Hartlepool
Borough Council

Planning Committee

Agenda

Wednesday 18th February 2026

Time: 10:00 am

Location: Council Chamber

Members: Planning Committee

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

---

1. Apologies for absence

2. To receive any declarations of interest by members

3. Minutes

3.1 To confirm the minutes of the meeting held on 21st January 2026.

4. Items Requiring Decision

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

1. H/2020/0387 Land at Quarry Farm, Elwick Road (page 1)
2. H/2025/0256 14 Elm Grove (page 91)
3. H/2025/0237 1 Haswell Avenue (page 123)

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

4. H/2022/171 Southbrooke Farm, Summerhill Lane (page 139)

5. Items for Information

5.1 Update on Enforcement Actions – *Director of Neighbourhood and Regulatory Services*

5.2 Planning Appeal at Kildale Grove – *Director of Neighbourhood and Regulatory Services*

5.3 Planning Appeal at Alvin House, 9 South End – *Director of Neighbourhood and Regulatory Services*

5.4 Planning Appeal at Gladstone House, 46 Victoria Road – *Director of Neighbourhood and Regulatory Services*

6. Any other business which the chair considers urgent

7. For information

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

Any site visits approved by the Committee at this meeting will take place on the morning of the Next Scheduled Meeting on 18 March 2026

Date of next meeting – Wednesday 18 March 2026 at 10.00am in the Civic Centre, Hartlepool.

PLANNING COMMITTEE

MINUTES AND DECISION RECORD

21st January 2026

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

Present:

Councillor Moss Boddy (In the Chair)

Councillors: Matthew Dodds, Tom Feeney, Michael Jorgeson, Sue Little, Amanda Napper, Karen Oliver, Aaron Roy (VC), Carole Thompson.

Officers: Kieran Bostock, Director of Neighbourhood and Regulatory Services
Zoe Craig, Environmental Health Manager (Environmental Protection)
Jim Ferguson, Planning and Development Manager
Umi Filby, Principal Property, Planning, Commercial Solicitor
Peter Frost, Highways Infrastructure Manager
Daniel James, Planning (DM) Team Leader
Scott Parkes, Consultancy Manager
Richard Redford, Senior Planning Officer (Development Management)
Stephanie Bell, Senior Planning Officer
Kieran Campbell, Senior Planning Officer
Scott Watson, Arboricultural Officer
Helen Smith, Planning Policy Team Leader
Claire Mcpartlin, Democratic Services Officer

51. Apologies for Absence

Councillors Quewone Bailey-Fleet and Martin Dunbar.

52. Declarations of interest by members

None.

53. Confirmation of the minutes of the meeting held on 10th December 2025

Confirmed.

54. Planning Applications (*Director of Neighbourhood and Regulatory Services*)

Number:	H/2025/0200
Applicant:	C/O LICHFIELDS
Agent:	LICHFIELD MR JOSH WOOLLARD THE ST NICHOLAS BUILDING ST NICHOLAS STREET NEWCASTLE UPON TYNE
Date received:	09/06/2025
Development:	Section 73 application vary the wording of conditio (highway works) pursuant to planning permission H/2022/0181 (Outline planning application for the e up to 1200no. dwellings with associated parking, landscaping and infrastructure with all matters rese except access) to amend the trigger for implement the highway works to the A689 / Hanzard Drive / T Wynyard Junction to the 601st dwelling.
Location:	LAND NORTH OF A689 WYNYARD PARK ESTATE WYNYARD WOODS WYNYARD

This application had been deferred from the Planning Committee of 10th December 2025. This was to allow Members to undertake a site visit to gain clarity on the issues which had been raised in relation to highways. The report was presented in full so that all Members present could participate in the discussion and voting.

The Senior Planning Officer (Development Management) outlined the application and provided updated wording for condition 30. It was proposed to increase occupancy from 400 to 600 dwellings prior to works being completed. Stockton Borough Council objected to the application. A response to Stockton Borough Council's objections from the agent was tabled for Members. It was the officer recommendation to approve the application subject to planning conditions set out in the report.

A representative of the applicant was in attendance at the meeting and addressed the Committee. The representative advised there were no highway related reasons why the proposed changes were unacceptable. There had been no objections from National Highways or Hartlepool Borough Council. A concern from residents had been in relation to the spine road, however, the applicant had worked closely with officers and projected a completion date of October 2027.

An objector was in attendance at the meeting on behalf of Wynyard Parish Council and addressed the Committee. Following the additional information provided by the applicant, the objections against this application were removed. The objector raised a separate concern around the imperative need for a safe crossing on the A689 on the subject roundabout (in Stockton).

Following a question from a Member, the applicant's representative advised the number of dwellings had increased on the site following to accommodate the delivery of a currently submitted reserved matters application (Taylor Wimpey) on the site and was supported by highways modelling.

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

The application was approved by majority vote.

Members agreed that the Chair would write to Stockton Borough Council on behalf of the Planning Committee to encourage them to deliver the traffic control measures/crossing on the A689 to provide the best outcome for residents within the area.

Decision: Variation Approved

CONDITIONS AND REASONS

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

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

3. Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in general conformity with the following approved plans.
Drawing No. SD-00.00C (OS Location Plan)
Drawing No. 1595-WYN-SD-10.01 REVF Illustrative Masterplan(A)
1595-WYN-SD-10.02 REVF Illustrative Masterplan SCHEDULE(A)
1595-WYN-SD-20.01C Land Use
Drawing No 1595-WYN-SD-20.02C Building Heights
Drawing No 1595-WYN-SD-20.03C Connectivity
Drawing No. 1595-WYN-SD-20.04C Green Infrastructure
To ensure that the development as carried out does not vary from the approved plans.

4. The permission hereby granted shall permit the phased development of the site and unless otherwise indicated all other conditions shall be construed accordingly. Prior to or alongside the submission of the first """"reserved matters""""" application, a Phasing Plan/Programme shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan/Programme shall identify the phasing of all development, infrastructure, landscaping, the means of access/pathways/cycleways, enclosures and gates, and public and amenity open space of the development hereby approved. Thereafter the development shall be undertaken in accordance with the Phasing Plan/Programme so approved unless some variation is otherwise agreed in writing by the Local Planning Authority.
To ensure the co-ordinated progression of the development and the provision of the relevant infrastructure and services to each individual phase.

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

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

7. No construction/building/demolition works or deliveries shall be carried out except between the hours of 8.00am and 18.00

Mondays to Fridays and between 9.00am and 13.00 on Saturdays. There shall be no construction activity including demolition on Sundays or Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.
To ensure that the development does not adversely affect neighbours living conditions.

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

9. Prior to works pertaining to foul water drainage in any phase, a detailed scheme for the disposal of foul water for that phase of the development shall be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter, the development shall take place in accordance with the approved details.
In order to ensure satisfactory drainage.

10. Prior to the commencement of each phase of development, a Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The CEMP shall include the routing of all HGVs movements associated with the construction phase, effective dust emission controls from the site remediation and construction works which includes earth moving activities, the control and treatment of stock piles, details and location of parking for use during construction, measures to protect any

existing footpaths and verges from vehicle movements, and wheel cleansing measures to reduce mud on highways, road sheeting of vehicles, offsite dust/odour monitoring and communication with local residents. The CEMP shall also set out a minimum site specific measures to control and monitor impacts in relation to construction traffic, noise, vibration, dust and air pollution, land contamination, disturbance to ecology and ground water. Thereafter, the development of each phase shall be carried out in accordance with the approved CEMP.
To ensure that the agreed measures are in place in the interests of the amenities of the area.

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

12. All planting, seeing or turfing comprises in the approved details of any landscaping of that phase shall be carried out in accordance with the approved programme of works for implementation. Any trees, plants or shrubs within a phase which within a period of 5 years from the date of the completion of that phase die are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity and biodiversity enhancement.

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

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

treatment based on risk management objectives. Works shall not resume on that phase until the measures approved in the remediation have been carried out in full.
To ensure any contamination is appropriately dealt with.

15. No development of the phase or phases shall take place until plans of that phase of development showing the existing and proposed ground levels and levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Thereafter, that phase shall not be carried out other than in accordance with the approved details.
To ensure that the work is carried out at suitable levels in relation to adjoining properties and highways having regard to amenity, access, highway and drainage requirements.

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

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

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

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

Authority. Thereafter, the development of that phase shall be carried out in accordance with the approved details.
In the interests of sustainability.

20. Notwithstanding the submitted details none of the dwellings hereby permitted in that phase shall be first occupied until details of a vehicle charging point for each dwelling has been submitted to and approved in writing by the Local Planning Authority. The vehicle charging points shall be installed and available to use prior to first occupation of the dwelling.
In the interests of sustainability.

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

22. This condition has been deleted.

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

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

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

Standards (or any subsequent update or replacement for that document).
To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity.

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

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

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

29. This condition has been deleted.

30. No more than 600 dwellings shall be occupied until a scheme of highway mitigation works to the A689 / Hanzard Drive / The Wynd junction based upon the Stockton-on-Tees Borough Council drawing reference A10958-03-04 has been implemented to the satisfaction of the Local Planning Authority (Hartlepool Borough Council) and is open to traffic.
In the interests of highway safety.

31. Prior to first occupation of any dwelling hereby approved, the highway improvement scheme at the A19/A689 Wolviston junction, shown in principle on Drawing number 276864-ARP-ZZ-XX DR-CH - 0101 & Drawing Number 276864- ARP-ZZ-XX-DR-CH- 0102,) shall be commenced.
In the interests of highway safety.

32. Construction of no part of the development hereby approved shall commence unless and until a Construction Traffic Management Plan (CTMP) has been submitted to and agreed in writing by the Local Planning Authority (in consultation with National Highways or its successors). Construction of the development shall thereafter be carried out in accordance with the agreed Construction Traffic Management Plan.
To ensure that the A19 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, and in the interests of road safety.
33. Prior to first occupation of any of the dwellings within a particular phase a site waste audit shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the site waste audit and maintained thereafter.
In the interests of ensuring waste is appropriately dealt with.

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

Members considered representations in respect to this item.

Number: H/2023/0370

Applicant: PERSIMMON HOMES TEESSIDE RADCLIFFE CRESCENT THORNABY STOCKTON ON TEES

Agent: PERSIMMON HOMES TEESSIDE MR RICHARD HOLLAND RADCLIFFE CRESCENT THORNABY STOCKON ON TEES

Date received: 07/11/2023

Development: Section 73a application for amendments to H/2020/0261 (Section 73 application for amendments to planning permission H/2018/0493 (reserved matters) for the erection of 373 No. dwellings pursuant to H/2013/0573 (sites A and B)) to vary condition 1 (approved plans) in respect of an amendment to detailed landscape proposals to reflect the implemented soft landscaping on site.

Location: FORMER BRITMAG LTD OLD CEMETERY ROAD HARTLEPOOL

This application had been deferred from the Planning Committee of 28th May 2025. This was to allow Members to undertake a site visit. The application was then deferred from the Planning Committee of 25th June 2025 to allow the developer to consider increasing the proposed landscaping across the site. The report was presented in full, due to the passage of time and so that all Members present could participate in the discussion and voting.

The Senior Planning Officer outlined the application. There was now an increase from 181 trees to some 212 trees (across phases 1,2 & 3) which represented an overall increase of 17% across the three-phase development. It was the officer recommendation to approve the application subject to planning conditions set out in the report.

A Member thanked officers for their hard work in relation to this application.

A representative of the applicant was in attendance at the meeting and addressed the Committee. The applicant did not have direct access to a large portion of the development in which increased landscaping works had been proposed as the properties were occupied. Consultation had taken place with residents around the proposed amendments.

Following a question from a Member, the representative confirmed the original landscaper was no longer employed by Persimmon. A new landscaper was in place to undertake this work moving forward.

A Member thanked the Arboricultural Officer for their hard work in relation to this application.

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

The application was unanimously approved.

Councillor Roy arrived part way through the presentation of this application and did not participate in the discussion or voting.

Decision: Variation Approved

CONDITIONS AND REASONS

1. The development hereby permitted shall be carried out in accordance with the plans and details:

   Dwg. No. BM-HF-01, Highway Features,
   Drainage Strategy at Britmag Hartlepool September 2014, prepared by Persimmon Homes (Teesside) Limited, received by the Local Planning Authority on 7th October 2014;

   Dwg. No. SGD-01 Plans & Elevations (Single/Double Garage),
   Dwg. No. SGD-02 Plans & Elevations (Triple Garage),
   Dwg. No. SGD-03 Plans & Elevations (Quad Garage),
   Dwg. No. SGD-03 Plans & Elevations (Garages 6 Block), received by the Local Planning Authority on 28th November 2014;

   Dwg. No. C969407-Y001S12 Rev A,
   Dwg. No. MPT-GF-WD01 Rev C Plans & Elevations (Greyfriars),
   Dwg. No. MPT-MS-WD01 Rev E Plans & Elevations (Moseley),
   Dwg. No. MPT-MD-WD01 Rev D Plans & Elevations (Morden),
   Dwg. No. MPT-HB-WD01 Rev B Plans & Elevations (Hanbury),
   Dwg. No. MPT-AN-WD01 Rev B Plans & Elevations (Alnwick),
   Dwg. No. MPT-CCA-WD01 Rev B Plans & Elevations (Clayton Corner),
   Dwg. No. MPT-CD-WD01 Rev B Plans & Elevations (Chedworth),
   Dwg. No. MPT-CDF-WD01 Rev B Plans & Elevations (Chedworth Front Balcony),
   Dwg. No. MPT-CDR-WD01 Rev D Plans & Elevations (Chedworth Rear Balcony),
   Dwg. No. MPT-HT-WD01 Rev B Plans & Elevations (Hatfield),
   Dwg. No. MPT-RF-WD01 Rev B Plans & Elevations (Rufford),
   Dwg. No. MPT-RFF-WD01 Rev B Plans & Elevations (Rufford Front Balcony),
   Dwg. No. MPT-RFR-WD01 Rev D Plans & Elevations (Rufford Rear Balcony),
   Dwg. No. MPT-WS-WD01 Rev C Plans & Elevations (Winster),

Dwg. No. MPT-WSR-WD01 Rev D Plans & Elevations (Winster Rear Balcony),
Dwg. No. MPT-RS-WD01 Rev B Plans & Elevations (Roseberry),
Dwg. No. MPT-RSF-WD01 Rev B Plans & Elevations (Roseberry Front Balcony),
Dwg. No. MPT-RSR-WD01 Rev D Plans & Elevations (Roseberry Rear Balcony),
Dwg. No. MPT-SU-WD01 Rev D Balcony) Rev D Plans & Elevations (Souter),
received by the Local Planning Authority on the 5th December 2018;

Dwg. No. AD-WD-01 Plans & Elevations (Ashdown),
Dwg. No. AM-WD-01 Rev B Plans & Elevations (Alnmouth),
Dwg. No. BH-WD-01 Rev D Plans & Elevations (Burnham),
Dwg. No. CWC-WD-01 Rev D Plans & Elevations (Charnwood Corner),
Dwg. No. CW-WD-01 Rev D Plans & Elevations (Charnwood),
Dwg. No. DM-WD-01 Rev D Plans & Elevations (Delamare),
Dwg. No. DY-WD-01 Rev D Plans & Elevations (Danbury),
Dwg. No. GW-WD-01 Rev E Plans & Elevations (Greenwood),
Dwg. No. MS-WD-01 Rev C Plans & Elevations (Marston),
Dwg. No. SN-WD-01 Rev G Plans & Elevations (Saunton),
Dwg. No. SW-WD-01 Rev C Plans & Elevations (Sherwood),
Dwg. No. WF-WD-01 Rev C Plans & Elevations (Whinfell),
Dwg. No. WL-WD-01 Rev E Plans & Elevations (Whiteleaf),
received by the Local Planning Authority on 2nd October 2020;

Dwg. No. HPL-MPT-MAS-000 Rev Y-STP (Phase Master Plan),
Dwg. No. HPL-MPT-001 Rev Y-STP Phase 1 (Master Plan Overides),
Dwg. No. HPL-MPT-002 Rev Y-STP Phase 2 (Master Plan Overides),
Dwg. No. HPL-MPT-003 Rev Y-STP Phase 3 (Master Plan Overides),
Dwg. No. HPL-MPT-000 Rev Y STP Location Plan,
Dwg. No. SR1732/FE03-1 Rev E Drainage Feasibility (1 of 2),
Dwg. No. SR1732/FE03-2 Rev E Drainage Feasibility (2 of 2),
received by the Local Planning Authority on 5th March 2021;

Dwg. No. HPL-MPT-LOC-001 Rev A (Location Plan Phase 1
Dwg. No. HPL-MPT-LOC-002 Rev A (Location Plan Phase 2),
received by the Local Planning Authority on 4th September 2024;

Dwg. No. HPL-MPT-LOC-003 Rev B (Location Plan Phase 3),
received by the Local Planning Authority on 2nd December 2024.

Dwg. No. 169250/8010 Rev C (Phase 3 - Landscape Softworks Sheet 1 of 3),
Dwg. No. 169250/8011 Rev C (Phase 3 - Landscape Softworks Sheet 2 of 3),
Dwg. No. 169250/8012 Rev C (Phase 3 - Landscape Softworks Sheet 3 of 3),
Dwg. No. 169250/8001 Rev D (Phase 1 and 2 - Landscape Softworks Sheet 1 of 3),
Dwg. No. 169250/8002 Rev D (Phase 1 and 2 - Landscape Softworks Sheet 2 of 3),
Dwg. No. 169250/8003 Rev D (Phase 1 and 2 - Landscape Softworks Sheet 3 of 3),
received by the Local Planning Authority on 3rd December 2025
For the avoidance of doubt.

2. This approval relates solely to this Section 73A application for the variation of condition 1 (approved plans) of planning permission H/2020/0261 (decision dated 30th April 2020) to allow for amendments to the approved landscaping (as described in the application forms and approved plans). The other conditions attached to the original permission (H/2014/0470) and conditions attached to (H/2020/0261) shall continue to apply to this permission and shall be complied with. For the avoidance of doubt.

3. All planting, seeding or turfing comprising the approved details of landscaping (thereafter referred to as the Approved Landscaping Scheme and as contained within the approved landscaping plans and details date received by the Local Planning Authority 3rd December 2025 and as set out within condition 1 of this decision notice) shall be carried out for all phases of the site (including areas of open space and the planting within the identified residential plots) before the end of the next planting season (taken to be 01/10/2026 - 31/03/2027). Any trees, plants or shrubs which within a period of 5 years of being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of the amenities of the area and to ensure a satisfactory form of development.

4. Notwithstanding the submitted details and within one month from the date of this decision notice, a detailed scheme for the maintenance and management of the Approved Landscaping Scheme (as referred to in condition 3 of this decision notice) shall be submitted in writing to the Local Planning Authority for its approval. Thereafter, and following the written approval of the Local Planning Authority, the Approved Landscaping Scheme (once implemented as per the required timescale of condition 3)

shall be maintained and managed in accordance with the approved maintenance and management plan for the lifetime of the development hereby approved.
In the interests of the amenities of the area and to ensure a satisfactory form of development.

Members considered representations in respect to this item.

Number: H/2024/0174

Applicant: MR RICK BRIGHT PEAR TREE COTTAGE DOVASTON OSWESTRY

Agent: MR RICK BRIGHT BRIGHT & ASSOCIATES PEAR TREE COTTAGE DOVASTON OSWESTRY

Date received: 23/07/2024

Development: Proposed change of access site (part retrospective) and incorporation of temporary access road, site infrastructure and integrated mitigation measures to allow for completion of the consented landfill operations

Location: SEATON MEADOWS LANDFILL SITE BRENDA ROAD HARTLEPOOL

The Senior Planning Officer outlined the application. It was the officer recommendation to approve subject to planning conditions detailed within the report.

The applicant was in attendance at the meeting and addressed the Committee. The landfill site was required to be completed by December 2027. The new access road would enable completion ahead of schedule. The temporary road and infrastructure would be removed at the end of the period and restored in line with planning conditions. The site was regulated by the Environment Agency who undertook regular site reports.

In response to a question from a Member around leachates, the applicant advised this was a separate issue which related to the landfill itself and was regulated by the Environment Agency through the permit. This application was in relation to the access road only which generated surface water run off (not leachate) appropriate surface water and drainage management would be in place.

A Member queried that the access road would expedite the end of the site but would not increase the amount of waste coming onto the site. The applicant confirmed this.

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

The application was unanimously approved.

Decision: Planning Permission Approved

CONDITIONS AND REASONS

1. This permission solely relates to the provision of the access road and associated infrastructure and it does not authorise any deviation in respect to the use of part of the site/adjacent site as a landfill and its subsequent restoration as governed by planning permission H/2010/0496.
   To be consistent with the related planning permission for the landfill H/2010/0496.

2. The use of the access road hereby approved for the purposes to facilitate landfilling of waste shall cease on 31.12.2027 and it shall only be used thereafter for the restoration of the site/adjacent site in accordance with planning permission H/2010/0496. The access road and associated infrastructure shall be removed from the site it its entirety, in accordance with a scheme of work (and timetable) to be first submitted in writing to the Local Planning Authority by 30.06.2027 for its approval. Thereafter, and following the written approval of the Local Planning Authority, the development hereby approved shall be carried out in accordance with the agreed scheme of work and timetable.
   The use hereby approved is not considered suitable as a permanent form of development, having regard to Policies NE2, NE7 and QP4 of the Hartlepool Local Plan (2018), and to be consistent with the related planning permission for the landfill H/2010/0496.

3. The development hereby approved shall be carried out in accordance with the plans and details:

   Dwg. No. SM1268-D8v2 Rev 2 ('Figure P1' Site Location Plan, scale 1:10,000), Dwg. No. SM1268-D7-v2 Rev 2 ('Figure P4' Site Infrastructure Plan, scale
   1:250) received by the Local Planning Authority on 31st May 2024;

   Dwg. No. Sm1268-D10 Sheet 1 (Plans and Elevations - Site Office),

Dwg. No. Sm1268-D10 Sheet 2 (Plans and Elevations - Staff Canteen), FirstFence 'Palisade Fencing' (Details, Elevations and Specification, 14 pages),
received by the Local Planning Authority on 18th June 2024;

Dwg. No. Sm1268-D10 Sheet 3 (Plans and Elevations - Toilets),
Dwg. No. Sm1268-D10 Sheet 4 (Plans and Elevations - Drying Room),
Dwg. No. Sm1268-D10 Sheet 6 (Plans and Elevations - Oil/Diesel Storage Tank),
Dwg. No. 49654-0 (6 Metre Tubular Mid Hinge Raise and Lower Column) and associated Lighting Column Details (4 pages),
Dwg. No. SM1268-D10 Sheet 5 (Plans and Elevations - Example Photographs and Illustrations) and Dwg. No. SM1268-D5v5 Rev B ('Figure P3' Site Layout Plan, scale 1:2000)
received by the Local Planning Authority on 10th July 2024.
For the avoidance of doubt.

4. Notwithstanding the submitted details and within a period of 2 months from the date of this decision, a scheme for the provision, long term maintenance and management (including habitat management) of all soft landscaping including the proposed 60m long hedgerow adjacent to the side entrance and planting of the eastern bund shall be submitted in writing to the Local Planning Authority. The scheme shall specify sizes, types and species, indicate the proposed layout and surfacing of all areas, include a programme of the works to be undertaken, details of the existing and proposed levels of the site including any proposed mounding and or earth retention measures. All soft landscaping including planting, seeding or turfing comprised in the approved details of landscaping shall be carried out by 01/12/2026. Thereafter the development hereby approved shall be carried out, managed and maintained in accordance with the agreed scheme. Any trees or part of the hedgerow which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity, biodiversity enhancement/gain and to ensure a satisfactory form of development.

5. Within a period of 2 months from the date of this decision, a scheme for signage to direct traffic to turn right on egress from the access road hereby approved shall be first submitted to the Local Planning Authority. Thereafter the scheme shall be carried out in accordance with the agreed details within a period of 1 month from the date of the written approval of the Local Planning Authority.

To enable the Local Planning Authority to control details and in the interests of highway safety.

6. The development hereby approved, including the deconstruction of the access road, shall be carried out in accordance with the submitted Construction and Environmental Management Plan Incorporating the Dust Management Plan (by Bright & Associates, dated 12 December 2024) received by the Local Planning Authority on 12th December 2024. This shall include (but shall not be limited to) the following:
   - Adherence with the measures contained in the bespoke Dust Management Plan (Section 4.2);
   - Silt and Oil interceptors shall be installed downstream from the attenuation ponds with regular inspections of silt levels and signs of siltration;
   - Bird surveys shall be carried out by a qualified ecologist prior to the commencement of the deconstruction of the access road hereby approved and the findings of such surveys shall be submitted in writing to the Local Planning Authority within 1 month of such surveys being carried out.

   In the interests of avoiding or mitigating ecological harm.

7. The development hereby approved, including the deconstruction of the access road, shall be carried out and maintained in accordance with the submitted Species Compensation and Enhancement Plan (by A1 Ecology Limited, dated September 2024) received by the Local Planning Authority on 24th September 2024.
   In the interests of avoiding or mitigating ecological harm.

8. Prior to any equipment, machinery or materials being brought onto the site for the purposes of the deconstruction of the access road hereby approved, a Tree Protection Plan as identified in the 'Arboricultural Method Statement including Impact Assessment', (document reference ARB/CP/3365, dated September 2024, received by the Local Planning Authority on 24/09/2024) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, any agreed tree and hedge protection measures shall be in place and thereafter retained until completion of the deconstruction of the access road (and associated infrastructure) hereby approved. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees, hedges or plants which are seriously damaged or die as a result of site works shall be replaced with planting of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.

In the interests of the health and appearance of the existing (and proposed) landscaping on site and the visual amenity of the area.

9. The agreed surface water drainage scheme for the development hereby approved as set out within document entitled ""Flood Risk Assessment and Outline Surface Water Drainage Strategy"" (document reference 3703/FRA Version F1 dated May 2024, received by the Local Planning Authority on 31/05/2024), Dwg. No. SM1268-D13 (Drainage Long and Cross Sections, received by the Local Planning Authority on 10th March 2025) and letter 'Response to Drainage Matters Raised at Meeting held on 1 July 2025' from the Agent dated 14th July 2025 (received by the Local Planning Authority on 14/07/2025) shall be maintained in strict accordance with the approved details for the lifetime of the development hereby approved.
To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity.

10. In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.
To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

11. Notwithstanding the submitted details, no additional fixed or permanent external lighting (other than the 2no. lighting columns hereby approved) shall be installed unless first agreed in accordance with a scheme to be first submitted to and approved in writing with the Local Planning Authority.
In the interests of visual amenity, neighbour amenity, and to ensure a satisfactory form of development.

Members considered representations in respect to this item.

Number: H/2025/0363

Applicant: HARTLEPOOL BOROUGH COUNCIL VICTORIA ROAD HARTLEPOOL

Agent: HARTLEPOOL BOROUGH COUNCIL SCOTT PARKES CIVIC CENTRE VICTORIA ROAD HARTLEPOOL

Date received: 12/11/2025

Development: Section 73 application to vary conditions 2, 8, 9, 11, 12, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29 of planning permission H/2023/0057 (Construction of new grade separated junction comprising erection of bridge structure and of new highway North of Elwick Village linking to the existing highway, with associated hard and soft landscaping, drainage features and ancillary works) to amend approved access tracks, and make provision for additional access tracks to facilitate landowner access, a new field bridge, field bridge details, a new underpass and watercourse alignment and connection clarifications

Location: LAND IN THE VICINITY OF ELWICK VILLAGE AND THE A19 COMPRISING MULTIPLE PARCELS OF LAND ELWICK HARTLEPOOL

The Senior Planning Officer outlined the application. It was the officer recommendation to approve subject to planning conditions set out in the report.

An objection had been received from the British Horse Society and a Member queried how this would be managed. The Senior Planning Officer advised the concerns from the British Horse Society were not something that would change in the already approved planning scheme.

A representative for the applicant was available to answer and member questions.

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

The application was approved unanimously.

Decision: Planning Permission Approved

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than 17.01.2029.
   To clarify the period for which the permission is valid.

2. The development hereby approved shall be carried out in accordance with the following plans:
   568-OD-001-SL(B) Rev B (Site Location Plan),
   568-OD-009-CS1(B) Rev B (Typical Cross Sections 1),
   568-OD-010-CS2(B) Rev B (Typical Cross Sections 2),
   all received by the Local Planning Authority on 19/09/2023 and;

   PR568/OD/013/GA (A) (General Arrangement)
   568/OD/003/SWD (C) (Surface Water Drainage Layout),
   568/OD/004/AS (C) (Attenuation System for Surface and Ground Water)
   568/OD/005/UC(B) (Underpasses and Culverts),
   568/OD-007/LS(C) (Long Section from A19 to Elwick Road),
   568/OD/008-CS(D) (Cross Section Location Plan),
   Figure 6-12 (Landscape and Ecological Mitigation Principles),
   all received by the Local Planning Authority on 05.11.2025; and

   568/OD/0014-OBR(B) (A19 Overbridge Elevation), received by the Local Planning Authority on 09.01.2026.
   To define Planning Permission and for the avoidance of doubt.

3. Notwithstanding the submitted information and prior to the commencement of development, details of the existing and proposed levels of the site and structures and any proposed mounding and or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.
   To take into account the position of the structures and impact on the surrounding area in accordance with Policies QP4 and LS1 of the Hartlepool Local Plan (2018).

4. Notwithstanding the submitted information, no development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage design shall demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change will not exceed the run-off from the undeveloped site following the corresponding rainfall

event (subject to minimum practicable flow control). The scheme shall be designed to treat and remove suspended solids from surface water run-off during construction works. All drainage run-off shall be discharged through interceptors. The scheme shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in the Tees Valley SuDS Design Guide and Local Standards (or any subsequent update or replacement for that document). The scheme shall be designed in consultation with the Environment Agency and the Local Lead Flood Authority. The approved scheme shall be implemented (and thereafter maintained) in accordance with the approved detailed design prior to the development being fully open to traffic or completion of the development (whichever is the sooner).
To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality, to consider trees of high value and improve habitat and amenity.

5. Prior to the channel realignment and culverting of the watercourse works being carried out on site, a scheme for mitigation and compensation for the impacts of realignment, loss of watercourse and riparian habitat along with a timetable for implementation, shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with the Environment Agency. The scheme shall include the following:
   "" Details of mitigation and compensation for the impacts of channel realignment and loss of watercourses and associated bankside vegetation / riparian habitat;
   "" Finalised plans for the culvert including bed depths, which shall be to CIRIA guidance, have natural beds and be suitable for fish passage. Thereafter and following the written approval of the Local Planning Authority, the agreed mitigation measures shall be fully implemented in accordance with the scheme's timing/phasing arrangements.
   In order to compensate and mitigate disturbance to the watercourse and to prevent a net loss in river habitat and riparian vegetation.

6. Notwithstanding the submitted information, no development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Environment Agency, detailing how otter and their associated habitat will be protected. The scheme shall consider the whole duration of the development and be carried out in accordance with a timetable for implementation as approved. The scheme shall include the following elements:
   Details of how otter are to be protected during construction works; this may include a method statement detailing the

requirement for a pre-construction survey for otter, and a species-specific method statement for vegetation removal;
A detailed plan for the protection of otter during the operational phase of the scheme to further reduce the likelihood of otter roadkill, specifically around the proposed SuDS and balancing ponds between the slip roads and A19, and on Char Beck.
Thereafter, the proposed development shall be carried out in strict accordance with the approved plan, both during the construction phase and once operational and shall be retained for the lifetime of the development.
In order to safeguard protected species both during construction and within the operational phase of the proposed development in accordance with paragraphs 182 and 187 of the National Planning Policy Framework (NPPF, 2024) which recognise that the planning system should conserve and enhance the environment.

7. Notwithstanding the development hereby approved, no development shall commence until a scheme of programmed works for the protection of migratory fish has been submitted to and agreed in writing by the Local Planning Authority, in consultation with the Environment Agency. The approved scheme shall demonstrate how during sensitive times between October and May inclusive, any works within proximity to controlled waters including the installation of new culverts, operation of new streams and the extension of existing culverts, would protect against the disturbance of spawning fish and/or their habitat and eggs. Thereafter and following the written agreement of the Local Planning Authority, the proposed development shall be carried out in strict accordance with the approved scheme during the construction phase of the development.
In order to prevent disturbance spawning fish and/or their habitat and their eggs.

8. Notwithstanding the proposals detailed in the submitted plans and prior to the commencement of development, a detailed scheme for the provision, long term maintenance and management of all soft landscaping, tree, hedge and shrub planting within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme (in so far as the landscaping) shall be in general conformity with the plan 568-OD-011-LP(A) Rev A (Landscape Proposals), received by the Local Planning Authority on 19/09/2023, allowing for the variations hereby approved and shall specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a timetable and programme of the works to be undertaken, and be implemented in accordance with the approved details and timetable/programme of works. The scheme shall also include a Landscape and Ecological

Mitigation Strategy based on the principles detailed in section 5.6 of the submitted Environmental Statement Volume 1 Main Text (Document reference: JXX-JBAU-00-00-RP-EN-0008 dated June 2023 and received by the Local Planning Authority 29/06/2023) and plan Figure 6-12 (Landscape Ecological Mitigation Principles) received by the Local Planning Authority on 05/11/2025. Thereafter the development hereby approved shall be carried out and maintained in accordance with the agreed scheme, for the lifetime of the development hereby approved. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the development hereby approved being fully open to traffic or completed (whichever is the sooner). Any trees, plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity and to enhance biodiversity in accordance with the provisions of Policy NE1 of the Hartlepool Local Plan (2018) and the NPPF (2024).

9. No development shall commence unless and until a Biodiversity Net Gain Plan scheme (""""the scheme"""") to ensure that the approved development provides the delivery of the Biodiversity Net Gain (BNG) as stated in the BNG Metric (The Biodiversity Metric 3.1 - Calculation Tool, received by the Local Planning Authority on 08/01/2026) a minimum of 144.63 Habitat Units, 66.24 Hedgerow Units (with trees) and 14.13 River Habitat Units habitat retention, creation and enhancement (as detailed in 'Headline Results' section of 'The Biodiversity Metric 3.1 - Calculation Tool', received by the Local Planning Authority on 08/01/2026 and the 'A19/ Elwick Road/ North Lane Junction and Elwick Road/ Hartlepool Western Link Project, BNG Report Addendum, Final Report, dated October 2025' (Ref: JXX-JBAU-00-00-RP-EN-0001-S3-P02-BNG_Addendum, received by the Local Planning Authority on 05/11/2025) and the subsequent management of habitats in the condition stated in the BNG Metric has been submitted to and agreed in writing by the Local Planning Authority. The net biodiversity impact of the development, including the compensation, shall be measured in accordance with the biodiversity metric 3.1 (The Biodiversity Metric 3.1 - Calculation Tool, received by the Local Planning Authority on 08/01/2026). The scheme shall include:
"" details of habitat retention, creation and enhancement sufficient to provide the delivery of the net gain proposed in the metric;
"" the provision of arrangements to secure the delivery of the net gain proposed in the metric (including a timetable for their delivery);

"" a management and monitoring plan (to include for the provision and maintenance of the net gain proposed in the metric for a period of at least 30 years or the lifetime of the development (whichever is the longer).
Thereafter, the scheme shall be implemented in full accordance with the requirements of the agreed scheme and timetable for delivery.
To provide biodiversity management and biodiversity net gain in accordance with The Environment Act 2021, and paragraphs 8, 182 and 187 of the NPPF (2024) and Policy NE1 of the Hartlepool Local Plan (2018).

10. Prior to commencement of development, details of compensation, including an appropriate timetable for delivery, for ground-nesting farmland birds shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall include: a) details of habitat creation sufficient to provide the delivery of the compensation; b) the provision of arrangements to secure the delivery of compensation (including a timetable for their delivery); c) a management and monitoring plan (to include for the provision and maintenance of the compensation for a period of at least 30 years or the lifetime of the development (whichever is the longer). Thereafter, the scheme shall be implemented in full accordance with the requirements of the agreed scheme and timetable for delivery. The development shall be carried out in accordance with the approved details and thereafter retained.
To ensure suitable provision of ecological compensation.

11. Prior to the commencement of development, a Landscape and Ecological Mitigation Strategy and timetable for implementation shall be submitted to the Local Planning Authority for approval in writing. The scheme shall include the mitigation measures as detailed in section 5.6 of the submitted Environmental Statement Volume 1 Main Text (Document reference: JXX-JBAU-00-00-RP-EN-0008 dated June 2023 and received by the Local Planning Authority 29/06/2023) and be in general conformity with plan Figure 6-12 (Landscape Ecological Mitigation Principles) received by the Local Planning Authority on 05/11/2025 and shall include the following requirements;

    - Pre-commencement surveys shall be undertaken by an appropriately qualified ecologist prior to the start of vegetation clearance and construction activities on site. The pre-commencement surveys shall aim to confirm that the surveys undertaken during the assessment phase are still representative of the ecological status and there have been no changes, e.g. establishment of a badger sett. The pre-commencement surveys shall also programme vegetation clearance requirements;

- All vegetation clearance works will be carried out under the supervision of an Ecological Clerk of Works, and a precautionary system of work shall be put in place. Vegetation clearance shall follow a pre-confirmed method statement following the written agreement of the Local Planning Authority;
- Vegetation clearance shall be undertaken outside of the breeding bird season (typically March to September), or under the supervision of an experienced ornithologist during the season;

- New and extended culverts shall ensure that natural steam bed connectivity is maintained, and that channel erosion (bed and banks) is avoided downstream of the culvert outlets. Any natural stream bed material removed during in-channel works shall be replaced to maintain geomorphological continuity;

- All in-channel and temporary works shall be managed to prevent sediment discharge into the watercourses;

- A biosecurity procedure shall be prepared by the Contractor and implemented through the entire project construction programme;

- Any excavations left open overnight shall have a means of escape for wildlife that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°;

- Temporary works within streams to be undertaken in a dry environment, following dewatering of the channel. Fish-friendly pumps shall be used to ensure no entrainment of fish occurs. Dewatering works may also need to be supervised by appropriately experienced fisheries specialists, to undertake a licensed fish rescue if necessary;

- Bat mitigation measures shall be provided in accordance with those identified within section 5.6.13 of the aforementioned Environment Statement Volume 1. Thereafter the approved Landscape and Ecological Mitigation Strategy shall be implemented and maintained in accordance with the agreed details and timetable.
To ensure suitable provision of ecological mitigation measures.

12. Prior to commencement of the development hereby approved, full details of additional ecological enhancement measures, as set out within section 5.6.30 of the Environmental Statement Volume 1 Main Text (Document reference: JXX-JBAU-00-00-RP-EN-0008 dated June 2023 and received by the Local Planning Authority 29/06/2023) shall be submitted to and agreed in writing with the Local Planning Authority. The details shall also

set out a timetable for implementation of the measures. The scheme shall include as a minimum details of:
- Interlinking hedgerows to be enhanced through gapping up and tree establishment, particularly double hedgerows;
- Wetland habitat to be created consisting of a series of nine surface and ground water attenuation ponds and SuDS systems spread across the site, with a meadow grass mixture for wet soils including species;
- Wildflower grass verges to be created;
- Tree management to be carried out to promote deadwood habitats and retain standing, over-mature trees;
- Tree trunks from felling works to be left lying or logged and stacked on site as dead wood habitat;
- New fish-free pools and ditches to be created to benefit amphibians and invertebrates;
- All surface water drainage will be 'catch pits' instead of standard inspection chambers with a piped floor;
- New hedges / restored habitats with field trees providing opportunities for bat roost sites and areas of good foraging habitat;
- Lighting systems to be designed in accordance with Guidance Note 08/18 Bats and artificial lighting in the UK: Bats and the Built Environment series.
- Underpasses for farm access shall also be available to mammals, with planting within 2m of the entrances to provide cover for mammals.
- Mammal ledges shall be provided on the two new 600mm diameter culverts.

Thereafter and following the written agreement of the Local Planning Authority, the scheme shall be implemented in accordance with the agreed details and timetable for implementation.
To provide an ecological enhancement for protected and priority species, in accordance with paragraph 182 of the NPPF (2024).

13. Prior to the commencement of development, details for the erection of 30no. bat boxes and 30no. bird nest boxes (suitable for swallows, house martins, tawny owls, little owls, starlings, house sparrows and tree sparrow) including the exact location, specification, design, and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The bat and bird nest boxes shall be made of woodcrete material (or similar) and shall be positioned on suitable infrastructure such as beneath bridges and in underpasses (20no. bat boxes and 20no. bird nest boxes) and in mature trees (10no. bat boxes and 10no. bird nest boxes). Thereafter and following the written agreement of the Local Planning Authority, the bat and bird nest boxes shall be installed strictly in accordance with the details and timetable for

implementation so approved and shall be maintained as such thereafter for the lifetime of the development.
To provide an ecological enhancement for protected and priority species, in accordance with paragraph 182 of the NPPF (2024).

14. Notwithstanding the submitted information and prior to any equipment, machinery or materials being brought onto the site for the purposes of the development hereby approved, the agreed scheme for the protection and retention of the retained trees (as identified in the Arboricultural Method Statement described as 'B:- Alternative fencing detail', by Elliots Consultancy Ltd, dated April 2025, received by the Local Planning Authority on 11 November 2025) shall be carried out in strict accordance with the approved document. Thereafter and prior to any equipment, machinery or materials being brought onto the site for the purposes of the development, a site meeting shall take place with the Council's Arboricultural Officer to determine how the tree protection measures are going to be implemented on site (in respect of the proposed culvert works) and thereafter the agreed protection measures shall be implemented on site (and thereafter retained until the completion of the development). Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees that are found to be dead, dying, severely damaged or diseased as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.
In the interests of the health and appearance of the existing trees, the visual amenity of the area and in the interests of protected species.

15. A) No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions and;
    1. The programme and methodology of site investigation and recording
    2. The programme for post investigation assessment
    3. Provision to be made for analysis of the site investigation and recording
    4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
    5. Provision to be made for archive deposition of the analysis and records of the site investigation

6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

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

C) The development shall not be fully open to traffic until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
In order to ensure that the archaeology of the site is adequately investigated.

16. Notwithstanding the submitted information, and prior to the commencement of development, a site specific Waste Audit which shall identify the amount and type of waste which is expected to be produced by the development of the site, both during the construction phase and once it is in use, shall be submitted to and agreed in writing with the Local Planning Authority. The Waste Audit shall set out how this waste will be minimised and where it will be managed, in order to meet the strategic objective of driving waste management up the waste hierarchy, and shall include a timetable for implementation. Thereafter, the site shall be carried out in accordance with the agreed details.
To ensure a satisfactory form of development, in the interests of visual amenity and the amenities of neighbouring land users, and to ensure compliance with the requirement for site specific detailed waste audit in accordance with Policy MWP1 of the Tees Valley Joint Minerals and Waste Development Plan Document 2011.

17. No development hereby permitted (as shown on drawing number PR568/OD/013/GA (A) (General Arrangement) shall commence until a detailed Construction Design Plan and working Method Statement relating to site earthworks has been submitted to and approved by the Local Planning Authority (in consultation with the Highway Authority for the A19). Construction of the development shall then be carried out in accordance with the agreed Construction Design Plan and working Method Statement.
To mitigate any adverse impact from the development on A19 in accordance with DfT Circular 01/2022.

18. Prior to the commencement of any excavation works and landscaping works within the area of works relevant to the Highway Authority for the A19 (as shown on drawing number PR568/NH1/A, geotechnical submissions shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19).
    To mitigate any adverse impact from the development on the A19 in accordance with DfT Circular 01/2022.

19. No development hereby permitted within the area of works relevant to the Highway Authority for the A19 (as shown on drawing number PR568/NH1/A) shall commence until such time as: the design, materials and construction methods to be adopted have been subject to the full requirements of the Design Manual for Roads and Bridges standard CG300 'Technical Approval of Highway Structures'; have been given Technical Approval by a competent, independent Technical Approval Authority appointed by the applicant; and the Technical Approval has been agreed with the Local Planning Authority (in consultation with the Highway Authority for the A19).
    To mitigate any adverse impact from the development on the A19 in accordance with DfT Circular 01/2022.

20. No development hereby permitted within the area of works relevant to the Highway Authority for the A19 (as shown on drawing number PR568/NH1/A) shall commence until, a drainage survey in line with DMRB CS 551 Drainage Surveys has been undertaken and a detailed surface water drainage design shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19) and subsequently implemented as approved. The SUDS is to be installed according to the approved SUDS plan and maintained in perpetuity. The design shall give due regard to the requirements of DfT Circular 01/2022 and shall include a maintenance Method Statement and schedule. Surface water drainage shall be implemented in accordance with the agreed design and shall be maintained as such thereafter.
    In the interest of the safe and efficient operation of the Strategic Road Network, and to protect the integrity of the Trunk Road drainage asset in accordance with DfT Circular 01/2022.

21. No development hereby permitted within the area of works relevant to the Highway Authority for the A19 (as shown on drawing number PR568/NH1/A) shall commence until, a Landscape Management Plan, Planting Schedule and details of implementation and future maintenance shall be submitted to and approved in writing to the Local Planning Authority (in consultation with the Highway Authority for the A19). Planting shall be undertaken in accordance with the agreed plan and maintained as such thereafter.

In the interest of the safe and efficient operation of the Strategic Road Network and to protect the highways soft estate. National Highways Planning Response (NHPR 22-12) December 2022

22. No development hereby permitted (as shown on drawing number PR568/OD/013/GA (A) (General Arrangement shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19). Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority for the A19.
    To mitigate any adverse impact from the development on the A19 in accordance with DfT Circular 01/2022.

23. No development hereby permitted within the area of works relevant to the Highway Authority for the A19 (as shown on drawing number PR568/NH1/A) shall commence until a boundary treatment plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19). The plan shall include as a minimum: a) details of the fencing location, type, construction method and maintenance; and b) details for management of existing boundary planting to include an Arboricultural Tree Survey and Tree Protection Plan with a Method Statement for any works required to address the removal, retention and management of trees along this boundary. All works shall be undertaken in accordance with the agreed plan and maintained in perpetuity as such thereafter.
    For reasons of safety, liability and maintenance in accordance with paragraph 57 DfT Circular 01/2022.

24. No development hereby permitted within the area of works relevant to the Highway Authority for the A19 (as shown on drawing number PR568/NH1/A) shall commence until detailed design has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19).
    To mitigate any adverse impact from the development on the A19 in accordance with DfT Circular 01/2022.

25. No development hereby permitted within the area of works relevant to the Highway Authority for the A19 (as shown on drawing number PR568/NH1/A) shall commence until a Stage 2 Road Safety Audit in accordance with DMRB GG119 (including a completed Road Safety Audit Decision Log) has been submitted to and approved in writing, unless agreed otherwise,

by the Local Planning Authority in consultation with the Highway Authority for the A19.
To mitigate any adverse impact from the development on the A19 in accordance with DfT Circular 01/2022 and DMRB GG119.

26. Prior to the development hereby permitted within the area of works relevant to the Highway Authority for the A19 (as shown on drawing number PR568/NH1/A) opening for traffic, a Stage 3 Road Safety Audit in accordance with DMRB GG119 (including a completed Road Safety Audit Decision Log) shall be submitted to and approved in writing, unless agreed otherwise, by the Local Planning Authority in consultation with the Highway Authority for the A19. National Highways Planning Response (NHPR 22-12) December 2022.
To mitigate any adverse impact from the development on the A19 in accordance with DfT Circular 01/2022 and DMRB GG119.

