

PLANNING COMMITTEE AGENDA



Wednesday 18th December 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 20th November 2013

4. ITEMS REQUIRING DECISION

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

1. H/2013/0546 The Spotted Cow , The Green, Elwick (*page 1*)
2. H/2013/0531 Niramax, Thomlinson Road (*page 7*)
3. H/2013/0484 Salaam Centre, Murray Street (*page 18*)
4. H/2013/0566 Morison Memorial Hall, Church Close (*page 27*)
5. H/2013/0548 Inspirations Coffee House, Tanfield Road (*page 38*)
6. H/2013/0498 Hartlepool Fire Brigade, Durham Street (*page 47*)
7. H/3013/0496 Land at Alma Street and 89-91A York Road (*page 53*)
8. H/2013/0463 4 Beaconsfield Street (*page 59*)

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



- 4.3 Appeal at Land to the Rear of 20 Ow ton Manor Lane, Hartlepool – *Assistant Director (Regeneration)*
- 4.4 Stranton Conservation Area Management Plan – *Assistant Director (Regeneration)*
- 4.5 Neighbourhood Planning (Neighbourhood Area and Forum Designation – *Director of Regeneration and Neighbourhoods*)

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

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

EXEMPT ITEMS

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

7 ITEMS REQUIRING DECISION

- 7.1 Niramax Waste Recycling Centre – Enforcement – *Assistant Director (Regeneration)* (paras 5 and 6)
- 7.2 Enforcement Action – Wyncroft, Sunderland Road, Dalton Piercy – without planning permission the siting of a caravan – *Assistant Director (Regeneration)* (paras 5 and 6)
- 7.3 Enforcement Action: 4 Beaconsfield Street, Hartlepool – *Assistant Director (Regeneration)* (paras 5 and 6)

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

9. FOR INFORMATION

Site Visits – Any site visits requested by the Committee at this meeting will take place on the morning of the Next Scheduled Meeting on 22nd January 2014.



PLANNING COMMITTEE

MINUTES AND DECISION RECORD

20th November 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, Keith Fisher, Mary Fleet, Sheila Griffin, Marjorie James, Alison Lilley, Geoff Lilley, Brenda Loynes, Ray Martin-Wells, George Morris, Jean Robinson and Linda Shields.

Also Present Councillor Paul Thompson

Officers: Chris Pipe, Planning Services Manager
Jim Ferguson, Planning Team Leader (DC)
Adrian Hurst, Principal Environmental Health Officer
Mike Blair, Highways, Traffic and Transportation Manager
Sylvia Pinkney, Public Protection Manager
Sinead Turnbull, Senior Planning Officer
Richard Trow, Planning Officer
Tony Macnab, Solicitor
Jo Stubbs, Democratic Services Officer

68. Apologies for Absence

Apologies were submitted by Councillor Kaylee Sirs.

69. Declarations of interest by members

Councillor Paul Beck declared a non-prejudicial interest in Planning Application H/2013/0383 Land adjacent to Raby Arms.

Councillor Ray Martin-Wells declared a personal interest in Planning Application H/2013/0287 Park Lodge.

Councillor Keith Fisher declared a non-prejudicial interest in Planning Application H/2013/0383 Land adjacent to Raby Arms.

70. Confirmation of the minutes of the meeting held on 23rd October 2013

Approved

71. Planning Applications *(Assistant Director (Regeneration and Planning))*

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

Prior to the meeting Members had undertaken a site visit. The Applicant was present to answer questions and an objector spoke against the proposal at the previous meeting on the 23 October 2013; under procedural rules they were unable to speak at this meeting.

Members were broadly in support of the application to return the building to residential use feeling that it could be useful from a security aspect. They were some concerns around access issues but it was felt that the proposed solution was the best available.

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 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.

Number: H/2013/0478

Applicant: Miss Richelle Hunter
The Grange Low Piercy Farm HARTLEPOOL

Agent: AJ Riley Architects Mr Andrew Riley 24 Bedford Road Nunthorpe MIDDLESBROUGH

Date received: 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

The Agent was present to answer any questions.

Members were fully supportive of the application.

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 (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 H2008/046 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 tanyo 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.
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Number: H/2013/0472

Applicant: Mr Gurvir Singh
122 West View Road HARTLEPOOL

Agent: Mr Gurvir Singh 122 West View Road
HARTLEPOOL

Date received: 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

The applicant, Mr Singh, address the Committee. He commented that the previous retail premises had not been particularly successful but felt that a change of use would help make the unit more cost effective. They would be offering a wider and differing menu to other takeaways in the vicinity which would lead to more choice for customers. It would also lead to more competition, forcing other proprietors to lower their prices which would be a positive move for customers. Jobs would also be created. Concerns regarding smells would be addressed by use of latest extraction equipment and potential problems with vermin dealt with appropriately.

Members were broadly against the proposal, feeling there were sufficient takeaways in the area and another unit would only add to problems with smells, anti-social behaviour and fear of crime.

Decision: **Planning Permission Refused** – The Planning Committee acknowledged the Officer recommendation, however, after considering all material planning considerations they concluded that the proposed development was unacceptable for the following reasons:

REASONS FOR REFUSAL

1. It is considered that the proposed use of the property as a hot food takeaway could be detrimental to the amenities of the occupants of adjacent and neighbouring properties in terms of smells arising contrary to Policies GEP1 and COM12 of the adopted Hartlepool Local Plan 2006.
2. It is considered that the proposed use of the property as a hot food takeaway could give rise to issues of anti-social behaviour to the detriment of the occupiers of neighbouring properties and surrounding

area in general contrary to Policies GEP1 and COM12 of the adopted Hartlepool Local Plan 2006.

3. It is considered that the use of the property as a hot food takeaway would be detrimental to the character and function of the Local Centre by virtue of cumulative effect contrary to Policies GEP1 and COM12 of the adopted Hartlepool Local Plan 2006.

Number:	H/2013/0494
Applicant:	Mrs P Taylor Stead Lane BEDLINGTON
Agent:	Mrs P Taylor 57 Stead Lane BEDLINGTON
Date received:	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

The applicants, Mr and Mrs Callaghan, spoke in support of their application. They assured the Committee that all members of the group were aware of highway safety and there had been no incidents since the group started 5 years ago. The site would only be used during the summer months.

Members were fully supportive of the application.

Decision: **Planning Permission Approved**

CONDITIONS AND REASONS

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 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 stables 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 splays shall be retained during the lifetime of the development. In the interests of highway safety.

Councillor Marjorie James left the meeting prior to consideration of the following item

Number: H/2013/0432

Applicant: MR DALE CLARKE
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

Mr Sanderson of Ward Hadaway spoke on behalf of a resident. His client was objecting to the level of development and the overall application which he felt was too speculative. He was also opposed to the proposed hours of operation during the week. However Public Protection were happy with the proposal.

Councillor Paul Thompson, speaking as the Ward Councillor, urged the committee to consider the 3 proposed sites separately. He was happy with the proposals for sites B and C but felt that site A should be restricted due to its proximity to residential properties.

The Planning Services Manager advised that it would not be possible to approve only 2 of the 3 sites but if Members so wished a condition limiting development on site A could be applied. Members supported this. They also requested that any impact on grassed areas by vehicles be put right by the responsible parties. The Planning Services Manager confirmed that as landowner the Council could insist on this.

Decision: Planning Permission Approved

CONDITIONS AND REASONS

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 site identified on the approved plan (E/L/377-B) as "Land North of the Paddling Pool". To safeguard the amenity of local residents.
 5. Notwithstanding the details submitted this permission does not relate to the Northern most site, identified on the approved plan (E/L/377-B) as "Land east of the Green" and does not authorise any siting of amusements, rides, catering vans on this site under the terms of this permission. In the interests of the amenity of neighbouring residents and the character and appearance of the Conservation Area.
 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 to 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 safety.
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 amusements/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.

Councillor Jean Robinson declared a personal interest in the following item

Number: H/2013/0383

Applicant: Miss Sian Grindley Gentoo Homes
2 Emperor Way Doxford International Business Park

Agent: Gentoo Homes Miss Sian Grindley Akeler House 2
Emperor Way Doxford International Business Park

Date received: 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

Members referred to a previous similar application for this site which had been refused on the grounds of overdevelopment. The Planning Services Manager advised that at that time there was a policy in the Local Plan to prevent overdevelopment however as the Council no longer had a Local Plan and therefore no restrictions of that kind the presumption was in favour of sustainable development. There had also been concerns previously around drainage and it was suggested that consideration of the item be deferred to give Northumbrian Water the opportunity to attend.

Emma Bond of Gentoo Homes spoke in support of the application. She advised that they had fully addressed the reasons for the previous refusal. The evidence did not demonstrate that the site would lead to overdevelopment in Hart Village, indeed the density was less than the existing housing in Hart Village. In terms of drainage the flow from the site would be restricted which would lead to a general improvement for all the Hart residents. Anthony Cowie, Engineer for Gentoo Homes, confirmed that the current flow would be restricted by 30% so the current problems would not be added to.

Members continued to have concerns regarding drainage from the site, citing evidence of flooding under floorboards and in gardens from residents. The Planning Services Manager acknowledged that there were flood and drainage issues in Hart Village but Northumbrian Water and Environment Agency and the HBC Planning Department had all said in this case it was not an issue. In addition the experts were claiming the application would improve matters making it hard to justify refusal for this reason. The Chair highlighted that refusal on this basis without evidence could lead an appeal by the applicants with its associated risks for the Council. Members should make a decision on the basis of the evidence before them and deferral to allow Northumbrian Water to attend was not an option. The Solicitor indicated that as Northumbrian Water had never previously attended a Planning Committee it was unlikely they would attend on this occasion and Members should therefore make a decision.

Decision: **Planning Permission Refused** – The Planning Committee acknowledged the Officer recommendation, however, after considering all material considerations they concluded that the proposed development was unacceptable for the following reasons:

REASONS FOR REFUSAL

1. It is considered that the proposal represents an overdevelopment of the site contrary to Policies GEP1 and Hsg9 of the adopted Hartlepool Local Plan 2006.
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 GEP1 of the adopted Hartlepool Local Plan 2006.

Councillor Ray Martin-Wells left the meeting prior to consideration of the following item.

72. Update on current complaints (*Assistant Director (Regeneration)*)

11 ongoing planning issues were highlighted to Members.

Decision

That the report be noted.

73. Appeal at 59-61 Honiton Way, Hartlepool (*Assistant Director (Regeneration)*)

Members were advised that an appeal had been submitted against the Council's refusal for the erection of a 2-bedroom detached bungalow between 59 and 61 Honiton Way. The decision was made under delegated powers and authority was requested to contest the appeal by written representation.

Decision

That authority be given to contest the appeal.

74. Any Other Items which the Chairman Considers are Urgent

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

75. Planning Policy Framework Justification (*Assistant Director (Regeneration)*)

On 17th October 2013 a Council decision was made to withdraw the Local Plan 2012. A timetable was currently being formulated for the production of a new local plan however the current planning policy position had to be clarified in the interim. In the absence of an up to date development plan the Council could rely on policy in the Local Plan 2006 only where they were consistent with the National Planning Policy Framework (NPPF). Where policies were not included or outdated then permission should be granted unless the adverse impact would significantly and demonstrably outweigh the benefits. The Planning Services Team had thereby produced a document, 'Planning Policy Framework Justification', highlighting policies in the 2006 Local Plan and whether they would comply with the NPPF. A copy of the document was given to each member and they were urged to read and retain it for future reference. The Planning Services Manager highlighted the following pertinent points within the document:

- Five year housing land supply – as the Council could not demonstrate this all policies relating to the supply of housing were considered out of date. This would mean that the NPPF presumption in favour of sustainable development would apply to all applications allowing housing to progress in areas which might previously have been deemed unacceptable.
- Affordable housing – Members would no longer be able to insist on a certain percentage within new housing developments
- Climate change – there would be no policy

In response to queries from Members the Planning Services Manager was unable to confirm a timeline as to when the new Local Plan would be ready. She acknowledged that the Council now had limited powers in respect of new planning applications and anticipated that a number of applications which had previously been viewed as contentious would probably be resubmitted in the New Year. Members would be advised as soon as a timeline for the resubmission of the Local Plan was made available.

Decision

That members note the report.

The meeting concluded at 12:10 pm.

CHAIR

No: 1
Number: H/2013/0546
Applicant: Marstons Plc Brewery Road WOLVERHAMPTON WV1 4JT
Agent: Insignia Signs & Services Ltd Unit 7 Albion Park Albion Way LEEDS LS12 2EJ
Date valid: 18/11/2013
Development: Display of five illuminated signs
Location: The Spotted Cow The Green Elwick HARTLEPOOL
HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

1.2 A number of applications associated with the public house including signage have been received and approved by the Local Planning Authority since 1974.

PROPOSAL

1.3 Advertisement consent is sought for the display of five illuminated signs at The Spotted Cow Public House, The Green, Elwick, Hartlepool.

1.4 The proposed signage would include lettering to the front elevation and one spotted cow logo and lettering to the side elevation, illuminated by existing floodlights. There would be one double sided pictorial hanging sign illuminated with trough lights and two aluminium bullnose amenity chalkboards.

1.5 This application is reported to committee as Elwick Parish Council have raised an objection to the proposal.

SITE CONTEXT

1.6 The application site constitutes a locally listed public house, dating from approximately the 19th Century, located within Elwick conservation area. The neighbouring property, The Forge is a grade II listed building. The public house faces onto an area of green space within the village.

PUBLICITY

1.7 The application has been advertised by way of 6 neighbour letters, a site notice and a press notice. To date, there has been one observation received stating no objection to the application.

1.8 Any comments received prior to the committee meeting shall be updated to members at committee. The neighbour consultation period does not expire until 20/12/2013.

CONSULTATIONS

1.9 The following consultation replies have been received:

HBC: Traffic and Transport: No objections

Elwick Parish Council: wishes to place on record its objection to the new modern look pub sign at the Spotted Cow, and indeed to the new colour scheme for the pub, which Councillors believe are not in keeping with the traditional village pub. Many villagers have expressed their dislike of the new sign, which they feel is more appropriate to a town or estate pub. Councillors believe that the new sign will make it look even worse.

The Civic Society: No comments offered.

PLANNING POLICY

1.10 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

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

GEP1 General Environmental Principles
HE1 Protection and Enhancement of Conservation Areas
HE12 Protection of Locally Important Buildings

National Policy

1.12 In March 2012 the Government consolidated all planning policy statements, circulars and guidance into a single policy statement, termed the National Planning Policy Framework (NPPF). The NPPF sets out the 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 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.

1.13 National Planning Policy Framework – Paragraphs 67 – 68 Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Paragraph 196 – Primacy of the Development Plan.

Paragraph 197 – Presumption in favour of sustainable development.

Part 12 Conserving and Enhancing the Historic Environment.

PLANNING CONSIDERATIONS

1.14 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular amenity and public safety.

Amenity

1.15 The application site constitutes a locally listed public house within Elwick conservation area, which is sited adjacent to a grade II listed building. It is therefore considered that the impact of the proposal on the historic heritage of the application site and the surrounding area is a key material consideration in the determination of this application.

1.16 The application site is a commercial property which has had signs advertising the public house in the past, with a number of such applications relating to signage being submitted to the local planning authority over the years.

1.17 The scheme has been amended to reduce the number of signs displayed to protect the special character of the building and the surrounding area.

1.18 Regarding the sign on the gable end of the building, previously in this location there was a single large sign. This has been replaced by two signs, one of individual letters displaying the name of the pub and the second a sign in the shape of a cow. The size and location of these signs is very similar to the previous single sign therefore these signs are considered to be appropriate to the building and the surrounding area.

1.19 There is a single hanging sign on the building attached to the public house. This replaces a large single sign displaying the name of the pub and two chalk board style signs at ground and first floor level. The hanging sign offers a rationing of signs on the building allowing more of the character to be displayed, which makes a positive contribution to the conservation area.

1.20 The scheme has been amended to remove the cow logo from the front elevation of the building, leaving the lettering; this reduces clutter to the main elevation of the public house.

1.21 It is considered that the signage has been well designed in terms of its colours and materials and would not look out of place or be unduly prominent in the area. As a consequence, the cumulative effect of the advertisement upon the character and appearance of the locality will be negligible. The signage is considered to be appropriate in terms of its impact on the character and appearance of the neighbouring grade II listed building and the conservation area.

Public Safety

1.22 In terms of public safety the signage is satisfactorily located on the building and is therefore not considered to present a hazard for pedestrians and is not considered likely to cause a distraction to passing motorists.

Conclusion

1.23 The proposed signage is acceptable in terms of amenity and public safety. The advertisements are therefore considered acceptable and in accordance with the policies GE1, HE1 and HE12 of the Hartlepool Local Plan and paragraphs 67-68 and Part 12 of the NPPF.

EQUALITY AND DIVERSITY CONSIDERATIONS

1.24 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

1.25 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.

1.26 There are no Section 17 implications.

REASON FOR DECISION

1.27 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 conditions set out below and no substantially different objections being received prior to the expiry of the consultation period, with the final decision being delegated to the Planning Services Manager. Should any substantially different objections be received these shall be considered by the Planning Services Manager in consultation with the Chair of the Planning Committee.

1. The development hereby permitted shall be carried out in accordance with the plans and details (Site Location Plan and Site Plan; Sections; Lighting Plan) received by the Local Planning Authority on 04/11/2013 and (Elevations) received by the Local Planning Authority on 03/12/2013.
For the avoidance of doubt.
2. The maximum intensity of the illuminated sign(s) shall not exceed 500 cd/square metre. In the interests of visual amenity.

BACKGROUND PAPERS

1.28 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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SPOTTED COW PH, ELWICK



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

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Scale: 1:1000
Date : 27/11/13
H/2013/0546

No: 2
Number: H/2013/0531
Applicant: Mr Kevin Wanless Longhill Industrial Estate Thomlinson Road HARTLEPOOL TS25 1NS
Agent: Niramax Group Ltd Mr Kevin Wanless John Shadforth House Longhill Industrial Estate Thomlinson Road TS25 1NS
Date valid: 29/10/2013
Development: Variation of conditions 5 & 11 of planning application H/2009/0500 for the upgrading and extension of existing waste management facilities including upgrading the waste classification system and briquette plant to allow outside storage of processed bails (Resubmitted Application)
Location: Niramax Thomlinson Road 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.

PROPOSAL

2.2 The application seeks permission to vary conditions 5 & 11 on planning permission H/2009/0500 to allow for the outside storage of machine wrapped and sealed in plastic bailed SRF/RDF (solid recovered fuel/refuse derived fuel). The applicant has advised that the outside storage is required to assist with the loading and transportation of the bails from the western access of the site and to reduce on site handling. The storage SRF/RDF is exported via Hartlepool Dock on a monthly basis, for incineration for electricity generation. The SRF/RDF is derived from waste processed by the waste recycling facility on site. It is bailed and mechanically wrapped. It is stored to the south west of the site on the hardstanding in the yard. The application is retrospective and the activity for which consent is sought is already occurring on site.

2.3 The application site is an existing waste recycling facility located on the Longhill Industrial Estate. It is bounded to the east by a landfill, which is in the process of being capped, beyond is the railway line and residential properties some 280m distance from the edge of the site to the closest garden. To the north south, east and west are commercial premises located on the Longhill Industrial Estate including a scrap metal yard and a coal yard to the north and west respectively.

PLANNING HISTORY

2.4 The waste transfer element of the site has been in operation since 1981, as approved by planning permission ref: CH/705/81, which allowed for paper and

metallic waste processing only. A Certificate of Lawful Existing Use or Development (CLEUD) was granted in 2002 for the use of the waste transfer station for the transferring and processing of non-hazardous commercial, industrial and construction waste including incidental quantities of putrescible waste. In that instance the Local Planning Authority were satisfied on the evidence presented that on the balance of probability the site had handled those waste streams set out above continuously for a period of ten years or more in accordance with the provisions of Section 191 of the Town and Country Planning Act (1990). An additional waste transfer station sited adjacent to the aforementioned was granted permission in 2002 (H/FUL/0412/01), allowing for the same waste types as those agreed in the CLEUD.

2.5 In February 2010 planning permission was granted for the upgrading and extension of existing waste management facilities including upgraded waste classification system and briquette plant (H/2009/0500). The development was proposed in phases the first being an upgrade of the existing waste transfer facilities on the site by installing a conveyer between the reclamation shed and the black sand shed, and installing recycling and sorting plant within the black sand shed. The second phase comprises the proposed installation of a briquette plant which will compress the non-recyclable waste from phase 1 of the proposals. (A third phase to install a pyrolysis and gasification plant including electricity generation element, including flare stacks and exhaust stacks was removed from the proposals). Consent was also for the receipt and process of Municipal Solid Waste (MSW) within the waste transfer station and the proposed waste classification process.

