The following comments have been received regarding this:

I welcome the changes that have been made, however there are still a couple of issues with the amended plans with regard to trees and landscaping that I would consider should be addressed.

- An existing tree is shown to be retained to the front of plot 17. This tree is a collapsed shattered stem which has a small amount of regrowth from the base and may not be considered appropriate for retention in a small new front garden. It should be removed and a suitable replacement provided.
- I would recommend that the area of open space on the right hand side as you enter the site be enclosed with estate type railings or similar (with a gate for access for grounds maintenance equipment) and that an area beneath the canopy of the two veteran Ash trees either be planted with a suitable selection of low growing shrubs or be subject to a less frequent mowing regime than the remaining grassed area within this space. The two veteran ash trees located within this space are very old and may have a somewhat elevated risk of branch failure associated with them. For this

reason, in my opinion, it would be considered a prudent measure to discourage frequent access beneath the canopy in order to reduce the risk of harm should a branch fall. As an additional measure, perhaps also give consideration to incorporating a discrete sign incorporated within the access gate saying something like 'Please be aware that the two large trees within this area are very old and may have an increased risk of branches falling from them'.

I have annotated the applicants plan to indicated my recommendations and provided examples of what I would consider to be suitable types of fencing

Child and Adult Services – The pupil projections show that there are sufficient school places across the borough to accommodate this development.

Engineering Consultancy – Comments awaited

Council's Ecologist – Comments awaited

Cleveland Police – Comments awaited

Countryside Access Officer – Comments Awaited

Tees Archaeology - The application site lies within the historic medieval village of Hart and close to the find spot of an important Anglo-Saxon cross. The paddock of land itself contain the earthwork remains of a least one platform (function unknown) and an area of ridge and furrow (medieval ploughing).

The application now includes a report on the results of a field evaluation (NPPF 128) and I can confirm that this is sufficient to give an informed decision on the impact of the proposal on the significance of the heritage assets.

In summary the platform feature appears to be 19th century, perhaps connected to clay quarrying and is not historically significant. The ridge and furrow dates from the 13th-14th century and could be considered of local interest, however it's importance is insufficient to preclude development. The report acts as an appropriate level of record for the ridge and furrow.

The report for the work suggests that there is a strong likelihood for discrete archaeological features to survive across the site and suggests that archaeological monitoring during topsoil stripping would be advisable. I agree with this proposal and recommend that this is achieved by means of a planning condition, the suggested wording for which I set out below:-

Recording of a heritage asset through a programme of archaeological works

A) No development shall take commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording

2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

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

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

Traffic and Transportation - The internal highway layout is acceptable.

All driveways should be a minimum 6 metres in length.

Parking provision is acceptable, three of the affordable houses only provide 1 parking space per property, this is the minimum number of spaces allowable for affordable housing, and will require visitors to park on the highway. Due to the low number of properties this involves I would not consider this to be an issue.

The roads and footways should be constructed to an adoptable standard either with a section 38 agreement or advanced payment code method.

The proposed access is located approximately 45 metres from the Hart Village / A179 roundabout and opposite an existing junction. Ideally for a road of this type new junctions should be sighted 60 metres or more from existing junctions on the same side of the road and 30 metres from junctions opposite. The developer will need propose measures to slow traffic coming off the A179, alternatively a contribution could be made for the implementation of highway safety measures in the vicinity of the junction and suitable measures devised and implemented by ourselves.

Public Protection - I would have no objections to this application subject to the following conditions;

Notwithstanding the information provided in the noise assessment submitted with the application a sound insulation scheme to the habitable rooms of plots 1, 4, 5, 12, 13, 18 and 23 shall be agreed in writing with the LPA and thereafter installed and maintained for the life of the development.

Notwithstanding the information provided in the noise assessment submitted with the application an acoustic fence shall be provided to the rear of the Raby Arms the

details of which shall be agreed in writing with the LPA and thereafter installed and maintained for the life of the development.

Notwithstanding the information provided in the noise assessment submitted with the application the details of the acoustic barrier to the boundary with the A179 hart Bypass shall be agreed in writing with the LPA and thereafter installed and maintained for the life of the development.

PLANNING POLICY

6.10 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

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

GEP1: General Environmental Principles
 GEP2: Access for All
 GEP3: Crime Prevention by Planning and Design
 GEP7: Frontages of Main Approaches
 GEP9: Developers' Contributions
 GEP12: Trees, Hedgerows and Development
 Hsg9: New Residential Layout
 Tra14: Access to Development Sites
 Tra16: Car Parking Standards
 Tra20: Travel Plans
 Rec2: Provision for Play in New Housing Areas
 Rur3: Village Envelopes
 Rur14: Tees Forest
 Rur18: Rights of Way

National Policy

6.12 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.

Paragraph 13 - The National Planning policy Framework constitutes guidance

Paragraph 14 - Presumption in favour of sustainable development

Paragraph 49 - Housing and the presumption in favour of sustainable development

Paragraph 56 - Design of the built environment and its contribution to sustainable development.

Paragraph 57 - High quality inclusive design

Paragraph 60 - Promotion or reinforcement of local distinctiveness

Paragraph 61 - The connections between people and places

Paragraph 64 - Improving the character and quality of an area

Paragraph 66 - Community involvement

Paragraph 96 - Minimise energy consumption

Paragraph 196 - Determination in accordance with the development plan

Paragraph 197 – Presumption in favour of sustainable development.

PLANNING CONSIDERATIONS

6.13 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 and land uses, the effect of the proposals on highway safety/parking, ecology, trees, drainage, flooding, noise and disturbance, archaeology, public rights of way, and developer contributions.

6.14 Given that a number of consultation responses are still outstanding it is considered prudent for a comprehensive update report to be provided.

EQUALITY AND DIVERSITY CONSIDERATIONS

6.15 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

6.16 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.

6.17 The comments of Cleveland Police are awaited.

RECOMMENDATION – Comprehensive update report to follow

BACKGROUND PAPERS

6.18 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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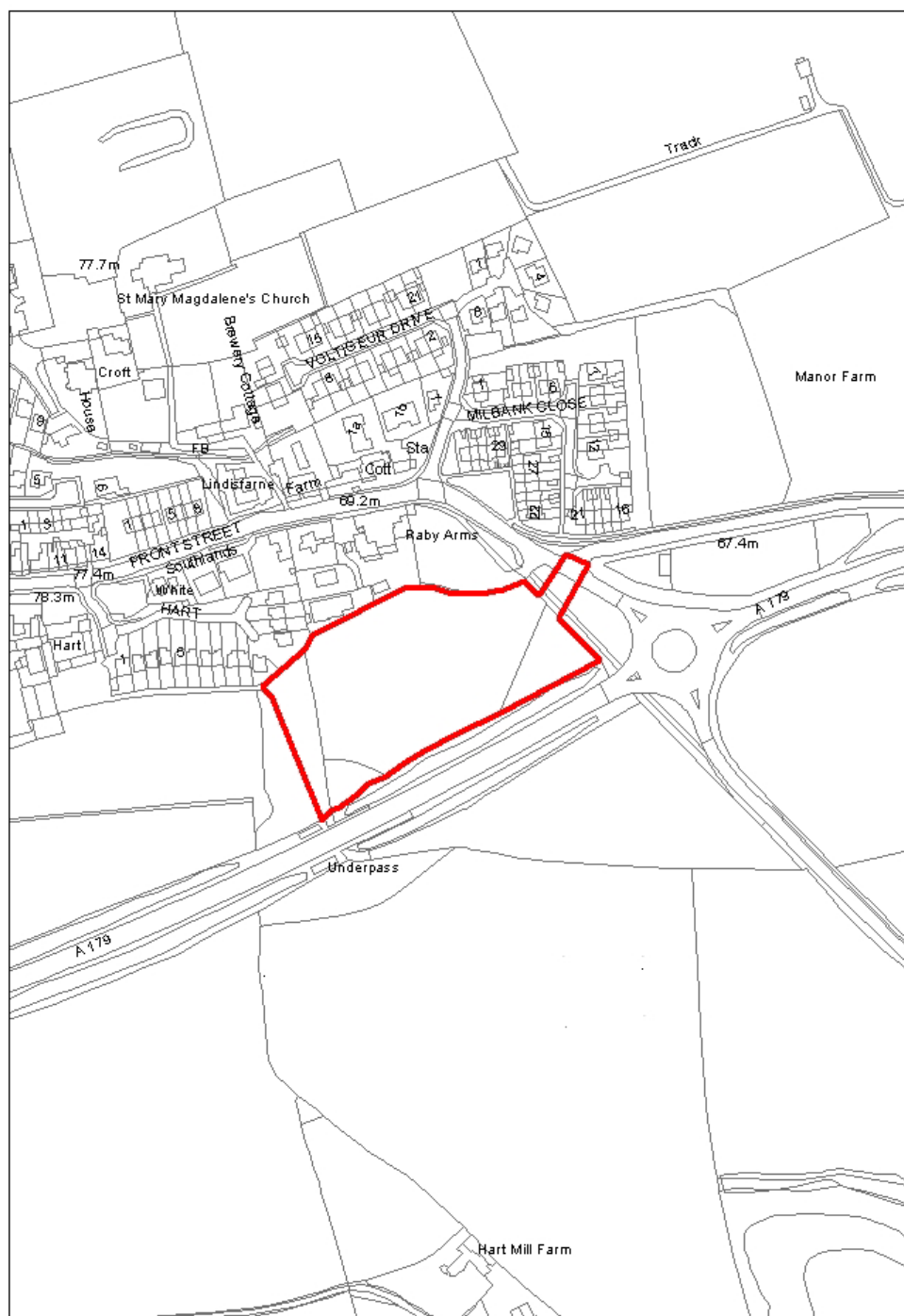
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LAND ADJACENT TO THE RABY ARMS



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: 1:3000
Date : 07/11/13
H/2013/0383

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.

GEP7 (Frontages of Main Approaches) - States that particularly high standards of design, landscaping and woodland planting to improve the visual environment will be required in respect of developments along this major corridor.

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.

GEP12 (Trees, Hedgerows and Development) States that the Borough Council will seek within development sites, the retention of existing and the planting of additional, trees and hedgerows. Development may be refused if the loss of, or damage to, trees or hedgerows on or adjoining the site will significantly impact on the local environment and its enjoyment by the public. Tree Preservation Orders may be made where there are existing trees worthy of protection, and planning conditions will be imposed to ensure trees and hedgerows are adequately protected during construction. The Borough Council may prosecute if there is damage or destruction of such protected trees.

Com5 (Local Centres) - States that proposals for shops, local services and food and drink premises will be approved within this local centre subject to effects on amenity, the highway network and the scale, function, character and appearance of the area.

Com12 (Food and Drink) - States that proposals for food and drink developments will only be permitted subject to consideration of the effect on amenity, highway safety and character, appearance and function of the surrounding area and that hot food takeaways will not be permitted adjoining residential properties. The policy also outlines measures which may be required to protect the amenity of the area.

To3 (Core Area of Seaton Carew) - States that commercial and leisure developments within this area will be permitted where they are sympathetic to the character of the area and in keeping with its development as a seaside resort.

To4 (Commercial Development Sites at Seaton Carew) - Identifies this area for appropriate commercial and recreational facilities which will enhance the attraction of Seaton Carew for both residents and visitors.

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.

Tra14 (Access to Development Sites) - Identifies the primary access point to this development.

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

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

Rec2 (Provision for Play in New Housing Areas) - Requires that new developments of over 20 family dwellings provide, where practicable, safe and convenient areas for casual play. Developer contributions to nearby facilities will be sought where such provision cannot be provided.

Rec9 (Recreational Routes) - States that a network of recreational routes linking areas of interest within the urban area will be developed and that

proposals which would impede the development of the routes will not be permitted.

GN3 (Protection of Key Green Space Areas) - Strictly controls development of this area and states that planning permission will only be granted for developments relating to open space uses subject to the effect on visual and amenity value and character of the area, on existing uses, the continuity of the green network and on areas of wildlife interest.

HE1 (Protection and Enhancement of Conservation Areas) - States that development will only be approved where it can be demonstrated that the development will preserve or enhance the character or appearance of the Conservation Area and does not adversely affect amenity. Matters taken into account include the details of the development in relation to the character of the area, the retention of landscape and building features and the design of car parking provision. Full details should be submitted and regard had to adopted guidelines and village design statements as appropriate.

HE2 (Environmental Improvements in Conservation Areas) - Encourages environmental improvements to enhance conservation areas.

HE6 (Protection and Enhancement of Registered Parks and Gardens) - States that design and materials in new developments in the immediate vicinity of registered parks and gardens of special historic interest should take account of the character of the area and that no special features should be lost to development.

Rur1 (Urban Fence) - States that the spread of the urban area into the surrounding countryside beyond the urban fence will be strictly controlled. Proposals for development in the countryside will only be permitted where they meet the criteria set out in policies Rur7, Rur11, Rur12, Rur13 or where they are required in conjunction with the development of natural resources or transport links.

Rur3 (Village Envelopes) - States that expansion beyond the village limit will not be permitted.

Rur7 (Development in the Countryside) - Sets out the criteria for the approval of planning permissions in the open countryside including the development's relationship to other buildings, its visual impact, its design and use of traditional or sympathetic materials, the operational requirements agriculture and forestry and viability of a farm enterprise, proximity to intensive livestock units, and the adequacy of the road network and of sewage disposal. Within the Tees Forest area, planning conditions and obligations may be used to ensure planting of trees and hedgerows where appropriate.

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

Rur16 (Recreation in the Countryside) - States that proposals for outdoor recreational developments in rural areas will only be permitted if the open nature of the landscape is retained, the best agricultural land is protected from irreversible development, there are no new access points to the main roads, the local road network is adequate, the amount of new building is limited and appropriately designed, sited and landscaped, there is no disturbance to nearby occupiers, countryside users or nature conservation interest and adequate car parking can be provided. Within the Tees Forest area, planning conditions and obligations may be used to ensure planting of trees and hedgerows where appropriate.

Rur18 (Rights of Way) - States that rights of way will be improved to form a network of leisure walkways linking the urban area to sites and areas of interest in the countryside.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2012

7. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

13. The National Planning Policy Framework is a material consideration in determining applications.

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.

19. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

28. Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

49: Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

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.

57: It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

60. Planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

61: Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

64: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

66: Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.

74. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

96: In determining planning applications, local planning authorities should expect new development to:

- comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

123. Planning decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

131: Viable uses consistent with the conservation, positive contribution to sustainable communities and local character and distinctiveness

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness

132: Great weight should be given to the asset's conservation

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

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.

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

UPDATE

No: 3
Number: H/2013/0472
Applicant: Mr Gurvir Singh 122 West View Road HARTLEPOOL
 TS24 0BN
Agent: Mr Gurvir Singh 122 West View Road HARTLEPOOL
 TS24 0BN
Date valid: 23/10/2013
Development: Change of use from retail (Class A1) to hot food takeaway
 (Class A5) and provision of extract ventilation equipment
Location: Pound Saver 2 Brus Corner HARTLEPOOL

3.1 This item appears as item 3 on the main agenda. The responses from Cleveland Police, the Council's Public Protection and Traffic and Transportation Teams have all been received and are set out below.

3.2 A further 10 letters of objection have been received (two from the same objector) following the completion of the initial committee report. The period for publicity is still outstanding and expires after the committee meeting. Any further representations received will be tabled at the meeting. The further 10 letters of objection raise the following concerns:

1. Takeaway is inconvenient to the area
2. There are already existing takeaways
3. Existing problems with rats
4. Concerns regarding litter
5. Alternative use should be provided
6. Three schools are located in close proximity
7. Concerns regarding environment
8. Concerns regarding welfare of the community
9. Concerns regarding loss of jobs at existing take away on parade
10. Concerns that applicant will not necessarily be the proprietor

ADDITIONAL CONSULTATION RESPONSES RECEIVED

3.3 The following consultation replies have been received:

Traffic and Transportation – There are no highway or traffic concerns.

Public Protection – I would have no objections to this application subject to an extract ventilation condition, a sound insulation condition requiring the submission of a scheme for the provision of sound insulation between the ground floor shop and the first floor flat, the scheme to be agreed in writing and installed and maintained for the duration of the use as a hot food takeaway.

I would also require an hour's condition.

I require the extract ventilation condition as the information provided with the application is insufficient for approval. The final extract point of the extract ducting needs to be at least 1m above the eaves and at least 2m away from any openable window. I also require technical information on the fans, grease filters filtration systems etc.

I would recommend the installation of a grease trap to the drainage system.

Cleveland Police – After consultation with Police Licensing Department Police have no objections to this change of use. These types of premises do however have the potential to create problems with regard crime and disorder the proposed opening should reduce the potential of this but I would still recommend the installation of CCTV to cover both internal and front external areas of the premises the CCTV should be capable of producing images for use in a court of law. I would also recommend that the serving counter is designed to offer protection to staff this should prevent easy access to the private serving area the counter should be sufficient height and width to assist with personal safety of staff. Any replacement doors or windows I would recommend complies with Secured by Design standards which are outlined at www.securedbydesign.com.

PRINCIPLE OF DEVELOPMENT

3.4 As outlined in the previous report Adopted Hartlepool Local Plan Policy Com 5 (Local Centres) makes provision for food and drink premises including hot food takeaways (A5) within designated local centres, providing that there is no significant adverse impact on the occupiers of adjoining or nearby properties and the highway network. The policy also requires the potential of the proposal upon the function, character and appearance of the area to be considered.

3.5 Brus Corner is a busy local centre consisting of ten retail units which provides a wide range of services including two existing hot food takeaways. In view of this, it is considered that the proposed change of use is acceptable and that an additional takeaway in this location is unlikely to prejudice the function of the local centre or unduly affect the character and appearance of the area.

IMPACT ON THE AMENITY OF NEIGHBOURING PROPERTIES

3.6 The application site is a retail unit with flats above. The unit is located on the end of a row of similar commercial units all with flats above. Whilst it is acknowledged that hot food takeaways generally operate in a different way to other types of shop i.e. lunch times, evenings and nights, the property is within a purpose built local shopping parade where there are other takeaways shops. Whilst it is acknowledged that there are flats located above the commercial unit and properties upon West View Road it is not considered that the impact upon the living conditions of the occupants of these flats and properties will be so significant whereby the Local Planning Authority could sustain a refusal. Moreover, it is not considered that the opening of a further A5 use within the local centre will be to the significant detriment of the environment or an inconvenience to the area as cited in a number of

objections. The Council's Head of Public Protection has raised no objection to the proposal subject to a number of conditions, including the provision of noise insulation measures and further extract ventilation details. Given the hours requested and controlled by way of a proposed condition it is not considered in this case that the use would have a significant impact on neighbouring properties in terms of noise and disturbance, again, Public Protection has raised no objection in this respect.

IMPACT ON THE CHARACTER AND VITALITY OF THE CATCOTE LOCAL CENTRE

3.7 As outlined above, the site to which this application relates is located in a busy local centre. Brus Comer consists of a number of uses including a newsagent, a bakery, a pharmacy, a florist, a post office, a hairdressing salon and existing hot food takeaways. It is not considered that the opening of an additional A5 (hot food takeaway) use will be significantly detrimental to the character and vitality of the Local Centre or the immediate area in general to a level whereby the Local Planning Authority could sustain a refusal.

HIGHWAY SAFETY

3.8 Although there is no dedicated parking for this property there is ample off street parking located to the front of the unit serving the local centre. No objections have been raised from the Council's Traffic and Transportation Team.

OTHER ISSUES

3.9 A letter of objection concerns the potential loss of jobs at an existing hot food takeaway located in the local centre. It is prudent to state in the context of this report that competition is not considered to be a material planning matter and therefore no weight has been attributed to these comments. In view of this, it is considered that it would be difficult to sustain an objection to the proposal.

3.10 Further concern has been received regarding anti-social behaviour issues associated with the provision of a hot food takeaway. With regard to this officers do not consider that the provision of a further hot food takeaway in the local centre would act as a catalyst for anti-social behaviour in the area. Cleveland Police has raised no objections to the proposed change of use, however they have advised the installation of CCTV. With regard to the provision of CCTV it is not considered that this could reasonably be required by way of a condition in this instance. Notwithstanding this, a suitably worded informative will be attached to any permission should members be minded to approve the application.

3.11 Concerns have been raised that the applicant may not necessarily be the proprietor of the takeaway shop. With regard to this it is prudent to state that even if this was to be the case should consent be granted this is not a material planning consideration and therefore no weight can be attributed to this concern.

3.12 Finally, concerns have been raised regarding the proximity of schools to the proposed takeaway. With regard to this officers do not consider that the opening of

a further takeaway in the local centre will significantly impact upon the eating characteristics of young people of the public in general. It is not considered that the Local Planning Authority could sustain a refusal with regard to this.

QUALITY AND DIVERSITY CONSIDERATIONS

3.13 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

3.14 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.

3.15 There are no Section 17 implications.

REASON FOR DECISION

3.16 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 – Minded to approve subject to the conditions outlined below with the final decision delegated to the Planning Services Manager for the consideration of any further representation received following the Committee Meeting.

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans (Site Location Plan) and details received by the Local Planning Authority on 23/09/2013 and the amended plan (DWG NO: 01 Rev-) received by the Local Planning Authority on 13/11/2013, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. The premises shall only be open to the public between the hours of 11:00am to 14:00pm and 16:00pm to 22:00pm Mondays to Saturdays inclusive and at no other time on Sundays or Bank Holidays.
In the interests of the amenities of the occupants of neighbouring properties.
4. Notwithstanding the plans and details outlined within condition 2 of this consent the use hereby approved shall not commence until there have been submitted to and approved in writing by the Local Planning Authority further plans and details for ventilation filtration and fume extraction equipment to reduce cooking smells, and all approved items have been installed.
Thereafter, the approved scheme shall be retained and used in accordance

with the manufacturers instructions at all times whenever food is being cooked on the premises.