27. Within 18 months from the date at which the area of works relevant to the Highway Authority for the A19 (as shown on drawing number PR568/NH1/A) have opened for traffic, a Stage 4 Road Safety Audit in accordance with DMRB GG119 (including a completed Road Safety Audit Decision Log) shall be submitted to and approved in writing, unless agreed otherwise, by the Local Planning Authority in consultation with the Highway Authority for the A19.
To mitigate any adverse impact from the development on the A19 in accordance with DfT Circular 01/2022 and DMRB GG119.

28. Prior to the development hereby permitted (as shown on drawing number PR568/OD/013/GA (A) (General Arrangement), a Construction Environmental Management Plan must be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19). The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting.
To mitigate any adverse impact from the development on the A19 in accordance with DfT Circular 01/2022.

29. Prior to the commencement of the development hereby permitted, a Traffic Monitoring Strategy to monitor traffic flows on the A19 mainline and A19 slip roads (as shown in principle on drawing PR568/NH1/A) must be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19).

To monitor highway safety and to mitigate any adverse impact from the development on the A19 in accordance with DfT Circular 01/2022.

30. Prior to the scheme opening for traffic, the agreed Traffic Monitoring Strategy must be implemented to the satisfaction of the Local Planning Authority (in consultation with the Highway Authority for the A19).
To ensure highway safety and to mitigate any adverse impact from the development on the A19 in accordance with DfT Circular 01/2022.

31. Notwithstanding the submitted details, prior to above ground construction of the ramped slip road and overbridge (and any other structures to be erected) hereby approved, precise details of the materials to be used and their colour in the construction of the external walls and railings shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be implemented in accordance with the approved details.
To enable the Local Planning Authority to control details of the proposed development, in the interests of visual amenity.

32. Notwithstanding the submitted details and prior to above ground construction of the development hereby approved, full details of all walls, fences and other means of boundary enclosure, including size, siting and finishing materials, shall be submitted to and approved by the Local Planning Authority. Such details shall include the creation of migration coridors between boundary enclosures to enable hedgehog migration. Thereafter the development shall be carried out in accordance with the approved details prior to the development being fully open to traffic or completion of the development (whichever is the sooner).
In the interests of visual amenity, the privacy of future occupiers and neighbouring landusers and to ensure that the development provides migratory routes for ecology.

33. Notwithstanding the proposed details within the submitted plans and prior to the implementation of such works on site, details of proposed hard landscaping and surface finishes (including access and any other areas of hard standing to be created) shall be submitted to and agreed in writing by the Local Planning Authority. This shall include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed in accordance with the agreed details prior to the development being fully open to traffic or completion of the development (whichever is the sooner).

To enable the local planning authority to control details of the proposed development, in the interests of visual amenity of the area.

34. Prior to any piling activities being undertaken (as may be required) as part of the proposed development hereby approved, details of such pilling works and an associated appropriate controlled waters risk assessment shall be first submitted to and agreed in writing with the Local Planning Authority, thereafter the development shall be carried out in strict accordance with the approved details.
In order to appropriately control the development including consideration of any impacts on controlled waters through contamination.

35. Prior to the commencement of development hereby approved, a scheme of measures to effectively control dust emissions from the site during construction shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall address control of dust from site surfaces and roadways, earth moving activities, control and treatment of stock piles and offsite dust monitoring. Thereafter, the agreed scheme and measures shall be implemented prior to the site becoming operational and shall be maintained for the duration of the construction period development.
In the interests of neighbouring amenity and land users.

36. In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.
To ensure that any site contamination is addressed.

37. Prior to the installation of any external lighting and/or floodlights associated with development hereby approved, full details of the method of external illumination, siting, angle of alignment; light

colour, luminance of external areas of the site, including parking areas, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the agreed lighting shall be implemented wholly in accordance with the agreed scheme and retained for the lifetime of the development hereby approved.
To enable the Local Planning Authority to control details and in the interests of the amenities of adjoining land users, ecology of the area and highway safety.

38. No construction/demolition/excavation works shall take place at the site or deliveries and collections to and from the site shall be carried out except between the hours of 8:00 and 18:00 Monday to Friday, and 09:00 to 13:00 Saturdays and not at all on a Sunday or Public Holidays.
To ensure the development does not prejudice the amenity of surrounding land users and their properties.

39. All works to the Greatham Beck catchment water body shall at all times strictly adhere to the mitigation measures as set out within Table 6.1 'Impacts to Greatham Beck catchment (trib of Tidal Tees) water body and proposed mitigation measures' of the submitted Water Framework Directive Assessment Final Report (dated September 2025), received by the Local Planning Authority 05.11.2025.
In order to mitigate the effects of the proposed scheme on the water body.

Members considered representations in respect to this item.

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

Members were advised of enforcement actions which had taken place within the reporting period.

Decision

That the report be noted.

56. Planning Appeal at Gladstone House, 46 Victoria Road (*Director of Neighbourhood and Regulatory Services*)

A planning appeal in respect of a refused application for advertisement consent for signage had been received. The application had been determined under delegated powers, and a copy of the officer report was appended to the report.

Decision

That the receipt of the appeal be noted.

57. Costs Award in Respect of Planning Appeal at Land at Whelly Hill Farm, Worset Lane (*Director of Neighbourhood and Regulatory Services*)

A Costs Award in respect of an allowed planning appeal for the erection of a Solar Electric Forecourt with ancillary commercial uses, and associated electrical infrastructure, a solar photo voltaic (PV) farm. energy storage, new access, car parking, landscaping and associated works had been unilaterally made by the Planning Inspectorate.

A copy of the decision was appended to the report
Members expressed disappointment with the outcome of the appeal. It was agreed the Chair would write to the Planning Inspectorate to transmit their views.

Decision

That the cost ward be noted.

58. Planning Appeal at 14 Albion Terrace (*Director of Neighbourhood and Regulatory Services*)

A planning appeal in respect of listed building consent for replacement of windows was dismissed. A copy of the decision was appended to the report.

Decision

That the outcome of the appeal be noted.

The meeting concluded at 11:00 am.

CHAIR

No: 1.
Number: H/2020/0387
Applicant: CECIL M YUILL
Agent: J W PLANNING LIMITED MR JOHN WYATT 41 MARSKE MILL LANE SALTBURN BY THE SEA TS12 1HT
Date valid: 29/01/2021
Development: Outline application with all matters reserved, except for access, for residential development comprising up to 475 dwellings, and including a local centre comprising retail (400sqm) and associated infrastructure.
Location: LAND AT QUARRY FARM ELWICK ROAD HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

1.2 There have been no recent planning permissions on the site itself.

1.3 The most relevant and recent planning applications in the vicinity are considered to be:

To the east (Quarry Farm 1 and 2)

Quarry Farm 1 (Bellway Homes);

H/2014/0215 - Outline application for the construction of 81 dwellings with all matters reserved except for the access. Refused 09/09/2014. Appeal APP/H0724/A/14/2225471 allowed, decision date 18/02/2015.

H/2015/0358 - Reserved matters application in relation to planning permission H/2014/0215 for means of pedestrian access and internal highway layout, appearance, landscaping, layout and scale of residential development. Approved 03/11/2015.

Quarry Farm 2 (Barratt Homes);

H/2015/0528 - Outline planning permission for up to 220 residential dwellings with associated access, all other matters reserved. Approved 12/10/2018.

H/2015/0535 - Amendment to planning application H/2015/0351 for reserved matters in relation to planning application H/2014/0215 for additional windows in ground floor

side elevation for plots 48, 56 and 57, revised site plan and boundary treatment removing 2 no. visitor parking bays to the south of plot 41 and realignment of footpath. Approved 08/01/2016.

H/2019/0352 - Approval of reserved matters of planning application H/2015/0528 for outline planning permission for up to 220 residential dwellings with associated access, all other matters reserved, relating to the development, appearance, landscaping, layout (including internal roads) and scale. Approved 23/01/2020.

H/2020/0104 - Section 73 application for amendments to planning permission H/2019/0352 (for approval of reserved matters of planning permission H/2015/0528 (outline planning permission for up to 220 residential dwellings with associated access)) comprising house type substitutions to 92no. plots and associated amendments to plot hard and soft landscaping, and minor alterations to site landscaping and bin stand locations. Approved 18/09/2020.

Beyond the highway of Elwick Road to the south (High Tunstall)

H/2014/0428 - Outline application with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting. Approved 14/03/2019.

H/2020/0048 - Approval of reserved matters relating to access, appearance, landscaping, layout and scale for the erection of 162 no. residential dwellings and associated engineering works pursuant to outline planning permission H/2014/0428. Approved 06/11/2020.

H/2020/0108 - Non material amendment to planning application H/2014/0428 (for outline application with all matters reserved for residential development comprising up to 1,200 dwellings of up to two and a half storeys in height and including a new distributor road, local centre, primary school, amenity open space and structure planting) for changes to wording of conditions 10 (Elwick Road roundabout junction and secondary accesses), 11 (Elwick Road speed limits), 12 (Elwick Road street lighting) and 13 (connections to public highway) to reflect proposed phasing of development. Approved 17/04/2020.

H/2025/0346 - Approval of reserved matters relating to access, appearance, landscaping, layout and scale for the erection of 116 no. residential dwellings and associated engineering works pursuant to outline planning permission H/2014/0428. Pending consideration.

PROPOSAL

1.4 This application seeks outline planning application with all matters reserved (except for Access) for up to 475 residential dwellings (use class C3), and including a local centre comprising retail (400sqm), open space area, landscaping, sustainable urban drainage (SUDS) and associated infrastructure.

1.5 Whilst the details ('reserved matters') of the proposal (Appearance, Scale, Layout and Landscaping) are reserved, the submitted drawing 'Proposed Illustrative Site Layout' (submitted for illustrative purposes only) shows a proposed new vehicular entrance into the site to be taken from Elwick Road. A detailed Proposed Access Plan shows a priority right turn access which would necessitate the widening of part of Elwick Road to allow for the right turn lane which would measure approximately 3m in width by 35m in length, and that the proposed access has a width of approximately 7.3m with footpath widths measuring approximately 2m. The access includes a visibility splay of approximately 2.4m by 61.8m to the east and a visibility splay of approximately 2.4m by 51.8m to the west. The Proposed Access Plan identifies other proposed highways infrastructure including a proposed footway extension, and a bus stop with raised kerbs and shelter.

1.6 The submitted indicative layout includes two distinct parcels of residential development, separated by the existing and retained Local Wildlife Site (LWS) at the centre of the site, which is proposed to be enhanced on its eastern side by landscaping. An access road is sited to the eastern side, whilst a footpath traverses the centre (both of which run north-south). Following a request by the case officer, the applicant has recently provided an indicative only phasing plan, which identifies 3 phases, from the south to the north of the site. Phase 1 would include the local centre (at the southern end of the site), Phase 2 would include the LWS treatment, and finally Phase 3 would be to the northern section of the site.

1.7 The submitted indicative plans show the northern section (which is the larger of the two) featuring a large village green in the centre, with a children's play area in the north west, and a community orchard towards the north east (adjacent to the northern boundary). Dwellings are indicatively shown to be arranged with frontages facing the proposed village green and the Local Wildlife Site, as well as the children's play park, orchard and landscaped areas around the site boundaries. The exception is the north east corner whereby dwellings are indicatively shown to face away from the existing reservoir, and the eastern boundary, where dwellings are indicatively arranged with side or rear gardens facing existing dwellings along Reedston Road, Laycock Way and Octavia Drive (east).

1.8 The southern part of the indicative layout includes a children's play area on the southern side of the LWS, a small village green located towards the eastern side, an area of green space located towards the south west corner, and some wooded areas. A local centre (approx. 400sqm) is indicated as being situated towards the east, adjacent to the access road from Elwick Road. Dwellings are indicatively shown as being arranged to face onto open space areas, whilst side and rear gardens face the existing residential dwellings at Quarry Farm (including Quarry Farm Cottages) and the existing residential dwellings at Fontburn Close and Woodhouse Lane. The indicative layout shows a road providing access to Fontburn Close (east), and some communal parking areas.

1.9 The application has been amended during the course of consideration on more than one occasion, to include amendments to the proposed access, Transport Assessment and Travel Plan, following discussions and a request from the Council's Traffic and Transport team in respect to the width of the access road; to provide Nutrient Neutrality Budget Calculations and a Nutrient Statement; to provide updated

ecological surveys and reports following a request from the Council's Ecologist; and to provide an Arboricultural Impact Assessment and Tree Survey, at the request of the Council's Arboricultural Officer.

1.10 The application is supported by a number of supporting documents to include a Design and Access Statement, Sustainability Statement, Flood Risk Assessment, Biodiversity Net Gain Assessment, Archaeological Desk Based Assessment and Geophysical Survey, Noise Assessment, Air Quality Assessment, Vertical Light Assessment and Light Strategy, Transport Assessment and Travel Plan, Ecological Appraisal, Landscape and Visual Appraisal (LVA), Landscape and Environmental Management Plan (LEMP), Arboricultural Impact Assessment and Agricultural Land Classification Report.

1.11 The Local Planning Authority has adopted an opinion (following an internal screening process) that the proposed development is not Environmental Impact Assessment development.

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

SITE CONTEXT

1.13 The application site comprises approximately 23.5 hectares of agricultural land known as Quarry Farm. The site is on the urban fringe, being adjacent to residential development (Quarry Farm 1 and 2) to the east, however is located outside the limits to development as defined by Policy LS1 (Locational Strategy) of the Hartlepool Local Plan Policies Map (2018).

1.14 The site is bounded by Elwick Road to the south, Worset Lane to the north, an existing raised reservoir to the north east corner, and a residential development known as Quarry Farm 2 to the east. The remaining farmstead of Quarry Farm is situated to the southern extent of the site, along with two former workers' dwellings at 1 and 2 Quarry Farm Cottages, all of which are excluded from the application site boundary. To the north is Naisberry Bungalow, whilst to the north west are Naisberry Farm, Naisberry Farm Bungalow and Naisberry Cottage.

1.15 The application side is gently sloping, from north west to south east. Existing hedgerows and trees are present to the northern and eastern boundaries, whilst running through the centre of the site the Naisberry Quarry Local Wildlife Site (LWS), which includes nationally scarce Magnesian Limestone Grassland habitat.

1.16 A major hazardous gas pipeline runs across the south west corner of the site (as discussed within the main body of the report). A national trail runs down the western boundary from the north (Worset Lane) and continues through the LWS at the centre of the site towards the east.

PUBLICITY

1.17 The application has been advertised by way of site notices, press advert and notification letters to 162 individual neighbouring properties. A full 21 day re-

consultation was undertaken following receipt of amended ecology information and Proposed Illustrative Site Layout. Further re-consultations were undertaken on receipt of amended access details and amended tree information.

1.18 To date, 24 objections have been received, discounting multiple objections from the same individual/address. The objections and concerns raised can be summarised as follows:

- Road infrastructure inadequate and no more houses should be constructed until grade separated junction is completed,
- Congestion through Elwick and Dalton Piercy,
- Unsafe access point on Elwick Road,
- Access roads and footpath links from Quarry Farm 2 will impact on neighbours' privacy,
- Local infrastructure including schools and medical provision constraints,
- Limited demand for houses/excess supply of housing, including vacant properties and Council's Empty Homes Strategy objective,
- Application site is beyond the development limits,
- Unsustainable urban expansion on greenfield land,
- HLP prioritises brownfield regeneration,
- Hartlepool Local Development Scheme 2025 discussed at planning committee meeting of 25/6/2025 refers to 5.4 year housing land supply,
- Housing Delivery Test Figures (in January 2021) indicate delivery of 160% of homes required,
- Impacts on the delivery of approved (strategic) schemes including High Tunstall,
- Impacts on countryside, trees, open fields and wildlife,
- Risks of flooding and increased surface water run-off,
- Impacts on neighbour amenity, in particular privacy, loss of light and peace and tranquillity,
- Anti-social behaviour and security issues,
- Construction impacts on existing residents – including noise, odour, mud and congestion,
- Dwellings sold as 'rural setting' will be surrounded by other residential developments,
- No detail on proposed local centre,
- Impacts of noise and traffic from local centre,
- Concerns about hot food takeaways and associated impacts of odour and vermin,
- Visual amenity,
- Property depreciation,
- Insufficient planting.

1.19 One response in support of the application has been received. This response raises the following comments:

- The scheme would complement the Quarry Farm 2 development,
- The proposals are acceptable when assessed against the HLP (2018) and NPPF (2024) when taking into account the material considerations including

housing provision, affordable housing, well designed layout with public open space, play areas and walkways.

1.20 Background papers can be viewed via the 'click to view attachments' link on the following public access page:
https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=141042

1.21 An updated press advert and site notices have been issued in respect of the application representing a 'departure' from the Hartlepool Local Plan (2018). The period for publicity expires on 26th February 2026, and any further representations received prior to the planning committee meeting will be tabled before Members on the day, with any further representations received after the planning committee being considered by officers prior to the decision being issued, which is reflected in the recommendation of this report.

CONSULTATIONS

1.22 The following consultation replies have been received:

HBC Arboricultural Officer: The submitted arboricultural documentation created by Elliott Consultancy Ltd dated February 2021 is three years old and doesn't really provide the information required to determine the impact of the application on trees as the tree survey has not been included and it is not known the impacts of how many trees are being removed, only that sections of groups are proposed. It also appears that number of structures including garages appear within the Root Protection Area of trees and groups. It is however noted that this is an outline application and therefore as part of the reserved matters application an updated suite of information would be required. In general it appears that the proposal in outline would be acceptable in terms of arboriculture but further information and consideration is required to fully assess the impacts at the reserved matters stage.

Update 15/10/2024 following receipt of amended arboricultural information:

Revised arboricultural documentation has been submitted; however, a tree survey remains absent. While the report references the removal of groups, partial groups, and hedgerows, the lack of a tree survey prevents us from accurately assessing the extent and significance of the impact. For instance, Group 2, which is proposed for removal, may consist of mature category 'A' Oaks, but without a tree survey, we cannot confirm this or evaluate the group's value.

It is essential that this tree survey is provided, even at the outline stage, as it offers critical insight into the potential impacts on the site's tree stock. This is of greater importance than a Preliminary Tree Protection Plan (PTPP), which will be addressed at the reserved matters stage anyway.

As previously noted, while the proposal in outline appears generally acceptable from an arboricultural perspective, further information and detailed consideration are necessary to fully assess its impact, particularly at the reserved matters stage.

Update 18/12/2024 following receipt of amended Arboricultural Impact Assessment:

The additional arboricultural documentation supplied provides all of the necessary information required to evaluate the impact to trees and arboriculture from the proposal. There is a minimal loss to trees around the site with the majority of trees being retained and new tree planting proposed throughout which would be dealt with at reserved matters stage.

Tree group 2 would be lost to the proposal, small parts of group 1, 3, 14 and 19 would also require removal for gardens and path cut throughs. The central tree band is being kept and enhanced and one positive that is good for the site is the retention of hedgerows where possible with only minor partial removals taking place. The site is sheltered from Elwick Road with the retention of the green features.

A tree planting scheme and maintenance plan should be conditioned for the long-term establishment of climate resilient trees. The tree planting scheme should have a focus on climate resilient species with a good mix. Ideally to ensure a strong biosecurity and to build a resilient treescape the species mix should consist of:
• No more than 5% of a particular cultivar
• No more than 10% of a particular species
• No more than 20% of a particular genus and
• No more than 30% of a particular family

Update 16/01/2025 following discussion regarding conditions:

We would also require the submission of a final tree protection plan given this one is only a preliminary tree protection plan. [The case officer] would normally condition this to be submitted, I've amended one of the conditions she has used before on a different application.

Notwithstanding the submitted information and prior to any equipment, machinery or materials being brought onto the site for the purposes of the development, a scheme for the protection during construction works of all trees/hedges/landscaping to be retained on the site (as shown on Arboricultural Impact Assessment, Arboricultural Method Statement , Preliminary Tree Protection Plan, Reference: ARB/AE/823c received by the Local Planning Authority on 10th December 2024), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations'. The scheme shall thereafter be carried out in accordance with the approved details and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.
In the interests of the health and appearance of the existing tree and the visual amenity of the area.

Northern Gas Networks: We object to your planning application on the grounds that the protection given to our plant may be diminished by the works you intend to carry out.

Northern Power Grid: No comments received.

Health and Safety Planning Advice Web App: Do Not Advise Against.

HBC Building Control: I can confirm that a Building Regulation application is required for the works as described.

HBC Countryside Access Officer: This proposal for outline permission will need to show connectivity with the neighbouring Quarry Farm Phase Two development, for pedestrian and cycling users and how it integrates with close-by public rights of way.

To have plans drawn up that do not show what circular or linking access will or should be provided is missing serious opportunities for people who will wish to walk and cycle safely to and from town. The opportunities for the residents to explore local public and permissive paths needs to be addressed as soon as is possible. There may be need to consider the creation of new public rights. It might be that permissive rights is a suitable option to explore.

I would welcome the developer and or agent contacting me to discuss this further. If plans of existing and close by public footpaths are required then this can be accommodated.

Update 09/05/2024 following amended plans:

Further to my comments of 19th February 2021; the latest master plan shows great advance in the addition of many local paths and linking access to and from the residential site.

It also looks to cover the linkages between Quarry Farm 3 and Quarry Farm 2, to the east.

One concern, which may have been looked at and dealt with, is how the public can be kept out of the local wildlife site/area between the two areas of development.

Nature/wildlife will need sanctuary and isolation for the public and I would like to know how this needed ecological separation from public access will be achieved.

Update 25/09/2025 following query regarding LWS, and applicant's response that a boundary of trees are proposed:

That reply is ok with me, I'd also state the bottom 'play area' may be too close with what Chris Scaife was trying to point out about wildlife disturbance, maybe this can be moved to a move suitable area, just North of the main access road in and East of the suds pond would possibly be more appropriate from a wildlife point of view.

Update 27/10/2025 following discussions regarding the nature of the proposed play area:

Existing layout is all good with me.

HBC Ecology: Summary – the following must be submitted:

- Full suite of Ecology surveys
- Ecological Impact Assessment report
- Biodiversity Metric 4
- Biodiversity Net Gain Assessment report

This outline application appears not to have been progressed for a lengthy period. The most recent submissions on the planning portal are a Nutrient Neutrality Budget Calculator and a Nutrient Statement (both uploaded on 10/05/2023). These show that sewage will be disposed of via the Seaton Carew WwTW.

I have re-visited the submitted Ecology documents and these need refreshing. The Ecology surveys (dates shown below) are now too old to present a reliable assessment of the wildlife and all the surveys need to be re-done. An updated Ecological Impact Assessment (EcIA) report is required.

The submitted Biodiversity Metric (BM) is version 2.0 (dated 10/12/2020). Biodiversity Net Gain (BNG) has evolved since 2020 and Biodiversity Metric 4 is now required as this will give a better representation of the biodiversity change proposed by the scheme. For example, BM4 has amended habitat condition scoring, to improve accuracy. BM4 also has additional post-development habitats which count as biodiversity gain, including gardens and an urban tree metric.

Habitats Regulations Assessment (HRA)

An HRA screening has been prepared and the issue of Nutrient pollution is screened out.

The issue of increased recreational disturbance is screened in and a HRA Appropriate Assessment for this has been prepared separately.

Nutrient neutrality
The scheme is screened out.

Recreational disturbance
HRA Appropriate Assessment required.

Update 07/05/2024 following receipt of amended ecological information:

The Ecology section has been closely involved with this application from the start and communication with the applicant's Ecological consultants has been good. Work regarding the Ecology of this project began before Biodiversity Metrics and Biodiversity Net Gain (BNG), and it was agreed at an early stage that Ecological improvements to Naisberry Quarry Local Wildlife Site (LWS) would be made. As these include the nationally scarce Magnesian Limestone Grassland habitat the

biodiversity gain potential is significant. The Ecological Appraisal and LEMP satisfy the Council's requirements for biodiversity gain and as this has been agreed outside of the BNG process I do not require a Biodiversity Metric. The LEMP is acceptable as a Biodiversity Gain Plan and should be conditioned.

NB: Both documents are marked as draft and should be re-submitted as Final documents.

I require the following minor changes to the documents:

- Section 5 'Recommendations' in the Ecological Appraisal should be amended to remove the wording under Ornithology of: 'Potential offsite enhancement or contribution to compensate for the loss of territories associated with ground nesting birds (skylark and grey partridge)'. I am satisfied that there is enough biodiversity gain on-site to include compensation for breeding birds, accepting that this will not be 'like for like'.
- Section 5 'Recommendations' in the Ecological Appraisal should be amended to alter the wording under Ornithology of: 'It is recommended that nesting opportunities are created in a minimum of 25% of the newly developed properties on site', to '50% of dwellings (house or garage) to include 1no integral 'universal' nest brick located in south or east facing walls (where possible) and at a minimum height of 3m above ground level'.
- Section 5 'Recommendations' in the Ecological Appraisal should be amended to alter the wording under Bats of: 'Bat boxes will be installed in minimum of 25% of properties' to '50% of dwellings (house or garage) to include 1no integral bat roost brick located in south or east facing walls (where possible) and at a minimum height of 3m above ground level'.
- Section 4 'Detailed Creation Principles' of the LEMP, ['Native Scrub Planting Mix' (section 4.15, table 2)] should be amended to add Wych elm (Ulmus glabra) 5% of mix, with the reduction of Blackthorn from 20% to 15%. This is to benefit the Priority Species White-letter hairstreak which uses this tree as its larval foodplant.

A Habitat Regulations Assessment (HRA) has already been completed and mitigation for likely harm by increased recreational disturbance is to be secured through a S106 agreement or similar. The increased recreational disturbance from an increase of 475 dwellings with an average occupancy of 0.56 (total 266 people) is mitigated by a financial contribution of £118,750 which will fund the existing Hartlepool Coastal Mitigation Scheme, meaning there will be no Adverse Effect on Integrity of any European Site.

Likely Significant Effect from Nutrient Neutrality issues was HRA screened out.

I do not have any issues with the amended Proposed Illustrative Site layout.

Update 19/08/2024 following amended layout:

Holding objection

A snip of the cover of the most recently submitted LEMP (May 2024) forms Appendix 1. This is the only 'new' Ecology document provided from the applicant and uploaded to the planning portal. In my previous response (05/05/2024) I also requested

amendments to the Ecological Appraisal. It is important that the Ecology Section is satisfied that all submitted Ecological documents are correct in case they form part of a planning condition.

1. Amendment to LEMP required.
In my response dated 05/05/2024 I asked for an amendment to the LEMP – to add 5% of wych elm to the table 2 Native Scrub Planting Mix and I note that this has not been amended.

I said:

• Section 4 'Detailed Creation Principles' of the LEMP, ['Native Scrub Planting Mix' (section 4.15, table 2)] should be amended to add Wych elm (Ulmus glabra) 5% of mix, with the reduction of Blackthorn from 20% to 15%. This is to benefit the Priority Species White-letter hairstreak butterfly which uses this tree as its larval foodplant.

The Ecology Section would like this amendment to be made.

Once this amendment has been made the report should be re-submitted as a Final report.

2. Amendments to the Ecological Appraisal required.
Amendments should be made as per my response dated 05/05/2024. Once made the report should be marked Final and re-submitted.

Update 19/10/2024 following amended ecological details:

Holding objection.

The Ecology Section is satisfied that the requested amendment has been made to the Landscaping and Ecological Management Plan (LEMP) and it has been submitted as a Final document. No further action is required for the LEMP.

The Ecology Section is content to let the LPA's Arboricultural Officer comment on the amended Arboricultural impact Assessment (AIA).

In my previous responses (05/05/2024 and 19/08/2024) I requested amendments to the Ecological Appraisal. The only submitted Ecological Appraisal remains the one marked as a 'V1 (draft)' and dated October 2023.

It is important that the Ecology Section is satisfied that all submitted Ecological documents are correct in case they form part of a planning condition.

Amendments should be made as per my response dated 05/05/2024. Once made the report should be marked Final and re-submitted.

My 05/05/2024 requirements are copied below:

I require the following minor changes to the documents:

- Section 5 'Recommendations' in the Ecological Appraisal should be amended to remove the wording under Ornithology of: Potential offsite enhancement or contribution to compensate for the loss of territories associated with ground nesting birds (skylark and grey partridge)'. I am satisfied that there is enough biodiversity gain on-site to include compensation for breeding birds, accepting that this will not be 'like for like'.
- Section 5 'Recommendations' in the Ecological Appraisal should be amended to alter the wording under Ornithology of: 'It is recommended that nesting opportunities are created in a minimum of 25% of the newly developed properties on site', to '50% of dwellings (house or garage) to include 1no integral 'universal' nest brick located in south or east facing walls (where possible) and at a minimum height of 3m above ground level'.
- Section 5 'Recommendations' in the Ecological Appraisal should be amended to alter the wording under Bats of: 'Bat boxes will be installed in minimum of 25% of properties' to '50% of dwellings (house or garage) to include 1no integral bat roost brick located in south or east facing walls (where possible) and at a minimum height of 3m above ground level'.

Update 20/11/2024 following amended Ecological Appraisal:

The previously submitted Ecological Appraisal was a draft document, and a 'Final' document has now been submitted. The Final document includes the changes which I had earlier requested.

The Ecology Service is satisfied with the Ecology information and provision for this application.

The recommendations in the Ecology reports should be conditioned.

HBC Engineering Consultancy: In response to your consultation on the above application,

Contaminated land

I have no objection in principle in this respect. The site investigation report submitted with the application states that unacceptable risks have been identified (mainly associated with a former quarry on the site and an off site landfill) and recommends further and intrusive investigation. To enable the required investigation to take place and any risks to be suitably managed please can you include our standard residential contaminated land condition on any permission issued for proposals.

Surface water management

I have no objection in principle in this respect. Please can you include the following surface water condition on any permission issued for proposals:
No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological

context of the development has been submitted to and approved in writing by the Local Planning Authority.

The surface water drainage design should demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change and urban creep, will not exceed the run- off from the undeveloped site following the corresponding rainfall event. The approved drainage system shall be implemented in accordance with the approved detailed design prior to completion of the development.

The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in the Tees Valley SuDS Design Guide and Local Standards (or any subsequent update or replacement for that document).

Reasons
To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity.

In respect of the discharge of that condition can the applicant also note the following:

Maintenance
We expect all surface water drainage assets outside property curtilages to be adopted by statutory authority (Northumbrian Water, Highway Authority). Notwithstanding, all surface water drainage assets must be built to adoptable standard.

In respect of maintenance, we will require consideration to be given to the existing condition, any necessary improvements and maintenance responsibilities of the watercourse into which surface water is proposed to discharge.

Flood Risk
It is noted that the only flood risk shown by Environment Agency mapping is that of surface water flood risk associated with the watercourse towards the south of the site. It will need to be ensured that attenuation ponds sit outside of this area of flood risk, including an allowance for climate change.

Peak Flow Control
I note that it is proposed that surface water discharge will be restricted to 55l/s. For detailed design purposes please note that greenfield runoff for the whole site area must be maintained, for example consider a total area of 15ha with a greenfield runoff rate of 55l/s, this means that a developed area of 7.5ha is allowed a surface water dis charge rate of 27.5l/s, not 55l/s, as area on site remaining as permeable will still discharge to the watercourse. Please note also that I estimate QBar for the 15ha site to be significantly less than 55l/s so figures provided will require review as part of detailed design.

Volume Control
It must be ensured that the increased volume of water leaving the site does not increase flood risk downstream, this is not a matter exclusively concerned with flow control.

Highway Drainage
In respect of highway drainage, for information please note that highway drainage assets discharging into sewerage assets not adopted by a statutory undertaker will not themselves be adopted by the Highway Authority.

Pollution Control, Construction
As part of construction planning/construction due consideration must be given to pollution control and flood risk, for example we would not want a full site topsoil strip such that if an extreme rainfall event occurred a large amount of sediment and indeed water could quickly runoff the site uninterrupted causing pollution and increased downstream flood risk.

HBC Head of Service for Heritage and Open Spaces: The proposal is not adjacent to any listed or locally listed buildings, nor is it in or near a conservation area. No objections.

HBC Landscape Architect: The amendments to the application are noted.
Defer to Ecology for any comments regarding the Ecological management plan.

Update 11/10/2024 following amended Arboricultural and ecological details:

The amendments relate to Ecology and Arb. Comments.
Defer to Ecology and Arb. Officer comments.

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

A Construction Management Plan shall be submitted to and agreed in writing with the Local Planning Authority, prior to the commencement of development, to agree the routing of all HGVs movements associated with the construction phases, effectively control dust emissions from the site remediation and construction works, this shall address earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing measures to reduce mud on highways, roadsheeting of vehicles, offsite dust/odour monitoring, communication with local residents and measures to prevent the queuing of construction vehicles prior to the opening of the site.

No construction works shall take place outside the hours of 08.00 hrs and 18.00 hrs Mondays to Friday and 09.00 hrs and 13.00 hrs on a Saturday. No construction works shall take place on Sundays or Bank Holidays.

A noise attenuation scheme shall be provided as specified in the Noise assessment dated October 2020 submitted with the application. The scheme shall be maintained for the life of the development.

Update 05/02/2026 following query from case officer regarding proposed local centre planning conditions:

I am happy to agree to the hours of use and deliveries conditions.

HBC Traffic and Transport:
Local Network Impact

There are no highway objections in principle to this scheme, however transport modelling has shown that a number of junctions on the local network will operate over capacity if this development proceeds without suitable mitigation. There are already similar restrictions imposed on housing numbers for the High Tunstall H/2014/0428 development.

The scheme cannot proceed until the following highway improvement schemes have been implemented:-

- Elwick bypass and grade separated junction onto the A19
- Park Road / Catcote Road / Elwick Road junction improvements
- Hart Lane / Serpentine Road junction improvements
- Elwick Road / Dunston Road roundabout improvements

In order to help progress these schemes the developer has agreed to provide a general highways contribution of £12,396.01 per dwelling.

Access

The developer is proposing to access the development from Elwick Road via a priority controlled T junction with a segregated right turn facility. This access is considered acceptable.

A secondary access is proposed via a connection to Quarry Farm Phase 2, which will then link onto the wider highway network via Reedston Road. This would help in highway terms as it will distribute traffic more evenly and help take traffic away from High Tunstall School / Elwick Road. However, the road through Quarry Farm 2 has been designed to accommodate up to 300 houses and is 5.5 metres wide with frontage properties.

The addition of 475 dwellings on top of the existing 220 at Quarry Farm 2, and the existing properties on Reedston Road would require the route through the site to be constructed as a secondary distributor road and have a carriageway width of 7.3 metres with minimal frontage properties. This route would potentially attract additional traffic through the site as it will provide a short cut to Hart Lane. The route should be designed to discourage through traffic with appropriate traffic calming installed.

The developer is to provide a footway on the northern side of Elwick Road which will connect into the existing footway at Quarry Farm 2/ Woodhouse Lane. A pedestrian refuge will be provided within the ghost island to help pedestrians cross Elwick Road

and connect into the High Tunstall development. The footway on the High Tunstall side to the west of the access is to be extended as necessary to provide this link.

The 30mph speed limit on Elwick Road should be extended to cover the site access. There are already requirements for the speed limit to be extended as part of the High Tunstall development up to the new roundabout access, however if this development proceeds quicker than High Tunstall the speed limit will need to be adjusted accordingly.

Again, if this development proceeds faster than High Tunstall appropriate street lighting should be implemented at the site access / Elwick Road junction. Improvements should be made to the eastbound bus stop at Quarry Farm, which are to include low floor kerbs and a bus shelter.

Update 10/02/2025 following discussions with applicant:

Local Network Impact

There are no highway objections in principle to this scheme, however transport modelling has shown that several junctions on the local network will operate over capacity if this development proceeds without suitable mitigation. There are already similar restrictions imposed on housing numbers for the High Tunstall H/2014/0428 development.

The scheme cannot proceed until the following highway improvement scheme has been implemented: -

- Elwick bypass and grade separated junction onto the A19.

This is due to capacity issues on the local highway network. It will also allow construction traffic to use the bypass rather than travel along the A179 - Hart Lane - Dunston Road – Elwick Road. The bypass would be a more direct route and have limited impact on traffic and residents compared with the route used previously for earlier phases of housing on Elwick Road.

The following schemes should be implemented prior to occupation, it should however be noted that the construction period for these schemes would be several weeks / months and to minimise the impact from congestion the schemes should be carried out separately.

- Park Road / Catcote Road / Elwick Road junction improvements
- Hart Lane / Serpentine Road junction improvements
- Elwick Road / Dunston Road roundabout improvements

To help progress these schemes the developer has agreed to provide a general highways contribution of £12,396.01 per dwelling. This does not cover the full cost of the above schemes. The remaining costs would be covered via Council budgets and further development contributions. The full amount should be paid prior to the commencement of works.

It is considered that that following the implementation of these schemes for the full extent of the High Tunstall development H/2014/0428 and the proposed development can be accommodated on the Local Highway Network.

Access

The developer is proposing to access the development from Elwick Road via a priority T junction with a segregated right turn facility (plan ITM 15669- GA-017). The type of access is considered acceptable; however, it is considered that the proposed carriageway width at the access is not sufficient this should be increased to 7.3 metres in the vicinity of the local centre.

A secondary access is proposed via a connection to Quarry Farm Phase 2, which will then link onto the wider highway network via Reedston Road. This would help in highway terms as it will distribute traffic more evenly and help take traffic away from High Tunstall School / Elwick Road. However, the road through Quarry Farm 2 has been designed to accommodate up to 300 houses and is 5.5 metres wide with frontage properties.

The addition of 475 dwellings on top of the existing 220 at Quarry Farm 2, and the existing properties on Reedston Road would normally require the route through the site to be constructed as a secondary distributor road and have a carriageway width of 7.3 metres with minimal frontage properties. However, this route would potentially attract additional traffic through the site as it will provide a short cut to Hart Lane. The route should be designed to discourage through traffic with appropriate traffic calming installed and a reduced carriageway width.

The developer is to provide a footway on the northern side of Elwick Road which will connect into the existing footway at Quarry Farm 2 Woodhouse Lane. A pedestrian refuge will be provided within the ghost island to help pedestrians cross Elwick Road and connect into the High Tunstall development. The footway on the High Tunstall side to the west of the access is to be extended as necessary to provide this link.

The 30mph speed limit on Elwick Road should be extended to cover the site access. There are already requirements for the speed limit to be extended as part of the High Tunstall development up to the new roundabout access, however if this development proceeds quicker than High Tunstall the speed limit will need to be adjusted accordingly.

Again, if this development proceeds faster than High Tunstall appropriate street lighting should be implemented at the site access / Elwick Road junction.

Improvements should be made to the eastbound bus stop at Quarry Farm, which are to include low floor kerbs and a bus shelter.

Update 13/06/2025 following further discussions with applicant:

I refer to my previous comments dated 10/2/25 and the response by I Transport.

A19 GSJ / Elwick Bypass Scheme
We can confirm that we are happy for the proposed wording of the Condition restricting occupation of dwellings to be changed from completion of the Elwick Bypass / GSJ to scheme as commenced. I am happy for the restriction on

construction traffic not to be pass through Elwick Village to be reflected in the Construction Management Plan.

Local Road Improvement Schemes
We can confirm that the requirement for the development not to occupied until the completion of local road improvement schemes is no longer required.
Proposed Contributions
We are happy that the developer as accepted our proposed phasing of highway contributions.

Proposed Scheme Layout
I can confirm that the amended access layout is acceptable. And that traffic calming throughout the site can be agreed at the reserved matters stage.

I can confirm that there are no more outstanding highway issues.

Update 24/09/2025 following clarification:

Following our earlier conversation, I can confirm that I would like to amend my response to the proposed condition relating to the occupation of the site.

The development should not be occupied until the A19 GSJ / Elwick Bypass is operational.

This would bring the condition in line with National Highway comments and the condition not allowing the occupation of the 209th dwelling on the High Tunstall Development until the bypass is in operation.

Update 23/12/2025 following discussions:

Local Network Impact

There are no highway objections in principle to this scheme, however transport modelling has shown that several junctions on the local network will operate over capacity if the development proceeds without suitable mitigation. There are already similar restrictions imposed on housing numbers for the High Tunstall H/2014/0428 development.

The scheme cannot proceed until the following highway improvement scheme has commenced on site, and this scheme must be operational prior to first occupation.

For the avoidance of doubt, *'commenced on site'* relates to the main part of the works, and not vegetation clearance, utility works, etc: -

- Elwick bypass and grade separated junction onto the A19.

This is due to capacity issues on the local highway network. A further condition should also be secured stating that:-

- Construction traffic must not travel through Elwick Village, and must use alternative routes when travelling to and from site.

The following schemes on the local highway network are required to mitigate the development:-

- Elwick Road corridor improvements
- Hart Lane corridor improvements
- Elwick Road / Dunston Road roundabout improvements

It should however be noted that the construction period for these schemes would be several weeks / months, and to minimise the impact from congestion the works for each should be carried out separately.

To help progress these improvements the developer has agreed to provide a general highways contribution of £12,396.01 per dwelling. This does not cover the full cost of the above schemes. The remaining costs would be covered via Council budgets and further development contributions.

The highways payments should be made as 4 equal contributions of £1,472,026.19 (index linked), at the following points:-

- Prior to commencement;
- On occupation of the 150th dwelling;
- On occupation of the 300th dwelling;
- On occupation of the 450th dwelling;

It is considered that following the implementation of these schemes, the full extent of the High Tunstall development H/2014/0428 and the proposed development can be accommodated on the local highway network.

It should also be noted that the improvement schemes will provide significant benefits across the highway network, and the contributions received from this development in conjunction with those received from other sites will enable them to come forward sooner than they otherwise would, leading to reduced congestion in this area of Hartlepool.

The Transport Assessment for the application demonstrates that during the AM peak 167.3 less vehicles are predicted to remain queuing outside of the modelled network, while during the PM peak 106.3 less vehicles are predicted to remain queuing inside the network and 294.5 less vehicles queuing outside of it, with the mitigation schemes in place.

Individual junction assessments show a significant reduction in queuing at the Elwick Road/ Park Road/ Wooler Road junctions and also along the Hart Lane corridor, with general improvements elsewhere across the network, in comparison to the ‘do nothing’ scenario.

To do nothing will see congestion continuing to increase as a result of the build out of already approved applications plus general traffic growth, whereas the highways mitigation schemes will deal with the traffic from this application and add further capacity to the network.

Access

The developer is proposing to access the development from Elwick Road via a priority T junction with a segregated right turn facility (plan ITM 15669- GA-017). The type of access is considered acceptable; however, it is considered that the proposed carriageway width at the access is not sufficient this should be increased to 7.3 metres in the vicinity of the local centre.

A secondary access is proposed via a connection to Quarry Farm Phase 2, which will then link onto the wider highway network via Reedston Road. This would help in highway terms as it will distribute traffic more evenly and help take traffic away from High Tunstall School / Elwick Road. However, the road through Quarry Farm 2 has been designed to accommodate up to 300 houses and is 5.5 metres wide with frontage properties.

The addition of 475 dwellings on top of the existing 220 at Quarry Farm 2, and the existing properties on Reedston Road would normally require the route through the site to be constructed as a secondary distributor road and have a carriageway width of 7.3 metres with minimal frontage properties. However, this route would potentially attract additional traffic through the site as it will provide a short cut to Hart Lane. The route should be designed to discourage through traffic with appropriate traffic calming installed and a reduced carriageway width.

The developer is to provide a footway on the northern side of Elwick Road which will connect into the existing footway at Quarry Farm 2 Woodhouse Lane. A pedestrian refuge will be provided within the ghost island to help pedestrians cross Elwick Road and connect into the High Tunstall development. The footway on the High Tunstall side to the west of the access is to be extended as necessary to provide this link.

The 30mph speed limit on Elwick Road should be extended to cover the site access. There are already requirements for the speed limit to be extended as part of the High Tunstall development up to the new roundabout access, however if this development proceeds quicker than High Tunstall the speed limit will need to be adjusted accordingly.

Again, if this development proceeds faster than High Tunstall appropriate street lighting should be implemented at the site access / Elwick Road junction. Improvements should be made to the eastbound bus stop at Quarry Farm, which are to include low floor kerbs and a bus shelter.

Conditions

1.No part of the development shall be occupied until the existing 30mph speed limit which currently terminates 120 metres west of the High Tunstall Development access has been extended along Elwick Road and terminates 120 metres west of the proposed access. Plans detailing the proposed mitigation should be first submitted to and agreed in writing with the Highway Authority In the interests of highway and pedestrian safety.

2.No part of the development shall be occupied until a system of street lighting has been completed on Elwick Road which covers the extent of the site access. Such highway mitigation measures to be first submitted to and agreed in writing with the Local Highway Authority. In the interests of highway and pedestrian safety.

3. No part of the development shall be occupied until improvements have been made to the east bound bus stop at Quarry farm. The improvements should include the implementation of low floor kerbing, hard standing and a Bus Shelter. such highway mitigation measures to be first submitted to and agreed in writing with the Local Highway Authority. In the interests of highway and pedestrian safety.

4.Prior to the commencement of the development hereby permitted a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19). The plan shall include as a minimum: • Construction phasing; • Construction routing plans; • Permitted construction traffic arrival and departure times; • Details of the wheel washing facilities that will be put in place to minimise the transference of mud onto the highway. These should be sited on hard standing. Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority (in consultation with the Highways Authority for the A19). Construction traffic must also not travel through Elwick Village, and must use alternative routes when travelling to and from site.

5. No part of the development shall be occupied until a footway has been constructed on the northern side of Elwick Road between the Quarry Farm Bus stop and the existing footway at the junction with Woodhouse Lane, such highway mitigation measures to be first submitted to and agreed in writing with the Local Highway Authority. In the interests of highway and pedestrian safety.

6. No part of the development shall be constructed until the Elwick Bypass and grade separated junction onto the A19 has commenced on site, and this scheme must be operational prior to first occupation. For the avoidance of doubt, *'commenced on site'* relates to the main part of the works, and not vegetation clearance, utility works, etc. In the interests of highway and pedestrian safety.

7. Four equal highways contributions of £1,472,026.19 (index linked), should be made at the following points:-

- Prior to commencement;
- On occupation of the 150th dwelling;
- On occupation of the 300th dwelling;
- On occupation of the 450th dwelling;

To support the provision of the following improvement schemes:-

- Elwick Bypass and grade separated junction onto the A19
- Elwick Road corridor improvements
- Hart Lane corridor improvements
- Elwick Road / Dunston Road roundabout improvements

In the interests of highway and pedestrian safety.

Tees Archaeology: Thank you for the consultation on this application. I note the inclusion of an archaeological desk - based assessment as well as a geophysical survey. The desk -based assessment recommended a brief photographic recording of the area of the limestone quarries, and indicated that targeted evaluation trenching may be required following the results of the geophysical survey. The geophysical survey detected a small number of anomalies that have the potential to be archaeological in origin.