2.6 Conditions were imposed on this permission including conditions 5 & 11 which state:

5. Municipal Solid Waste (MSW) and any waste which is likely to give rise to significant malodours shall be handled, processed or stored internally within the reclamation shed or black sand shed only as indicated on the plan no. 935-01/04 received by the Local Planning Authority on 14 01 10 and there shall be no open storage of such wastes, Flock or RDF on the site at any time unless otherwise agreed in writing by the Local Planning Authority.

11. Any materials or articles deposited or stacked outside the reclamation shed or black sand shed as indicated on the plan no. 935-01/04 received by the Local Planning Authority on 14 01 10 shall be limited to the existing defined concrete bays and shall not exceed a total height of 4 metres above ground level.

2.7 The application seeks to vary these conditions to allow for the outside storage of bailed and wrapped SRF (solid recovered fuel).

2.8 In April 2013 planning permission was granted for the erection of compound containing gas engines and associated equipment for the control of landfill gas and generation of electricity.(H/2012/0601).

PUBLICITY

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

2.10 To date 27 letters of objection have been received. The objectors raise the following concerns:

- 1) Condition 5 was imposed to protect residents. What has changed.
- 2) HBC (Hartlepool Borough Council) shouldn't accept amendments.
- 3) HBC trying to avoid enforcement.
- 4) Why are HBC ignoring residents.
- 5) HBC weak actions are a disgrace.
- 6) Officers shouldn't be advising Niramax.
- 7) Planning Officer's have been unable to answer questions.
- 8) Waste is being stored outside in breach of conditions, causing problems and should be enforced.
- 9) Outside storage of bales will make smell worse especially in summer.
- 10) It would benefit/make things easier for Niramax at the expense of residents.
- 11) Time for HBC to refuse anymore planning applications at Niramax.
- 12) An approval will be seen as nepotism.
- 13) Smells/odours an extension would make matters worse.
- 14) The site is adjacent to housing developments within the town border. Not a suitable location for the business.
- 15) Vermin. Flies/Seagull/Rat problem would worsen with bails stored outside.
- 16) Long working hours.
- 17) Effects on environment/health.
- 18) Health & Safety.
- 19) Consider Health & Wellbeing of residents.
- 20) Prolonged statutory nuisance.
- 21) Human Rights.
- 22) HBC haven't followed their own policies and promises. All waste sites which wish to extend should be relocated to Graythorpe, as agreed by the Tees Valley Waste Strategy Report, where they will not cause a nuisance and blight the area.
- 23) Noise.
- 24) Potential for obnoxious harmful odours/smells.
- 25) Dust.
- 26) Loss of light.
- 27) Site accepts household waste in the past we were told no putrescible waste was deposited in the landfill?
- 28) Appearance/height. The development is overlarge. Doesn't fit in with landscape it looks like a waste tip.
- 29) RDF's contain hazardous materials and should not be stored outside.
- 30) Extension of a dump which smells, looks unsightly and is embarrassing shouldn't be allowed.
- 31) Site continually given green light to expand with no end in sight despite concerns.
- 32) The facility is not a good neighbour its continued presence should be discouraged.
- 33) Council shouldn't have allowed the site to get to the size it already is.
- 34) Outside storage of waste contravenes planning policies.

- 35) Cleveland Fire Brigade not happy with the original proposals which shows this is not hazard free.
- 36) Litter blows over from Niramax this will make it worse.
- 37) Briquette plant is the next step to get permission for a thermal gasification plant which emit noxious chemicals and are not safe next to residential areas.
- 38) Disruption to residents must be appreciated.
- 39) Residents are disregarded, they should be considered and protected.
- 40) Would you want on your doorstep.
- 41) Impact on house prices. Difficult to sell homes already without any extension.
- 42) No more tips for Seaton Carew, potential holiday resort tips to north & south.
- 43) Impact on tourism/image. Seaside resort becoming unsightly and miserable due to smells.
- 44) Ecological effect on wildlife.
- 45) Growing mounds and actions un-neighbourly.
- 46) Increase in traffic/busy traffic/large heavy vehicles/State of road/Hazard from mud/dirt on the road.
- 47) Niramax statements regarding the shipment arrangements contradictory Port says odours present and can only be stored two days, statement says securely wrapped and cause no nuisance.
- 48) Regulations restrict storage to two days at the dockside because the bails affect the environment and release odours therefore they shouldn't be stored near homes.
- 49) If process is continuous this will result in thousands of bails being stored.
- 50) Concerned that mistakes will be made if conditions are varied.
- 51) Whole of Seaton Carew should have been consulted.
- 52) Planning Committee rejected a hot food takeaway at Bus Corner partly due to odours therefore this application should be rejected. The precedent has been set. Why are residents at Bus Corner seen as important yet residents at Seaton have to fight and get no support? Environmental protection had a lot more to say about a takeaway than Niramax applications. Niramax application should be stopped as it will cause more serious and far reaching issues than the smell of food cooking.
- 53) Concerned that management of plant has failed to comply with planning conditions.
- 54) Landfill unsightly and a blot on the landscape and any planning permissions relating to it should only be to improve its appearance.

The time period for representations has expired.

Copy Letters A

CONSULTATIONS

2.11 The following consultation responses have been received.

Northumbrian Water : No comments.

Cleveland Fire Brigade : Cleveland Fire Brigade offer no representations to the proposed application subject to the maintenance of requirements for the external storage of baled refuse as stipulated in guidance taken from Section 9 of the County

of Cleveland Act 1987. The Fire Risk Assessment for the premises will be required to be reviewed and updated with the introduction of the proposed external storage provision, areas of consideration should also include the means of evacuation from the main processing building and the impact posed by the introduction of the external storage area, consideration should also be given to access and water supplies.

Further comments on amended plan : Thank you for keeping us informed of the resubmission, have reviewed the application and it would appear that the amended arrangements would enable them to comply with the requirements of the licence application.

Economic Development : From an Economic Regeneration perspective we do not have any issues with the variation in principle as long as there is sufficient measures in place to minimise any odours, any waste that could become airborne is managed and all storage is strictly in designated bays etc.

Landscape Planning & Conservation : No comments

Environment Agency : The Environment Agency did not recommend condition 5 to be included in the original planning permission. However, we have the following comments to offer with regards to the existing Environmental Permit for the site.

Environmental Permit Regulations

There will be no requirement to apply for a variation of the existing permit as a result of the proposed variation of condition 5. However, the bails to be stored outside will need to be wrapped and sealed in plastic and kept on an impermeable surface.

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

Engineering Consultancy : No comments/objections.

Public Protection : I am not aware of any odour issues associated with the RDF/SDF bales. As long as the bales in storage are wrapped and undamaged I would have no objections to this application.

PLANNING POLICY

2.12 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

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

GEP 1 General Environmental Principles.
Ind 5 Industrial Areas.
Ind 6 Bad Neighbour Uses.

2.14 The following policies of the Tees Valley Minerals & Waste DPD are relevant to the determination of this application.

MWC6 Waste Strategy

National Policy

2.15 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.

5 Waste applications.

14 Presumption in favour of sustainable development.

187 Approve applications for sustainable development

196 Determination in accordance with the development plan

197 Presumption in favour of sustainable development.

Planning Policy Statement 10 Planning for Sustainable Waste Management

2.16 The National Planning Policy Framework does not replace PPS10 which therefore remains extant. PPS 10 Planning for Sustainable Waste Management (2005) sets out the government’s policies in relation to waste management. PPS10 sets out a plan-led approach to the delivery of the waste management facilities. There is considerable emphasis on the identification of sites and areas suitable for waste management so as to secure confidence for industry and local communities in the forward planning process and to deliver obligations arising from the Waste Framework Directive.

2.17 It advises that “Positive planning has an important role in delivering sustainable waste management:– through the development of appropriate strategies for growth, regeneration and the prudent use of resources; and, – by providing sufficient opportunities for new waste management facilities of the right type, in the right place and at the right time.”(2)

2.18 In terms of design it advises “Waste management facilities in themselves should be well-designed, so that they contribute positively to the character and quality of the area in which they are located. Poor design is in itself undesirable, undermines community acceptance of waste facilities and should be rejected.”

2.19 PPS10 makes clear that there should not be a duplication of control between planning and licensing regimes. Planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.

PLANNING CONSIDERATIONS

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

POLICY

2.21 This application relates to a proposal to vary two conditions on an extant permission at an existing waste recycling centre and the proposal is considered acceptable in policy terms.

IMPACT ON THE AMENITY OF NEIGHBOURS

2.22 The bales are fully and securely machine wrapped in plastic, and are stacked externally on the west side of the building prior to dispatch. The wrapped cubes are stacked in the yard on the west side of the large building Black Sand Shed. The Head of Public Protection and the Environment Agency have raised no objection to the proposal. Given the location of the stacks and the wrapping it is not considered that the external storage of the bales would lead to any significant loss of amenity in term of dust, smells, light, vermin etc for the occupiers of the nearest residential properties which are located on the other side of the landfill some distance to the east.

2.23 Similarly, it is not considered that the stacking of the bales in what is an industrial area would unduly affect the amenity or operations of any businesses in the locality.

IMPACT ON THE VISUALLY AMENITY OF THE AREA.

2.24 The wrapped bales are located on the site frontage onto Windermere Street and are therefore visible from the public road however the proposed stacks will be limited to three bale high stacks. The bales are relatively neatly wrapped and stacked and are seen in the context of, and dwarfed by, the very large Black Sands Shed and a large shed on a neighbouring site to the south. It is also apparent that there are a number of large stacks and buildings in the vicinity, notably in the coal yard opposite and in the ERM yard to the north. In this context it is not considered that the proposal to stack the bales outside will detract significantly from the visual amenity of the area.

FIRE SAFETY

2.25 The external storage of the wrapped bales raises issues of fire safety. Cleveland Fire Brigade were consulted and advised that the bales should be stored in accordance with Section 9 of the County of Cleveland Act 1987. This requires stacks to meet various requirements in terms of stack size and standoffs. The applicant has amended the plan showing the proposed storage arrangements and Cleveland Fire Brigade have advised that the proposal is acceptable. The proposal is considered acceptable in Fire Safety terms.

OTHER MATTERS

2.26 It is acknowledged that investigations into the storage of waste elsewhere on the site are ongoing and are subject of an exempt report however it is considered that this is a separate issue to the external storage of the wrapped bales.

2.27 PPS10 makes clear that there should not be a duplication of control between planning and licensing regimes. Planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced. The planning system operated by the Borough Council is therefore essentially responsible for the control of land use, the pollution control system is concerned with the processes and substances in order to control the risk of pollution and to public health is operated by the Environment Agency through the environmental permit (EA). The amounts and types of waste is a matter for the licensing authority. It is up to the waste licensing regime to deal with the likely impact upon pollution or public health. On that basis it is clear that the day to day management of the site in terms of odours, noise, vermin, pests, dust controls and the control of waste streams rests with the Environment Agency (EA). The Environmental Health role of the Council is very limited in relation to odours; noise etc and only then can be undertaken with the agreement of the Secretary of State.

2.28 It is clear that notwithstanding the advice of PPS10 that there is some duplication between the controls exerted by the existing planning conditions and the licensing regime which applies to the site. It is also clear that planning permission and the licence are somewhat out of step in that the Environment Agency do not use the term Municipal Solid Waste, which is used in the planning permission. In light of this it is not proposed to use the term in the proposed revised condition however the condition will still prohibit the external storage of wastes which cause or are likely to cause malodours.

EQUALITY AND DIVERSITY CONSIDERATIONS

2.29 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

2.30 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

2.31 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 strictly in accordance with the details received on 29th October 2013 as amended by the plan (Drawing No NX/LH/01) received at the Local Planning Authority on 7th November 2013 unless other wise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
2. The external storage of wrapped bales shall only take place in the areas identified by the green grid on the plan (Drawing No NX/LH/01) received at the Local Planning Authority on 7th November 2013. This area shall be marked out in paint within one month of the date of this permission and the markings thereafter maintained so that they are clear at all times. The bale stacks shall not exceed four bales in height.
For the avoidance of doubt and in the interests of visual amenity and fire safety.
3. This permission relates only to the variation of conditions 5 & 11 attached to planning permission H/2009/0500 all other conditions attached to that permission shall continue to be complied with as well as any matters/details discharged under the provisions of those conditions.
For the avoidance of doubt.
4. Except in respect to wrapped bales stored in accordance with condition 2 any other waste, materials or articles deposited or stacked outside the reclamation shed or black sand shed as indicated on the plan no. 935-01/04 received by the Local Planning Authority on 14 01 10 and approved under the provisions of planning permission H/2009/0500 shall be limited to the existing defined concrete bays where its height shall not exceed a total height of 4 metres above ground level.
In the interests of visual amenity.
5. Odourous wastes, including wastes which are likely to be odour producing during storage shall be handled, processed or stored internally within the reclamation shed or black sand shed only as indicated on the plan no. 935-01/04 received by the Local Planning Authority on 14 01 10 and approved under the provisions of planning permission H/2009/0500 unless otherwise agreed in writing by the Local Planning Authority.
In the interests of amenity.

BACKGROUND PAPERS

2.32 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.

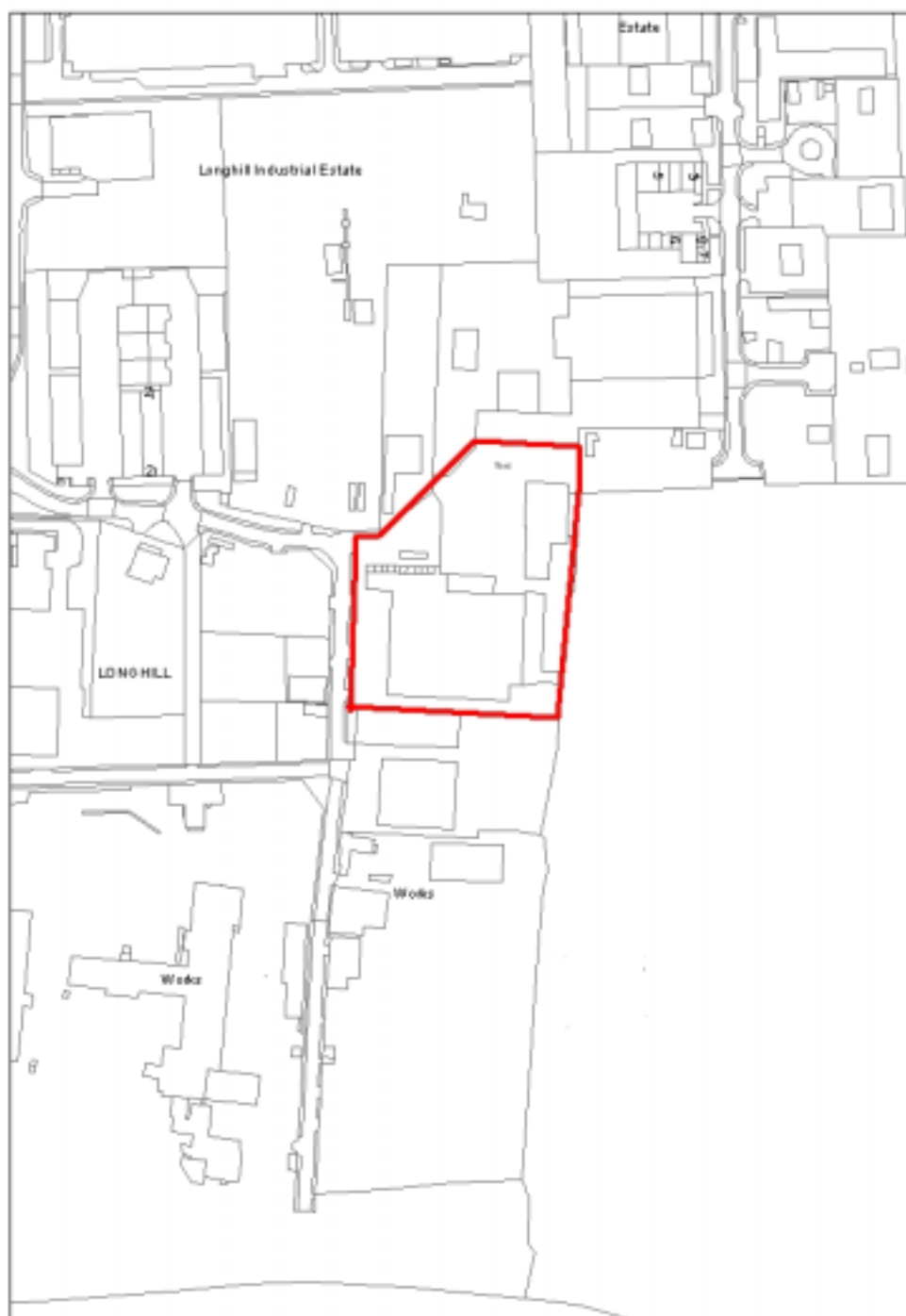
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NIRAMAX, THOMLINSON ROAD



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 : 27/11/13
H/2013/0531

No: 3
Number: H/2013/0484
Applicant: SALAAM CENTRE MURRAY STREET HARTLEPOOL
TS26 8PD
Agent: SALAAM CENTRE ZEBA ALAM ST PAULS HALL
MURRAY STREET HARTLEPOOL TS26 8PD
Date valid: 04/10/2013
Development: Variation of conditions 10 & 11 of planning permission
H/2008/0718 to allow funerals and weddings at the
Mosque and alteration of Mosque opening times to 04:00
- 23:30.
Location: SALAAM CENTRE MURRAY STREET 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 In 2005 an application for outline planning permission for the demolition of the building erection of 14 self-contained apartments with associated parking was considered but withdrawn. At the time of the withdrawal there were several issues outstanding. These included inconsistencies in the proposed plans, the principle of the demolition, concerns in relation to the scale and density of the development proposed in an area where policies were seeking to reduce housing density and secure environmental improvements, the failure to meet separation distances for new development, the parking layout and access to underground parking.

3.3 In November 2008 a planning application (H/2008/0534) was refused by Committee, against officer recommendation, for the change of use of the building and alterations to provide multi-cultural centre on ground floor with mosque on the first floor. The following reason was given: "In the absence of any on site parking facilities at the application site it is considered that users of the proposed mosque and community centre arriving by car would park on roads close to and around the application site to the detriment of the free flow of traffic, the amenities of the occupiers of housing in those areas and the day to day operation of businesses on Murray Street contrary to Policies GEP1 and Com5 of the Hartlepool Local Plan 2006".

3.4 In February 2009 planning permission (H/2008/0718) was approved by Committee for the change of use and associated works to provide a multi cultural centre on part of the ground floor and a Mosque on part of the ground floor. The application was approved subject to a number of conditions.

PROPOSAL

3.5 The application as proposed seeks consent for the variation of conditions 10 and 11 of planning permission H/2008/0718 to allow funerals and weddings at the Mosque and the alteration of the Mosques opening times to 04:00 to 23:30.

3.6 For the avoidance of doubt condition 10 and 11 of planning permission H/2008/0718 read as follows:

10. *Unless otherwise agreed in writing by the Local Planning Authority the Mosque shall only operate between the hours of 07:00 and 22:30 on any day. In the interests of the amenities of the occupants of neighbouring properties.*
11. *Unless otherwise agreed in writing with the Local Planning Authority the Mosque hereby approved shall be used for worship, prayer and religious education. It shall not be used for the holding of weddings, funerals, parties, receptions or other similar functions likely to encourage large numbers of people to the premises without the prior written consent of the Local Planning Authority. In accordance with the application and in the interests of highway safety and the amenity of neighbouring occupiers.*

3.7 The supporting statement submitted with the planning application states that the proposed variations are sought to reflect the current requirements of the use of the building and will therefore safeguard the future use and activities of the building.

SITE CONTEXT

3.8 The application site is a former Church Hall located at the junction of Murray Street and Milton Road. The building is now operational as a multi cultural centre (community centre) on part of the ground floor with a Mosque on largely the first floor. It is a large redbrick building with a slate roof. To the west are an access road/footpath and a modern terrace of two-storey dwellings, Grosvenor Gardens, which face the site at close quarters. To the south on the opposite side of Milton Road are a pet shop and a terrace of residential properties. To the north is Alma Street on the other side of which are a vacant shop/a flat and The Community Centre on the Lynnfield School site. To the east on the opposite side of Murray Street are various commercial units some with flats above and to the south east the Royal Naval Association Club.