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

5. Prior to the commencement of the use hereby approved, the building shall be provided with noise insulation measures between the ground floor shop and the first floor flat, details of which shall be submitted for the consideration and approval of the Local Planning Authority. The scheme shall ensure adequate protection is afforded against the transmission of noise between the hot food takeaway and the first floor flat. The noise insulation scheme, as approved, shall be implemented in full and retained thereafter during the lifetime of the development.
In the interests of the amenities of the occupants of neighbouring properties.
6. Prior to the commencement of the use hereby approved a scheme for the provision of a grease trap to the drainage system shall be submitted for the consideration and approval of the Local Planning Authority. The grease trap scheme, as approved, shall be implemented in full and retained thereafter during the lifetime of the development.
In the interests of protecting the existing drainage system.
7. The use hereby approved shall not commence until proposals for the storage of refuse within the site (as shown edged red on the Site Location Plan) have been submitted to and approved in writing by the Local Planning Authority and all such approved details have been implemented.
In the interests of the amenities of the occupants of neighbouring properties.

BACKGROUND PAPERS

3.17 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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UPDATE

No: 4
Number: H/2013/0494
Applicant: Mrs P Taylor Stead Lane BEDLINGTON Northumberland NE22 5LX
Agent: Mrs P Taylor 57 Stead Lane BEDLINGTON NE22 5LX
Date valid: 09/10/2013
Development: Change of use of land for use by Western Living History Group and siting of caravans
Location: Land opposite Three Gates Farm Dalton Piercy Road HARTLEPOOL

BACKGROUND

4.1 This application appears on the Agenda at item 4. A number of consultation responses were outstanding.

PUBLICITY

4.2 No additional representations have been received.

4.3 The time period for representations has expired.

CONSULTATION RESPONSES

4.4 The following additional consultation responses have been received.

Highways Agency : Having considered the above development proposals, we can confirm no objections in principle to the application. Therefore please find a TR110 with no objections attached. I would however wish to reiterate to the applicant that there is a history of accidents at the junction with the A19 close to the application land and as advised previously it would be in the interests of the applicant to inform all members using the site to consider using safe routes to and from the development particularly caravan related traffic arriving and departing the site.

As I recall from previous applications, there were no restrictions regarding traffic arriving from the North, and traffic heading to the South from the site. However, Traffic departing to the North - Turn right towards Dalton Piercy continue to Elwick Crossroads, continue north towards the A179, turn left onto the A179 Westbound towards the A19/A179 Interchange turning right onto the A19 Northbound. Arriving from the South - Leave A19 at A19/A689 Interchange, follow A689 towards Hartlepool, turn left onto Dalton Back Lane, continue to Dalton Piercy Road, turn left towards Three Gates Farm.

Traffic & Transportation : The Western Living History Group has been operating in this location for several years and there have been no highway related complaints.

UPDATE

So long as the group have no plans to hold events attended by the general public I would have no objections to the proposals.

The group should operate the previously agreed marshalling system for vehicles entering and leaving the field and vehicles towing caravans adhere to the agreed route specified by the Highways Agency, ie vehicles towing caravans should avoid turning right into and out of Dalton Road at its junction with the A19. The proposed routes (suggested by the Highway's Agency above) are satisfactory.

Public Protection : No objections.

Dalton Piercy Parish Council : No comments received.

PLANNING POLICY

4.5 The relevant planning policies are identified in the main report.

PLANNING CONSIDERATIONS

4.6 The main planning considerations are considered to be policy, impact on the amenity of neighbours, impact on the visual amenity of the area and highway safety.

POLICY

4.7 The proposal is a relative unique one which essential involves the use of the site for recreational purposes and caravanning by the Wild West Legends Living History Group. The Group is a small group with a total of 23 members at present, and uses the site to meet at least once a month during the summer, more frequently weather permitting, to socialise, rehearse sketches for re-enactments at schools and external events, and to work on the buildings which are currently being erected on the site. During the meeting the members stay on site in caravans with a maximum of seven caravans normally present on site at any time.

4.8 The proposed recreational use of the site is relative low key and is considered acceptable in policy terms.

IMPACT ON THE AMENITY OF NEIGHBOURS

4.9 The site is relatively isolated and is surrounded by fields whilst there are residential properties in the vicinity the closest is located some 100m away and screening is afforded by existing hedgerows. Public Protection has raised no objections to the proposal and it is not considered that the proposed use will have any significant impact on the amenity of neighbours.

IMPACT ON VISUAL AMENITY

4.10 The site is bounded by mature hedgerows on three sides. It is not considered that the use of the site will have a significant impact on the visual amenity of the area.

UPDATE

HIGHWAY SAFETY

4.11 The site is accessed from the public road to the north which links the A19 to Dalton Piercy. Members tow caravans to and from the site and there are therefore potential highway safety issues arising from the use of the access and from vehicles using the A19.

4.12 The Highways Agency and the Traffic & Transportation Section have been consulted and raised no objection to the proposal. The Highway Agency have advised however that it would be in the interests of the applicant to inform all members using the site to consider using safe routes to and from the development particularly caravan related traffic arriving to avoid potentially dangerous manoeuvres onto and from the A19. The Traffic and Transportation Section have advised that the use of the access is marshalled again to limit any risk to road users when caravans are entering and leaving the site. Appropriate conditions are proposed and in highway safety terms the proposal is considered acceptable.

CONCLUSION

4.13 The proposal is considered acceptable and is recommended for approval subject to the conditions outlined in the report.

EQUALITY AND DIVERSITY CONSIDERATIONS

4.14 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

4.15 There are no Section 17 implications.

REASON FOR DECISION

4.16 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 Reports.

RECOMMENDATION – APPROVE subject to the following conditions

1. Persons using the site shall be encouraged by the applicant (Wild West Legends Living History Group) to use safe routes to and from the site. These routes shall be actively promoted to all users of the site and members of the Wild West Legends Living History Group shall be advised of these safe routes in writing by the applicant on joining the Group and all members a minimum of once a year. The safe routes in question for traffic using the A19 shall be as follows: Traffic arriving from the North - No restrictions, Traffic departing to travel South - no restrictions. Traffic departing to travel North - Turn right towards Dalton Piercy continue to Elwick Crossroads, continue north towards the A179, turn left onto the A179 Westbound towards the A19/A179 Interchange turning right onto the A19 Northbound. Traffic arriving from the

UPDATE

South - Leave A19 at A19/A689 Interchange, follow A689 towards Hartlepool, turn left onto Dalton Back Lane, continue to Dalton Piercy Road, turn left towards Three Gates Farm.

In the interests of highway safety.

2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 9th October 2013 as amended in respect to the site location plan by the plan received at the Local Planning Authority on 25th October 2013, unless otherwise agreed in writing by the Local Planning Authority.

For the avoidance of doubt.

3. The site shall only be used for the purposes hereby approved by Members of the Wild West Legends Living History Group. It shall not be open to members of the general public or used for events, shows, gatherings or similar to attract members of the general public to the site.

For the avoidance of doubt and in the interests of highway safety.

4. This permission relates only to the use of the site only, for the use hereby approved by and for the benefit of the applicant (the Wild West Legends Living History Group) and shall cease once the use of the site by the applicant ceases. At that time all caravans and buildings (identified on the plan showing the indicative layout as sheds 1 to 7), save for the stable building, shall be removed from the site and the site restored to its former condition in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.

In the interests of visual amenity and highway safety.

5. For the avoidance of doubt this permission relates only to the use of the site and does not authorise the erection of, or alterations to, any of the buildings on the site.

For the avoidance of doubt.

6. Only touring caravans, and not static caravans, shall be brought on to the site. Any caravans on/brought onto site are to be occupied for holiday/recreational purposes only associated with the use of the site by the Wild West Legends Living History Group. Any caravans on/brought onto site shall not be occupied as any person's sole, or main place of residence. No caravans shall be stored on the site when not in use.

For the avoidance of doubt and as the site is not considered suitable for permanent residential occupancy.

7. For the avoidance of doubt none of the buildings identified on the submitted indicative layout plan as sheds 1 to 7 or the stables in the area shall be occupied as a dwelling.

For the avoidance of doubt.

8. Vehicles entering and leaving the site shall be marshalled by a competent person(s) to ensure the safety of other road users is not affected, in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority within 2 months of the date of this permission.

In the interests of highway safety.

9. A visibility splay of 2.4m x 90 m shall be maintained at all times at the entrance/egress to/from the site to/from the public highway. The visibility plays shall be retained during the lifetime of the development.

In the interests of highway safety.

UPDATE

BACKGROUND PAPERS

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UPDATE

No: 5
Number: H/2013/0432
Applicant: MR DALE CLARKE BRYAN HANSON HOUSE HANSON
SQUARE HARTLEPOOL TS24 7BT
Agent: MR DALE CLARKE HARTLEPOOL BOROUGH
COUNCIL BRYAN HANSON HOUSE HANSON
SQUARE TS24 7BT
Date valid: 04/09/2013
Development: Change of use to siting of amusements, rides, catering
vans and use of bus station kiosk for sale of hot
beverages, snacks and newspapers
Location: LAND AT THE FRONT / THE CLIFF SEATON CAREW
HARTLEPOOL

BACKGROUND

5.1 This item appears as item 5 on the main agenda.

PUBLICITY

5.2 Conditions at the time were under consideration and were to be the subject of this update report.

5.3 The outstanding consultation period has now expired.

5.4 Five additional responses were received from residents, one resident had written in previously. The total number of objections to the application was 25.

5.5 Other additional points raised are as follows:

- lack of information regarding operational hours
- use of site for storage and residence overnight

CONSULTATIONS

5.6 An additional consultation response was received.

Traffic and Transportation - Dropped kerbs should be provided at appropriate locations to allow attractions to and from the highway safely and without damage to the public footway.

PLANNING CONSIDERATIONS

5.7 Many points raised in the new representations were submitted previously and have been considered within the main report.

5.8 Information regarding operational house is included within section 20 of the application form, this indicates that the proposed operating hours for the funfair facilities and catering units would be 11.00 – 20.00 Monday to Saturday and 11.00 – 18.00 on Sundays and Bank Holidays. The proposed operating hours for the bus station kiosk would be 07.00 – 22.00 Mondays to Saturdays and 07.00 - 18.00 Sundays and Bank Holidays. A condition is proposed to ensure that the hours of operation along with hours of movement of vehicles and rides etc is controlled. The conditions ensure that such activity does not occur at a time when residents would most expect peace and quiet.

5.9 Information relating to storage of equipment and residential overnight use was not included within the application material. This application has been appropriately conditioned to ensure that a detailed programme of operational use is submitted to and agreed by the Local Planning Authority, the programme of use shall include details regarding operational periods and any residential units. The application is also subject to a further condition relating to the storage of equipment and residential units to ensure that equipment and accommodation is not stored on the site/s for prolonged periods at a time when the equipment is not in use.

EQUALITY AND DIVERSITY CONSIDERATIONS

5.10 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

5.11 There are no Section 17 implications.

REASON FOR DECISION

5.12 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 development hereby permitted shall be carried out in accordance with the plans (E/L/377-B) and details received by the Local Planning Authority on 29th August 2013, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.

2. The use hereby approved, save for the use of the bus station kiosk, shall only operate between 1st April and 30th September inclusive for a period of three years and shall cease by 1st October 2016 unless prior to that date the consent of the Local Planning Authority has been obtained to extend the period of the permission.

The use is considered inappropriate on a permanent basis and in order to allow the use to be reassessed in the light of experience.

3. The uses/activities hereby approved, save for the use of the bus station kiosk, shall only operate/be open to the public between the hours of 11:00 and 20:00 hours Mondays to Saturdays inclusive and between the hours of 11.00 to 18:00 on Sundays and Bank Holidays. No ride/attraction/catering outlet, fencing, and any other accommodation and equipment shall be brought onto or removed from the site

outside the hours listed above. The bus station kiosk shall only be open to the public between the hours of 07:00 to 22:00 Mondays to Saturday inclusive and between the hours of 07:00 to 18:00 on Sundays and Bank Holidays.

To safeguard the amenities of local residents.

4. No generators shall be used on the two northern most sites identified on the approved plan (E/L/377-B) as "Land east of the Green" and "Land North of the Paddling Pool".

To safeguard the amenity of local residents

5. Notwithstanding the details submitted the Northern most site, identified on the approved plan (E/L/377-B) as "Land east of the Green", shall only be used for the siting of two vans/trailers, the details of the proposed siting of which shall first be submitted to and agreed in writing with the Local Planning Authority. The siting of the vans/trailers shall thereafter be in accordance with the details so approved. The vans/trailers shall only be used for the sale of cold food, no cooking or sale of hot food shall take place from the vans/trailers. No amplified music shall be played from the vans/trailers at any time. The vans/trailers shall be removed from the site when not in use.

In the interests of the amenity of neighbouring residents.

6. Prior to the two southern most sites identified on the approved plan (E/L/377-B) as "Land North of the Paddling Pool" and "Bus Station" being brought into use a programme of operational use including details relating to the type, size, scale, siting, and nature of each individual amusement/ride/attraction/catering outlet, fencing, and any other accommodation and equipment to be brought on the site, and the duration of the proposed stay, shall be submitted to and approved in writing by the Local Planning Authority. The programme as approved shall thereafter be adhered to unless some variation has otherwise been agreed in writing by the Local Planning Authority.

In the interests of protecting the amenity of neighbouring properties, the character and appearance of the conservation area and listed building, and public safety.

7. Prior to the commencement of the use hereby approved a management plan, that incorporates matters such as tackling litter, ensuring roads and highways are kept clear of mud and debris, security and tackling anti social behaviour, shall be submitted to and agreed in writing by the Local Planning Authority. The management plan as approved shall thereafter be adhered to unless some variation has otherwise been agreed in writing by the Local Planning Authority

In the interests of protecting the amenity of neighbouring properties, the character and appearance of the conservation area and listed building, and public safety.

8. Prior to any equipment being located on site or an event taking place, a scheme for the provision of temporary surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall thereafter be adhered too unless some variation has otherwise been agreed in writing by the Local Planning Authority

In the interests of the visual amenity of the area, the character and appearance of the conservation area, the setting of the listed building and highway

9. All equipment used in association with the use hereby approved, save for any equipment associated with the use of the bus station kiosk, shall be removed from the site and the land reinstated to its former condition at or before 30th September of each year for the period of this consent unless an extension of the period shall first have been approved in writing by the Local Planning Authority.

To ensure the land is re-instated and available for use.

10. No amusement(s) ride(s)/attraction(s)/catering outlet(s), fencing, and or any other accommodation and equipment shall be stored on the site when not in use, except in accordance with any programme of operational use approved in connection with condition 6 of this permission.

In the interests of the visual amenity of the area.

11. Notwithstanding the details submitted a maximum of two catering vans/trailers shall be located on the site identified on the approved plan (E/L/377-B) as "Land North of the Paddling Pool" at any time and a maximum of four at any time shall be located on the site identified on the approved plan (E/L/377-B) as "Bus Station".

In the interest of the amenity of neighbouring residents.

12. Details of the proposed means by which the site(s) shall be accessed and egressed and any measures to facilitate this including drop kerbs shall be submitted to and approved in writing by the Local Planning Authority prior to the site(s) being brought into use. The site(s) shall thereafter be accessed and egressed strictly in accordance with the details so agreed unless some variation is thereafter agreed in writing by the Local Planning Authority.

In the interests of highway safety.

BACKGROUND PAPERS

5.13 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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UPDATE

No: 6
Number: H/2013/0383
Applicant: Miss Sian Grindley Gentoo Homes 2 Emperor Way
 Doxford International Business Park SUNDERLAND SR3
 3XR
Agent: Gentoo Homes Miss Sian Grindley Akeler House 2
 Emperor Way Doxford International Business Park SR3
 3XR
Date valid: 05/08/2013
Development: Residential development comprising 23 dwellings,
 associated roads, drainage and landscaping (amended
 site layout plan received)
Location: Land adjacent to Raby Arms Front Street Hart
 HARTLEPOOL

6.1 This item appears as item 6 on the main agenda. The responses from Northumbrian Water, The Council's Engineering Consultancy Team, Ecologist, Countryside Access Officer and Cleveland Police have been received and are set out below.

6.2 No further representations have been received from members of the public.

ADDITIONAL CONSULTATION RESPONSES RECEIVED

6.3 The following consultation replies have been received for the amended scheme:

Northumbrian Water - Yuil and Gray Fawdon drawing number 560/1 rev E date Sketch Layout Flood Risk Assessment by ID Civils date Jan 13 includes NWL sewer record plan and statement that Surface Water flow will be restricted to 5 l/s.

Northumbrian Waters reply letter date 8 Feb 2013: A restricted surface water flow is permitted to manhole number 2908. This manhole is close to east side of where the public sewer joins to Highway Drain.

Northumbrian Water has no comment to this development. For your information, I enclose plan showing recorded flooding used in that enquiry.

I now enclosed up to date Sewer Record plan. The plan shows Public Sewers which I reply about.

There are blue thin lines on the plan not "Hd". The abbreviation is Highway Drain which is controlled by Highway Authority. NWL plan does not distinguish private, public or trunk road. I assume those here belong to your council.

The NWL Developer Enquiry permits Foul to manhole number 2904 150mm (colour red). This slight increase in flow is within capacity of the sewers and continues to sewage treatment.

Surface Water to manhole 2908 (colour blue) the SW must be restricted to Green Field run off assessed as 5 l/s. The public sewer is only 23m long connects to joined Highway Drains.

Within the development Surface Water will change from the existing natural overland flow to piped. There flow is restricted to match existing. Over the highway drain this is a reduction in overland flow. the highway drain join a culverted watercourse. As this crosses the A179, is this belongs to Highway.

At outlet to beck near The Fens the flow will remain overland as existing.

Engineering Consultancy - Thanks for the information relating to the above proposal. In summary, I would request a standard drainage planning condition is imposed on any approval. I note from the iD Civils FRA and Surface Water Management Strategy (Ref 3621/FRA1) that the site falls within a Floodzone 1. I note that the Environment Agency have no objections to the proposal. In terms of the disposal of foul drainage; I had a meeting with Northumbrian Water last week (this was not in connection to this application, but the Hart area at large), where they confirmed there is sufficient capacity within their system to accommodate foul discharges from this area. I note on the application that the developer plans to discharge into the Northumbrian Water network; should NWL accept flows, I would not have any further comments.

I also note that the surface water drainage will be discharged to the piped system. The condition as suggested above is advisable to ensure that site levels and drainage infrastructure are appropriately designed, and to ensure that the storm drainage proposals will not pose a flood risk to adjacent properties.

Ecologist – From an ecological perspective, there are three potential issues to consider with this proposal; loss of habitat; effects on nesting birds; effects on bats.

The proposed housing would involve the loss of a small pasture field which consists of improved grassland of low ecological value. There would also be the loss of two small areas of young trees, and the loss of a small amount of hedge and bushes and three senescent ash trees, one of which is fallen. The proposal would result in a number of garden spaces and the landscaping proposals include the planting of around 25 new trees on the site. As a result of the planting of the new trees and the fact that garden areas have some value for biodiversity, the net effect on habitats would be more or less neutral.

It is evident that birds have been nesting in the mature ash trees and could well do so in the hedge and young trees. Wild birds and their nests are protected by the Wildlife & Countryside Act (1981) as amended. It is an offence to damage or destroy the nest of a wild bird whilst it is being built or in use. Any felling of trees or removal of hedges and shrubs should therefore take place outside of the bird breeding

season. The breeding season is taken to be March-August inclusive. An exception to this timing restriction could be made if the site is first checked within 48 hours prior to the relevant works taking place by a suitable qualified ecologist who confirms that no breeding birds are present and a report is subsequently submitted to the LPA confirming this.

It has been reported that bats regularly fly around the field and this is very likely to be the case. The only bat species which has so far been recorded in the village of Hart is the Common Pipistrelle. This species of bat is very catholic in its use of habitats and would be likely to make equal use of gardens as they do the current field. The two standing ash trees each have a rot hole and one has a large split in the bark, all of which a bat could potentially use to roost in. However the chances of a bat roosting in them is relatively low as they are screened to some extent by surrounding branches and at least one of the holes appears to be quite shallow. As such I don't consider that they would require emergence surveys prior to determining the application. Instead I would advise that we issue a standard bat informative with any permission and condition that those two trees should be felled according to a suitable method statement to reduce the risk of harm to bats.

The National Planning Policy Framework emphasises the need for planning to provide net gains in biodiversity and specifically to encourage opportunities for incorporating biodiversity in and around developments. In the case of this proposal there is no residual land where enhancements could be achieved however there is the potential to achieve this through incorporation of bat and bird roosting opportunities into a proportion of the proposed dwellings or surrounding landscaping.

Countryside Access Officer - There is a public right of way (designation Public Footpath No.3, Hart Parish) running through the development site. If the development is to proceed the public footpath will need to be diverted using section 257 (1) of the Town and Country Planning Act 1990, as: "...it is necessary to do so in order to enable development to be carried out..."

The Developer would need to contact myself to discuss the diversion application, which is a separate application process to the planning application process. The route of the diversion as well as the remediation, surface and furniture to be installed will need to be discussed prior to any application being received.

There will be a cost incurred to carry out any diversion and the developer will need to be informed of the full process and time taken, as well as the cost.

PLANNING CONSIDERATIONS

6.4 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 and land uses, the effect of the proposals on highway safety/parking, ecology, trees, drainage, flooding,

noise and disturbance, archaeology, public rights of way and developer contributions.

PRINCIPLE OF DEVELOPMENT

6.5 The Hartlepool Local Plan 2006 is the overriding consideration for determining planning applications. The 2006 Local Plan identifies the site as outside the limits to development and in the open countryside. For the avoidance of doubt the site was proposed to be allocated for housing in the emerging Local Plan 2012, however this plan has been withdrawn by the Council.

6.6 Whilst withdrawn, it is prudent to state that the Emerging Plan had been subject to Examination in Public (EIP). Following the EIP process the Emerging Plan was the subject of recommendations for modifications by the Planning Inspectorate in which the site to which this application relates was not recommended for removal from the Emerging Plan.