We would therefore ask for a field evaluation of the site (NPPF para 189), comprising archaeological trial trenching and a Level 1 photographic survey of the area of the limestone quarries, prior to determination of the application in order to provide sufficient information to advise the planning authority. The trial trenching should target the anomalies detected in the geophysical survey, as well as the area of the former limekilns in order to record any surviving evidence of these features. The results from this work will allow a recommendation as to whether any further work might be required; this would be secured through a condition should the application be successful.

Updated comments 17/02/2022 following receipt of archaeological information:

Thank you for sending through the archaeological evaluation and photographic survey report. The evaluation has demonstrated little archaeological potential, although the remains of the quarry are of interest. However, as the quarry is to be left as a local wildlife site, there is no need for any further archaeological work on site. We would suggest the inclusion of an interpretation panel of the quarry; this could be erected along the boundary fencing for the proposed wildlife site, along the footpath connecting the northern and southern parts of the development.

NHS Tees CCG: I am writing in response to the above planning application currently being evaluated by you. Please see below for the required contribution to healthcare should the scheme be approved.

Local surgeries are part of CCG wide plans to improve GP access and would be the likely beneficiaries of any S106 funds secured.
Local GP Practices are keen to maintain/improve their access, and an increase in patient numbers may require adjustments to existing premises/access methods. Please be advised that we would be unable to guarantee to provide sustainable health services in these areas in future, should contributions not be upheld by developers.

In calculating developer contributions, we use the Premises Maxima guidance which is available publically. This assumes a population growth rate of 2.3 people per new dwelling and we link this increase to the nearest practice to the development, for ease of calculation.

We use the NHS Property Service build cost rate of £3,000 per square metre to calculate the total financial requirement.

This reflects the current position based on information known at the time of responding. The NHS reserves the right however to review this if factors change before a final application is approved.

Should you have any queries in relation to this information, please let me know.

Item	Response
LA Planning References	H/2020/0387
GP Practices affected	All Hartlepool Practices
Local intelligence	These Practices are struggling with space requirements to deliver services and this development would pose a significant increase in patient population in the area. S106 funding would assist them to provide appropriate services to patients
Number of Houses proposed	475
Housing impact calculation	2.3
Patient Impact (increase)	1,093
GP practice Current List Size	109,501
Proposed GP Practice New List size	**110,594**
Maxima Multiplier	0.07
Additional m^2 required (increase in list x Maxima Multiplier)	**76.44m^2**
Total Proposed Contribution £ (Additional m^2 x £3kpm^2, based on NHSPS build cost)	**£229,320**

Cleveland Fire Brigade: Cleveland Fire Brigade offers no representations regarding the development as proposed, however Access and Water Supplies should meet the requirements as set out in both:
Approved Document B, Volume 1: 20 19, Section B5 for Dwellings.
Approved Document B Volume 2: 2019, Section B5 for Buildings other than Dwellings.

It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5 tonnes. This is greater than the specified weight in AD B Vol 1Section B5 Table 13.1 and AD B Vol 2 Section B5 Table 15.2.

It should be confirmed that shared driveways and emergency turning head areas meet the minimum carrying capaci ty requirements as per ADB Vol 1, Section B5: Table 13.1, and in line with the advice provided regarding the CARP, above.

Cleveland Police: Thank you for the further opportunity to comment on the proposal: Outline application with all matters reserved, except for access, for

residential development comprising up to 475 dwellings, and including a local centre comprising retail (400sqm) and associated infrastructure.
I note the references to Designing out Crime and Secured by Design within the Design and Access Statement, under Section 16 Community Safety.
There is no reason why the development couldn't achieve a Secured by Design (SBD) Certificate. There is no cost for this, and it can be used to help market the site. Full details of the current guidance in relation to the award are available here
Security is very important at the outset, particularly for buildings of this type. There are many crimes that occur during the construction phase; the most significant include theft of plant equipment, materials and tools.

Update 05/12/2024 following re-consultation on amended scheme:

With regards to your recent Outline planning application H/2020/0387 for 475 x Dwellings, Elwick Rd.Hartlepool.
Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED).

I would like to make you aware that Cleveland Police operate the "Secured By Design" initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments.
I recommend applicant actively seek Secured By Design accreditation, full information is available within the SBD Homes 2024 Guide and the Commercial 2023 Guide www.securedbydesign.com

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

- The National Planning Policy Framework 2023 paragraph 92(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion…
- The National Planning Policy Framework 2023, paragraph 130(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible… and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".
- Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure. Developers will be expected to have regard to the following matters, where appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.

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

Further information on the Secured By design initiative can be found on www.securedbydesign.com

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

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

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

All doors and windows are recommended to be to tested and certified PAS24:2020/2016 standards (or equivalent)
This includes garage doors.
These must be dual certified for both fire and security.

Dusk til dawn lights are recommended to each elevation with an external door-set. This also includes any proposed garage doors and side in curtilage parking areas..

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

Neighbourhood permeability… is one of the community level design features most reliably linked to crime rates. Excessive permeability should be eliminated.
I recommend permeability be reduced, example being the section to the right of the Village Green, eastern side of proposal.

There are also a couple of access routes such as those linking SUDS pond to Village Green and the walkway from southern section of the top proposed play area. Both of these routes are between side elevations of dwellings, this should be avoided as proposed as they could become crime generators and catalysts for anti-social behaviour due to lack of passive surveillance.
All proposed side and rear treatments onto public realm are recommended to be to 2.0m in height.
Those to rear/rear side of Plots backing onto open space recommended to be increased to minimum of 2.2m, preferably 2.4m.
Locate all side boundary treatments as for forward to the front elevations of the properties as possible to eliminate recesses.
Boundary treatments between rear gardens are recommended to be 1.8m in height.

Defensible space to each plot is an important consideration.
Ginnel access serving several rear gardens should be avoided where possible. If absolutely necessary a lockable gate is required at initial access point as well as each individual garden.

I strongly recommend against the proposal to have numerous rear parking areas, these can become very problematic and vulnerable to crime and anti-social behaviour, again due to the lack of passive surveillance.
I have real concerns about these, and, indeed, should any of the numerous proposed remain they are strongly advised to be securely gated and lit as per previous recommendations with only resident access to become rear secure parking courts.

I would recommend the proposed play area on north east corner be relocated to the village green area to maximise surveillance.
Any proposed play areas should be located to maximise surveillance opportunities and play areas should have low level boundary treatment with automatic return entrance gates.

It should also be appropriately lit, as per lighting recommendations, to minimise anti-social behaviour issues from arising.
It should not be sited in close proximity to wooded/secluded areas.
Materials used should also be considered for robustness and vulnerability to fire and general damage.

The proposed Local Centre should be suitably separated by appropriate boundary treatments to side and rear to maintain separation for dwellings adjacent to it.

The proposed fronting of majority of the dwellings onto open space is recommended.

Proposed Retail.

Any proposed doors, windows and roller shutters to the retail section are recommended to be to tested and accredited LPS1175:A1 (or equivalent) rating.
Fire doors are recommended to be devoid of external furniture.

External bulkhead lighting on building should also be considered.

It is recommended to have alarm provision provided.

CCTV provision is recommended.

Update 04/08/2025 following re-consultation on updated Planning Statement:

In relation to this application, my previously submitted comments are still valid.

Northumbrian Water: In making our response to the local planning authority Northumbrian Water will assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do

not offer comment on aspects of planning applications that are outside of our area of control.

It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit https://www.nwl.co.uk/services/developers/

Having assessed the proposed development against the context outlined above Northumbrian Water have the following comments to make:

We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted document entitled “Flood Risk Assessment and Drainage Strategy”. In this document it states the foul flows shall discharge to the public sewerage network utilising the existing connection of Phase 2 which discharges at manhole 3306. All surface water flows shall discharge to the watercourse.

We would therefore request that the following condition be attached to any planning approval, so that the development is implemented in accordance with this document:

CONDITION: Development shall be implemented in line with the drainage scheme contained within the submitted document entitled “Flood Risk Assessment and Drainage Strategy” dated “August 2020”. The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 3306 and ensure that surface water discharges to the existing watercourse.

REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developers approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy.

Natural England: Designated Sites [European] – No Objection Subject To Securing Appropriate Mitigation

This advice relates to proposed developments that falls within the ‘zone of influence’ (ZOI) for one or more European designated sites, such as Teesmouth and Cleveland Coast Special Protection Area (SPA), & Durham Coast Special Area of Conservation (SAC), Northumbria Coast Special Protection Area (SPA) and RAMSAR. It is anticipated that new residential development within this ZOI is ‘likely to have a significant effect’, when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development. On this basis the development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts in the form of a strategic solution Natural England has advised that this solution will (in our view) be reliable and effective in preventing adverse effects on the integrity of those European Site(s) falling within the ZOI from the recreational impacts associated with this residential development.

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

Update 24/10/2024 following amended details:

Natural England has previously commented on this proposal and made comments to the authority in our response dated 20th May 2024, reference number 474954 (attached).

The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Rural Plan Working Group: The application site abuts the Hartlepool Rural Neighbourhood Plan area and threatens to have a major impact on the rural area. The Group strongly objects to this application.

The proposed development is contrary to LOCAL PLAN POLICY LS1 LOCATIONAL STATEGY. This part of Quarry Farm is outside the development limits identified in the Local Plan and is not part of the envisaged sustainable growth of the town. The required local and strategic infrastructure improvements needed to permit the developments already started have yet to be delivered.

The key new element of strategic infrastructure required is a bypass to the north of Elwick Village along with a new grade separated junction on the A19. There remains no sign of this infrastructure being achieved. Elwick and Dalton Piercy increasingly suffer as the entirely unsuitable rural roads through the villages are used to access and egress the A19.

The location of this development is also likely to impact on the A179/A19 junction, which is already stressed due to the closure of the central reservation gaps on the A19 which had served Elwick and Dalton Piercy.

LOCAL PLAN HSG5a QUARRY FARM HOUSING SITE. The Quarry Farm housing development was allocated for approximately 220 dwellings and this already benefits from planning permission. This policy states "no development would be permitted

prior to the implementation of the grade separated junction and bypass to the north of Elwick Village unless otherwise agreed with Highways England and the Borough Council". There remains no sign of the bypass and junction required to serve the developments already indicated by the Local Plan, and we are now confronted with a completely new application for an additional 475 houses on an entirely new site (more than twice the number built on the local plan allocated site for Quarry Farm).

Any additional developments should not even be considered until the promised bypass is a functioning reality.

LOCAL PLAN RUR1 DEVELOPMENT IN THE RURAL AREA. This policy clearly states the Borough Council will seek to ensure the rural area is protected and enhanced to ensure that its natural habitat, cultural and built heritage and rural landscape character are not lost. Development outside the development limits will be strictly controlled. This application is outside the development limits and would consume another 23.5 hectares of rapidly disappearing countryside, a shrinking and finite resource for Hartlepool.

As a development outside the development limits this application should be considered as development in the rural area. As such it does not comply with the conditions required for such development. It fails to comply as there is a detrimental impact on the highway safety; it will have a detrimental impact on the landscape character – turning the high-quality undulating farmland into suburbia; and needs confirmation it avoids the best and most versatile agricultural land.

LOCAL PLAN RUR2 NEW DWELLINGS OUTSIDE DEVELOPMENT LIMITS The Borough Council has stated it will seek to protect the countryside by only permitting new dwellings outside of development limits if there is clear justification. This application very clearly does not meet any of the justifications for development in the rural area as stated in this policy.

The Hartlepool Rural Neighbourhood Plan Group strongly objects to this application as it is outside the development limits established by the Local Plan, the required strategic infrastructure is not in place and there will be a detrimental impact on the rural area.

Durham County Council: Following your letter dated 10th October, thank you for re-consulting Durham County Council on this application. I see DCC previously commented in April 2021 with no objection, and in June 2024 with no comment.

Having reviewed the application, Durham County Council do not object to this application.

Environment Agency: Environment Agency position
We have reviewed the development proposal and have no objection to the application as submitted.

Please note the following informative comments:
Land contamination risk and management – advice to LPA/applicant

Based on the information contained within the submitted desk study, the site has not been subject to highly contaminative land uses. Whilst the site has a former quarry located within it, there is no evidence that this has been backfilled.
We recommend that you refer to our published 'Guiding Principles for Land Contamination' which outlines the approach which should be adopted when managing this site's risks to the water environment.

We also advise that you consult with your Environmental Health/Environmental Protection Department for advice on generic aspects of land contamination management. Where planning controls are considered necessary, we recommend that the environmental protection of controlled waters is considered alongside any human health protection requirements. This approach is supported by paragraph 170 of the National Planning Policy Framework.

Foul water – Advice to LPA
We are satisfied with Northumbrian Water's (NWL) conclusion that there is capacity in their network for additional flows. We are not clear at this time if these additional flows would result in a significant increase in combined sewer overflows (CSO) and if this would result in any indirect impacts or deteriorations to waterbodies. However, we do not wish to object on this matter as given NWL's stance it is not considered a significant planning concern for this application.

HBC Waste Management: Provision of Waste and Recycling Collection and Storage Facilities to new properties

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

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

Please see our 'Developer Guidance Waste and Recycling for new properties' document which can be found at www.hartlepool.gov.uk/usingyourbins for further information.

National Highways: H/2020/0387 | Outline application with all matters reserved, except for access, for residential development comprising up to 475 dwellings, and including a local centre comprising retail (400sqm) and associated infrastructure | Land at Quarry Farm, Elwick Road, Hartlepool

We have received a revised Transport Assessment Addendum (TAA) and a revised Travel Plan (TP) from the Applicant's transport consultant for the above planning application. Upon review of your planning portal, it appears that these documents

have not yet been submitted to accompany the application. We assume that the documents will be submitted in due course and have, written the following comments on this basis.

Revised TP
We strongly support the proposal that the developer will be incorporating high speed broadband across the site to ensure that future residents have the opportunity to work from home.

Whilst we have concerns regarding the approach taken to derive the TP targets (in terms of car passenger and work from home proportions), on balance, we would consider the baseline modal splits to be appropriate. Upon review of both the proposed measures and targeted modal split, we would state that the measures are sufficiently reflected in the staggered modal shift and that, subject to an appropriate monitoring strategy, a reduction in car driver trips of 5% is achievable.

The proposed monitoring strategy is not compliant with the requirements of DfT Circular 01/2022 because the monitoring requirements of the TP should only cease when there is sufficient evidence for all parties to be sure that the travel patterns of the development are in line with the objectives of the Travel Plan, in line with PPG (2014). National Highways would, therefore, request that the following planning condition be attached to any grant of planning permission:

1) Unless otherwise agreed in writing by the Local Planning Authority in consultation with the Highways Authority for the A19, Travel Plan monitoring must continue until it has been demonstrated that the travel patterns of the development are in line with the travel plan targets as shown in Table 6.2 of the "Quarry Farm Phase 3, Hartlepool Travel Plan" (reference: JO/VE/ITM15669-002A R).

Subject to the above planning condition, we would find the TP to be appropriate (but noting immaterial deficiencies).

Transport Assessment Addendum
The inputs for the merge / diverge assessment (the study area, baseline vehicle trip generation and committed development traffic flows) are consistent with those previously agreed with us. We also maintain the view that the proposed opening year of 2030 is broadly consistent with the opening year of the A19 Elwick GSJ and is therefore an appropriate assessment of the Quarry Farm Phase 3 development.

National Highways would state that the proposed development is entirely dependent on the completion of the A19 Elwick GSJ, and therefore the following pre-occupation planning condition should be attached to any grant of planning permission:
2) "The development hereby approved shall not be occupied unless and until the works to the A19 Elwick Junction, as shown in principle on drawing reference PR568/OD/GA (B), are implemented to the satisfaction of the Local Highway Authority (in consultation with the Highways Authority for the A19) and are open to traffic"
Having reviewed the results of the merge / diverge assessment, we would deem them to be appropriate and in line with that which had previously been agreed with

us. Consequently, we would maintain the view that the proposed development does not create a 'step-change' in the mitigation requirements and, therefore, it is not the Applicant's responsibility to deliver the identified improvements. We would, however, request a meeting with the Council to discuss the identified mitigation requirements at the A19(T) Elwick Junction.

National Highways would note our disappointment that that the residual trip generation (i.e. accounting for the TP) for the proposed development has not been assessed within the TAA and would state that this is not consistent with Circular 01/2022. While noting this policy deficiency, we would state that on balance, due to the detailed assessments agreed in the TAA, the fact the occupation of the proposed development will not commence until after a major mitigation scheme is delivered (as discussed above), and because the planning application pre-dates the publication of Circular 01/2022, the 'baseline' trip generation that has been assessed is appropriate to demonstrate the traffic impact of the proposed development.

Going forward, however, we would expect any other planning applications to assess their residual trip generation (i.e. after the consideration of any TP measures).

Construction Traffic Management Plan (CTMP)
Due to the scale of the development, National Highways would request that the following CTMP planning condition is attached to any grant of planning permission:
3) "Prior to the commencement of the development hereby permitted a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19). The plan shall include as a minimum:
• Construction phasing;
• Construction routing plans;
• Permitted construction traffic arrival and departure times.
Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority (in consultation with the Highways Authority for the A19)."

Recommendation
On the basis of the above, I enclose National Highways' formal NHPR 24-02 response recommending that the following planning conditions be attached to any grant of planning permission for this application:

1) Unless otherwise agreed in writing by the Local Planning Authority in consultation with the Highways Authority for the A19, Travel Plan monitoring must continue until it has been demonstrated that the travel patterns of the development are in line with the travel plan targets as shown in Table 6.2 of the "Quarry Farm Phase 3, Hartlepool Travel Plan" (reference: JO/VE/ITM15669-002A R).
2) The development hereby approved shall not be occupied unless and until the works to the A19 Elwick Junction, as shown in principle on drawing reference PR568/OD/GA (B), are implemented to the satisfaction of the Local Highway Authority (in consultation with the Highways Authority for the A19) and are open to traffic.

3) Prior to the commencement of the development hereby permitted a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19). The plan shall include as a minimum:
• Construction phasing;
• Construction routing plans;
• Permitted construction traffic arrival and departure times.
Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise
Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ
National Highways Limited registered in England and Wales number 09346363
Approved in writing by the Local Planning Authority (in consultation with the Highways Authority for the A19).

Update 29/07/2025 following receipt of amended Planning Statement and Highways Statement:

Thank you for your consultation letter dated 16th July 2025 identifying that an updated Planning Statement had been uploaded relating to the above application. National Highways has reviewed this document and do not consider that its contents amend the position, or the proposed conditions, that we recommended in our letter dated 4 March 2024.

For the avoidance of doubt, National Highways recommended that the following planning conditions should be attached should you be minded to grant planning approval:
1) Unless otherwise agreed in writing by the Local Planning Authority in consultation with the Highways Authority for the A19, Travel Plan monitoring must continue until it has been demonstrated that the travel patterns of the development are in line with the travel plan targets as shown in Table 6.2 of the "Quarry Farm Phase 3, Hartlepool Travel Plan" (reference: JO/VE/ITM15669-002A R).

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

3) Prior to the commencement of the development hereby permitted a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19). The plan shall include as a minimum:

• Construction phasing.
• Construction routing plans.
• Permitted construction traffic arrival and departure times.
Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority (in consultation with the Highways Authority for the A19).

Dalton Piercy Parish Council: Dalton Piercy Parish Council Object to planning application H/2020/0387 - 475 x dwellings, business units and infrastructure. This application should not be considered until serious existing infrastructure issues are resolved.

The so -called 'Elwick bypass' is yet to be built. Adding what could be up to 1000 extra car journeys through existing infrastructure would cause unacceptable strain on our village through roads; including through Dalton Piercy itself as well as Elwick and on Worset/Hart Back Lane.

Furthermore, the current road infrastructure into Hartlepool itself is also becoming overwhelmed. Traffic at Wooler/Elwick Road junction and at Hart Lane/Serpentine Gardens junctions is now severely congested especially at 'rush hour' peaks with long queues. These are the only 2 routes villagers can use to get into town - an essential route for those who live in the 'Rural West' area.

Hartlepool Borough Council have already granted permission for a number of very large schemes yet to be delivered. These schemes more than cover the current local quota for delivery of new housing stock as is laid out in their own local plan. Is there proof of demand for these houses at this time?

Update 18/07/2025 following receipt of updated Planning Statement:

Objection to Planning Application - Land at Quarry Farm, Elwick Road, Hartlepool (TS26 0LH)

I write on behalf of Dalton Piercy Parish Council in response to the amended planning application for residential development at Quarry Farm, Elwick Road, Hartlepool.

We wish to formally object to this proposal due to the likely increase in traffic using Dalton Piercy as a short cut. The main road through Dalton Piercy, as well as Dalton Back Lane, are both narrow rural roads not designed to accommodate additional through-traffic from such a large development.

This raises serious concerns around road safety, particularly at pinch points and junctions, and increases the risk of accidents within the village. The potential impact on residents, pedestrians, and local road users would be considerable and we do not believe this has been adequately addressed in the amended planning statement.

We also request that Dalton Piercy Parish Council be consulted on any future amendments or changes to this application. Additionally we'd be grateful if you take this concern seriously as DPPC may pursue additional road safety and widening under Section 39 of the Highways Act 1980 for Dalton Back Road, and the ninety degree bend on the corner of Maynell House, and additional areas reported to us from our Parishioners.

Update 25/07/2025 following Parish Council meeting:

I write on behalf of Dalton Piercy Parish Council in response to the amended planning application for residential development at Quarry Farm, Elwick Road, Hartlepool.

We wish to formally object to this proposal due to the likely increase in traffic using Dalton Piercy as a short cut. The main road through Dalton Piercy, as well as Dalton Back Lane, are both narrow rural roads not designed to accommodate additional through-traffic from such a large development.

This raises serious concerns around road safety, particularly at pinch points and junctions, and increases the risk of accidents within the village. The potential impact on residents, pedestrians, and local road users would be considerable and we do not believe this has been adequately addressed in the amended planning statement.

We also request that Dalton Piercy Parish Council be consulted on any future amendments or changes to this application.

Elwick Parish Council: Elwick Parish Council wishes to put on record its strong objection to this further development at Quarry Farm. Whilst we accept the developer has produced a well -designed outline plan, it has a fatal flaw, in that access to/from the site will be via Elwick Road, a road not fit for purpose. Elwick residents were promised a By -Pass would be open before any further developments were allowed at this end of the town we are still waiting four years on and the land has yet to be purchased. We wish to state our objections to any further development being commenced BEFORE the grade -separated junction and by -pass for Elwick, promised in the Local Plan, are completed.

The road from the town through Elwick village is a narrow, bendy road, prone to flooding and is already used as a short cut for traffic from the town entering or exiting the south-bound carriageway of the A19, causing problems for Elwick village residents who need to cross it on foot to access village facilities, and endangering children walking to/from school.

The proposed development of another 475 dwellings at Quarry Farm will only exacerbate this, potentially delivering another 1,000 or more vehicles onto our road. The Local Plan only allowed for 220 dwellings at Quarry Farm and these are already under construction by the applicant developer.

The Local Plan policy HSG5a: Quarry Farm Housing Site states:
No development will be permitted prior to the implementation of the grade separated junction and bypass to the north of Elwick Village unless otherwise agreed with Highways England and the Borough Council.

The development will be expected to contribute, on a pro-rata basis, to strategic infrastructure provision including the grade separated junction and bypass to the north of Elwick Village.

If we assume that perhaps half the residents of this proposed development need to travel northwards for work, they will have to access the A19 via Dunstan Road, Hart Lane and the A179.

These roads are already at capacity at peak times as residents of Dalton Piercy and Elwick have to use them to access the A19 since the closure of the gaps.

The Local Plan was meant to be a definitive plan of action for the 15 years it covers. Already the Borough Council has fallen behind in delivering the road improvements at Elwick and has overturned its commitment to housing limits, having approved many hundreds of dwellings in excess of those it said were needed. Elwick Parish Council will oppose any further developments on this side of the town until we have the promised By -Pass, and will be writing to Government Ministers to this effect.

Hartlepool Water: This application is outside of Anglian Water's sewerage boundary – we have no comments to make with regards to the foul or surface water proposals, Anglian Water will only comment on drainage/surface water within our boundaries.

With regards to our assets, we need to inform you that a 12inch Water Main crosses the development site and may be affected by the proposed development. Anglian Water does not permit this asset to be located within the curtilage of sensitive development (such as dwellings & cafes) and we do not permit permeable paving or suds features over our assets. This asset should be located in areas of public open space and/or adoptable highways to ensure on-going maintenance is possible.

In order to ensure our asset is protected we recommend a planning condition be applied if permission is granted:
Condition: Prior to the commencement of development a site layout plan detailing the location of existing drainage assets, and any proposed asset diversion, should be submitted to and approved by the local planning authority, in consultation with Anglian Water. In order to ensure on-going maintenance is possible all existing drainage assets should be located in areas of public open space and/or adoptable highways.

The applicant can access our infrastructure maps on Digdat. Please see our website for further
information: https://www.anglianwater.co.uk/developing/water-services/locating-our-assets.

HBC Parks and Countryside: No comments received.

HBC Housing Services: No comments received.

HBC Property Services: No comments received.

HBC Public Health: No comments received.

Civic Society: No comments received.

DEFRA: No comments received.

Ramblers Association: No comments received.

RSPB: No comments received.

Tees Valley Wildlife Trust: No comments received.

Teesmouth Bird Club: No comments received.

Thirteen Group: No comments received.

Hart Parish Council: No comments received.

PLANNING POLICY

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

Local Policy

Hartlepool Local Plan

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

Policy	Subject
SUS1	The Presumption in Favour of Sustainable Development
LS1	Locational Strategy
CC1	Minimising and adapting to Climate Change
CC2	Reducing and Mitigating Flood Risk
INF1	Sustainable Transport Network
INF2	Improving Connectivity in Hartlepool
INF4	Community Facilities
QP1	Planning Obligations
QP3	Location, Accessibility, Highway Safety and Parking
QP4	Layout and Design of Development
QP5	Safety and Security
QP6	Technical Matters
QP7	Energy Efficiency
HSG1	New Housing Provision
HSG1a	Ensuring a Sufficient Supply of Housing Land
HSG2	Overall Housing Mix
HSG9	Affordable Housing
RUR1	Development in the Rural Area
RUR2	New Dwellings outside of development limits
NE1	Natural Environment
NE2	Green Infrastructure

Relevant Supplementary Planning Documents (SPDs)

Green Infrastructure (GI) SPD and Action Plan (2020)
Residential Design SPD (2019)
Planning Obligations SPD (2015)
Transport Assessments / Statements and Travel Plans SPD (2010)
Trees and Development Guidelines SPD (2013)
Public Rights of Way Standards and Guidance SPD (2020)

Tees Valley Minerals and Waste DPD 2011

1.25 The following policies in the TVMW are relevant to this application:

Policy	Subject
MWP1	Waste Audits

National Planning Policy Framework (NPPF)(2024)

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

Para	Subject
1	NPPF sets out the governments planning policies
2	Determination in accordance with the development plan
3	The NPPF should be read as a whole
7	Achieving sustainable development
8	Achieving sustainable development (three overarching objectives – Economic, Social and Environmental)
9	Achieving sustainable development (not criteria against which every decision can or should be judged – take into account local circumstances)
10	The presumption in favour of sustainable development
11	The presumption in favour of sustainable development
12	The presumption in favour of sustainable development (presumption does not change statutory status of the development plan as the starting point for decision making)
39	Decision making in a positive way

48	Determining applications in accordance with the development plan
56	Use of conditions or planning obligations
57	Planning conditions should be kept to a minimum
58	Planning obligation tests
59	Obligations in a plan should be viable
61	Significantly boost supply of homes
63	Delivering a sufficient supply of homes
64	Delivering a sufficient supply of homes (affordable homes)
66	Delivering a sufficient supply of homes
82	Rural housing
83	Rural housing
85	Building a strong, competitive economy
88	Supporting a prosperous rural economy
96	Promoting healthy and safe communities
97	Promoting healthy and safe communities
100	Sufficient school places
101	Promoting healthy and safe communities
103	Open space and recreation
105	Open space and recreation
109	Promoting sustainable transport
110	Promoting sustainable transport
112	Promoting sustainable transport
115	Considering development proposals
116	Considering development proposals
117	Considering development proposals
118	Considering development proposals
124	Making effective use of land
125	Making effective use of land
129	Achieving appropriate densities
131	Achieving well-designed and beautiful places
135	Achieving well-designed and beautiful places
136	Achieving well-designed and beautiful places
137	Achieving well-designed and beautiful places
139	Achieving well-designed and beautiful places
161	Meeting the challenge of climate change, flooding and coastal change
163	Meeting the challenge of climate change, flooding and coastal change
164	Meeting the challenge of climate change, flooding and coastal change
166	Meeting the challenge of climate change, flooding and coastal change
181	Planning and flood risk
182	Planning and flood risk
187	Conserving and enhancing the natural environment
192	Habitats and biodiversity
195	Habitats and biodiversity
198	Development in appropriate locations
200	Integration of development
207	Proposals affecting archaeological interest
231	Implementation
232	Implementation

HBC Land Use Policy comments: Principle of development
1.27 In accordance with principles underpinning the planning system, planning law requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan

1.28 The Hartlepool Local Plan allocates sufficient land within the urban limits, Wynyard and the villages of Elwick and Hart for housing growth over the 15 year plan period. The policies within the local plan should be used as a basis to determine this proposal. Planning Policy are of the view that there is no reason to build upon land beyond the limits to development unless there is strong justification.

1.29 An assessment of relevant local plan policies is set out further in this document.

The NPPF - A material consideration

1.30 The NPPF is a material consideration, NPPF paragraph 11 relates to the presumption in favour of sustainable development and can often be relied upon as justification to approve applications contrary to the development plan.

1.31 Paragraph 11 sets out that plans and decisions should apply a presumption in favour of sustainable development, for decision taking this means:
c) approving development proposals that accord with an up-to-date development plan without delay; or
d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

1.32 With regards to section c, Planning Policy echo the view of approving proposals that accord with an up-to-date development plan without delay. The 2018 local plan is deemed to be up to date, housing monitoring shows a healthy picture with regard to housing delivery, Planning Policy are of the view that the authority can demonstrate a five year housing land supply. Planning Policy set out below that the proposal is not in accordance with the local plan and thus the requirement to approve proposals that accord with an up-to-date development plan without delay does not apply to this application.

1.33 With regards to section d, there is a relevant development plan in place and the key policies that would assist in determining this application are in date, thus 11 (d) (i) and (ii) are not applicable here.

1.34 Planning Policy are of the view that paragraph 11 is not applicable with regards to this proposal and that the proposal should be determined against the local plan and any other material considerations.

Consideration with regards to local plan policy LS1 (Locational Strategy)

1.35 The proposed site is located beyond the limits to development. Policy LS1 of the local plan sets out the locational strategy for development within Hartlepool which is based on a strategy of balanced urban growth which allows Hartlepool to grow in a sustainable manner. New housing development is located within the allocated sites including urban area brownfield sites, a south west extension and extensions at High Tunstall and Wynyard. This site (Quarry Farm 3) is not within any of the defined housing allocations. The application is considered as contrary to Policy LS1.

Consideration with regards to local plan policy RUR1 (Development in the Rural Area)

1.36 The proposal is beyond the urban limits and thus considered to be in the rural area, policy RUR1 is a key policy in considering this application.

1.37 Policy RUR1 seeks to protect and enhance the rural area so that its rural character and charm remains and is not lost to inappropriate development. Policy RUR1 sets out that Development outside the development limits will be strictly controlled. The policy seeks to support the rural economy and it sets out that development in the rural area must be necessary for the viable operation of a number of land based businesses.

1.38 Planning Policy are of the view that adding dwellings beyond the limits to development in this location would increase the built form in the rural area, negatively impacting on the rural character and openness within this locality and would not be considered as an appropriate use under policy RUR1.

1.39 Criterion 1 states that development must be in accordance with the Rural Neighbourhood Plan, this site is not within the rural plan area and so the criterion does not apply.

1.40 Criterion 2 seeks to direct development to the rural villages or near to a village. It is noted that the proposal is beyond the limits to development and the proposed housing is not located in or adjacent to any of the villages within the borough but that it is located close to the urban limits. Planning Policy are of the view that this proposal does not accord with the policy but that in the main this criterion is not applicable in this case.

1.41 Criterion 3 encourages the reuse of existing buildings or materials. There are no existing buildings on the site, therefore this criterion is not applicable.

1.42 Criterion 4 states that development should not have a significant detrimental impact on the neighbouring uses or surrounding area by way of amenity, noise,

access, light pollution or visual intrusion. The views of HBC Environmental Health should be considered to determine the proposal against this criterion.

1.43 Criterion 5 of policy seeks to ensure that development enhances the quality, character and distinctiveness of the immediate area, villages and landscapes. The site is beyond the urban limits and would add built form to the rural area which will be visible from the surrounding infrastructure networks and harming the visual amenity of the area.

1.44 Criterion 6 state that development should be in keeping with other buildings, it is anticipated that this criterion can be achieved and will be assessed when reserved matters are submitted.

1.45 Criterion 7 seeks to ensure access is appropriate and there is not a detrimental impact on the highway safety. The views of HBC traffic and transport should be considered to determine the proposal against this criterion.

1.46 Criterion 8 seeks to, where possible create and improve sustainable connectivity. Planning Policy are of the view that this criterion can be achieved and finalised at RM stage.

1.47 Criterion 9 seeks to ensure that development does not have a detrimental impact on the landscape character or heritage assets. Planning Policy trust that the council`s landscape architect has consider and advised on this criterion.

1.48 Criterion 10 seeks to prevent the development of the best and most versatile agricultural land. The land is classed as Grade 3 (Good to Moderate), this land is not considered to be the best and most versatile agricultural land and therefore Planning Policy consider this criterion has been achieved.

1.49 Planning Policy consider that the developed of residential dwellings would not be considered a use which is for the operation of agriculture, horticulture, forestry, equine uses, and/or other appropriate land based businesses and in the main would be contrary to the development criteria within Policy RUR1.

1.50 Policy RUR1 also states that proposals for new dwellings in the rural area must meet the criteria of RUR2 and the New Dwellings Outside of the Development Limits SPD.

1.51 Policy RUR2 sets out that the council will only permit new dwellings outside development limits if there is clear justification demonstrated by six key criteria (established functional need, for rural based enterprise, need could not be met elsewhere, dwellings are of a size commensurate to the business, the proposal accords with other plan policies and where relevant the development would secure the future of a heritage asset). The policy criteria is not optional, the policy clearly states “only permitting….if there is clear justification and it can be demonstrated that.” The proposal does not meet any of the six key criteria.

1.52 Planning Policy considered the proposal to be contrary to policy RUR2 however it should be noted that this would not be a key policy when determining an

application on this site as the policy is aimed at small residential developments in the rural area, not large scale residential development.

1.53 The limits to development were set taking into account the future development sites required for the 15 year plan period. The limits are deemed to be appropriately located to allow for the borough to grow sustainably yet protect the countryside. If the limits to development are breached then there is likely to be a detrimental impact upon the rural landscape and the openness of the area. In light of this and the policy conflicts outlined above Planning Policy consider the principle of residential development in this location to be unacceptable.

1.54 The above is an assessment against the policies within the Hartlepool Local Plan. Planning Policy are not aware of any material consideration that would, alone or in combination, hold significant weight to enable the application to be looked upon favourably.

1.55 If an application is submitted and the above assessment is accepted then the application should only be looked upon favourable if material considerations indicate so. The applicant is urged to set out clearly their view with regard to local plan policy analysis along with any material considerations they wish HBC to consider. In addition the below matters should be addresses and secured where appropriate.

Housing mix

1.56 Local plan policy Hsg2 (Overall Housing Mix) seeks to ensure that all new housing contributes to achieving an overall balanced mix of housing stock. Regard should be given to the latest evidence of housing need. Given the size of the site and its strategic location, to the west of Quarry Farm 1 and Quarry Farm 2, Planning Policy expect a full range of house types to be provided including the provision of bungalows. Planning Policy note that 2, 3 and 4 bedroom properties are proposed and such a mix is supported providing that some of those units are bungalows.

Affordable housing provision

1.57 Local plan policy Hsg9 Affordable Housing advises that the council will seek an affordable housing target of 18% on all sites above the 15 dwelling threshold. The tenure split of the affordable units should follow the requirements of policy Hsg9 and take account of the evidence in the 2015 SHMA, which sets out that 70% of the units should be for affordable rent and 30% for intermediate tenure.

Proposed local centre

1.58 A small local centre within the development would be beneficial to those in Quarry Farm 1, 2 and 3, however the size should be restricted to 400m2 ensure that it does not negatively impact upon the vitality and viability of the surrounding retail centres.

Development design and impact upon amenity

1.59 Planning Policy note that the applicant seeks to echo the principles on the Quarry Farm developments and such an approach is welcomed.

1.60 Planning Policy will assess any forthcoming application/s against the residential design SPD and any deviation from the principles within it should be justified.

1.61 Some general points to make with regards to the indicative layout are as follows:

- Existing vegetation along field boundaries should remain where possible.
- The provision of extensive multi - functional open space is welcomed.
- The inclusion of some focal buildings is welcomed, whilst ensuring the street scene is varied they do assist in wayfinding which is a key principle underpinning dementia friendly design (DFD) and the council are keen to see as many DFD principles incorporated as possible.

Road infrastructure, access, highway safety and car parking

1.62 Local plan policy QP3 (Location, Accessibility, Highway Safety and Parking) seeks to ensure that development is safe and accessible along with being in a sustainable location or has the potential to be well connected with opportunities for sustainable travel. Local plan policies INF1 (Sustainable Transport Network) and INF2 (Improving Connectivity in Hartlepool) aim to deliver an effective, efficient and sustainable transport network.

1.63 The above local policies are reflective of the NPPF, which requires planning decisions to ensure that appropriate opportunities to promote sustainable transport modes can be taken up, safe and suitable access to the site can be achieved for all users, and any significant impacts from the development on the transport network or on highway safety can be mitigated.

1.64 Planning Policy welcome the pedestrian links proposed from this site into Quarry Farm 1 and 2. Planning Policy note that there is an opening from the site onto Worset Lane, which is welcomed. The decision maker should be satisfied that every attempt should be made to link this site up to the surrounding existing public footways, Planning Policy trust that the council`s countryside access officer has advised on this.

1.65 There appears to be a vehicular link from the local centre through to Quarry Farm 1. Any links from Quarry Farm 3 into Quarry Farm 1 and 2 are welcomed provided they are done in a sympathetic manner and protect existing hedgerows as far as possible. Planning Policy seek to ensure that residents and visitors can flow easily through the sites and in the shortest possible way.

Car parking

1.66 With respect to car parking standards, The Tees Valley Design Guide and Specification advises two spaces for one to three bedroom dwellings and three spaces for four bedroom dwellings and above. The design and location of car parking should be considered in line with the council`s residential design SPD.

1.67 When looking at the parking arrangements there appears to be a high number of rear parking bays or courtyards. This arrangement is not convenient for residents. Residents would have to get out of the car, possibly with children/elderly relatives/bags etc. walk the length of the garden then get in the house. Consideration should be given to reducing the amount of times these arrangements occur throughout the site.

1.68 In some areas parking bays dominate the street scene. Long stretches of bays should be avoided, if this is not possible they should be broken up by planting and/or different surface treatment i.e. sets to delineate some bays for the reserved matters application. It is appreciated that this finer detail will be agreed at reserved matters stage, however at outline stage the applicant must show that 475 dwellings can fit on the site in an appropriate manner. If the above mentioned parking problems cannot be resolved then one solution may be to reduce the overall number of dwelling on the site or incorporate some higher density areas i.e. with the provision of some apartments.

Climate change including flood risk

1.69 Local plan policy CC1 (Minimising and adapting to climate change) requires that for major developments, 10% of the energy supply should be from decentralised and renewable or low carbon sources. Where it can be demonstrated that this is not feasible, the provision of the equivalent energy saving should be made by improving the building fabric or a combination of energy provision and energy saving measures that equates to the equivalent of 10% (this measure would be above and beyond that required by policy QP7). Planning Policy anticipate that a development in this location could feasibly provide renewable energy technologies and thus expect to see such technologies secured and incorporated.

1.70 Planning Policy note that the applicant intends to incorporate sustainable urban drainage systems into the proposal, and this intention is welcomed. Planning Policy trust that the council`s engineers with advise accordingly on this.

Impact upon biodiversity and proximity to the Local Wildlife Site (LWS).

1.71 Local plan policy NE1 and the NPPF state that harm to biodiversity should be avoided. Where a negative impact is unavoidable, mitigation or compensatory measures should be provided. Development should explore opportunities to enhance biodiversity.

1.72 The views of the council’s ecologist are noted and it is welcomed that the council`s ecologist has been liaising with the applicant`s ecologist in a bid to protect Naisberry Quarry Grassland LWS and the habitat that is protected along the coastline (SPA and Ramsar site). Planning Policy trust that any areas of ecological concern will be addressed prior to determining the application.

PLANNING OBLIGATIONS

1.73 In the interests of providing sustainable development and in ensuring that the proposal is acceptable in planning terms, and in accordance with Local plan policy QP1 (Planning Obligations) developer contributions are required.

1.74 An economic viability assessment for the scheme has been submitted, interrogated and the information is deemed to be an accurate reflection of the scheme. Below is what will be provided alongside the scheme by way of condition or section 106 legal agreement.

Affordable housing

1.75 The applicant has agreed to provide 7% of the units as affordable and Planning Policy request that 70% are secured as affordable rent and 30% are secured as intermediate tenure.

Highway infrastructure

1.76 The scheme may be required to contribute to the construction of the proposed road to the north of Elwick along with the grade separated junction, a sum of £12,000 per dwelling has been agreed.

Green infrastructure

1.77 The applicant puts forward that allotments will not be provided on site but that a financial contribution will be made towards existing allotment provision. A financial contribution of £250 per dwelling (£118,750) has been agreed and should be directed towards the closest allotments (the Chester Road site and/or Throston site/s).

Play

1.78 The development is likely to be home to a number of children and thus the two proposed play parks are welcomed. The location of the play area to the south is nearly central to the southern area of housing. The park in the north-west may be better located so that it is more central within the northern part of the site. The facilities should be as close to as many homes as possible and be naturally overlooked. The facility should be accompanied by a 25 year maintenance contribution or the commitment to hand the facility over to a management company.

Ecology mitigation (HRA)

- £250.00 per dwelling (£118,750) to be directed towards mitigation measures along the coastline.

Sports provision

1.79 The applicant puts forward that sports provision will not be provided on site but that a financial contribution will be made towards existing facilities. Financial contributions have been agreed as follows:

- Built sports - a sum of £250 per dwelling (£118,750) should be sought and directed towards borough wide provision, to be specified at a later date.

- Playing pitches - a contribution of £233.29 per dwelling (£110,812.75) is required towards playing pitches directed towards borough wide provision, to be specified at a later date.

- Tennis courts - a contribution of £57.02 per dwelling (£27,084.50) is required to be directed towards borough wide provision.

- Bowling greens - a contribution of £4.97 per dwelling (£2,360.75) is required to be directed towards the bowling green facilities within the borough.

Education

- Primary contribution - £1,404,798.15 based on a pupil yield of 21.5/100 dwellings and a cost of £13,755.00 per school place.

- Secondary contribution - £917, 758.16 based on a pupil yield of 13.7/100 dwellings and a cost of £14,102.00 per school place.

Training and employment

1.80 To assist in ensuring that Hartlepool's economy grows sustainably, Planning Policy would also seek to ensure that a training and employment charter is signed; this will ensure that some employment is provided to local residents. Further advice can be sought from the council's economic development team.

Further comments received 20/10/2025 following applicant's updated Planning Statement:

1.81 The applicant has submitted an amended planning statement which sets out the latest planning balance as proposed. Previously comments concluded that the site lies outside the Development Limits and would comprise development in the Countryside which does not accord with the objectives of Policy LS1/RUR1. The above notwithstanding, policy SUS1 states, in accordance with national policy, that "*Planning applications that accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise"*.

1.82 The applicant has submitted an amended planning statement which sets out the wider planning balance, including material considerations that can be considered to outweigh the policy conflict.

1.83 The agreed positive benefits cited include:

- additional housing provision to bolster the council's 5-year housing land supply position, noting that the 5 year housing land supply is a position that

can change especially given the potential barriers to other development sites and risks associated with the housing industry
- significant funding provision toward improvements of key highway schemes, allowing these to be completed sooner than they otherwise would, reducing congestion.
- indirect and direct economic benefits associated with development
- funding of strategic highways infrastructure
- development of a site that, while not in the Development Limits, is adjacent to the development limits and could form a natural extension to Quarry Farm and could be seen as a sustainable location
- provision of local services for existing and future residents
- provision of 7% affordable housing, and a mixed range of 2, 3, 4 bedroom housing including bungalows despite site viability constraints.

1.84 Land Use Policy have reviewed the case made by the applicant and consider that, while the location of the development does not comply with all relevant adopted policies in the Local Plan, the site still logically relates to the built-up area of Hartlepool and would form a broadly coherent extension to existing development. As such, it is accepted that the degree of conflict with the adopted local plan would be outweighed by the positive material considerations associated with the proposals.

PLANNING CONSIDERATIONS

1.85 The main planning considerations with respect to this application are the principle of development (including viability and planning obligations, planning balance, energy efficiency and renewable energy), highway safety and parking (including impacts on the local road network and wider road network), design and impact on the visual amenity, trees and landscaping, residential amenity, ecology (including biodiversity compensation and mitigation measures, biodiversity enhancement, and habitat regulation assessments including recreational impact on designated sites and nutrient neutrality), flood risk and drainage, and contamination. These and any other planning matters (including archaeology, public rights of way, and crime and anti-social behaviour) and any residual matters are considered in the sections below.

PRINCIPLE OF DEVELOPMENT

1.86 Section 38(6) of the Planning and Compulsory Purchase Act 2004 outlines that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise.

1.87 Paragraph 12 of the NPPF (2024) reinforces this approach by confirming that the development plan remains the starting point for decision-making, and that where a proposal conflicts with an up-to-date development plan, permission should not usually be granted unless material considerations indicate otherwise.

1.88 This creates a strong presumption in favour of the adopted development plan, ensuring that planning decisions remain plan-led and consistent with the wider spatial strategy for the area. However, the provision also allows flexibility, as material planning considerations such as national policy, site-specific factors, or other

relevant planning issues may justify a departure from the plan where they carry sufficient weight. The weight attributed to these material planning considerations is a matter for decision maker.

Site Allocations

1.89 The application site is located outside the development limits as defined by Policy LS1 (Locational Strategy) of the Hartlepool Local Plan (HLP) (2018). Policy LS1 of the HLP (2018) states that "the development of Hartlepool will be based on a strategy of balanced urban growth with expansion being concentrated in areas adjoining the existing built up area and adjacent to areas of strong economic growth but ensuring growth occurs in a controlled way and is delivered alongside local and strategic infrastructure improvements which allow Hartlepool to grow in sustainable manner." Policy LS1 further seeks to avoid coalescence between the urban areas of Hartlepool and surrounding villages.

1.90 Policy HSG1a (Ensuring a Sufficient Supply of Housing Land) advises that a sufficient supply of housing land will be maintained over the Plan period in order to ensure the delivery of the overall housing requirement. Recent analysis indicates that HBC has a 5.4 year supply of deliverable housing sites (which is 0.4 years in excess of the policy requirement).