PUBLICITY

3.9 The application has been advertised by way of neighbour letters (44), site notice and press advert. To date, there have been 8 responses including 3 letters of no objection and 5 letters of objection the concerns raised are:

1. Proposals will cause inconvenience and a lot of disturbance.
2. Noise concerns

3. Parking concerns
4. The Mosque is not soundproofed
5. The reception will be held at the Salaam Centre, where they use the fire door as an entrance and exit, they keep the door open so that people can come out and smoke and chat. I was of the understanding the fire door was only opened when received deliveries
6. It would be nice if one of our councillors came down Milton Road.
7. Increased number of cars in vicinity late at night
8. Traffic concerns
9. Will harm businesses and put jobs at risk
10. The issues are exactly the same as before when the permission was passed for the Mosque, but it was given a clause that no wedding or funerals could be performed due to the lack of parking and congestion on Murray Street.
11. Concerns regarding previous funeral which has taken place during which a coffin was carried up the street with no lid on.
12. There is a petition in the Barber Shop which has over two pages of signatures since last Tuesday.

Copy Letters C

3.10 The period for publicity is still outstanding and expires after the Committee Meeting. Any further representations received will be tabled at the Meeting.

CONSULTATIONS

3.11 The following consultation replies have been received:

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

The parking on Murray Street is limited to 30 minutes, an off-street car park is located on Murray Street to cater for long term parking. Town centre car parks are within 10 minutes walk.

Public Protection – There are a number of residential properties within close proximity to this premises. I have serious concerns about extending the early hours to 04:00am as there is the potential for the Mosque to attract large numbers of people to early prayers and this will have an impact on the amenity of the residents due to the noise in the street from vehicles and the potential noise from large number of people in the street etc. I would have no objections to extending the hours into the evening but would suggest that 23:00hrs is a more reasonable time than 23:30. I would recommend that if this application is approved the hours should be 07:00hrs to 23:00hrs.

I would have no objections to the provision for weddings and funerals.

PLANNING POLICY

3.12 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

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

GEP1 – General Environmental Principles

Com5 – Local Centres

Com6 – Commercial Improvement Areas

National Policy

3.14 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.

PLANNING CONSIDERATIONS

3.15 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 impact of the proposals on the amenity of surrounding residential properties in terms of noise and disturbance, vehicular traffic and parking provision and the impact on local businesses.

Principle of Development

3.16 The Head of Public Protection has raised concerns regarding extending the early opening hours to 04:00am as there is the potential for the Mosque to attract large numbers of people to early prayers and this will have an impact on the amenity of the residents due to the noise in the street from vehicles and potentially large numbers of people. The Head of Public Protection has recommended that the hours should be conditioned to 07:00hrs to 23:00hrs. Following the receipt of the comments by the Head of Public Protection Officers have had discussions with the applicant who has confirmed that they would be willing to accept the hours of opening as recommended by the Head of Public Protection outlined above. The

Head of Public Protection has also raised no objections to the provision for weddings and funerals. The Traffic and Transportation Team have raised no highway or traffic concerns. It is therefore considered that the principle of varying the opening hours of the Mosque and to allow weddings and funerals is acceptable. The justification for this reasoning will be discussed further in the remainder of this report.

Amenity

3.17 The properties to the east and north on the other side of Murray Street and Alma Street respectively are largely commercial. The building is however closely constrained by residential properties, particular to the west where residential properties, Grosvenor Gardens, face the site (some 7m distant) and to the south where there are residential properties on the other side of the road Milton Road (some 14m distant).

3.18 In terms of noise and disturbance arising from the extension to the existing opening hours and the additional use of the building to host weddings and funerals it is not considered that the hours as suggested by the Head of Public Protection, and agreed by the applicant (an increase of 30 minutes from what is currently conditioned) would result in any significant impact upon amenity in terms of noise and disturbance. Whilst the hosting of funerals and weddings at the Mosque and the extended opening hours (30 minutes) would have the potential to increase the amount of traffic, parking and footfall along Murray Street and in the immediate area it is not considered that the noise and disturbance associated with the uses and the comings and goings will be so significant whereby the Local Planning Authority could sustain a refusal.

Highways and Parking

3.19 The Salaam Centre is located just outside the town centre but within a local shopping area. The building covers the whole of the site and there is no opportunity to provide off-street parking within the site. This could lead to on street parking however the building is located within 400 metres of a public car park and has very good transport links (York Road) to other parts of the town.

3.20 The nearby streets are controlled under the Council's residential and business parking schemes. There is also on-street parking available which has a restriction of 30 minutes waiting in Murray Street.

3.21 Whilst the building as existing does not accommodate on site parking, given the buildings location, within close proximity to very good transport links and a public car park it is not considered that the Local Planning Authority could sustain a refusal on the implications of parking and highways associated with an additional 30 minutes opening and the ability for the Mosque to host weddings and funerals. The Traffic and Transportation Section have raised no highway or traffic concerns. In highway and parking terms the proposal is considered acceptable.

Impact on Local Businesses

3.22 Concerns have been raised that the additional uses of the building and the increased opening hours would impact on local businesses in the area. In particular that the users would take up parking which would otherwise be used by customers. The issue of parking has been discussed above where Traffic & Transportation have raised no objection to the proposal and confirmed that the nearby streets are controlled under the Council's residential and business parking schemes.

Other Matters

3.23 Concerns have been raised that the building is not soundproofed. Condition 4 of planning permission H/2008/0718 required the premises to be soundproofed in accordance with a scheme, which was required to be submitted to and approved in writing by the Local Planning Authority. With regard to this Officers can confirm that a scheme of soundproofing was submitted and was approved in writing. The condition was discharged. Furthermore, Officers have contacted the Council's Senior Architectural Technician who oversaw much of the building work at the premises and it has been confirmed that soundproofing was installed during building works.

3.24 Concerns have been raised regarding the use of an existing fire door as an entrance and exit. With regard to this matter, Condition 3 of planning permission H/2008/0718 restricts this door being used as a main access to the premises. With regard to this Officers have made the applicant aware of the concerns raised and have reminded them of the condition. It is prudent to state that all of the conditions (except for conditions 10 and 11) attached to planning permission H/2008/0718 shall continue to be complied with should this application be approved. A condition has been recommended to this effect.

EQUALITY AND DIVERSITY CONSIDERATIONS

3.25 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

3.26 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.

3.27 There are no Section 17 implications.

REASON FOR DECISION

3.28 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 – Minded to approve subject to the conditions set out below and no substantially different objections being received prior to the expiry of the consultation period, with the final decision being delegated to the Planning Services Manager and the conditions outlined below. Should any substantially different

objections be received these would be considered by the Planning Services Manager in consultation with the Chair of Planning Committee.

1. The development to which this permission relates shall be begun not later than three years from the date of this permission. To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans (Drawing No: 690/05/2003 Rev. A and First Floor Plan) and details received by the Local Planning Authority on 30/09/2013, unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt.
3. Unless otherwise agreed in writing by the Local Planning Authority the Mosque shall only operate between the hours of 07:00 and 23:00 on any day. In the interests of the amenities of the occupants of neighbouring properties.
4. Unless otherwise agreed in writing with the Local Planning Authority the Mosque hereby approved shall be used for worship, prayer, religious education and the holding of weddings and funerals. It shall not be used for the holding of parties, receptions or other similar functions likely to encourage large numbers of people to the premises without the prior written consent of the Local Planning Authority. In accordance with the application and in the interests of highway safety and the amenity of neighbouring occupiers.
5. This permission relates only to the variation of conditions 10 and 11 attached to planning permission H/2008/0718 all other conditions attached to that permission shall continue to be complied with as well as any details discharged under the provision of those conditions For the avoidance of doubt

BACKGROUND PAPERS

3.29 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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SALAAM CENTRE, MURRAY STREET



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

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Scale: 1:1000
 Date : 27/11/13
 H2013/0484

No: 4
Number: H/2013/0566
Applicant: Mr Chris Barnard Dimensional House 81 Stranton
HARTLEPOOL TS24 7QT
Agent: Vela Group Mr David Butler Greenbank Stranton
HARTLEPOOL TS24 7QS
Date valid: 15/11/2013
Development: Alterations and change of use to provide 8 No self
contained apartments
Location: Morison Memorial Hall Church Close HARTLEPOOL
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 A valid application was received for the extension of time limit for the implementation of planning permission H/2005/5462 for the conversion to 6 flats (H/2010/0449). The application was approved by the Local Planning Authority on 06/09/2010.

4.3 A valid application was received for the conversion to 6 flats (H/2005/5462). The application was approved by the Local Planning Authority on 15/08/2005.

PROPOSAL

4.4 Planning permission is sought for alterations and change of use to provide 8 no. self contained apartments at Morison Memorial Hall, Church Close, Hartlepool. The 8 no. apartments would each provide 2 bedrooms.

4.5 External alterations to the building include alterations to fenestration, the creation of a bin store, stone cleaning and repair, brickwork replacement, works to decorative railings, shortening of chimney breast to rear, rendering of rear elevation and the relaying of the parking area including removal of a perimeter brick wall and making good land to rear of property to create additional space for parking.

4.6 The development includes 8 parking spaces on an area of land to the rear of the building, the parking area would be accessed from Lumley Square. The building would be accessed via a doorway to front of the building via Church Close.

SITE CONTEXT

4.7 The application site constitutes a locally listed building and therefore is considered to be a heritage asset in its own right. It is also located within the Headland Conservation Area and is in close proximity to St Hilda's Church, a grade I listed building with a boundary wall which is grade II listed.

4.8 The building occupies a prominent position at the centre of the Headland. The building is a two storey structure with a basement and was built in 1860 as a Methodist Chapel. The property ceased use as a Chapel in 1936, it was then renamed Morison Hall and purchased by the boys brigade for use as an activity centre. The building has now been vacant for a number of years.

4.9 The building has a classical appearance with a proportioned symmetrical design. The front and gable elevations are constructed of red brick in an English garden bond with decorative features throughout. The rear elevation is rendered grey and the roof covering is grey slate. The main access into the building is off Church Close via a double door with a grand decorative surround and stone steps. The window openings have an arched design with timber framed sash windows.

4.10 The proposed car park to the rear of the site would require the removal of a perimeter wall and the making good of the land to the rear.

PUBLICITY

4.11 The application has been advertised by way of 20 neighbour letters, a press notice and a site notice. To date, one observation has been received.

The concerns raised are:

- Consideration should be given to the privacy of neighbouring properties to the east side of the site, otherwise the development is supported.

4.12 Any comments received prior to the committee meeting shall be updated to members at committee. The neighbour consultation period does not expire until 20/12/2013.

CONSULTATIONS

4.13 The following consultation replies have been received:

HBC Engineering Consultancy: No objections (verbal).

HBC Housing Services: No comments received.

HBC Public Protection: No comments offered.

HBC Property Services: No comments received.

HBC Traffic & Transport: No objections.

Northumbrian Water: No comments to make.

Tees Archaeology: No objection subject to conditions.

Headland Parish Council: No comments offered.

PLANNING POLICY

4.14 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

4.15 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

GEP9: Developer's Contributions

HE1: Protection and Enhancement of Conservation Areas

HE2: Environmental Improvements in Conservation Areas

HE12: Protection of Locally Important Buildings

National Policy

4.16 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.

NPPF 6: Delivering a wide choice of high quality homes

NPPF 7: Requiring good design

NPPF 12: Conserving and enhancing the natural environment

Paragraph 196 – Primacy of the Development Plan

Paragraph 197 – Presumption in favour of sustainable development.

PLANNING CONSIDERATIONS

4.17 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 principle of the development, impacts on visual amenity and historic heritage, impacts on residential amenity and parking and access.

Principle of Development

4.18 In terms of national planning policy, the National Planning Policy Framework (NPPF) is a material consideration in determining planning applications. Running throughout the NPPF is a 'golden thread' setting out a presumption in favour of sustainable development. The NPPF does not specifically define sustainable development however Paragraph 6 states that the policies contained in paragraphs 18-219 of the NPPF taken as a whole, constitute the Government's view of what sustainable development means in practice for the planning system. The NPPF goes on to state that there are three dimensions to sustainable development: economic, social and environmental. These aspects should not be taken in isolation, as they are mutually dependent. Therefore to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

4.19 It is considered that the application site is located within a sustainable settlement. National planning policy contained within the NPPF directs new housing to sustainable areas, best able to support it in terms of access to facilities and services and access to good public transport links. The application site is located within the settlement limits for Hartlepool with the application site being in close proximity to services, facilities, and public transport links. The NPPF also encourages the reuse of existing buildings as part of one of the core planning principles supporting a low carbon future.

4.20 The application site is locally listed, within the Headland Conservation Area and forms part of the setting of the grade I listed St Hilda's Church, it is therefore considered that the impact of the development on the historic and architectural merit of the building, the conservation area and the surrounding area is a key material consideration in the determination of this application. The NPPF supports putting heritage assets to viable uses consistent with their conservation.

4.21 Policy HE2 of the Hartlepool Local Plan encourages environmental improvements to enhance conservation areas, including improvement and restoration of buildings. It is considered that the proposed conversion of the property to residential apartments would contribute to the continuing viability of the building and would include restoration of the historic fabric of the building. The conversion of the property to a viable use would be more appropriate to the conservation and enhancement of the building and the Conservation Area than allowing its continuing vacancy.

4.22 In principle there is no objection to the proposed use of the building. As the approval of past applications has shown it is established that a residential conversion would be a fitting use of this building.

4.23 The proposed development is considered to be in accordance with policies GEP1, GEP2, GEP3, HE2 and HE12 of the Hartlepool Local Plan and Parts 6 and 12 of the NPPF.

Impacts on visual amenity and historic heritage

4.24 The building has been identified as a locally listed building and therefore in its own right it is a heritage asset. It is also located within the Headland Conservation Area which is a designated heritage asset and within close proximity to St Hilda's Church, a grade I listed building with a boundary wall that is grade II listed. Morison Hall forms part of the setting of this building.

4.25 A key principle of sustainable development contained within the NPPF is the protection and enhancement of the historic environment. With regard to non-designated heritage assets paragraph 135 of the NPPF states that, 'In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

4.26 At a local level, policy HE1 is relevant in relation to protecting and enhancing conservation areas and all assets within them. Furthermore policy HE12 is also relevant in recognising the importance of non designated heritage assets and seeking to protect them where possible.

4.27 Morison Hall has been on the local authority list of Buildings at Risk for a number of years therefore an application proposing the re-use of the building is welcomed.

4.28 External alterations to the building would be limited to alterations to fenestration, the creation of a bin store, stone cleaning and repair, brickwork replacement, works to decorative railings, shortening of chimney breast to rear, rendering of rear elevation and the relaying of the parking area including removal of a perimeter brick wall and making good land to rear of property to create additional space for parking. There would be no extension of the building, nor would any additional opening be created.

4.29 It is proposed to site a bin store to the side of the building. It is considered that the proposed bin store would be prominent in this location and would somewhat domesticate the appearance of the building. It is therefore considered appropriate to condition final details of the bin store to ensure that the bin store is carefully considered in terms of its siting and construction.

4.30 It is considered that through the use of suitable conditions controlling the proposed external works to the building the proposed development would not be detrimental to the visual amenity of the host property, the conservation area or the

setting of the grade I listed St Hilda's Church or the grade II listed boundary wall of the Church.

4.31 The proposal is considered to be in accordance with policies GEP1, HE1, HE2 and HE12 of the Hartlepool Local Plan and Parts 7 and 12 of the NPPF.

Impacts on residential amenity

4.32 Proposed residential developments must ensure that residential amenity of both existing neighbouring occupiers and the proposed occupiers of the new development are adequately preserved.

4.33 Supplementary Note 4 of the Hartlepool Local Plan specifies guidance for minimum separation distances between residential properties. A minimum of 20 metres should be achieved where principal elevations face one another or 10 metres where a blank gable wall would face the front or back of a property.

4.34 The application site generally meets the separation distances set out in the Hartlepool Local Plan, other than in relation to neighbouring properties to the east, including The Rectory and sheltered housing at Friar Street. Between principal elevations of the host property and the neighbouring property, The Rectory the separation distance would be reduced to 13 metres. It is considered on balance that this reduction in separation distances would not be so detrimental to the amenity of neighbouring properties as to warrant the refusal of the application as the proposal relates to an existing building, would bring a vacant locally listed building back into use to the benefit of its continuing viability and there would be no new window openings created on the western elevation of the host property overlooking neighbouring properties. A similar conversion has previously been approved for the building. In addition the building would not face directly onto the residential properties at Friar Street.

4.35 In terms of residential amenity space, the proposed development would not provide any amenity space for the apartments as the building has a very limited curtilage. It is however considered that the facilities within the local area would provide adequate amenity for residents of the proposed apartments. In addition a commuted sum of £6000 for play provision, green infrastructure, and built sports facilities will be secured through a Section 106 Agreement.

4.36 It is considered that the proposed development would not be significantly detrimental to the privacy or amenity of neighbouring residents in accordance with policy GEP1 of the Hartlepool Local Plan and Parts 6 and 7 of the NPPF.

Parking and access

4.37 The application includes 8 no. parking spaces to the rear of the building. To facilitate the creation of the car park a boundary wall and access steps to the upper ground floor would be removed, an old access recess into the basement and basement access stairs would be infilled and the old hard standing to the rear would be broken up ready for resurfacing. The parking area would be resurfaced to provide 8 no. parking spaces. The Council's Traffic and Transport Section have

raised no objections to the application. It is therefore considered that the proposed development is considered to be in accordance with policy GEP1 of the Hartlepool Local Plan.

Developer Obligations

4.38 Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. The guidance contained in the NPPF and Regulation 122 of the Community Infrastructure Levy Regulations 2010 requires that a planning obligation must only constitute a reason for granting planning permission for a development if the obligation meets 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.

4.39 A Section 106 Agreement is proposed to provide a contribution of £250 per apartment for green infrastructure, £250 per apartment for play provision and £250 per apartment for built sports facilities, equating to a total sum of £6000.

4.40 In terms of the proposed commuted sum payment this is required as amenity space cannot be provided on site and off site provision is thereof required to make the proposed development acceptable in planning terms as the new residential apartments will increase the demand for amenity facilities in the area. It is considered that the payment is set at such a level that it is fair and reasonable in relation to the development. The commuted sum payment would be in accordance with policy GEP9 of the Hartlepool Local Plan.

4.41 The Section 106 contributions meet the above tests and therefore comply with the relevant guidance.

EQUALITY AND DIVERSITY CONSIDERATIONS

4.42 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

4.43 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

4.44 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 entering into a Section 106 agreement to secure a financial contribution of £6000 and subject to conditions set out below and no objections being received prior to the expiry of the consultation period, with the final decision being delegated to the Planning Services Manager; should any objections be received these will be considered by the Planning Services Manager in consultation with the Chair of Planning Committee.

1. The development to which this permission relates shall be begun not later than three years from the date of this permission. To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details (Site location plan, Drawing No. HMH020, Proposed bin store location; Drawing no. HMH011, proposed upper ground floor and first floor plans; Drawing no. HMH002, Proposed elevations; Drawing no. HMH010, Existing upper ground floor and first floor plans; Drawing no. HMH015 Existing and proposed rear car park layout) received by the Local Planning Authority on 15/11/2013.
For the avoidance of doubt.
3. Notwithstanding any details submitted with the application, prior to the commencement of the development, a method statement for all stone cleaning and repairs on the building inclusive of the decorative circular stone feature and the decorative stone work to windows shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
In the interests of visual amenity.
4. Notwithstanding any details submitted with the application, prior to the commencement of the development, a method statement for the replacement of defective standard and feature brickwork to be cut out and replaced shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
In the interests of visual amenity.
5. Notwithstanding the details submitted with the application, prior to the commencement of development full details including plans at a scale of 1:20 and cross sections, of the proposed windows and external doors shall be submitted to and approved in writing by the Local Planning Authority. The windows and doors shall be installed in accordance with the approved details.
In the interests of visual amenity.
6. Notwithstanding the details submitted with the application, prior to the commencement of development full details including plans at a scale of 1:20, of the basement windows shall be submitted to and approved in writing by the Local Planning Authority.
In the interests of visual amenity.
7. Notwithstanding any details submitted with the application, prior to the commencement of the development, a method statement for the removal, cleaning and re-installation of the decorative railings to the entrance steps shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details. In the interests of visual amenity.