6.7 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions, and in accordance with this there is a presumption in favour of sustainable development.

6.8 The NPPF advises that design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area.

6.9 The NPPF then follows this with recommendations which concern more than aesthetic considerations. It states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations.

6.10 If the Council can not demonstrate a 5 year supply of deliverable sites for housing the NPPF requires that housing applications are considered in the context of the presumption in favour of sustainable development and goes on to note that 'relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites'.

6.11 In taking decisions within the context of the presumption in favour of sustainable development the NPPF requires that where the development plan is absent, silent or relevant policies are out of date then permission should be granted unless: 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole'.

6.12 In summary, whilst there is conflict with the existing adopted Hartlepool Local Plan, based on the material considerations outlined above there is significant weight in favour of the proposal.

6.13 Furthermore, the adverse impacts of approval of this scheme are not considered to significantly outweigh the benefits of the scheme when assessed against the policies in the NPPF. The Local Planning Authority considers therefore that in principle the provision of 23 dwellings on the site is acceptable in terms of policy should all other material planning considerations be satisfied.

IMPACT UPON THE CHARACTER AND APPEARANCE OF THE AREA

6.14 Some public objection to the development has been received relating to the impact on the character of the village, the density proposed and the appearance of the properties. 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. Paragraphs 63 and 64 of the NPPF state that, in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. Further, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

6.15 The Hartlepool Local Plan 2006 advises 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.

6.16 Officers consider that the density of the site (17.7 dwellings / Ha) is acceptable. The separation distances proposed between dwellings within the site accords with and in many instances exceeds the guidance set out in the Hartlepool Local Plan 2006. The proposed layout includes areas of open space and retained landscaping.

6.17 Officers consider that the character and appearance of Hart village as a whole is varied, consisting of a mixture of house types, ages and styles. Given the context of the area in general and taking into consideration the mixed appearance of the neighbouring properties/premises, in terms of both scale and design, it is considered that the design, scale and massing of the proposed dwellings are acceptable and will not detrimentally impact upon the character and appearance of the area.

EFFECT OF THE PROPOSALS ON NEIGHBOURING PROPERTIES, PREMISES AND LAND USES

6.18 It is considered that the layout of the 23 dwellings upon the site has been designed in such a way so to restrict the impact upon the amenity of the

neighbouring properties adjoining the site and overlooking it. The proposed dwellings abutting the curtilage of the bungalow of Milvale which abuts the northern boundary of the site have been orientated away so to avoid any direct overlooking. Whilst large, it is considered that the scale of all 23 dwellings are proportionate to that of neighbouring properties and the plots upon which they are located.

6.19 It is considered that the relationships between the properties and premises adjoining the site and in the immediate vicinity and the proposed dwellings are acceptable. The separation distances between all of the properties proposed with regard to the front, side and rear of the neighbouring properties comply with the guidance outlined in the Hartlepool Local Plan 2006. It is not considered that any of the dwellings will appear overly dominant or oppressive upon the outlook and living conditions of any of the neighbouring properties in the area.

6.20 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 housing is modern in appearance with elements of traditional features it is not considered that it will appear jarring in terms of its relationships with existing housing or the public house located in the immediate 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 living conditions of any of the properties surrounding the site, the operations of the public house abutting the site or any of the remaining land uses in close proximity to a level whereby the Local Planning Authority could sustain a refusal.

IMPACT UPON HIGHWAY SAFETY/PARKING

6.21 A key concern within the public responses to the planning application relate to issues surrounding highway safety, parking provision and the proposed traffic calming measures.

6.22 The vehicular and pedestrian access to the development is via a new roundabout constructed adjacent to the existing access serving the Raby Arms public house car park. Objections to the application include considerations that the access point is hazardous and that the development will create traffic generation and congestion detrimental to highway safety.

6.23 The Council's Traffic and Transportation Team have been consulted on the application and have stated that the internal highway layout is acceptable and the parking provision proposed is sufficient.

6.24 With regard to the proposed access, the Team have stated that this is located approximately 45 metres from the Hart Village / A179 roundabout and opposite an existing junction. The Team considers that ideally for a road of this type new junctions should be sighted 60 metres or more from existing junctions on the same side of the road and 30 metres from junctions opposite. Notwithstanding the above, with regard to the access as proposed the Team have outlined that the developer will need to propose measures to slow traffic coming off the A179 or alternatively a

contribution could be made for the implementation of highway safety measures in the vicinity of the junction and suitable measures devised and implemented by the Council.

6.25 With regard to the above, the Traffic and Transportation Team have been in discussions with the developers transport consultants who have suggested a gateway feature/rumble strips, with a 20mph speed limit imposed through the village. The developer has agreed to contribute £15,000 towards the aforementioned works and the Traffic and Transportation Team considers that this is a sufficient amount to contribute in order to deliver a suitable scheme.

6.26 The Traffic and Transportation Section have stated that if a suitable scheme is proposed then there will not be any highway safety concerns associated with the proposed development.

ECOLOGY

6.27 Concerns have been raised regarding a loss of wildlife and bats by way of the proposed development. The Council's Ecologist has stated that there are three potential issues to consider with this proposal; loss of habitat; effects on nesting birds; effects on bats.

6.28 The Ecologist has stated that the proposed housing would involve the loss of a small pasture field which consists of improved grassland of low ecological value. There would also be the loss of two small areas of young trees, and the loss of a small amount of hedge and bushes and three senescent ash trees, one of which is fallen. The proposal would result in a number of garden spaces and the landscaping proposals include the planting of around 25 new trees on the site. As a result of the planting of the new trees and the fact that garden areas have some value for biodiversity, the net effect on habitats would be more or less neutral.

6.29 The Ecologist has further stated that it is evident that birds have been nesting in the mature ash trees and could well do so in the hedge and young trees. Wild birds and their nests are protected by the Wildlife & Countryside Act (1981) as amended. It is an offence to damage or destroy the nest of a wild bird whilst it is being built or in use. Any felling of trees or removal of hedges and shrubs should therefore take place outside of the bird breeding season. The breeding season is taken to be March-August inclusive. An exception to this timing restriction could be made if the site is first checked within 48 hours prior to the relevant works taking place by a suitable qualified ecologist who confirms that no breeding birds are present and a report is subsequently submitted to the LPA confirming this.

6.30 With regard to the comments referring to bats, the Ecologist has stated that this is very likely to be the case. The only bat species which has so far been recorded in the village of Hart is the Common Pipistrelle. This species of bat is very catholic in its use of habitats and would be likely to make equal use of gardens as they do the current field. The two standing ash trees each have a rot hole and one has a large split in the bark, all of which a bat could potentially use to roost in. However the chances of a bat roosting in them is relatively low as they are screened to some

extent by surrounding branches and at least one of the holes appears to be quite shallow. As such it is not considered that they would require emergence surveys prior to determining this application. The Ecologist has advised that a standard bat informative with any permission and condition that those two trees should be felled according to a suitable method statement to reduce the risk of harm to bats.

6.31 The National Planning Policy Framework emphasises the need for planning to provide net gains in biodiversity and specifically to encourage opportunities for incorporating biodiversity in and around developments. In the case of this proposal there is no residual land where enhancements could be achieved however there is the potential to achieve this through incorporation of bat and bird roosting opportunities into a proportion of the proposed dwellings or surrounding landscaping. A suitably worded planning condition could be imposed in this regard.

LANDSCAPING AND TREES

6.32 The site features mature trees to the periphery of the proposed development. A comprehensive arboricultural impact assessment has been submitted in support of the application. A total of fifteen individual trees and eight distinct groups of trees/shrubs are included in the assessment, with six individual trees identified for removal and three tree groups identified for partial removal.

6.33 Of the six individual trees identified for removal, three are over-mature Ash trees which are in an advanced state of decline, two are small multi-stemmed trees, and one is a Norway Maple which is the end tree of a group located adjacent to the proposed entrance to the development. The Council's Arboriculturist has viewed the proposed plans and supporting information and does not consider that the removal of the aforementioned trees would have a significant adverse impact upon local amenity and therefore their removal is considered acceptable.

6.34 Further to the above, it will be necessary to remove a section of hedgerow at the eastern boundary of the site in order to create the proposed entrance to the development and two sections of young to semi-mature trees will need to be removed in order to allow construction of the proposed pumping station and the proposed dwelling upon plot 13. Again, the Council's Arborist does not consider that the partial removal of these tree groups would have a significant adverse impact upon local amenity and therefore their removal is considered acceptable.

6.35 With regard to tree protection, a plan which indicates the positions of temporary protection barriers around the retained trees at the site has been included with the arboricultural impact assessment. The Council's Arborist has no objections in principle to the draft tree protection plan, however, once all technical drawings regarding construction of the proposed development are completed, a finalised arboricultural method statement should be submitted to and approved by the Local Planning Authority. This can be appropriately addressed by way of a condition.

6.36 With regard to landscaping, the Arborist has requested the submission of a landscaping scheme should the application be approved. Notwithstanding this, the applicant has provided an indicative landscaping plan which shows the trees to be

retained and also provided, two areas of open space, and front and rear residential gardens to each dwelling.

6.37 A number of amendments have been made to the proposed layout from that which was originally submitted in light of concerns raised by the Arborist including the realignment of boundary to a plot given the presence of an existing tree and a reduction in the number of new trees proposed. Officer's are currently awaiting a cost for the adoption of the open space areas which will be payable through a legal agreement.

DRAINAGE AND FLOODING

6.38 Key areas of concern within the public responses to the planning application relate to issues surrounding flooding and drainage.

6.39 Issues relating to flooding and drainage are considered in the Flood Risk and Surface Water Management Strategy submitted by the applicant in support of the application. With regard to drainage, Section 10 of the document outlines that the development of the site will require a new drainage system and will be adopted by Northumbrian Water under a Section 104 agreement. In terms of foul drainage, given the level of the site and existing manhole levels it will not be possible for a gravity connection to be made. Therefore, it will be necessary to construct a pumping station. The location of the pumping station is shown on the proposed site plan.

6.40 The supporting Flood Risk and Drainage Strategy states that the provision of a pumping station has been accepted in principle by Northumbrian Water but this will be the subject of detailed design which can be controlled by condition and appropriate legal agreements between the developer and Northumbrian Water. No objections have been received from Northumbrian Water, the Environment Agency or the Council's Engineering Consultancy Section with regard to the proposed methods of foul drainage.

6.41 With regard to the above, it is prudent to state in the context of this report that the Council's Principal Engineer (Environmental Engineering) held a meeting with Northumbrian Water (week commencement 04/11/2013) during which Northumbrian Water confirmed that there is sufficient capacity within their system to accommodate foul discharges from this area. In terms of foul discharge Northumbrian Water have confirmed that they have permitted foul discharge arising from the development as part of the Developer Enquiry from the applicant.

6.42 With regard to surface water drainage it is prudent to state that there is a surface water sewer crossing the site. The Flood Risk and Surface Water Management Strategy submitted by the applicant in support of the application outlines that Northumbrian Water have agreed in principle that a connection to the existing 225mm diameter sewer can be made at a point adjacent to the proposed entrance of the site. This has been confirmed by Northumbrian Water.

6.43 The Flood Risk and Drainage Strategy outlines that an initial appraisal of the surface water drainage system has been undertaken in order to confirm the most likely location and form of water storage. Given the site topography and layout constraints it is proposed that an underground storage pipe will be provided under the new estate road. The Council's Engineering Consultancy Section has advised that the site is currently an undeveloped grassed field with no controlled/managed drainage. Surface water flows at present across the site will follow the natural topography, should the area be development then this would allow flows to be directed and collected appropriately. The Environment Agency has made no objections to the method of surface water drainage. Northumbrian Water has advised that surface water flows to public sewer should be restricted to 5 litres per second (5l/s). This can be conditioned should members be minded to approve the application.

6.44 Notwithstanding the above, given that no detailed drainage plans of below ground infrastructure or any elevational or detailed drawings of the proposed pumping station have been submitted it is considered prudent in this instance for the aforementioned information to be required by way of a condition.

NOISE AND DISTURBANCE

6.45 Several letters of public objection relate to an increase in noise and disturbance associated with the proposed development. Also necessary to be assessed will be the living conditions of the occupants of many of the proposed dwellings given the relationships between the site and the A179 bypass.

6.46 The Noise Assessment Report submitted in support of the planning application advises that noise levels in the open areas and gardens within the development site will exceed the World Health Organisation (WHO) guideline limit. The aforementioned Report therefore advises that there is therefore a need for mitigation measures to be implemented for external areas to meet the WHO criteria. Noise emanating from the beer garden of the Raby Arms must also be mitigated to ensure adequate amenity in the gardens of the proposed plots directly adjacent to the beer garden.

6.47 The Council's Public Protection Team has considered the proposal and has raised no objections to the proposal subject to conditions relating to the provision of sound insulation to the habitable rooms of plots 1, 4, 5, 12, 13, 18 and 23, the provision of acoustic fences to the rear of the Raby Arms public house and an acoustic barrier to the boundary with the A179 Hart bypass. The details of all of the aforementioned requirements would be required to be submitted to and agreed in writing, installed and thereafter retained for the lifetime of the development should members be minded to approve the application. Subject to these mitigation measures, Officers are satisfied that the levels of amenity afforded to the occupiers of the proposed dwellinghouses will be acceptable.

6.48 In terms of the impact upon the amenity of the occupants of neighbouring properties by way of increased noise and disturbance associated with the development, officers do not consider that the levels of noise associated with the

occupation of the proposed dwellings or the traffic noise associated with comings and goings from the site will be so significant to create a detrimental impact upon the living conditions of neighbouring properties.

6.49 A letter of objection has been received from a neighbouring property stating that the development would have a dominating impact on the quiet enjoyment of their dwellinghouse which would conflict with Article 8 of the Human Rights Act which states, that a person has the substantial right to respect for private and family life. With regard to the issue of the Human Rights Act (1998) the determination of this application is considered to involve the following human rights issues:

- Articles 8: Right to respect for private and family life.
 - i) Everyone has the right to respect for his/her private and family life, his/her home and his/her correspondence.
 - ii) There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others.
- The First Protocol

Every natural or legal person is entitled to the peaceful enjoyment of his/her possessions. No one shall be deprived of his possessions except in the public interests and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

6.50 It is considered that this report considers in detail the competing rights and interests involved in the application. Having had regard to those matters in the light of the convention rights referred to above, it is considered that the recommendation is in accordance with the law, proportionate and both necessary to protect the rights and freedoms of others and in the public interest.

ARCHAEOLOGY

6.51 The application site lies within the historical medieval village of Hart and close to location of where an important Anglo-Saxon cross was found. An Archaeological Evaluation Report has been submitted which includes a report on the results of a field evaluation. Tees Archaeology have confirmed that the information provided is sufficient to give an informed decision on the impact of the proposal on the significant of the heritage assets.

6.52 Tees Archaeology have stated that the site consists of a platform feature which appears to be 19th century, perhaps connected to clay quarrying and is not

historically significant. The ridge and furrow dates from the 13th – 14th century and could be considered of local interest, however its importance is insufficient to preclude development.

6.53 Tees Archaeology consider that there is a strong likelihood for discrete archaeological features to survive across the site and suggest that no development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority. Should members be minded to approve the application it is considered that such a condition could be imposed.

PUBLIC RIGHTS OF WAY

6.54 The Ramblers Association and the Council's Countryside Access Officer have provided comment on the proposal. There is a public rights of way that runs through the development site and it will need to be diverted under section 257 (1), or the Town and Country Planning Act 1990 as "...it is necessary to do so in order to enable development to be carried out...".

6.55 The effect of a development on public rights of way is a material consideration in the determination of applications for planning permission. With regard to the diversion it is proposed that the right of way will be rerouted through the proposed housing estate to the rear of plots 13 and 14 and to the front of plots 16 and 17. It is considered that the proposed diversion will improve the safety of users of the footpath as it will be overlooked and illuminated. The diversion of the right of way will be subject to a separate application considered outwith this planning application.

EDUCATION

6.56 A number of responses have raised concerns that Hart Primary School is full to capacity. With regard to this officers have contacted the Council's Child and Adult Services Section who have stated that pupil projections show that there are sufficient school places across the Borough to accommodate the proposed development.

PLANNING OBLIGATIONS

6.57 Following the withdrawal of the Emerging Local Plan officers are currently awaiting a legal opinion with regard to planning obligations. Given this, it is considered necessary for a report to be tabled at the Meeting.

EQUALITY AND DIVERSITY CONSIDERATIONS

6.58 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

6.59 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. It is considered that the scheme will be designed with the reduction of crime and anti social behaviour in mind.

RECOMMENDATION – Tabled report to follow

BACKGROUND PAPERS

6.60 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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PLANNING COMMITTEE

20 November 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. Officer monitoring noted building works carried out in accordance with the approved plan, for the change of use of a vacant commercial building on Oxford Road. The altered building works in question are erection of a wall constructed in brick over 1m high with metal railings/infills between brick piers and reposition internal WC facilities. After discussions with the property owner amended plans have been submitted. No action necessary.
2. An investigation has commenced in response to a complaint regarding the erection of a garage constructed in brick in the front garden of a property on Ocean Drive.
3. An investigation has been carried out and concluded in response to an anonymous complaint regarding the erection of an outbuilding in the rear garden of Dundee Road. Permitted development rights applied in this case. No action necessary.
4. An investigation has commenced regarding an untidy property on Eamont Gardens.
5. An investigation has commenced regarding an untidy property on Baden Street.
6. An investigation has been carried out and concluded in response to an anonymous complaint regarding a car servicing business operating from a residential property on Comondale Drive. No planning breach was identified. No action necessary.
7. An investigation has commenced in response to complaint regarding demolition waste not been removed from a site on Stockton Road.

8. An investigation has commenced in response to a complaint regarding an untidy residential garden on Verner Road.
9. An investigation has been carried out and concluded in response to a complaint regarding the raising of dual pitched roof of detached garage on Easington Road. Permitted development rights applied in this case. No action necessary.
10. An investigation has been carried out and concluded in response to an anonymous complaint regarding the erection of a car port and an untidy front garden. No planning breaches identified. No action necessary in this instance.
11. An investigation has been carried out in response to a complaint regarding the siting of bollard in the highway to rear of a residential property on Hart Lane. The complaint has been redirected to Highways, Traffic, and Transportation to investigate and take action if necessary.

2. RECOMMENDATION

- 2.1 Members note this report.

PLANNING COMMITTEE

20 November 2013



Report of: Assistant Director (Regeneration)

Subject: APPEAL AT 59-61 HONITON WAY, HARTLEPOOL
APPEAL REF: APP/H0724/D/13/22207538
ERECTION OF A TWO BEDROOM DETACHED
BUNGALOW H/2013/0271

1. PURPOSE OF REPORT

- 1.1 To advise members of a planning appeal that has been submitted against the decision of the Council against the refusal of Hartlepool Borough Council for the erection of a two bedroom detached bungalow between 59 and 61 Honiton Way, Hartlepool. The decision was made under delegated powers by the Planning Services Manager in consultation with the Chair of Planning Committee. A copy of the report is attached.
- 1.2 The appeal is to be determined by written representations and authority is therefore requested to contest the appeal.

2. RECOMMENDATION

- 2.1 That Members authorise contesting.

3. CONTACT OFFICER

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AUTHOR

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Application No H/2013/0271

Proposal Erection of a two bedroomed detached bungalow

DELEGATED REPORT

E-mail richard.trow@hartlepool.gov.uk

PS Code: 13

DELEGATION ISSUES	Neighbour letters:	26/06/2013
1) Publicity Expiry	Site notice:	09/07/2013
	Advert:	n/a
	Weekly list:	30/06/2013
	Expiry date:	24/07/2013
2) Publicity/Consultations <p>The application has been advertised by site notice and neighbour notification (8). Two letters of objection have been received. The concerns raised include:</p> <ul style="list-style-type: none"> • Out of keeping with the area • Design would be unduly large • Parking problems • Disruption during construction • Highway safety impacts • Overlooking of neighbouring properties • The site is a very physically restricted area of land. <p>The period for publicity has expired.</p> <p>Traffic and Transportation – No highway or traffic concerns.</p> <p>Head of Public Protection – No objections.</p> <p>Northumbrian Water Ltd – No objections.</p> <p>Arboricultural Officer – No objections.</p>		
3) Neighbour letters needed	N	
4) Parish letter needed	N	
5) Policy <u>National Policy</u> <p>In March 2012 the Government consolidated all planning policy statements,</p>		

circulars and guidance into a single policy statement, termed the National Planning Policy Framework (NPPF). The NPPF sets out the Government's 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 headings – 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 surroundings, 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.

Local Plan 2006

GEP1: General Environmental Principles

GEP2: Access for All

GEP3: Crime Prevention by Planning and Design

Hsg9: New Residential Layout - Design and Other Requirements

Emerging Local Plan

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

LS1: Locational Strategy

ND4: Design of New Development

HSG4: Overall Housing Mix

6) Planning Considerations

The site to which this application relates is an area of garden on a corner plot which originally formed the side gardens of 59 and 61 Honiton Way, single storey properties located at 90° to one another. The site has been fenced off from the curtilage of both houses to form a vacant plot. The site is located within a predominately residential area.

A previous application (H/2013/0058) for the erection of a three bedroom dormer bungalow on this site was refused on design and amenity grounds in March 2013.

This application is for a revised scheme for the erection of two bedroom detached bungalow. The dwelling has been reduced in size, it now has a footprint of 70m² (reduced from 116m²) and a height of 4.8m (reduced from 6.5m). The dwelling no longer contains dormer windows but will be sited in the same location as the

previously proposed dwelling. Parking will continue to be provided either side of the dwelling.

The main planning considerations in this instance are appropriateness of the proposals in relation to the relevant Hartlepool Local Plan (2006) policies with particular regard to the principle of development, the effect of the proposal on the amenity of neighbouring properties in terms, design and the impact on the character and appearance of the area, and highway safety.