1.91 Given that the application site is situated beyond the urban development limits and therefore considered to be in the rural area, and that the Council can demonstrate a sufficient supply of housing land, Policies RUR1 (Development in the Rural Area) and RUR2 (New Dwellings Outside Development Limits) of the HLP (2018) are considered relevant. The New Dwellings Outside of the Development Limits SPD (2015) is also considered relevant.

1.92 Policy RUR1 seeks to protect and enhance the rural area so that its rural character and charm remains and is not lost to inappropriate development. Policy RUR1 sets out that development outside the development limits will be strictly controlled and that proposals in the rural area must be considered necessary for the efficient or the continued viable operation of agriculture, horticulture, forestry, equine uses, and/or other appropriate land based businesses. This Policy sets out criteria in which proposed development in the rural area should adhere to, and the relevant criteria are included in the full comments of the Council's Land Use Policy team (above).

1.93 It is acknowledged that the Hartlepool Rural Working Plan Group have raised concerns that the proposal does not align with the policies of the HLP (2018) and the subsequent potential impact on the rural area. In terms of the criteria of HLP Policy RUR1, HBC Land Use Policy have considered the proposal against the identified policy as set out within their comments. In this context, the application site is not within the Rural Area as defined by GEN1 of the HRNP (criterion 1), the application site is not within the rural villages (criterion 2) and the proposals would not re-use existing buildings (criterion 3) and therefore it is considered that these three criteria are not applicable in this instance. In terms of the other criteria of Policy RUR1 and as discussed in greater detail throughout the report where applicable, it is considered that the proposed development would not result in a significant impact on neighbour

amenity (criterion 4, and subject to the section below); the design of the proposals is broadly acceptable in respect of the quality, character and distinctiveness of the immediate area and landscaping (criterion 5), the areas of development/plot sizes can come forward as part of the Reserved Matters application to ensure they are broadly comparable with nearby dwellings, and therefore acceptable in this respect (criterion 6); the access would be appropriate (criterion 7); the site would link to existing local services (criterion 8), the landscaped boundaries are acceptable, subject to further consideration in the relevant section below (criterion 9) and the site is not located on an unacceptable amount of best and most versatile land (BMV) (criterion 10). As noted above, HBC Land Use Policy echo a similar position within their comments.

1.94 Notwithstanding the above, given that the proposed development comprising residential dwellings would not be considered a use which is for the operation of agriculture, horticulture, forestry, equine uses, and/or other appropriate land based businesses, the Council's Land Use Policy team have confirmed that the proposal would, in the main, be contrary to the development criteria within Policy RUR1 of the HLP (2018).

1.95 Policy RUR2 of the HLP (2018) sets out that the council will only permit new dwellings outside development limits if there is clear justification demonstrated by six key criteria (established functional need, for rural based enterprise, need could not be met elsewhere, dwellings are of a size commensurate to the business, the proposal accords with other plan policies and where relevant the development would secure the future of a heritage asset).

1.96 Given that the proposals do not meet any of the exceptions of Policy RUR2, the Council's Land Use Policy team consider that the proposal would be contrary to this policy, however they have commented that the policy is aimed at small residential developments in the rural area, not large scale residential development, and therefore Policy RUR2 is not a key policy in this instance.

1.97 The New Dwellings Outside Development Limits SPD (2015) outlines a 'justification test' of circumstances in which residential development may be justified, which are: 1) Rural Enterprise, 2) Heritage, 3) Redundant or Disused Buildings, 4) Outstanding Design, or 5) Relevant Policies and Material Considerations.

1.98 The proposed development is considered not to meet the exceptions of 1, 2, 3 or 4 of the SPD. Relevant policies and material considerations are detailed in full in the section below.

Site-Specific Considerations

1.99 Policy LS1 of the HLP (2018) supports sustainable development based on a strategy of balanced urban growth with expansion being concentrated in areas adjoining the existing built-up area to ensure that growth occurs in a controlled way and is delivered alongside local and strategic infrastructure improvements.

1.100 Paragraph 63 of the NPPF (2024) places greater emphasis on having homes delivered that meet identified needs and thus shows the direction of the Government

with regards to how it expects decisions to be made. Paragraph 126 of the NPPF (2024) requires planning policies and decisions to take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs.

1.101 The application site is located within vicinity of existing and recent approved residential development schemes at Quarry Farm 1 and 2 to the east (H/2014/0215 and H/2015/0528 respectively and as subsequently varied) and High Tunstall to the south (beyond the main highway of Elwick Road, H/2014/0428).

1.102 The application site is considered to be within relatively close proximity to shops, schools and services and public transport links and therefore deemed in a locational sense to be sustainable. It is therefore considered that the site is a suitable sustainable location in line with the aspirations of the NPPF (2024) as a whole.

1.103 The application is supported by an amended Planning Statement in which the applicant has sought to identify the benefits of the proposed development when taking into account that the application site being outside the limits to development as identified by Policy LS1 and that the Council can demonstrate a 5 year housing land supply, in accordance with Policy HSG1a. The applicant's identified benefits are:

- Whilst the Council can demonstrate a 5 year housing land supply, occupation of the proposed dwellings cannot proceed until the grade separated junction has been delivered, and it is expected in the future that new sites will be required;
- Significant economic benefits for the borough of Hartlepool;
- Policy LS1 confirms that the development will be based on a strategy of balanced urban growth, and the proposal would represent a "logical rounding off" of development to the west of Hartlepool;
- Sustainable location;
- The local centre would provide services to local residents;
- The Viability Assessment has confirmed that affordable housing is not strictly viable, however the applicant has offered 7% affordable housing (and more latterly £100,000 towards the NHS health services in the borough);
- Details of the proposed housing mix confirm a range of 2, 3 and 4 bedroom properties including bungalows;
- The proposed development includes SUDS and renewable energy;
- The application pre-dates mandatory BNG however includes measures to achieve BNG including with improvements to the LWS;
- The applicant seeks a high quality design;
- The proposed development would make financial contributions to be secured through the S106 legal agreement.

1.104 The Council's Land Use Policy team (in their full comments above) acknowledge that the benefits of the scheme which include significant funding provision toward improvements of key highway schemes allowing these to be completed sooner than they otherwise would, reducing congestion; additional housing provision to bolster the Council's 5-year housing land supply position, noting that the 5 year housing land supply is a position that can change

especially given the potential barriers to other development sites and risks associated with the housing industry; indirect and direct economic benefits associated with development; development of a site that adjacent to the development limits and could form a natural extension to Quarry Farm; provision of local services for existing and future residents.

1.105 In terms of the financial contribution towards highway improvement works, the Council's Traffic and Transport team have confirmed that transport modelling has shown that several junctions on the local network will operate over capacity if the development proceeds without suitable mitigation. In order to mitigate against the impacts of the proposed development, the applicant has agreed to the requested contribution of £12,396.01 per dwelling. The Council's Traffic and Transport team consider that such improvements would provide significant benefits across the highway network, and the contributions received from this development in conjunction with those received from other sites would enable them to come forward sooner than they otherwise would, leading to reduced congestion in this area of Hartlepool. This is detailed further in the Highways section of the report.

1.106 It is acknowledged that some of the identified material benefits of the development include the development providing a boost to the housing supply and jobs in the construction industry (which would make an important contribution to the regeneration, attractiveness and vitality of this area of the Borough). However, it is considered that these benefits can only be afforded limited weight in the planning balance given both the constraints on the local road network and particularly as the Council is able to demonstrate a 5 year housing land supply at the time of writing.

1.107 It is further considered that some limited weight can be given to the economic benefits of the proposal, the sustainable location of the development being adjacent to (but outside) the development limits and recent housing developments and approvals at Quarry Farm and High Tunstall, and the provision of a local centre to serve the existing and future residents in the vicinity of the application site.

1.108 Ultimately, the weight afforded to these material planning considerations will need to be factored into the overall planning balance (which is detailed in full below).

Viability and Planning Obligations

1.109 In the interests of providing sustainable development and in ensuring that the proposal is acceptable in planning terms, and in accordance with Policy QP1 (Planning Obligations) of the Hartlepool Local Plan (2018) and the Planning Obligations SPD, the Council's Land Use Policy section has confirmed that given the size of the proposed residential development and its intended purpose and in the interests of providing sustainable development, a commitment from the developer in terms of the provision of financial contributions and obligations should be sought.

1.110 Policy QP1 (Planning obligations) of the HLP has a caveat that "The Borough Council will seek planning obligations where viable.

1.111 The applicant has submitted a Viability Assessment, which has been considered in detail by the Council's Land Use Policy team who have confirmed that whilst the development is unable to deliver all of the contributions sought (namely the full 18% affordable housing and the full amount of the requested financial contribution by the NHS, discussed further below), there is sufficient viability within the scheme to provide:

- Affordable housing - 7% affordable dwellings, of which 70% would be affordable rent and 30% would be intermediate tenure;
- Highway infrastructure - £12,396.01 per dwelling;
- Green infrastructure - £250 per dwelling (£118,750.00) to be directed towards the closest allotments (the Chester Road site and/or Throston sites);
- Play – two play parks, with a 25 year maintenance contribution or the commitment to hand the facility over to a management company;
- Built sports - £250 per dwelling (£118,750.00) towards borough wide provision;
- Playing pitches - £233.29 per dwelling (£110,812.75 towards borough wide provision;
- Tennis courts - £57.02 per dwelling (£27,084.50) towards borough wide provision;
- Bowling greens - £4.97 per dwelling (£2,360.75) towards the bowling green facilities within the borough;
- Primary contribution - £1,404,798.15 based on a pupil yield of 21.5/100 dwellings and a cost of £13,755.00 per school place;
- Secondary contribution - £917, 758.16 based on a pupil yield of 13.7/100 dwellings and a cost of £14,102.00 per school place;
- Training and employment charter;
- HRA mitigation (discussed below) - £118,750.00

1.112 The NHS Tees Valley Clinical Commissioning Group have advised that a financial contribution of £482.78 per dwelling (which would equate to £229,320 based on 475 dwellings) is required to deliver services resulting from extra capacity across practices in Hartlepool. In response, the applicant's agent has advised "*whilst it has been confirmed by the applicant with officers that the Viability Appraisal demonstrates that the site cannot stand an NHS contribution, he has agreed to a contribution of £100,000 to assist in the delivery of services by local GP practices*". In response, HBC Land Use Policy have confirmed that this contribution (£100,000) is acceptable in the context of the previously considered and agreed Viability Assessment.

1.113 The HBC Ecologist has considered the proposals through the Habitat Regulations Assessment (HRA), which is considered in further detail below, and requires a mandatory financial contribution of £118,750 (£250 per dwelling) towards wardening to mitigate likely recreational disturbance to the interest features (breeding and nesting birds) of the designated sites. The applicant has agreed to this financial contribution.

1.114 The applicant has agreed to the above obligations and contributions (in the form of obligations and financial contributions) which would need to be secured by a

s106 legal agreement as well as appropriate planning conditions where applicable. Obligations will also be required in respect to the provision, long term maintenance and management of areas of landscaping and open space, play areas, biodiversity enhancement across the site (including the LWS), footpaths and connections, and surface water drainage/SuDS.

1.115 Notwithstanding the required and agreed financial contribution towards the identified highway improvement schemes, in the event that additional funding was to come forward towards such highway improvement schemes, it is considered appropriate to include a 'recycling' clause/obligation within a flexible s106 legal agreement to ensure such financial contributions are appropriately recycled towards affordable housing (given that the full 18% requirement for affordable housing cannot be delivered owing to viability) and then towards delivering NHS services (given that the full amount of the requested financial contribution is not secured as part of this application owing to viability) thereby making the proposed development more sustainable.

1.116 In view of the submitted Viability Assessment and the comments from the Council's Land Use Policy section, the proposal is, on balance, considered to be acceptable in this respect.

Energy Efficiency & Renewable Energy

1.117 Policy QP7 (Energy Efficiency) of the Local Plan seeks to ensure high levels of energy efficiency in all development, and the development is therefore expected to be energy efficient. In line with this Policy, the development is required to ensure that the layout, building orientation, scale and form minimises energy consumption and makes the best use of solar gain, passive heating and cooling, natural light and natural ventilation alongside incorporating sustainable construction and drainage methods.

1.118 In addition to this, Policy CC1 (Minimising and Adapting to Climate Change) of the Local Plan requires that major developments include opportunities for charging of electric and hybrid vehicles and, where feasible and viable, provide a minimum of 10% of their energy supply from decentralised and renewable or low carbon sources.

1.119 The submitted Sustainability Statement indicates that the proposed development would seek to utilise a best practice approach of reducing energy loadings and reducing carbon emissions, including ensuring the layout, building orientation, scale and form minimises energy consumption as much as possible, utilising a "fabric first approach", to insulation to reduce heat movement.

1.120 The applicant has advised that dwellings would feature solar panels and EV charging points. Full details of the renewable energy infrastructure including solar panels (to meet a minimum of a 10% energy supply from decentralised and renewable or low carbon sources) and EV charging points can be secured by appropriate planning conditions.

1.121 In respect to energy efficiency, it is of note that Building Regulations have been updated as of 15th June 2022, and any forthcoming Building Regulation

application will now be assessed under the new Regulations. In light of the above, given the implementation and requirements of the new Building Regulations, a planning condition is not required in respect of any energy efficiency improvement (previously required to be 10% improvement above the Regulations, prior to 15th June 2022) and such matters will need to be addressed through the new Building Regulations requirements.

1.122 The application is therefore considered on balance to be acceptable with respect to energy efficiency and renewable energy provision subject to the identified planning conditions.

House Types

1.123 Policy HSG2 (Overall Housing Mix*)* of the HLP (2018) seeks to ensure that all new housing contributes to achieving an overall balanced mix of housing stock and that due regard should be given to the latest evidence of housing need.

1.124 The most up-to-date published Strategic Housing Market Assessment 2014 (SMHA) notes that the greatest need is for bungalows and detached 1-3 bed properties.

1.125 Whilst the application is in outline form and as such full details are not provided, it is considered likely that the reserved matters could come forward to demonstrate an opportunity for a mix of dwelling types, as identified by the Planning Statement which indicates a mix of 2, 3 and 4 bedroom houses and bungalows.

Proposed local centre and impact on defined local centres

1.126 The application has been considered by the Council's Land Use Policy team who have raised no objections to the inclusion of a local centre within the development, subject to the size being restricted to 400sqm. It is also considered appropriate to restrict uses to those typically found within a residential area (including retail, the sale of food and drink, and the provision of medical and health services), relative to the scale of the development, as well as the hours of operation and hours of deliveries to the units. These can be secured by appropriate planning conditions which are recommended accordingly. Subject to these conditions, it is considered that the proposed local centre would assist in contributing towards a sustainable form of development and would not, in this instance, negatively impact upon the vitality and viability of the surrounding retail centres.

Planning Balance

1.127 Notwithstanding the consideration of Viability (above), the application site being located outside the limits to development (and the requirements of Policy LS1 of the HLP, 2018) must be given considerable importance and weight.

1.128 In weighing up the balance of benefits of the scheme against any identified adverse impacts, emphasis is placed on balancing any identified potential harms of a proposal against the prospective benefits of development.

1.129 The NPPF (2024) applies a presumption in favour of sustainable development and states that "achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways". In this context and in weighing up the balance of the proposal, the main benefits and adverse impacts arising from the proposal (in the above context) are outlined below:

1.130 *Benefits*

- The proposed development provides a significant financial (pro-rata) contribution toward improvements of key highway schemes, allowing these to be completed sooner than they otherwise would, reducing congestion (economic + social)
- Notwithstanding the site being outside the limits to development, it is considered to be a relatively sustainable location adjacent to recent housing developments (social + environmental + economic)
- The proposed development would retain and enhance the existing Local Wildlife Site which contributes to the character, appearance and biodiversity of the area (social + environmental)
- The proposed development would provide a local centre (social + economic)
- The proposed development would provide areas of open space and children's play areas within the development site (social + environmental)
- The proposal would deliver some biodiversity enhancement in the form of soft landscaping (environmental)
- The proposal would provide a contribution towards the council's 5 year housing supply including a mix of housing types and some affordable housing (economic*)
    - **there will also be 'social' benefits delivered by private housing provision however this benefit is diluted by the reduced provision of affordable housing provision in this instance.*
- The submitted information indicates the proposed development is intended to support/provide renewable energy in the form of solar panels points and EV charging (social + economic + environmental)

1.131 *Adverse Impacts*

- The application site is beyond the limits to development and therefore contrary with the provisions of Policy LS1 of the HLP (2018) to the potential detriment of the character of the rural/semi-rural area,
- The Council is able to demonstrate a 5.4 year housing land supply and any benefits from the delivery of housing would be reduced by the delayed occupation of dwellings until the grade separation junction is open to traffic (economic + environmental + social)
- The development does not make the sought contributions towards all of the affordable housing provision (18%) or the full NHS health contribution towards extra capacity across practices in Hartlepool (economic + social)
- Loss of agricultural land, hedgerows and habitat (environmental + social)
- Highway impacts (economic + environmental + social)

- Residential amenity impacts, particularly during construction (environmental + social)

1.132 In conclusion, when weighing the benefits of the proposed residential development against the principal adverse impact arising from the site's location outside the limits to development and its conflict with Policies LS1 and RUR1 of the HLP (2018), the position is finely balanced. However, it is considered that, on balance, the identified economic, environmental and social benefits are sufficiently significant in this instance to outweigh the identified policy conflict.

1.133 Ultimately, this is a matter for the decision maker to determine the relative weight to be afforded to these considerations.

Principle of Development Conclusion (and Planning Balance)

1.134 The application site falls outside the limits to development as identified under Policy LS1 of the HLP (2018), where housing is generally not supported. However, Policy LS1 of the Hartlepool Local Plan (2018) supports sustainable development based on a strategy of balanced urban growth with expansion being concentrated in areas adjoining the existing built-up area to ensure that growth occurs in a controlled way and is delivered alongside local and strategic infrastructure improvements, and it is considered that the site still logically relates to the built-up area of Hartlepool and would form a broadly coherent extension to existing development.

1.135 There are a number of identified impacts that have been weighed in the planning balance against the benefits of the development as set out above, and the position is finely balanced. However, in view of the above considerations including the significant benefit of highways infrastructure coming forward which would ease congestion, and the sustainable location of the application site, it is considered that the proposed development would, overall, positively benefit each of the threads of economic, social and environmental sustainability. Despite the identified shortcomings of the application, primarily the site being located outside the limits to development, it is considered that there are material planning considerations that would outweigh the requirement of Policies LS1 and RUR1 of the HLP (2018), which would allow the proposal to be considered as a sustainable form development, and that the principle of development is therefore considered to be acceptable in this instance, subject to satisfying other material planning considerations as detailed below.

HIGHWAY SAFETY & PARKING

1.136 Concerns have been received from members of the public, Dalton and Elwick Parish Councils and the Rural Neighbourhood Plan Working Group with regards to increased traffic and congestion concerns. Policy QP3 of the Hartlepool Local Plan (2018) seeks to ensure that development is safe and accessible along with being in a sustainable location or has the potential to be well connected with opportunities for sustainable travel.

1.137 Paragraph 115 of the NPPF (2024) states that it should be ensured that "safe and suitable access to the site can be achieved for all users". Paragraph 116 goes

onto state that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Local Road Network

1.138 The application includes full details of the proposed access whereby the proposed development would take access from a new access from Elwick Road via a priority T-junction with a segregated right turn facility, into the application site. The access would necessitate the widening of part of Elwick Road to allow for the right turn lane and includes the provision of visibility splays.

1.139 The outline application has been accompanied by a Transport Assessment, which concludes that the proposed development would integrate with the existing infrastructure along Elwick Road and associated roads (including Hart Lane and Dunston Road).

1.140 Subsequent to the submission of the original Transport Assessment, HBC undertook updated modelling which considered the impact of various local road highway schemes, together with the impact of the current application (Quarry Farm Phase 3) and other proposed developments in the area. This was conducted in late 2021 and the applicant provided a Transport Addendum (more recently in January 2025) concluding that there is a general need for improvements at various junctions across the network to cater for all of the Local Plan growth, in addition to the current proposals (Quarry Farm Phase 3) and other windfall sites. The Council’s Traffic and Transport team support this view.

1.141 In view of the above and to mitigate the impacts of the development, the Council’s Traffic and Transport team has requested that the applicant make a financial contribution towards the following local road schemes which include:

- Elwick Road corridor improvements
- Hart Lane corridor improvements
- Elwick Road / Dunston Road roundabout improvements

1.142 To help progress these improvements, the agreed contribution towards local/strategic improvements is £12,396 per dwelling, which equates to a total figure of £5,888,100 based on 475 dwellings (this contribution would also be directed towards the grade separated junction infrastructure as discussed further below). This financial contribution is required to be secured in the S106 legal agreement. The Council’s Traffic and Transport team have confirmed that this does not cover the full cost of the above local road schemes and it is anticipated that the remaining costs would be covered via Council budgets and further development contributions.

1.143 The Council’s Traffic and Transport team have confirmed that, in addition to being required to make the proposal acceptable in highway terms, this financial contribution would represent a significant benefit to HBC in relation to the ability to fund proposed highways infrastructure, and the contributions received from this development in conjunction with those received from other sites will enable them to come forward sooner than they otherwise would, leading to reduced congestion in this area of Hartlepool.

1.144 HBC Traffic and Transport have also confirmed that appropriate amendments are required to be made to the existing road markings and speed limits at the proposed access point and along Elwick Road; a footway on the northern side of Elwick Road to connect into the existing footway at Quarry Farm 2 Woodhouse Lane; a pedestrian refuge to be provided within the ghost island to help pedestrians cross Elwick Road and connect into the High Tunstall development; street lighting; and a bus stop are required as necessary (all at the applicant's expense) in order to accommodate the proposed development on the existing highway network. A number of these elements can be controlled by way of suitably worded planning conditions, which are considered necessary and are recommended in this instance. It is understood that the mechanism for undertaking such works to the highway (including the creation of the access and the pedestrian refuge) would need to be undertaken through a Section 278 Agreement (separate to the planning process).

1.145 HBC Traffic and Transport confirmed the extension of the footway to the south (High Tunstall site) is also required (to provide connectivity between the north and south side of Elwick Road via the proposed pedestrian refuge), and it is anticipated that the delivery of this would be provided at the appropriate stage of the High Tunstall development, as indicated on the approved masterplan for that development (H/2014/0428).

1.146 Subject to the financial contribution being secured in the S106 legal agreement and the planning conditions identified above, the Council's Traffic and Transport team have confirmed no objections, and the scheme is considered to be acceptable in respect of the impact on the local road network.

Wider Road Network

1.147 It is noted that a planning condition on the outline planning permission for up to 1200 dwellings on the High Tunstall site (H/2014/0428) restricts the occupation of dwellings on the site (excluding the 'permitted' first phase of 208 dwellings) until the completion of the grade separated junction comprising erection of bridge structure and of new highway North of Elwick Village linking to the existing highway (A19) (which is subject to a separate planning permission, H/2025/0363). As such and in the context of the current application, both National Highways and HBC Traffic and Transport, request a planning condition to restrict the occupation of any dwellings until the grade separated junction is complete and open to traffic. In addition to the above, HBC Traffic and Transport have confirmed that construction of the proposed dwellings should not take place prior to the construction of the grade separated junction north of Elwick Village linking to the A19. A planning condition is recommended in this respect to capture such requirements, and the applicant has agreed to this condition.

1.148 HBC Traffic and Transport have also confirmed that the aforementioned and agreed financial contribution towards local/strategic improvements (£12,396 per dwelling, which equates to a total figure of £5,888,100) should also include towards the grade separated junction (comprising the erection of bridge structure and of new highway North of Elwick Village linking to the existing highway).

1.149 Notwithstanding the required and agreed financial contribution towards the identified road improvement schemes, in the event that additional funding was to come forward towards such highway improvement schemes, it is considered appropriate to include a 'recycling' clause/obligation within a flexible s106 legal agreement to ensure such financial contributions are appropriately recycled towards affordable housing (given that the full 18% requirement for affordable housing cannot be delivered owing to viability) and then towards delivering NHS services (given that the full amount of the requested financial contribution is not secured as part of this application owing to viability) thereby making the proposed development more sustainable.

1.150 As requested by National Highways, travel plan monitoring and a Construction Traffic Management Plan (CTMP) are also required and planning conditions are recommended to secure these requirements.

1.151 Durham County Council have raised no objections to the proposals on highway grounds.

1.152 In view of the above and subject to the recommended planning conditions, the Council's Traffic and Transport team and National Highways have confirmed no objections, and the proposal is therefore considered to be acceptable in respect to the identified impacts on the wider road network.

Internal Roads, Car & Cycle Parking

1.153 As noted above, the proposed development would take access from a new access from Elwick Road via a priority T-junction with a segregated right turn facility (and visibility splays) into the application site. The submitted indicative plans include an internal connecting road that leads through the site to Quarry Farm Phase 2, linking to Octavia Drive/Reedston Road.

1.154 Although the final layout would be submitted for consideration through the reserved matters application(s), HBC Traffic and Transport have raised no objections to the access and internal road layout subject to the proposed route through the site being designed to discourage through traffic with appropriate traffic calming measures installed and a reduced carriageway width. Details of the traffic calming measures can be secured by a planning condition and this is recommended accordingly. It is therefore anticipated that the Reserved Matters application(s) could come forward to demonstrate an appropriate layout including the width of the main road through the site as well as the development (both residential and the local centre element) demonstrating compliance with the requirements of the HBC Residential Design Guide SPD (or as subsequently updated or superseded by any new guidance prevailing at that time).

Construction

1.155 The Council's Traffic and Transport team and National Highways have confirmed that a Construction Traffic Management Plan (CTMP) be submitted detailing phasing, routing plans and arrival and departure times of construction traffic. HBC Highways have requested no construction traffic through Elwick and this

can be reflected in the requirements of the CTMP condition with details thereafter to be submitted and agreed with HBC and National Highways through the discharge of the condition. A planning condition is necessary to secure this and is recommended accordingly.

1.156 A further Construction Management Plan (CMP) condition is recommended (as discussed below) to seek to address a number of highway and amenity matters including dust emissions from the site remediation and construction works, earth moving activities, control and treatment of stock piles, parking for use during construction, measures to protect any existing footpaths and verges, vehicle movements, and details of the wheel washing facilities. Again, this condition is recommended accordingly.

Highway Impacts Conclusion

1.157 Overall and for the reasons identified above, including that the Council's Traffic and Transport section and National Highways do not object to the application, the application is considered to be acceptable in respect of highway safety, access and car parking subject to the identified and recommended planning conditions and planning obligations/financial contributions.

VISUAL AMENITY OF SURROUNDING AREA

1.158 Policy QP4 (Layout and Design of Development) of the HLP (2018) seeks to ensure all developments are designed to a high quality and positively enhance their location and setting. Development should be of an appropriate layout, scale and form that positively contributes to the Borough and reflects and enhances the distinctive features, character and history of the local area, and respects the surrounding buildings, structures and environment. This is reiterated in the Council's Residential Design Guide SPD (2019).

1.159 The NPPF (2024) sets out the Government's commitment to good design. Paragraph 131 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 135 stipulates that planning decisions should ensure development will add to the overall quality of the area for the lifetime of the development, be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, be sympathetic to local character and history (whilst not preventing or discouraging appropriate innovation or change), establish a strong sense of place and optimise the potential to accommodate and sustain an appropriate amount and mix of development.

1.160 The application seeks outline planning permission with all matters reserved (except Access) and as such the details provided on the submitted masterplan, layout plan and phasing plan are indicative. It is acknowledged that concerns and objections have been received in respect to the site's location beyond the development limits and any impact on the wider area.

1.161 The application site is bounded to the south by the remnant farm complex which includes a farmstead bungalow, former workers cottages and barns. To the

east are residential properties within the recent developments known as Quarry Farm 1 and Quarry Farm 2, the latter falling within an allocated housing site of HLP Policy HSG5a). To the south is Elwick Road, beyond which is the approved High Tunstall residential development (and as allocated through HLP Policy HSG5), with some properties built by Duchy Homes towards the eastern extent (in effect Phase 1). To the north is the highway of Worset Lane, with a golf course beyond. To the west the site is bounded by parcels of agricultural land. In the above context and whilst acknowledging that the site is located beyond the limits to development (as identified by Policy LS1 of the HLP, 2018), it is considered that the proposed development would form a logical extension to the western edge of the existing urban area (comprising Quarry Farm Phase 2).

1.162 The site is subject to a number of 'constraints', which to a degree dictate the form of the development proposed. These include the presence of a major gas pipeline running across the south west corner of the site, the LWS through the centre of the site, the existing reservoir abutting the north east corner, and the existing Quarry Farm dwellings and farm buildings to the south.

1.163 The proposed residential development would take a new access from Elwick Road to the southern boundary of the application site. It is acknowledged that the provision of the highways infrastructure and access into the site would result in the loss of some landscaping and open up views and access from Elwick Road. However, taking into account the relatively modest scale of the proposed access, and that the proposal intends to provide landscaping throughout the site in the form of street trees, hedges, shrubbery and parcels of intentional landscaping, it is considered that this would be appropriate in this instance.

1.164 In terms of any wider visual impact, the proposed development will clearly have an appreciable impact on the landscape in this area with the existing open/agricultural land being replaced by urban development albeit with large areas of green infrastructure proposed including the retention and enhancement of the Local Wildlife Site that will form a large green belt through the site and assist in breaking up the built form of development. Furthermore, the Council's Landscape Architect was consulted on the proposals and advised that there would be no landscape or visual issues with the proposed development, whilst the Council's Arboricultural Officer and the Council's Ecologist have provided comments in respect to the existing trees and hedges along the boundaries (as detailed further below). It is considered critical that roadside tree planting should be retained and integrated into any proposed layout.

1.165 Overall, it is considered that the impacts on the character of the area will be both positive and negative. The submitted indicative layout shows a number of proposed green corridors and planting buffers to the north west, eastern, south west and southern boundaries, an anticipated setback of the development from Elwick Road (with intervening planting), and the provision of the areas of open spaces and retention of the large LWS area centrally within the site will assist in softening the visual impact of the development. It is also anticipated that from a number of views, the site is likely to be seen in the context of the existing urban area and the topography of the site. It is further anticipated that the landscaping required will assist in filtering or screening some views of the development however given the

scale of development proposed mean that it will not be possible to screen the development entirely.

1.166 In the above context and based on the indicative layout (as amended during the course of the application) which is considered to generally be reflective the layout and density of nearby estates as well as taking account of the existing landform and aforementioned 'constraints', it is considered that the intended scale of development could be brought forward within the site that would not have a detrimental impact on the character and appearance of the surrounding area and that the indicative density and layout of the scheme is therefore considered to be acceptable. However given that this is an outline application to establish the principle of development, full details of the design, scale and layout of the dwellings (and local centre) are to be submitted at a later date with a reserved matters application(s) when they will be fully assessed No objections have been received from the Council's Land Use Policy team in this respect.

1.167 It is acknowledged that the application site features a slightly lower level to the southern and eastern extents. Whilst the site levels are broadly acceptable, full details of the proposed site levels for each phase of development (within and outwith the site) can be secured by planning condition.

1.168 Planning conditions are also recommended to secure details of enclosures, hard and soft landscaping for each phase which are recommended accordingly. Consideration of the reserved matters will determine if it is appropriate to remove any permitted development rights, such as for extensions and boundary treatments.

1.169 The application is supported by an indicative phasing plan which identifies that the proposed development is expected to come forward in three phases, with the first phase being to the south (and including the access from Elwick Road as well as the proposed local centre), the second phase in the centre and including the area of the LWS and proposed green corridor/spaces, and the third phase being located to the north of the site. Whilst this is considered to be acceptable, further details of the phasing of the proposed development can be secured by planning condition, which is recommended accordingly.

1.170 Overall and in the above context, it is anticipated that a development on the outline parcel of the site can be brought forward that would not have a detrimental impact on the character and appearance of the surrounding area (including the adjacent rural areas) as to warrant a reason for refusal of the application. It is further considered that the indicative density and layout of the scheme is considered to be acceptable. Full details regarding Appearance, Scale, Layout and Landscaping of the dwellings, the local centre and the remaining areas are to be submitted at a later date with reserved matters applications when they will be fully assessed. Furthermore, a number of planning conditions have been secured with respect to the intended phased development (as described in the Proposal section) to ensure the coordinated progression of the development and the provision of the relevant infrastructure and services to the anticipated phasing of the site.

1.171 In view of the above, it is considered the proposed development would, on balance, positively satisfy the general requirements of Policies QP4 and QP6 of the Hartlepool Local Plan (2018) and the relevant provisions of the NPPF (2024).

IMPACT ON TREES + LANDSCAPING

1.172 The application has been amended during the course of consideration, following concerns expressed by the Council's Arboricultural Officer in respect of the removal of trees without sufficient replacement planting being considered. Concerns from members of the public have also been raised in respect to the loss of trees and insufficient proposed planting.

1.173 In light of the above, the application is accompanied by a revised Arboricultural Impact Assessment (AIA) and Method Statement that identify a number of trees/hedgerows that are to be retained and measures to do so. The AIA also identifies a number of trees that would need to be removed in order to facilitate the proposed development and trees that would require pruning.

1.174 The Council's Arboricultural Officer confirmed that the proposal is acceptable in respect of trees, subject the revised AIA being adhered to throughout the development, and subject to a number of planning conditions ensuring works to existing trees are carried out as agreed, protection measures are in place for the trees on the eastern boundary, the supply and implementation of a tree/landscape management plan for the newly planted trees, and any trees that are planted as part of the proposed soft landscaping plan.

1.175 As noted above, the application is in outline albeit the indicative layout plans show proposed landscaping throughout the overall application site. Full details of a soft landscaping scheme and protection measures to existing trees, hedges and landscaping would be expected to accompany a reserved matters application (as 'Landscaping' is a reserved matter), including street trees and hedges to be planted within the site (as detailed above), which is likely to offer biodiversity enhancement to the development proposed (this is discussed in further detail within the 'ecology' section). Notwithstanding this, final soft landscaping details (to incorporate ecological measures and to include long term maintenance and management of such areas) and protection measures for existing landscaping features for each phase (in line with he submitted and agreed AIA) are recommended to be secured by appropriate planning conditions (and planning obligations in terms of soft landscaping and open spaces) at this outline stage.

1.176 On balance and subject to the identified planning conditions, the application is considered to be acceptable in respect to landscaping and the impact on trees.

ECOLOGY MATTERS

1.177 It is acknowledged that objections from members of the public have been received in respect to impacts on wildlife resulting from the proposed development. Policy NE1 of the HLP (2018) requires that the natural environment be protected, managed and enhanced, whilst Policy NE4 states that the borough council will seek to enhance and maintain the ecological networks identified throughout the Borough.

1.178 Paragraph 186 d) of the NPPF (2024) includes the bullet point: Planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

1.179 Paragraph 193 of the NPPF (2024) requires that planning permission be refused if significant harm to biodiversity resulting from development cannot be avoided, mitigated or compensated for.

1.180 The application is supported by a Biodiversity Net Gain Assessment Report, an Ecological Appraisal and a Landscape Ecological Management Plan (LEMP). The Council's Ecologist has been consulted on the application and has confirmed that the ecological provision in the form net gain, enhancement, mitigation and compensation (as set out further below) is acceptable.

Biodiversity Net Gain

1.181 The Environment Act 2021 includes Biodiversity Net Gain (BNG) which came into force on 12th February 2024, with a mandatory requirement for at least 10% BNG post-development. Although 10% BNG is not mandatory for this proposed development (as the application was made valid before mandatory BNG came into force) as a minimum, it has to achieve a requirement for 'no net loss'.

1.182 A Biodiversity Metric has been prepared to measure biodiversity change between baseline and post-development scenarios, as measured in Habitat Units. This is supported by an explanatory Biodiversity Net Gain Assessment Report and has been updated by the submitted LEMP. The conclusions of the LEMP indicate that the post-development biodiversity is planned to include 0.44 ha of existing improved (modified) grassland to be enhanced; 0.99ha of improved (modified) grassland within the quarry area of the Local Wildlife Site (LWS) to be enhanced to Magnesium Limestone Grassland, sectors of dense scrub will be coppiced, and 0.322km of existing hedgerow on either side of the central green corridor will be enhanced.

1.183 Overall, the proposed biodiversity gain will comprise 0.61 habitat units and 22.15 hedgerow units, which represents a gain of 1.28% habitat units and 163.34% hedgerow units respectively.

1.184 The Council's Ecologist has been consulted and has confirmed that the conclusions are acceptable.

1.185 In order to secure the BNG, a Habitat Management and Monitoring Plan is required to be developed and submitted to the LPA for approval prior to the commencement of works. This Biodiversity Net Gain Plan is required to detail how the landscape proposals will be implemented and how the increase in Biodiversity Units will be achieved, managed and monitoring for a minimum period of 30 years. All proposed management requirements will need to be detailed and presented in the Habitat Management and Monitoring Plan. A planning condition is

recommended in this respect (as well as such details being secured through a planning obligation within the s106 legal agreement). Subject to this, the proposal is considered to be acceptable in terms of biodiversity net gain.

Biodiversity Compensation and Mitigation Measures

1.186 The application is accompanied by an (updated) Ecological Appraisal, which advises that trees within the former quarry (and LWS) provide potential for roosting bats, 30 species of breeding birds were recorded, hedgehog and brown hare were recorded, and several habitats provide opportunities for amphibians (great crested newt and common toad) during their terrestrial phase. Whilst the site provides habitat suitable for badger, none were recorded. The Ecological Appraisal details recommendations to mitigate and compensate for likely harm to these receptors. The Council's Ecologist has confirmed such measures are acceptable subject to suitably worded planning conditions to secure the compensation and mitigation. This can be secured by a pre-commencement Construction Environmental Management Plan (CEMP), boundary treatments including gaps for hedgehogs, and dwellings including bat roost bricks and bird nesting bricks, and a number of planning conditions are duly recommended in this instance. Subject to these conditions, the proposal is considered to be acceptable in this respect.

Biodiversity Enhancement

1.187 Ecological enhancement (as per the provisions of the NPPF) is additional to BNG and is aimed at providing opportunities for protected and priority species, which are not otherwise secured under the purely habitat based BNG approach.

1.188 The Ecological Appraisal and LEMP recommends soft landscaping to include mixed woodland screen planting, native species-rich hedgerows, species rich grassland planting and landscape planting to include berry and fruit bearing species. It is considered prudent that such landscaping details would be required to both accompany the reserved matters applications as well as through separate planning conditions as part of this outline application, should this outline application be approved. The long term management and maintenance of such landscaping and biodiversity enhancements would also be subject to an planning obligation in the S106 legal agreement.

1.189 The application is supported by an Arboricultural Impact Assessment, which the Council's Arboricultural Officer has confirmed is acceptable, however further Arboricultural Impact Assessment(s) is/are required to be submitted with any reserved matters as detailed above.

1.190 In view of the above, including the recommended planning conditions and S106 legal agreement to secure landscape and biodiversity enhancement, it is considered that the application is acceptable in respect of biodiversity in this instance.

Habitats Regulation Assessment

1) Recreational impacts on designated sites

1.191 As the site is a distance of approximately 5.5km from the European Protected Site, Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar Site, and suitable alternative natural green space (SANGS) is not provided on site, following the completion of a Stage 1 and Stage 2 Habitat Regulations Assessments by the Council's Ecologist (as the competent authority), a financial contribution of £118,750 (£250 per dwelling) is necessary to mitigate the adverse recreational impacts on the SPA (and Ramsar Site). The applicant has confirmed agreement to this contribution.

1.192 In turn, Natural England have confirmed they have no objection to the application subject to the mitigation measures set out in the HRA are secured. This will be secured in the s106 legal agreement.

2) Nutrient Neutrality

1.193 On 16 March 2022 Hartlepool Borough Council, along with neighbouring authorities in the catchment of the Tees, received formal notice from Natural England that the Teesmouth & Cleveland Coast Special Protection Area and Ramsar site is now considered to be in an unfavourable condition due to nutrient enrichment, in particular with nitrates, which are polluting the protected area.

1.194 Given this application would involve development comprising residential development of more than 150 dwellings (the EIA threshold), it is considered the proposals are 'in scope' for further assessment. The applicant submitted Nutrient Neutrality Budget Calculations accompanied by a Nutrient Statement which concludes that the application does not result in a net increase in nitrates as a result of foul and surface water discharging to the Seaton Carew Waste Water Treatment Works, which has been confirmed by Northumbrian Water. Furthermore, it is anticipated that the development would feature Sustainable Drainage Systems (SuDS) in order to manage surface water. A HRA Stage 1 Screening Assessment was duly completed by the Council's Ecologist which confirms there would not be a Likely Significant Effect on the designated sites.

1.195 Natural England have also been consulted and confirmed no objections. Therefore the scheme satisfactorily addresses Nutrient Neutrality in this respect and would not be a Likely Significant Effect on the designated sites.

1.196 The application is considered to be acceptable in respect of any Likely Significant Effects on designated sites.

RESIDENTIAL AMENITY

1.197 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) stipulates that the Borough Council will seek to ensure all developments are designed to a high quality and that development should not negatively impact upon the relationship with existing and proposed neighbouring land uses and the amenity

of occupiers of adjoining or nearby properties by way of general disturbance, overlooking and loss of privacy, overshadowing and visual intrusion particularly relating to poor outlook. Proposals should also ensure that the provision of private amenity space is commensurate to the size of the development.

1.198 Policy QP4 also stipulates that, to ensure the privacy of residents and visitors is not significantly negatively impacted in new housing development, the Borough Council seeks to ensure adequate space is provided between houses. The above requirements are reiterated in the Council's adopted Residential Design SPD (2019).

1.199 The following minimum separation distances must therefore be adhered to:

- Principal elevation (i.e. any elevation containing a habitable room window) to principal elevation - 20 metres.
- Gable elevation (i.e. those containing a blank or non-habitable room window) to principal elevation - 10 metres.

1.200 Paragraph 135 of the NPPF (2024) requires that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

1.201 As noted above, the proposed development is bound by a small number of residential properties to the south of the application site, and by further residential development in Quarry Farm Phase 2 to the east. It is acknowledged that objections have been received from members of the public that the proposed development has the potential to impact upon the privacy of occupants of existing properties in nearby streets as a result of the proposed link to Reedston Road indicatively shown on the Proposed Site Layout.

1.202 Given that the proposed dwellings and local centre are only in outline at this stage, full consideration of the scale, layout and appearance of the development, and its relationship (and impacts) on neighbouring properties would form part of the consideration of the reserved matters application(s). Notwithstanding this, in view of the submitted proposed layout (for illustrative purposes only), it is anticipated that the development could come forward at the scale proposed that could be accommodated with acceptable impacts in respect to neighbouring amenity.

1.203 The indicative layout plan shows the closest proposed dwellings within the proposed development being sited approximately 12m (oblique) between non-habitable room windows and approximately 24m between habitable room windows of the existing dwellings located within the cut out section at the southern extent of the site. The indicative plans indicate that a separation distance of approximately 21m would remain between the closest proposed dwellings and the closest dwellings within the residential estate to the east, at Woodhouse Lane, Fontburn Close, Reedston Road, Octavia Drive and Chastleton Close. It is therefore anticipated that acceptable relationships could be achieved and this would need to be demonstrated through the consideration of any reserved matters application(s).

1.204 Concerns have been raised by members of the public regarding the appropriateness of the proposed local centre. The indicative plans identify the

proposed local centre towards the south east extent of the site, close to the main access from Elwick Road, with satisfactory separation distances to the closest neighbouring dwellings in neighbouring streets. Given the relationship between the proposed local centre and residential properties, it is considered appropriate to restrict the area of the local centre to 400sqm and to control the uses to those falling within Class E (Commercial, Business and Service) a. (for the display or retail sale of goods, other than hot food, principally to visiting members of the public), b. (for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises), and e. (for the provision of medical or health services, principally to visiting members of the public, except the use of premises attached to the residence of the consultant or practitioner). No objections have been received from HBC Land Use Policy or HBC Public Protection to the local centre element of the scheme subject to the identified planning conditions.

1.205 In view of the proposed layout and positioning of the dwellings and the local centre (illustrative only) relative to that of the approved layout of the outline application for residential development to the southern side of Elwick Road (by virtue of parent approval H/2014/0428) as well as the largely completed 'phase 1' residential development at High Tunstall to the south east of the application site, it is anticipated that a layout could come forward as part of the required reserved matters application(s) whereby the proposed dwellings closest to Elwick Road could achieve satisfactory relationships with the dwellings indicated on the proposed masterplan of the High Tunstall scheme. As noted above, this will be subject to the further detailed consideration of the required reserved matters application(s) (should this outline application be approved). An informative can be secured on the decision notice to highlight the need for this to be considered in further detail and for such relationships to form part of any reserved matters submission.

1.206 A substantial separation distance of approximately 380m (minimum) would remain from the indicative proposed layout to Naisberry Farm to the west and approximately 440m (minimum) to the nearest properties along Worset Lane to the north east.

1.207 In terms of the internal relationships, although the submitted plans are indicative, it is noted that each of the proposed 475 dwellings would be served by private amenity garden areas and it is anticipated that the proposed dwellings and local centre would achieve satisfactory separation distances that accord with Policy QP4 of the Hartlepool Local Plan (2018) and the Residential Design Guide SPD (2019), which is considered sufficient to prevent a loss of light, outlook, overbearing appearance or overlooking for existing or future occupiers. Given that the separation distances appear to meet the minimum requisite distances (only), it may be appropriate to remove permitted development rights for any extensions or alterations to the dwellings (or erection of detached structures) however it is considered appropriate to consider this further as part of the assessment of the reserved matters where the layout and scale of development will be submitted in detail.

1.208 Overall and on balance, these relationships are considered to be acceptable and it is anticipated that development could be brought forward that would not result in an unacceptable impact on the amenity and privacy of existing and future

occupiers of the neighbouring properties or of the proposed residential properties in terms of loss of outlook, overbearing, overshadowing and overlooking. As reiterated above, the final consideration of such relationships would be made through the required Reserved Matters applications.

Noise and disturbance

1.209 Policy QP6 of the Hartlepool Local Plan (2018) requires that where appropriate, applicants must investigate and address the effects of a proposal on general disturbance, including noise.

1.210 Paragraph 198a of the NPPF (2024) states that "Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life".

1.211 The application has been supported by a Noise Assessment, which concludes that a medium noise risk is identified for the worst affected areas of the site (along the northern and southern boundaries) due to road traffic noise on Elwick Road and Worset Lane and the reservoir to the north east, whilst the overall potential for noise risk is classified as low. In view of these identified impacts, the Noise Assessment concludes that subject to any necessary mitigation measures to include gardens to be potentially located on the screened sides of dwellings and standard thermal double glazing with an alternative means of ventilation (that would be confirmed through an acoustic design process to be submitted for each phase of development as part of a recommended planning condition), that the application site is considered suitable for residential development. The Council's Public Protection team have assessed the proposals in light of the submitted details including the Noise Assessment and have raised no objection to the development, subject to further details being secured by a planning condition, which is duly recommended in this instance.