8. Notwithstanding the details submitted with the application, prior to the commencement of development full details including plans at a scale of 1:20 of the iron railings to the front of the building shall be submitted to and approved in writing by the Local Planning Authority. In the interests of visual amenity
9. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose. Thereafter the development shall be carried out in accordance with the approved details.
In the interests of visual amenity.
10. Notwithstanding any details submitted with the application, prior to the commencement of the development, a method statement for the removal of the chimney breast to the rear of the building and details of how the shortened chimney will be finished shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
In the interests of visual amenity
11. Notwithstanding the details submitted with the application, prior to the commencement of development full details of the finishing treatments of the parking area, lane, footpath including the demarcation of parking bays shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
In the interests of visual amenity.
12. Notwithstanding any details submitted with the application, prior to the commencement of the development, details of the proposed bin store including plans at a scale of 1:50 shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
In the interests of visual amenity.
13. No development shall commence until details of the car parking area, to include a detailed design and method statement, are submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to remain in situ.
In the interests of protecting heritage assets.
14. (A) 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 in writing. The scheme shall include an assessment of significance and research questions; and:
 1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.(B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under part (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 part (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

In the interest of protecting heritage assets.

15. Notwithstanding any details submitted with the application, prior to the commencement of the development, details of the ventilation system including plans of the affected external elevations at a scale of 1:50 shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

In the interests of visual amenity.

BACKGROUND PAPERS

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

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

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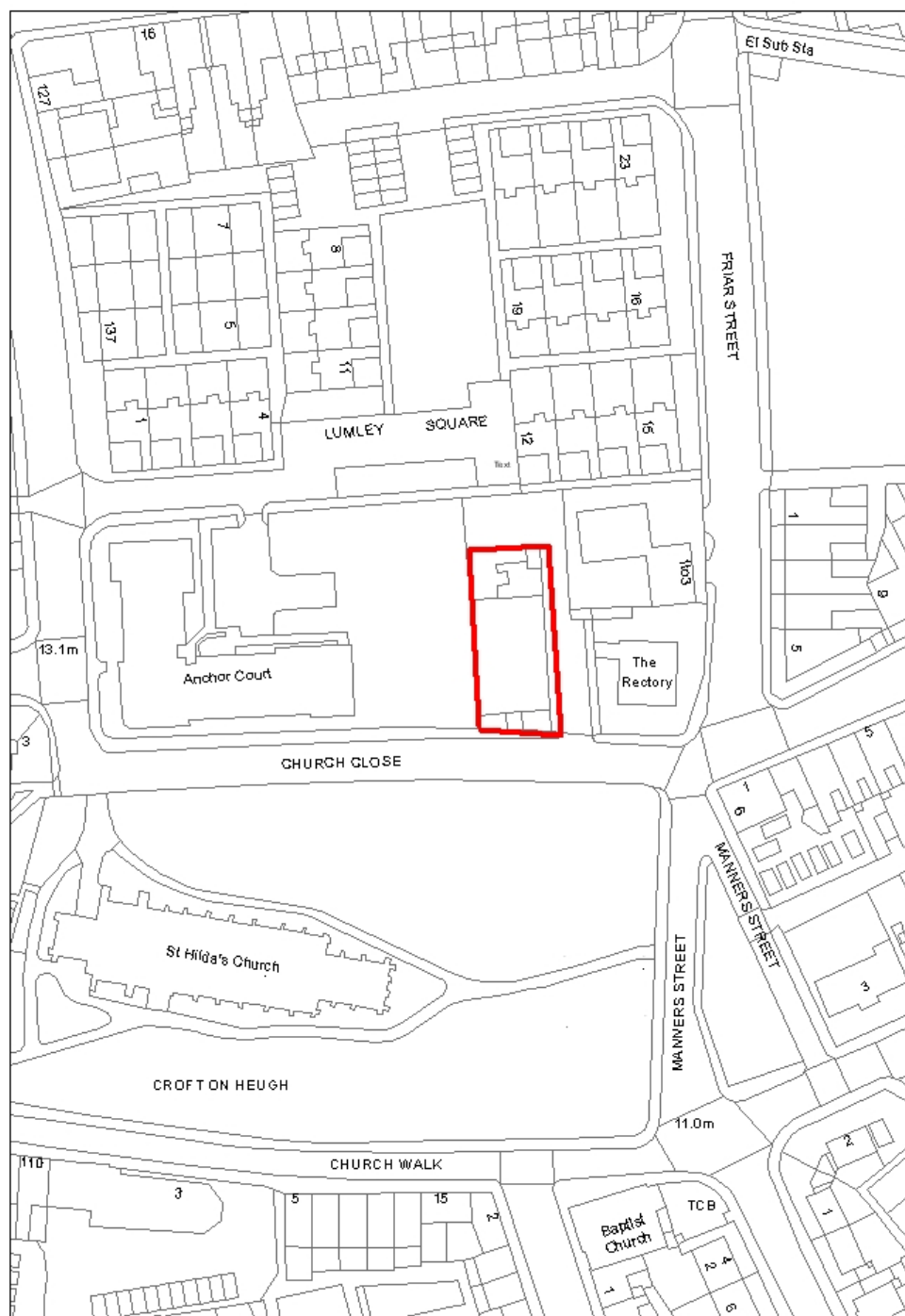
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MORISON MEMORIAL HALL



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 Department of Regeneration and Planning

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Scale: 1:1000
Date : 27/11/13
H/2013/0566

No: 5
Number: H/2013/0548
Applicant: Ms K Oliver Edgar Phillips Building
Agent: Ms K Oliver Hartlepool Borough Council Edgar Phillips Building
Date valid: 12/11/2013
Development: Variation of condition 4 of planning application H/2012/0029 (as amended by H/2013/0073) to vary existing opening hours to allow opening on Monday, Tuesday, Wednesday and Sunday until 9 p.m. and on Thursday, Friday, Saturday and bank holidays until 23.00 p.m.
Location: Inspirations Coffee House Tanfield Road HARTLEPOOL 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 Planning permission (H/2012/0029) was granted on 5 March 2012 for the “change of use of Stranton Lodge to cafe with proposed associated structural alterations and extension, regularisation of the public retail element of Stranton Nursery and associated car parking, access road, lighting and landscaping”. The application was considered by Members at the Planning Committee on 2 March 2012.

5.3 Planning permission (H/2013/0073) was granted on 5 April 2013 for the “Variation of planning application H/2012/0029 to amend the hours of opening to Monday to Saturday 8.30am to 6.30pm and Sundays and Bank Holidays 8.30am to 6.30pm”. The application was considered by Members at the Planning Committee on 3 March 2013.

PROPOSAL

5.4 The application site is located in the north east corner of Stranton Cemetery. There are residential properties immediately to the north in Westbrooke Avenue and Westbrooke Grove and to the east in Tanfield Road and Stockton Road. Development has commenced on a housing site located to the south of the site.

5.5 The Council owned cemetery lies to the west and south of the site together with further nursery and operational buildings. The main access to the site is from Tanfield Road.

5.6 The site currently comprises a number of structures to the eastern side including poly tunnels and greenhouses, which are used in connection with the Council run Stranton Nursery selling horticultural and gardening products to the public. The site was the subject of a recent approval (H/2013/0082) which allowed consent for the provision of a shop and amenity block, greenhouses and covered walkways as well as other associated works.

5.7 Stranton Cemetery Lodge was originally built as a dwelling in the early 20th century. Inspirations Coffee House currently operates within the building.

5.8 The application seeks a variation of condition 4 of planning application H/2012/0029 as amended by H/2013/0073 to vary the existing opening hours to allow opening on Monday, Tuesday, Wednesday and Sunday until 21:00hrs and on Thursday, Friday, Sunday and bank holidays until 23:00hrs.

5.9 Condition 4 of the planning permission H/2013/0073 states:

“The café shall only be open to the public between the hours of 08:30hrs and 18:30hrs.”

PUBLICITY

5.10 The application has been advertised by way of neighbour letters (45), site notice and a newspaper advert. To date, there have been 12 letters of objection received.

5.11 The concerns raised are:

1. Noise and disturbance implications
2. Concerns regarding the application for a liquor license
3. Concern building will turn into a public house
4. Use is supposed to be a café used by patrons of the cemetery
5. Proposal will lead to an increase in crime and disorder to the locality
6. Extending opening hours is inappropriate given the surroundings
7. Should this application be approved, it would set a precedent and would lead to a further application by Gleeson to extend site working hours. The current hours are limited for the very reason of causing undue disruption, noise etc.
8. Disastrous affect on the existing and future residents of Tanfield Road and surroundings, greatly affecting their quality of life in the evenings.
9. Increased volume of traffic resulting in a significant impact to neighbouring properties and the environment.
10. Late opening/sale of alcohol and entertainment license not appropriate for environment in the cemetery.
11. Majority of Tanfield Road residents are elderly
12. Concerns regarding increase in vandalism and verbal abuse
13. Anti-social behaviour concerns
14. Application is in our opinion not related to premises being used with regard to funeral functions its more in line with a public house and how many public houses have you known that are an integral part of a cemetery?

- 15. Over the last 2 years there has been 6 lots of planning none of which have been rejected.
- 16. Concerns regarding the need for the extended hours
- 17. Proposal is disrespectful

Copy Letters B

5.12 The period for publicity is still outstanding and expires after the Committee meeting. Any further representations received will be tabled at the meeting.

CONSULTATIONS

5.13 The following consultation replies have been received:

Public Protection – Although it will increase the traffic and footfall along Tanfield Road it would be difficult to sustain an objection to this application considering the size and location of this premises. I would therefore have no objections to this application.

Traffic and Transportation – There would be no highway or traffic concerns.

Cleveland Police – No objections

PLANNING POLICY

5.14 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

5.15 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 & Design
- Com12 – Food and Drink
- Com13 – Commercial Uses in Residential Areas

National Policy

5.16 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.

PLANNING CONSIDERATIONS

5.17 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 with regard to the impact of the proposal on the amenity of surrounding residential properties in terms of noise and disturbance and vehicular traffic also necessary to be considered will be the impact upon the character and appearance of the area.

Principle of Development

5.18 The Head of Public Protection has raised no objections to the proposal and the Traffic and Transportation Team have stated that there are no highway or traffic concerns. In addition, Cleveland Police have raised no objections to the proposal. It is therefore considered that the principle of varying the opening hours to allow opening on Monday, Tuesday, Wednesday and Sunday until 21:00hrs and on Thursday, Friday, Saturday and bank holidays until 23:00hrs is acceptable. The justification for this reasoning will be discussed further in the remainder of this report.

Amenity

5.19 The cafe is well distanced from residential properties. To the east, residential properties in Tanfield Road are approximately 90m from the café. To the south east is a residential development which is currently being constructed and the nearest residential property upon the site will be approximately 40m from the café. To the north properties on Westbrooke Avenue are approximately 80m away. The boundaries of the site are well screened by hedges, trees and high fences.

5.20 Whilst the proposed opening hours would increase the traffic and footfall along Tanfield Road, given the size and location of the premises it would be difficult to sustain a refusal on this basis. It is not considered that the proposed hours would result in a significant direct impact upon residential amenity in terms of noise and disturbance. Conditions have been recommended should members be minded to approve the application which would restrict any outside eating, drinking or entertainment beyond 20:00hrs and ensure that all windows and doors are shut after 20:00hrs whilst any piped music or speeches are taking place within the premises. It is considered that the aforementioned conditions would further assist in reducing any potential impact upon the living conditions of neighbouring properties in the vicinity. The Council's Head of Public Protection has raised no objections to the proposal.

5.21 With regard to the concerns raised by Gleeson Developments Ltd who are currently constructing a housing development upon Tanfield Road. Officers do not consider that in approving the proposed extension to opening hours at the premises would set a precedent for Gleeson to extend their working hours upon the site. Officers consider that the noise and disturbance associated with the operation of a café, with the conditions proposed would create far less of an impact than that of a building site with associated machinery and activity upon the amenity of neighbouring properties in the vicinity.

Vehicular Traffic

5.22 Whilst it is acknowledged that the extension in opening hours would potentially result in an increase in activity at the site, in turn increasing the number of vehicular movements to and from the site, it is not considered that the extended opening hours would result in any significant detrimental impact upon the living conditions of residents on Tanfield Road and the immediate area. Whilst traffic movements may increase it is considered that these will be sporadic and therefore there will be no significant impacts on the local highway network in terms of congestion or highway safety, it is considered that this will reduce the impacts upon the occupants of nearby residential properties in terms of noise and disturbance. Finally, it is considered that sufficient parking provision is provided within the site to cater for any increase in vehicular traffic. The Council's Traffic and Transportation section have raised no highway or traffic concerns with the proposals.

Impact upon the Character and Appearance of the Area

5.23 With regard to the concerns raised stating that the proposed extension of opening hours is not appropriate given the surrounding area. It is considered by officers that purely increasing the opening hours of the premises would not have any significant detrimental impact on the character and appearance of the area. Moreover, it is not considered that the extended hours would have any significant impact upon the function of the cemetery.

Other Matters

5.24 A number of concerns have been raised regarding the potential increase in anti-social behaviour associated with the extension of the opening hours. Officers do not consider that the extension of the opening hours at the premises will have any direct correlation on any significant potential for increases in anti-social behaviour emanating from the premises. Cleveland Police have been consulted and have raised no objections to the proposal.

5.25 Further to the above and on a related matter a number of concerns relate to the premises opening until 11pm being akin to that of a public house. The premises currently do have a license to sell alcohol Monday to Sunday between 08:30hrs and 18:30hrs. It is prudent to state that whilst the planning application as proposed would allow the premises to open into the evening hours it would not itself allow for the sale of alcohol, the applicant would have to apply separately for a new license which would have separate consideration by another Council Department. Notwithstanding the above, as outlined earlier in the report it is not considered that

any noise and disturbance associated with the extension of the opening hours would have any significant impact on the amenities of the occupants of nearby residential areas given the scale and location of the premises.

EQUALITY AND DIVERSITY CONSIDERATIONS

5.26 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

5.27 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.

5.28 There are no Section 17 implications.

REASON FOR DECISION

5.29 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 consideration of any further representations received by the Planning Services Manager and the conditions outlined below. Should any substantially different objections be received these shall be considered in consultation with the Chair of Planning Committee.

1. The development to which this permission relates shall be begun not later than three years from the date of this permission. To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans (Drawing No: 316/11 L007) and details received by the Local Planning Authority on 04/11/2013, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt
3. The cafe shall only be open to the public between the hours of 08:30hrs and 21:00hrs on Monday, Tuesday, Wednesday and Sunday and only open to the public between the hours of 08:30hrs and 23:00hrs on Thursday, Friday, Saturday and Bank Holidays. In the interests of the amenities of the occupants of neighbouring properties.
4. The ventilation filtration and fume extraction equipment agreed by way of planning application H/2012/0029 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. The lighting units agreed by way of planning application H/2012/0029 shall be fixed at all times to ensure that light is directed away from residential properties. In the interests of the amenities of the occupants of neighbouring properties.

6. The car parking scheme agreed by way of planning application H/2012/0029 shall be retained for its intended purpose at all times during the lifetime of the development. In the interests of highway safety
7. The external areas outside of the premises should not be used as an outside eating/drinking area beyond 20:00hrs Mondays to Sundays inclusive.
In the interests of the amenities of the occupants of neighbouring properties.
8. All external doors and windows associated with the premises should be kept closed after 20:00hrs whilst there is any amplified speech or music taking place within the premises.
In the interests of the amenities of the occupants of neighbouring properties.
9. No music shall be played outside the building beyond 20:00hrs Mondays to Sundays.
In the interests of the amenity of the occupants of surrounding residential properties
10. No outside entertainment or functions should take place outside of the building beyond 20:00hrs Mondays to Sundays.
In the interests of the amenity of the occupants of surrounding residential properties

BACKGROUND PAPERS

5.30 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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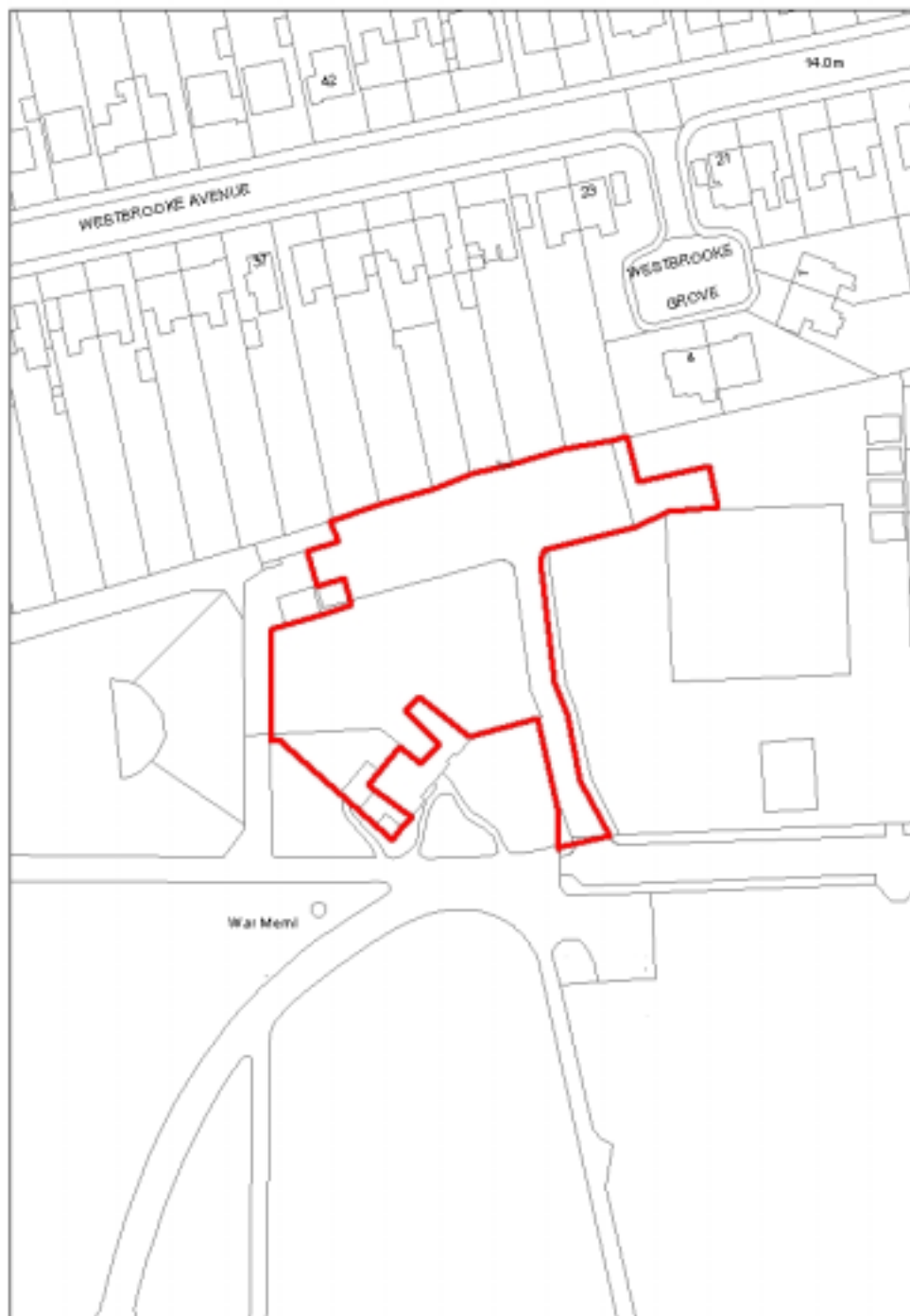
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INSPIRATIONS, TANFIELD ROAD



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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 : 2/12/13
H/2013/0548

No: 6
Number: H/2013/0498
Applicant: Mr Ian Tallintire Endeavour House Stockton Road
HARTLEPOOL TS25 5TB
Agent: Seymour Harris Architecture Ms Paula White The
Loft@Chantry House Victoria Road Kirkstall LEEDS LS5
3JB
Date valid: 18/10/2013
Development: Temporary relocation of the existing fire station to allow
the construction of a new one
Location: Hartlepool Fire Brigade Durham Street 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 2009 outline planning permission for the erection of a new fire station was granted planning permission (H/2009/0216). This has expired, and a new application submitted for consideration. An application for a temporary fire station was granted planning permission (H/2013/0105) however due to changes in the design of the new fire station there is insufficient space to accommodate both a temporary station and the redevelopment of the new fire station.

6.3 This application is being reported to Committee as the land to be used is Council owned.

PROPOSAL

6.4 The application seeks consent for the siting of a temporary fire station on land to the east of the existing Headland Fire Station on Durham Street. The temporary station is only required while the existing fire station is demolished and a new station erected. The redevelopment of the fire station is considered under a separate application (H/2013/0526).

SITE CONTEXT

6.5 The site is currently in the ownership of Hartlepool Borough Council and permission is sought for the temporary change of use of the land for the siting of a temporary fire station. The temporary accommodation consists of an office, mess/lecture room, an appliance building and a site cabin which will be above the mess/lecture room.