Principle of Development

The site is located within the limits to development. Policy Hsg5 of the adopted Local Plan (2006) states that planning permission will not be granted for proposals which would lead to the strategic housing requirement being significantly exceeded. The site is classed as a windfall site in that it has not been previously allocated for housing and as such the principle of residential development in this location is acceptable. Policy Hsg9 of the Local Plan (2006) states that proposals for new residential development will be allowed subject to a number of considerations including, the scale of the development and the impact on occupiers of new and existing development. Policy ND4 of the emerging Local Plan (2012) reflects policy Hsg9 in that it seeks a high quality design for all new developments. Paragraph 49 of the National Planning Policy Framework (2012) states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Amenity

The main properties for consideration are 59 and 61 Honiton Way. Both those properties have kitchen windows in the side which are less than 4m from rear windows in the proposed dwelling. Whilst the applicant has indicated that these kitchen windows can be blocked up (since both properties are in the ownership of the applicant), that they are secondary windows in any case and that a 2m close boarded fence has been erected between the properties, it is considered that the separation distances from the proposed rear windows would continue to be substandard and the relationship with the two donor properties would have a significant impact on the rear rooms of the proposed dwelling in terms of overshadowing and dominance. This would be further exasperated if both properties were to extend to the side and rear under permitted development rights. It is considered that the proposed development by virtue of its size and siting would have both a detrimental impact upon the amenity of the neighbouring properties, 59 and 61 Honiton Way and the relationship is such that the living conditions of the proposed occupants would be detrimentally impacted upon, contrary to policies GEP1 and Hsg9 of the adopted Local Plan (2006) and policy ND4 of the emerging Local Plan (2012).

The separation distances with other surrounding properties on Honiton Way are sufficient to prevent any potential impacts on amenity.

Design

Policy Hsg9 of the Hartlepool Local Plan (2006) states that residential development will be allowed subject to various criteria including:

- The scale of the proposed development is appropriate to the locality, and where pertinent, the open character of the area is retained;
- There is sufficient provision of private amenity space within each curtilage commensurate with the size of the dwelling and the character of the area;

The properties either side are single storey with hipped main roofs which are proportionate to the property. The proposed dwelling has a substantially larger roof which is gabled rather than hipped and appears somewhat disproportionate to both the existing dwellings and the proposed dwelling itself. The height of the property is 4.8m which is broadly in line with the existing properties. The property is still marginally larger in terms of massing than both the donor properties and the surrounding properties. The close relationship of the property with the donor properties would be out of character with the general layout of the street scene at present. It is considered that the proposed plot is not a sufficient size to facilitate the erection of a property of this size and it does not appear to be in keeping with the character and appearance of the street scene. Whilst it is acknowledged that most streets carry a range of property types and sizes, in this instance it is considered that the proposal would appear cramped and incongruous within the context of the street scene and therefore contrary to policies Hsg10 and GEP1 of the adopted Local Plan (2006) and ND4 of the emerging Local Plan (2012).

Policy Hsg9 of the Local Plan (2006) states that new residential development will be only allowed where “there is sufficient provision of private amenity space within each curtilage commensurate with the size of each dwelling and the character of the area”. In this instance the dwelling would benefit from a much smaller garden by comparison of the surrounding residential properties. The depth of the garden would extend to 6m at its longest point. By comparison, the gardens of 59 and 61 extend to 15m in depth. It is considered that the proposed amenity space would be substandard for a property of such a size and would be out of keeping with the character of the surrounding properties.

Highways

The applicant has provided a scheme which shows two off-street parking spaces on the site, and the provision of two-spaces each on both 59 and 61 Honiton Way. It is considered that this could be appropriately controlled through a suitably worded Grampian condition. On that basis it is considered that the development is acceptable in highway safety terms.

Conclusions

With regard to the relevant adopted and emerging Hartlepool Local Plan policies, and the relevant material planning considerations as discussed above, it is considered that the proposal would be contrary to policies GEP1 and Hsg9 of the adopted Hartlepool Local Plan (2006) and is therefore recommended for refusal.

7) EQUALITY AND DIVERSITY CONSIDERATIONS	
There are no equality or diversity implications.	
8) SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS	
There are no Section 17 implications.	
9) Chair's Consent Necessary	N
10) Recommendation	REFUSE
CONDITIONS/REASONS <ol style="list-style-type: none"> 1. The proposed development by reason of its size, siting and design would appear unduly large, cramped and out of keeping to the detriment of the visual amenity of the area contrary to policies GEP1 and HSG9 of the Hartlepool Local Plan 2006. 2. The proposed development, by virtue of its size and siting and its relationship with the adjacent properties would have a detrimental impact on the living conditions of 59 and 61 Honiton Way and the occupiers of the proposed development itself by way of overshadowing and dominance contrary to policies GEP1 and Hsg9 of the adopted Hartlepool Local Plan 2006. 	
INFORMATIVE	

Signed:**Dated:**

Director (Regeneration and Neighbourhoods)
 Planning Services Manager
 Planning Team Leader DC

I consider the scheme of Officer/Chair delegation to be appropriate in this case

Signed:**Dated:**

Chair of the Planning Committee

PLANNING COMMITTEE

20th November 2013



Report of: Assistant Director (Regeneration)

Subject: PLANNING POLICY FRAMEWORK JUSTIFICATION

1 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to inform the Planning Committee of the intention to seek agreement from the Regeneration Services Committee to a Planning Policy Framework Justification document in light of the Council decision to withdraw the emerging Local Plan 2012 (deposit).

2 BACKGROUND

- 2.1 The Hartlepool Local Plan will be the key Development Plan Document setting out the spatial vision, strategic objectives and core policies for the Borough for the next 15 years. There is a statutory duty to prepare a Local Plan in accordance with the Planning and Compulsory Purchase Act 2004 (as amended). The Local Plan allocates land for development across the Borough, provides key infrastructure as well as protecting the most valuable environmental sites.
- 2.2 The former emerging Local Plan 2012 was withdrawn by a Council decision on the 17th October 2013. A timetable is being formulated for the production of a new local plan however during the development of the plan a planning policy position needs to be clarified.
- 2.2 In the absence of an up to date development plan the Council can rely on policies in the adopted Local Plan 2006 only where they are consistent with the National Planning Policy Framework (NPPF). In accordance with paragraph 14 of the NPPF where the 2006 plan is absent, silent or relevant policies are out-of-date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF or specific policies in the NPPF indicate development should be restricted. The Planning Services Team has produced a document entitled 'Planning Policy Framework Justification' (**Appendix 1**) which highlights policies in the adopted local plan and whether they comply with the NPPF.

- 2.3 It is envisaged that the document will be used to support the determination of planning applications as it highlights which policies can be relied upon and also provides information on evidence bases which will be used to request affordable housing and the provision of onsite energy supply from decentralised and renewable or low carbon sources.
- 2.4 The document also highlights that the Council can not demonstrate a 5 year housing land supply and therefore all policies relating to the supply of housing are considered to be out of date. This in effect means that the NPPF 'presumption in favour of sustainable development' potentially allows housing to be progressed in areas which otherwise may not have been deemed as acceptable.

3. RISK IMPLICATIONS

Financial Considerations

- 3.1 The production of this Planning Policy Framework Justification document has been carried out during the daily duties of the Planning Services Team. It should be noted that there is potential for challenge regarding the securing of affordable housing or onsite energy supply from decentralised and renewable or low carbon sources as they are being sought through an evidence base and not via a policy, there would be financial implications associated with any challenge.

Legal Considerations

- 3.2 There is a statutory duty to prepare a Local Plan in accordance with the Planning and Compulsory Purchase Act 2004 (as amended). Counsel's opinion has been sought and agreement was given to the formation of a document which assesses the policies in the adopted local plan 2006 for their compliance with the NPPF which is the subject of this paper.
- 3.3 Counsel also provided advice that 'requests' for affordable housing onsite, offsite or through a financial contribution can be made on the basis that the Council has a robust evidence base to show the existence and extent of affordable housing need across the Borough. It is considered that the Council does have a robust evidence base in the form of the 'Tees Valley 2012 Strategic Housing Market Assessment Final Report'. Any contributions would also need to satisfy the Community Infrastructure Levy Regulations which specifies that planning obligations should only be sought where they meet all of the following tests:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development..

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

- 4.1 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. The council is committed to securing safe and secure environments within the borough. Safety and security is a material consideration in planning and the emerging Local Plan contains within a policy the need for proposals to take be designed in a way which minimises crime and the fear of crime. This will be taken into account in the consideration of future planning applications.

5 RECOMMENDATION

- 5.1 The recommendation is that Members note the document.

6 BACKGROUND PAPERS

- 6.1 The following background papers were used in the preparation of this report:-
- 'Tees Valley 2012 Strategic Housing Market Assessment Final Report'
 - 'Energy Supply for Decentralised and Renewable or Low Carbon Sources' produced 2010.

7 APPENDICES

- **Appendix 1** - Planning Policy Framework Justification.

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Saved Policies 2006 Hartlepool Local Plan

Planning Policy Framework Justification

November 2013



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1. INTRODUCTION

- 1.1 The purpose of this document is to demonstrate the current planning policy framework with regard to making decisions on planning applications currently and in the future.
- 1.2 This document should be used by all relevant parties to gain an understanding of the current planning policy situation for Hartlepool in which saved policies in the Adopted 2006 Local Plan, the National Planning Policy Framework and other material considerations should be used to make decisions with specific regard to determining planning applications in the future.

2. BACKGROUND

- 2.1 The reason for this statement arises from a series of events which took place since 2008. They are illustrated in the subsequent paragraphs below.

2006 Local Plan

- 2.2 The 2006 Local Plan was prepared in order to replace the then existing 1994 Local Plan. The 2006 Local Plan identified strategic land allocations to meet the demand and needs for new and existing housing, employment, retail, leisure etc and sought to guide and control development in the borough up to 2016. The 2006 Local Plan was prepared in accordance with the Town and Country Planning (Transitional Arrangements) (England) Regulations 2004 and not the Town and Country Planning (Regional Planning) (England) Regulations 2004.

Saved Policies of the 2006 Local Plan

- 2.3 Under the Planning and Compulsory Purchase Act 2004, unless expressly replaced by a `new` policy, `old` policies of an adopted Local Plan were automatically saved for three years from the date the Local Plan was adopted. On 13th April 2009 the Council saved the vast majority of the policies included in the 2006 Local Plan as they were assessed as being relevant and did not repeat national planning guidance at the time. The saved policies of the 2006 Local Plan were subsequently used as a basis alongside national planning policy to determine planning applications.

2013 Local Plan

- 2.4 The Council started the preliminary work of preparing a new Local Plan in January 2007 by starting to assemble an evidence base. In October 2007 The Council published an Issues & Options document and moved to Preferred Options in January 2010. A further Preferred Options document was produced in April 2010 before a Publication document was produced in February 2012.
- 2.5 At Publication stage the Council started to implement certain policies contained in the 2013 Local Plan where they held significantly more weight than existing policies in the 2006 Local Plan and/or the 2006 Local Plan was silent on the issue; including issues such as affordable housing and renewable energy provision.
- 2.6 The Local Plan was submitted to the Secretary of State in June 2012 and subject to public Hearings in January 2013 running to September 2013. The public hearings resulted in a situation where the Planning Inspector found the Local Plan sound subject to modifications.
- 2.7 At a meeting held on 17th October 2013 the Council resolved to withdraw the Local Plan under Section 22(1) of the Planning and Compulsory Purchase Act, 2004, as amended by Schedule 25 Part 17 of the Localism Act, 2011. The Council also resolved to cease to make any documents relating to the withdrawn Local Plan available.

The Current Situation

- 2.8 The withdrawal of the 2013 Local Plan placed the Council in a situation where the planning policy framework consists of saved 2006 Local Plan policies which are consistent with national policy, the guidance contained in the National Planning Policy Framework and other material considerations.

3. NATIONAL PLANNING POLICY FRAMEWORK

- 3.1 The National Planning Policy Framework (NPPF) was published in March 2012 along with the Planning Policy for Traveller Sites. It is a key element of the Government's reforms to make the planning system less complex and more accessible, by combining the majority of existing guidance within one overarching document. It replaced all Planning Policy Statements (PPSs), Planning Policy Guidance (PPGs) and Circulars, with the exception of PPS10 (Waste). Whilst the NPPF does not affect the status of development plans as the starting point for considering planning applications, local authorities have been encouraged to review existing Local Plans and other planning documents to ensure that they have a high level of consistency with the NPPF.
- 3.2 From the date of its publication, the policies contained in the NPPF have been a material consideration that local authorities need to take into account when making development decisions, and in the preparation of local planning documents. To allow for a period of transition, Councils can give weight to relevant policies adopted since 2004, even if there is a limited degree of conflict with the NPPF.
- 3.3 With regard to this NPPF paragraph 214 states:
- "For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004* (*In development plan documents adopted in accordance with the Planning and Compulsory Purchase Act 2004 or published in the London Plan) even if there is a limited degree of conflict with this Framework."*
- 3.4 As previously stated in section 2, the 2006 Local Plan was prepared in accordance with the Town and Country Planning (Transitional Arrangements) (England) Regulations 2004 and not the Town and Country Planning (Regional Planning) (England) Regulations 2004. As a result the Council cannot give full weight to the saved policies in the 2006 Local Plan.
- 3.5 However NPPF paragraph 215 goes further to state:
- "In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*
- 3.6 The Council's current situation therefore falls into the "in other cases" category. Paragraph 215 states that "due weight" should be given to "relevant" policies in existing plans according to their degree of consistency with the NPPF. Paragraph 215 offers a mechanism whereby the 2006 Local Plan can still be given due weight dependant upon the consistency of the policies with the NPPF.
- 3.7 Section 5 of this document demonstrates the 2006 Local Plan saved policies consistency with the NPPF bearing in mind the current situation in the borough.

3.8 NPPF paragraph 196 further states:

“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. The NPPF is a material consideration in planning decisions”

- 3.9 Bearing in mind NPPF paragraph 196 it is considered that other material considerations can be taken into account alongside relevant policies in the development plan (2006 Local Plan) and the NPPF. Taking this into consideration, the borough has specific policy areas where the 2006 Local Plan is silent and/or the relevant policies are out-of-date. These other material considerations, as illustrated in section 4, should be given due weight in decision making; with specific regard to determining planning applications.

4. SPECIFIC MATERIAL CONSIDERATIONS

- 4.1 The borough has specific policy areas where the 2006 Local Plan is silent and/or the relevant policies are out-of-date and the NPPF delegates the decision making to the development plan. The policy areas are set out below:

- Demonstrating a 5 Year Supply of Deliverable Housing Sites
- Affordable Housing
- Renewable Energy

These other material considerations should be given due weight in decision making; with specific regard to determining planning applications.

Demonstrating a 5 Year Land Supply of Deliverable Housing Sites

- 4.2 The Council cannot effectively demonstrate a 5 year supply of deliverable housing sites. This is a crucial consideration in establishing the future planning framework to be used in decision making, with particular regard to determining planning applications. The following paragraphs outline the Councils position with regard to the 5 year supply of deliverable housing sites.
- 4.3 The NPPF places great importance in the delivery of a wide choice of high quality homes. NPPF paragraph 47 states:

“To boost significantly the supply of housing, local planning authorities should:

- Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;*
- Identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;*
- Identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;”*

- 4.4 NPPF paragraph 48 states:

“Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.”

- 4.5 Bearing in mind paragraphs 47 and 48 the Council has a requirement to identify a supply of deliverable sites sufficient to provide five years worth of housing against their housing requirements. As discussed in section 2, the Council submitted to the Secretary of State in June 2012 its new Local Plan and it was subject to public Hearings in January 2013 running to September 2013. The public hearings resulted in a situation where the Planning Inspector found the Local Plan sound subject to modifications.
- 4.6 As the Local Plan was withdrawn prior to adoption any policies contained in the plan are deemed to hold no weight, this includes any housing allocations contained in the Local Plan. As a result no housing allocations contained in the withdrawn Local Plan are to be included in the 5 year supply demonstration.
- 4.7 The former emerging Local Plan sought to meet a housing need established in the evidence base document "*Future Housing Provision in the Borough for the Next 15 Years*" which was published in April 2013 and as a result was not part of the actual Local Plan. Whilst the Local Plan was withdrawn the evidence behind the Local Plan was not withdrawn and is still robust and a material consideration. The "*Future Housing Provision in the Borough for the Next 15 Years*" document is a source of evidence independent of the Local Plan as a result this holds significant weight in assessing what the housing needs are over the next 15 years in the absence of an up to date Local Plan which includes appropriate housing provision.
- 4.8 In suggesting modifications to the withdrawn Local Plan, the Planning Inspector sought to assemble housing sites to broadly accord with the quantum of development proposed in the "*Future Housing Provision in the Borough for the Next 15 Years*" document. The document identified a future housing need in the borough over the next 15 years for approximately 4,800 net additional dwellings equating to an average net additional dwelling requirement of 320.
- 4.9 As a result the Council are satisfied that the 4,800 net additional dwellings equating to an average net additional dwelling requirement of 320 over 15 years is a robust and appropriate requirement. This is essentially the standard housing requirement scenario.
- 4.10 In accordance with NPPF paragraph 47 the Council accepts that there has been a record of persistent under delivery of housing. As a result there is a requirement to increase the provision over the first 5 years by an additional 20% (moved forward from later in the plan period). This is scenario 2 and is the housing requirement against which the Council is seeking to demonstrate a 5 year supply of deliverable housing sites. Table 1 illustrates the requirement scenarios.

Table 1: Housing Requirement Scenarios

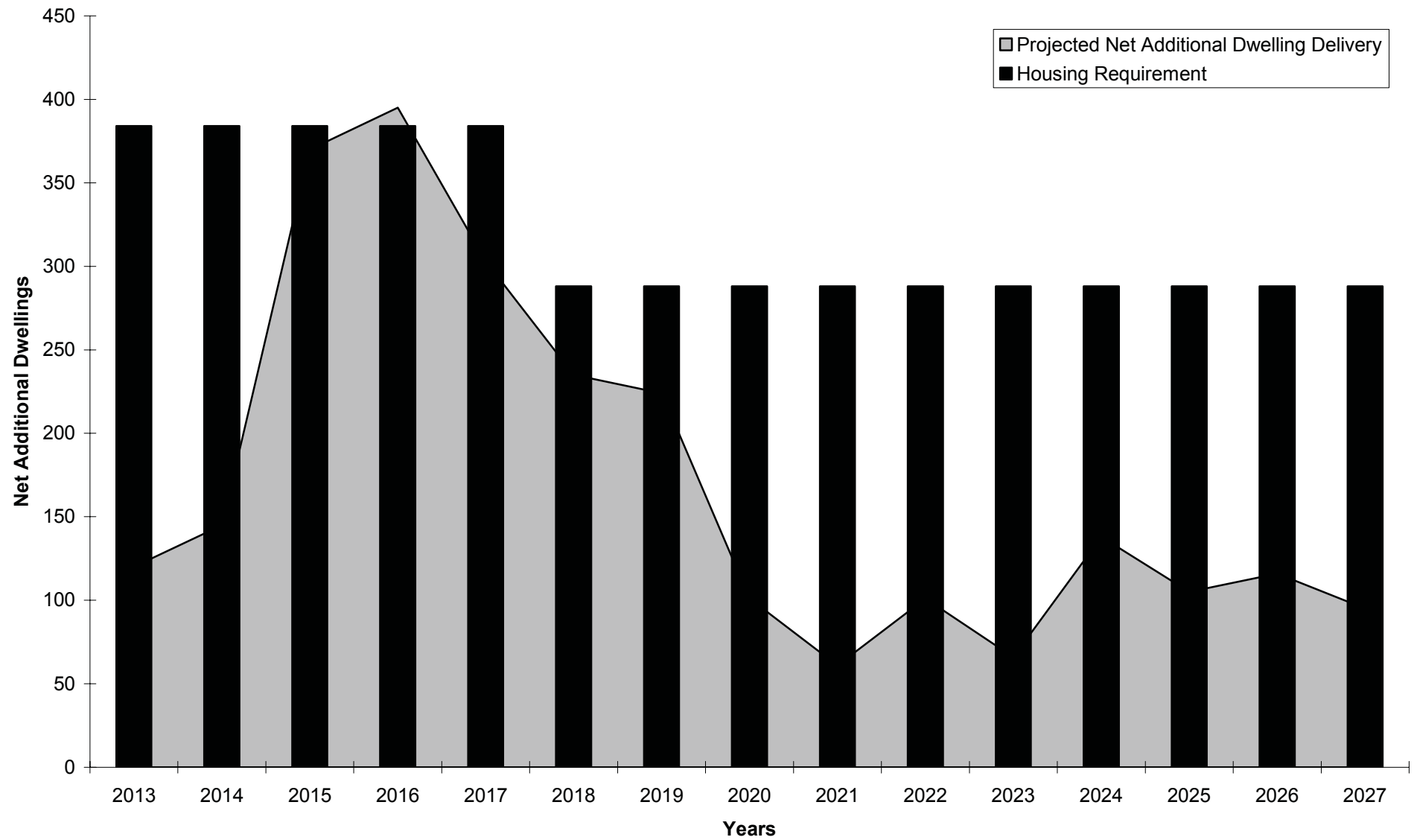
	1st 5 years	2nd 5 Years	3rd 5 Years	Total
Scenario 1 Standard	320 Annual 1,600 Total	320 Annual 1,600 Total	320 Annual 1,600 Total	4,800
Scenario 2 20% Frontloaded	384 Annual 1,920 Total	288 Annual 1,440 Total	288 Annual 1,440 Total	4,800

- 4.11 Scenario 2 is the most robust and appropriate housing requirement against which the Council will demonstrate the 5 year supply of deliverable sites.
- 4.12 In identifying sites the Council has included all deliverable (meeting the definition in NPPF footnote 11) housing sites in the borough that benefit from a residential planning permission including those where development has commenced but with further dwellings still to complete on-site. Also included are specific windfall sites that have been identified through the SHLAA process that are suitable for residential use and are assessed to be deliverable over the next 15 years.
- 4.13 As the new Local Plan was withdrawn no strategic sites outside of current development limits (such as the South West Extension or Upper Warren) can be included in the identified supply. As a result only extant planning permission and SHLAA windfall sites are the two housing provision drivers on which the borough can rely upon to deliver housing over the next 15 years at the current time.
- 4.14 Table 2 and graph 1 summarise all of the sites which contribute towards the 5 year supply.