1.212 Concerns have been raised by objectors regarding the disruption that would be caused during both the construction and operation of the site including additional traffic and noise and disturbance. It is both appreciated and inevitable that the development of a site of this scale will cause some disruption to neighbouring residents, particularly those along Reedston Road, Bodnant Close and Octavia Drive, due to the proposed link (to Quarry Farm Phase 2) in the north eastern extent of the site.

1.213 The application is supported by an Air Quality Assessment which concludes that during the construction phase, "with site specific mitigation measures in place, the significance of dust and fine particulate effects from earthworks, construction and trackout is considered to be not significant", whilst during the operational phase, the proposals would result in a negligible impact, and therefore "the effect of the proposed development on human receptors is therefore considered to be not

significant". The Council's Public Protection team have been consulted and have confirmed no objections, subject to a standard pre-commencement planning condition for a Construction Management Plan (CMP) that would include the need for dust suppression measures, and controlling the hours of construction, which are recommended accordingly.

1.214 Whilst the concerns in respect to disturbance to neighbouring streets (including Reedston Road, Bodnant Close and Octavia Drive) are appreciated, it is considered that the separation distances to neighbours for much of the development area will help to minimise any impacts. Furthermore, planning conditions as detailed above (including a CTMP, CMP and hours of construction and deliveries) will assist in minimising disruption. Conditions will also be required to limit hours of operation and deliveries of the proposed local centre in line with similar hours approved for the local centre on the allocated High Tunstall development (H/2014/0428) and in line with the general provisions of Policy RC16 of the HLP (2018) (acknowledging that this application is not an allocated site or designated local centre). The Council's Public Protection team have confirmed such hours of control are acceptable and no objections have been received by the Council's Land Use Policy team in this respect.

1.215 Subject to these conditions, the Council's Public Protection team raise no objections to the application. Finally there are various powers available to the council under the relevant public health and highway acts should incidents arise.

1.216 Subject to the inclusion and consideration of the appropriate mitigation measures (as detailed in the submitted Noise Assessment) and the other above identified planning conditions, it is considered that the proposed development would not adversely affect the amenity of existing and future occupiers (including neighbours in Quarry Farm Phase 2) in terms of noise disturbance or dust/odours so significantly as to warrant a reason to refuse the application in this instance.

Neighbour Amenity Conclusion

1.217 Taking account of the above considerations regarding overlooking, outlook, overbearing appearance and private amenity space, as well as noise and disturbance, it is considered a scheme can come forward in the reserved matters application(s) to demonstrate that the proposal is acceptable in terms of amenity and privacy for all existing and future occupants of nearby and neighbouring properties and land users (including those within the proposed development site).

FLOOD RISK & DRAINAGE

1.218 Objections have been received in respect of surface water drainage and an increased risk of flooding. Policy CC1(3) of the HLP (2018) sets out that development should incorporate appropriate measures to minimise flood risk such as SuDS (Sustainable Drainage Systems) and/or the use of porous materials and water retention and recycling. Policy CC2 of the HLP requires all proposals to demonstrate how they will minimise flood risk. Policy QP7(3) of the HLP sets out that all development will be required to incorporate sustainable construction and drainage methods.

1.219 The application site is an agricultural field predominately located within Flood Zone 1 although parts of the site are within an area of flood extent for surface water flooding. A Flood Risk Assessment and Drainage Strategy has been submitted in support of the application.

1.220 The Council's Engineering Consultancy have confirmed that the proposal is acceptable subject to the inclusion of a pre-commencement planning condition for each phase of development (as well as a planning obligation within the s106 legal agreement) to ensure that a detailed surface water drainage scheme (and details of SuDS) is submitted to and approved by the Local Planning Authority to include full details of surface water management and maintenance. The Council's Engineering Consultancy have also provided comments in respect of peak flow control, volume control and highway drainage, and it is anticipated that these would be satisfactorily accommodated within the proposed drainage scheme. It is also expected that details of any above ground SuDS (for example a SuDS basin) would be included as part of an appropriate reserved matters application.

1.221 Northumbrian Water has advised both foul that surface flows should discharge to the existing combined sewer and has requested a planning condition to secure foul and surface water drainage being carried out within strict accordance with the submitted Flood Risk Assessment and Drainage Strategy. Planning conditions are recommended in this respect. In addition, an informative can relay the advice from Northumbrian Water regarding the expected discharge of foul and surface water to the applicant.

1.222 Anglian Water have raised a query regarding their assets in the application site boundary. Although Hartlepool Water have requested a planning condition, it is considered that consideration of assets can be achieved through the reserved matters application(s). However, an informative can relay these comments to the applicant.

1.223 The Environment Agency have confirmed no objections in respect of flood risk or surface water drainage, however have provided comments in respect of foul water, which can be relayed to the applicant via an informative.

1.224 Subject to the inclusion of these planning conditions and the necessary planning obligation in the s106 legal agreement, the development is considered to be acceptable with regards to flood risk and drainage.

CONTAMINATED LAND

1.225 The Council's Engineering Consultancy have confirmed no objection in respect of contaminated land, subject to a planning condition to ensure further and intrusive investigation on the site is undertaken in accordance with the submitted Phase 1 Preliminary Investigation Report. Accordingly, such a condition (that would apply to each phase) is duly recommended and the development is considered to be acceptable in this respect as a result.

1.226 The Environment Agency have confirmed no objections in respect of contaminated land, however have provided comments in respect of land

contamination risk and management, which can be relayed to the applicant via an informative.

OTHER PLANNING MATTERS

Agricultural land

1.227 The NPPF defines the Best and Most Versatile (BMV) agricultural land as being Grades 1, 2 and 3a. Based on Natural England/Defra's 'Agricultural Land Classification' map, the application site is rated as Grade 3 (good-moderate). The applicant has provided an Agricultural Land Classification Assessment which concludes that approximately 18.95ha of land is raised from Grade 3b to Grade 3a due to the soil being 'calcerous'. The Town and Country Planning (Development Management Procedure) Order 2015 (as amended) (DMPO) states that any non-agricultural planning application that would result in the loss of more than 20 ha of BMV agricultural land where the land is not allocated in a development plan requires the LPA to consult with Natural England. Given that the area of BMV land is under this threshold, Natural England do not require a consultation in this instance. Notwithstanding this, Natural England have been consulted on the application and have not offered any objections or comments in this respect.

1.228 Whilst the land is classified as BMV it is of Grade 3a, consideration is given to this classification being the lowest grade of soil within the BMV classification. The Council's Land Use Policy team have also confirmed that the proposal is acceptable in this respect (in terms of criterion 10 of Policy RUR1 of the HLP, 2018). Overall and in the context of the overall planning balance (and identified benefits of the scheme), it is considered that the loss of BMV land on the application site would not, on its own, result in a reason to refuse the application.

Footpath Connections/Public Rights of Way

1.229 The submitted indicative proposed site layout plan indicates proposed footpath and cycle connections from the application site to Worset Lane (north) as well as the existing Quarry Farm phase 2 development to the east of the site. The submitted Access Plan indicates proposed footpaths along Elwick Road between the proposed access into the development and the existing residential development at Woodhouse Lane (Quarry Farm phase 1), as required by the Council's Traffic and Transport team. The Council's Countryside Access has confirmed that the proposals would not affect any nearby public rights of way and/or permissive paths within the vicinity, and therefore the application is considered acceptable in this respect.

1.230 The Council's Countryside Access Officer raised a query regarding the proposed footpath through the centre of the site (linking Phases 2 and 3 on the indicative phasing plan), and any resultant impacts on the LWS. Following discussions with the case officer, the Council's Countryside Access Officer has confirmed that the proposed fencing around the LWS would be sufficient in this respect. It is considered prudent to secure details of the treatment of the LWS come forward with any reserved matters application and subject to this, the application is considered to be acceptable in this respect.

Archaeology

1.231 Following initial comments from Tees Archaeology, the applicant provided an archaeological evaluation and photographic survey report which demonstrates little archaeological potential across the site. Tees Archaeology have raised no objections, subject to the requirement for interpretation panels to be installed to the quarry. This can be secured by planning condition, which is recommended accordingly. Subject to this planning condition, the proposal is considered to be acceptable in this respect.

Crime, Fear of Crime and Anti-Social Behaviour

1.232 Objectors have raised concerns with respect to the proposal resulting in an increase in crime/fear of crime, anti social behaviour (ASB) and vandalism.

1.233 Whilst there is no evidence to link such issues to the proposed development, any potential problems arising from this behaviour would need to be dealt with by the appropriate authorities such as the Police or the HBC Community Safety and Engagement team and such concerns would not be of sufficient weight to warrant refusal of the application. A consultation response from Cleveland Police has been received which advises how the applicant could achieve Secured By Design standards. This advice can be relayed to the applicant via an informative and it is anticipated that this would be considered in further detail at the reserved matters stage should the outline application be approved.

1.234 The provisions of Section 17 of the Crime and Disorder Act 1998 have therefore been taken into account in the preparation of this report. In view of the above, it is considered that the proposed development would not harm the living conditions of neighbouring occupiers, with particular reference to antisocial behaviour, crime and the fear of crime. As such, it would not be contrary to Local Plan Policy QP5 and would accord with the guidance in the NPPF (2024), in this respect.

Waste

1.235 The Tees Valley Joint Minerals and Waste Development Plan Document (2011) requires all major developments to produce a waste audit. A pre-commencement planning condition (for each phase of development) can secure this.

1.236 A consultation response has been received from HBC Waste Management confirming no objections to the proposal, and providing advice regarding the provision of necessary waste receptacles and collection requirements throughout the proposed development. This can be relayed to the applicant via an informative.

1.237 No objections have been received from either HBC Public Protection or HBC Traffic and Transport in respect of servicing and access to refuse storage. It is expected that the reserved matters application would provide details of waste storage provision. The proposal is therefore considered to be acceptable in this respect.

OTHER MATTERS

Fire Safety and Access

1.238 Cleveland Fire Brigade has provided advice for the applicant with respect to fire safety and access. These matters, including the provision of a sprinkler system, are principally a consideration for the building regulations process, which the Council's Building Control section has confirmed the application is subject to. Notwithstanding this, an informative to make the applicant aware of this advice is recommended accordingly.

Northern PowerGrid and Northern Gas Networks

1.239 Both Northern PowerGrid and Northern Gas Networks have been consulted on the application and whilst no objections have been received from Northern PowerGrid, Northern Gas Networks have raised concerns and an objection that the proposals would have the potential to impact upon their assets and have requested clarification.

1.240 It is noted from the indicative layout that no built development interferes with the identified Major Accident Hazard Pipeline (Cowpen Bewley-Naisberry) and this is reflected in the Health and Safety Executive (HSE) planning web advice app response (where they do not advise against the proposal). The applicant has also provided a response to the queries raised by Northern Gas Networks indicating that the proposal includes no occupied buildings within 28m of the identified pipeline and that subject to the grant of the outline planning permission, the reserved matters submission(s) would include a fixed layout which Northern Gas Networks would be consulted upon again to ensure that it accords with their pipeline/easement requirements. Notwithstanding this, an updated consultation response is awaited at the time of writing and should any comments be received, they will be tabled (if they are received before the planning committee meeting) or otherwise considered by officers. However, officers consider that such matters could be suitably considered and addressed as part of the reserved matters submission where the final layout would need to demonstrate compliance with any necessary separation distances to the infrastructure and an informative is recommended to relay such a requirement to the applicant.

1.241 The HSE, via its planning web advice app in the usual way, have advised that they 'do not advise against' the proposed development, and therefore they do not need to be consulted further.

1.242 Property depreciation and the sales particulars of nearby residential development schemes are not material planning considerations.

PLANNING BALANCE AND OVERALL CONCLUSION

1.243 It is acknowledged that the application site is outside the limits to development as identified by Policy LS1 of the Hartlepool Local Plan Policies Map (2018).and the proposed development would result in a number of identified 'disbenefits'.

1.244 Notwithstanding these concerns, in view of the identified economic, environmental and social benefits of the scheme, it is, on balance, considered that the benefits of the scheme, and in particular the significant benefit of improvements to highways infrastructure that would enable them to come forward sooner than they otherwise would, leading to reduced congestion in this area of Hartlepool, would demonstrably outweigh the site being beyond the development limits and other disbenefits, particularly when such concerns are considered in the overall planning balance for the development and that that the proposal would constitute a sustainable form of development and a logical extension to the urban area of Hartlepool, when considered against the development plan (HLP, 2018) and the NPPF (2024) as a whole.

1.245 It is further anticipated that a scale of development could come forward (as proposed) that would achieve a satisfactory form that would not adversely impact upon the character and appearance of the surrounding area subject to the consideration of the scale, layout, appearance and landscaping as part of the reserved matters. It is further considered that the proposal would not result in significant adverse impacts on the amenity or privacy of neighbouring land users or future occupiers of the proposed dwellings. The proposal is considered to be acceptable in respect of all other material considerations including highway safety and car parking, ecology, trees, and surface water drainage and contaminated land.

1.246 Subject to the identified conditions and the completion of a section 106 legal agreement to secure the financial contributions and planning obligations (as detailed above), the proposal is, on balance, considered to be acceptable and is recommended for approval.

EQUALITY DUTY

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

CRIME AND DISORDER ACT IMPLICATIONS

1.248 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making. Matters of crime, fear of crime and anti-social behaviour are considered in detail in the relevant section of this report. Overall and for the reasons set out in the report, the proposal is considered, on balance, to be acceptable when having regard to Section 17 of the Crime and Disorder Act 1998. There are no Section 17 implications.

REASON FOR DECISION

1.249 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 consideration by officers of any further comments from Northern Gas Networks and following the expiry of the site notice and press advert; and subject to a section 106 legal agreement to secure financial contributions and obligations towards:

- HRA mitigation including wardening to mitigate likely recreational disturbance to the interest features (£250 per dwelling, £118,750 total);
- Highway infrastructure (£12,396.01 per dwelling, £5,888,104.75 total);
- Green infrastructure (£250 per dwelling, £118,750 total, to be directed towards the closest allotments);
- Play (two play parks, with a 25 year maintenance contribution or the commitment to hand the facility over to a management company);
- Built sports (£250 per dwelling, £118,750 total, towards borough wide provision);
- Playing pitches (£233.29 per dwelling, £110,812.75 total, towards borough wide provision);
- Tennis courts (£57.02 per dwelling, £27,084.50 total, towards borough wide provision);
- Bowling greens (£4.97 per dwelling, £2,360.75 total, towards the bowling green facilities within the borough);
- Primary contribution (£1,404,798.15 based on a pupil yield of 21.5/100 dwellings and a cost of £13,755.00 per school place);
- Secondary contribution (£917, 758.16 based on a pupil yield of 13.7/100 dwellings and a cost of £14,102.00 per school place);
- NHS Tees Valley contribution of £100,000 to deliver services across practices in Hartlepool;
- On site Affordable housing (7% affordable dwellings, of which 70% affordable rent and 30% intermediate tenure);
- Training and employment charter;
- Provision, maintenance and long term management of new footpaths and footpath connections;
- Provision, long term maintenance and management of play areas;
- Provision, long term maintenance and management of landscaping, open space, and biodiversity measures;
- Provision, long term maintenance and management of surface water drainage infrastructure at the application site;

and subject to the following planning conditions:

1. Application for the approval of the reserved matters (referred to below) and the commencement of development, shall be as follows. The first reserved matters application shall be made to the Local Planning Authority not later than 3 years from the date of this planning permission and the development so approved shall be begun not later than 2 years from the date of approval of the last reserved matters of that phase. Thereafter, all subsequent phased reserved matters applications shall be made to the Local Planning Authority not later than 5 years

from the date of this permission and the development so approved shall be begun not later than the expiration of 2 years from the final approval of the last reserved matters relating to each phase.
For the avoidance of doubt.

2. Approval of the details of the Layout (including internal pedestrian and highway layout), Scale and Appearance of the building(s) and the Landscaping of the site (hereinafter called the "reserved matters"), shall be obtained in writing from the Local Planning Authority.
In order to ensure that these details are satisfactory.

3. The details submitted at the reserved matters stage shall be in general conformity with Dwg. No. 07 Rev E (Proposed Illustrative Site Layout, scale 1:1250, received by the Local Planning Authority on 25/07/2023); Dwg. No. ITM15669-GA-017 Rev A (Access Arrangements, received by the Local Planning Authority on 06/03/2025); and Dwg. No. 5 Rev E (Application Masterplan, scale 1:2500, received by the Local Planning Authority on 10/11/2025).
In the interests of the proper planning of the area.

4. The permission hereby granted shall permit the phased development of the site and unless otherwise indicated all other conditions shall be construed accordingly. Prior to the submission of the first "reserved matters" application, a Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall identify the phasing of all development, infrastructure, landscaping including strategic landscaping, the local centre, the means of access/pathways/cycleways, enclosures and gates, public and amenity open space, treatment of the Local Wildlife Site (LWS), and play facilities of the development hereby approved. Thereafter the development (and subsequent submission of the Reserved Matters) shall be undertaken in accordance with the Phasing Plan so approved unless some variation is otherwise agreed in writing by the Local Planning Authority.
To ensure the coordinated progression of the development and the provision of the relevant infrastructure and services to each individual phase.

5. The development hereby approved shall be carried out in accordance with the following:
Dwg. No. 01-1 Rev B (Site Location Plan, scale 1:5000), received by the Local Planning Authority on 15th January 2021; and
Dwg. No. ITM15669-GA-017 Rev A (Access Arrangements), received by the Local Planning Authority on 6th March 2025.
For the avoidance of doubt.

6. The total development hereby approved shall not exceed the following maxima:
Up to 475 residential dwellings (C3 Use Class);
Up to 400sqm retail floorspace falling within Use Class E(a), E(b) and/or E(e) of the Town and Country Planning (Use Classes) Order 1987 (as amended, including by the Use Classes (Amendment) (England) Regulations 2020).
For the avoidance of doubt.

7. No development on any phase shall commence until details of existing and proposed levels of the site (within and outwith the site) including finished floor levels of the dwellings and buildings to be erected, sections through the site and any adjacent land/buildings, and any earth retention measures, have been submitted to and approved in writing by the Local Planning Authority. The phase of development shall thereafter proceed in accordance with the agreed levels. To ensure that the development safeguards the visual amenity of the area and the living conditions of the neighbouring residents in accordance with Policies QP4, QP5 and LS1 of the Hartlepool Local Plan (2018).

8. No part of the development hereby approved shall be constructed on any phase until construction of the new grade separated junction (comprising erection of bridge structure and of new highway North of Elwick Village linking to the existing highway) has commenced on site. No dwelling on any phase shall be occupied until the new grade separated junction (comprising erection of bridge structure and of new highway North of Elwick Village linking to the existing highway) is fully open to traffic, to the satisfaction of the Local Highways Authority (Hartlepool BC) in consultation with the Highways Authority for the A19. In the interests of highway and pedestrian safety and to accord with the provisions of Policy INF2 of the Hartlepool Local Plan 2018.

9. Unless otherwise agreed in writing by the Local Planning Authority in consultation with the Highways Authority for the A19, Travel Plan monitoring shall continue until it has been demonstrated that the travel patterns of the development are in line with the travel plan targets as shown in Table 6.2 of the "Quarry Farm Phase 3, Hartlepool Travel Plan" (reference: JO/VE/ITM15669-002A R, received by the Local Planning Authority on 27/102020).
In the interests of highway and pedestrian safety and to ensure that the travel patterns of the development are in line with the objectives of the Travel Plan, in line with PPG (2014).

10. Prior to the commencement of any phase of the development hereby approved, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19).
The plan shall include as a minimum:
• Construction phasing;
• Construction routing plans (where achievable, construction traffic shall not travel through Elwick Village, and shall use alternative routes when travelling to and from site);
• Permitted construction traffic arrival and departure times.
Thereafter all construction activity in respect of any phase of the development hereby approved shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority (in consultation with the Highways Authority for the A19).
In the interests of highway and pedestrian safety.

11. The vehicular and pedestrian access (and associated visibility splays and footway connections) to the development hereby approved shall be completed in accordance with Dwg. No. ITM15669-GA-017 Rev A (Access Arrangements),

received by the Local Planning Authority on 06/03/2025) prior to the first occupation of any of the dwellinghouses hereby approved unless an alternative timescale is otherwise agreed in writing with the Local Planning Authority.
To ensure a satisfactory form of development and in the interests of highway safety.

12. No part of the development hereby approved shall be occupied until details of a footway to be constructed on the northern side of Elwick Road between the Quarry Farm bus stop and the existing footway at the junction with Woodhouse Lane (as indicated on Dwg. No. ITM15669-GA-017 Rev A (Access Arrangements), received by the Local Planning Authority on 06/03/2025), have been first submitted to and agreed in writing with the Local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the first occupation of any of the dwellinghouses hereby approved, unless an alternative timescale is otherwise agreed in writing with the Local Planning Authority.
In the interests of highway and pedestrian safety.

13. No part of the development hereby approved shall be occupied until details to extend the existing 30mph speed limit along Elwick Road (within vicinity of the site) have been first submitted to and agreed in writing with the Local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the first occupation of any of the dwellinghouses hereby approved, unless an alternative timescale is otherwise agreed in writing with the Local Planning Authority.
In the interests of highway and pedestrian safety.

14. Prior to the commencement of development details of a system of street lighting on Elwick Road which covers the extent of the site access (and a timetable for implementation) shall be first submitted to and approved in writing by the Local Planning Authority. The street lighting shall thereafter be provided in accordance with the details and timetable so approved unless some variation is subsequently agreed in writing with the Local Planning Authority.
In the interests of highway and pedestrian safety.

15. Prior to the commencement of development details of a scheme for the provision and location of bus stop infrastructure improvements (as indicated on Dwg. No. ITM15669-GA-017 Rev A (Access Arrangements), received by the Local Planning Authority on 06/03/2025) to the east bound bus stop at Quarry Farm shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of hardstanding, a bus shelter and low floor kerbing, and a timetable for the delivery of the infrastructure improvements. The scheme shall thereafter be provided in accordance with the details and timetable so approved unless some variation is subsequently agreed in writing with the Local Planning Authority.
In the interests of sustainable travel, highway and pedestrian safety.

16. Prior to the commencement the development, details of a scheme for traffic calming measures within the approved site, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The traffic calming measures shall thereafter be provided in

accordance with the details and timetable so approved unless some variation is subsequently agreed in writing with the Local Planning Authority.
In the interests of highway and pedestrian safety.

17. Notwithstanding the submitted information and prior to the commencement of each phase of the development, a site specific Waste Audit which shall identify the amount and type of waste which is expected to be produced by the development, both during the construction phase and once it is in use, shall be submitted to and agreed in writing with the Local Planning Authority. The Waste Audit shall set out how this waste will be minimised and where it will be managed, in order to meet the strategic objective of driving waste management up the waste hierarchy, and shall include a timetable for implementation. Thereafter, the development shall be carried out in accordance with the agreed details.
To ensure a satisfactory form of development, in the interests of visual amenity and the amenities of neighbouring occupiers, and to ensure compliance with the requirement for site specific detailed waste audit in accordance with Policy MWP1 of the Tees Valley Joint Minerals and Waste Development Plan Document 2011.

18. Notwithstanding the submitted details, no development of any phase shall commence until detailed proposals for the provision of public open space and a minimum of two play areas including details of their phasing, location and design/specification, landscaping, play equipment, surfacing, means of enclosures, and a timetable for their provision have been submitted to and approved in writing by the Local Planning Authority for that phase. The play facilities shall be provided in accordance with the approved details and timetable.
In the interests of public health and delivering a sustainable development and in order to ensure that the play areas are provided in a planned and appropriate manner.

19. No development of any phase shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) and timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include method statements for the avoidance, mitigation and compensation measures as detailed in Section 5 (Recommendations) of the Ecological Assessment by OS Ecology, Project Number 23072, dated September 2024 and received by the Local Planning Authority on 25th October 2024. The CEMP (Biodiversity) shall include the following:
i) works completed to a precautionary method statement for common toad;
ii) A pre-commencement check for nesting birds shall be undertaken by a suitably experienced ornithologist if vegetation clearance or building demolition is undertaken between March and August inclusive;
iii) A bat sensitive light strategy;
iv) physical screening in some locations;

iv) Any excavations left open overnight will have a means of escape for wildlife that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.
Thereafter the approved CEMP shall be adhered to and implemented throughout the construction period and strictly in accordance with the approved details.
In the interests of avoiding or mitigating ecological harm.

20. No development of any phase shall commence unless and until a Habitat Management and Monitoring Plan (HMMP) to ensure that the approved development provides the delivery of the Biodiversity Net Gain (BNG) as detailed in the 'Landscape Ecological Management Plan (LEMP)' by OS Ecology (Project Number 23072, dated September 2024, and received by the Local Planning Authority 20/09/2024) has been submitted to and approved in writing by the Local Planning Authority.
The HMMP shall include:
- details of habitat retention, creation and enhancement sufficient to provide the delivery of the net gain proposed in the LEMP;
- the provision of arrangements to secure the delivery of the net gain proposed in the LEMP (including a timetable for their delivery);
- a management and monitoring plan (to include for the provision and maintenance of the net gain proposed in the LEMP for a period of at least 30 years or the lifetime of the development (whichever is the longer). Thereafter, the scheme shall be implemented in full accordance with the requirements of the agreed scheme and timetable for delivery.
To provide biodiversity management and biodiversity net gain in accordance with paragraphs 8, 186 and 193 of the NPPF (2024) and Policy NE1 of the Hartlepool Local Plan (2018).

21. No development on any phase shall take place until a detailed scheme for the provision, long term maintenance and management of all landscaping within that phase of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall, where achievable, include the mitigation measures detailed in the document 'Landscape Ecological Management Plan (LEMP)' 'by OS Ecology (Project Number 23072, dated September 2024) received by the Local Planning Authority 20/09/2024 and Section 5 (Recommendations) of the Ecological Assessment (by OS Ecology, Project Number 23072, dated September 2024 and received by the Local Planning Authority on 25/10/2024).
The scheme shall specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works. Thereafter the agreed scheme shall be provided in accordance with the approved details. All planting, seeding or turfing comprised in the approved details of landscaping within the curtilage of individual residential dwellings shall be carried out in the first planting season following the occupation or completion of each individual dwelling (whichever is sooner). All planting, seeding or turfing comprised in the approved details of landscaping for all other areas (out with the residential curtilages) including open space within the site shall be carried out in the first planting season following the

occupation of the dwellings or completion of development of that phase, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development hereby approved, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity and the amenities of future occupiers and in the interests of biodiversity and ecology.

22. Notwithstanding the submitted information and prior to the commencement of any phase of the development, an Arboricultural Impact Assessment and Method Statement for the protection of any trees/hedgerows/landscaping within that phase, which shall be in general conformity with document 'Arboricultural Impact Assessment, Arboricultural Method Statement, and Preliminary Tree Protection Plan', document reference: ARB/AE/823c, dated December 2024 and received by the Local Planning Authority on 10/12/2024, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to any equipment, machinery or materials being brought onto the site for the purposes of the development hereby approved, the agreed scheme for the protection and retention of the retained trees shall be implemented on site and thereafter retained until the completion of the development of that phase. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees that are found to be dead, dying, severely damaged or diseased as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.
In the interests of the health and appearance of the existing trees and the visual amenity of the area and surrounding area.

23. Development on any phase shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment and Drainage Strategy" (document reference 17N1042 Rev B, prepared by Billinghurst George and Partners, dated 7 August 2020, received by the Local Planning Authority on 27/10/2020). The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 3306 and ensure that surface water discharges to the existing watercourse.
To prevent the increased risk of flooding from any sources in accordance with the NPPF.

24. Notwithstanding condition 23, no development on any phase shall take place until a detailed design and associated management and maintenance plan of surface water drainage for that phase based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority.
The surface water drainage design should demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change and urban creep, will not exceed

the run-off from the undeveloped site following the corresponding rainfall event. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the occupation of any part of that phase subsequently managed and maintained for the lifetime of the development in accordance with the agreed details.
The scheme to be submitted shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in the Tees Valley SuDS Design Guide and Local Standards (or any subsequent update or replacement for that document).
To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity.

25. Notwithstanding the submitted information, no development in any phase shall commence until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

1. Site Characterisation
An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme shall be subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings shall include:
(i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to:
a. human health,
b. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
c. adjoining land,
d. groundwaters and surface waters,
e. ecological systems,
f. archaeological sites and ancient monuments;
(iii) an appraisal of remedial options, and proposal of the preferred option(s).
This shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme
A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as

contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme
The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out shall be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination
In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of 1 (Site Characterisation) above, and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of 2 (Submission of Remediation Scheme) above, which is subject to the approval in writing of the Local Planning Authority.
Following completion of measures identified in the approved remediation scheme a validation report shall be prepared in accordance with 3 (Implementation of Approved Remediation Scheme) above, which is subject to the approval in writing of the Local Planning Authority.

5. Long Term Monitoring and Maintenance
A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same shall be prepared, both of which are subject to the approval in writing of the Local Planning Authority.
Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out shall be produced, and submitted to the Local Planning Authority.
This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

6. Extensions and other Development Affecting Dwellings.
If as a result of the investigations required by this condition landfill gas protection measures are required to be installed in any of the dwelling(s) hereby approved, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way, and no garage(s) shed(s),greenhouse(s) or other garden building(s) shall be erected within the

garden area of any of the dwelling(s) without the prior written consent of the Local Planning Authority.
To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

26. Prior to the commencement of any phase of the development hereby approved, details of proposed interpretation panels (providing information in respect to features of the Local Wildlife Site and Quarry) including construction materials and finish and a timetable for implentation shall be submitted to and agreed in writing by the Local Planning Authority. The interpretation panels shall thereafter be provided in accordance with the approved details and the agreed timetable.
In the interests of visual amenity and heritage assets.

27. Notwithstanding the submitted information and prior to the commencement of any phase of the development hereby approved, details of proposed hard landscaping and surface finishes (including the Access, proposed car parking areas, footpaths and any other areas of hard standing to be created) shall be submitted to and approved in writing by the Local Planning Authority. This shall include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. Thereafter, the development shall be carried out in accordance with the agreed details.
To enable the Local Planning Authority to control details of the proposed development, in the interests of the visual amenity of the area and highway safety.

28. Notwithstanding the submitted information and prior to the commencement of any phase of the development hereby approved, details of all walls, fences and other means of boundary enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details for each phase shall, where achievable, include the provision a 10cm^2 square Hedgehog access hole at ground level within dividing garden fences, to allow free passage of Hedgehogs through gardens and into wildlife corridors. Thereafter, the development shall be carried out in accordance with the agreed details.
In the interests of visual amenity and the amenity of the occupiers of the site, and the ecology of the area.

29. Prior to the commencement of each phase of development, details of the provision for refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, provision shall be made for the storage of refuse in accordance with the agreed details prior to the occupation or completion (whichever is sooner) of the identified dwellings or buildings, for the lifetime of the development hereby approved.
To ensure a satisfactory form of development.

30. A Construction Management Plan shall be submitted to and agreed in writing with the Local Planning Authority, prior to the commencement of development

on each phase, to agree the routing of all HGVs movements associated with the construction phases, effectively control dust emissions from the site remediation and construction works, this shall address earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, details of the wheel washing facilities to be put in place to minimise the transference of mud onto the highway (these shall be sited on hard standing), road sheeting of vehicles, offsite dust/odour monitoring and communication with local residents. The approved Construction Management Plan shall thereafter be adhered to at all times during the construction period unless some variation is otherwise agreed to by the local planning authority.
In the interests of the amenities of the area and highway safety.

31. Prior to the commencement of each phase of the development hereby approved, details of a Noise Attenuation Scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority, as specified in the Noise Assessment Report (report No. 0002, version V1, dated October 2020 and received by the Local Planning Authority on 27/10/2020). The Noise Attenuation Scheme shall be prepared by a suitably qualified consultant/engineer and shall take into account the provisions of BS 8233:2014 "Guidance on Sound Insulation and Noise Reduction for Buildings" (or as otherwise subsequently amended). The approved scheme shall be implemented, and verification that the measures identified in the scheme have been implemented shall be provided prior to the occupation of any of the dwellings identified in the scheme and shall be permanently retained thereafter unless some variation is otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt and in the interests of the amenity of future occupiers.

32. Prior to the commencement of development on any phase of the development, details of integral bat roosting box bricks (suitable for crevice roosting bats) to be provided to 50% of the dwellings within that phase, and integral universal bird nesting bricks to 50% of the dwellings within that phase, to be installed in a south or east facing sides of each of the dwellings within that phase of the development, including the exact location, specification and design, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the bat box bricks and bird nesting bricks shall be installed strictly in accordance with the details so approved prior to the occupation or completion of each of the individual dwellings within each phase of the development, whichever is the sooner, and shall be maintained for the lifetime of the development hereby approved.
To provide an ecological enhancement for protected and priority species, in accordance with section 15 of the NPPF (2024).

33. Prior to the commencement of any phase of the development hereby approved, a report shall be first submitted to and approved in writing by the Local Planning Authority that demonstrates how the use of onsite renewable energy infrastructure will provide 10% of the development within that phase's predicted energy supply. The development shall thereafter be constructed/installed in line

with the approved scheme prior to the residential occupation or completion (whichever is sooner) of the identified dwellings hereby approved.
In the interests of promoting sustainable development and in accordance with the provisions of Local Plan Policy QP7 and CC1.

34. Prior to the commencement of any phase of the development hereby approved, details of electric vehicle charging apparatus, including identifying the dwellings/location of the apparatus for that phase shall be submitted and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation or completion (whichever is sooner) of the identified dwellings, the agreed scheme shall be implemented on site.
In the interests of a satisfactory form of development and in accordance with the requirements of Local Plan Policy CC1.

35. No construction/building works or deliveries shall be carried out except between the hours of 08.00 am and 6.00 pm on Mondays to Fridays and between 09.00 am and 1.00 pm on Saturdays. There shall be no deliveries or construction activity including demolition on Sundays or on Bank Holidays.
To avoid excessive noise and disturbance to the occupants of nearby properties.

36. The commercial premises (Use Classes E(a), (b) and/or (e)) hereby approved shall only be open to the public between the hours of 07:00 and 23.30 on any day.
In the interests of the amenities of the occupants of neighbouring properties.

37. Deliveries to the commercial premises (Use Classes E(a), (b) and/or (e)) hereby approved shall only take place between the hours of 07:00 and 21.00 on any day.
In the interests of the amenities of the occupants of neighbouring properties.

BACKGROUND PAPERS

1.250 Background papers can be viewed by the 'attachments' on the following public access page:
https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=141042

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

CONTACT OFFICER

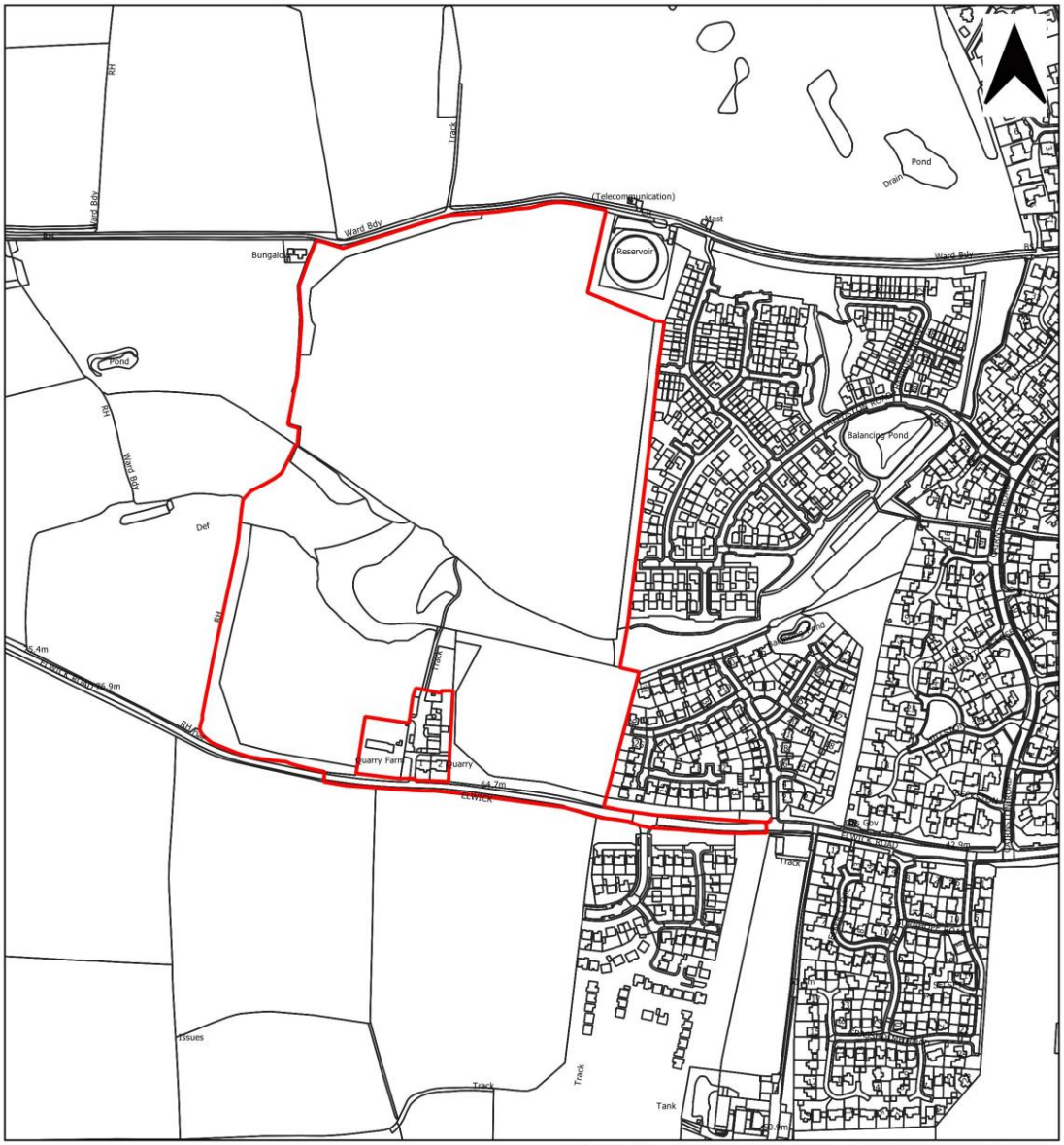
1.252 Kieran Bostock
Director (Neighbourhood & Regulatory Services)
Level 3
Civic Centre
Hartlepool
TS24 8AY
Tel: (01429) 284291

E-mail: kieran.bostock@hartlepool.gov.uk

AUTHOR

1.253 Stephanie Bell
Senior Planning Officer
Level 1
Civic Centre
Hartlepool
TS24 8AY
Tel: 01429 523246
E-mail: Stephanie.Bell@hartlepool.gov.uk

Land At Quarry Farm, Elwick Road, Hartlepool



THIS PLAN IS FOR IDENTIFICATION PURPOSES ONLY

HARTLEPOOL BOROUGH COUNCIL	**DRAWN** LH	**DATE** 07/10/2025
	Scale 1:6000	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	**DWG.NO** H/2020/0387	**REV**

No: 2.
Number: H/2025/0256
Applicant: ACTIVE CARE GROUP 117 3RD FLOOR MERCURY HOUSE WATERLOO ROAD LONDON SE1 8UL
Agent: SHWILKINSON ARCHITECTS LTD 6 DALE LANE WESTHOUGHTON BOLTON BL5 3YE
Date valid: 28/07/2025
Development: Change of use from residential dwelling (c3 use class) to supported living residentail accomodation (c2 use class) for up to 5 children with learning difficulties and complex care needs, including garage conversion, car parking, single storey in-fill extension and canopy.
Location: 14 ELM GROVE HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

2.2 The following applications are considered to be relevant to the application site:

H/2014/0221 - Erection of detached garage and games room. Approved 18/07/2014.

H/2016/0135 - Amendment to planning application H/2014/0221 for the erection of a detached garage and games room, to provide 3 velux windows in the roof slope. Approved 12/05/2016.

H/2025/0113 - Change of use from residential dwelling (C3 Use Class) to supported living residential accommodation (C2 Use Class) for up to 5 children with learning difficulties and complex care needs, including garage conversion and single storey in-fill extension and canopy. Withdrawn 21/07/2025.

PROPOSAL

2.3 The application seeks planning permission for the change of use from a residential dwelling (C3 Use Class) to supported living residential accommodation (C2 Use Class) which the applicant indicates in their supporting Planning Statement has been “specifically designed to provide specialist care for up to 5 children with learning difficulties and complex care needs”. The proposals include the erection of a single storey extension to the rear of the main building, the conversion of the detached garage and the erection of a single storey canopy extending from the side of the garage towards the main building to faciliate the proposed change of use.

2.4 The proposed single storey rear extension would be L-shaped and would measure approximately 6.3m in total projection with a total width of approximately 4.7m, albeit it would step in to a projection of approximately 4.6m from the rear elevation on its eastern extent. The proposed extension would feature a flat roof design with a height of approximately 2.9m and would be constructed from materials to match the host property. The proposed extension would feature 1 window and 1 door in the rear elevation (north facing) and one set of patio doors in the west facing elevation.

2.5 The proposed floor plans indicate that the ground floor of the main building would include: 2no. lounges, 1no. en-suite bedroom, a kitchen, dining room, staff / family room, assisted WC, WC, hall, lobby and porch; and the first floor would include 4no. bedrooms, office and activity space, a sensory bathroom, bathroom, cleaning cupboard, linen store and landing.

2.6 The proposed garage conversion would include 2 activity rooms, an archive store, W.C., 2 store rooms and a corridor at ground floor and a ‘snug’ in the upper roof area/first floor. The proposals include the replacement of two roller shutter doors in the front elevation of the garage with two 3-pane windows and brickwork to match the existing garage.

2.7 The proposed canopy would project from the western side elevation of the detached garage and step out to accommodate the car parking spaces, then extend toward the main property, and measure approximately 6.8m in total length by approximately 1.8m in width. It would comprise an open sided frame constructed from timber posts with a flat roof with a height of approximately 2.5m.

2.8 The proposals also include the provision of an area of car parking to the rear of the main property (western side of the garage/outbuilding), accessed from the driveway to the eastern side. The area of car parking would provide space for 7 cars, with a further car parking space located immediately to the rear of the main building.

2.9 The submitted Planning Statement indicates that the property “will offer a safe, supportive, and nurturing environment where children can thrive with the support of experienced care professionals. Each child will benefit from personalised care plans and dedicated support staff, focusing on their safety, well-being, and integration into the local community.” The Planning Statement indicates that “the proposals are being put forward as an opportunity to provide much needed support for referred residents to live a more independent lifestyle whilst allowing any necessary support at the same time.” The Planning Statement further states that “the individuals supported in the proposed would be local to the area or from close surrounding areas.”

2.10 The submitted Planning Statement indicates that the “home will operate with a highly trained team of up to twelve staff members, including management, during the day, and five staff members providing care overnight. This staffing model ensures that children receive 24-hour support tailored to their individual needs.” The submitted Planning Statement indicates that “the proposal will provide an opportunity for up to 5 residents there will be no resident staff at the property.”

2.11 The applicant's agent also confirmed that the numbers of staff (up to 12 during the day and 5 at night) would be a "worst case" scenario, where they indicate "our staffing team is currently made up of 1 registered manager, 1 deputy manager, 4 team leaders, support workers and then we have some support services such as a part time administrator, maintenance operative and cleaner. Our current team leader and support worker shifts are days – 08:45am to 9pm, Nights – 08:45pm to 9am and a late shift which is 3pm to 9pm. During the hours of 9am and 5pm, weekdays, is when management and support services operate."

2.12 The supporting Operation Statement indicates "in a worst-case scenario, on a typical day, we will have 12 workers including management in the building at any one time. This would only ever be between the hours of 9 and 5 on a weekday, as managers and support services only work during these hours." The Statement indicates that support staffing levels are at a minimum during school hours (during term time). On a weekend, "worst case scenario" is 7 staff during the hours of 08:45am and 9pm. During school holidays, again "worst-case scenario" would be a maximum of 12 staff between the hours of 9 – 5, Monday to Friday. The Operation Statement indicates "all our night shifts operate with a maximum of 5 staff…The children and young people who move into our services are appropriately assessed beforehand, meaning that we have an element of control over the staffing numbers and so can be sympathetic towards residents."

2.13 The application has been amended during the course of consideration. Initially, the application included a proposed car parking area to the western side of the main building, with an additonal proposed access from the front (south) and main street of Elm Grove, into the side garden area of the property, and the installation of access gates and pillars (with a height of approximately 2.2m and 2.5m respectively) into the boundary wall (to the front). Further amendments have been made as the applicant has updated the supporting 'Operational Statement' and have provided an Arboricultural Impact Assessment and subsequent Addendum and Proposed Planting Plan, which detail the removal of 4 trees and the encroachment into the root area of 2 trees, and the replacement planting of 5 trees.

2.14 The application has been referred to be determined in the planning committee due to the number of objections that have been received (more than 3) and having been called in by a local ward councillor, in line with the Council's Scheme of Delegation.

SITE CONTEXT

2.15 The application site comprises 14 Elm Grove, a detached locally listed building known as Myrtle Mount, in a residential street. The detached property is self-contained and set within a substantial plot, with a garden to the front, western side and rear, and a driveway to the eastern side. The host property is bounded by No. 12 Elm Grove to the east, whilst to the west is a garage block serving residential flats at Oval Grange (with Nos. 16-18 (inclusive) being the closest directly to the west and Nos. 19-21 (inclusive) being the closest to the north west), and to the north is the access road serving these residential flats, with additional flats (within Oval Grange, with Nos. 82-84 (inclusive) being closest) to the north east. To the south, beyond the

main highway of Elm Grove, are residential properties including Nos. 9a, 11 and 13 Elm Grove.

2.16 Existing boundary treatments consist of a low level fence (approx. height 1.2m) between the side elevations of the host property and No. 12 to the east, stepping up to a brick wall with a height of approx. 2m to the rear boundaries with a brick garage building serving No. 12 adjacent to the wall on the eastern boundary, and a timber fence with a height of approx. 1.8m to the front boundary of the rear garden. Front boundary treatments include a low level wall with brick pillars and railings, and hedges to the east and west sides of the front garden. Throughout the garden are smaller trees, hedges and shrubs. Beyond the rear garden (north) is a group of mature trees which benefits from a Tree Protection Order (TPO).

PUBLICITY

2.17 The application has been advertised by way of letters to 86 neighbouring properties and local ward councillors, and a site notice. Re-consultations have been undertaken in respect of the amended car parking layout, amended Operational Statement and submitted Arboricultural Impact Assessment. A bespoke re-consultation only to the Council's Arboricultural Officer was undertaken on receipt of the Arboricultural Addendum and Proposed Planting Plan given the nature and scale of such amendments.

2.18 To date, there have been 18 objections received (with more than one from the same address in some instances as well as anonymous representations). In some cases additional representations have been received from the same individuals.