6.6 The office/mess/lecture accommodation, are portable buildings. The appliance building will accommodate the fire appliances. This is a more substantial building. It will be an aluminium frame building with profile sheet walls and coated PVC roof. Access to the temporary station will be taken from Warren Street.

PUBLICITY

6.7 The application has been advertised by way of site notice and neighbour letters (19). To date, there have been no representations received.

The period for publicity has expired.

CONSULTATIONS

6.8 The following consultation replies have been received:

Traffic & Transportation – There are no highway or traffic concerns

Public Protection – No objection to the proposal due to the temporary nature of the proposal.

Northumbrian Water – Having assessed the proposed development against the context outlined I can confirm that at this stage we would have no comments to make.

Headland Parish Council – No response received.

Archaeology – The plans show no actual ground disturbance and no impact on archaeological deposits. No objections to the proposal.

Estates - Hartlepool Borough Council are the freeholders of the site and the requisite notice was served on the Council as landowner. If approval is granted the applicant requires a licence agreement for the temporary station to be on Council land.

PLANNING POLICY

6.9 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

6.10 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

National Policy

6.11 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

6.12 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 and in particular, the principle of the development, the impacts on the visual amenity of the area, impacts on residential amenity, highway safety and other matters.

Principle of Development

6.13 The provision of the temporary fire station is required while works are being carried out to demolish and rebuild the Headland Fire Station. The siting of the temporary buildings on council land is considered acceptable. The key considerations in the determination of this application are the visual impact upon the surrounding area and residential properties.

Impacts on the visual amenity of the area

6.14 The proposed development includes an enclosed compound which will house two single storey portakabins to be used for office/wc and canteen, a two-storey portakabin to provide a mess/lecture room with site cabin above and an appliance garage.

6.15 The units are of a temporary nature and are only required while the redevelopment of the fire station takes place, they are to be removed on completion of the fire station.

6.16 It is considered that the temporary station facilities are acceptable and are unlikely to create a significant impact upon the surrounding area.

Impacts on residential amenity

6.17 It is considered that siting of the temporary station is unlikely to have a significant impact upon the neighbouring residential properties. The station is manned by retained firefighters living within 5 minute travel time of the station. Although the station does provide a 24/7 fire and rescue cover the level of activity is considered to be low.

6.18 On balance given the use of the temporary station and the level of comings and going it is considered unlikely that there would be a significant impact upon the residential properties.

Highways

6.19 The Councils Traffic and Transport Section have been consulted and raise no objections to the proposed development.

Other Matters

6.20 The area is of archaeological interest. The plans show no actual ground disturbance and no impact on archaeological deposits. No objections are raised.

EQUALITY AND DIVERSITY CONSIDERATIONS

6.21 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

6.22 There are no Section 17 implications.

REASON FOR DECISION

6.23 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 buildings hereby approval shall be removed from the site and the land restored to its former condition on or before 18 December 2016 in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority unless prior consent has been obtained to an extension of this period. The building is not considered suitable for permanent retention on the site.
2. The development hereby permitted shall be carried out in accordance with the plans Drg No(s) PK282 1219, PK242 0238, ABQ02, HFS-A-SK102 Job No

12.052, HFS-A-SK101 Rev A Job No 12.052, and details contained in the Drainage Statement Design and Access Statement and technical systems information received by the Local Planning Authority on 14 October 2013 unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt.

3. Prior to the commencement of the hereby approved development, details of walls, fences and other means of boundary enclosure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details. In the interests of the amenities of the occupants of neighbouring properties.

BACKGROUND PAPERS

6.24 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:

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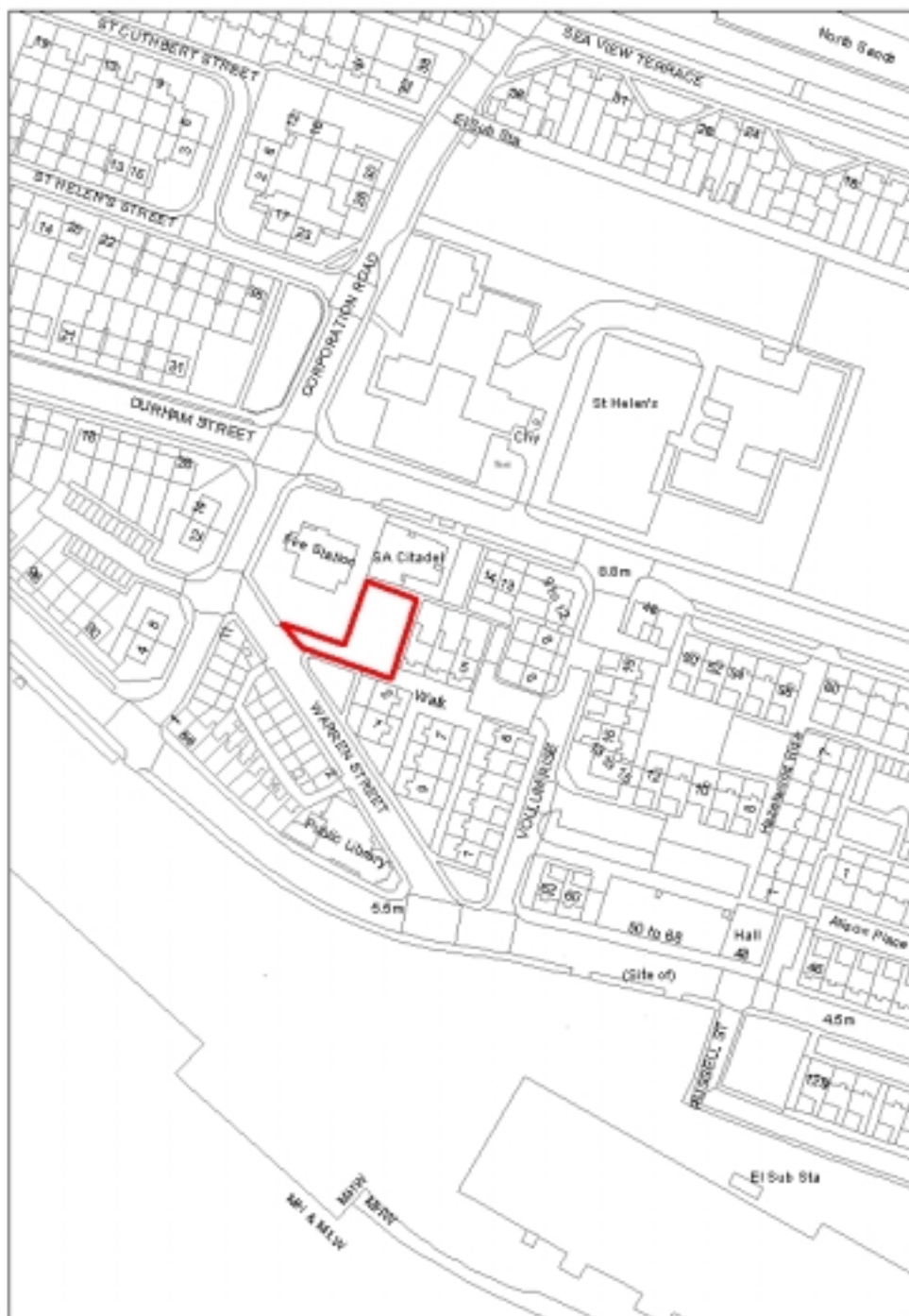
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HARTLEPOOL FIRE BRIGADE, DURHAM STREET



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 Department of Regeneration and Planning

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Scale: 1:1000
 Date : 4/12/13
 H2013/0498

No: 7
Number: H/2013/0496
Applicant: Mr Christopher Roberts 1 Church Street HARTLEPOOL TS24 7BT
Agent: Hartlepool Borough Council Mr Chris Roberts Civic Centre Victoria Road HARTLEPOOL TS24 8AY
Date valid: 15/11/2013
Development: Erection of security fencing and gates
Location: Land at Alma Street and 89 - 91A York Road HARTLEPOOL

PURPOSE OF REPORT

7.1 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

7.2 There has been no recent relevant planning history.

PROPOSAL

7.3 Planning permission is sought for the erection of security fencing and gates at land at Alma Street and 89-91A York Road, Hartlepool. The gates would have a height of 2.35 metres and are proposed to prevent anti social behaviour and crime and reduce the fear of crime in the area.

7.4 The application is being reported to committee as it relates to Council owned land.

SITE CONTEXT

7.5 The proposed alleygates would be erected at Alma Street between 91A and 89 York Road.

PUBLICITY

7.6 The application has been advertised by way of 10 neighbour letters, a press notice and one site notice. At the time of writing this committee report the consultation period had not expired and no objections had been received.

7.7 Any comments received prior to the committee meeting shall be updated to members at committee. The neighbour consultation period does not expire until 20/12/2013.

CONSULTATIONS

HBC Public Protection: No objections (Verbal)

HBC Traffic and Transport: No objections

Cleveland Police: No objections (Verbal)

PLANNING POLICY

7.8 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

7.9 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

National Policy

7.10 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.

Part 7. Requiring Good Design

Part 8. Promoting Healthy Communities

Paragraph 196 – Primacy of the Development Plan

Paragraph 197 – Presumption in favour of sustainable development.

PLANNING CONSIDERATIONS

7.11 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, visual amenity, residential amenity and highways.

Principle of Development

7.12 National planning policy contained within the NPPF states that development should seek to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

7.13 It is considered that the proposed security fencing and gates would contribute to a reduction in antisocial behaviour, crime and fear of crime in the area by controlling access to the area. Access to the gated/ fenced area would be restricted to residents/ occupants, emergency services and official personnel with allocated keys.

7.14 The principle of the development is considered to be acceptable and in accordance with policies GEP1 and GEP3 of the Hartlepool Local Plan and Parts 7 and 8 of the NPPF.

Visual amenity

7.15 The security fencing and gates would be constructed from metal railings and would be attached to 91A York Road and 89 York Road. The proposed design of the gates and fencing would allow for views through, retaining an open appearance to the area. It is considered that the gates and fencing would have an appropriate height in terms of providing a useable security system while avoiding the creation of a domineering structure.

7.16 It is considered that the proposed development by virtue of its design, materials and scale, would be in keeping with the character and appearance of the area and would not be significantly detrimental to the visual amenity of the streetscene or the surrounding area.

7.17 The proposed development is considered to be in accordance with policy GEP1 of the Hartlepool Local Plan and Part 7 of the NPPF.

Residential amenity

7.18 It is considered that the proposed development would improve the residential amenity of the area as the purpose of the proposed security fencing and gates is to reduce anti-social behaviour, crime and the fear of crime in the locality.

7.19 Access to the gated/ fenced area would be acceptable with residents/ occupants, emergency services and official personnel being allocated keys. There can be some issues with this type of security system in terms of maintenance and management; however it is considered at this time, on balance that the benefits to

local residents would outweigh any potential issues with maintenance and management of the proposed security fencing and gates.

7.20 A petition has been submitted by local residents in support of the application and its purpose to address issues of antisocial behaviour and crime in the area.

7.21 It is considered that the proposed development would not be significantly detrimental to residential amenity in accordance with policies GEP1 and GEP3 of the Hartlepool Local Plan and Parts 7 and 8 of the NPPF.

Highways

7.22 The gates, where required, will be wide enough to allow the passage of refuse vehicles, emergency vehicles, delivery vehicles and other large plant which may require access. Emergency Services and other official personnel will have keys to allow access to these areas.

7.23 The Council's Traffic and Transport Section have been consulted and raise no objections; it is therefore considered that the proposed development would be in accordance with policy GEP1 of the Hartlepool Local Plan.

EQUALITY AND DIVERSITY CONSIDERATIONS

7.24 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

7.25 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.

7.26 The programme is likely to contribute to reductions in crime and anti-social behaviour.

REASON FOR DECISION

7.27 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 conditions and no objections being received prior to the expiry of the consultation period, with the final decision being delegated to the planning services manager. Should any objections be received these would be considered by the Planning Services Manager in consultation with the Chair of Planning Committee.

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.

2. The development hereby permitted shall be carried out in accordance with the plans and details (Site location plan, Site plan and elevation) received by the Local Planning Authority on 15/11/2013.
For the avoidance of doubt.

BACKGROUND PAPERS

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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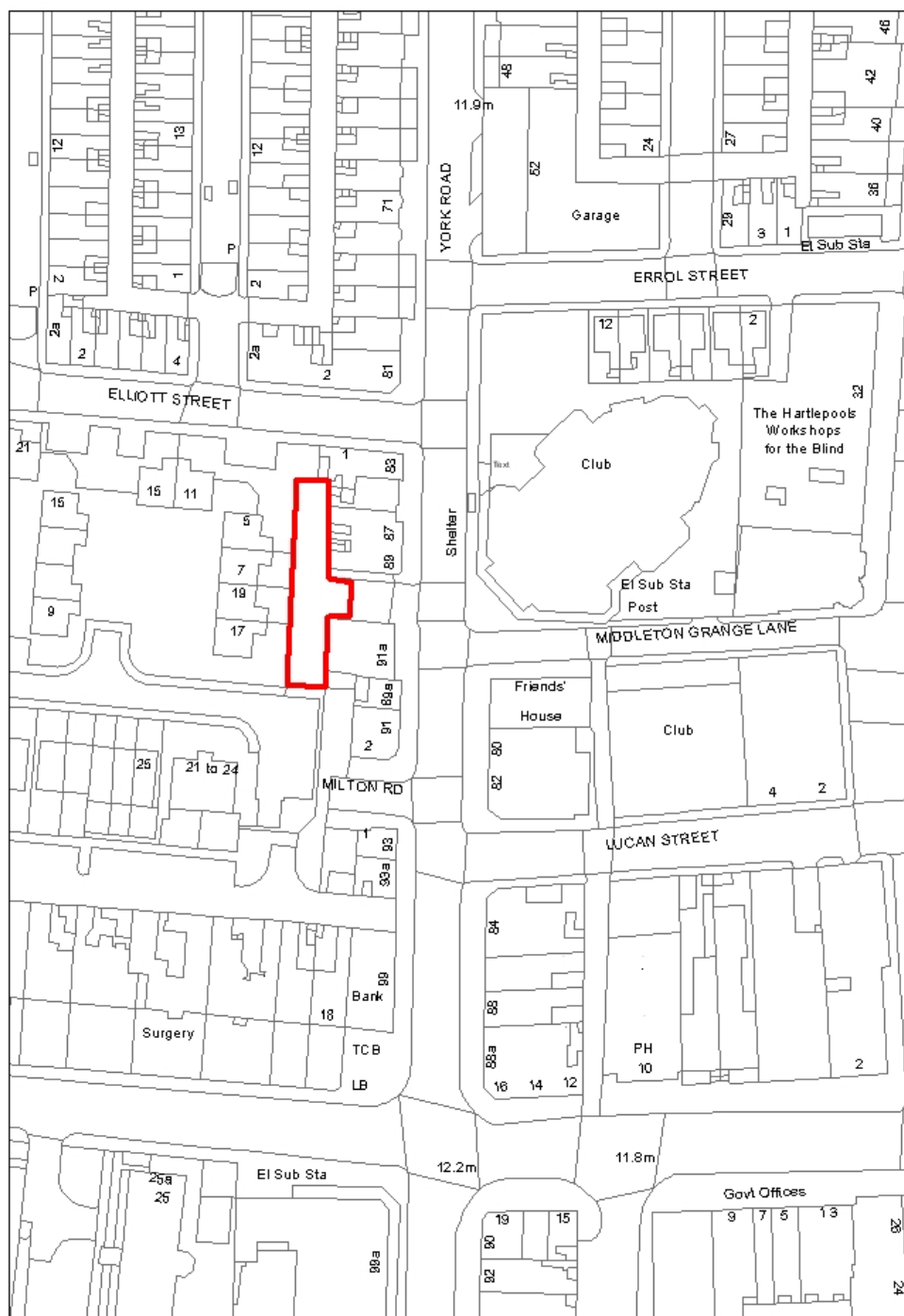
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LAND AT ALMA STREET



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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 : 27/11/13
H/2013/0496

No: 8
Number: H/2013/0463
Applicant: Mr S Hind Beaconsfield Street HARTLEPOOL TS24
ONX
Agent: Mr S Hind 4 Beaconsfield Street HARTLEPOOL TS24
ONX
Date valid: 19/09/2013
Development: Removal of side wall and installation of gate
Location: 4 Beaconsfield Street HARTLEPOOL HARTLEPOOL

PURPOSE OF REPORT

8.1 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

8.2 A retrospective application was made in 2004 (HFUL/2004/1040) for alterations including roofing of rear yard and installation of 3 UPVC windows in the rear offshoot. The application included roofing over the rear yard entirely.

PROPOSAL

8.3 The application is a retrospective one for the removal of a side wall to the front garden (which is adjacent to the rear alley access) to create a side vehicle access for parking in the front garden to the house. An inward opening gate is to be installed to match the design of the existing railings to the remaining front wall of the house.

8.4 4 Beaconsfield Street is located in the Headland Conservation Area where an Article 4 Direction controls alterations to front walls. The boundary walls to properties on the Headland are part of the character of the Conservation Area enclosing small front gardens. In Beaconsfield Street and Beaconsfield Square these consist of a low wall topped by a coping stone and are intact with none having been removed. Historically the coping stones would have been finished with a cast iron decorative railing forming a low wall and railing. Each house had a single gated access to the front door. Gladstone Street and Durham Street nearby have similar low walls to the street frontages. Front gardens have also been retained and mostly kept planted and not used for vehicle parking. It is considered that if the removal of the side wall to the front garden to create a parking area is allowed, this will be detrimental to the character of the Conservation Area particularly if repeated at other properties.

8.5 The application creates a precedence and has been referred to Planning Committee as a result.

SITE CONTEXT

8.6 4 Beaconsfield Street is located in the Headland Conservation Area, just off Durham Street. The property forms the end terrace house of ten houses forming one side of Beaconsfield Street. The back lane access to the rear of this side of Beaconsfield Street is next to 4 Beaconsfield Street. 4 Beaconsfield Street is a two storey house including attic space with a walled front garden. The rear yard is roofed over and enclosed.

PUBLICITY

8.7 The application has been advertised by way of neighbour letters (5no). To date, there have been no replies.

8.8 A site notice was fixed near the site on the 2nd October and a press advert placed on the 4th October. To date no replies have been received.

8.9 The period for publicity has expired.

CONSULTATIONS

8.10 The following consultation replies have been received:

The Headland Parish Council: no objection to the application.

Conservation Officer: 4 Beaconsfield Street is within the Headland Conservation Area which is a designated heritage asset and is subject to an Article 4 Direction removing permitted development rights to alter the property externally including alteration of boundary walls. 4 Beaconsfield is not a listed building. The dwelling forms the end house of a terrace starting with 22 Beaconsfield Street.

The retrospective application is to remove a side wall to the front garden keeping the front wall and gate piers to create an area to park a vehicle in the front garden. It is proposed to replace the side wall with a gate which will be hinged at a half way point along its length to allow the gate to be folded on itself so it can be opened and closed inwards but also allowing a vehicle to be parked at the same time. The gate design will match the existing railing to the front wall of the house. Access for vehicle parking will be from the side lane which provides access to the rear of all properties to this part of Beaconsfield Street.

Part of the character of the Headland Conservation Area is provided by the front walls and gardens to dwellings adding visual interest. In Beaconsfield Street (but also at Beaconsfield Square, Gladstone Street, Henry Smith Terrace parts of Durham Road nearby) this consists of a low brick wall (sometimes rendered) topped by a stone coping. Historically the coping stones would have had cast iron decorative railing fitted. In other parts of the Headland Conservation Area at York Place, Albion Terrace and South Crescent railing restoration schemes have occurred bringing back the original character and significance of the Conservation Area with owners responding to the schemes by improving their front gardens. The loss of the side wall

at 4 Beaconsfield Street with the creation of a car parking area will have a detrimental impact on the character of the Headland Conservation Area as a heritage asset by the loss of visual interest, particularly so if a precedent is set and repeated in other parts of the Headland Conservation Area.

PLANNING POLICY

National Policy

8.11 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.

8.12 The relevant section of the National Planning Policy Framework (NPPF) is Section 12 Conservation and Enhancing the Historic Environment. Paragraph 132 states that when considering the impact of 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 given. Heritage significance can be harmed or lost through alteration. Heritage assets are irreplaceable. Any harm or loss should require clear and convincing justification. Paragraph 133 states that where development will lead to substantial harm or loss of significance of a designated heritage asset local planning authorities should refuse consent unless it can be demonstrated that the loss can be outweighed by substantial public benefits.