Table 2: Summary of Demonstrating a 5 Year Supply of Deliverable Housing Sites

Housing Provision Source	Remaining	2013 Completed	2013 Remaining	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	Total
Extant Planning Permissions	2061	75	85	235	427	387	291	189	186	99	54	21	6	6	0	0	0	2061
SHLAA Windfall Sites	1214		0	0	33	48	52	86	78	42	47	120	100	172	145	156	135	1214
Total Gross Delivery	3275		160	235	460	435	343	275	264	141	101	141	106	178	145	156	135	3275
Projected Demolitions	-700		-40	-90	-90	-40	-40	-40	-40	-40	-40	-40	-40	-40	-40	-40	-40	-700
Total Net Delivery	2575		120	145	370	395	303	235	224	101	61	101	66	138	105	116	95	2575
Scenario 1 Net Additional Dwelling Provision Requirement			320	320	320	320	320	320	320	320	320	320	320	320	320	320	320	4800
Accordance			-200	-175	50	75	-17	-85	-96	-219	-259	-219	-254	-182	-215	-204	-225	-2225
5 Year Accordance			-267				-878				-1080				-2225			
Scenario 2 Net Additional Dwelling Provision Requirement			384	384	384	384	384	288	288	288	288	288	288	288	288	288	288	4800
Accordance			-264	-239	-14	11	-81	-53	-64	-187	-227	-187	-222	-150	-183	-172	-193	-2225
5 Year Accordance			-587				-718				-920				-2225			

Graph 1: Current Housing Trajectory



4.15 Table 2 and graph 1 reveals a situation where the Council cannot demonstrate a 5 year supply of deliverable housing sites to meet the housing requirement over the next 5, 10 and 15 years (scenario 2) when considering the projected gross housing delivery and the projected demolitions in the borough. Currently the Council is approximately 587 dwellings short of demonstrating a 5 year supply, which equates to a 3.5 year supply of deliverable housing sites.

4.16 With specific regard to the Council not being able to demonstrate a 5 year supply of deliverable housing sites NPPF paragraph 49 states:

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

4.17 The inability of the Council to demonstrate a 5 year supply of deliverable housing sites means that, in accordance with NPPF paragraph 49, any saved policies included in the 2006 Local Plan regarding the supply of housing should not be considered up-to-date.

Affordable Housing Provision

4.18 There is an existing and future need for additional affordable housing in the borough to be delivered. The need for additional affordable housing is a material consideration in decision making.

4.19 The evidence base for the affordable housing provision in the borough is detailed in the *“Tees Valley 2012 Strategic Housing Market Assessment Final Report”* which was published in May 2012 with specific regard to tables 4.20 and 4.23. In Hartlepool there is an overall need for approximately 88 affordable dwellings each year. When matched against the proposed total net annual dwelling target of 320 dwellings, this equates to a “need” delivery of 27.5%.

4.20 Although the evidence identifies a significant level of affordable housing need, the Council appreciates that providing an element of affordable housing as part of private development affects the economic viability of schemes. Bearing this in mind it is necessary to ensure that affordable housing is provided at a level that is economically viable and does not prevent development from taking place.

Renewable Energy

4.21 The Council are committed to delivering sustainable development and will seek to ensure that new development has regard to the need to reduce CO₂ emission and mitigate against the impacts of climate change through providing a minimum of 10% of the developments energy needs from renewable and/or decentralised resources.

4.22 In November 2010 the Council produced an evidence paper called *“Energy Supply from Decentralised and Renewable or Low Carbon Sources”* which relates to providing an on site energy supply from decentralised and renewable or low carbon sources. The evidence paper reviews European, National, Regional and local guidance along with particular reports that formed part of the Regional Spatial Strategy evidence base, to ascertain the overarching aim of RSS policy 38 and why the 10% requirement on major developments was originally set.

- 4.23 The background paper concluded that the RSS evidence and policy which was tested at examination in public in 2006 were justifiable and that a similar approach was appropriate within Hartlepool. The Council consider that the application of the 10% requirement should only apply to major applications, some smaller scale developers may see the requirement as an undue burden, however major developments that are more likely to have a significant increase in CO₂ emissions are likely to have greater profit margins and therefore the 10% requirement is considered acceptable as it should not have a significant financial impact upon build costs that can not be off set against profit margins. As indicated in European Directive 2001/77/EC as more renewable energy technologies are used, the price will fall due to economies of scale.
- 4.24 NPPF paragraphs 93, 94, 95 96 and 97 are paramount in ensuring that development meets the challenge of climate change. The on site renewable energy requirement is part of the Council's proactive strategy to mitigate and adapt to climate change as required by NPPF paragraph 94, furthermore the on site renewable energy provision ensures that Hartlepool takes responsibility and contributes to meeting EU and government targets in providing energy from renewable or low carbon sources as per NPPF paragraph 97.
- 4.25 Notwithstanding the above where it can be proven that it is not viable and would place undue burden on the development to derive a minimum of 10% of the energy needs from renewable and/or decentralised resources, a lower percentage may be considered acceptable and/or the development should seek to make up any shortfall through additional energy efficiency measures in building construction and layout.

5. 2006 LOCAL PLAN POLICIES NPPF CONSISTENCY

- 5.1 Table 3 below summarises the saved 2006 Local Plan policies and illustrates their consistency with the National Planning Policy Framework (NPPF) in terms of full, partial or not consistent. The full discussion of the policies is contained in appendix 1.

Table 3: 2006 Local Plan Saved Policies NPPF Consistency

Policy	Full	Partial	Not
Gen Environmental			
GEP1		x	
GEP2	x		
GEP3	x		
GEP7	x		
GEP9		x	
GEP10	x		
GEP12	x		
GEP16	x		
GEP17	x		
GEP18	x		
Industry & Business			
IND1	x		
IND2			x
IND3	x		
IND4		x	
IND5		x	
IND6	x		
IND7			x
IND8	x		
IND9	x		
IND10	x		
IND11	x		
Retail & Commercial			
COM1	x		
COM2	x		
COM3	x		
COM4	x		
COM5	x		
COM6	x		
COM7			x
COM8			x
COM9		x	
COM10		x	
COM12	x		
COM13		x	
COM14	x		
COM15		x	
COM16	x		

Policy	Full	Partial	Not
Tourism			
TO1	x		
TO2	x		
TO3	x		
TO4	x		
TO6	x		
TO8	x		
TO9	x		
TO10	x		
TO11	x		
Housing			
HSG1	x		
HSG2			x
HSG3			x
HSG4			x
HSG5			x
HSG6			x
HSG7			x
HSG9		x	
HSG10	x		
HSG11	x		
HSG12	x		
HSG13			x
HSG14			x
Transport			
TRA1	x		
TRA2	x		
TRA3	x		
TRA4	-	-	-
TRA5	x		
TRA7	x		
TRA9	x		
TRA10	x		
TRA11		x	
TRA12		x	
TRA13		x	
TRA14		x	
TRA15	x		
TRA16	x		
TRA17	x		
TRA18	x		
TRA20	x		

Policy	Full	Partial	Not
Public & Community			
PU3	x		
PU6	x		
PU7	x		
PU10	-	-	-
PU11	-	-	-
Dev Constraints			
DCO1	x		
Recreation & Leisure			
REC1	x		
REC2	x		
REC3	x		
REC4	x		
REC5	x		
REC6	x		
REC7	x		
REC8	x		
REC9		x	
REC10	x		
REC12	x		
REC13	x		
REC14	x		
Green Network			
GN1	x		
GN2	x		
GN3	x		
GN4	x		
GN5	x		
GN6	x		
Wildlife			
WL2	x		
WL3	x		
WL5	x		
WL7	x		
Historic Environment			
HE1	x		
HE2	x		
HE3	x		
HE6	x		
HE8	x		
HE12	x		
HE15	x		

Policy	Full	Partial	Not
Rural Area			
RUR1		x	
RUR2		x	
RUR3		x	
RUR4	x		
RUR5		x	
RUR7	x		
RUR12			x
RUR14	x		
RUR15	x		
RUR16	x		
RUR17	x		
RUR18	x		
RUR19	x		
RUR20	x		
Minerals			
MIN1	-	-	-
MIN2	-	-	-
MIN3	-	-	-
MIN4	-	-	-
MIN5	-	-	-
Waste			
WAS1	-	-	-
WAS2	-	-	-
WAS3	-	-	-
WAS4	-	-	-
WAS5	-	-	-
WAS6	-	-	-

- 5.2 Of the 136 saved policies in the 2006 Local Plan the vast majority of the policies were assessed to be in full or partial consistency with the NPPF with only 13 found to not be consistent with the NPPF. The following paragraphs identify the specific chapters in the 2006 Local Plan and illustrate their overall consistency with the NPPF.

General Environmental Principles

- 5.3 All of the GEP policies are in full or partial consistency with the NPPF. The main issue is regard to policy GEP1 is whereby it seeks to restrict development to within the urban limits, this is not a requirement of the NPPF. Furthermore the Council cannot currently demonstrate a 5 year supply of deliverable housing sites (see section 4) in accordance with NPPF paragraph 47, therefore until such a time that a 5 year land supply can be demonstrated, full weight cannot be given to policies which seek to restrict additional housing provision based upon the extent of the urban fence.
- 5.4 Policy GEP9 is only partially consistent with the NPPF. The policy is not fully consistent with the NPPF as it is seeking to secure contributions towards acquisition and demolition of surplus housing stock and housing improvements in low demand housing areas in accordance with policy Hsg5. Hsg5 is not in conformity with the NPPF and as a result this type of contribution cannot be secured. However with regard to all other contributions advocated in the policy there securing is consistent with the NPPF.

Industrial and Business Development

- 5.5 All of the IND policies are in full or partial consistency with the NPPF in general with the exception of policies IND2 relating to the allocation at North Burn and IND7 relating to North of Seaton Channel which are not consistent with the NPPF.

Retail, Commercial and Mixed Use Development

- 5.6 All of the COM policies are in full or partial consistency with the NPPF in general with the exception of policies COM7 relating to Tees Bay and COM8 relating to shopping development which are not consistent with the NPPF and COM9 which is substantially not consistent.
- 5.7 Policy COM9 which concerns main town centre uses is substantially not consistent with the NPPF with the exception of the hierarchy of centres proposed and the references to travel plans. As a result NPPF paragraphs 24, 25, 26 and 27 should be used to determine planning applications relating for main town centre uses based on the hierarchy of centres established in policy COM9, with weight given to the need to prepare Travel Plans and Planning Conditions where relevant.

Tourism

- 5.8 All TO policies are consistent with the NPPF.

Housing

- 5.9 A high number of the HSG policies are not consistent with the NPPF as the Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47; as a result weight cannot be given to policies which seek to restrict additional housing provision.
- 5.10 The Council's situation with regard to the 5 year land supply is illustrated in section 4 and in appendix 1. As a result the NPPF as a whole should be used as a basis to determine future additional housing applications in the borough alongside 2006 Local Plan policies HSG9, HSG10, HSG11 and HSG12, which purely relate the design of additional housing development. Other 2006 Local Plan policies will apply depending upon the site specifics and location of the proposed development.

Transport

- 5.11 All TRA policies are fully or partially consistent with the NPPF. The only issue with regard to partially consistent policies is the references made in the policies to employment allocations which themselves are partially or not consistent with the NPPF.

Public Utility and Community Facilities

- 5.12 PU policies are consistent with the NPPF with the exception of policies PU10 and PU11 which are no longer applicable as the site has been fully developed in accordance with the policy criteria.

Development Constraints

- 5.13 The DCO policy is consistent with the NPPF.

Recreation and Leisure

- 5.14 REC policies are consistent with the NPPF in general with the exception of policy REC9 which is partially consistent as it does not give any flexibility to allow proposals which may bring significant other benefits, for example in terms of economic development.

The Green Network

- 5.15 All GN policies are consistent with the NPPF.

Wildlife

- 5.16 All the GN policies are consistent with the NPPF.

Conservation of the Historic Environment

- 5.17 All the HE policies are consistent with the NPPF.

The Rural Area

- 5.18 Many of the RUR policies are not consistent with the NPPF as the Council cannot currently demonstrate a 5 year supply of deliverable housing sites (see section 4) in accordance with NPPF paragraph 47; full weight cannot be given to policies which seek to restrict additional housing provision.

- 5.19 The Council's situation with regard to the 5 year land supply is illustrated in section 4 and in appendix 1. As a result the NPPF as a whole should be used as a basis to determine future additional housing applications in the borough, with particular regard to the countryside and rural area alongside 2006 Local Plan policies HSG9, HSG10, HSG11 and HSG12, which purely relate the design of additional housing development. Other 2006 Local Plan policies will apply depending upon the site specifics and location of the proposed development.

Minerals

- 5.20 The MIN policies are no longer applicable as the policies have been superseded by the policies contained in the Tees Valley Minerals and Waste Development Plan Documents.

Waste

- 5.21 The WAS policies are no longer applicable as the policies have been superseded by the policies contained in the Tees Valley Minerals and Waste Development Plan Documents.

2006 Local Plan Policies NPPF Consistency Conclusion

- 5.22 As illustrated in table 3 the majority of the policies contained in the 2006 Local Plan are fully or partially consistent with the NPPF. Where policies are fully consistent they are to be given full weight in decision making, however where policies are partially consistent due weight will be given having regard to relevant paragraphs in the NPPF. Where policies are not consistent with the NPPF they are given no weight in decision making and the relevant paragraphs in the NPPF will be used to determine planning applications.
- 5.23 As a result where decision making is required in most cases a combination of the existing 2006 Local Plan and the relevant paragraphs in the NPPF will be used as a policy framework until the Council moves forward the preparation of a new Local Plan to a sufficient stage where emerging policies can be given due weight. Bearing this in mind, this document will be regularly updated to take into consideration any relevant changes.

6. PLANNING FRAMEWORK CONCLUSION

6.1 The withdrawal of the 2013 Local Plan placed the Council in a situation where the planning framework consists of:

- Saved 2006 Local Plan policies,
- Guidance contained in the National Planning Policy Framework, and;
- Other material considerations.

Saved 2006 Local Plan Policies & National Planning Policy Framework

6.2 Table 3 illustrates the saved 2006 Local Plan policies and their consistency with regard to the National Planning Policy Framework (NPPF) with appendix 1 detailing each saved policy and guidance relating to its consistency with the NPPF. In instances where the plan is not fully consistent with the NPPF appendix 1 outlines which NPPF paragraph numbers should be used in decision making with specific regard to determining planning applications.

Material Planning Considerations

6.3 The borough has specific policy areas where the 2006 Local Plan is silent and/or the relevant policies are out-of-date and the NPPF delegates the decision making to the development plan. These other material considerations are:

- **Demonstrating a 5 Year Supply of Deliverable Housing Sites**
The inability of the Council to demonstrate a 5 year supply of deliverable housing sites means that, in accordance with NPPF paragraph 49, any saved policies included in the 2006 Local Plan regarding the supply of housing should not be considered up-to-date.
- **Affordable Housing**
There is a need to deliver 27.5% affordable housing as part of residential developments.
- **Renewable Energy**
There is a need to provide a minimum of 10% of the developments energy needs from renewable and/or decentralised resources.

Summary Conclusion

6.3 As a result, where decision making is required, in most cases a combination of the existing 2006 Local Plan, the relevant paragraphs in the NPPF and other material considerations will be used as a planning framework until the Council moves forward the preparation of a new Local Plan to a stage where emerging policies can be given due weight.

6.4 Bearing this in mind, this document will be regularly updated to take into consideration any relevant changes.

Appendix 1: 2006 Local Plan Saved Policies / NPPF Accordance

Table A: General Environmental Principles

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
General Environmental Principles					
GEP1		x		6, 7, 8, 9, 10, 14, 15, 17, 30, 32, 34, 35, 37, 43, 49, 50, 53, 55, 56, 57, 58, 60, 61, 63, 64, 65, 67, 69, 70, 72, 73, 75, 93, 94, 95, 99, 100, 101, 102, 103, 104, 109, 110, 111, 112, 114, 115, 116, 117, 118, 119, 120, 121, 123, 124, 125, 126, 128, 129, 131, 132, 133, 135, 136, 137, 138, 139, 140, 144, 148, 149, 150, 151, 152, 154, 156, 157, 203, 204, 205.	<p>The policy seeks to contribute towards sustainable development. The policy covers a lot of key areas that all seek to provide sustainable development, the policy seeks to ensure that development is located in the right place and is of high quality design and does not have a detrimental impact upon amenity.</p> <p>The policy is only partially compliant as it seeks to restrict development to within the urban limits, this is not a requirement of the NPPF. Furthermore the Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47, therefore until such a time that a 5 year land supply can be demonstrated, full weight cannot be given to policies which seek to restrict additional housing provision based upon the extent of the urban fence.</p>
Access For All					
GEP2	x			6, 7, 8, 9, 10, 14, 15, 17, 29, 30, 31, 32, 34, 35, 37, 39, 40, 49, 50, 56, 57, 58, 64, 67, 69, 70, 75, 95, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy seeks to ensure that all development is accessible to all users in particular those with disabilities and the less able bodies, thus ensuring that development is sustainable as it provides for the population now and in the future.
Crime Prevention by Planning and Design					
GEP3	x			6, 7, 8, 9, 10, 14, 15, 17, 20, 21, 49, 50, 55, 56, 57, 58, 61, 64, 67, 69, 70, 150, 151, 152.	The policy seeks to contribute towards sustainable development. The policy seeks to ensure that development does not lead to an increase in crime and anti social behaviour and where possible it should reduce such instances. The policy states that safety should be taken into account when designing a scheme.
Frontage of Main Approaches					
GEP7	x			6, 7, 8, 9, 10, 14, 15, 17, 20, 21, 29, 30, 31, 41, 49, 56, 58, 61, 64, 70, 93, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy seeks to protect and enhance the main approaches within the borough, to assist in improving the overall quality of the borough. The policy sets out key main approaches that are of particular importance to Hartlepool.

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Developers Contributions					
GEP9		x		6, 7, 8, 9, 10, 14, 15, 17, 150, 151,152, 203, 204, 205.	<p>The policy is partially consistent with the NPPF. The policy seeks contributions from developers for the provision of additional works deemed to be required as a result of the development. The policy sets out the types of contributions which may be required. All of these, with the exception of one, are in conformity with the NPPF.</p> <p>The policy however is not in accordance with the NPPF where it requests contributions for:</p> <p>i) The acquisition and demolition of surplus housing stock and housing improvements in low demand housing areas (see policies Hsg6 and Hsg5) – As these two policies are not in conformity with the NPPF, this element of GEP9 is therefore not compliant.</p>
Provision of Public Art					
GEP10	x			6,7, 8, 9, 10, 14, 15, 17, 21, 49, 56, 57, 58, 60, 63, 69, 151, 152	The policy seeks to contribute towards sustainable development. The policy seeks to add to the overall quality and distinctiveness of the borough through the provision of bespoke public art.
Trees, Hedgerows and Development					
GEP12	x			6, 7, 8, 9, 14, 15, 17, 20, 49, 50, 56, 57, 58, 61, 64, 69, 70, 93, 114, 150,151,152, 203, 206.	The policy seeks to contribute towards sustainable development. The policy seeks to protect trees and hedgerows that currently add to the quality of the environment. The policy also encourages further tree planting as part of a scheme.
Untidy Sites					
GEP16	x			6, 7, 8, 9, 10, 14, 15, 17, 20, 21, 57, 150,151,152, 207	The policy seeks to contribute towards sustainable development. The policy sets out Council's desires and powers but it does not specifically link to development proposals. The overall aim of the policy is in accordance with the thread of the NPPF that is to create sustainable development and thus quality environments.
Derelict Land Reclamation					
GEP17	x			6, 7, 8, 9, 10, 14, 15, 17, 20, 21, 109, 111, 150,151,152,	The policy seeks to contribute towards sustainable development. The policy sets out Council's desires but it does not specifically link to development proposals. The overall aim of the policy is in accordance with the thread of the NPPF that is to create sustainable development and thus quality environments.

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Development on Contaminated Land					
GEP18	x			6,7,8 9, 14, 15, 17, 109, 110, 111,120,121,122, 150,151,152,	The policy seeks to contribute towards sustainable development. The policy encourages development on contaminated land as it is a positive measure to remove the contamination.