2.19 The objections and concerns raised can be summarised as follows:

- Impact/lack of compatibility with residential area, conflicts with planning policies designed to preserve the character of established neighbourhoods;
- Application property is near the Park Conservation Area and the proposals will impact on the locally listed building, in conflict with Policies HE1 and HE3;
- Impact on application property (internal and external), including the provision of a car park, and potential for neglected upkeep;
- Impact on trees;
- The increased use of the property would lead to additional waste and increased use of utilities including drainage;
- Increased noise and disturbance, including from the building to the garage and during construction and with visitors in addition to staff and residents;
- Garage conversion will result in additional noise, dust and inconvenience;
- Office hub will increase activity;
- Impacts on wildlife;
- Impact on privacy;
- Insufficient and unsuitable parking, lack of turning space;
- Use of public transport cannot be enforced;
- Traffic congestion and road safety as people use Elm Grove to bypass Wooler Road/Grange Road roundabout, and access for emergency vehicles;
- Permit parking should be considered by the Council;

- Safety concerns about and duty of care;
- Surface water drainage from additional parking;
- Applicant has purchased the property and undertaken works prior to applying for planning permission;
- Concerns around the management of the operation and competence of the operator, and concerns if it should fail;
- References to other properties in use by the applicant;
- Lack of consultation from the applicant and delays in HBC consultation letter and site notice;
- Query regarding if objections to previous application count towards the current application;
- Previous application for residential development refused or withdrawn;
- Devaluation of property;
- Cumulative impact with multiple C2 uses in the street;
- Restrictive covenants;
- Application should not have been validated.

2.20 Background papers can be viewed via the 'click to view attachments' link on the following public access page: https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=166049

2.21 The period for publicity has expired.

CONSULTATIONS

2.22 The following consultation replies have been received:

HBC Traffic and Transport: 1. Consultee Comments (any associated highways background to site or proposals. Does it comply with relevant parking standards? If it doesn't comply, is it still acceptable etc?)

The site provides 8 off street parking spaces. Which conforms with the requirements of the relevant parking standards.

2. Suggested Planning Conditions (either in full or the basis of a condition) or requirements to address outstanding matters

None.

3. Suggested Planning Obligations/Financial Contributions to be secured via legal agreement where necessary

None.

4. Summary - Object/Support (or no objections)/Neither

Support.

Update 23/12/2025 following amended parking layout:

The amended layout is acceptable.

HBC Children and Joint Commissioning: I have no comment to make.

HBC Public Protection: No objections subject to the following conditions:

No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and maintained in accordance with the approved details.

The delivery and despatch of goods to and from the site shall be limited to the hours of 0800 and 1800 on Mondays to Fridays, 0900 and 1700 on Saturdays, and at no time on Sundays or Public Holidays.

The working hours for all construction activities on this site are limited to between 08:00 and 18:00 Mondays to Fridays and 09:00 to 13:00 Saturdays and not at all on a Sunday or Public Holidays. Deliveries and collections during work to be limited to these times as well.

Prior to the development being brought into end use a scheme which specifies the provisions to be made for the control of any noise emanating from the site shall be submitted to and approved in writing by the Local Planning Authority.

Cleveland Police: With regards to your recent planning application H/2025/0256 for Supported Living Residential Accommodation, 14, Elm Grove, Hartlepool.
Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED).
I would like to make you aware that Cleveland Police operate the “Secured by Design” initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments.
I recommend applicant actively seek Secured by Design accreditation; full information is available within the SBD Residential Guide 2025 Guide at www.securedbydesign.com

I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour.

Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.
The Secured by Design Residential Guide highlights that the concepts and approach adopted within this guide can be used to influence strategic planning policies, in support of Paragraph 102a of the NPPF.

- The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion…
- The National Planning Policy Framework 2024, paragraph 135(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible… and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".
- Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure. Developers will be expected to have regard to the following matters, where appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.
- Another material consideration is Section 17 of The Crime and Disorder Act 1998.

In addition to the above I would also add the following.
For facilities such as this, should permission be granted, good management policies and systems are essential for the most effective running of the premises.

HBC Engineering Consultancy: In regard to the above application, we do not have any objections but advise that a condition is imposed for any unexpected contamination.

HBC Landscape Architect: The proposed development would have some impact on the street scape through provision of new vehicle access. Should any development be deemed acceptable, screening of the parking area would be important and full details of the Elm Grove Boundary, including details of new brickwork, gates and screening should be provided as part of any application.

Update 18/12/2025 following receipt of Arboricultural Impact Assessment:

No further landscape issues. Defer to Arb. Officer regarding Tree information.

HBC Ecology: The development lies within the IRZ for the Teesmouth and Cleveland Coast SPA/Ramsar/SSSI.

Natural England (*ref: 511990, 14 May 2025*) confirms that due to discharge via Seaton Carew WwTW, the development can be screened out from requiring Appropriate Assessment for Nutrient Neutrality.

The development cannot be screened out due to recreational disturbance and must be Appropriately Assessed.

Stage 1 (screening) findings

Nutrient neutrality

Is sewage disposed of via the public sewer systems of either Seaton Carew or Billingham WwTW?	Yes	Connection to the WwTW is in the project design and is an embedded features so is considered at the screening stage.
Will surface water runoff occur?	No	The development is within an urban context, meaning there will be no significant change to the surface water regime.
Conclusion		Nutrient Neutrality is screened out.

Recreational disturbance

Is Recreational disturbance accounted for by the Hartlepool local Plan Coastal Mitigation Scheme?	No	HRA Appropriate Assessment is required.

Habitats Regulations Assessment stage 2 Appropriate Assessment

Revision history

Version	Date	Revision	Prepared by
1	03/07/2025	A	Max Cummins

Introduction

Following a Habitats Regulations Assessment (HRA) stage 1 screening, the requirement for a HRA stage 2 Appropriate Assessment has been triggered. As the competent authority, Hartlepool Borough Council has a legal duty to safeguard European Sites.

HRA Stage 2 - Appropriate Assessment

European Sites and issues requiring Appropriate Assessment
That HRA stage 1 screening for Likely Significant Effect (LSE), screened in the following European Sites:
Teesmouth and Cleveland Coast SPA and Ramsar
Northumberland Coast SPA and Ramsar
Durham Coast SAC

That HRA stage 1 screening screened in the following LSE:
Increased recreational disturbance.

This AA assesses whether increased recreational disturbance causes an Adverse Effect on Integrity of the Site (AEOI) and if so if this can be removed through mitigation.

Adverse Effect on Integrity findings
Recreational disturbance is identified as an LSE, potentially harming populations of SPA/ Ramsar birds and SAC vegetation communities. Increased recreational disturbance (including dog walking) is linked to an increase in new residents which is

a consequence of housebuilding. The Hartlepool Local Plan identified an average increase of 2.3 people per new dwelling and 24% of new households owning one or more dogs.

Increased recreational disturbance LSE is mitigated by the Hartlepool Coastal Mitigation Scheme for all housing development included in the Hartlepool Local Plan 'HSG1 policy: New Housing Provision'. All housing applications for allocated sites only require a HRA stage 1 screening. 'Windfall' housing site applications are not covered by this agreed mitigation and the *People Over Wind Ruling* means that they must be HRA stage 2 Appropriately Assessed.

Mitigation measures

Measures to avoid and mitigate Adverse Effects on Integrity
The Hartlepool Local Plan (adopted May 2018), policy 'HSG1 New Housing Provision', provides allocated sites for major residential development (ten or more dwellings). These were collectively HRA assessed as part of the Local Plan HRA, and their mitigation is dealt with by the Hartlepool Coastal Mitigation Scheme.

All major, non-allocated housing developments, and all small-scale housing developments (nine or fewer dwellings) are not covered by the Hartlepool Coastal Mitigation Scheme and must be Appropriately Assessed in their own right.

However, provision to mitigate windfall housing developments is indirectly built into the
Hartlepool Coastal Mitigation Scheme.

The Hartlepool Coastal Mitigation Scheme was designed so that:
A windfall housing development greater than nine dwellings can use the same funding formula (to provide a financial contribution to the Scheme) to meet its HRA AA mitigation requirements.

Developments of nine or fewer dwellings, or rooms for residential institutions such as care homes (Including change of use applications) are mitigated by the financial contributions made by allocated housing development projects, whose contributions include a built-in contingency measure to cover the housing applications for nine or fewer dwellings.

The Hartlepool Coastal Mitigation Scheme was designed so that additional recreational visits to the coast created by developments of nine or fewer new dwellings are mitigated by the combined Local Plan 'HSG1 New Housing Provision' allocated developments, which fund it. The Hartlepool Local Plan aspiration is for 6,150 new houses and the value of the Hartlepool Coastal Mitigation Scheme is set at £424,000.

This sum was used to calculate the 'per house' financial contribution formula and includes a contingency portion to cover the housing applications for nine or fewer dwellings.

Conclusion

This application, involving a Change of Use (CoU) from a single dwelling (C3 use) to a supported living residential accommodation (C2 use) with five bedrooms, is classified as a windfall project. It is mitigated by the built-in contingency measures provided by allocated housing developments within the Hartlepool Coastal Mitigation Scheme.

This contribution is indirectly funded by the collective contingency provisions of allocated housing schemes in Hartlepool. Therefore, increased recreational disturbance will not cause an Adverse Effect on Integrity (AEOI) to any European Site. This project is compliant with the Habitats Regulations.

Natural England must be consulted on the HRA Appropriate Assessment.

Update 12/01/2026 following receipt of Arboricultural Impact Assessment:

There are no new ecology concerns raised by the updated submission. The previous comments remain valid.

Natural England: No Objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutory designated sites and has no objection. A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted. Natural England's further advice on designated sites and advice on other natural environment issues is set out below.

Tees Archaeology: The proposed development site is recorded on the HER (HER 8629) and is a locally listed building. We would ask that a basic photographic survey of the interior and exterior of the building is carried out prior to any works taking place, with the photograph locations marked on the existing floor plans, to supplement the information in the HER.

HBC Heritage and Open Spaces: The application site is recognised as a heritage asset. Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets.

The National Planning Policy Framework (NPPF) looks for local planning authorities to take a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset (para. 216, NPPF).

Policy HE5 of the Local Plan states that the Borough Council will support the retention of heritage assets on the List of Locally Important Buildings particularly when viable appropriate uses are proposed. Where a proposal affects the significance of a non-designated heritage asset a balanced judgment should be weighed between the scale or the harm or loss against the public benefits of the proposal.

The proposal is the change of use of the building from a dwelling to supported living residential accommodation (C2 Use Class) for up to 5 residents, including garage

conversion and single storey in-fill extension. A previous application was submitted on this site but subsequently refused. Minor changes have been made to this application, although for the most part it remains the same. It is considered that the proposal will not impact on the heritage asset. No objections.

HBC Arboricultural Officer: There is a TPO that protects trees offsite located on Oval Grange. A protected tree was removed to the southwest corner of the property on land belonging to Thirteen Housing due to damage caused by the tree to the boundary wall. The wall has since been rebuilt and replacement trees replanted.

As part of this latest application there is a car parking area proposed to the southwest corner of the site where according to site photos there appears to be trees, shrubs and hedging which would be affected. To that end we would require an BS5837 Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan. If trees are to be removed, then replacement planting should also be proposed within the scheme. Trees within a Landscape and Planting Scheme should have a focus on climate resilient species suitable of the environment and with a good mix. Ideally to ensure a strong biosecurity and to build a resilient treescape the species mix should consist of:

No more than 5% of a particular cultivar

No more than 10% of a particular species

No more than 20% of a particular genus and

No more than 30% of a particular family.

Update 28/11/2025 following amended car park:

I note that the car park layout has been amended; however, trees remain potentially at risk of being affected by the proposal. This includes trees protected by a Tree Preservation Order (TPO) on the adjoining land to the north. No arboricultural information has been submitted with the application, despite being requested in previous comments. To properly assess the potential impact on these trees, the required arboricultural details must be provided as part of the application. This information cannot be deferred to a planning condition.

Update 07/01/2026 following receipt of Arboricultural Impact Assessment:

An arboricultural report has been submitted by Waites Tree Surveys. However, the report contains inaccuracies regarding the categorisation of certain trees proposed as Category U. In Section 5.2, the report provides a summary of BS5837:2012 tree categorisations, but the explanation given for Category U is incorrect and has influenced the recommendations within the report.

The report states that a Category U tree is: “In such condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural or forestry.” This interpretation is misleading. BS5837:2012 defines Category U trees as: “Those in such a condition that they

cannot realistically be retained as living trees in the context of the current land use for longer than 10 years," and provides specific examples:
- Trees with serious, irremediable structural defects likely to result in early collapse.
- Trees that are dead or in significant, immediate, and irreversible decline.
- Trees infected with pathogens posing a risk to other trees, or very low-quality trees suppressing adjacent trees of better quality.

The official definition is condition-based and objective, requiring evidence of structural failure, decline, or pathogenic risk, not simply anticipated loss of 'value.' The interpretation in the report is value-based and subjective, which can lead to inappropriate categorisation and unnecessary removal of trees. Hartlepool faces significant challenges with one of the lowest tree canopy covers in England and the second-lowest Tree Equity Score nationally.

Following a site visit on 7th January 2026, it was evident that Trees T002, T003, T004, T005, and T006 have been incorrectly categorised as Category U. These trees are, at minimum, Category C (low quality) and their removal is only necessary to facilitate the proposed development, not due to their condition. It appears this misclassification has been used to justify the removal of five healthy trees to accommodate car parking, without any proposed mitigation or replanting.

Update 23/01/2026 following receipt of Arboricultural Addendum and Proposed Planting Plan:

This is a very professional response from Waites Tree Surveys, and they have addressed the concerns I previously raised. The reclassification of the trees makes it clear to members that their removal is a direct consequence of the development rather than due to their condition. This distinction may have been an important consideration for some committee members.

The proposal now includes mitigation in the form of five replacement trees for the five trees to be removed. While the replacements will not provide an immediate like-for-like benefit, I am satisfied that, in the long term, this will result in a positive outcome for the site.

I recommend that the original arboricultural report, including the Tree Protection Plan (TPP), along with the supplementary addendum, be conditioned to ensure full compliance throughout the development.

The proposed tree-planting plan and addendum should also be conditioned, requiring the planting to take place within the next available planting season following completion of the car park area.

Additionally, a maintenance and management plan for the new tree planting will be required, and this should be conditioned for submission prior to the commencement of the scheme.

Anglian Water: This application is outside of Anglian Water's sewerage boundary – we have no comments to make thereon. Please note Anglian Water will only comment on drainage/surface water within our boundaries.

Cleveland Fire Brigade: Cleveland Fire Brigade offers no representations regarding the development as proposed. However, Access and Water Supplies should meet the requirements as set out in: Approved Document B Volume 2 :2019, Section B5 for buildings other than Dwellings. It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 2 Section B5 Table 15.2.

Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in AD B Vol 2 Section B5 Table 15.2.

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

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

HBC Estates: No comments received.

HBC Waste Management: No comments received.

HBC Community Safety: No comments received.

HBC Housing Management: No comments received.

HBC Building Control: An application has been received via an Approved Inspector.

HBC Economic Regeneration: No comments received.

Northumbrian Water: No comments received.

Civic Society: No comments received.

PLANNING POLICY

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

Hartlepool Local Plan

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

CC1: Minimising and Adapting to Climate Change
LS1: Locational Strategy

QP3: Location, Accessibility, Highway Safety and Parking
QP4: Layout and Design of Development
QP5: Safety and Security
QP6: Technical Matters
RC21: Commercial Uses In Residential Areas
SUS1: The Presumption in Favour of Sustainable Development

National Planning Policy Framework (NPPF)(2024)

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

PARA001: Role of NPPF
PARA002: Determination of applications in accordance with development plan
PARA003: Utilisation of NPPF
PARA007: Achieving sustainable development
PARA008: Achieving sustainable development
PARA009: Achieving sustainable development
PARA010: Achieving sustainable development
PARA011: The presumption in favour of sustainable development
PARA012: The presumption in favour of sustainable development
PARA039: Decision making
PARA048: Determining applications
PARA057: Planning conditions and obligations
PARA061: Delivering a sufficient supply of homes
PARA063: Housing needs for different groups in the community
PARA092: Promoting healthy and safe communities
PARA116: Promoting sustainable transport
PARA129: Achieving appropriate densities
PARA131: Achieving well-designed places
PARA135: Achieving well-designed places
PARA196: Ground conditions and pollution
PARA231: Implementation

2.26 **HBC Land Use/Planning Policy comments:** It is noted this application is a resubmission of a previous application for largely the same form of development (i.e.

change of use to supported living for 5 children with complex needs) albeit the plans now indicate the proposed addition of a car parking area within the existing front garden of the property. Planning policy previously raised concerns about the level of occupants and the level of staffing required to facilitate the proposed use would result in an intensification of the property beyond what would be reasonable in a residential area.

2.27 While it is noted the proposed car park is an attempt to prevent overspill parking from the large number of staff onto the street, this would not in any way reduce the level of activity associated with 12 members of staff during the day and 6 at night coming and going at the start and end of their shifts along with any other professionals that may need to visit the property in relation to the occupants care or visitors, such as family members. It is also considered the car park would be an incongruous feature within the garden area of a dwelling, particularly given it is separated from the existing driveway. Planning Policy are of the view this would create a commercial appearance out of keeping with the residential character of the area.

2.28 Policy RC21 (Commercial uses in Residential Areas) sets out that commercial development will not be permitted in predominantly residential areas unless:

- There is no significant detrimental impact on the amenities of the occupiers of adjoining or nearby premises by reason of noise, smell, dust or excessive traffic generation, and,
- The design, scale and impact is compatible with the character and amenity of the site and the surrounding area, and,
- Appropriate servicing and parking provision can be made.

2.29 Planning Policy are of the view the proposals, by virtue of the levels of activity associated with the proposed change of use would be out of keeping with the character of the property itself and the surrounding area, and would also be detrimental to the amenity of neighbouring occupiers by disrupting the otherwise quiet nature of the residential area in which the site is located. As a result, it is considered the application does not comply with policy RC21.

Update 22/10/2025 following discussion with applicant:

2.30 Further to our discussions on this application, thank you for the opportunity to review the additional information submitted by the applicant. Having done so, I can confirm that the Land Use Policy position remains unchanged in terms of the concerns previously raised.

Update 26/11/2025 following amended parking layout:

2.31 Thank you for the consultation regarding amended plans. Land Use Policy are of the view that proposed changes to the car parking layout would be positive in terms of the impact on the visual amenities of the site and street scene but it does not alter our concerns about the intensification of the use of the property as previously advised.

Update 07/01/2026 following Arboricultural Impact Assessment and amended Operation Statement:

2.32 Further to the most recent consultation regarding H/2025/0256, Land Use Policy have nothing further to add.

PLANNING CONSIDERATIONS

2.33 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 development, the impact of the host property (a locally listed building) and character and appearance of the surrounding area, the amenity of neighbours, highway safety and parking, trees and landscaping, ecology, safety and security and any other planning matters. These and any other matters are set out in detail below.

PRINCIPLE OF DEVELOPMENT

2.34 It is acknowledged that objections have been received commenting that the proposed use is not compatible with the residential area and that they would result in an impact on local services.

2.35 The primary use in this location is residential, and as such it is necessary to ensure that like or complimentary uses are maintained to protect the character and amenity of the area. The application site is located within the limits to development within walking distance of existing shops and services, and close proximity to local bus services which provides access to the public transport network. Therefore the site is considered to be a sustainable location and the general principle of development (to provide a residential care facility in a predominantly residential area) would be acceptable subject to the scheme satisfying the relevant identified Policies of the Local Plan and the general provisions of the NPPF, as set out below.

2.36 Given the intended function and nature of the proposed use including the high staffing levels/turn over and the relatively large office/non-residential areas, it is considered that the provisions of Policy RC21 (Commercial Uses In Residential Areas) would apply in the consideration of this application, a view supported by HBC Land Use Policy.

2.37 Policy RC21 seeks to ensure that proposals for industrial, business, leisure, retail and other commercial development, or for their expansion, will not be permitted in predominantly residential areas outside the defined retail and commercial centres unless:

i. There is no significant detrimental effect on the amenities of the occupiers of adjoining or nearby premises by reason of noise, smell, dust or excessive traffic generation, and

ii. The design, scale and impact is compatible with the character and amenity of the site and the surrounding area, and

iii. Appropriate servicing and parking provision can be made.

2.38 In respect of criterion 1, it is considered that the proposal to change the use of the residential dwelling (and associated large, detached garage as well as provision of a new, relatively large car park) to a supported living residential unit for up to 5 children is likely to have a detrimental impact on the amenities of the occupiers of adjoining or nearby premises by reason of noise and general disturbance through the intensification of use by the relatively high level of staff turnover (and associated car parking/comings and goings) to the application property, given that the application proposes up to 12 members of support staff (and other indicated visitors to the host property during the day) and 5 overnight staff. To facilitate this, the proposed floor plans indicate a staff / family room at ground floor and an office and activity space at first floor. This in turn has the potential to result in greater disturbance to the general amenity of the area, a view echoed in the HBC Land Use Policy comments.

2.39 In respect of criterion 2, whilst it is considered that the scale and extent of the proposed alterations to the host buildings and additions of the proposed single storey extension to the rear and a canopy between this proposed extension and the garage are considered to be relatively modest, consideration is given to the construction of a proposed car parking area to the rear of the main building and west of the converted garage. Whilst it is acknowledged that the impacts of the proposed car park area have been reduced from the initial proposal which included an additional access on the western side of the host building from the main highway of Elm Grove, it is considered that the addition of such a substantial car parking area would still alter the form and layout of the residential character of the application site to some extent.

2.40 Furthermore, how a use operates has the potential to impact on the character of a site and wider surrounding area. In view of this, and in this instance given the anticipated staff numbers (indicated to be up to 12 daytime staff and 5 nighttime staff) and potential for additional visitors to the property, as well as the identified limited/insufficient in curtilage car parking to serve the intended use, it is considered that the proposal has the potential to result in a form of development which is not compatible with the character and amenity of the site and the surrounding area (predominantly residential area), and therefore the requirements of criterion 2 of Policy RC21 would not be met in this instance.

2.41 In respect to criterion 3, and as detailed further in the highway and pedestrian safety section below, it is considered that there would be sufficient parking provision in respect of the intensification of staff and visitors to the application property. In this respect, as noted in the section below, HBC Traffic and Transport have confirmed no objections to the proposal in terms of car parking. The proposal is therefore considered to meet the requirements of criterion 3 of Policy RC21 in this respect.

2.42 Notwithstanding the above, given the potential for disturbance in the area and the impact on the character of the area (and the requirements of criteria 1 and 2 of Policy RC21 of the Hartlepool Local Plan (2018), it is considered that the proposed change of use of the host dwelling to a supported living accommodation (C2 Use Class) at the scale and operation proposed would not be acceptable (or compatible) in this location, and the principle of development is therefore considered not to be acceptable in this instance.

CHARACTER & APPEARANCE OF THE HOST PROPERTY (A NON-DESIGNATED HERITAGE ASSET) AND SURROUNDING AREA

2.43 It is acknowledged that an objection details that the application property is a non-designated heritage asset within the vicinity of the Park Conservation Area. Further objections have been received in respect to the potential impacts on the application property, including internal features. An objection has also been received in respect of other properties under a C2 use (as a care home) in the immediate vicinity, and consideration being given to the cumulative impact of these together with the current proposals.

2.44 The application site is a locally listed building and is therefore recognised as a non-designated heritage asset. The application site is located outside of the Park Conservation Area boundary which extends to and along Wooler Road (west of the application site).

2.45 Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets. Policy HE5 of the Local Plan states that the Borough Council will support the retention of heritage assets on the List of Locally Important Buildings particularly when viable appropriate uses are proposed. Where a proposal affects the significance of a non-designated heritage asset a balanced judgment should be weighed between the scale or the harm or loss against the public benefits of the proposal.

2.46 The National Planning Policy Framework (NPPF) looks for local planning authorities to take a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset (para. 216, NPPF).

2.47 The Council's Head of Service for Heritage and Open Spaces considers that the proposed change of use of the building from a dwelling to supported living residential accommodation (C2 Use Class) for up to 5 residents, including garage conversion and single storey in-fill extension would not result in any adverse impacts on the significance of the heritage asset, and has confirmed no objections given that the built development would be sited to the rear of the application property and the listing lies in the history of the building and the architectural details which is mainly retained to the front.

2.48 Policy QP4 of the Hartlepool Local Plan (2018) seeks to ensure that the design of proposals do not affect the visual amenity of the area.

2.49 The proposal includes the installation of an area of car parking within the side/rear garden area to the west/north of the host property, which would be accessed from the existing driveway on the eastern side of the application site. The proposed car parking area has been amended as initially it was facilitated by access gates and pillars to be inserted into the front boundary walls topped with close boarded timber fences, and the case officer considered that the introduction of pillars and access gates in this boundary would result in an incongruous addition in the boundary fence, to the detriment of the character and appearance of the application site and surrounding street scene. The Council's Landscape Architect echoed this view.

2.50 Whilst the proposed parking layout (namely the car park provision in the side garden) remains a relatively poor form of development that would result in an incursion into the garden area of the host property, it is acknowledged that the proposal is an improvement on the initial proposals which included an additional access from the street of Elm Grove to the western side of the main building.

2.51 Overall, it is considered that the identified impacts on the character and appearance of the application site and surrounding area as a result of the proposed car parking area would not be so significant in this instance as to warrant an additional reason to refuse the application.

2.52 The proposal includes the erection of a single storey extension to the rear and canopy between the rear elevation of the host property and to the side of the detached garage building. Given the modest scale of the extension and canopy (and the proposed alterations to facilitate the garage conversion), with the flat roof design heights (both under 3m) which would respect the proportions of the host property, and that both of these elements are situated to the rear of the host property and would be largely screened by the host property and surrounding boundary treatments, it is considered that these elements of the proposal would not result in any adverse impact on the character and appearance of the host property or the wider street scene.

2.53 In terms of any cumulative impact of C2 uses in the vicinity of the application property, whilst it is acknowledged that there may be other care or supported living facilities in the wider area, the Council's Land Use Policy and Public Protection teams have not raised any concerns that this proposal would result in an over-concentration of this type of use in this area, and it is considered that the cumulative impact of such uses would not give rise to such demonstrable harm as to warrant an additional reason to refuse the application in this instance.

2.54 Notwithstanding the above, when considering the requirement of criterion 2 of Policy RC21, it is appreciated that character is not something that is purely physical and the nature of how a use operates can impact on the character of a site and wider surrounding area. In view of this and as discussed under the Principle of development section, in this instance given the indicated maximum staff numbers (up to 12 daytime staff and 5 nighttime staff) and potential for additional visitors to the property, as well as the operation and activity of the proposed 8 space car parking area to the rear and west of the main building, it is considered that the proposal has the potential to result in a form of development which would not be appropriate or compatible with the character and amenity of the site and the surrounding residential area, contrary to criterion 2 of Policy RC21 of the Hartlepool Local Plan (2018).

NEIGHBOUR AMENITY AND PRIVACY

2.55 Objections received raise concerns regarding the impact on the privacy and amenity of neighbouring properties including in terms of noise disturbance.

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

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

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

2.58 The above requirements are reiterated in the Council's Residential Design SPD (2019).

2.59 In addition, and as noted above, criterion 1 of Policy RC21 of the Hartlepool Local Plan (2018) requires that proposals do not result in adverse impacts on neighbour amenity and privacy.

2.60 Policy QP6 of the Hartlepool Local Plan (2018) requires that proposals must be satisfactory in terms of the effects on or impact of general disturbance including noise.

2.61 Paragraph 135 of the NPPF (2024) requires that planning decisions should ensure that developments create places with a high standard of amenity for existing and future users.

2.62 Paragraph 198(a) of the NPPF (2024) states that "Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life".

Amenity and Privacy

<u>Impact on 12 Eldon Grove (east)</u>

2.63 Given that the proposed single storey extension would be situated on the western side of the host property at a separation distance of approximately 12.2m

from the adjacent eastern boundary and approximately 17.2m to the closest elevation of No. 12 Eldon Grove to the east (with the host property and a detached garage serving this neighbour in between), it is considered that this element of the proposal would not result in any adverse impact on the amenity and privacy of this neighbouring property (No. 12) in terms of overbearing impression, loss of outlook or overshadowing, or overlooking.

2.64 The proposed canopy between the application property (as proposed to be extended) and the existing garage would maintain a separation distance of approximately 7.3m to the boundary and approximately 10.4m to the side of No. 12. Taking into account its open nature and modest scale of the canopy (including overall height at approximately 2.5m) in addition to the existing boundary treatments including the detached garage serving No. 12, it is considered that this element of the proposal would not result in any adverse impacts on the amenity or privacy of this neighbour in terms of overbearing impression, loss of outlook or overshadowing, or overlooking.

2.65 In terms of the garage conversion, this element would include the replacement of 2 garage doors with windows in the front (south) elevation, which would be primarily screened from the neighbour at No. 12 by the existing boundary treatment comprising a high brick wall as well as the detached garage serving No. 12. It is considered that there would be no direct views achievable from the roof windows in the west facing roof slope towards No. 12 (to the east).

2.66 The proposed car parking area to the rear of the main building and western side of the existing garage at the host property (as proposed to be converted) would be primarily screened from the neighbour at No. 12 by the existing boundary treatment comprising a high brick wall as well as the detached garage serving this neighbour, and therefore it is considered that this element would not allow for unacceptable views, or any overbearing impression, loss of outlook or overshadowing.

2.67 Overall, and on balance, it is considered that this element of the proposals would not result in any unacceptable impacts on the amenity or privacy of No. 12 in terms of overshadowing, loss of outlook, overbearing impression or overlooking.

2.68 It is noted from the submitted plans that some of the existing window openings would primarily continue to serve rooms of a similar nature i.e. existing ‘habitable room’ windows (bedrooms, lounges etc) continuing to serve proposed habitable room windows and existing non-habitable room windows (bathrooms, landing etc.) serving proposed non-habitable rooms. The proposals would include the alteration of a lounge in the western extent of the ground floor to a dining room, in addition to the proposed extension on the western side of the host property. In the first floor, the proposed layout includes the conversion of the bedroom at the rear of the eastern side to a bathroom, whilst to the front the proposed layout converts one bedroom into an office and activity space, albeit incorporating some space from the two adjacent front bedrooms to make this room. At the rear, the bedroom on the western side is made smaller to include a linen store.

2.69 In view of the above, it is considered that the proposed room layout would not appreciably alter the scale or massing of the existing building or reduce the existing separation distances and relationships between the application property windows and distances/relationships to neighbouring properties. No. 12 Eldon Grove is the closest neighbouring property at a separation distance of approximately 8.5m to the eastern side of the application property. It is acknowledged that 1 window in the first floor eastern side elevation would continue to serve a bedroom that would look onto the western side of this adjacent neighbour at No. 12, which features 2 obscurely glazed windows in this elevation (albeit positioned further back in the elevation in relation to the bedroom window in the host property), and which is understood to serve a bathroom. Although this would fall short of the 10m required distance, given the oblique distances and existing relationship, it is considered that the proposal would not result in unacceptable overlooking to any windows or private garden amenity space of No. 12 Eldon Grove as to warrant a refusal of the application. Furthermore, to a degree, it is acknowledged that similar relationships are likely to exist with the existing building and adjacent properties.

Impact on properties to the front (south) including Nos. 9a, 11 and 13 Eldon Grove

2.70 To the south (front), it is noted that 2 large bay windows at ground floor and 3 windows at first floor would continue to serve habitable rooms, and that an oblique separation distance of approximately 26m would remain between the closest windows in the front elevation of the application property toward the windows (in the north facing elevation) of neighbours to the front (Nos. 9, 9a and 11 Eldon Grove), with the public highway between. Given the existing relationships between the host property and these neighbours to the south, it is considered that the proposal would not result in unacceptable overlooking to any windows or private rear garden amenity space of Nos. 9a, 11 and 13 Eldon Grove or any other neighbouring property on the southern side of Eldon Grove.

2.71 In terms of the proposed single storey extension, proposed canopy to the rear and proposed car park to the rear/western side, it is considered that satisfactory separation distances, boundaries including other buildings would be sited between these elements of the proposals and all neighbouring properties to the south, including Nos. 9a, 11 and 13 Eldon Grove. As such these elements of the proposal would not result in any adverse impacts on the amenity of occupants of these properties in terms of overshadowing, overbearing impression or loss of outlook.

Impact on properties to the north/north west (including Nos. 82-84 (inclusive) Oval Grange

2.72 To the north/north east, a separation distance of approximately 13m (oblique) would remain between the detached garage at the host property and the closest neighbouring flats at Nos. 82-84 (inclusive) Oval Grange. The garage does not feature windows in the rear (north) elevation but features 3 roof windows in the west facing roof slope. Given the position of the flats which are towards the north eastern side of the rear of the application site, it is considered that there would be no unacceptable views from the proposed conversion works, including those to facilitate a ‘snug’ in the upper/first floor of the garage, towards these neighbouring flats.

2.73 A separation distance of approximately 31.5m would remain between the proposed single storey extension to the rear of the application property and these neighbouring flats (with the detached host garage and boundary treatment between), whilst the proposed canopy and car park area would be sited adjacent to the western side of the garage, at a separation distance of approximately 17m from these identified closest flats. Given the relationship including a separation distance that meets the requirements (of 10m from the garage, canopy and car park area and 20m from the proposed single storey extension) of Policy QP4 of the Hartlepool Local Plan (2018) and the Residential Design Guide SPD (2019), it is considered that the proposals would not result in any unacceptable loss of amenity or privacy including any adverse overlooking to any windows or private rear garden amenity spaces of any properties to the rear/north of the host property.

Impact on properties to the west/north west (including Nos. 16-18 (inclusive) and Nos. 19-21 (inclusive) Oval Grange

2.74 To the west, a separation distance of approximately 43m would remain between the host property and neighbouring flats at Oval Grange (with the closest being Nos. 16 to 18 (inclusive) and Nos. 19-21 (inclusive)), with boundary treatments and a row of single storey garages (serving these flats) between. Taking the above context and existing relationships into consideration, it is considered that the proposals (including the change of use of the application property, conversion of the garage, erection of a single storey extension to the rear or canopy to the rear and car park to the side) would not result in any unacceptable loss of amenity and privacy for these properties including any adverse overlooking to any windows or private rear garden amenity space of these flats at Oval Grange or properties beyond to the west and north west.

Impact on host property

2.75 In terms of the amenity of occupiers of the host property itself, it is noted that proposal would, for the most part, continue to feature bedrooms and living spaces where they previously were, save for the conversion of 1 bedroom to a bathroom and 1 lounge to a dining room. The proposed garage conversion would provide some rooms in which the resident children could utilise. Owing to the established relationship of the host property, as well as the orientation of the windows and the above identified relationship, it is considered that there would be no unacceptable overlooking to/from any communal rooms at ground floor or from any other habitable room windows in the first and second floor of the proposed supported living residential unit.

Noise and Disturbance

2.76 It is acknowledged that neighbour objections have been received raising concerns that the proposed use as a supported living residential unit is not suitable for a residential area, and that it would impact on neighbour amenity, particularly in respect of noise and disturbance. It is further acknowledged that neighbour objections raise concerns in respect of the potential for noise and disturbance as a result of the converted garage and proposed car park area.

2.77 Although consideration is given to the host property being a detached building set within self-contained grounds, as noted above, it is considered that the proposed use of the property as a supported living residential unit for 5 children and up to 12 daytime staff and 5 nighttime staff, with the potential for additional visitors, and the proposed additional car parking area providing 8 spaces, is likely to result in a significant potential increase of comings and goings to the host property, which is considered to be in conflict with the provisions of Policy RC21 of the Hartlepool Local Plan (2018). The Council's Land Use Policy team support this view.

2.78 Whilst it noted that the Council's Public Protection team have raised no objection (or requirements) to the scheme, it is considered that residential areas should be areas where residents can expect peace and quiet especially during certain times of the day i.e. early evening through to morning.

2.79 In view of the intended scale of the proposed use including comings and goings across times of the day when residents can be reasonably expected to enjoy the peace and quiet of their properties, it is considered that the scale of the proposal (including up to 12 daytime staff and 5 nighttime staff in addition to the resident children and any additional visitors to the property) and provision of a car parking area is likely to have a negative impact upon the amenity of adjacent residents in terms of noise and disturbance, contrary to the requirements of criterion 1 of Policy RC21 of the Local Plan and paragraphs 135 and 198(a) of the NPPF (2024).

Amenity of Neighbouring Properties Conclusion

2.80 In view of the above, whilst it is considered that the proposal would not result in any significant adverse impacts on the amenity or privacy of any neighbouring property in terms of loss of outlook, overbearing impression, overshadowing or overlooking, it is considered that there would be the potential for the proposal to result in an unacceptable adverse impact on the amenity of surrounding properties in terms of noise and disturbance. The proposal is therefore considered to be contrary to the requirements of Policy RC21(1) of the Hartlepool Local Plan (2018) and paragraph 135(f) of the NPPF (2024) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users…".

HIGHWAY & PEDESTRIAN SAFETY & CAR PARKING

2.81 It is acknowledged that objections have been received from members of the public in respect of increased traffic and car parking.

2.82 Policy QP3 of the Hartlepool Local Plan (2018) requires that proposed development is safe and accessible, with criterion 2 seeking to ensure all residents and visitors can move with ease and safety and that parking is conveniently located, criterion 3 seeking to ensure that servicing arrangements and highway safety provisions are in line with the relevant local guidance (the Residential Design Guide SPD, 2019), and criterion 5 seeking to ensure the provision of adequate, safe, secure and conveniently located car and cycle parking, having regard to the possible movement of residents and visitors.

2.83 The Council's Traffic and Transport team have been consulted on the proposals following the amended details which include an increase in staff numbers to up to 12 day time staff and 5 night time staff and have confirmed that the proposals provide 8 car parking spaces (in the form of an amended proposed area of car parking to the side and rear of the main building), which meets the requirements set out in the HBC Design Guide and Specification, and therefore offers no objections to the proposal.

2.84 As noted above, following concerns expressed by the case officer in respect of the proposed car parking provision within the side garden area of the host property in respect to visual amenity concerns, the applicant has amended the proposed car parking to take access from the existing driveway. The Council's Traffic and Transport team have confirmed that the amended car parking proposals are acceptable.

2.85 In view of the above, it is considered the application is acceptable in respect of highway and pedestrian safety considerations, when taking into account the provisions of Policy QP3 and RC21(3) of the Hartlepool Local Plan (2018) and paragraph 116 of the NPPF (2024).

IMPACT ON TREES & LANDSCAPING

2.86 It is acknowledged that objections have raised the potential for the proposal to impact upon trees within the vicinity of the application site. The Council's Arboricultural Officer, in their initial comments, confirmed that there are trees, shrubs and hedging which would be affected by the proposed car park, and requested that an Arboricultural Impact Assessment together with a tree survey and tree protection plan be submitted to detail any trees which are proposed to be removed and any replacement planting. In response, the applicant submitted an Arboricultural Impact Assessment, followed by a subsequent Addendum and Proposed Planting Plan, following further concerns expressed by the Council's Arboricultural Officer.

2.87 The amended Arboricultural information details the removal of five trees, which the Council's Arboricultural Officer advises is a direct consequence of the development rather than due to their condition. The proposed planting includes mitigation in the form of five replacement trees, to which the Council's Arboricultural Officer has confirmed that while the replacements would not provide an immediate like-for-like benefit, in the long term, the proposed replacement planting would result in an acceptable outcome, and has confirmed no objections, subject to the inclusion of a planning condition to secure the details of the submitted reports (including the Tree Protection Plan, Arboricultural Addendum and Proposed Planting Plan), together with a maintenance and management plan. Had the application been considered acceptable in all respects, appropriate planning conditions would have been recommended in this respect.

2.88 The Council's Landscape Architect has been consulted on the proposals and have confirmed no objections or requirements.

ECOLOGY

2.89 It is acknowledged that an objection raises concerns regarding the potential for increased noise and disturbance to affect wildlife. The Council's Ecologist has been consulted on the application and has raised no concerns or objections to the proposed development.

Nutrient neutrality and recreational disturbance

2.90 The Council's Ecologist has completed a stage 1 Habitat Regulation Assessment (HRA) to consider any Likely Significant Effects (LSE) on the Teesmouth & Cleveland Coast SPA (and Ramsar) arising from nitrate enrichment and increased recreational disturbance.

2.91 Due to the proposed creation of additional overnight accommodation (i.e. the change of use from the residential dwelling to a supported living residential unit), it is necessary to consider any Likely Significant Effects of the proposals as a result of nutrient neutrality. The application form states that the public mains sewer is to be used and in turn would be treated by the Seaton Carew Waste water Treatment Works. HBC Ecology have advised that any Likely Significant Effects from the application can therefore be screened out at Stage 1 of the Habitats Regulations Assessment.

2.92 HBC Ecology have also screened out the potential for recreational disturbance and any Likely Significant Effects on the designated sites, confirming that as the proposal is for the change of use from offices to a supported living residential unit, whereby children that will be catered for already live in the borough, the project is assessed as not increasing the number of visits to European Sites. Natural England has been consulted and have confirmed no objections.

2.93 In view of the above, the proposal is considered acceptable in respect to ecological matters.

Ecology Conclusion

2.94 Given the above points, and subject to the confirmation from Natural England, it is anticipated that the proposed development will be considered to be acceptable with regards to ecology matters.

SAFETY & SECURITY

2.95 It is acknowledged that a number of objections have been received in respect of crime, fear of crime and anti-social behaviour, and the potential for issues arising as a result of the proposed use.

2.96 Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder.

2.97 An established principle in law is that fear of crime can be a material consideration in planning; however that fear has to be objectively justified rather than just perceived.

2.98 Cleveland Police have been consulted on the application and whilst not objecting, they have provided advice in respect to security of the building. Had the application been considered acceptable in all respects, an informative could relay this advice to the applicant and the proposal is therefore considered to be acceptable in this respect.

2.99 In the event of any concerns in this regard, this could be controlled/considered under the requirements imposed by other legislative powers including by other authorities (i.e. the Police), registration with the appropriate regulatory bodies (where applicable and which are outside of the controls of planning) and ultimately by appropriate management by the operator.

2.100 Therefore, in light of the above, it is considered that the impact of the proposal is acceptable in this regard.

OTHER PLANNING MATTERS

Surface water drainage and contaminated land

2.101 It is acknowledged that objections have been received in respect of drainage.

2.102 The application site is situated within Flood Zone 1 on the Environment Agency's Flood Map For Planning and therefore considered to be at the lowest risk for flooding. The Council's Engineering Consultancy have been consulted and have advised that they have no objections.

2.103 In regard to contaminated land, the Council's Engineering Consultancy have advised that it would be prudent to impose a condition requiring that in the event of unexpected contamination being found works should cease until a remediation strategy is submitted to and approved by the Council. Had the application been acceptable in all respects, a planning condition could have been appended to the decision to that affect.

2.104 In view of the above, the proposal is considered to be acceptable in respect to these matters.

Further Heritage matters

2.105 Tees Archaeology have been consulted on the proposal and advised that a basic photographic survey of the interior and exterior of the building is required to be carried out, with the photograph locations marked on the existing floor plans, to supplement the information in the HER. Had the application been considered acceptable in all respects, a pre-commencement planning condition could have secured this, and subject to this, the proposal is considered to be acceptable in this respect.

Other planning matters

2.106 It is acknowledged that objections have been received in respect of waste storage. The applicant has indicated in their submitted Planning Statement that "the proposed use would not see a significant increase in waste comparable to a 5-bedroom house (that could cater for up to 10 people) as existing." No objections have been received from HBC Waste Management or HBC Public Protection in respect of waste facilities, and therefore the proposal is considered acceptable.

2.107 With reference to the objection that the applicant has not consulted neighbouring properties, this is not a formal requirement of the applicant for this type of planning application. As stated above, the application has been advertised by the LPA in line with (if not exceeding) the minimum requirements of planning legislation including neighbour letters and by way of a site notice. Although it is acknowledged that representations detail delays in occupants of properties receiving letters, and delays in the displaying of the site notice, as detailed in the publicity section above, the application was advertised by way of letters to 86 individual properties as well as a site notice, and the period of publicity has expired.

2.108 An objection has been received raising concerns regarding the impact from construction activities. Given that the proposal is for relatively minor development affecting a single property and its grounds, it is considered that any construction works would be temporary in nature and it would not be reasonable or proportionate to apply planning conditions in respect of construction management/hours. Were such issues to arise, officers consider that any such issues would be best considered through other regulatory powers, including Environmental Health and the police.

2.109 Had the application been considered acceptable in all respects, and in the event that obstruction of the highway was to take place this would need to be investigated by the appropriate authorities (i.e. the police).

2.110 Objections have been received in respect of a lack of robust travel or operational management plan, swept path analysis for parking, service vehicles and refuse collection. Given the minor scale of the proposals, it is considered that these assessments would not be required to support this application in this instance.

OTHER MATTERS

2.111 It is acknowledged that objections have been received in reference to other care homes in operation or having previously been in operation by the same operator. In response, no objections have been received from the HBC Public Protection, HBC Land Use Policy or HBC Children and Adult Joint Commissioning teams in this respect, and therefore the application has been considered in accordance with the development plan, on its own merits, and therefore such comments regarding the nature of the applicant or their other operations are considered to be irrelevant to the consideration of the current proposals in this instance.

2.112 Cleveland Fire Brigade has been consulted and have provided advice in respect of the carrying capacity of shared driveways, access for emergency vehicles and water supplies, confirming that further comments may be made through the Building Regulations consultation process as required. Had the application been considered acceptable, an informative could have made the applicant aware of this advice, however these are principally Building Regulations matters and therefore this would be dealt with through the Building Regulations process accordingly.

2.113 Property devaluation and 'precedent' are not material planning considerations.

CONCLUSION

2.114 On balance, having regard to the above planning considerations including the requirements set out in policies RC21 and QP4 of the Hartlepool Local Plan (2018) and identified paragraphs of the NPPF (2024), it is considered that the principle of development is not acceptable in this instance, and that the proposed use (and car park) would have the potential to result in a form of development which would not be compatible with the character and amenity of the site and the surrounding area and neighbour amenity by way of an intensification of the application property with a proposed staffing levels of up to 12 daytime staff and 5 night time staff. It is therefore recommended that the application is refused.

EQUALITY DUTY

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

CRIME AND DISORDER ACT IMPLICATIONS

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

REASON FOR DECISION

2.117 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 reason below:

1. In the opinion of the Local Planning Authority, the application site is not considered to be an appropriate or compatible location for the proposed use (as a supported living residential unit for 5 children and up to 12 day time staff and 5 night time staff) as the proposal would have the potential to result in a significant detrimental impact on both the character of the surrounding area and neighbour amenity as a result of the proposed layout (including provision of a car park) and increase in activity and associated noise disturbance, in conflict with Policies QP4 and Policy RC21 of the Hartlepool Local Plan (2018) and paragraphs 135(f) and 198(a) of the NPPF (2024).