PLANNING CONSIDERATIONS

8.13 The main issues for consideration is the impact of the demolition of the side wall and the creation of a vehicle parking area to the front garden, will have on the character and appearance of the Headland Conservation Area. The frontage to 4 Beaconsfield Street before the current alteration consisted of a low front and side walls constructed in brick, topped by stone coping (the coping would have had an ornate cast iron railing originally) enclosing a garden area of 6.3 metres by 3.4 metres. The front wall has a gate opening which gives direct access to the front door to the house. The area enclosed by the walls has been finished with small paving

blocks before the wall was demolished. The front walls and garden at 4 Beaconsfield Street are typical of others in the rest of Beaconsfield Street, Beaconsfield Square, but also Gladstone Street, Henry Smith Terrace parts of Durham Road nearby where many are maintained by owners as gardens with planting and small lawns.

8.14 Many occupiers have vehicles and parking on street occurs or off street parking being achievable in some cases in the space provided by back yards, accessed from rear lanes. In the case of 4 Beaconsfield Street vehicle parking can occur on street but parking in the rear yard is precluded by an earlier retrospective application in 2004 for alterations including roofing over of the rear yard entirely.

8.15 The low brick walls and copings enclosing front gardens often planted and landscaped are part of the character of the Headland Conservation Area, adding visual interest. The removal of the side wall to front garden and the creation of a area for vehicle parking at 4 Beaconsfield Street, will have a detrimental affect upon the Conservation Area due to the loss of visual interest, leading to a loss of character. In other parts of the Headland Conservation Area at York Place, Albion Terrace and South Crescent railing restoration scheme have occurred bringing back the original character and significance of the Conservation Area.

8.16 National policy advice in the National Planning Policy Framework indicates that local planning authorities when considering the impact of proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation (Paragraph 132). Consent should be refused by local planning authorities where a development will lead to substantial harm or loss unless it can be demonstrated that substantial public benefits can outweigh the loss (Paragraph 133). In the case of the application at 4 Beaconsfield Street no substantial public benefits are identified which would justify any harm or loss to a heritage asset in the form of the Headland Conservation Area.

EQUALITY AND DIVERSITY CONSIDERATIONS

8.17 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

8.18 There are no Section 17 implications.

REASON FOR DECISION

8.19 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is not acceptable as set out in the Officer's Report.

RECOMMENDATION – REFUSE for the following reason:-

1. It is considered that the alterations would be detrimental to the character and appearance of the Headland Conservation Area contrary to GEP1 and HE1 of the adopted Hartlepool Local Plan 2006 and Part 12 of the National Planning Policy Framework (2012).

BACKGROUND PAPERS

8.20 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:

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4 BEACONSFIELD STREET



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

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Date : 27/11/13
H/2013/0463

POLICY NOTE

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

ADOPTED HARTLEPOOL LOCAL PLAN 2006

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

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

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

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

GEP10 (Provision of Public Art) Encourages the provision of public art and craftwork as an integral feature of new development.

Ind5 (Industrial Areas) - States that business uses and warehousing will be permitted in this area. General industry will only be approved in certain circumstances. A particularly high quality of design and landscaping will be required for development fronting the main approach roads and estate roads.

Ind6 (Bad Neighbour Uses) - Identifies part of the Sandgate area for the location of bad neighbour uses. Such uses will only be permitted subject to criteria in the policy relating to nuisance, visibility, screening, size of site and adequacy of car parking and servicing.

Ind8 (Industrial Improvement Areas) - States that the Borough Council will encourage environmental and other improvement and enhancement schemes in designated industrial improvement areas.

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.

Com6 (Commercial Improvement Areas) - States that the Borough Council will encourage environmental and other improvement and enhancement schemes in designated commercial improvement areas.

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.

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

Tra5 (Cycle Networks) - States that provision will be made for a comprehensive network of cycle routes and that new housing and industrial development and highway and traffic management schemes should take account of the need to provide links to the network.

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

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.

GN4 (Landscaping of Main Approaches) - States that the Borough Council will undertake strategic landscaping schemes and woodland planting along this corridor.

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.

HE12 (Protection of Locally Important Buildings) - The policy sets out the factors to be considered in determining planning applications affecting a listed locally important building. The Council will only support the demolition or alteration of locally important buildings where it is demonstrated that this would preserve or enhance the character of the site and the setting of other buildings nearby.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2012

5. This Framework does not contain specific waste policies, since national waste planning policy will be published as part of the National Waste Management Plan for England.⁵ However, local authorities preparing waste plans and taking decisions on waste applications should have regard to policies in this Framework so far as relevant.

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.

9. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

11. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

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.

17. within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should:

- be genuinely plan-led, empowering local people to shape their surrounding, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;

- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

18. The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

22. Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

30. Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.

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.

67: Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

69. The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate

neighbourhood planning. Planning policies and decisions, in turn, should aim to achieve places which promote:

- opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;
- safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

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.

135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

187. Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

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

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

203. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

204. 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.

205. Where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

206. Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

TEES VALLEY MINERALS AND WASTE DPD

MWC6 The sustainable management of waste arising in the Tees Valley will be delivered through:

(a) Making provision for sufficient annual waste management capacity to allow:

- (i) 40% of household waste from the Tees Valley to be recycled or composted from 2010, rising to 46% from 2016;
- (ii) to recover value from 53% of municipal solid waste from the Tees Valley from 2010, rising to 72% from 2016; and

(iii) to increase the recovery of value from commercial and industrial waste from the Tees Valley to 73% from 2016;

(b) Promoting facilities and development that drives waste management up the waste hierarchy;

(c) The distribution of waste management sites across the Tees Valley so that facilities are well related to the sources of waste arisings, related industries or the markets for any products created;

(d) Safeguarding the necessary infrastructure to enable the sustainable transport of waste, in particular the use of the existing rail and port facilities in the Tees Valley; and

(e) Developing the regional and national role of the Tees Valley for the management of specialist waste streams.”

PLANNING COMMITTEE

18 December 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. An investigation has been carried out in response to a complaint regarding goods for sale on the pavement outside a shop on Murray Street. The complaint is a highway breach and has been redirected to Highways, Traffic, and Transportation to investigate and take action if necessary.
2. Investigations have been carried out and concluded in response to a complaint regarding alterations made to the main roof of a property on Stockton Road. Permitted development rights applied in this case. No action necessary.
3. An investigation has been carried out and concluded regarding an untidy commercial property on Seaton Lane. The property did not warrant action under s215 powers in this case.
4. Officer monitoring noted the erection of a close boarded fence on top of an existing low boundary wall on Davison Drive.
5. An investigation has commenced in response to a Councillor's complaint regarding the display of advertisements on two commercial uses of properties on Hutton Avenue.
6. Investigations have been carried out and concluded in response to a complaint regarding an alleged business operating from a residential property on King Oswy Drive. No planning breach identified. No action necessary in this instance.
7. An investigation has commenced in response to a residents complaint received and redirected to the Planning Services Team by the Council's Traffic and Transportation team regarding an alleged civil engineering business being run from a residential property on Burnston Close.

8. An investigation has commenced in response to a complaint regarding the erection of a dwelling whose windows overlook the neighbouring property had not been glazed with obscure glass as required by a planning condition linked to the planning consent on Westbourne Road.
9. An investigation has commenced in response to anonymous complaint regarding the erection of a structure in the front garden of a property on Front Street, Hart.
10. An investigation has commenced in response to complaint regarding alterations to an existing neighbouring boundary fence to a housing scheme under construction on a former school car park on Percy Street.

2. RECOMMENDATION

- 2.1 Members note this report.

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PLANNING COMMITTEE

18 December 2013



Report of: Assistant Director (Regeneration)

Subject: APPEAL AT LAND TO THE REAR OF 20 OWTON MANOR LANE, HARTLEPOOL – APPEAL REF: APP/H0724/A/13/2203229 – ERECTION OF TWO FOUR BEDROOMED DETACHED DWELLINGS WITH DETACHED DOUBLE GARAGES AND ASSOCIATED ACCESS ROAD AND FENCING

1. PURPOSE OF REPORT

- 1.1 To advise members of the outcome of the above planning appeal.
- 1.2 The appeal was allowed. A copy of the appeal decision is **attached**.

2 RECOMMENDATIONS

- 2.1 That Members note the outcome of the appeal.

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Appeal Decision

Site visit made on 29 October 2013

by Jim Metcalf BSc DipTP MRTPI

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

Decision date: 14 November 2013

Appeal Ref: APP/H0724/A/13/2203229

20 Owton Manor Lane, Hartlepool, Cleveland, TS25 3AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr S Morfitt against the decision of Hartlepool Borough Council.
 - The application Ref H/2013/0054, dated 30 January 2013, was refused by notice dated 3 April 2013.
 - The development proposed is the erection of 2 No 4 bedroom detached dwellings with detached double garages and associated access road.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of 2 No 4 bedroom detached dwellings with detached double garages and associated access road at 20 Owton Manor Lane, Hartlepool, Cleveland, TS25 3AB in accordance with the terms of the application, Ref H/2013/0054, dated 30 January 2013, and the plans submitted with it, subject to the conditions in the attached schedule.

Procedural Matter

2. The appellant has submitted a plan (AJR12:118 200) with his appeal papers that shows the detail of the fence and hedge proposed along the access between Nos 20 and 22 Owton Manor Lane. The plans considered by the Council showed clearly that such provision would be made and I have taken the detailed plan into account in determining the appeal.

Main Issue

3. The main issue is the effect of the development on the living conditions of residents at Nos 20 and 22 Owton Manor Lane with regard to noise and disturbance.

Reasons

4. Owton Manor Lane runs through a residential area characterised by property of different types, ages and style. These include a number of dwellings that have recently been built behind the original frontage development. The rear garden at No 20 Owton Manor Lane is particularly large, even relative to the generally long gardens along this stretch of the road. This is because it increases in width towards the rear behind No 18 Owton Manor Lane.
-

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5. The size of the site allows for the positioning of the two houses that would be acceptable, in terms of their scale and massing, without detriment to the character and appearance of the area. Furthermore, the outlook and privacy of residents at surrounding property would not be unduly affected. The defined site for the two houses allows for the formation of two adequately sized gardens whilst leaving a satisfactory garden for No 20 Owton Manor Lane.
6. Access to the two houses would be through the gap between Nos 20 and 22 Owton Manor Lane. This is relatively wide with a distance of about 9 m between the side walls of the properties. A 4.2 m wide drive would be formed in the middle of this gap, with space on either side for an acoustic fence about 1 m from the walls of each property and a landscaped margin about 1.4 m wide between the fence and new kerb of the access.
7. Both Nos 20 and 22 Owton Manor Lane have windows to living rooms in their side walls that face into the gap where the access would be. Cars have previously been manoeuvred or parked by the residents at No 20 Owton Manor Lane in this gap. A new access leading to two houses would increase the amount of traffic but I am satisfied that any adverse effect, in terms of noise and disturbance, from this movement would be minimised by the erection of an acoustic fence supplemented by landscaping, as shown on plan AJR12:118 200.
8. Policy Hsg9 of the Hartlepool Local Plan (LP) states that residential development will be permitted, subject, amongst other things, to there being no significant detrimental effect on the occupiers of both new and existing development, whilst also specifying that tandem development will not be permitted. The supporting LP text explains that tandem development is unlikely to achieve appropriate standards of design, privacy and access.
9. I am satisfied, in this case, that appropriate standards are met, bearing in mind the especially large garden where the houses would be built and the generous gap in the frontage that would accommodate, suitably designed, a satisfactory access. In addition the layout allows for the retention of numerous trees, including one protected by a Tree Preservation Order that will assist in assimilating the development into the neighbourhood.
10. In circumstances where the development would cause no specific, material harm I do not regard the general prohibition of tandem development established by LP Policy Hsg9 as conclusive. I note that the Inspector who dealt with a similar appeal at No 14 Owton Manor Lane (APP/H0724/A/08/2062087) reached a similar conclusion on the facts of that case. An Inspector dismissed a similar appeal at No 16 Owton Manor Lane, (APP/H0724/A/08/2088594), reaching his conclusion on the situation at that site.
11. Subject to a condition that requires the erection of an acoustic fence and landscaping along the access, the traffic associated with just two dwellings would not have a significantly detrimental effect on the residents at Nos 20 and 22 Owton Moor Lane, with regard to noise and disturbance. The development would accord with LP Policies GEP1 and Hsg9, except that part which refers to tandem development and which I do not find conclusive in this case.
12. I have considered the conditions that the Council suggest should be imposed in the event that planning permission is granted in the light of Circular 11/95 'The Use of Conditions in Planning Permissions'. To ensure that the appearance of

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the houses is satisfactory I have imposed a condition that requires the approval of the materials to be used and to protect existing trees. It is also necessary to ensure that the drainage arrangements are satisfactory. A condition is needed to ensure that the development is carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning.

13. There is no reason to require the submission of detailed plans showing the access fence and landscaping, these are shown on drawing AJR12:118 200, but a condition that requires the implementation of the work and the maintenance of the landscaping is needed to safeguard the amenity of neighbours. So is a condition that requires the protection of existing trees to be retained. I am satisfied that apart from the hedges along the access, and the retention of trees, any other landscaping can be left to residents of the houses.
14. A condition that requires the pegged out location of the houses to be approved by the Council is superfluous because there is a condition that requires the development to be carried out in accordance with the approved plans. For the same reason further approval of a plan showing the 'distribution of residential curtilage' is unnecessary. A garage is being built in the grounds of No 20 Owton Manor Lane, so a condition that requires approval of the provision of car parking space there is also unnecessary.

Jim Metcalf

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: No 100 (proposed plans and elevations), and 102 (proposed site location plan), received 01/02/2013, No 102 (proposed site layout) and 101 (proposed plans and elevations house plot 2 & garages), received 06/02/2013 and AJR12:118 200 (proposed acoustic barrier details).
3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the houses hereby permitted, and details of all hard surfacing materials, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
4. No development shall take place until a scheme for the protection of all trees to be retained has been submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall

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- not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.
5. No development shall take place until details of a drainage strategy for the dwellings hereby approved, having regard to the culvert that runs through the site, has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 6. No dwelling shall be occupied until the fence and landscaping, shown on drawing no AJR12:118 200 (proposed acoustic barrier details), has been erected and carried out in accordance with the approved details. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

PLANNING COMMITTEE

18 December 2013



Report of: Assistant Director (Regeneration)

Subject: STRANTON CONSERVATION AREA
MANAGEMENT PLAN

1. PURPOSE OF REPORT

- 1.1 A report was brought to this committee on the 6th March 2013 regarding the draft Management Plan for Stranton Conservation Area and the proposed consultation that would be carried out. This report provides details of the public consultation that has now been completed.

2. BACKGROUND

- 2.1 English Heritage advice to local authorities' in their publication "Guidance on the Management of Conservation Areas" (February 2006) indicates that an appraisal of a conservation area needs a set of policies, strategies and actions identified to actively manage change in a conservation area. Change in a conservation area is inevitable and the purpose of a management plan is to direct this change in such a way that it strengthens rather than undermines the conservation areas special quality.
- 2.2 Existing national legislation and policy advice in the form of the "Planning (Listed Buildings and Conservation Areas) Act 1990" and the "National Planning Policy Framework" provide guidance on how to manage development in conservation areas. However every conservation area has development issues more or less specific to that area. An appraisal of Stranton Conservation Area was completed in October 2010 which identified a number of items and the conservation area management plan is intended to address these.

3. ISSUES HIGHLIGHTED IN THE MANAGEMENT PLAN

- 3.1 A number of issues were identified in the management plan as relevant to the future management of the Stranton Conservation Area. These included

Building maintenance – maintenance works can assist in uplifting the area along with other measures such as encouraging good general maintenance.

Shop fronts and advertising on shop fronts – Of particular note within this conservation area are the traditional shop fronts. Unsympathetic alterations to some shop fronts along with the installation of modern frontages can impact on the character of the area.

Unsympathetic alterations – Alterations to floors above shop fronts and non-retail buildings can have an impact on the appearance of the conservation area.

The street environment and trees – There is scope to enhance the street scene in the area, with works to paving and open spaces.

4. CONSULTATION

- 4.1 The consultation period ran for eight weeks opening on the 1st February 2013 and closing on the 2nd April 2013. Information on the Draft Management Plan and Consultation Response Forms were placed on the Council's website. In addition leaflets were circulated in the conservation areas and boxes provided locally for responses to be returned in. A press release was sent out to raise awareness of the consultation.
- 4.2 The Conservation Area Advisory Committee were consulted and provided feedback on the document and the results of the consultation at a meeting in April of this year.

5. CONSULTATION RESPONSE

- 5.1 The response to the consultation is outlined in **Appendix 1** of this report. 130 leaflets were delivered to properties located in the conservation area and 21 responses (16%) were received.
- 5.2 The feedback on the questionnaire suggests that there is support for producing guidance on 'Building Maintenance' in the conservation area. This subject is highlighted as a key issue within the document and an action indicates the Council's intention to produce guidance. This guidance could include information on painting properties and typical colours used on traditional buildings. This would meet the interest indicated in question 3 of the survey in which residents suggested that a range of colours would be useful to bring about a more coordinated approach to the conservation area. There is no financial provision in the form of grants for the maintenance of properties however the issuing of such guidance may assist owners with the development of maintenance programmes for their properties thereby reducing some of the long-term maintenance costs.
- 5.3 A majority of the respondents to the questionnaire also indicated that they would like to see special controls introduced into the conservation area to cover advertisements. Prior to introducing such a measure further consultation would need to be done alongside the production of guidance

indicating suitable styles of advertisements for the conservation area. This response is useful as it implies that the interest for such a control is present.

- 5.4 The general comments section of the questionnaire shows that there is an overwhelming concern regarding the parking in the area. It is, however, noticeable that this is focused on Stranton Club rather than the wider area. The main concern appears to be Vela Group employees parking in the area causing problems for club members trying to park and access for general deliveries. This is quite a specific issue and rather than amend the Management Plan to reflect this it is proposed that further investigation will take place to see if there are other ways to resolve this issue. One other parking concern was raised with a request to consider parking on just one side of Vicarage Gardens to reduce the parking in the area. It is proposed that wider parking issues in the whole area are raised under the Street Environment section of the document.

- 5.5 A table summarising the objectives and actions arising from the plan can be seen in **Appendix 2**.

6. IMPLEMENTATION OF MANAGEMENT PLAN

- 6.1 The Management Plans will be implemented through existing working practices. Where the production of guidance is suggested this is likely to be in the form of generic guidance which would apply to all eight conservation areas.

7. EQUALITY AND DIVERSITY CONSIDERATIONS

- 7.1 There are no equality or diversity implications.

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

- 8.1 There are no Section 17 Implications

9. FINANCIAL CONSIDERATIONS

- 9.1 None

10. RECOMMENDATIONS

- 10.1 That the Planning Committee agrees the Stranton Conservation Area Management Plan.

11. BACKGROUND PAPERS

Stranton Conservation Area Draft Management Plan:

http://www.hartlepool.gov.uk/downloads/file/9428/the_draft_stranton_conservation_area_management_plan

12 APPENDICES

- 1 - Feedback on Stranton Management Plan
- 2 - Summary of Stranton Conservation Area Management Plan

13. CONTACT OFFICER

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APPENDIX 1**Feedback on Stranton Management Plan****130 Leaflets delivered to properties in Stranton Conservation Area
21 Response have been received to date (16%)**

1. We think the five main issues in the conservation area are building maintenance, alterations to buildings, shop fronts including adverts and the street environment. Can you tell us one issue you think is important?

Suggestions included:

- Parking (7 responses)
- Vacant buildings (1 response)
- 13 responded didn't provide a reply to this question.

2. The maintenance plan suggests producing guidance on a number of issues. Can you tick one box to indicate which one of these would be most useful to you?

- | | |
|-----------------------------------|----|
| • Building maintenance | 13 |
| • Alterations to shop fronts | 3 |
| • Signage on buildings | 1 |
| • Did not respond to the question | 4 |

3. Having a range of colours to choose from can bring about a more co-ordinated approach and enhance the character of an area. Would you like to see this in Stranton Conservation Area?

- | | |
|-----------------------------------|----|
| • Yes | 15 |
| • No | 4 |
| • Not sure | 1 |
| • Did not respond to the question | 1 |

4. Signage on business premises can have a big impact on the look of a street. Would you like to see special controls introduced into the conservation area to regulate the type of signage that can be used?