Table B: Industrial and Business Development

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Wynyrd Business Park					
IND1	x			6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 20, 21, 22, 36, 57, 58, 109, 126 150, 151, 152, 203, 204, 205.	<p>The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. It allocates land for a prestige business park that supports sustainable economic growth. This site is fully committed for this use with a full planning permission for business use for the full site. The wider Wynyrd Park area has a proven track record of attracting inward investment and development. (meets paragraphs 18, 19, 20, 21, 22).</p> <p>The policy also provides criteria to protect areas of historic and natural interest (109 and 126) , to provide high quality landscaping and or woodland planting (57), high quality design (57 and 58), the landscaping of car parking areas and that travel plans should be prepared (36).</p>
North Burn Electronics Components Park					
IND2			x	6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 20, 21, 22, 31, 36, 57, 58, 109, 126 150, 151, 152, 203, 204, 205.	<p>The policy is not consistent with the NPPF. It allocates land for a prestige business park there is currently no planning permission in place and there is substantial infrastructure costs associated with developing the site. In this respect the site does not meet paragraph 22 as, on current evidence, there is no reasonable prospect on the site being developed.</p>
Queens Meadow Business Park					
IND3	x			6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 20, 21, 22, 36, 57, 58 150, 151, 152, 203, 204, 205.	<p>The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. It allocates land for a business park that supports sustainable economic growth. The business park has attracted development over the years and is a key part of the portfolio of the sites that make up the Boroughs employment land offer (the policy meets paragraphs 18, 19, 20, 21, 22).</p> <p>The policy also provides criteria to ensure high quality landscaping and or woodland planting (57), high quality design (57 and 58), the landscaping of car parking areas and that travel plans should be prepared (36).</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Higher Quality Industrial Estates					
IND4		x		6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 20, 21, 22, 36, 57, 58, 61 150, 151, 152, 203, 204, 205.	<p>The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. It allocates three sites for higher quality industrial development that supports sustainable economic growth.</p> <p>Two of the sites, Sovereign Park and Park View West have attracted development over the years and are an important part of the portfolio of the sites that make up the Boroughs employment land offer. They meet paras 18.19, 20, 21 and 22. However the site at Golden Flatts has no planning permission and has had no developer interest and thus does not meet paragraph22. The Golden Flatts site was recommended for de-allocation in the Employment Land Review 2008 for this reason.</p> <p>The policy also provides criteria to ensure landscaping is provided, particularly on road frontages (57 and 58), that buildings are provided with a high quality finish (61), the landscaping of car parking areas and that travel plans should be prepared (36).</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Industrial Areas					
IND5		x		6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 20, 21, 22, 57, 58, 150,151,152, 203, 206.	<p>The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. It allocates eleven sites for employment/industrial development that supports sustainable economic growth. The following sites are fully committed or are developing and building out and meet all requirements of NPPF (18, 19, 20, 21, 22):</p> <ul style="list-style-type: none"> • Oaksway, • Longhill/Sandgate, • Usworth Road, • Brenda Road East, • South works • Tofts Farm East/Hunter House • Brenda Road West • Graythorpe Industrial Estate • Graythorpe Yard • Zinc Works Road • Former Centura Foods site <p>However the former centura foods site has now been cleared and there is little reasonable prospect of this site being used for employment uses, particularly given the constraints associated with the site and therefore not consistent with paragraph22.</p> <p>The policy also provides criteria to ensure a high quality of design and landscaping is provided for development fronting main approach roads and estate roads (57 and 58).</p>
Bad Neighbour Uses					
IND6	x			6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 20, 123, 150,151,152,	<p>The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF (18, 19, 20, 123). The policy seeks to identify an area for bad neighbour uses in order to prevent the spread of untidy uses into more sensitive industrial areas.</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Port Related Development					
IND7			x	6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 20, 21, 22, 109, 113, 114, 117, 118, 150, 151, 152,	<p>The policy is not consistent with the NPPF and allocates a site at North of Seaton Channel for Port Related Development. Work on the emerging local plan led to this land being re-allocated to general employment land as it was deemed unsuitable (objections from Natural England) for Port Related due to effects on the SPA if it was to be used for port related uses (jetties would need to be constructed on the SPA mudflats) (does not comply with 109 and 114).</p> <p>Also there is no planning permission on any part of the site and there has been no developer interest in the site. (does not comply with 22).</p>
Industrial Improvement Areas					
IND8	x			6, 7, 8, 9, 10, 14, 15, 17, 19, 20, 21, 58, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF and looks to improve the environment of industrial areas.
Potentially Polluting or Hazardous Developments					
IND9	x			6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 20, 21, 22, 113, 114, 117, 118 120, 122, 124, 150, 151, 152,	<p>The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF (18, 19, 20, 21, 22). It allocates land for potentially polluting or hazardous developments that supports sustainable economic growth. Two of the sites are fully committed for this use and the third one North of Graythorp is partially developed. Some of the bodies referenced in the policy text are out of date i.e English Nature is now Natural England and the Nuclear Installations Inspectorate is now Office for Nuclear Regulation.</p> <p>The policy also cross references to the criteria of policy WL2 and this element is also compliant with NPPF (113, 114, 117 & 118)</p>
Underground Storage					
IND10	x			6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 109, 113, 114, 117, 118 120, 122, 124, 150, 151, 152,	<p>The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy is concerned with underground storage in disused brine cavities. Some of the bodies referenced in the policy text are out of date i.e. English Nature is now Natural England and the Nuclear Installations Inspectorate is now Office for Nuclear Regulation.</p> <p>The policy also cross references to the criteria of policy WL2 and this element is also compliant with NPPF (113, 114, 117 & 118) and to protect the aquifer and watercourses (109).</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Hazardous Substances					
IND11	x			6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 113, 114, 117, 118, 120, 121, 122, 124, 150, 151,152,	<p>The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF and is concerned with proposals that involve hazardous substances.</p> <p>The policy also cross references to the criteria of policy WL2 and this element is also compliant with NPPF (113, 114, 117 & 118).</p>

Table C: Retail, Commercial and Mixed Use Development

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Development in the Town Centre					
COM1	x			6, 7, 8, 9, 10, 14, 15, 17, 23, 150, 151, 152, 156	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy establishes a hierarchy of centres and defines the extent of the town centre.
Primary Shopping Area					
COM2	x			6, 7, 8, 9, 10, 14, 15, 17, 23, 56, 57, 61, 150, 151, 152, 156	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy defines the primary shopping area.
Primary Shopping Area – Opportunity Site					
COM3	x			6, 7, 8, 9, 10, 14, 15, 17, 23, 56, 57, 61, 150, 151, 152, 156, 203, 204, 205.	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF.
Edge of Town Centres					
COM4	x			6, 7, 8, 9, 10, 14, 15, 17, 23, 56, 57, 61, 123, 150, 151, 152, 156	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy establishes a hierarchy of centres and defines the edge of centre areas.
Local Centres					
COM5	x			6, 7, 8, 9, 10, 14, 15, 17, 23, 56, 57, 61, 123, 150, 151, 152, 156	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy establishes a hierarchy of centres and defines the local centres in the borough.
Commercial Improvement Areas					
COM6	x			6, 7, 8, 9, 10, 14, 15, 17, 20, 56, 57, 58, 61, 69, 123, 150, 151, 152,	The policy is consistent with the NPPF. The policy seeks to contribute towards sustainable development in the commercial areas through seeking to improve the built environment of the commercial areas.

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Tees Bay Mixed Use Site					
COM7			x	6, 7, 8, 9, 10, 14, 15, 17, 21, 23, 24, 30, 32, 150, 151, 152, 203, 204, 205.	<p>The policy is not consistent with the NPPF. The policy establishes Tees Bay as being outside the hierarchy of centres but plans to support the existing business sectors already located there. The policy is not consistent as it is seeking to:</p> <p>(i) Ensure development should accord with policy COM8 which is considered as not consistent with the NPPF.</p> <p>As a result it is considered that the policy is not used to determine planning applications relating to the Tees Bay.</p>
Shopping Development					
COM8			x	6, 7, 8, 9, 10, 14, 15, 17, 23, 24, 25, 26, 27, 30, 32, 150, 151, 152, 203, 204, 205, 206	<p>The policy is not consistent with the NPPF as it seeks to:</p> <p>(i) Make the primary shopping area more sequentially preferable than the town centre. (ii) Require an applicant to demonstrate retail need. (iii) Require an applicant to undertake a retail impact assessment on all retail developments in excess of 2,500sqm.</p> <p>As a result NPPF paragraphs 24, 25, 26 and 27 should be used to determine planning applications relating to retail development.</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Main Town Centre Uses					
COM9		x		6, 7, 8, 9, 10, 14, 15, 17, 23, 24, 25, 26, 27, 30, 31, 150, 151, 152, 203, 204, 205, 206	<p>The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. The policy establishes a hierarchy of centres in accordance with the NPPF. The only weight given to the policy should relate to the hierarchy of centres that is established which is in accordance with paragraph 23 along with the references to Travel Plans and Planning Conditions.</p> <p>The policy is not consistent as it is seeking to:</p> <p>(i) Only allow main town centre uses outside of the town centre where need is demonstrated. (ii) Ensure development should accord with policy COM8 which is considered as not consistent with the NPPF.</p> <p>As a result NPPF paragraphs 24, 25, 26 and 27 should be used to determine planning applications relating for main town centre uses based on the hierarchy of centres established in policy COM9, with weight given to the need to prepare Travel Plans and Planning Conditions where relevant.</p>
Retailing in Industrial Areas					
COM10		x		6, 7, 8, 9, 10, 14, 15, 17, 17, 22, 23, 24, 26, 27, 123, 150, 151, 152,	<p>The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. The policy reinforces the hierarchy of centres in accordance with the NPPF and seeks to deliver retailing in industrial areas in a sustainable manner taking into consideration the potential impacts on the local area by nature of the use proposed.</p> <p>The policy is not consistent as it is seeking to:</p> <p>(i) Ensure development should accord with policy COM8 which is considered as not consistent with the NPPF.</p> <p>As a result it is considered that the policy is used to determine planning applications relating to retail in industrial areas with the exception of the accordance to policy COM8.</p>
Food and Drink					
COM12	x			6, 7, 8, 9, 10, 14, 15, 17, 56, 57, 61, 123, 150, 151, 152, 203, 204, 205.	<p>The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to deliver food and drink development in a sustainable manner taking into consideration the potential impacts on the local area by nature of the use proposed.</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Commercial Uses in Residential Areas					
COM13		x		6, 7, 8, 9, 10, 14, 15, 17, 22, 23, 24, 26, 27, 56, 57, 61, 123, 150, 151, 152,	<p>The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. The policy reinforces the hierarchy of centres in accordance with the NPPF and seeks to deliver retailing in residential areas in a sustainable manner taking into consideration the potential impacts on the local area by nature of the use proposed.</p> <p>The policy is not consistent as it is seeking to:</p> <p>(i) Ensure development should accord with policy COM8 which is considered as not consistent with the NPPF.</p> <p>As a result it is considered that the policy is used to determine planning applications relating to retail in residential areas with the exception of the accordance to policy COM8.</p>
Business Uses in the Home					
COM14	x			6, 7, 8, 9, 10, 14, 15, 17, 56, 57, 61, 123, 150, 151, 152,	<p>The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to allow business uses in the home in a sustainable manner taking into consideration the potential impacts on the local area by nature of the use proposed.</p>
Victoria Harbour / North Docks Mixed Use Site					
COM15		x		6, 7, 8, 9, 10, 14, 15, 17, 17, 21, 22, 56, 57, 61, 100, 103, 123, 150, 151, 152,	<p>The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. The policy reinforces the hierarchy of centres in accordance with the NPPF and seeks to deliver a mixed of uses in an industrial area in a sustainable manner taking into consideration the potential impacts on the local area by nature of the uses proposed.</p> <p>The policy is not consistent as it is seeking to:</p> <p>(i) Ensure development should accord with policy COM8 which is considered as not consistent with the NPPF.</p> <p>As a result it is considered that the policy is used to determine planning applications relating to mixed uses in the Victoria Harbour / North Docks area with the exception of the accordance to policy COM8.</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Headland – Mixed Use					
COM16	x			6, 7, 8, 9, 10, 14, 15, 17, 14, 17, 19, 20, 21, 123, 126, 128, 129, 131, 137, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to allow mixed uses in the Headland area in a sustainable manner taking into consideration the potential impacts on the local area by nature of the use proposed.

Table D: Tourism

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Tourism Development in the Marina					
TO1	x			6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 21, 23, 24, 26, 27, 100, 106, 107, 108, 150, 151, 152, 186	<p>The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy promotes the use of the Marina for Tourism which is in conformity with a number of the elements of the NPPF which seek to promote economic development in sustainable locations. The NPPF also highlights the need for Coastal Change Management Plans which the authority is working on and will complement policies related to the coastal margins.</p> <p>Paragraph 23 seeks to allocate tourism development within town centres, however paragraph 24 sets out the sequential tests to apply and given the Marina is an edge of centre location, identified as a suitable for such uses, it is therefore also in accordance in this respect.</p>
Tourism at the Headland					
TO2	x			6, 7, 8, 9, 10, 14, 15, 17, 150, 151, 152, 18, 19, 21, 23, 26, 27, 100, 106, 107, 108, 115, 126, 128, 129, 131, 137, 186	<p>The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy promotes the use of the Headland for Tourism developed in a sensitive way to reflect the character and maritime and Christian Heritage which is in conformity with a number of the elements of the NPPF which seek to promote economic development in sustainable locations. The NPPF also highlights the need for Coastal Change Management Plans which the authority is working on and will complement policies related to the coastal margins.</p> <p>Paragraph 23 seeks to allocate tourism development within town centres, however paragraph 24 sets out the sequential tests to apply and given the Headland is locally identified as a suitable location for such uses is therefore also in accordance in this respect.</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Core Area of Seaton Carew					
TO3	x			6, 7, 8, 9, 10, 14, 15, 17, 150,151,152, 18, 19, 21, 23, 26, 27, 100, 106, 107, 108, 186	<p>The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy promotes the use of the Seaton Carew for Commercial and Leisure developments which are sympathetic to the character of the area and in keeping with a seaside resort and is in conformity with a number of the elements of the NPPF which seek to promote economic development in sustainable locations. The NPPF also highlights the need for Coastal Change Management Plans which the authority is working on and will complement policies related to the coastal margins.</p> <p>Paragraph 23 seeks to allocate tourism development within town centres, however paragraph 24 sets out the sequential tests to apply and given Seaton Carew is locally identified as a suitable location for such uses is therefore also in accordance in this respect.</p>
Commercial Development Sites at Seaton Carew					
TO4	x			6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 21, 23, 24, 26, 27, 100, 106, 107, 108, 150, 151, 152, 186	<p>The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. This policy identifies individual sites in Seaton Carew which are suitable for certain types of commercial and recreational facilities. It is in conformity with a number of the elements of the NPPF which seek to promote economic development in sustainable locations. The NPPF also highlights the need for Coastal Change Management Plans which the authority is working on and will complement policies related to the coastal margins.</p> <p>Paragraph 23 seeks to allocate tourism development within town centres, however paragraph 24 sets out the sequential tests to apply and given Seaton Carew is locally identified as a suitable location for such uses is therefore also in accordance in this respect.</p>
Seaton Park					
TO6	x			6, 7, 8, 9, 10, 14, 15, 17, 150,151,152, 26, 27, 69, 70, 73, 74, 171, 186	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. It promotes the development of additional recreational facilities in Seaton Park to enhance it's attractiveness to users. This aim is in line with a number of elements of the NPPF.
Teesmouth National Nature Reserve					
TO8	x			6, 7, 8, 9, 10, 14, 15, 17, 109, 113, 118,150,151,152, 186	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. It promotes the Teesmouth National Nature Reserve as a tourist attraction by encouraging its enhancement and encouraging sustainable green tourism. This aim is in line with a number of elements of the NPPF.

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Tourism Accommodation					
TO9	x			6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 23, 24, 26, 27, 100, 106, 107, 108, 150, 151, 152, 186	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The Policy links to GEP1 which is also considered to be consistent. Paragraph 23 seeks to allocate tourism / commercial development within town centres, however paragraph 24 sets out the sequential tests to apply and given The Marina, Seaton Carew and the Headland are locally identified as a suitable location for such uses is therefore also in accordance in this respect.
Touring Caravan Sites					
TO10	x			6, 7, 8, 9, 10, 14, 15, 17, 19, 28, 61, 64, 109, 110, 186, 150,151,152,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy supports the development of touring caravan sites where they meet a number of criteria.
Business Tourism and Conferencing					
TO11	x			6, 7, 8, 9, 10, 14, 15, 17, 19, 20, 21, 150,151,152, 186,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to encourage and promote business tourism and conferencing. The Policy links to GEP1 which is also considered to be consistent.

Table E: Housing

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Housing Improvements					
HSG1	x			6, 7, 8, 9, 10, 14, 15, 17, 51, 56, 57, 61, 69, 150,151,152, 156, 157	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to improve the physical environment of the existing housing stock in the borough.
Selective Housing Clearance					
HSG2			x	6, 7, 8, 9, 10, 14, 15, 17, 51, 56, 57, 61, 69, 150,151,152, 156, 157	<p>The policy seeks to improve the physical environment through selective demolitions of the existing housing stock in the borough. The policy is not consistent with the NPPF as:</p> <p>(i) The Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47. As a result weight cannot be given to policies which seek to restrict additional housing provision.</p> <p>As a result the NPPF as a whole should be used as a basis to determine future additional housing applications in the borough alongside 2006 Local Plan policies HSG9, HSG10, HSG11 and HSG12, which purely relate the design of additional housing development. Other 2006 Local Plan policies will apply depending upon the site specifics and location of the proposed development.</p>
Housing Market Renewal					
HSG3			x	6, 7, 8, 9, 10, 14, 15, 17, 51, 56, 57, 61, 69, 150,151,152, 153, 156, 157, 174	<p>The policy seeks to improve the physical environment of the existing housing stock in the borough. The policy is not consistent with the NPPF as:</p> <p>(i) The Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47. As a result weight cannot be given to policies which seek to restrict additional housing provision.</p> <p>As a result the NPPF as a whole should be used as a basis to determine future additional housing applications in the borough alongside 2006 Local Plan policies HSG9, HSG10, HSG11 and HSG12, which purely relate the design of additional housing development. Other 2006 Local Plan policies will apply depending upon the site specifics and location of the proposed development.</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Central Area Housing					
HSG4			x	6, 7, 8, 9, 10, 14, 15, 17, 24, 25, 26, 27, 150, 151, 152,	<p>The policy is not consistent with the NPPF as it seeks to:</p> <p>(i) Make an exception on the hierarchy of centres and their sequential preference for uses that are classed as “local services”.</p> <p>As a result NPPF paragraphs 24, 25, 26 and 27 should be used to determine planning applications relating for main town centre uses based on the hierarchy of centres established in policy COM9. If the development is acceptable in Locational terms policy COM13 in the 2006 Local Plan should be used to determine planning applications relating to retail in residential areas with the exception of the accordance to policy COM8.</p>
Management of Housing Land Supply					
HSG5			x	6, 7, 8, 9, 10, 14, 15, 17, 49, 150, 151, 152, 156, 157, 203, 204, 205,	<p>The policy is not consistent with the NPPF as:</p> <p>(i) The Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47. As a result weight cannot be given to policies which seek to restrict additional housing provision.</p> <p>As a result the NPPF as a whole should be used as a basis to determine future additional housing applications in the borough alongside 2006 Local Plan policies HSG9, HSG10, HSG11 and HSG12, which purely relate the design of additional housing development. Other 2006 Local Plan policies will apply depending upon the site specifics and location of the proposed development.</p>
Mixed Use Areas					
HSG6			x	6, 7, 8, 9, 10, 14, 15, 17, 49, 51, 56, 57, 61, 100, 103, 123, 150, 151, 152, 156, 157	<p>The policy seeks to deliver additional housing provision in the borough. The policy is not consistent as it is seeking to:</p> <p>(i) promote additional housing provision on specific land subject to any detrimental effect on the strategic housing requirement set out in the policy. As the Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47, weight cannot be given to policies which seek to restrict additional housing provision.</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Conversions for Residential Uses					
HSG7	x			6, 7, 8, 9, 10, 14, 15, 17, 14, 29, 30, 37, 51, 56, 57, 150, 151, 152, 156, 157	<p>The policy seeks to control conversions for residential uses, which relates to housing supply in the borough. The policy is not consistent with the NPPF as:</p> <p>(i) The Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47. As a result weight cannot be given to policies which seek to restrict additional housing provision.</p> <p>As a result the NPPF as a whole should be used as a basis to determine future additional housing applications in the borough alongside 2006 Local Plan policies HSG9, HSG10, HSG11 and HSG12, which purely relate the design of additional housing development. Other 2006 Local Plan policies will apply depending upon the site specifics and location of the proposed development.</p>
New Residential Layout – Design and Other Requirements					
HSG9		x		6, 7, 8, 9, 10, 14, 15, 17, 29, 30, 37, 49, 56, 57, 58, 69, 93, 109, 110, 121, 123, 150, 151, 152, 157, 203, 204, 205,	<p>The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. The policy seeks to deliver additional housing provision in the borough that is appropriately designed. The policy is not consistent as it is seeking to:</p> <p>(i) Restrict potential additional housing provision by virtue of the accordance with policies HSG5 and HSG6 which relate to the location and provision of additional housing. As the Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47, weight cannot be given to policies which seek to restrict additional housing provision.</p> <p>(ii) Restrict the density of additional housing provision. As the Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47, full weight cannot be given to policies which seek to restrict additional housing provision.</p> <p>As a result it is considered that the policy is used to determine planning applications relating to additional housing provision purely relating to the design of the development but explicitly excluding the references to policies HSG5 and HSG6 and to net density.</p>
Residential Extensions					
HSG10	x			6, 7, 8, 9, 10, 14, 15, 17, 56, 57, 150, 151, 152, 157	<p>The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to improve the physical environment of the existing housing stock in the borough specifically taking into consideration residential extensions.</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Residential Annexes					
HSG11	x			6, 7, 8, 9, 10, 14, 15, 17, 17, 56, 57, 150, 151, 152, 157, 203, 204	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to improve the physical environment of the existing housing stock in the borough specifically taking into consideration residential annexes; delivering sustainable development.
Homes and Hostels					
HSG12	x			6, 7, 8, 9, 10, 14, 15, 17, 29, 30, 37, 56, 57, 123, 150, 151, 152, 156, 157	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to deliver additional housing provision in the borough specifically taking into consideration homes and hostels.
Residential Mobile Homes					
HSG13			x	6, 7, 8, 9, 10, 14, 15, 17, 22, 29, 30, 37, 49, 56, 57, 58, 69, 70, 123, 150, 151, 152, 156, 157	<p>The policy is not consistent with the NPPF. The policy seeks to control the delivery of additional housing provision in the form of residential mobile homes in the borough. The policy is not consistent as:</p> <p>(i) The Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47. As a result weight cannot be given to policies which seek to restrict additional housing provision.</p> <p>As a result the NPPF as a whole should be used as a basis to determine future additional housing applications in the borough alongside 2006 Local Plan policies HSG9, HSG10, HSG11 and HSG12, which purely relate the design of additional housing development. Other 2006 Local Plan policies will apply depending upon the site specifics and location of the proposed development.</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Gypsy Site					
HSG14			x	Planning Policy for Traveller Sites 6, 7, 8, 9, 10, 11, 14, 15, 17, 150, 151, 152,	<p>The policy is not consistent with the NPPF. The policy sets out criteria under which an application will be assessed, the policy applies a set of criteria relating to controlling the supply of gypsy sites within the borough.</p> <p>(i) The Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47. As a result weight cannot be given to policies which seek to restrict additional housing provision.</p> <p>As a result the NPPF as a whole along with Planning Policy for Traveller Sites (2012) should be used as a basis to determine future additional housing applications in the borough alongside 2006 Local Plan policies HSG9, HSG10, HSG11 and HSG12, which purely relate the design of additional housing development. Other 2006 Local Plan policies will apply depending upon the site specifics and location of the proposed development.</p>

Table F: Transport

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Bus Priority Routes					
TRA1	x			6, 7, 8, 9, 10, 14, 15, 17, 29, 30, 35, 150, 151, 152, 156, 186,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy supports the development of bus priority routes and is in line with the sustainable transport policies within the NPPF.
Railway Line Extensions					
TRA2	x			6, 7, 8, 9, 10, 14, 15, 17, 29, 30, 31, 35, 150, 151, 152, 156, 157, 186	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy safeguards land for a future rail line extension, supporting sustainable transport both to the potential benefit of the public the industrial area in the south of the town. The policy is in line with the sustainable transport policies within the NPPF.
Rail Halts					
TRA3	x			6, 7, 8, 9, 10, 14, 15, 17, 29, 30, 31, 35, 150, 151, 152, 156, 157, 186	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy supports improvements to the local rail network and encourages the provision of new rail halts along the corridor, supporting sustainable transport both to the potential benefit of the public the industrial area in the south of the town. The policy is in line with the sustainable transport policies within the NPPF.
Public Transport Interchange					
TRA4	-	-	-	6, 7, 8, 9, 10, 14, 15, 17, 29, 30, 32, 35, 150, 151, 152, 156, 157, 186	It must be noted that the policy is no longer applicable as the site has been developed in accordance with the policy criteria.
Cycle Networks					
TRA5	x			6, 7, 8, 9, 10, 14, 15, 17, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy supports improvements to the cycle network and sets out a range of corridors where improvements are needed, supporting sustainable transport to the benefit of the public and the town. The policy is in line with the sustainable transport policies within the NPPF.