BACKGROUND PAPERS

2.118 Background papers can be viewed by the 'attachments' on the following public access page:
https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=166049

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

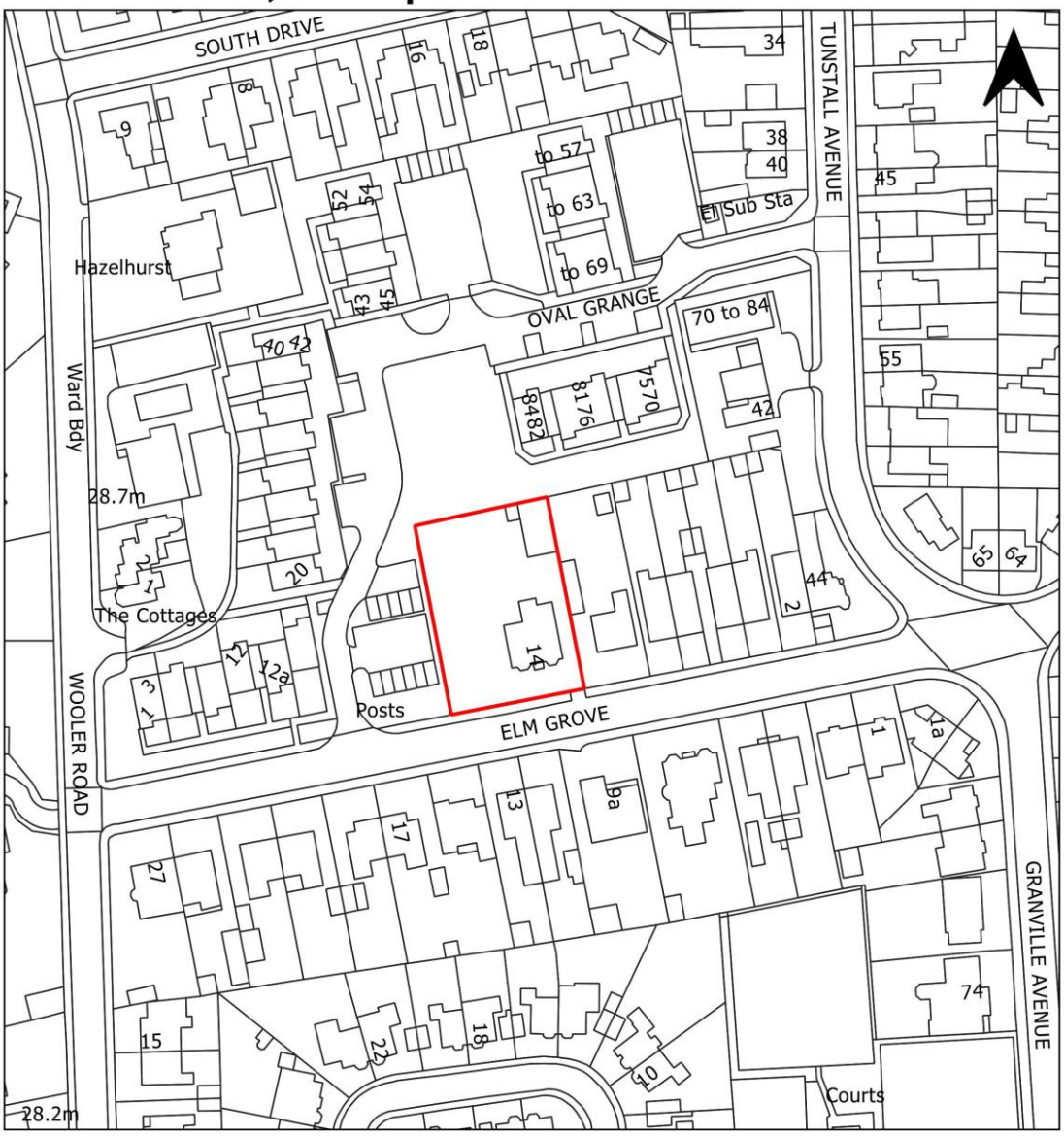
CONTACT OFFICER

2.120 Kieran Bostock
Director for Neighbourhood and Regulatory Services
Level 3
Civic Centre
Hartlepool
TS24 8AY
Tel: (01429) 284291
E-mail: kieran.bostock@hartlepool.gov.uk

AUTHOR

2.121 Stephanie Bell
Senior Planning Officer
Level 1
Civic Centre
Hartlepool
TS24 8AY
Tel: 01429 523246
E-mail: Stephanie.Bell@hartlepool.gov.uk

14 Elm Grove, Hartlepool



THIS PLAN IS FOR IDENTIFICATION PURPOSES ONLY

HARTLEPOOL BOROUGH COUNCIL	**DRAWN** LH	**DATE** 20/10/2025
	Scale 1:1250	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	**DWG.NO** H/2025/0256	**REV**

No: 3.
Number: H/2025/0237
Applicant: MISS KAYLEIGH DRIVER, HASWELL AVENUE, HARTLEPOOL, TS25 5BP
Agent: ARCH22 LTD. MR JOSEPH JOHNSON, 13 HOPPS STREET, HARTLEPOOL, TS26 8RA
Date valid: 24/07/2025
Development: Erection of a first floor rear extension and rear dormer extension
Location: 1 HASWELL AVENUE, HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

3.2 None.

PROPOSAL

3.3 The application proposes the erection of a first-floor rear extension and rear dormer extension at 1 Haswell Avenue. The application has been amending during the course of the application on more than one occasion following receipt of amended plans to address design and amenity concerns raised by officers. The proposal (as amended) is set out as follows;

First-Floor Rear Extension

3.4 The proposed first-floor rear extension (to serve a bathroom extension) would sit atop the existing single-storey rear extension. As such, it would project eastwards from the main rear elevation of the host dwelling by approximately 3.1 metres and would be approximately 2.7 metres wide.

3.5 Its northern side elevation would be level with that of the host dwelling, whilst its southern side elevation would be set away from the common boundary by approximately 3.4 metres. Its rear (east) elevation would be set away from the eastern curtilage boundary by approximately 5.2 metres.

3.6 The extension would feature a hipped roof, with an eaves height of approximately 5.6 metres and a ridge height of approximately 6.1 metres.

3.7 At ground-floor level, the existing layout and fenestration would be unaltered. At first-floor level, the extension would contain a bathroom which would be served by an east-facing, obscure-glazed window.

3.8 The external walls of the proposed extension would be finished in white render to match the existing dwelling (RAL No. 7010). The application form indicates that the roof would be finished in tiles to match the host dwelling, while window and door frames would be white uPVC to match the host dwelling.

Rear Dormer Extension

3.9 The proposed rear dormer extension (to facilitate a bedroom) would be approximately 6.1 metres wide, 1.9 metres tall, and 2.8 metres deep. It would be set in from the northern edge of the roof by approximately 0.1 metres and would also be set in from the party wall with No. 3 by approximately 0.1 metres. It would be set back from the eaves of the rear roof slope by approximately 1 metre. The proposed dormer would feature a flat roof which would be level with the ridge of the host dwelling (approximately 8.1 metres above ground level).

3.10 The proposed dormer would facilitate the creation of an additional bedroom in the roof space. The bedroom would be served by two east-facing windows. The proposed elevations indicate that the external walls of the dormer window would be finished with hanging tiles to match the host dwelling. Window frames would be white uPVC to match the host dwelling.

3.11 The application has been referred to planning committee due to the number of objections received (more than 2) in line with the Council's scheme of delegation.

SITE CONTEXT

3.12 The host dwelling, 1 Haswell Avenue, is a west-facing, two-storey, end-of-terrace dwelling which benefits from a driveway to the front and a private garden to the rear.

3.13 It is adjoined to the south by 3 Haswell Avenue, whist 1A Haswell Avenue is adjacent to the north. Nos. 58 and 60 Ashgrove Avenue are adjacent to the rear (east).

3.14 The host dwelling is of a simple form, featuring a dual-pitched roof with its ridge line orientated from north to south. Its rear elevation is adjoined by a single-storey, flat-roofed extension which projects eastwards from the original rear wall of the host dwelling by approximately 3.1 metres. Other notable architectural features include a ground floor bay window on the front elevation and a canopy above the front door.

3.15 The external walls of the dwelling are finished in white / cream render, whilst the roof is finished with concrete tiles. Window and door frames are white uPVC.

PUBLICITY

3.16 The application was advertised by way of 9 neighbour notification letters. Following receipt of amended plans during the course of the application, further consultations were undertaken which are still outstanding at the time of completing this report.

3.17 To date, objections have been received from the occupiers of 3 separate addresses at Nos. 56, 58, and 60 Ashgrove Avenue. The objections can be summarised as follows;

- loss of sunlight/overshadowing,
- overlooking and loss of privacy,
- the proposals are out of keeping with the character and appearance of the surrounding area,
- the area has previously suffered from flooding and subsequent flood damage to properties,
- property devaluation.

3.18 Background papers can be viewed via the 'click to view attachments' link on the following public access page:
https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=165911

3.19 Following receipt of amended plans during the consideration of the application, a further 14-day neighbour consultation was undertaken, expiring on 10/02/2026 to which any further representations received will be considered by officers and tabled before Members at the committee. This is reflected in the officer recommendation in the report.

CONSULTATIONS

3.20 The following consultation replies have been received.

HBC Traffic & Transport: A 4 bed dwelling would require 3 off street parking spaces. The existing parking area can accommodate 3 vehicles. No objections

HBC Building Control: A Building Regulation application will be required for 'First floor rear extension and rear dormer – 1 Haswell Avenue'

PLANNING POLICY

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

Local Policy

Hartlepool Local Plan

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

SUS1: The Presumption in Favour of Sustainable Development

LS1: Locational Strategy
QP3: Location, Accessibility, Highway Safety and Parking
QP4: Layout and Design of Development
QP6: Technical Matters
HSG11: Extensions and alterations to Existing Dwellings

3.23 Residential Design Guide SPD.

National Planning Policy Framework (NPPF, 2024)

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

PARA 007: Purpose of the planning system
PARA 008: Objectives of the planning system
PARA 011: Presumption in favour of sustainable development
PARA 012: Primacy of an up-to-date development plan
PARA 039: Decision-making
PARA 048: Determining applications in accordance with the development plan
PARA 116: Refusing applications on highways grounds
PARA 131: High quality buildings and places
PARA 135: Decisions ensuring good design
PARA 139: Refusing applications on design grounds.

PLANNING CONSIDERATIONS

3.25 The main planning consideration with respect to this application in this instance are the impact on the character and appearance of the existing dwelling and surrounding area, the amenity of neighbouring land users, and the impact on highway safety. These and any other matters are considered below.

IMPACT ON CHARACTER AND APPEARANCE OF THE EXISTING DWELLING AND SURROUNDING AREA

First floor rear extension

3.26 The application property is an end of terrace property, in a residential street of Haswell Avenue, which predominantly comprises terraced dwellings, that feature various extensions, including rear extensions. The rear boundaries of the properties on Haswell Avenue are adjoined to the rear of properties on Ashgrove Avenue, whereby the middle section of terraced properties feature original outriggers at single storey and two storey level.

3.27 The proposed first floor extension to the rear would be primarily obscured from direct views to the front (west) of the application site given the position of the proposal, the set back of the host property within the site and oblique relationship to the main highway to the front. Glimpsed views may be achievable on entering Haswell Avenue (from Stockton Road) but these would be limited and the proposal would be read in the context of the existing dwelling (owing to the proposed matching materials and relatively modest scale of the proposal).

3.28 Whilst this element of the proposal would be readily visible from the rear (and private views) of the properties on Ashgrove Avenue (east) and limited views would be achievable when viewed from the main street scene of Ashgrove Avenue (the properties forming a terrace), consideration is given to the relatively modest scale and design of the proposed first floor extension which would be set down from the main roof ridge, and would be read in context of the application site and against the backdrop of the main dwelling. It is further considered that the proposal would generally respect the proportions of the host dwelling and would not result in an overdevelopment of the site as to warrant a refusal of the application in this instance.

3.29 With respect to consideration to the use of materials, the applicant has confirmed that the proposed extension would be finished in white render to match the materials of the existing dwelling, which would ensure the proposal would be read against the backdrop of the host dwelling for the most part. This is considered to be acceptable in this instance and can be controlled through an appropriate planning condition which is recommended accordingly.

Rear dormer extension

3.30 With respect to consideration of the proposed rear facing dormer extension, it is notable that none of the dwellings on Haswell Avenue benefit from a rear dormer roof extension. It is therefore acknowledged that the proposed dormer extension is not a common characteristic of Haswell Avenue. Although the proposed dormer would bring a new form of development to the street scene, the proposed dormer window extension would be sited to the rear elevation of the host dwelling and would not project above the main ridge line of the host dwelling. Owing to the orientation of the host property, the proposed dormer would not be readily visible when viewed directly from the front (or wider views) of Haswell Avenue. Due to the relationship with the adjacent streets, it is considered that the proposed dormer could be viewed from the rear (and private views) of the neighbouring properties of Ashgrove Avenue (east) but again, limited, if any views would be achievable from the wider street scene or front of Ashgrove Avenue.

3.31 Notwithstanding the above, the proposed dormer would not project above the roof ridge, and would generally respect the proportions of the host dwelling and

the application site as a whole. With respect to consideration to the use of materials, the applicant has confirmed that the proposed extension would match the materials of the existing dwelling, which would ensure the proposal would be read against the backdrop of the host dwelling for the most part.

3.32 Further consideration is also given to the 'fall back' position of permitted development whereby the proposed dormer, at the proposed dimensions (1.9m height, 2.8m depth and 6.1m width), and would not project above the ridge height as well as the proposed materials would match those of the existing site, would constitute permitted development. Such a scale (and any associated impacts) are considered to be acceptable by the government tolerances under permitted development allowances and would not require planning permission. This therefore represents a significant material planning consideration in the context of the current application.

3.33 Overall, it is considered that the two elements of the proposed development would on balance (both individually and when considered cumulatively), have an acceptable impact on the character of the existing dwelling and surrounding area when considered against Policies QP4 and HSG11 of the Hartlepool Local Plan (2018) and with the provisions of the NPPF (2024) and would not warrant a refusal of the application in this instance.

AMENITY OF NEIGHBOURING PROPERTIES

3.34 In addition to the requirements of Policy HSG11, Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) requires that proposals should not negatively impact upon the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overshadowing and visual intrusion particularly relating to poor outlook, or by way of overlooking and loss of privacy.

3.35 These requirements are reiterated in the Council's adopted Residential Design SPD (2019). The following minimum separation distances must therefore be adhered to:

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

<u>Impact on 1A Haswell Avenue (side/north)</u>

3.36 No. 1A Haswell Avenue is a detached bungalow, which is adjacent to the applicant property to the northern side. The neighbouring property benefits from a driveway to the side (south) with a detached garage beyond and to the rear, which adjoins the shared boundary with the host dwelling. It was observed that the side (south) elevation of no. 1A features an obscure glazed window, likely to serve a bathroom, and the rear (east) elevation features 2no. windows.

First floor rear extension

3.37 The proposed first floor extension to the rear would be sited approximately 1.1 metres from the shared boundary with no. 1A, and approximately 5.2 metres from the side (south) elevation of the neighbouring property. The proposal would extend eastwards beyond the rear elevation of no. 1A by approximately 2.1 metres.

3.38 It is considered that a projection of approximately 2.1 metres would have a degree of impact on the amenity of the neighbour, particularly on the identified side (south) window in the form of any overbearing and overshadowing impacts of the proposal as a result of the proposal's proximity and projection. Notwithstanding this, the proposed extension is considered to be of a relatively modest scale (with a depth of approximately 3.1 metres), as well as featuring a pitched design that would assist in limiting its massing.

3.39 Consideration is also given to the remaining separation distance to the neighbouring property's nearest identified side (south) window and that the room it serves is understood to be a non-habitable room in planning terms (from the case officer's site visit observations the window is identified as obscurely glazed thereby indicating it serves a non-habitable room). Overall, it is considered the proposal would not, on balance, result in an unacceptable impact or level of harm on the amenity of existing and future occupiers of No 1A in terms of loss of outlook, overbearing and overshadowing for the identified windows and immediate rear garden area as to warrant a refusal of the application.

3.40 With regards to privacy, there is a window proposed to the first floor rear elevation. Amendments have been received following the case officer's request regarding the bathroom window, which is proposed to be obscure glazed with restricted opening (and would be secured by a planning condition). In addition, no north-facing windows are proposed (which would also be secured by a planning condition), and it is considered that no direct views would be achievable towards windows in the rear elevation of No. 1A from those proposed in the main rear/east elevation of the proposal.

3.41 Taking account of the above considerations, and subject to the identified planning conditions, it is considered that the proposal would not result in an unacceptable loss of amenity and privacy for the neighbouring occupiers in terms of loss of outlook, overbearing, overshadowing or overlooking as to warrant a refusal of the application.

Rear dormer

3.42 The proposed rear dormer would project approximately 2.8 metres from the rear roof slope of the host dwelling but would be contained within the envelope of the existing roof space and would not project beyond the existing rear elevation the neighbouring bungalow. Furthermore, there would be a separation distance of approximately 5.2 metres from the proposed side (north) elevation of the dormer to the shared boundary. Given the relationship including the limited scale of the proposed rear dormer not extending beyond the roof slope, it is considered that this element of the proposals would not result in any significant adverse impact on the amenity of No. 1A in terms of overbearing impression, overshadowing, or a loss of outlook.

3.43 The proposed rear dormer would not feature any windows in its northern side elevation, and it is of note that any future installation of windows into the side of the dormer would require its own planning application. The proposed dormer would feature two windows in the rear, with the nearest northern window set in from the side northern elevation by approximately 1.3 metres and would have a separation distance of approximately 6.5m from the neighbouring southern side elevation. The main outlook from the proposed dormer windows would be towards the rear of the host garden area. It is considered that the relationship with the neighbouring property would be relatively oblique, where there would be no significant unacceptable overlooking achievable from the proposed dormer to any windows in the side, or rear elevations of No. 1A or their private rear garden amenity space. On this basis, it is considered that the proposed rear dormer would not result in any significant adverse impact on the privacy of No. 1A Haswell Avenue in terms of overlooking.

Impact on 3 Haswell Avenue (adjoining to the south)

3.44 3 Haswell Avenue is a mid-terraced dwelling, adjoining the host property to the side (south). The property benefits from a glazed conservatory and was observed to feature windows to the rear elevation at ground floor and first floor.

First floor rear extension

3.45 The proposal would be sited away from the shared boundary by approximately 3.4 metres, and would be positioned away from the northern side elevation of no. 3 by approximately 3.8 metres. The proposal would extend eastwards beyond the rear elevation of no. 3 by approximately 3.1 metres. As a result of the proposed projection, it is considered that the proposal is likely to result in a degree of impact on the windows to the rear elevation (east) and immediate rear garden/amenity area of No 3, in terms of considerations of loss of outlook, overbearing and overshadowing.

3.46 Notwithstanding this, consideration is given to the above referenced distance and relationship between the proposal to the adjoining boundary and that the proposal would feature a roof design that would pitch away from the adjacent boundary. As such, it is considered that the proposal would not, on balance, result in an unacceptable loss of amenity for the neighbouring property in terms of outlook, overbearing, overshadowing and loss of light to habitable room windows or the immediate garden area serving this property, as to warrant a refusal of the planning application.

3.47 In relation to privacy related matters, it is noted that the proposed first floor rear extension would not feature any windows in the first floor side (south) elevation, but would feature an obscure glazed window in the first floor rear (east) elevation. It is considered that this relationship would be largely oblique and given the nature of the window, there would be no direct views achievable from the proposed extensions towards windows in the rear of No. 3. Notwithstanding this, a planning condition can ensure that no windows are installed in the southern elevation of the proposed extension, and for the window to remain obscure glazed with a limited opening.

3.48 In view of the above, it is considered that the proposed extension would not result in an unacceptable impact on the amenity and privacy of 3 Haswell Avenue in terms of loss of outlook, overbearing, overshadowing, loss of light and overlooking as to warrant a refusal of the application.

Rear dormer extension

3.49 The proposed rear dormer would project approximately 2.8 metres beyond the rear roof slope of the host dwelling, and that of the adjoining dwelling, but would not project beyond the existing rear elevation the neighbouring dwelling. There would be a separation distance of approximately 0.1 metres from the proposed side (north) elevation of the dormer to the shared boundary. Given the above relationship including the overall limited scale of the proposed rear dormer, contained within the existing roof slope, as well as to the aforementioned 'fall back' position, it is considered that this element of the proposals would not result in any significant adverse impact on the amenity of No. 3 in terms of overbearing impression, overshadowing, or a loss of outlook.

3.50 The proposed rear dormer would not feature any windows in its southern side elevation, and it is of note that any future installation of windows into the side of the dormer would require its own planning application. The proposed dormer would feature two windows in the rear, with the nearest southern window set in from the side northern elevation by approximately 1.3 metres. It is considered that the relationship with the proposed windows and neighbouring property would be largely oblique and whilst some views may be possible towards the neighbouring garden area, the main outlook would be towards the host garden area.

3.51 With such a relationship, it is considered that there would be no significant unacceptable overlooking achievable from the proposed dormer to any windows in the side, or rear elevations of No. 3 or their private rear garden amenity space. On this basis, it is considered that the proposed rear dormer would not result in any significant adverse impact on the privacy of No. 3 Haswell Avenue in terms of overlooking and loss of privacy

<u>Impact on Nos. 54-60 (evens) Ashgrove Avenue (rear/east)</u>

3.52 To the rear of the site are properties 54, 56, 58 and 60 Ashgrove Avenue, with no 58 Ashgrove Avenue sited most directly to the rear. It was observed that the rear elevation of these neighbouring properties benefit from part single, part two storey outriggers, which feature windows to both the ground floor and first floor that are likely to serve both habitable and non-habitable rooms (as well as windows to the rear elevation of the main dwellings).

First floor rear extension

3.53 The proposed first floor extension would be sited to the rear of the host dwelling, and extend in depth by approximately 3.1 metres. The proposal would achieve a separation distance of approximately 14.1 to the rear elevation of the single storey outrigger, and approximately 16.8 metres to the rear elevation of the two storey outrigger element serving no. 58 Ashgrove Avenue. Similar and oblique

distances would remain between the proposal and the nearest rear elevations of no. 54, 56 and 60 Ashgrove Avenue. Such identified separation distances would fall short of the requisite 20m as required by Policy QP4 and the aforementioned SPD. As a result, the proposal would bring the two storey building form of the host dwelling closer to the rear boundary and in turn towards the rear elevations and garden areas of the neighbouring dwellings (in particular No 58 Ashgrove Avenue), and would result in a degree of impact on the amenity and privacy of the neighbouring occupiers with respect to considerations of loss of outlook, overbearing, overshadowing (and loss of light) and overlooking related matters. It is also recognised that both the host dwelling and neighbouring dwellings feature relatively modest garden areas thereby accentuating the relative proximity of the proposal towards the rear elevation of the neighbours to the rear, in particular those of No 58 Ashgrove Gardens.

3.54 Notwithstanding this, it is considered that the massing of the proposed first floor extension would be relatively modest at a depth of 3.1 metres (approx.) set off from the adjacent rear boundary by approximately 5.3 metres, with a relatively low hipped pitch roof that is set down from the main ridge line of the host dwelling and a design that would assist in reducing the massing of the proposal. In combination with the aforementioned remaining separation distances, it is considered that such factors would prevent any unacceptable loss of amenity for the neighbouring properties to the rear in terms of loss of outlook, overbearing, overshadowing (or loss of light) to habitable room windows or immediate rear garden areas of the properties to the rear as to warrant a refusal of the application in this instance.

3.55 In addition, with respect to privacy related matters, as noted above, amendments have been received following the case officer's request regarding the proposed bathroom window (serving a non-habitable room) to be obscure glazed with restricted opening (which can be secured by a planning condition and this is recommended accordingly). Subject to this treatment to the bathroom window and in view of the remaining separation distance, it is considered that the proposal would not result in an unacceptable loss of privacy for neighbouring properties in terms of overlooking (or a perception of overlooking) as to warrant a refusal of the application in this instance.

3.56 In view of this context, whilst it is accepted that the proposed rear extension would result in a notable change for the neighbouring properties to the rear of the site, and that it would not meet the separation distances as set out within Policy QP4 and SPD, in this instance and in view of the above considerations and subject to the recommended planning condition, it is considered the proposal would not result in an unacceptable loss of amenity and privacy for the neighbouring occupiers to the rear of the site along Ashgrove Avenue in terms of loss of outlook, overbearing, overshadowing (or loss of light) or overlooking as to warrant a refusal of the application in this instance.

Rear dormer extension

3.57 The dormer proposed would be installed to the rear elevation (east) of the host dwelling and would be set off the shared boundary by approximately 8 metres. The remaining separation distance between the proposed rear elevation of the

dormer to the rear elevation of the single storey outrigger to no. 58 Ashgrove Avenue would measure approximately 17.1 metres, and the distance to the rear elevation of the first floor outrigger would measure approximately 19.5 metres. Similar and oblique distances and relationships would be achieved between this element and the rear elevations if no. 54, 56 and 60 Ashgrove Avenue.

3.58 Whilst these separation distances fall short of the requirements of Policy QP4 and the aforementioned SPD, the proposed dormer would not extend beyond the rear elevation of the existing property, where an existing shortfall relationship exists. Furthermore, it is also recognised that such rear dormer structures can be erected without the need for planning permission, where permitted development rights allow such relationships and tolerances, which represents a fall-back position and a significant material consideration in this instance. At the proposed dimensions (1.9m height, 2.8m depth and 6.1m width) and would be set down from the ridge height as well as the proposed materials would match those of the existing site, would likely constitute permitted development.

3.59 Having regard to the fall-back position, and taking account of the remaining separation distances and relationships, it is considered that the proposal would not result in an unacceptable loss of amenity and privacy for neighbouring properties at no 54, 56, 58 and 60 Ashgrove Avenue to the rear that could not already be created in terms of loss of outlook, overbearing or overshadowing or overlooking as to warrant a refusal of the planning application in this respect.

Impact on Nos. 2-6 (evens) Haswell Avenue (front/west)

3.60 No. 2, 4 and 6 Haswell Avenue are semi-detached dwellings sited to the front (west) of the site with the presence of the highway of Haswell Grove between.

3.61 The proposed first floor rear extension and rear dormer (and any associated impacts) would be primarily screened by the existing host dwelling from the front (and properties beyond) with an oblique, satisfactory separation distance of approximately 30 metres to the building frontage of no. 4 Haswell Avenue (the nearest property) with the presence of the highway in between, with similar distances to no. 2 and 6.

3.62 Overall, it is considered that there would not be any adverse impact to the amenity and privacy of the neighbouring occupiers to the front (west) in terms of loss of outlook, overbearing, overlooking and overshadowing.

HIGHWAY SAFETY AND CAR PARKING

3.63 Local Plan Policy QP3 (Location, Accessibility, Highway Safety, and Parking requires that developments should be safe and accessible, including through the provision of adequate car and cycle parking. It further requires that residential development should accord with the provisions of The Hartlepool Residential Design Guide SPD.

3.64 The Hartlepool Residential Design Guide SPD requires 2 in-curtilage parking spaces for dwellings containing 3 bedrooms or less.

3.65 The existing driveway is considered large enough to accommodate two cars in accordance with the specifications of the Hartlepool Residential Design Guide SPD. An adjacent area of gravel is large enough to accommodate one additional car. As such, the host dwelling is considered to benefit from 3 in-curtilage parking spaces.

3.66 Following receipt of amended plans to detail the provision of a bathroom in the proposed first floor extension, the proposal would not increase the overall number of bedrooms in the property (3). The existing property provides the requisite 2 spaces.

3.67 On this basis, it is considered that there would be no unacceptable impact in terms of highway safety or car parking. HBC Traffic & Transport were consulted, commenting that a 3 bed dwelling would require 3 off street parking spaces. The existing parking area can accommodate 3 vehicles, so no objections have been received. The application is therefore considered to be acceptable in this respect.

OTHER PLANNING MATTERS

Flood Risk & Drainage

3.68 One objection comment has suggested that the area has previously suffered from flooding. The application site is located within flood risk zone 1 (low risk) and given the scale and nature of the proposed development, a flood risk assessment is not required and the application is considered to be acceptable in this respect.

Ecology

3.69 In accordance with the provision of the NPPF and biodiversity enhancement, it is reasonable and necessary to secure biodiversity enhancement for birds and bats; a planning condition requiring the installation of an integral 'universal' nest brick to be installed can be secured by way of a planning condition. Subject to this condition and the identified informative, the proposal is considered to be acceptable in respect to ecology matters.

OTHER MATTERS

3.70 The objections received make reference to property devaluation which is not a material planning consideration.

CONCLUSION

3.71 On balance, and subject to appropriate planning conditions, the proposed development is, on balance, considered to be acceptable when considered against policies QP4 and HSG11 of the Hartlepool Local Plan (2018) and the provisions of the NPPF (2024). The application is therefore recommended for approval, subject to conditions.

EQUALITY AND DIVERSITY CONSIDERATIONS

3.72 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

3.73 There are no Section 17 implications.

REASON FOR DECISION

3.74 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 consideration by officers of any further neighbour responses received following the expiry of the outstanding consultation period and subject to the recommended planning conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
   By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby approved shall be carried out in accordance with the following plans: Drawing number 250115 100 (Location Plan), Drawing number 250115 107 (Proposed Site Plan), Drawing number 250115 108 Rev F (Proposed Floor Plans Sheet 1 of 2), Drawing number 250115 109 Rev D (Proposed Floor Plans Sheet 2 of 2), Drawing number 250115 110 Rev D (Proposed Elevations Sheet 1 of 4), Drawing number 250115 111 Rev E (Proposed Elevations Sheet 2 of 4), Drawing number 250115 112 Rev F (Proposed Elevations Sheet 3 of 4), Drawing number 250115 113 Rev E (Proposed Elevations Sheet 4 of 4), and Drawing number 250115 113 (Existing and Proposed Roof Plans) received by the Local Planning Authority 13/01/2026.
   For the avoidance of doubt.

3. Prior to the commencement of above ground construction of the development hereby approved, details of 1no. integral 'universal' nest brick to be located in south or east facing walls (where possible) of the development hereby approved and as high above ground as possible shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the 1no. nest brick shall be installed in accordance with the approved details prior to the first use or completion (whichever is the sooner) of the development hereby approved and thereafter retained for the lifetime of the development hereby approved.
   To ensure the development provides an ecological enhancement in accordance with policy NE1 and Section 15 of the National Planning Policy Framework.

4. The materials to be used in the construction of the external surfaces of this development hereby permitted shall match those used in the existing dwelling

and in accordance with the materials stipulated in the submitted application form received by the Local Planning Authority on 14/07/2025.
In the interests of visual amenity.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting the Order with or without modification), no window(s) shall be inserted in the northern (side) elevation facing towards 1A Haswell Avenue or in the southern (side) elevation facing towards 3 Haswell Avenue of the first floor extension or rear dormer extension hereby approved without the prior written consent of the Local Planning Authority.
To prevent overlooking.

6. The 1no. window on the rear/east elevation (serving a bathroom) as detailed on Drawing number 250115 112 Rev F (Proposed Elevations Sheet 3 of 4), received by the Local Planning Authority 13/01/2026, shall be glazed with obscure glass to a minimum of level 4 of the 'Pilkington' scale of obscuration or equivalent and shall have a limited opening mechanism of 30 degrees (side or top hung opening) or be fixed. The identified window shall be installed in accordance with these details prior to the first use or completion (whichever is the sooner) of the first floor extension hereby approved and shall thereafter be retained at all times while the windows exist. The application of translucent film to the windows would not satisfy the requirements of this condition.
To prevent overlooking.

BACKGROUND PAPERS

3.75 Background papers can be viewed by the 'attachments' on the following public access page:
https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=165911

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

CONTACT OFFICER

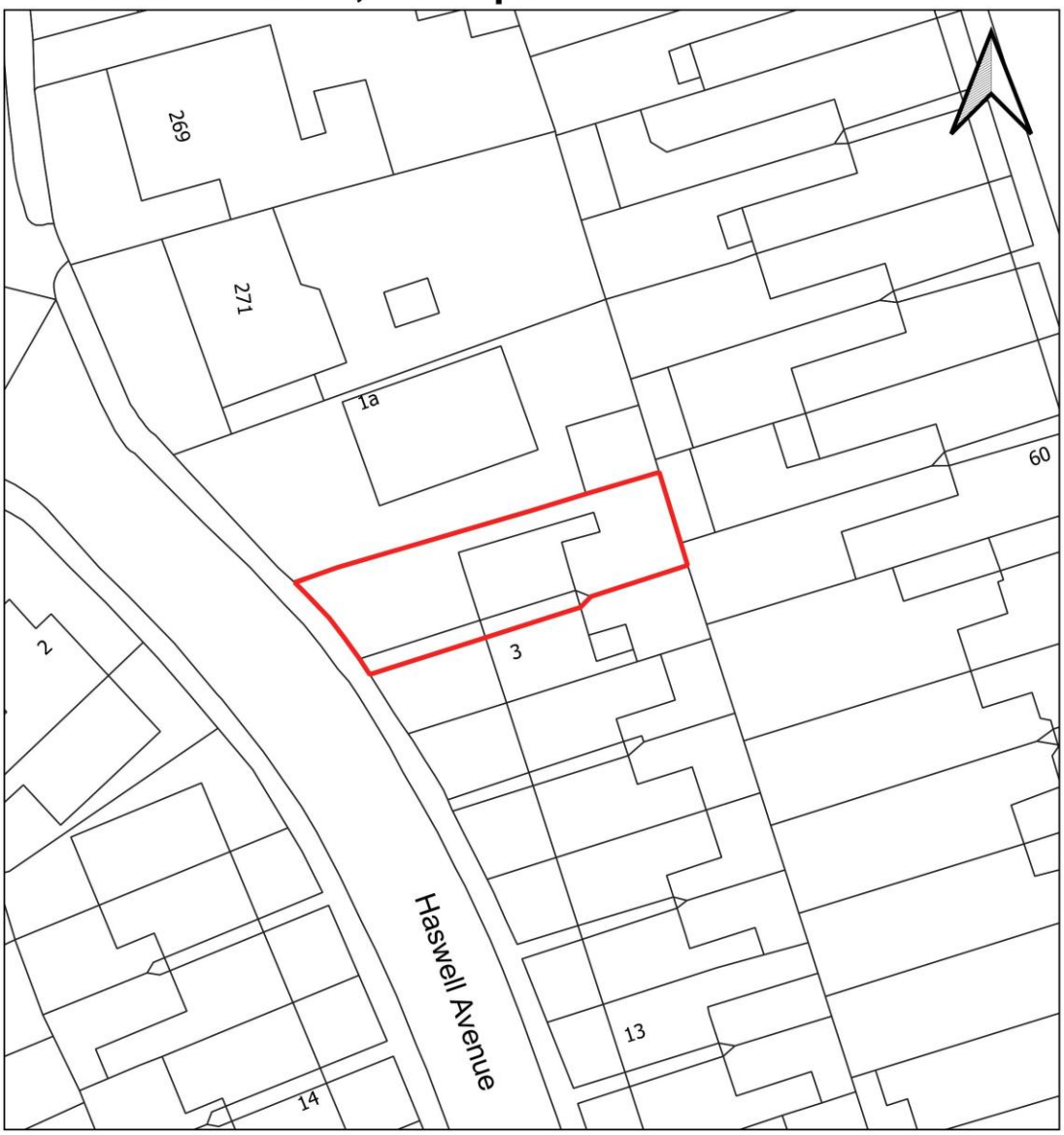
3.77 Kieran Bostock
Assistant Director (Neighbourhood Services)
Level 3
Civic Centre
Hartlepool
TS24 8AY
Tel: (01429) 284291
E-mail: kieran.bostock@hartlepool.gov.uk

AUTHOR

3.78 Emily Palmer
Planning Officer

Level 1
Civic Centre
Hartlepool
TS24 8AY
Tel: 01429 525247
E-mail: Emily.Palmer@hartlepool.gov.uk

1 Haswell Avenue, Hartlepool



THIS PLAN IS FOR IDENTIFICATION PURPOSES ONLY

HARTLEPOOL BOROUGH COUNCIL	**DRAWN** LH	**DATE** 25/09/2025
	Scale 1:400	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	**DWG.NO** H/2025/0237	**REV**

No:	4.
Number:	H/2022/0171
Applicant:	COMPASS DEVELOPMENT (NE) LTD AMBLE NORTHUMBERLAND NE65 0FB
Agent:	JON TWEDDELL PLANNING LTD MR JON TWEDDELL COBLE QUAY AMBLE NORTHUMBERLAND NE65 0FB
Date valid:	23/08/2022
Development:	Erection of 9no. detached dwellings (C3 use) and associated works.
Location:	SOUTHBROOKE FARM SUMMERHILL LANE HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

4.2 The following applications are relevant to the existing dwelling and buildings on and adjacent to the application site:

HFUL/1989/0412 – Alterations to form 4 no. additional stables for equestrian purposes – approved 26/07/1989

HFUL/1990/0152 – Construction of an all-weather riding paddock – approved 11/04/1990

HFUL/1991/0277 – Erection of an agricultural building – approved 01/07/1991

HFUL/1992/0587 – Use of barn as an indoor riding school – approved 06/01/1993

HFUL/1995/0165 - Erection of a detached house with integral garage – refused 22/06/1995

HTEL/2002/0120 - To determine whether the siting and design of telecommunications equipment within a fenced compound requires the approval of the local planning authority – 'approved' 17/04/2002

HTEL/2003/0514 - To determine whether the siting and design of a 15m high timber monopole with 3 no antennae, 2 no 0.3m dishes and 1 no 0.6m dish, 2 radio equipment cabinets and ancillary development requires the prior approval of the local planning authority – 'approved' 01/09/2003

H/2006/0403 – Erection of a barn and related works – approved 22/08/2006

H/2010/0211 – Alterations and change of use of buildings for use as craft room, craft assembly and storage room and a petting room for a mixture of animals – approved 02/06/2010

H/2014/0035 – Outline application with all maters reserved for residential development comprising 9 dwellings and retention of existing farmhouse – approved 24/03/2014. This permission was never implemented and has since lapsed.

H/2017/0054 - Residential development comprising 14 detached properties including demolition of existing buildings and farmhouse. Refused 26/08/2021 for the following reasons:

1. In the opinion of the Local Planning Authority, it is considered that the failure of the applicant to secure the appropriate ecological mitigation measures, that the development would have an adverse impact on the integrity of the Teesmouth and Cleveland Coast Special Protection Area, contrary to Policy NE1 of the Hartlepool Local Plan (2018).

2. In the opinion of the Local Planning Authority, it is considered that the failure of the applicant to provide the requisite pro-rata financial contribution towards highway infrastructure improvements (Elwick bypass and grade separated junction) would, when considered cumulatively, result in a detrimental impact on the local and strategic road network, contrary to policies LS1, INF2 and QP1 of the Hartlepool Local Plan (2018).

3. In the opinion of the Local Planning Authority, it is considered that the proposal would cause less than substantial harm to the designated heritage asset of Park Conservation Area, by virtue of the design, scale and siting of the proposed development that would detract from the character and appearance of the identified heritage asset. It is further considered that the applicant has failed to demonstrate that this harm would be outweighed by any public benefits of the development. As such it is considered to be contrary to policies HE1 and HE3 of the Hartlepool Local Plan (2018) and paragraphs 126, 130, 134, 195, 197, 199, 202, and 206 of the National Planning Policy Framework 2021.

4. In the opinion of the Local Planning Authority, it is considered that the failure of the applicant to secure the requisite financial contributions towards play equipment, built sports, green infrastructure and education, would result in an unsustainable form of development, contrary to Policies INF4 and QP1 of the Hartlepool Local Plan (2018) and the Council's adopted Planning Obligations SPD.

5. In the opinion of the Local Planning Authority, it is considered that by virtue of the proposed layout and the siting of 2no. adjacent existing telecommunication monopoles, the development would result in a detrimental impact on the residential amenity of future occupiers of the proposed dwellings in terms of dominance on the outlook and an overbearing effect due to design, scale and siting of the proposed layout (including the staggers between the plots) and the close distance to the telecommunication apparatus, contrary to policy QP4 of the Hartlepool Local Plan and paragraphs 126 and 134 of the NPPF.

4.3 A subsequent appeal (APP/H0724/W/21/3286101) was dismissed on appeal, decision date 17/11/2021, in respect of refused application H/2017/0054. The Inspector upheld reasons 1, 2 and 4 of the refused planning application, and commented in the decision that reasons 3 and 5 would not warrant additional reasons to refuse the appeal. These matters are discussed further as part of the considerations of this current application.

PROPOSAL

4.4 The application, as amended during the course of the application, seeks planning permission for the demolition of the existing buildings within the application site and the erection of nine detached dwellings and associated works. The proposal is for three and four bedroom two storey detached dwellings. The properties would have off street parking (from Summerhill Lane) within the curtilage of the properties.

4.5 In detail, the proposals, as amended, includes the erection of nine dwellings, the mix of which are:

- 2 house type A – 3 bed two storey dwelling with single integral garage
- 3 house type B – 4 bed two storey dwelling with double integral garage
- 4 house type C – 4 bed two storey dwelling

4.6 The proposed layout features a relatively linear development, with some modest staggers between the properties, most notably those between plots 2, 3 and 4, and plots 6 and 7, owing to the smaller house type A (plots 3 and 6). The dwellings are served by accesses to private/shared driveways off Summerhill Lane serving these plots. The proposed dwellings would have private amenity with small garden space to the front of the properties, with enclosed rear gardens to the rear.

4.7 The proposals include landscaped areas and tree planting to the front, to include front garden areas to all dwellings, as well as a landscaped verge to the front of properties 7-9 (inclusive).

4.8 The application includes boundary treatments including estate railings to the front with masonry walls to mark each cluster, and close boarded timber fences between rear gardens and to the eastern boundary.

4.9 The application has been amended a number of times during the course of consideration. These amendments have been in respect of the reduction in the overall scheme from 14no. dwellings to 9no. dwellings, amendments to the design and layout of some of the proposed house types, the layout of plots, the removal of detached garage buildings, the layout of the private/shared driveway accesses, and in respect of landscaping.

4.10 The application has been called in to be determined in the planning committee by the Chair of the planning committee, in line with the Council's Scheme of Delegation.

SITE CONTEXT

4.11 The application site is a small holding known as Southbrooke Farm on the northern extent of Summerhill Lane. The smallholding comprises a narrow rectangular shaped parcel of land that extends to approximately 0.7 hectares in area (1.7 acres) and runs parallel with Summerhill Lane. The application site comprises rough grassland and rubble, formerly occupied by an array of agricultural and equestrian buildings. The ancillary buildings within site have been demolished (understood to be around 2020/21 without the requisite planning permission, as detailed in the committee report for H/2017/0054), however the farm house (Southbrooke Farm) is still in situ, although the applicant has confirmed that this building is also now vacant.

4.12 Summerhill Lane is accessed from Catcote Road to the west. To the west of the site is Summerhill Visitors Centre, with allotments to the south and Catcote School to the south east of the site (beyond the main highway of Summerhill Lane). Directly to the north is farmland, which separates the site from the Park Conservation Area and residential properties. There are two telecommunications masts on the north west rear boundary of the site. A Public Right of Way (PRoW) runs along the southern edge of the site and links Summerhill Lane to the Ward Jackson Park area (and the Park Conservation Area) to the north and Summerhill Country Park to the south west.

PUBLICITY

4.13 The application was advertised by way of site notice, press advert and notification letters to six neighbours. To date, there have been 23 responses of support and two response of ‘neither’. The responses include the following comments:

- Improved outlook to the approach;
- Great location close to amenities and town centre;
- Reduction in crime and anti-social behaviour;
- Houses will be in demand;
- The proposed development would attract investment;
- Great views from the proposed development;
- Quiet area, good for families;
- Shortage of small groups of housing;
- Improvements to roads, lighting and drainage.

4.14 Re-consultation letters have been sent out (on more than one occasion) following amendments to the scheme, in respect of an amended layout, amended designs of dwellings and garages, amended finishing details to plots, and amended trees and landscaping. This also includes a notable amendment to reduce the overall scheme from 14no. dwellings to 9no. dwellings, which results in an amended layout. Following the re-consultation, no further representations have been received.

4.15 Background papers can be viewed via the ‘click to view attachments’ link on the following public access page:
https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=153068

4.16 The period for publicity has expired.

CONSULTATIONS

4.17 The following consultation replies have been received:

HBC Arboricultural Officer: There are no TPO or Conservation area issues in regards to the proposed development however I would need some additional information associated with the proposed application to agree to it from an Arboricultural point of view.

The Arboricultural Impact Assessment revised 22 August 2022 is mostly regarding trees which belong to the Local Authority on the verge of the site. It is proposed to carry out work to these trees with the AIA up to and including remediation work and complete removal. Permission must be sought from the estates section if this has not already been done as per Derek Wardle's request in 2017 to allow this to happen on our land.

Trees within group 4 are of a better quality and maturity but will not be suitable in that location in the future due to diseases and services running through the group. That being said the trees within group 4 bring value to the local area and would require the replacement trees to be of good potential to become the same in the future.

I have no objections to the removal of the trees as set out in the AIA but will object to the application until a planting proposal including what trees will be planted is submitted and agreed. This may be done post application. The planting proposal must be beneficial and outweigh the impact of removing the trees stated within the AIA.

I would propose that the tree planting proposal is designed using the free guidance document from the Trees & Design Action Group, Tree Species Selection for Green Infrastructure. This will give guidance of what to tree to plant in a number of varying conditions. It is essential that the right tree be planted in the right location to allow the tree to establish successfully but to also stop any future problems with property boundaries and maintenance issues.

Should the application be approved I would be happy for the above to be given as a planning condition providing that the planting proposal will be agreed with the Local Planning Authorities Arboricultural Officer and amended to suit if necessary.

If within a period of five years from the date of the planting of any tree that tree, or any tree planted as a replacement for it, is removed, uprooted, destroyed, dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Update 22/11/2022 following receipt of amended arboricultural information:

No additional comments to provide in relation to the application. The 'New' arboricultural information is the same information previously submitted and provides no new additional information. Still awaiting a planting proposal to mitigate the loss of trees on the site.

Update 28/02/2024 following receipt of amended layout:

Although the site plan no longer aligns with the site within the Tree Protection Plan the protection requirements and locations remain the same and therefore do not need to be updated and can be conditioned. The replacement planting scheme which has not yet been forthcoming will also need to be conditioned for completion prior to first occupation of the site.

Update 30/04/2024 following receipt of amended layout plans and Arboricultural information:

The newly updated arboricultural information aligns with the proposed plans and should be conditioned for their compliance during the scheme. The landscaping plan still has not been submitted and will need to be conditioned for implementation prior to the first occupation of the dwellings also taking into account the ecologists comments regarding the Wych elm whips to be included.

Update 07/08/2025 following reconsultation on reduced scheme:

The scheme has been amended to reduce the number of dwellings however the Arboricultural information has not been updated. It is not known now what the trees are proposed for removal or retention with Groups 4 - 6 and Hedge 1 outside of the proposed dwellings for this updated scheme. The arboricultural information should be updated to reflect the current scheme. No landscaping proposals are provided although shown indicatively on the proposed site layout. Trees within a Landscape and Planting Scheme should have a focus on climate resilient species suitable of the environment in the present and the future and with a good mix. Ideally to ensure a strong biodiversity and to build a resilient treescape the species mix should consist of:
No more than 5% of a particular cultivar
No more than 10% of a particular species
No more than 20% of a particular genus and
No more than 30% of a particular family

Update 25/11/2025 following amended landscaping:

Consultee Comments (any associated tree/landscaping background to site or proposals) including whether outstanding information can be covered by planning conditions

The scheme has been reduced in scale from 14 properties to 9, which means the current Arboricultural documentation does not fully align with the revised layout. However, taking a pragmatic view, the Arboricultural Impact Assessment remains

broadly suitable, as the tree protection measures are still indicated to the north of the site.