- | | |
|-----------------------------------|----|
| • Yes | 15 |
| • No | 2 |
| • Not sure | 1 |
| • Did not respond to the question | 3 |

General Comments on Stranton Management Plan

Comment	Response
Parking in the area is very prohibitive and more use should be made available for unused areas such as ex Comet parking.	Comments on parking issues in area noted.
Parking because most of Council using outside Club early morning and theres no room for my bicycle.	Comments on parking outside Stranton Club noted, a direct approach will be made to the club to try and resolve this.
Parking for Club premises regarding Officials, Dray Wagons. Very awkward to unload vehicles for Stranton Club.	As above.
As a Committee man it is about time something was done about the Council workers parking all day outside our club the Stranton. We can not get our deliveries as the wagons are having to block the road off.	As above.
Cars parking outside Vicarage Gardens causing problems for residents.	Comments on parking issues in area noted.
As the Secretary of this Club we can never get parked outside or get deliveries vans / wagons in for Council staff over the road.	As above.
No parking in the area. Put yellow lines outside club, this restricts parking.	As above.
Only space for three cars outside Stranton Club	As above.
Keeping the minor streets in the area cleaned by Council also back streets give a bad impression.	Comments to be passed on the street cleansing section.
Both ends of Elwick Road closed is scandalous.	Noted.
Parking issues outside Stranton Social Club for deliveries etc. Parking for employees	As above.

Comment	Response
Bad parking would be advantageous if we had free parking in the street for club officials and dray wagons. We have customers coming in club who cannot park cars i.e. Brewery Reps	As overleaf.
As the steward of Stranton Club I find it hard to get near my place of work and get Dray Wagons close to loading hatch because of parking restrictions in area.	As overleaf.
This will only help if you give practical and monetary help to those people who have to make changes. This could include disabled access to shops and other buildings.	Noted.
More security cameras especially near the church.	Noted.
Bring back Egbert the Tank	Noted.
<ul style="list-style-type: none"> • The traffic is bad now, could do with parking on just one side of the road. • More trees please. • The aluminium shutters – bare metal – on that shop look awful. 	Noted.

APPENDIX 2

Summary of Stranton Conservation Area Management Plan

Objective	Action
1. Building Maintenance: To continue to maintain and enhance the properties in the Stranton Conservation Area	1. The Council will negotiate through the development control process and / or make use of its statutory powers to institute urgent works and repairs notices to protect listed buildings or unlisted buildings that contribute positively to the special character of a conservation area in cases where buildings within the conservation area are shown to be under threat as a result of poor maintenance.
	2. The Council will accept proposals for the appropriate repair of the buildings in Stranton if the designs are sympathetic to the existing architectural detail, style and proportion of the existing building.
	3. The Council will produce guidance documents regarding the maintenance of buildings in conservation areas.
2. Shop fronts: To secure the preservation, restoration or improvement, as appropriate, of shop frontages in Stranton Conservation Area.	1. The Council will produce a document to inform owners of the preferred shop front designs.
	2. The Council will encourage the reinstatement or repair of original doors, windows and any features that reflect the original shop fronts of the area.
	3. The Council will take enforcement action against unauthorised change of use or removal of a shop front where there is a negative impact on the character or appearance of the conservation area.
3. Advertising on shop fronts To encourage the use of traditional signage on commercial properties in Stranton Conservation Area	1. The Council will produce guidance documents regarding appropriate forms of shop front advertising.
	2. The Council will exercise control over the display of advertisements in Stranton Conservation Area to ensure that signs are designed and located to respect the character and appearance of the host building and historic street scene.

Objective	Action
<p>4. Unsympathetic alterations to buildings</p> <p>To encourage the preservation, restoration or improvement, as appropriate, of buildings in Stranton Conservation Area</p>	<p>1. Where consent is required, the Council will resist unsympathetic alterations and loss of traditional architectural details through the positive use of existing development control powers.</p> <p>2. Encourage appropriate reinstatement of traditional architectural details in future development negotiations.</p> <p>3. The Council will take enforcement action against unauthorised removal of traditional architectural details where a breach of planning control has occurred.</p>
<p>5. Development opportunities</p> <p>To ensure that all new development is appropriate to the character and appearance of Stranton Conservation Area.</p>	<p>1. The Council will investigate the use of statutory powers where appropriate to bring buildings back into use and encourage owners to keep them in a good state of repair.</p> <p>2. The Council will encourage proposals for future developments in the conservation area that compliment and reinforce the existing character. Proposals should respond to the surrounding development in terms of scale, height, massing, alignment and materials. All proposals should enhance the character of the conservation area.</p>
<p>6. The street environment</p> <p>To maintain and enhance the public realm of Stranton Conservation Area.</p>	<p>1. The Council will ensure the retention / reinstatement of traditional paving and hard landscaping where appropriate.</p> <p>2. The Council will encourage like for like replacement, in appropriate materials where damage to street surfaces occur.</p> <p>3. The Council will ensure the good maintenance of street furniture and, where replacement is required, that they are an appropriate design.</p> <p>4. The Council will consider parking in the area should opportunities become available through public realm schemes.</p>
<p>7. Trees</p> <p>To manage the tree coverage in and around Stranton Conservation Area.</p>	<p>1. The Council will encourage the planting of new and replacement trees where appropriate within the Conservation Area and outside the Area where these support the setting of the conservation area.</p>

PLANNING COMMITTEE

18 December 2013



Report of: Director of Regeneration & Neighbourhoods

Subject: NEIGHBOURHOOD PLANNING
(NEIGHBOURHOOD AREA AND FORUM
DESIGNATION)

1. PURPOSE OF REPORT

1.1 The purpose of this report is to seek endorsement from Planning Committee for the following:

- The reporting and decision making process in relation to the designation of Neighbourhood Plan areas and Forums; and
- Designation of Rural, Headland and Wynyard Neighbourhood Plan Areas.

2. BACKGROUND

2.1 Neighbourhood Planning is central to the Coalition Government's Localism Act 2011. It is intended to give local people greater ownership of plans and policies that affect their local area, and to provide communities with the opportunity to develop a community-led framework for guiding the future development, regeneration and conservation of an area.

2.2 Once adopted a Neighbourhood Plan will become part of the formal planning process and must be in general conformity with national planning policy and the Local Authority's Development Plan (currently the Hartlepool Local Plan 2006, which will be superseded by the Hartlepool Local Plan 2013 post adoption).

2.3 Nationally there are 685 Neighbourhood Planning areas, over half of which have been formally designated. To date, two Neighbourhood Plans have completed the process and been formally adopted after a simple majority vote at referendum, to become part of local planning legislation.

2.4 In accordance with the Localism Act 2011 and Neighbourhood Planning Regulations published on 6 April 2012, the Local Planning Authority (LPA)

have a statutory obligation to fulfil a number of duties throughout the development of a Neighbourhood Plan which include:

- Providing technical assistance, support and guidance to the Parish Council or Neighbourhood Forum. This can include sharing evidence and information on planning issues, providing advice on national and local planning policies, assisting with consultation and facilitating communication with external partners;
- Formally publicising the proposed Neighbourhood Plan boundary and statement of suitability submitted by the Parish Council or Neighbourhood Forum. During this time, representations from interested parties can be made to the LPA in relation the boundary and / or the Group undertaking the Plan development; all of which must be considered when formally designating the boundary at the end of the statutory consultation period;
- To validate the Neighbourhood Plan before arranging an independent examination (to be undertaken by a suitably qualified individual) and neighbourhood referendum; and
- Should a simple majority vote be gained at referendum, the LPA have a statutory obligation to adopt the Neighbourhood Plan. Any implications for the Council's Budget and Policy Framework will be subject to a report and any necessary approvals from Council.

2.5 There are currently four Neighbourhood Plans being developed in Hartlepool, including:

- Hartlepool Rural Plan;
- The Headland Neighbourhood Plan;
- Wynyard Neighbourhood Plan; and
- Park Neighbourhood Plan.

3. REPORTING AND DECISION MAKING PROCEDURE: NEIGHBOURHOOD AREA AND FORUM DESIGNATION

- 3.1 Reports outlining the reporting and decision making procedure were previously taken to, and noted by Cabinet on 3 September 2012 and 18 March 2013, and Neighbourhood Services Committee on 14 October 2013.
- 3.2 As Neighbourhood Planning is a new policy introduced by Central Government through the Localism Act 2011, Officers continually monitor and evaluate the process. Given the changes to Hartlepool Borough Council's governance arrangements and the recent withdrawal of the Hartlepool Local Plan 2013, a review of the procedure in relation to the designation of neighbourhood areas and / or forums is considered timely.
- 3.3 As outlined in Part 2 of the Neighbourhood Planning Regulations (General) and Section 2.4 of this report, the LPA have a duty to publicise and complete a period of statutory consultation on the proposed Neighbourhood Plan area and qualifying body (i.e. Parish Council or Neighbourhood Forum) before

making a decision on whether or not to formally designate. Given the nature of the LPA's involvement in the Neighbourhood Planning process, and in accordance with the Council's governance arrangements, it is considered that Planning Committee is the most appropriate Committee to consider, amongst other matters, the designation of neighbourhood areas, given its general function 'relating to town and country planning'. In addition, the planning experience and knowledge of Planning Committee coupled with the extended membership of this particular Committee will also prove extremely advantageous in the decision making process.

4. RATIFICATION OF NEIGHBOURHOOD AREA DESIGNATIONS

- 4.1 In light of the proposed reporting and decision making procedure in relation to Neighbourhood Area and Forum designation, ratification of the Neighbourhood areas outlined in Sections 4.2 to 4.4 is requested.

4.2 Hartlepool Rural Plan

In May 2011, Hartlepool was successful in securing £20,000 from DCLG to develop and produce a Neighbourhood Plan for the rural area of Hartlepool as part of the Front Runner programme. Supported by the Neighbourhood Management and Planning Policy Teams, the Hartlepool Rural Plan Working Group have undertaken their first phase of consultation in Summer 2012 after securing resources from Design Council CABE and more recently a direct support package through the Supporting Communities in Neighbourhood Planning Programme which is administered by Locality in partnership with Planning Aid England. The Group anticipates that this will allow them to develop their policies ready for consultation in 2014.

The LPA publicly consulted on the Hartlepool Rural Plan Neighbourhood Plan boundary (submission attached as **Appendix A**) in October / November 2012 in line with the statutory requirements as outlined with the Neighbourhood Planning Regulations (General) adopted in April 2012. No written representations or objections were submitted to the LPA as part of this consultation process.

4.3 Headland Neighbourhood Plan

In November 2011, the Headland Parish Council approached Hartlepool Borough Council demonstrating an interest in developing a Neighbourhood Plan. Collaboratively an application was submitted to DCLG to become a Neighbourhood Planning Front Runner. Whilst not successful in securing Front Runner status, the Parish Council secured alternative support packages from The Prince's Foundation and Planning Aid as part of the Communities and Neighbourhoods in Planning programme for the initial stages of developing a Neighbourhood Plan.

The LPA publicly consulted on the Headland Neighbourhood Plan boundary (submission attached as **Appendix B**) in January / February 2013 in line with the statutory requirements as outlined within the Neighbourhood Planning Regulations (General) adopted in April 2012. No written

representations or objections were submitted to the LPA as part of this consultation process.

4.4 Wynyard Neighbourhood Plan

In May 2013, Grindon Parish Council began partnership working with Wynyard Residents Association (WRA) to develop a Neighbourhood Plan for the Wynyard area. The aspiration of both parties is to provide a joined-up approach to the planning of their area, in particular developing community facilities and appropriate housing whilst protecting the valuable characteristics and design of the neighbourhood.

Wynyard Neighbourhood Plan Working Group was set up as a sub-committee of the WRA to oversee the development of the Neighbourhood Plan for Wynyard. The proposed Wynyard Neighbourhood Area (submission attached as **Appendix C**) was consulted upon by both Hartlepool Borough Council and Stockton Borough Council as the Wynyard Neighbourhood Area incorporates parts of both Grindon (within Stockton Borough) and Elwick Parishes, (within Hartlepool Borough); the resulting Neighbourhood Area is therefore a cross-Parish and cross-Local Authority entity. No written representations or objections were submitted to the LPA as part of the consultation process that was undertaken in September / October 2013.

5. **RISK IMPLICATIONS**

- 5.1 Any consultation required throughout the Neighbourhood Planning process will be delivered in adherence with the Voluntary and Community Sector (VCS) Strategy and Statement of Community Involvement (SCI) for a statutory period of eight weeks. This accommodates the Neighbourhood Planning Regulations (General) adopted in April 2012 which stipulates a minimum six week consultation period.

6. **FINANCIAL CONSIDERATIONS**

- 6.1 Neighbourhood Plans will be subject to an independent examination and referendum; both of which the Local Authority have a duty to arrange and fund. A funding programme to support Local Authorities in meeting legislative duties in relation to Neighbourhood Planning was announced by DCLG in late 2012; this allows Local Authorities to draw down on unringfenced grant funding at three distinct phases in the Neighbourhood Plan's development. It is anticipated that this funding stream will support the statutory duties of the Local Authority; however any additional costs that may be incurred would have to be secured from elsewhere.

7. **LEGAL CONSIDERATIONS**

- 7.1 Regulations are now in force and which relate to the generality of the procedures that apply in relation to neighbourhood planning and specifically

to the holding of a referendum on proposals, following an independent examination, the subsequent report from that examination and plan proposal decisions. As outlined in Section 2.4, the Local Authority will have a duty to adopt the Neighbourhood Plan should a simple majority vote be gained at a referendum. The National Planning Policy framework indicates that 'Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan'. Further, once adopted, a neighbourhood plan's policies will 'take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict'. Any implications for the Council's Budget and Policy Framework will be subject to a report and any necessary approvals from Council.

8. STAFF CONSIDERATIONS

- 8.1 As outlined in Section 2.4, the Local Authority have a statutory obligation to provide technical assistance, support and guidance to the Parish Council or Neighbourhood Forum, formally publicise and designate the boundary, validate the Plan before organising an independent examination and referendum.

9. ASSET MANAGEMENT CONSIDERATIONS

- 9.1 There are no asset management considerations in this instance.

10. EQUALITY AND DIVERSITY CONSIDERATIONS

- 10.1 Equality and diversity will be considered through the associated consultation frameworks, and an Equality Impact Assessment (EIA) will be completed prior to the statutory consultation period on the first draft of the Neighbourhood Plans.

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

- 11.1 There are no Section 17 implications in this instance.

12. RECOMMENDATIONS

- 12.1 Planning Committee is requested to endorse the following:
- The reporting and decision making process in relation to the designation of Neighbourhood Plan areas and Forums;
 - Designation of Hartlepool Rural Plan Neighbourhood Area,
 - Designation of Headland Neighbourhood Plan Area; and
 - Designation of Wynyard Neighbourhood Plan Area.

13. REASONS FOR RECOMMENDATIONS

- 13.1 Hartlepool Borough Council is implementing Neighbourhood Planning Policy in line with the Localism Act 2011.

14. BACKGROUND PAPERS

- 14.1 Cabinet (9 January 2012) – Review of Community Involvement and Engagement (including LSP Review).
- 14.2 Cabinet (3 September 2012) – Neighbourhood Planning (Reporting and Decision Making Procedure).
- 14.3 Cabinet (18 March 2013) – Neighbourhood Planning (Update).
- 14.4 Neighbourhood Services Committee (14 October 2013) – Neighbourhood Planning.
- 14.5 <http://www.hartlepool.gov.uk/neighbourhoodplanning>

15. CONTACT OFFICER

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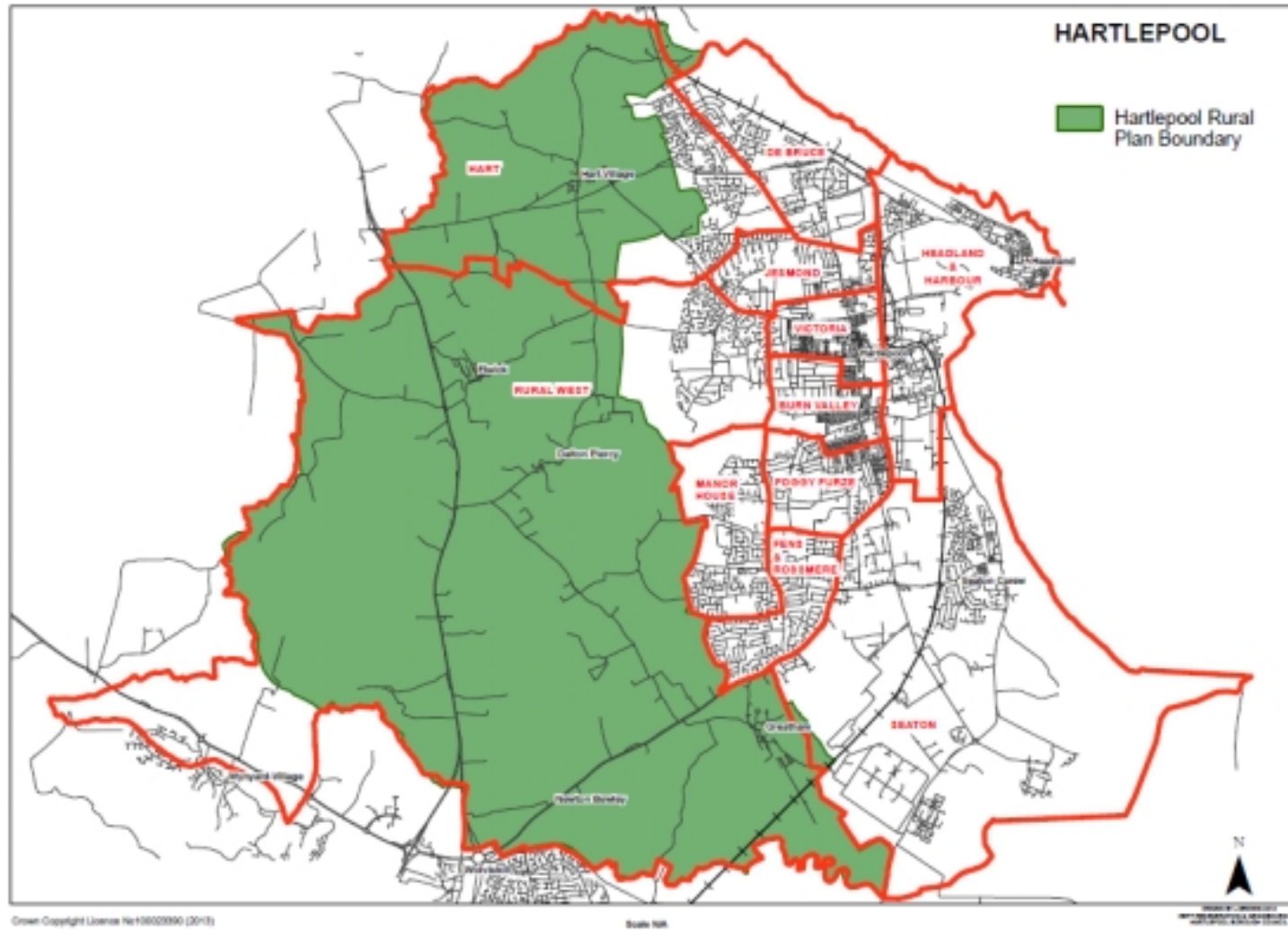
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APPENDIX A

Hartlepool Rural Plan Neighbourhood Area Submission



HARTLEPOOL RURAL PLAN

Neighbourhood Planning is central to the Coalition Government's Localism Act 2011 and in May 2011, Hartlepool was successful in securing resources to develop and produce a Development Plan Document (DPD) for the rural area of Hartlepool. The 10 year land use and development framework will become part of the formal planning process and must be in general conformity with national planning policy and the Local Authority's Development Plan (currently the Hartlepool Local Plan 2006).

HARTLEPOOL RURAL PLAN WORKING GROUP

The Hartlepool Rural Plan Working Group represents the communities living within the proposed Hartlepool Rural Plan area; this encompasses the five Parishes of Dalton Piercy, Elwick, Greatham, Hart and Newton Bewley, with the addition of Greatham Creek and Queens Meadow Wildlife Site, and the exclusion of the urban areas of South Fens, Wynyard and Kingfisher Close.

The five Parishes are long standing and are well established in serving their local communities. They have previously collaborated on projects focussing on rural issues (for example the Parishes' commitment to the Hartlepool Rural Forum, and more recently, responding to the Ward Boundary Commission's Electoral Review) and have a clear sense of community identity and interest.

The Parishes have historically had aspirations to produce a Neighbourhood Plan, and in May 2011, were successful through the Third Wave of the Neighbourhood Planning Front Runners Scheme in securing £20,000 from the Department of Communities and Local Government (DCLG) to develop a Development Plan Document (DPD). The rural community anticipate that the production of a Rural Plan will provide an opportunity to influence how their neighbourhood is developed in the future.

The Working Group has commenced the process by undertaking a baselining exercise in order to identify community assets, but also to gather statistical information and local knowledge about the issues currently affecting the rural area. The development of the Plan will be subject to a widespread and robust consultation process (Phase 1 of which has commenced), in which the views and involvement of the wider community will be sought.