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Pedestrian Linkages: Town Centre / Headland / Seaton Carew					
TRA7	x			6, 7, 8, 9, 10, 14, 15, 17, 29, 30, 34, 35, 41, 156, 157, 150, 151, 152, 186	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy supports improvements to the pedestrian network and sets out a range of corridors where improvements are needed, supporting sustainable transport to the benefit of the public, the town and the economy. The policy is in line with the sustainable transport policies within the NPPF.
Traffic Management in the Town Centre					
TRA9	x			6, 7, 8, 9, 10, 14, 15, 17, 29, 150, 151, 152, 156, 157	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy supports improvements to the traffic network in the central area to improve the environment for users and residential properties. The policy is in line with the sustainable transport policies within the NPPF.
Road Junction Improvements					
TRA10	x			6, 7, 8, 9, 10, 14, 15, 17, 29, 30, 32, 35, 41, 150, 151, 152, 156, 157, 186	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy supports improvements to junctions on the A689 which will aid access into the town centre and help to support the economy. The policy is in line with the sustainable transport policies within the NPPF.
Strategic Road Schemes					
TRA11		x		6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 21, 22, 28, 29, 30, 31, 32, 34, 37, 95, 110, 150, 151, 152, 156, 157, 160, 162, 173, 197, 216,	The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. The policy safeguards land for three potential future road improvement schemes. The main driver behind these schemes relates to improving the ability of the network to cope with developments in the future, such as a potential new nuclear power station and as such, and considering their location in central Hartlepool on routes served by public transport schemes B and C are considered compliant with the NPPF. Scheme A is contained to provide access to the North Burn employment site (Policy Ind2). Paragraph22 of the NPPF seeks to avoid the long term protection of land for employment when there is no reasonable prospect of a site being used for that purpose. For this reason and given the cost (deliverability under paragraph173) of the proposal, this element is not compliant. It should also be noted that it is not compliant in terms of remote location or lack of public transport serving the location.

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Road Schemes: North Graythorp					
TRA12		x		6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 21, 22, 28, 29, 30, 31, 32, 34, 37, 41, 95, 110, 150, 151, 152, 156, 157, 160, 173, 197, 216,	The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. The policy seeks to safeguard land for the construction of a link road in the North Graythorp Industrial Estate. Whilst this would help the businesses in the area and stimulate the economy in the area, the costs would be significant, and therefore unlikely to comply with paragraphs 22, 31, 41 and 173 which notes that plans should be deliverable.
Road Schemes: Development Sites					
TRA13		x		6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 21, 22, 28, 29, 30, 31, 32, 34, 37, 95, 110, 150, 151, 152, 156, 157, 160, 173, 197, 216,	<p>The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. The policy seeks to safeguard land for the construction of two roads at Merlin Way and Middleton Beach Road. The Merlin Way road is the spine road at Middle Warren and has been implemented.</p> <p>The Middleton Beach Road was included as part of the proposals for Victoria Harbourn which was a mixed use development. This would support the economy and help in the development of the site. It is also brownfield land.</p>
Access to Development Sites					
TRA14		x		6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 21, 22, 28, 29, 30, 31, 32, 34, 37, 95, 110, 150, 151, 152, 156, 157, 160, 173, 196, 197, 216,	<p>The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. The policy seeks to safeguard land for the construction of two primary access roads at Victoria Harbour and Golden Flatts. The Victoria Harbour access would support the economy and help in the development of the site. It is also brownfield land.</p> <p>In terms of the access at Golden Flatts, the site was de-allocated as part of Local Plan which has just been withdrawn on the evidence within the Employment Land Review. No planning permission exists for employment on the site and it has been vacant for many years. This element is therefore not considered in conformity.</p>
Restriction on Access to Major Roads					
TRA15	x			6, 7, 8, 9, 10, 14, 15, 17, 32, 150, 151, 152, 154	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to restrict new access to or the intensification of junctions on major roads with the exception of schemes outlined in other transport policies to serve development sites. The policy is in line with the sustainable transport policies within the NPPF and will ensure the future safety of the highway network.

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Car Parking Standards					
TRA16	x			6, 7, 8, 9, 10, 14, 15, 17, 29, 30, 34, 35, 36 39, 40, 150, 150, 151, 152, 156, 196	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy sets out car parking standards, requires major developments to undertake a Travel Plan to reduce the need for parking and to promote sustainable modes of travel. It sets local car parking standards for the town centre aimed at encouraging sustainable travel. The policy is in line with the sustainable transport policies within the NPPF.
Railway Sidings					
TRA17	x			6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 21, 29, 30, 31, 35, 93, 95, 150, 150, 151, 152, 156, 157, 196	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to facilitate the transport of goods by rail and encourages new railway sidings into industrial land to facilitate this. This is in line with the aspirations set out in paragraphs 31, 156 and 157 of the NPPF. The policy is in line with the sustainable transport policies within the NPPF.
Rail Freight Facilities					
TRA18	x			6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 21, 29, 30, 31, 35, 56, 65, 93, 95, 123, 150, 151, 152, 156, 157, 196	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy notes the criteria which should be considered in assessing proposals for rail development of existing or new sidings to form freight handling facilities. The criteria covered relate to paragraphs 56, 65 and 123 of the NPPF. The policy is in line with the sustainable transport policies within the NPPF.
Travel Plans					
TRA20	x			6, 7, 8, 9, 10, 14, 15, 17, 29, 32, 36 150, 151, 152, 203, 204, 205.	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The Policy requires developments likely to lead to an increase in travel to produce a travel plan. This is in line with paragraph 36 of the NPPF which requires the use of Travel Plans to make travel more sustainable.

Table G: Public Utility and Community Facilities

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Sewage Treatment Works					
PU3	x			6, 7, 8, 9, 10, 14, 15, 17, 56, 57,58, 109, 150, 151, 152, 156, 157, 162	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to maintain and extend where relevant additional sewage treatment work provision in the borough. The provision of adequate sewage infrastructure is crucial to meet the needs of the current borough and also facilitate future sustainable development.
Nuclear Power Station Site					
PU6	x			6, 7, 8, 9, 10, 14, 15, 17, 29, 56, 57, 58, 109, 150, 151,152, 156, 157, 162	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to safeguard land for and to guide development of a new nuclear power station in the borough. The provision of adequate power supply is crucial to meet the needs of the current borough (and wider national grid) and also facilitate future sustainable development.
Renewable Energy Developments					
PU7	x			6, 7, 8, 9, 10, 14, 15, 17, 18, 56, 57,58, 93, 94, 96, 97, 98, 109, 150,151,152, 156,162	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to support additional renewable energy developments in the borough which contribute to moving to a low carbon future which helps mitigate against and adapt to climate change (paragraph 97).
Primary School Location					
PU10	-	-	-	n/a	The policy seeks to contribute towards sustainable development. The policy is no longer applicable as the site has been developed in accordance with the policy criteria.
Primary School Site					
PU11	-	-	-	n/a	The policy seeks to contribute towards sustainable development. The policy is no longer applicable as the site has been developed in accordance with the policy criteria.

Table H: Development Constraints

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Landfill Sites					
DCO1	x			6, 7, 8, 9, 10, 14, 15, 17, 120, 121, 122, 150, 151, 152, 203, 204, 205, 206	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to allow only appropriate development on sites that are affected by previous landfill activity.

Table I: Recreation and Leisure

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph/s	Comments
Coastal Recreation					
REC1	x			6, 7, 8, 9, 10, 14, 15, 17, 56, 58, 61, 64, 73, 99, 113, 114, 116, 118, 150, 151, 152, 156, 186,	<p>The policy is consistent with the NPPF. The policy sets criteria for proposals for outdoor recreational developments within coastal areas within the limits to development to be assessed against. The criteria are considered in appliance with the NPPF and links to saved policy WL2 which is also considered in conformity.</p> <p>The policy however also links to policy Rur1 which is only considered in partial conformity in relation to the restriction of housing when the authority cannot currently demonstrate a 5 year housing land supply. As policy Rec1 does not relate to housing this is not considered an issue of non-conformity in relation to this policy.</p> <p>The policy also links to Policy To1 which is considered to be in conformity.</p> <p>Two policies which were not “saved” are referenced, To5 (North Shelter) and WL1 (Protection of International Local Conservation Sites). These references should be disregarded.</p> <p>The policy is considered in conformity with the relevant NPPF guidance.</p>
Provision for Play in New Housing Areas					
REC2	x			6, 7, 8, 9, 10, 14, 15, 17, 56, 57, 58, 69, 73, 150, 151, 152, 156, 157, 203, 204, 205, 206	<p>The policy is consistent with the NPPF. The policy requires new housing developments comprising 20 or more family dwellings to provide safe and convenient areas for casual play and, if practicable, formal play. It notes that where play cannot be provided on site, or for smaller developments, a contribution will be required towards the provision and maintenance of play facilities nearby.</p> <p>The policy links to GEP9 as a way of providing this contribution. Although GEP9 is only considered partially in conformity, the element which relates to this is considered in conformity. It is considered that this policy is in line with the sustainable development policies within the NPPF.</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph/s	Comments
Neighbourhood Parks					
REC3	x			6, 7, 8, 9, 10, 14, 15, 17, 56, 57, 58, 69, 73, 150, 151, 152, 156, 157, 203, 204, 205, 206,	The policy is consistent with the NPPF. The policy outlines where new neighbourhood parks will be developed and notes that developer contributions will be used towards their provision. Although GEP9 is only considered partially in conformity, the element which relates to this is considered in conformity. It is considered that the development of neighbourhood parks that this policy relates to is in line with the sustainable development policies within the NPPF.
Protection of Outdoor Playing Space					
REC4	x			6, 7, 8, 9, 10, 14, 15, 17, 73, 74, 150, 151, 152, 156, 203, 204, 205, 206	<p>The policy is consistent with the NPPF. The policy outlines how the local authority will protect existing areas of outdoor playing space (children's play, playing fields, tennis courts and bowling greens) and notes the strict circumstances where their loss will be considered acceptable. This is in line with paragraph 74 of the NPPF and is considered in compliance.</p> <p>The policy also notes that where playing space is lost, Policy GEP9 will be used to secure its replacement or the enhancement of such land remaining. Although GEP9 is only considered partially in conformity, the element which relates to this is considered in conformity.</p>
Development of Sports Pitches					
REC5	x			6, 7, 8, 9, 10, 14, 15, 17, 69, 73, 74, 150, 151, 152, 156,	The policy is consistent with the NPPF. The policy outlines where new sports pitches will be developed. It is considered that the development of sports pitches that this policy relates to is in line with the sustainable development policies within the NPPF.
Dual Use of School Facilities					
REC6	x			6, 7, 8, 9, 10, 14, 15, 17, 70, 73, 74, 150, 151, 152, 156, 203, 204, 205, 206,	<p>The policy is consistent with the NPPF. The policy outlines that, where appropriate, the use of sports facilities within educational establishments will be made available to the public out of school hours. This is in line with the guidance set out in paragraph 70 of the NPPF which requires that authorities plan positively for the provision and use of shared space to enhance the sustainability of communities and residential environments.</p> <p>Although GEP9 is only considered partially in conformity, the element which relates to this is considered in conformity. It is considered that the development of dual use sports facilities in schools that this policy relates to is in line with the sustainable development policies within the NPPF.</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph/s	Comments
Outdoor Recreational Sites					
REC7	x			6, 7, 8, 9, 10, 14, 15, 17, 69, 73, 74, 150, 151, 152, 156	The policy is consistent with the NPPF. The policy outlines where new outdoor recreational facilities and sporting development requiring few built facilities will be developed. It is considered that the development of recreational facilities that this policy relates to is in line with the sustainable development policies within the NPPF.
Areas of Quiet Recreation					
REC8	x			6, 7, 8, 9, 10, 14, 15, 17, 69, 73, 150, 151, 152, 156	The policy is consistent with the NPPF. The policy outlines areas to be developed for quiet recreational purposes and notes they will be landscaped and planted and, where appropriate, facilities such as nature trails, provided. It is considered that the development of these is in line with the sustainable development policies within the NPPF.
Recreational Routes					
REC9		x		6, 7, 8, 9, 10, 14, 15, 17, 29, 41, 73, 75, 150, 151, 152, 156	The policy is considered partially consistent with the NPPF. Whilst the ethos of the policy to develop recreational routes is in conformity with the NPPF, the policy states that proposals which would impede the development of the named routes will not be permitted. This is considered too restrictive in comparison with the NPPF's policies as it does not give any flexibility to allow proposals which may bring significant benefits, for example in terms of economic development.
Summerhill					
REC10	x			6, 7, 8, 9, 10, 14, 15, 17, 73, 75, 109, 123, 150, 151, 152, 156	The policy is consistent with the NPPF. The policy notes that Summerhill will continue to be developed as a focus for access to the countryside, nature conservation and informal recreation and sporting activities. It is considered that this is in line with the sustainable development and conservational guidance contained within the NPPF.
Land West of Brenda Road					
REC12	x			6, 7, 8, 9, 10, 14, 15, 17, 69, 73, 150, 151, 152, 156	The policy is consistent with the NPPF. The policy outlines an area to be developed for outdoor recreational purposes to the west of Brenda Road. It is considered that the development of this is in line with the sustainable development policies within the NPPF.

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph/s	Comments
Late Night Uses					
REC13	x			6, 7, 8, 9, 10, 14, 15, 17, 69, 70, 123, 150, 151, 152, 203, 204, 205	<p>This policy is compliant with NPPF. The policy identifies a late opening zone in the Church Street, South Marina area and meets 69 and 70 regarding creating areas for social interaction and 123 in terms of mitigating noise and its effects on quality of life by creating this one zone in the Borough for these late night uses.</p> <p>The policy also links to the contributions policy GEP9 regarding contributions to mitigate any adverse impacts from these activities.</p>
Major Leisure Developments					
REC14	x			6, 7, 8, 9, 10, 14, 15, 17, 23, 24, 26, 27, 150, 151, 152, 203, 204, 205	<p>This policy is compliant with NPPF (23, 24, 26, and 27) in that it recognises the town centre as the heart of the community and where major leisure developments should be located (23). The policy defines a sequential hierarchy of locations if no suitable sites are available in the town centre (24). As the policy sets no threshold for the definition of a major leisure development the NPPF sets a default threshold of 2,500sqm where no local threshold is set (26).</p>

Table J: The Green Network

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Enhancement of the Green Network					
GN1	x			6, 7, 8, 9, 10, 14, 15, 17, 70, 74, 114, 117, 118, 123, 150, 151, 152, 156, 157	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to develop, protect and enhance a network of green infrastructure in the borough.
Protection of Green Wedges					
GN2	x			6, 7, 8, 9, 10, 14, 15, 17, 70, 74, 114, 117, 118, 123, 150, 151, 152, 156, 157	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to protect existing green wedges from development which form part of the wider network of green infrastructure in the borough.
Protection of Key Green Space Areas					
GN3	x			6, 7, 8, 9, 10, 14, 15, 17, 70, 74, 114, 117, 118, 123, 150, 151, 152, 156, 157	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to protect existing key green spaces from development which form part of the wider network of green infrastructure in the borough.
Landscaping of Main Approaches					
GN4	x			6, 7, 8, 9, 10, 14, 15, 17, 58, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to improve the physical environment of the main approaches into the town.
Tree Planting					
GN5	x			6, 7, 8, 9, 10, 14, 15, 17, 58, 150, 151, 152, 203, 204, 205, 206.	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to improve the physical environment of the key green spaces in the borough through tree planting.
Protection of Incidental Open Space					
GN6	x			6, 7, 8, 9, 10, 14, 15, 17, 74, 150, 151, 152, 203, 204, 205, 206.	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to protect areas of incidental open space from development which form part of the wider network of green infrastructure in the borough.

Table K: Wildlife

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Protection of International Nature Conservation Sites					
WL2	x			6, 7, 8, 9, 10, 14, 15, 17, 113, 114, 117, 118, 150, 151, 152, 203, 204, 205.	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to protect Nationally Important Nature Conservation Sites from inappropriate development.
Enhancement of Sites of Special Scientific Interest					
WL3	x			6, 7, 8, 9, 10, 14, 15, 17, 113, 114, 117, 118, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to protect from inappropriate development and enhance Sites of Special Scientific Interest in the borough.
Protection of Local Nature Reserves					
WL5	x			6, 7, 8, 9, 10, 14, 15, 17, 113, 117, 118, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to protect from inappropriate development the network of Local Nature Reserves in the borough.
Protection of SNCIs, RIGs and Ancient Semi-Natural Woodland					
WL7	x			6, 7, 8, 9, 10, 14, 15, 17, 113, 117, 118, 150, 151, 152, 203, 204, 205, 206.	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to protect from inappropriate development the network of SNCIs, RIGs and Ancient Semi Natural Woodland in the borough.

Table L: Conservation of the Historic Environment

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Protection and Enhancement of Conservation Areas					
HE1	x			6, 7, 8, 9, 10, 14, 15, 17, 21, 56, 60, 61, 126, 128, 129, 130, 131, 133, 150, 151, 152.	The policy seeks to contribute towards sustainable development. The policy seeks to protect and enhance conservation areas and all assets within it. The policy sets out criteria that should be applied when assessing a planning application.
Environment Improvements in Conservation Areas					
HE2	x			6, 7, 8, 9, 10, 14, 15, 17, 21, 56, 57, 61, 109, 126, 150, 151, 152.	The policy seeks to contribute towards sustainable development. The policy is pro active as it seeks to encourage environmental improvements within conservation areas and thus forms part of the Council's positive strategy for the conservation and enjoyment of the historic environment.
Developments in the Vicinity of Conservation Areas					
HE3	x			6, 7, 8, 9, 10, 14, 15, 17, 21, 56, 57, 58, 109, 126, 128, 131, 129, 137, 150, 151, 152	The policy seeks to contribute towards sustainable development. The policy seeks to ensure that development that takes place within the vicinity of a conservation area takes into account the character of the conservation area and is designed accordingly.
Protection and Enhancement of Registered Parks and Gardens					
HE6	x			6, 7, 8, 9, 10, 14, 15, 17, 21, 56, 57, 58, 109, 126, 129, 137, 150, 151, 152	The policy seeks to contribute towards sustainable development. The policy seeks to protect and enhance registered parks and gardens to maintain their character, the policy should be applied to development in such locations and areas within the vicinity.
Works to Listed Buildings (Including Partial Demolition)					
HE8	x			6, 7, 8, 9, 10, 14, 15, 17, 21, 56, 57, 64, 126, 132, 150, 151, 152	The policy seeks to contribute towards sustainable development. The policy seeks to ensure that works to listed buildings, buildings adjacent to listed buildings and those that affect the setting of a listed building area sympathetic to the heritage asset.
Protection of Locally Important Buildings					
HE12	x			6, 7, 8, 9, 10, 14, 15, 17, 21, 56, 57, 58, 61, 126, 131, 135, 150, 151, 152	The policy seeks to contribute towards sustainable development. The policy recognises the importance of non designated heritage assets and seeks to protect them where possible.

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Areas of Historic Landscape					
HE15	x			6, 7, 8 9, 10, 14, 15, 17, 21, 61,109, 115, 126, 131, 132, 150, 151, 152	The policy seeks to contribute towards sustainable development. The policy seeks to protect and enhance the areas of historic landscape within the borough.