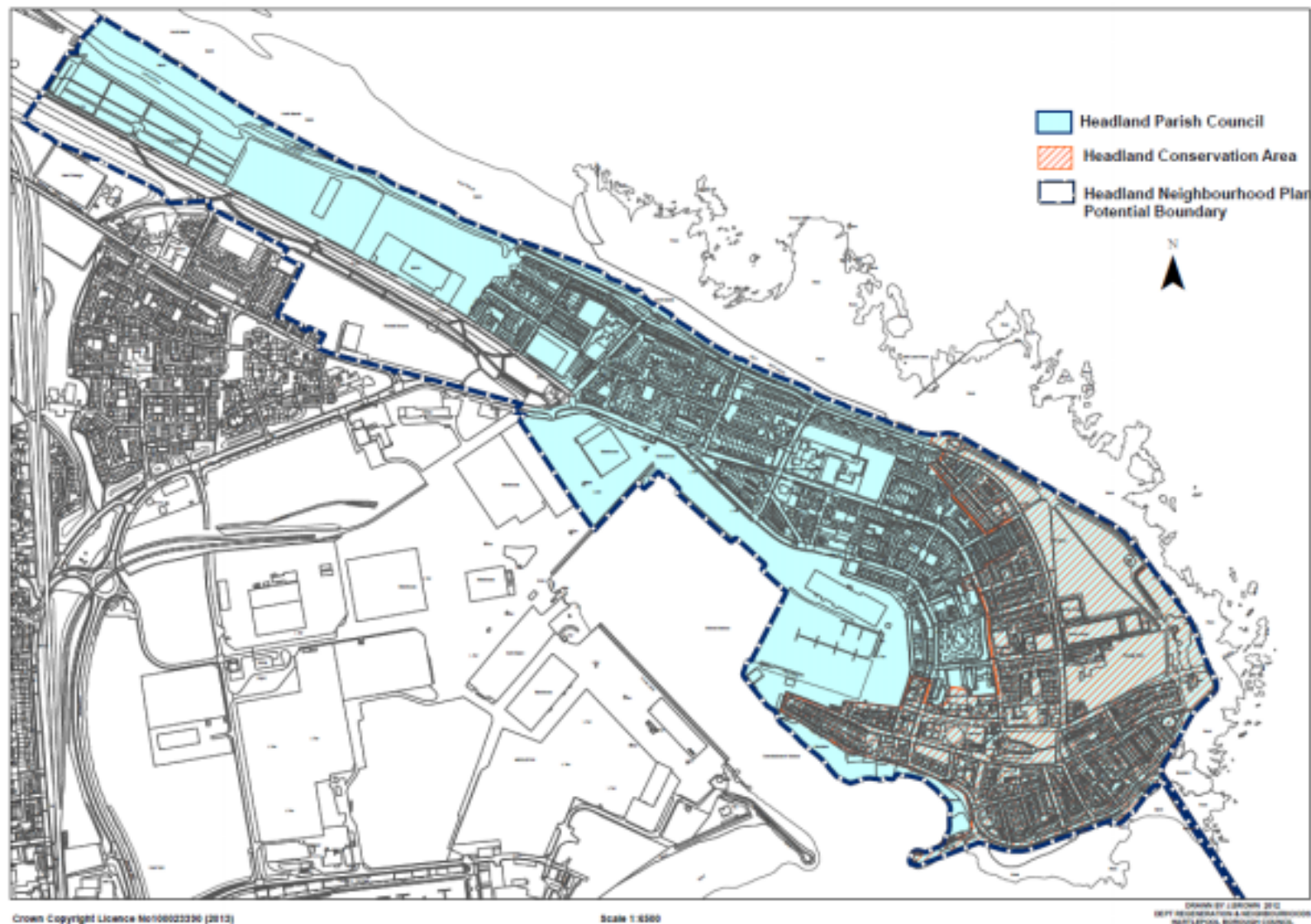
The Local Authority has previously outlined their support for the designation of the boundary detailed above; a provisional consultation exercise was conducted between January and March 2012 (prior to the formal adoption of the Neighbourhood Planning – General Regulations on 6 April 2012) after which, the LA provisionally designated the Rural Plan boundary. It is now intended to re-submit the Rural Plan boundary post adoption of the Regulations in order to formally designate the boundary.

The Group's Terms of Reference ensures that membership is open to two representatives from each of the rural Parishes including: Hart, Dalton, Elwick, Greatham and Newton Bewley, with a minimum of five members and representation from three Parishes required to achieve Quorum (the number of members of a group required to be present to transact business or make decisions formally). Strong working links have been made with Officers within Hartlepool Borough Council's Planning Policy, Regeneration and Neighbourhood Management Teams, and Tees Valley Rural Community Council (TVRCC).

Parish Councillor Chris Banks
Chair, Hartlepool Rural Plan Working Group
6 The Green, Elwick, Hartlepool, TS27 3ED.

APPENDIX B

Headland Neighbourhood Plan Area Submission



THE HEADLAND NEIGHBOURHOOD PLAN

Neighbourhood Planning is central to the Coalition Government's Localism Act 2011. Following interest from the Headland Parish Council, Hartlepool was successful in securing resources to develop and produce a Neighbourhood Plan for the Headland area of Hartlepool. The 10 year land use and development framework will become part of the formal planning process and must be in general conformity with national planning policy and the Local Authority's Development Plan (currently the Hartlepool Local Plan 2006).

HEADLAND NEIGHBOURHOOD PLAN WORKING GROUP

The Headland Neighbourhood Plan Working Group represents the communities living within the proposed Headland Neighbourhood Plan area; this encompasses the Headland Parish with the addition of Central Park. This green space is adjacent to the entrance to the Headland, and encompasses land prioritised through the imminent Green Infrastructure Strategy.

The Headland Parish Council has been established since 2004 (prior to this, it was a Town Council which came into being in 1999), is well served and has a historical understanding of this unique community and the issues that affect the area.

The Parish Council has had aspirations to produce a Neighbourhood Plan for some time, and believe it will provide them with an opportunity to influence how their neighbourhood is developed in the future. In November 2011, The Headland Parish Council in conjunction with Hartlepool Borough Council applied to the Department of Communities and Local Government (DCLG) to become a Neighbourhood Planning Front Runner; whilst not successful in securing Front Runner status, the Parish Council have since secured a support package from the Prince's Foundation as part of the 'Communities and Neighbourhoods in Planning' programme for the initial stages of developing a Neighbourhood Plan.

A data collection exercise was undertaken by The Headland Parish Council in order to prepare the Front Runner application. The Headland Neighbourhood Plan Working Group is about to build on this with a scoping and development day facilitated by the Prince's Foundation. This will include a 'walk-about' in order to identify community assets, as well as a baselining exercise to gather statistical information and local knowledge about the issues currently affecting the Headland Neighbourhood Plan area. This will form the basis of information to structure a Community Planning Workshop to instigate the neighbourhood planning process for the Headland. The development of the Plan will be subject to a widespread and robust consultation process (Phase 1 will commence in January / February as part of the Prince's Foundation support), in which the views and involvement of the wider community will be sought.

The Headland Neighbourhood Plan Working Group is a sub-committee of the Parish Council consisting of representatives from the Parish Council, local organisations, churches, schools and any groups in the Headland and Central Park area who are committed to the development of the Plan. The Group has its own Terms of Reference and strong working links have been made with Officers within Hartlepool Borough Council's Neighbourhood Management and Planning Policy Teams.

Parish Councillor Jim Ainslie

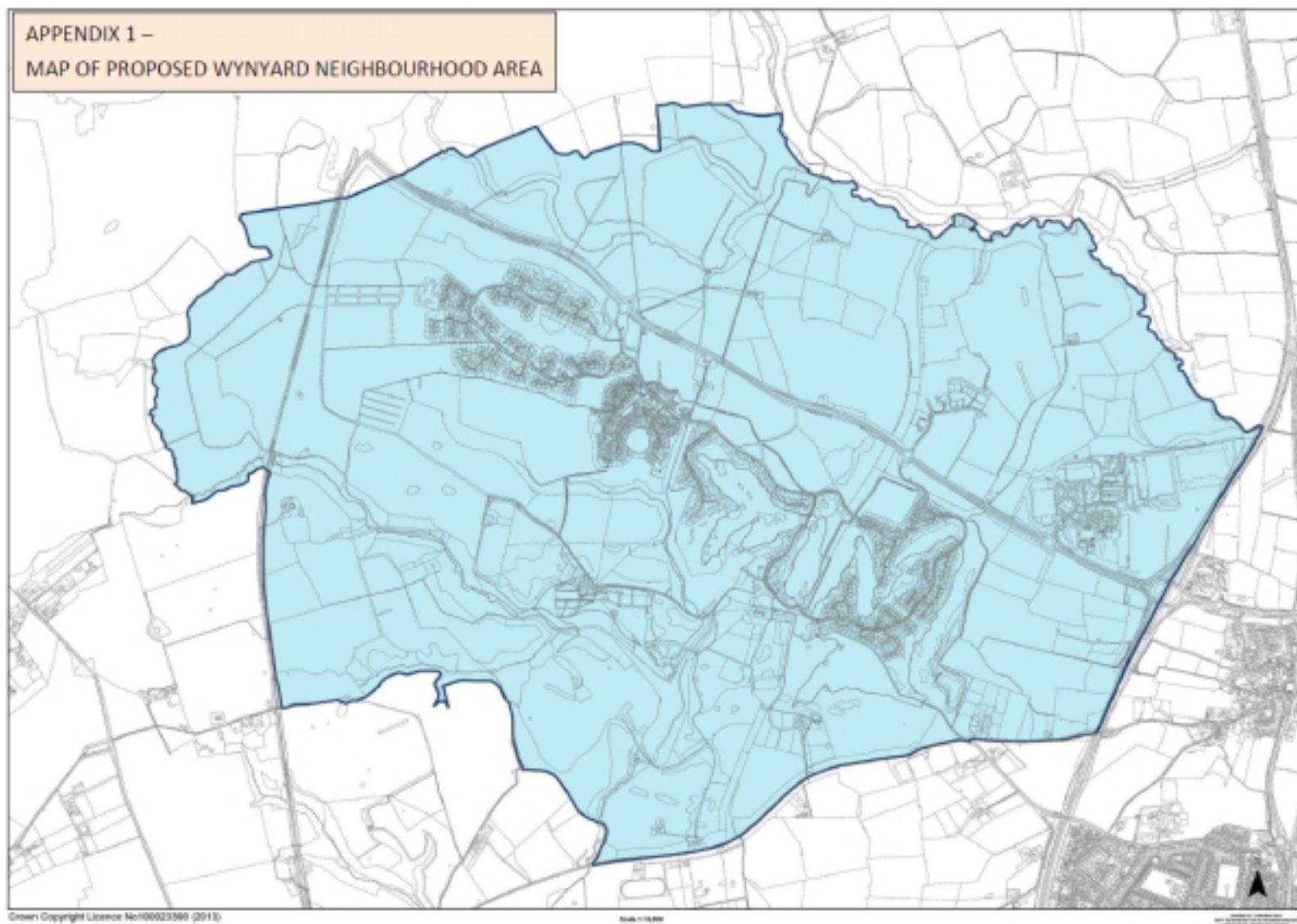
Chair, Headland Neighbourhood Plan Working Group

c/o Headland Parish Council

Borough Buildings, Middlegate,

The Headland, Hartlepool, TS24 0JD.

Wynyard Neighbourhood Plan Area Submission



APPENDIX 2A

STATEMENT IN SUPPORT OF APPLICATION
FOR DESIGNATION OF WYNYARD NEIGHBOURHOOD AREABackground

Neighbourhood planning is central to the Coalition Government's Localism Act 2011. Grindon Parish Council has a long standing history in serving their local community and has also previously collaborated with the neighbouring Elwick Parish Council on projects.

In May 2013, Grindon Parish Council began partnership working with Wynyard Residents Association (WRA). The WRA was established in 2012 to represent the interests of the Wynyard community and is a fully constituted body. The Wynyard community have strong aspirations to develop a Neighbourhood Plan to provide a joined-up approach to the planning of their area, in particular to develop community facilities and appropriate housing whilst protecting the valuable characteristics and design of the neighbourhood.

It was decided that a sub-committee of the WRA needed to be set up as a working group to oversee the development of the Neighbourhood Plan for Wynyard.

This submission of the proposed Wynyard Neighbourhood Area for designation represents the first formal step in this process.

The Wynyard Neighbourhood Area incorporates parts of both Grindon Parish (within Stockton Borough) and Elwick Parish, (within Hartlepool Borough). The resulting Neighbourhood Area is therefore is a cross-Parish and cross-Local Authority entity.

The Wynyard Neighbourhood Area – appropriateness for designation¹

The proposed Neighbourhood Area for Wynyard encompasses a distinct community bounded by Greenfield land and situated between two conurbations (Stockton and Hartlepool). The area consists of 900 houses in a semi-rural setting known as Wynyard Woods, together with a commercial/industrial area to the north known as Wynyard Park. The Neighbourhood Area covers these two distinct parts of Wynyard.

An explanatory map and key has been included as part of this application in Appendix 3A and 3B respectively. These help clarify the extent of the proposed Neighbourhood Area in the context of both Grindon & Elwick Parishes and the Borough boundaries.

The boundaries of the Neighbourhood Area have been specifically chosen to follow strong physical features (roads, walkways, woodland edges) or Parish/Local Authority boundaries. These firmly demarcate and encompass the Wynyard Neighbourhood Area, which is a robust and logical entity for the purposes of neighbourhood planning. There are no areas of overlap with other Neighbourhood Areas.

¹ Statement in fulfillment of Regulation 5(3)(b) (Part 2) of The Neighbourhood Planning (General) Regulations 2012

*Application for Designation of Wynyard Neighbourhood Area*Grindon Parish Council - Relevant Body status²

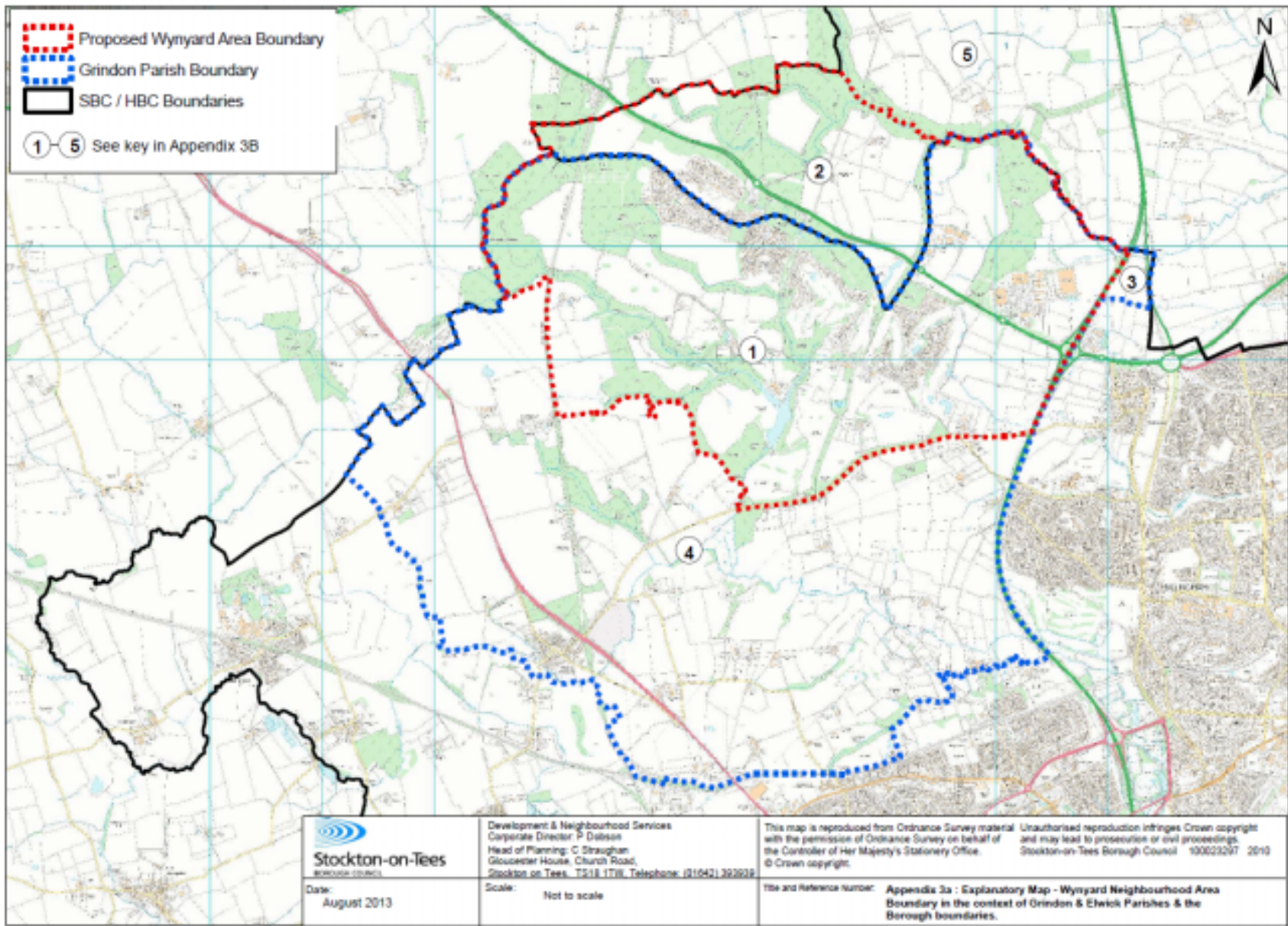
Grindon Parish Council is a Relevant Body within the terms of Section 61G(2)(a) of the Act.

The development of the Wynyard Neighbourhood Plan has the full support of Elwick Parish Council, which has confirmed in writing that they are happy for Grindon Parish Council to act as the lead body in this task in partnership with the WRA (see Appendix 2B).

As a sub-committee of the WRA, the Wynyard Neighbourhood Plan Working Group represents the community living within the Wynyard Neighbourhood Area. It consists of local residents, representatives from Grindon Parish Council, Elwick Parish Council and local organisations, all committed to working in partnership with businesses and landowners to influence how the Wynyard Neighbourhood Area develops into the future.

The Group has developed its own Terms of Reference and strong working links have been made with Officers within Hartlepool Borough Council and Stockton Borough Council Planning Policy teams.

² Statement in fulfilment of Regulation 5(1)(c) (Part 2) of The Neighbourhood Planning (General) Regulations 2012



4.5 Planning 18.12.13 Neighbourhood planning neighbour hood area and forum designation

APPENDIX 3B – Key to Explanatory Map (Appendix 3A)

Wynyard Neighbourhood Area in the context of Grindon & Elwick Parishes and the Borough boundaries

Area		Explanation of boundary/area
Areas of Grindon and Elwick <u>included</u> within Wynyard Neighbourhood Area:		
Area 1	Grindon Parish – northern section (Stockton BC)	<ul style="list-style-type: none"> • Eastern boundary follows Parish boundary (A19), with the exception of Area 3 below • Southern boundary follows Wynyard Road from A19 westwards, before turning northwards to follow the edge of woodland beginning to the east of Stockton Quarry and continuing along the woodland edge until joining the alignment of a right of way running due west to meet the Castle Eden Walkway • Western boundary then follows the alignment of the Castle Eden Walkway northwards till it meets the edge of Brierley Wood. Boundary then follows the edge of the woodland westwards before meeting with and following the Parish boundary. • Upon reaching the Borough boundary, it continues to incorporate Area 2, described below
Area 2	Elwick Parish – southern section (Hartlepool BC)	<ul style="list-style-type: none"> • Area covered is the balance of Elwick Parish falling outside the portion designated as part of the Hartlepool Rural Plan (Area 5 below) • North-eastern boundary is coterminous with the Hartlepool Rural Plan boundary • Northern boundary is coterminous with Hartlepool Borough boundary
Areas of Grindon and Elwick <u>excluded</u> from Wynyard Neighbourhood Area:		
Area 3	Grindon Parish – small section east of A19	<ul style="list-style-type: none"> • Not a logical part of Wynyard Neighbourhood Area as it is physically cut off by the A19. The area is also the potential location of road infrastructure to serve future development west of the A19 at North Burn (Hartlepool Borough)
Area 4	Grindon Parish – southern section	<ul style="list-style-type: none"> • Not a logical part of Wynyard Neighbourhood Area as it has its own separate identity based around the settlement of Thorpe Thewles
Area 5	Elwick Parish – northern section	<ul style="list-style-type: none"> • Not a logical part of Wynyard Neighbourhood Area and is already part of another designated Neighbourhood Area (the Hartlepool Rural Plan Area)