Table M: The Rural Area

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Urban Fence					
RUR1		x		6, 7, 8, 9, 10, 14, 15, 17, 28, 34, 49, 52, 123, 150, 151, 152,	<p>The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. The policy seeks to control development beyond the urban fence. The policy is not consistent as it is seeking to:</p> <p>(i) Restrict potential additional housing provision outside the urban fence. As the Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47, full weight cannot be given to policies which seek to restrict additional housing provision based upon the extent of the urban fence.</p> <p>(ii) Ensure all development outside of the urban fence is in accordance with policy RUR12. Policy RUR12 is in partial accordance with NPPF paragraph 55.</p> <p>As a result it is considered that the policy is used to determine all planning applications relating to development outside of the urban fence with the specific exclusion of additional housing provision. The NPPF as a whole should be used as a basis to determine future additional housing applications in the borough alongside 2006 Local Plan policies HSG9, HSG10, HSG11 and HSG12, which purely relate the design of additional housing development. Other 2006 Local Plan policies will apply depending upon the site specifics and location of the proposed development.</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Wynyard Limits to Development					
RUR2		x		6, 7, 8, 9, 10, 14, 15, 17, 28, 34, 49, 52, 123, 150, 151, 152,	<p>The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. The policy seeks to control development beyond the Wynyard limits to development. The policy is not consistent as it is seeking to:</p> <p>(i) Restrict potential additional housing provision outside the Wynyard limits to development. As the Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47, full weight cannot be given to policies which seek to restrict additional housing provision based upon the extent of the Wynyard limits to development.</p> <p>As a result it is considered that the policy is used to determine all planning applications relating to development outside of the Wynyard limits to development with the specific exclusion of additional housing provision. The NPPF as a whole should be used as a basis to determine future additional housing applications in the borough alongside 2006 Local Plan policies HSG9, HSG10, HSG11 and HSG12, which purely relate the design of additional housing development. Other 2006 Local Plan policies will apply depending upon the site specifics and location of the proposed development.</p>
Village Envelopes					
RUR3		x		6, 7, 8, 9, 10, 14, 15, 17, 28, 34, 49, 52, 123, 150, 151, 152,	<p>The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. The policy seeks to control development beyond the defined village envelopes. The policy is not consistent as it is seeking to:</p> <p>(i) Restrict potential additional housing provision outside the defined village envelopes. As the Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47, full weight cannot be given to policies which seek to restrict additional housing provision based upon the extent of the defined village envelopes.</p> <p>As a result it is considered that the policy is used to determine all planning applications relating to development outside of the defined village envelopes with the specific exclusion of additional housing provision. The NPPF as a whole should be used as a basis to determine future additional housing applications in the borough alongside 2006 Local Plan policies HSG9, HSG10, HSG11 and HSG12, which purely relate the design of additional housing development. Other 2006 Local Plan policies will apply depending upon the site specifics and location of the proposed development.</p>

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Village Design Statements					
RUR4	x			6, 7, 8, 9, 10, 14, 15, 17, 58, 59, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to improve the physical environment of the existing built environment in the boroughs villages; delivering sustainable development.
Development at Newton Bewley					
RUR5		x		6, 7, 8, 9, 10, 14, 15, 17, 28, 34, 49, 52, 123, 150, 151, 152,	<p>The policy seeks to contribute towards sustainable development. The policy is partially consistent with the NPPF. The policy seeks to control development beyond the defined Newton Bewley village limit. The policy is not consistent as it is seeking to:</p> <p>(i) Restrict potential additional housing provision outside the defined village envelopes. As the Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47, full weight cannot be given to policies which seek to restrict additional housing provision based upon the extent of the defined Newton Bewley village limit.</p> <p>As a result it is considered that the policy is used to determine all planning applications relating to development outside of the defined Newton Bewley village limit with the specific exclusion of additional housing provision. The NPPF as a whole should be used as a basis to determine future additional housing applications in the borough alongside 2006 Local Plan policies HSG9, HSG10, HSG11 and HSG12, which purely relate the design of additional housing development. Other 2006 Local Plan policies will apply depending upon the site specifics and location of the proposed development.</p>
Development in the Countryside					
RUR7	x			6, 7, 8, 9, 10, 14, 15, 17, 58, 59, 61, 92, 99, 109, 114, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to improve the physical environment of the countryside area; delivering sustainable development.

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
New Housing in the Countryside					
RUR12			x	6, 7, 8, 9, 10, 14, 15, 17, 49, 55, 150, 151, 152,	<p>The policy is not consistent with the NPPF as:</p> <p>(i) The Council cannot currently demonstrate a 5 year supply of deliverable housing sites in accordance with NPPF paragraph 47. As a result weight cannot be given to policies which seek to restrict additional housing provision.</p> <p>(ii) The policy does not include the full criteria for appropriate new dwellings in the countryside as set out in paragraph 55 of the NPPF.</p> <p>As a result the NPPF as a whole, with specific regard to paragraph 55, should be used as a basis to determine future additional housing applications in the countryside alongside 2006 Local Plan policies HSG9, HSG10, HSG11 and HSG12, which purely relate the design of additional housing development. Other 2006 Local Plan policies, including RUR7 will apply depending upon the site specifics and location of the proposed development.</p>
The Tees Forest					
RUR14	x			6, 7, 8, 9, 10, 14, 15, 17, 58, 59, 150, 151, 152, 203, 204, 205, 206	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to improve the physical environment of the countryside.
Small Gateway Sites					
RUR15	x			6, 7, 8, 9, 10, 14, 15, 17, 28, 58, 59, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to improve and diversify the rural economy.
Recreation in the Countryside					
RUR16	x			6, 7, 8, 9, 10, 14, 15, 17, 28, 58, 59, 150, 151, 152, 203, 204, 205, 206	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to improve and diversify the rural economy.
Strategic Recreational Routes					
RUR17	x			6, 7, 8, 9, 10, 14, 15, 17, 28, 58, 59, 75, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to protect and improve recreational routes in the rural area.

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Rights of Way					
RUR18	x			6, 7, 8, 9, 10, 14, 15, 17, 28, 58, 59, 75, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to improve rights of way in the rural area.
Summerhill – Newton Bewley Greenway					
RUR19	x			6, 7, 8, 9, 10, 14, 15, 17, 28, 58, 59, 75, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to protect and improve recreational routes in the rural area.
Special Landscape Areas					
RUR20	x			6, 7, 8, 9, 10, 14, 15, 17, 109, 113, 114, 150, 151, 152,	The policy seeks to contribute towards sustainable development. The policy is consistent with the NPPF. The policy seeks to protect and improve special landscape areas.

Table N: Minerals

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Safeguarding of Mineral Resources					
MIN1	-	-	-	n/a	The policy seeks to contribute towards sustainable development. The policy is no longer applicable as the policy has been superseded by the policies contained in the Tees Valley Minerals and Waste DPDs.
Use of Secondary Aggregates					
MIN2	-	-	-	n/a	The policy seeks to contribute towards sustainable development. The policy is no longer applicable as the policy has been superseded by the policies contained in the Tees Valley Minerals and Waste DPDs.
Mineral Extraction					
MIN3	-	-	-	n/a	The policy seeks to contribute towards sustainable development. The policy is no longer applicable as the policy has been superseded by the policies contained in the Tees Valley Minerals and Waste DPDs.
Transport of Minerals					
MIN4	-	-	-	n/a	The policy seeks to contribute towards sustainable development. The policy is no longer applicable as the policy has been superseded by the policies contained in the Tees Valley Minerals and Waste DPDs.
Restoration of Mineral Sites					
MIN5	-	-	-	n/a	The policy seeks to contribute towards sustainable development. The policy is no longer applicable as the policy has been superseded by the policies contained in the Tees Valley Minerals and Waste DPDs.

Table O: Waste

2006 LP Saved Policy	Full	Partial	Not	Relevant NPPF Paragraph	Comments
Major Waste Producing Developments					
WAS1	-	-	-	n/a	The policy seeks to contribute towards sustainable development. The policy is no longer applicable as the policy has been superseded by the policies contained in the Tees Valley Minerals and Waste DPDs.
Provision of “Bring” Recycling Facilities					
WAS2	-	-	-	n/a	The policy seeks to contribute towards sustainable development. The policy is no longer applicable as the policy has been superseded by the policies contained in the Tees Valley Minerals and Waste DPDs.
Composting					
WAS3	-	-	-	n/a	The policy seeks to contribute towards sustainable development. The policy is no longer applicable as the policy has been superseded by the policies contained in the Tees Valley Minerals and Waste DPDs.
Landfill Developments					
WAS4	-	-	-	n/a	The policy seeks to contribute towards sustainable development. The policy is no longer applicable as the policy has been superseded by the policies contained in the Tees Valley Minerals and Waste DPDs.
Landraising					
WAS5	-	-	-	n/a	The policy seeks to contribute towards sustainable development. The policy is no longer applicable as the policy has been superseded by the policies contained in the Tees Valley Minerals and Waste DPDs.
Incineration					
WAS6	-	-	-	n/a	The policy seeks to contribute towards sustainable development. The policy is no longer applicable as the policy has been superseded by the policies contained in the Tees Valley Minerals and Waste DPDs.

Appendix 2: Demonstrating a 5 Year Land Supply of Deliverable Housing Sites

Table P: Extant Planning Permissions

Ref	Planning Permission Site Name	Completed	Remaining	2013 Completed	2013 Expected	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	>15 Years
H007	Owton Manor House	4	3		3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H009	19 Hartville Road	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H011	Rear of 65 Seaton Lane	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H014	27 Seaton Lane	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H015	6 Valley Close	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H020	Thackeray Road	12	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H021	32 Eldon Grove	4	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H022	30 Stockton Road	18	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H023	Jesmond Road / Heather Grove		17		0	7	10	0	0	0	0	0	0	0	0	0	0	0	0	0
H024	St James Church Hall	4	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H025	Sun Hotel	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H026	38 The Grove	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H027	Piercy Farm	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H029	Ivy Grove	4	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H030	Pine Grove	7	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H031	Shropshire Walk	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H033	Dryden Road	18	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H035	Brus Arms		25		0	25	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H036	Golden Flatts	82	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H037	Smyth Place / Bruce Crescent	22	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H038	Warren Road, Davidson Drive and Jones Road	52	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H039	145 Stockton Road		4		4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H040	125-127 Park Road	5	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H041	4 York Road	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H043	Titan House	49	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H045	Tunstall Court		33		0	0	10	10	13	0	0	0	0	0	0	0	0	0	0	0
H046	Middle Warren 7B	106	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H047	Middle Warren 7C (Persimmon)	77	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Ref	Planning Permission Site Name	Completed	Remaining	2013 Completed	2013 Expected	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	>15 Years
H048	Middle Warren 7E (Charles Church)	67	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H049	Middle Warren 9A (Bellway)	95	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H050	Sedgewick Close	52	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H051	Trinity Court	47	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H052	Trinity Square	110	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H053	Headway	138	41	14	11	15	15	0	0	0	0	0	0	0	0	0	0	0	0	0
H054	Sylvan Mews Wynyard	30	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H055	Wynyard (Bellway)	22	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H056	Hartfields	242	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H057	Niromax Site Mainsforth Terrace		26		0	26	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H058	Latimer Park	23	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H059	Loyalty Road	25	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H061	Chesterton Road	15	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H062	Block 5 Keel House	8	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H063	Block 6 Chart House	22	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H064	Block 15 Breakwater House	16	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H065	Block 16 Coral House	23	1	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H066	Block 21 Sandpiper House	22	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H067	Block 22 Drake House	24	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H068	Block 23 Mansion House		40		0	0	5	5	5	5	5	5	5	5	0	0	0	0	0	0
H069	Block 27 Trafalgar House	31	7	6	2	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H070	Block 33 Mayflower House	20	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H072	78 Grange Road	3	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H074	152 Grange Road	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H075	Block 17 Marina		16		0	0	2	2	2	2	2	2	2	2	0	0	0	0	0	0
H076	Block 18 Marina		16		0	0	2	2	2	2	2	2	2	2	0	0	0	0	0	0
H077	Block 19 Marina		60		0	0	6	6	6	6	6	6	6	6	6	6	0	0	0	0
H078	Block 20 Marina		18		0	0	6	6	6	0	0	0	0	0	0	0	0	0	0	0
H079	Block 24 Marina		19		0	0	4	4	4	4	3	0	0	0	0	0	0	0	0	0
H080	Block 25 Marina		48		0	0	6	6	6	6	6	6	6	6	0	0	0	0	0	0

Ref	Planning Permission Site Name	Completed	Remaining	2013 Completed	2013 Expected	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	>15 Years
H081	Block 26 Marina		20		0	0	5	5	5	5	0	0	0	0	0	0	0	0	0	0
H082	Block 28 Marina		20		0	0	4	4	4	4	4	0	0	0	0	0	0	0	0	0
H083	Block 29 Marina		48		0	0	0	8	8	8	8	8	8	0	0	0	0	0	0	0
H084	Block 31 Marina		24		0	0	4	4	4	4	4	4	0	0	0	0	0	0	0	0
H085	Block 32 Marina		36		0	0	6	6	6	6	6	6	0	0	0	0	0	0	0	0
H086	Mixed Use Maritime Avenue		54		0	0	14	20	20	0	0	0	0	0	0	0	0	0	0	0
H087	South of Maritime Avenue		400		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	400
H088	25 Birchill Gardens	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H089	Tristram Avenue	9	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H090	Orwell Walk	60	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H091	Union House	4	3		3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H092	United Reform Church	6	4		4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H093	5 Wynyard Woods	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H094	15 Burwell Walk	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H095	Shu-Lin		1		1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H097	65 Grange Road	3	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H098	7 Hylton Road	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H099	Middle Warren 9A (Persimmon)	43	4		4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H100	13 Manor Road	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H101	Shops Elizabeth Way	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H102	Rear of 153 Seaton Lane		10		0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H103	White House Farm	4	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H104	Hartlepool Hospital		100		0	0	0	25	25	25	25	0	0	0	0	0	0	0	0	0
H107	Briarfield House	8	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H108	Briarfield Plot	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H109	Hunters Walk	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H110	Middle Warren 6D (Persimmon)	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H111	29 Hutton Avenue	5	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H112	Glendower		1		1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H113	Seaton Lane Phase I	25	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Ref	Planning Permission Site Name	Completed	Remaining	2013 Completed	2013 Expected	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	>15 Years
H114	Charles Square Phase 1	20	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H115	12 Worset Lane	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H116	Hutton Court	3	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H117	Charles Square Phase II	17	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H118	PE Coaches	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H119	Blakelock Gardens	14	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H120	Kipling Road	20	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H121	Belle Vue (The Lakes)	99	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H122	Maxwell Court	19	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H123	North Farm		14		0	0	7	7	0	0	0	0	0	0	0	0	0	0	0	0
H125	Park Mead		1		0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H126	2 St Pauls Road	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H128	Middlethorpe Farm	2	3		3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H129	Hawk Ridge	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H130	41 EGERTON ROAD	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H131	38 Holt Street and 16 Lister Street	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H132	Manor Farm		7		0	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0
H133	Rear of Tall Trees		1		0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
H134	121-123 Park Road		12		0	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0
H136	Morison Hall		6		0	0	6	0	0	0	0	0	0	0	0	0	0	0	0	0
H137	Easington Road	68	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H138	53 Applewood Close		1		0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
H139	Chester Hotel	4	4	2	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H140	19 Tunstall Avenue	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H141	195 Raby Road	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H142	Pangbourne		1		0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H143	Throston Grange Monmouth Grove	22	0	22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H144	St Marks Church		5		0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0
H145	2-4 Whitby Street		4		0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
H146	49 The Front	4	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Ref	Planning Permission Site Name	Completed	Remaining	2013 Completed	2013 Expected	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	>15 Years
H147	21-27 Midlotian Road	4	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H148	Park House		1		0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
H149	Crest Identity		4		0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
H150	25 Raby Road	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H151	Cumbria Walk		2		0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H152	Former Mission Hall Burbank		4		0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H153	Seaview House	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H154	Lambs House Farm		1		0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H155	29 Hutton Avenue		2		0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H156	Eaglesfield Road	31	34	5	15	19	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H157	Fernbeck	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H158	Manor House Farm		4		0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H160	Crows Meadow Farm	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H161	Mayfair	8	236	8	12	30	30	30	32	32	35	35	0	0	0	0	0	0	0	0
H162	79 The Front		4		0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0
H163	Newholm Court	10	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H164	60-62 Southgate (Barkers Place)	5	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H165	156 Grange Road	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H166	Perth Street Regeneration Scheme		83		0	20	20	20	23	0	0	0	0	0	0	0	0	0	0	0
H167	154 Grange Road	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H168	1 Victoria Place	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H169	Jesmond Road School	1	37	1	7	10	20	0	0	0	0	0	0	0	0	0	0	0	0	0
H170	Crookfoot Farm		1		0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
H171	Middle Warren 9 (Former PU10 site) Phase 16	12	37	9	10	12	15	0	0	0	0	0	0	0	0	0	0	0	0	0
H172	Overlands Plot A		1		0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
H173	Eden Park Self Drive		7		0	0	0	7	0	0	0	0	0	0	0	0	0	0	0	0
H174	Jones Road (Supported Housing)		42		0	0	20	22	0	0	0	0	0	0	0	0	0	0	0	0
H175	31 South Road		4		0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0
H176	Sussex & Oxford Street		10		0	0	0	10	0	0	0	0	0	0	0	0	0	0	0	0
H177	37 York Road	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Ref	Planning Permission Site Name	Completed	Remaining	2013 Completed	2013 Expected	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	>15 Years
H178	Shu Lin		2		0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0
H179	Close Farm Cottage		3		0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0
H180	19-21 Tankerville Street		7		0	0	0	0	7	0	0	0	0	0	0	0	0	0	0	0
H181	Middle Warren Area 9 Phase 15		160		0	10	30	30	30	30	30	0	0	0	0	0	0	0	0	0
H182	70-71 MILLPOOL & 1-2 SOMERSBY CLOSE		4		0	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0
H183	41/43 York Road		4		0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H184	94 Milton Road	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H185	Former Mas Agraa Palace		7		0	0	0	7	0	0	0	0	0	0	0	0	0	0	0	0
H186	9 FRONT STREET	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H187	Brierton Farm		1		0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
H188	LAND AT TANFIELD ROAD		45		0	5	20	20	0	0	0	0	0	0	0	0	0	0	0	0
H189	Wynyard Park		168		0	0	18	25	25	25	25	25	25	0	0	0	0	0	0	0
H190	Land adjacent Seaton Carew Nursery Schoo		35		0	0	10	25	0	0	0	0	0	0	0	0	0	0	0	0
H191	FORMER HENRY SMITH SCHOOL SITE		25		0	0	25	0	0	0	0	0	0	0	0	0	0	0	0	0
H192	Nelson Farm	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
H193	Middle Warren 9 B2		97		0	22	25	25	25	0	0	0	0	0	0	0	0	0	0	0
H194	38 Church Street		3		0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0
H195	2 SCARBOROUGH STREET		1		0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
H196	39 Wharton Terrace		2		0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0
H197	Havelock Centre		13		0	0	13	0	0	0	0	0	0	0	0	0	0	0	0	0
H198	FORMER BRIERTON SCHOOL SITE		107		0	0	15	20	22	25	25	0	0	0	0	0	0	0	0	0
H199	Foggy Furze Library		30		0	0	15	15	0	0	0	0	0	0	0	0	0	0	0	0
Total Extant Planning Permissions		2074	2061	75	85	235	427	387	291	189	186	99	54	21	6	6	0	0	0	400

Table Q: SHLAA Windfall Sites

SHLAA Windfall Site Name		Remaining		2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	>15 Years
Britmag Main (Sites A & B)													30	30	60	60	60	60	
Hartlepool Hospital													25	25	25	25	50	50	
Former St Hilds School							25	25	25	38									
Jacksons Landing															20	20	20	25	
Oaksway Industrial Estate												10	30	20	20				
Council Depot														25	25	25			
Britmag Middle (Sites C)										40	27								
Britmag Small (Sites D)									29										
Behind 224-246 West View Road							13	14											
Lealhom Road																	26		
Greatham Allotments West													25						
Greatham, Station Road											15	15							
Oxford Road															10	15			
Friarage Manor						16													
Old Cemetery Road						7	7												
Claremont Flats								13											
Springwell School															12				
Eskdale Road												11							
Greatham Land to the Rear of Chestnut Row												11							
Clarkston Court									11										
Rear of Bruntoft Avenue									10										
Briarfields Paddock						10													
Hill View													10						
Greatham West of The Grove (Back Gardens)									8										
Egerton Terrace (Whitehouse Farm)							3												
Dalton Piercy Dalton Heights									3										
Total SHLAA Windfalls		1214		0	0	33	48	52	86	78	42	47	120	100	172	145	156	135	0

Table R: Total Net Delivery in Demonstrating a 5 Year Land Supply of Deliverable Housing Sites

		Remaining		2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	>15 Years	Total
Total Gross Delivery		3275		160	235	460	435	343	275	264	141	101	141	106	178	145	156	135		3275
Projected Demolitions		-700		-40	-90	-90	-40	-40	-40	-40	-40	-40	-40	-40	-40	-40	-40	-40		-700
Total Net Delivery		2575		120	145	370	395	303	235	224	101	61	101	66	138	105	116	95		2575

Scenario 1: Housing Provision / 15				320	320	320	320	320	320	320	320	320	320	320	320	320	320	320		4800
Scenario 1 Accordance				-200	-175	50	75	-17	-85	-96	219	259	219	254	182	215	204	225		-2225
5 Year Accordance				-267					-878					-1080						-2225

Scenario 2: Housing Provision + 20%				384	384	384	384	384	288	288	288	288	288	288	288	288	288	288		4800
Scenario 2 Accordance				-264	-239	-14	11	-81	-53	-64	187	227	187	222	150	183	172	193		-2225
5 Year Accordance				-587					-718					-920						-2225