Under the previous scheme, Groups 4–6 and Hedge 1 were proposed for removal. With the reduction in development, these features will now be retained outside the footprint of the proposed dwellings.

A close-boarded timber fence is proposed to the east. This fence should be conditioned to be installed prior to the commencement of works and will serve as an additional protective measure for Groups 4–6 and Hedge 1, alongside the existing Tree Protection Plan (Rev B) which should also be conditioned.

2. Suggested Planning Conditions (either in full or the basis of a condition) or requirements to address outstanding matters

Condition for the Tree Protection Plan (Rev B) along with a condition securing the close boarded timber fencing to the east.

3. Suggested Planning Obligations/Financial Contributions to be secured via legal agreement where necessary.

N/A

4. Summary – Object/Support/Neither
Neither

Update 19/01/2025 following amended landscaping:

No concerns from me.

Northern Gas Networks: No objections, Gas safety plan attached.

Northern Power Grid: No objections, plan attached.

HBC Building Control: I can confirm that a Building Regulation application will be required for the erection of 14 detached dwellings.

HBC Countryside Access Officer: There is no information to imply that there is any data relating to any recorded or unrecorded public rights of way and/or permissive paths running through, abutting to or being affected by the proposed development of this site.

Whilst this is the case, Public Footpath No.9, Hartlepool runs along the western site boundary and needs to be protected from any development works.

Therefore at no time can the public footpath be obstructed by materials, equipment, machinery or vehicles at any time during development, should the application be approved.

HBC Ecology (summarised): *received 15/09/2022:* The following are required for the Ecology to be fully assessed.

Biodiversity Metric 3.1 calculator and evidence report
Biodiversity Gain Plan
Provision of on-site or off-site Habitat Units to ensure 10% Biodiversity Net Gain (BNG) based on the baseline calculation

The following should be secured by the LPA.

Provision of 14 bat roost bricks and 14 bird nest bricks
Provision of 10 swallow nest cups or a roofed area with beams for swallows to nest in
Issuing of three Informatives
Retention of boundary elm tree via condition
Method Statement for Contractors to be conditioned
A HRA financial contribution to mitigate for recreational disturbance of £2,800 must be secured.

I made some comments to the applicant's Ecologist on 24/04/2022 and have reviewed the submitted Preliminary Ecological Appraisal and Bat Survey Report (version 2, Final, dated 14/06/2022).

No further ecological surveys are required.

Since my comments in April, HBC Local Planning Authority (LPA) has updated its validation requirements (July 2022) and to ensure no net loss of biodiversity, a Biodiversity Metric 3.1 and a Biodiversity Gain Plan are required. The Biodiversity Gain Plan shows how the applicant will secure BNG for their development. This is likely to include the provision of on-site or off-site Habitat Units to ensure 10% Biodiversity Net Gain (BNG) based on the baseline calculation. This should be secured via a legal agreement and should secure the replacement habitats for a minimum of 30 years, as detailed in the Environment Act 2021 and subsequent guidance.

I have prepared an HRA for Nutrient Neutrality and Recreational Disturbance (submitted separately). Natural England should be consulted on the HRA.

The development will be nutrient neutral, and no nutrient mitigation is required. The development will create recreational disturbance and a financial contribution of £2,800 must be secured. NB: This is a statutory Habitats Regulations requirement and not a planning viability cost.

The following Informatives should be issued to avoid harm to roosting bats, nesting birds and great crested newts (the developer's responsibility). This will apply when buildings are demolished, trees felled, and ponds filled in.

HBC Bat Informative

Bats are highly mobile species and individual bats can turn up in any building or any tree which has suitable holes or crevices. All species of bat in the UK are protected by both UK legislation. This legal protection extends to any place that a bat uses for shelter or protection, whether bats are present or not. Should bats or signs of bats (such as droppings, dead bats etc) be discovered in any buildings and/or trees to be demolished or altered, work should stop immediately, and advice sought from the Bat Conservation Trust or Natural England. Failure to do this may result in the law being broken. The national Bat Helpline number is: 0345 1300228.

HBC Breeding bird informative
Breeding birds and their nests are protected by the Wildlife & Countryside Act (1981) as amended. It is an offence to damage or destroy the nest of a breeding bird whilst it is being built or in use. In practice the bird breeding season is mainly confined to the period from March to August inclusive, but it should be noted that some species will breed outside this period. If bird's nests that are actively being built or used are found, then work should be suspended within a 10m circumference until the birds have finished breeding.

Great crested newt informative
Great crested newts are protected by the Wildlife & Countryside Act (1981) as amended and the Conservation of Habitats and Species Regulations 2017 (as amended). The following would constitute an offence:
capturing, killing, disturbing or injuring great crested newts (tadpoles or adults) deliberately
damaging or destroying a breeding or resting place
obstructing access to their resting or sheltering places (deliberately or by not taking enough care)
possessing, selling, controlling or transporting live or dead newts, or parts of them
taking great crested newt eggs
The developer has a legal obligation to avoid harm to great crested newts and should immediately stop work and seek professional ecological advice if a great crested newt is found.

As recommended in the report, one integral bat roost brick and one bird nest brick should be built into the fabric of each house (or garage). This should be conditioned. Bricks are available from several sources such as:

http://www.habibat.co.uk/integrated-bird-boxes

https://www.schwegler-natur.de/portfolio_1408366639/sperlingskoloniehaus-1sp/?lang=en

https://www.nhbs.com/4/bird-boxes?q=&fR%5bhide%5d%5b0%5d=false&fR%5blive%5d%5b0%5d=true&fR%5bshops.id%5d%5b0%5d=4&fR%5bsubsidiaries%5d%5b0%5d=1&hFR%5bsubjects_equipment.lvl1%5d%5b0%5d=Bird%20Boxes&qtview=195281

The report states that:
Consideration should be given to providing open access for swallows to non-dwelling buildings on site (such as bin stores, garages etc.) to allow continued nesting on site.

Swallow nesting provision is supported and the placing of ten man-made swallow nest cups or the provision of a roofed area with beams should be conditioned.

The elm tree on the site boundary should be retained as mitigation for white-letter hairstreak, which lays eggs on this species of tree.

The Method Statement for Contractors which forms Appendix 1 of the report should be conditioned.

Likely Significant Effect triggering Habitats Regulations Assessment

This application for 14 dwellings requires a Habitats Regulation Assessment (HRA) for the Likely Significant Effects (LSE) of Nutrient Neutrality and Increased Recreational Disturbance.

A letter from Natural England (dated 06/07/2022) to HBC confirms that if Seaton Carew or Billingham WwTW are used then the project is screened out at HRA stage 1 (regardless of a positive score in the nutrient budget calculator).

Following a Habitats Regulations Assessment (HRA) stage 1 screening, the requirement for a HRA stage 2 Appropriate Assessment (AA) has been triggered. As the competent authority, Hartlepool Borough Council has a legal duty to safeguard European Sites.

This application for the increase of 14 dwellings is a windfall project which is mitigated by adhering to the Hartlepool Coastal Mitigation Scheme. A financial contribution of £2,800 must be secured to mitigate increased recreational disturbance, and to ensure no Adverse Effect on Integrity of any European Site. The project is compliant with the Habitats Regulations.
Natural England must be consulted on the HRA AA.

Update 28/04/2024 following amended layout and amended Arboricultural Impact Assessment:

My on-going Objection remains.
I note the submitted amended Arboricultural Impact Assessment (AIA). In earlier responses I have flagged the value of wych elm trees for the Priority Species white-letter hairstreak butterfly, which occurs in the borough. I note from the AIA that the wych elm on site is to be removed:

I recommend that 5No wych elm whips are included in the soft landscaping scheme. I have not assessed the rest of the AIA and am satisfied that the Arboricultural Officer will make relevant comments.

Update 03/09/2024 following discussions regarding BNG and viability:

The Ecology Section is satisfied that the application will not cause overall harm to biodiversity.

Harm to biodiversity, due to the loss of on-site habitats within a wildlife corridor (leading to and beyond Summerhill Country Park), has been adequately compensated by a financial contribution of £10,000, which will enhance biodiversity within the borough. This sum should be secured by the LPA.

Update 19/01/2026 following re-consultation on reduced scheme:

Ecology Comments:

No objection, subject to securing a financial contribution of £10,000 to compensate for residual biodiversity loss and to deliver biodiversity enhancements within Hartlepool, the below Informatives and Conditions issued.

This response reflects the amended scheme for 9 dwellings.

Surveys

A Preliminary Ecological Appraisal & Bat Survey Report (RH Ecological Services, May 2022) was submitted previously. That report states it is valid for 2 years and requires update if works do not commence by May 2024.

Given the time elapsed, a pre-commencement update check is recommended to confirm the precautionary measures remain appropriate to current site conditions and the amended layout.

Biodiversity Net Gain (BNG):

The application was originally submitted in 2022 and therefore does not fall within mandatory statutory BNG requirements introduced in 2024. However, the mitigation hierarchy still applies, and the Council's biodiversity duty remains relevant; residual biodiversity harm should therefore be appropriately compensated.

HBC Ecology's consultation response (dated 03/09/2024) concluded that harm to biodiversity arising from the loss of on-site habitats within a wildlife corridor function (linking to and beyond Summerhill Country Park) would be adequately compensated by a £10,000 contribution, to be secured by the LPA.

Habitats Regulations Assessment (HRA):

HRA Stage 1 Screening and HRA Stage 2 Appropriate Assessment are provided below.
Nutrient Neutrality is screened out at Stage 1.
Recreational disturbance is screened in at Stage 1 and addressed at Stage 2 via the Hartlepool Coastal Mitigation Scheme (HCMS).
As this is a windfall development of nine dwellings (≤9), the HCMS funding model includes contingency provision for impacts from this scale of development, and a per-dwelling contribution is not required.
Following amendment of the scheme to 9 dwellings, the proposal no longer triggers the per-dwelling recreational disturbance contribution previously sought for the 14-

unit scheme, with impacts instead addressed through the Hartlepool Coastal Mitigation Scheme at Appropriate Assessment stage.

The site requires HRA Screening & Appropriate Assessment (included below). Natural England must be consulted on the HRA Appropriate Assessment.

Informatives & Conditions

As per previous HBC Ecology Consultee Responses (Dated: 15/09/2022), I recommend the following Informatives are issued:

Bat Informative

Bats are highly mobile species, and individual bats can turn up in any building which has suitable holes or crevices. All species of bat in the UK are protected by both UK legislation. This legal protection extends to any place that a bat uses for shelter or protection, whether bats are present or not. Should bats or signs of bats (such as droppings, dead bats etc) be discovered in any building to be demolished or altered, work should stop immediately, and advice sought from the Bat Conservation Trust or Natural England. Failure to do this may result in the law being broken. The national Bat Helpline number is: 0345 1300228.

Breeding Bird Informative
Breeding birds and their nests are protected by the Wildlife & Countryside Act (1981) as amended. It is an offence to damage or destroy the nest of a breeding bird whilst it is being built or in use. In practice the bird breeding season is mainly confined to the period from March to August inclusive, but it should be noted that some species will breed outside this period. If bird's nests that are actively being built or used are found, then work should be suspended within a 10m circumference until the birds have finished breeding.

Great crested newt informative
Great crested newts are protected by the Wildlife & Countryside Act (1981) as amended and
the Conservation of Habitats and Species Regulations 2017 (as amended). The following
would constitute an offence:
capturing, killing, disturbing or injuring great crested newts (tadpoles or adults)
deliberately damaging or destroying a breeding or resting place
obstructing access to their resting or sheltering places (deliberately or by not taking enough care)
possessing, selling, controlling or transporting live or dead newts, or parts of them
taking great crested newt eggs
The developer has a legal obligation to avoid harm to great crested newts and should
immediately stop work and seek professional ecological advice if a great crested newt is found.

As per previous HBC Ecology Consultee Responses I recommend the following Conditions:

Recommended conditions

Precautionary Method Statement
(Recommended by HBC Ecology in response dated 24/01/2024)

The Method Statement for Contractors which forms Appendix 1, pages 65-67 of the PEA (Preliminary Ecological Appraisal & Bat Survey Report; RH Ecological Services, May 2022) should be conditioned.

Note: European hedgehogs are likely to occur on site and mitigation measure to provide gaps in garden fences are included in the Precautionary Working Method Statement to be conditioned.

Bat & Bird mitigation measures

The 'Actions and Mitigation' sections for both bats and birds, pages 51-52 of the PEA (Preliminary Ecological Appraisal & Bat Survey Report; RH Ecological Services, May 2022) should be conditioned.

Note: This includes a recommendation for bat & bird roosting features (one of each per dwelling) to be incorporated into the proposal, this has been expanded upon below:

Bat & Bird Bricks (Recommended by HBC Ecology in response dated 15/09/2022)

The site is close to greenspace which supports declining species of birds and bats, which could benefit from the provision of bat roost bricks and bird nest bricks. To meet current Ecology planning requirements, the following should be conditioned:

Each dwelling shall incorporate 1 integral "universal" bird nesting brick and 1 integral bat roost brick. Prior to occupation, details (type and location) of the proposed features shall be submitted to and approved in writing by the Local Planning Authority. The approved features shall be installed prior to occupation and retained thereafter.

This net gain is appropriate to the scale of the development and should be conditioned.

Bird nest bricks and boxes are available from several suppliers such as:

https://cieem.net/swift-bricks-the-universal-nest-brick-by-dick-newell/

Habitats Regulations Assessment:

Stage 1 screening - Stage 1 findings

Nutrient Neutrality - Conclusion:

Natural England's consultation advice (08/08/2025) requires that HRA conclusions on water quality are informed by nutrient budget calculations.

For this proposal, foul drainage is stated to connect to the public sewer draining to Seaton Carew WwTW. On that basis, the nutrient budget calculation approach previously applied by HBC Ecology (dated 24/01/2024) for this application identifies 0 kg TN/year, and Natural England correspondence (dated 06/07/2022) confirms that use of Seaton Carew/Billingham WwTW screens out at HRA Stage 1.

Any material change to the foul drainage strategy would require HRA re-screening.

Recreational disturbance

Following an HRA stage 1 screening, the requirement for a HRA stage 2 Appropriate Assessment (AA) has been triggered. As the competent authority, Hartlepool Borough Council has a legal duty to safeguard European Sites.

HRA Stage 2 - Appropriate Assessment

European Sites and issues requiring Appropriate Assessment
The HRA stage 1 screening for Likely Significant Effect (LSE), screened in the following European Sites:
Teesmouth and Cleveland Coast SPA and Ramsar
Northumbria Coast SPA and Ramsar
Durham Coast SAC

That HRA stage 1 screening screened in the following LSE:
Increased recreational disturbance.

This AA assesses whether Increased recreational disturbance cause an Adverse Effect on Integrity of the Site (AEOI) and if so if this can be removed through mitigation.

Increased recreational disturbance background.

Recreational disturbance is identified as an LSE, potentially harming populations of SPA/ Ramsar birds and SAC vegetation communities. Increased recreational disturbance (including dog walking) is linked to an increase in new residents which is a consequence of housebuilding. The Hartlepool Local Plan (adopted May 2018) identified an average increase of 2.3 people per new dwelling and 24% of new households owning one or more dogs.

Since the publication of the Hartlepool Local Plan, the Local Planning Authorities (LPA) in the Tees catchment commissioned a joint study which examined the relationship between population growth and the provision of new homes. The report (dated April 2023) concludes that the nationally derived occupancy figure of 2.4 people per dwelling does not reflect local conditions, mainly due to population movement wholly within the Tees Valley area. It advises that a 5-year average of dwelling delivery (based on trends in the last twenty years) provides a reasonable, local, upper estimate. The report states that this is an occupancy figure of 0.56

people per dwelling. Natural England guidance allows for robustly evidenced locally derived figures to be used.

Mitigation

The Hartlepool Local Plan policy 'HSG1 New Housing Provision', provides allocated sites for major residential development (ten or more dwellings). These were collectively HRA assessed as part of the Hartlepool Local Plan HRA, and their mitigation is dealt with by the Hartlepool Coastal Mitigation Scheme (the 'Scheme'). Additional recreational visits to the coast are mitigated by funding and SANGS elements – the funding being based on a per-house financial allocation. The Hartlepool Local Plan aspiration is for 6,150 new houses and the value of the Hartlepool Coastal Mitigation Scheme is calculated as £424,000. The Scheme is periodically reviewed to ensure it remains robust.

All major, non-allocated housing developments, all small-scale housing developments (nine or fewer dwellings) and all Change of Use (CoU) applications which increase the number of dwellings [collectively referred to as windfall sites] are not directly covered by the Hartlepool Local Plan HRA/ Hartlepool Coastal Mitigation Scheme and (due to the People Over Wind Ruling) must be Appropriately Assessed in their own right.

However, provision to mitigate windfall housing developments is indirectly built into the Hartlepool Coastal Mitigation Scheme.

The Hartlepool Coastal Mitigation Scheme was designed so that:
A windfall housing development greater than nine dwellings can use the same funding formula (to provide a financial contribution to the Scheme) to meet its HRA AA mitigation requirements.
Developments of nine or fewer dwellings (including CoU), are mitigated by the financial contributions made by allocated housing development projects, whose contributions include a built-in contingency measure to cover the housing applications for nine or fewer dwellings.

Increased recreational disturbance conclusion.

The second bullet point (above) applies to this application. This application for the erection of nine dwellings is a windfall project which is mitigated by adhering to the Hartlepool Coastal Mitigation Scheme, which ensures no Adverse Effect on Integrity of any European Site.

Overall conclusion.

The project is compliant with the Habitats Regulations. Natural England must be consulted on the HRA AA.

HBC Engineering Consultancy: In response to your consultation on the above application:

Contaminated land

We have no objection to proposals in principle this respect, however the preliminary risk assessment/Sitecheck Access 1/8/22 supplied with the application finds a potential elevated radon risk but does not recommend protection measures for property. To clarify the level of risk the applicant must either supply additional testing information or we will need to apply our standard residential contamination condition to any permission issued for proposals.

Surface water management
No surface water management details have been provided so we are unable to provide comment on proposals. The applicant's attention is drawn to local and national policy that requires sustainable drainage (SuDS) to be employed for proposals.

In respect of demolition of the existing buildings, please note section 80 of The Building Act 1984 that requires the applicant to give notice to and receive permission from Hartlepool Borough Council for the intended demolition should that be required by the criteria stated in section 80 (1) of that act. This requirement is separate to and in addition to a planning application.

Update 29/11/2023 following receipt of contamination report:

In response to your consultation on the above amended application and further to previous comments, in respect of contaminated land information supplied finds no need for radon protection measures and as such we have no objection in this respect. Please include our standard unexpected contamination condition on any permission issued for proposals.

In respect of surface water management we have no objection in principle, drainage information has been provided that shows assets that could function subject to detailed design. As such please include the condition below on any permission issued for proposals:

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

To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity.

Can the applicant please note however that on the drainage strategy provided there is shown a significant amount of both foul and surface water drainage including flow control and attenuation assets sited within dwelling curtilages/private land and potentially highway verge. Your attention is drawn to the National Planning Policy Framework (NPPF) and House of Commons Written Statement HCWS161 that require the planning authority to ensure that maintenance arrangements are in place for sustainable drainage systems (SuDS) for the lifetime of the development. Leaving the maintenance of complex surface water drainage assets to homeowners, as it seems, will not achieve this and will increase flood risk. At discharge of condition stage there must be suitable maintenance arrangements proposed for these assets, they must be built to adoptable standard and there should be no reason why they are not adopted by Northumbrian Water. I recommend that the applicant explores siting adoptable flow control, attenuation assets and pipes within the highway in front of properties rather than within property curtilages/private land. The proposals shown on information submitted will not be acceptable to discharge the recommended planning condition shown above.

HBC Head of Service for Heritage and Open Spaces: Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets. The Park Conservation Area is the closed heritage asset to the application site.

It is noted that in a recent appeal decision the impact of development on the proposed application site was considered and it was stated that, “the proposed development would not affect the ability to appreciate the significance of the Conservation Area and its effect on setting would be neutral.”

In light of this statement there would be no objection to this proposal.

Update 15/01/2024 following receipt of amended plans:

The amended plans are noted, however my previous comments remain relevant.

Update 13/02/2024 following receipt of amended plans:

The amended plans are noted, however my previous comments submitted on 23/9/22 remain relevant.

Update 29/04/2024 following receipt of amended plans:

The additional plans are noted, however the comments previously submitted remain relevant.

Update 01/08/2025 following reduced scheme:

The amended plans are noted, however the comments previously submitted remain relevant.

HBC Landscape Architect: The proposed development will result in the loss of degraded agricultural land and existing road side planting.

Key visual receptors will be approaching users of Summerhill Country Park.

The loss of roadside planting and introduction of residential development will fundamentally alter the character of the area locally and negatively impact the approach to Summerhill Country Park.

Update 11/01/2024 following receipt of amended plans:

Previous landscape comments remain.

Update 16/02/2024 following receipt of amended plans:

Previous comments remain.

Update 05/04/2024 following receipt of amended plans:

Concur with Arb. Comments.

Update 26/04/2024 following receipt of amended plans:

Defer to Arb. Officer comments.

Update 31/07/2025 following reduced scheme:

Full hard and soft landscape details should be provided in due course.

Update 21/11/2025 following receipt of landscaping details:

Landscape details (DWG NO.D422.L.001) have been provided that are acceptable.

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

Demolition or construction works and deliveries or despatches shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 09:00 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

No open burning at any time on site.

There shall be adequate dust suppression facilities on site during demolition and construction works.

HBC Traffic and Transport: The drive crossings will be required to be constructed in accordance with the HBC Specification and be installed by a NRASWA accredited contractor.

Dropped kerbs and hard standing should be provided on the verge opposite to provide the driveways to provide pedestrian access to the footway.

Update 19/03/2024 following receipt of amended plans:

There are no highway or traffic concerns with the amended layout.

Update 04/04/2024 following receipt of amended plans:

The amended layout is acceptable.

All previous comments regarding access to footway and contributions to bypass still apply.

Update 29/04/2024 following receipt of amended plans:

Previous comments apply.

Update 28/04/2025 following discussion regarding financial contributions:

In isolation the scheme would not have a severe impact on highway safety.

This is more about the cumulative impact this scheme and other potential developments will have on traffic flow and congestion on the local highway networks, particularly the A179. This road already suffers severe congestion and at peak times traffic queues can be over 1 mile in length.

The construction of the Elwick bypass will be a significant benefit to the new development, providing the residents with a more direct / quicker route to the A19. It is only fair that developments which benefit from the construction are required to make a contribution. I would be concerned that if this requirement was waived for this development, developers would argue their requirement to contribute to the bypass in any future development proposals.

Given the previous appeal outcome Highways would be happy to defend its position at appeal.

I can confirm the plan below shows the approximate locations of the required dropped Kerbs.

Update 30/04/2025 following response from applicant re contributions:

Highways position remains unchanged with respect to this application, in that without the contribution to the Elwick Bypass and grade separated junction our objection still stands.

While a site of 14 dwellings in isolation clearly would not lead to a significant impact, the cumulative effect of future developments not being required to make the contributions that this would inevitably lead to most certainly would.

There is the potential for significant further developments to come forward on the west side of Hartlepool, some of which are already at the informal application stage, and it has always been the case that applications in this area whose traffic could conceivably be expected to use the new bypass are required to contribute towards it on a pro rata basis.

Waiving the requirement in this case would undoubtedly lead to other applications seeking the same treatment, indeed another developer has only this week sought confirmation that other sites are required to contribute in addition to theirs, and leave the Council in a position where they are potentially unable to secure appropriate contributions.

The cumulative effect of this approach would result in a detrimental impact on the local and strategic road network, with the lack of contributions impacting the viability and delivery of the bypass and GSJ as a major mitigation scheme, and this cannot be supported by the Highways Section.

Update 20/11/2025 following reduced scheme:

The proposed amendments are acceptable.

Update 24/11/2025 following query from case officer:

I can confirm that the highway contribution to the bypass is not required as its for 9 units.

The dropped kerbs can be implemented as part of a s.278 agreement and conditioned.

Tees Archaeology: The site has previously been subject to archaeological investigation, and no further archaeological work is necessary.

Update 17/01/2024 following receipt of amended plans:

Our comments of September 2022 remain unchanged.

Update 15/02/2024 following receipt of amended plans:

Our comments of September 2022 remain unchanged.

Update 02/04/2024 following receipt of amended plans:

Our comments of September 2022 remain unchanged.

Update 29/07/2025 following receipt of amended plans:

Our comments of September 2022 remain unchanged.

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

Private drive access to Plot 9 exceeds the dead-end road condition as described in ADB V1 Para 13.4 measuring 30m. It is inevitable that appliances will access this area to ensure that essential firefighting resources required for an incident are as close as reasonably practicable to ensure speed of response for any required rescues or firefighting.

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

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

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

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

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

Update 18/11/2025 following amended landscaping:

Due to the landscape proposals not affecting Access or Water supply Cleveland Fire Brigade offers no further comments to those made originally.

Cleveland Police: Police have no objections to this application in relation to security of the dwellings would recommend that all doors and accessible windows are certified to PAS 24 2016 and entrance doors fitted with Dusk/Dawn lighting with intruder alarms installed.

It is important to keep the rear of premises secure from unauthorised entry particular when these are adjacent to open ground boundaries should be 2m in height with any horizontal support rails placed on the private side of the boundary I note that planting is proposed to rear boundary I would also recommend that side boundaries to plot1 and 11 also have similar planting consisting of spikey type plants to deter access to rear gardens.

Update 10/04/2024 following receipt of amended plans:

No additional comments from us.

Update 10/05/2024 following receipt of amended plans:

Nothing further to add in relation to this amended proposal.

Update 26/11/2025 following reduced scheme:

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

I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour.

Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

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

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

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

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

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

Further information on the Secured By design initiative can be found on www.securedbydesign.com

Although not an SBD requirement, Hartlepool along with many other areas nationwide suffers from offences of metal theft. These include copper piping, boilers, cables and lead flashing. Buildings under construction are particularly vulnerable. I

recommend that alternative products be utilized where possible. Many new builds are now using plastic piping where building regulations allow and alternative lead products.

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

All doors and windows are recommended to be to tested and certified PAS24:2022+A1:2024 standards (or equivalent) This includes garage doors. These must be dual certified for both fire and security.

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

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

All proposed side and rear treatments onto public realm are recommended to be to 2.0m in height. Those to rear/rear side of Plots backing onto open space recommended to be increased to minimum of 2.2m, preferably 2.4m. Defensive planting to external façade of boundary treatments backing onto open space should be considered also and is strongly recommended. Locate all side boundary treatments as for forward to the front elevations of the properties as possible to eliminate recesses. All horizontal support rails should be on the private side of the fence and it is highly recommended to be wired internally also. Boundary treatments between rear gardens are recommended to be 1.8m in height. Often these rear side treatments are proposed to be lower-level post and rail, this option offers neither security or privacy and I would recommend against it.

Where sheds are provided for bicycle parking, they shall be certified to Sold Secure SS301 Bronze, or above and securely fixed to a suitable substrate foundation in accordance with the manufacturers' recommendations.

Blank gable ends should be avoided.

Defensible space to each plot is an important consideration.

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

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

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

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

Northumbrian Water: Thank you for consulting Northumbrian Water on the above proposed development.

In making our response to the local planning authority Northumbrian Water assesses the impact of the proposed development on our assets and assesses the capacity within our network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records.

Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit https://www.nwl.co.uk/developers.aspx.

At this time the planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We therefore request the following condition:

CONDITION: Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.
REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

How to Satisfy the Condition
The applicant should develop their surface water drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:-

- Soakaway
- Watercourse, and finally
- Sewer

If sewer is the only option the developer should contact Northumbrian Water to agree allowabledischarge rates and points into the public sewer network. This can be done by submitting a pre planning enquiry directly to us. Full details and guidance can be found at https://www.nwl.co.uk/developers/predevelopment-enquiries.aspx or telephone 0191 419 6559. The applicant should then submit a drainage strategy reflecting our recommendations for consideration as part of the planning application.

Update 09/05/2024 following reconsultation on amended plans:

Thank you for consulting Northumbrian Water on the above proposed development. In making our response to the local planning authority Northumbrian Water assesses the impact of the proposed development on our assets and assesses the capacity within our network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

I refer you to our previous response to the application, dated 19th February 2024, and can confirm that at this stage we have no additional comments to make.
I trust this information is helpful to you, if you should require any further information please do not hesitate to contact me.

Natural England (summarised):

Update 22/08/2025 following reduced scheme:

Further Information Required To Determine Impacts On Designated Sites - The proposed development has the potential to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin. Natural England's statutory advice on these potential impacts is set out below.

Designated sites

Further information required - potential water quality/nutrient impacts to European Sites (habitats sites)

This development site is within the catchment of a European Site (habitats site) vulnerable to nutrient impacts.

Within this location, proposals with the potential to affect water quality may have a likely significant effect on the qualifying features of the European Site (habitats site) through adverse nutrient impacts.

Natural England advises that such developments require a Habitats Regulations Assessment (HRA), which has been informed by nutrient budget calculations (Using the nutrient neutrality calculators - GOV.UK (www.gov.uk) or local calculator if preferred), to consider the impacts, alone and in combination with other plans/projects, proceeding to appropriate assessment stage where likely significant effects cannot be ruled out.

The HRA should take into consideration the Natural England Access to Evidence - Conservation Objectives for European Sites and it will need to set out in detail any mitigation measures that will be secured in this case, along with the necessary justification of their likely efficacy to ensure there is no adverse effect on the integrity of the site in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended).

Natural England must be consulted on any proposals which reach the appropriate assessment stage of HRA. With the consultation, please include a nutrient mitigation strategy including information on the management and monitoring of the proposed mitigation measures along with details of how they will be secured and funded in perpetuity.

Please refer to Strategic Solutions: Nutrient Neutrality (naturalengland.org.uk) for further information. Please be aware that if the information requested is not supplied, Natural England may need to consider objecting to the proposal based on potential harm to the habitats site(s).

Update 23/01/2026 following reduced scheme:

No Objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutory designated sites and has no objection.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

HBC Waste Management: Provision of Waste and Recycling Collection and Storage Facilities to new properties Developers are expected provide and ensure at the point of first occupancy that all new developments have the necessary waste bins/ receptacles to enable the occupier to comply with the waste presentation and collection requirements in operation at that time. Developers can choose to enter an undertaking to pay the Council for delivery and associated administration costs for the provision of bins/ receptacles required for each new development. These charges are a one-off cost and the bins remain the property of the Council. Alternatively, developers are required to source and provide containers which meet the specifications necessary for the required bins/ receptacles to be compatible with the Council's waste collection service and vehicle load handing equipment. Please see our "Developer Guidance Waste and Recycling for new properties" document which can be found at www.hartlepool.gov.uk/usingyourbins for further information.

Update 09/01/2024 following receipt of amended plans:

Provision of Waste and Recycling Collection and Storage Facilities to new properties Developers are expected provide and ensure at the point of first occupancy that all new developments have the necessary waste bins/ receptacles to enable the occupier to comply with the waste presentation and collection requirements in operation at that time. Developers can choose to enter an undertaking to pay the Council for delivery and associated administration costs for the provision of bins/ receptacles required for each new development. These charges are a one-off cost and the bins remain the property of the Council. Alternatively, developers are required to source and provide containers which meet the specifications necessary for the required bins/ receptacles to be compatible with the Council's waste collection service and vehicle load handing equipment.

HBC Estates: This development would require access over non-adopted land owned by the Council. The applicant would need to purchase the land from the Council to facilitate this development.

Update 29/07/2025 following reduced scheme:

Our previous comments still stand.

HBC Parks and Countryside: No comments received.

HBC Public Health: No comments received.

Vodafone (Phone Mast Operator): No comments received.

PLANNING POLICY

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

Local Policy

Hartlepool Local Plan

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

CC1: Minimising and Adapting to Climate Change
CC2: Reducing and Mitigating Flood Risk
CC3: Renewable and Low Carbon Energy Generation
HSG1: New Housing Provision
HSG1A: Ensuring a Sufficient Supply of Housing Land
HSG2: Overall Housing Mix
HSG9: Affordable Housing
INF1: Sustainable Transport Network
INF2: Improving Connectivity in Hartlepool
INF4: Community Facilities
LS1: Locational Strategy
NE1: Natural Environment
NE2: Green Infrastructure
NE3: Green Wedges
QP1: Planning Obligations
QP3: Location, Accessibility, Highway Safety and Parking
QP4: Layout and Design of Development
QP5: Safety and Security
QP6: Technical Matters
QP7: Energy Efficiency
SUS1: The Presumption in Favour of Sustainable Development

Relevant Supplementary Planning Documents (SPDs)

Residential Design SPD (2019)
Planning Obligations SPD (2015)

National Planning Policy Framework (NPPF)(2024)

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

PARA001: Role of NPPF
PARA002: Determination of applications in accordance with development plan
PARA003: Utilisation of NPPF
PARA007: Achieving sustainable development
PARA008: Achieving sustainable development
PARA009: Achieving sustainable development
PARA010: Achieving sustainable development
PARA011: The presumption in favour of sustainable development
PARA012: The presumption in favour of sustainable development
PARA039: Decision making
PARA048 Determining applications
PARA056: Planning conditions and obligations
PARA057: Planning conditions and obligations
PARA058: Planning conditions and obligations
PARA059: Planning conditions and obligations
PARA061: Delivering a sufficient supply of homes
PARA079: Maintaining supply and delivery
PARA092: Promoting healthy and safe communities
PARA093: Promoting healthy and safe communities
PARA095: Promoting healthy and safe communities
PARA105: Promoting sustainable transport
PARA111: Considering development proposals
PARA113: Considering development proposals
PARA120: Making effective use of land
PARA121: Making effective use of land
PARA125: Achieving appropriate densities
PARA127: Achieving well-designed places

PARA130: Achieving well-designed places
PARA134: Achieving well-designed places
PARA163: Meeting the challenge of climate change, flooding and coastal change
PARA164: Meeting the challenge of climate change, flooding and coastal change
PARA174: Planning and flood risk
PARA187: Conserving and enhancing the natural environment
PARA192: Habitats and biodiversity
PARA193: Habitats and biodiversity
PARA197: Habitats and biodiversity
PARA199: Habitats and biodiversity
PARA202: Conserving and enhancing the historic environment
PARA206: Conserving and enhancing the historic environment
PARA208: Conserving and enhancing the historic environment
PARA212: Conserving and enhancing the historic environment -Considering potential impacts
PARA231: Implementation

HBC Land Use Policy Comments:
BACKGROUND

4.21 A scheme for nine units was granted planning permission in 2014, but the consent (H/2014/0035) has since lapsed.

4.22 An application H/2017/0054 for 14 units was minded to approve subject to the signing of a section 106 legal agreement. The legal agreement relating to H/2017/0054 has never been signed as the applicant and HBC could not agree upon the planning obligation position.

4.23 The application was subject to an appeal and the appeal was dismissed.

Determining the application

Principle of development
4.24 The principle of residential development is acceptable within this location. The site is within the limits to development. The site is located within the green wedge in which development should often be discouraged, however the site is on brownfield land and utilising the land is more appropriate than leaving underutilised and with buildings (containers etc.) that are no longer required.

Layout and design
4.25 Planning Policy have some concerns regarding plots 1, 4, 5 and 9.

4.26 Plot 1 (house type E) and four (house type D) have projections from the front elevations that contain a ground floor double garage, a master bedroom and family bathroom on the first floor. These projections are hard up against the route into Summerhill and appear to be bulky and intrusive within that pleasant through route. Consideration should be given to amending the design of the dwellings to make them less dominating, i.e. by moving the dwellings further north, reducing the size of the garage to a single garage and store along with reducing the size of the master bedroom.

4.27 Plot 5 and 9 (both house type C) have detached garages to the front. These garages are bland and dominating additions to this attractive semi-rural streetscene. Planning Policy would request that the garages are removed and replaced with grass, or permeable and attractive parking bays this would allow the semi - rural charm of the route could be better retained.

4.28 The elevations of the dwellings are more akin to an urban location rather than this semi-rural locations. There are no attractive features on the dwellings that may typically be seen in the rural area.

4.29 Maybe is if the stone plinths were cream instead of the colour shown, and instead of the grey cladding softer colour cladding is used or a render that is more common within the rural area. The glazed panels on house type D and E are more typical of a medical practice, not a semi-rural dwelling. The garage doors could be better designed, they are dominating in black and are not rural in style. Choosing a more appropriate garage door and front door design is a low cost but effective way to improve the look of the dwellings. Amending the roofs to include some hipped roofs may also be an improvement design to break up the bulky dominant dark brown and black masses.

4.30 Overall the dwellings design is disappointing and not something Planning Policy would expect to see in this location. Planning Policy would urge the applicant to consider investing more in designing more appropriate dwellings and ensuring the proposal is fit for its locations.

Developer contributions

4.31 In the interests of providing sustainable development and in ensuring that the proposal is acceptable in planning terms Planning Policy would contend that consideration should be given to the need to improve the overall site by providing facilities on site or within the vicinity of the site to reduce the need to travel by private car.

4.32 All developer contributions have been considered on the basis that this is a net increase of 13 dwellings.

Play and sports provision

4.33 In line with Local Plan Policy QP1 and the 2015 Planning Obligations SPD, play and sports provision should be provided in housing developments comprising of five dwellings or more.

4.34 The site is likely to be home to a number of children and therefore a contribution of £250 per dwelling (£3,250) should be provided. Such monies could be directed towards creating more/improving the play facilities at Summerhill Country Park.

4.35 In the interests in ensuring that residents have access to a variety of leisure opportunities and in having regard to the size of the site, it would be unreasonable to suggest that the applicant should provide a new built sports facility on site. However it is necessary to assist in improving of the built sports facilities in which residents

are likely to use and the closest facilities would be Summerhill Country Park. A sum of £250 per dwelling (£3,250) should be provided and directed towards improving the Summerhill multi-user route to the south of the park.

4.36 A contribution of (£233.29 per dwelling (£3,032.77) should be sought towards playing pitches at English Martyrs School.

4.37 A contribution of £57.02 per dwelling (£741.26) should be sought for Tennis Courts at English Martyrs School.

4.38 A contribution of (£4.97 per dwelling £64.61 should be sought for offsite Bowling Greens.

Green infrastructure

4.39 The only green features on site is the planting to the south of plant and nine. Given the size of the site coupled with the good garden sizes it is not necessary to provide pockets of green space on site. However to ensure that residents have the option to have access to green links a contribution of £250 per dwelling (£3250) should be sought and directed to in providing the links between the site and Summer Hill Country Park.

Education Provision

4.40 The provision of additional school places is essential to ensure sustainable growth in Hartlepool. Given that the proposed dwellings are for family accommodation, it is necessary to provide a contribution towards improving and/or adding to the surrounding school facilities that the children are likely to attend. The following education contributions should be sought:

- Primary school provision - West Park Primary School (£38,514.00)
- Secondary school provision – English Martyrs RC Secondary School (£25,242.58)

Highway Provision

4.41 Due to the location of the development to the western edge of the urban area, it is considered that there will be an increase of traffic on to the local network; this includes an impact on access to the A19, which is already at capacity. Therefore a contribution is required towards the construction of the Elwick bypass and grade separated junction.

4.42 The Elwick by-pass and grade separated junction is a necessary highway improvement. The costs of the bypass and grade separated junction are estimated in the Local Plan to be in the region of £18m. As set out in the Local Plan, developments in Hartlepool which are considered to have an impact on the need for this are expected to contribute towards repaying this prudential borrowing. On the basis that High Tunstall will provide 1200 dwellings, Quarry Farm 2 will provide 220 dwellings and other smaller sites in the vicinity and at Elwick could deliver up to another 100 a cost per dwelling has been worked out.

- Overall the cost of works £18 million, this is to be paid for by a 1500 dwellings. The cosy per dwelling equates to £12,000.

- Therefore this development would need to contribute £12,000 x 13 = £156,000.

Ecology Requirement
4.43 In order to address the impact of the development on the SPA, there is a requirement for ecological mitigation. In this instance the information as set out by the HBC Ecologist is that a contribution of £200 per dwelling is required, hence an overall contribution of £2,800.

Other requirements with financial implications
4.44 Planning Policy request that 10% of the energy demand for the dwelling is provided by a renewable source and that opportunities for an electric vehicle charging point are included.

Viability
4.45 It is noted that the viability of the scheme has been looked at in 2017 and in 2020. A viability assessment has not been submitted with this application, should the applicant consider that the above required obligations would render the scheme unviable then a viability assessment should be summited as justification.

Update 09/02/2023 following receipt of Development Appraisal:

4.46 It is noted that the 'Development Appraisal' is very brief, with no supporting text/commentary. It has not been prepared in accordance with, or reference to, national planning practice guidance on viability (Viability - GOV.UK (www.gov.uk)). As such, we reserve the right to raise queries over the figures within it in due course, to aid interpretation and interrogation (Paragraph: 020 Reference ID: 10-020-20180724).

4.47 Notwithstanding this, the applicant is asked to confirm what contribution(s), if any, they are offering to make at this time.

4.48 Regarding the £12,000 per dwelling highways contribution to the bypass, it is confirmed that this remains fully justified.

Update 18/12/2023 following receipt of Viability Assessment:

4.49 With reference the above application, this is an email to confirm that Planning Policy is satisfied that that the applicant has established that is not financially viable to agree to/make the £ contributions set out in previous Planning Policy comments (24/10/22), EXCEPT for the mandatory £200 per dwelling payment for the SPA mitigation scheme. This mandatory payment totals £2600, on the basis that the net increase is to be 13 dwellings (14-1). This conclusion has been reached with reference to the latest 'Development Appraisal' calculation (Ver 2 Oct 2023) which projects a 14.2% developer profit with the above contribution only. Furthermore it has also been reached following receipt and review of a number of documents and exchange of emails submitted by / on behalf of the applicant over the course of the last 6 months. These documents and communications have all been saved in Enterprise.

4.50 The previous application H/2017/0054 was refused and then dismissed appeal for reasons including the absence of requested contributions and that the applicant had failed to satisfactorily demonstrate their viability argument proposing a much reduced amount. Significant time has however since passed and it is recognised that market conditions for small and medium sized house builders are particularly challenging. At Planning Policy's request, the above submissions have been carried out in recent months; these more robustly evidence the viability challenge for this site/proposal and ultimately are considered to justify the applicant's position.

4.51 Local Plan policy QP1: Planning Obligations states 'The Borough Council will seek planning obligations where viable and deemed to be required to address the impacts arising from a development'. Planning Policy is satisfied that no planning obligations are viable in this case (other than the mandatory SPA mitigation payment – which the applicant does not dispute the need for). Furthermore, given the limited scale and nature of the proposal as a small-scale major on brownfield land in a sustainable location, it is not considered that a failure to secure contributions to other types of infrastructure will have a significant harmful impact/pressure such to justify reason(s) for refusal, but rather that their absence should be more appropriately simply weighed in as a negative factor within the overall planning balance.

Update 09/04/2024 following amendments to the layout:

4.52 The layout looks much improved, the principle of development is acceptable and PP are satisfied with the design as a whole, any intricate issues its trusted that you are more than capable of addressing.

Update 17/09/2024 following confirmation of the contribution to mitigate against recreational disturbance and a net loss for biodiversity:

4.53 I recall looking at the viability of this scheme over time and I am aware it's tight. I note the £10,000 contribution and the £2,600 S106 contribution (for GI if I recall), the lower than often agreed profit margin is also noted.

4.54 Planning Policy are satisfied with the information provided and would thus advise that you can proceed to determining the application.

Update 16/11/2025 following amended landscaping:

4.55 Principle argument has been put forward by us lot - we are more than happy to leave Landscape in your capable hands.

Update 27/01/2026 following reduced scheme:

4.56 Thank you for consulting Policy on this one. The prior position regarding the acceptability in principle (green wedge vs brownfield land reuse) has been agreed previously and thus remains the same for the purpose of these comments. Our response focuses on the implications of the adjusted quantum of development with regards to the required planning obligations.

4.57 A financial contribution toward the Bypass was previously required based on a higher quantum of development and its associated impact upon the highway. It is noted that the quantum has reduced below the major development threshold and thus it is considered that the highway impact is likely to be limited and the need for the Bypass contribution not justified on this occasion. The planning obligations set out below should be secured and given that the proposals have changed substantively, including a smaller developable area and no longer having to demolish the building on-site, it is considered that the viability context has changed enough that if the below obligations cannot be paid then an updated viability assessment should be requested.

4.58 Based on the provision of 9 dwellings, the following list of obligations would be expected:

- Built Sports Facilities: £2,250
- Green Infrastructure: £2,250
- Outdoor sport and play facilities, Childrens Play: £2,250
- Outdoor sport and play facilities, Playing Pitches: £2,099.61
- Outdoor sport and play facilities, Tennis Courts: £513.18
- Outdoor sport and play facilities, Bowling Greens: £44.73

PLANNING CONSIDERATIONS

4.59 The main planning considerations of this application are the compliance of the proposal with national and local planning policy, (the principle of housing development, sustainability of the site, planning obligations), impact upon the visual amenity of the area, landscaping, impact on the amenity and privacy of existing and future neighbouring land users, ecology and nature conservation, impact on heritage assets and archaeological features, impact on highway and pedestrian safety, flooding and drainage. These, and any other material planning considerations, are considered in detail in the sections below.

PRINCIPLE OF DEVELOPMENT

4.60 The application site is located within the development limits as defined by Policy LS1 of the Hartlepool Local Plan (2018), albeit within the Green Wedge, as defined by Local Plan Policy NE3.

4.61 Policy NE3 of the Hartlepool Local Plan (2018) sets out that development within the green wedge would not typically be supported without robust justification or compensation elsewhere. Approval will only be given for the development of buildings which:

- comprise extensions to existing premises located within a green wedge, or
- provide facilities ancillary to existing or proposed recreation, leisure, sporting or other uses compatible with the open nature of the green wedge, or
- relate to the provision, enhancement or management of areas of biodiversity value, and
- there is no significant adverse effect on the overall integrity of the green wedge.

4.62 Whilst it is acknowledged that the proposed development would not strictly meet any of the above requirements, it is acknowledged that the application site primarily comprises an area of hardstanding that was formerly part of a farm holding, housing ancillary buildings which have now been demolished, and therefore constitutes brownfield land. It is considered that utilising the land is more appropriate than leaving it underutilised and with buildings (containers etc.) that are no longer required. It is also considered that the application site is relatively sustainable in locational terms, as identified in the comments from the Council's Land Use Policy team.

4.63 It is of further consideration that a scheme for nine units was granted planning permission in 2014, but the consent (H/2014/0035) has since lapsed. It is noted that whilst a scheme 14 units was orginally 'minded to approve' subject to the signing of a section 106 legal agreement (H/2017/0054), however the legal agreement was never signed as the applicant and HBC could not agree upon the planning obligation position, and the application was then refused for five reasons (as detailed in the 'background' section of the report). The application was subject to an appeal and the appeal was dismissed. Nevertheless, consideration is given to H/2014/0035 which was 'minded to approve' prior to the adoption of the Local Plan, and this proposed development was accommodated for and accepted.

4.64 The NPPF is a material planning consideration in the determination of planning applications and was updated in December 2024. The policies within the 2018 Local Plan were found to be in accordance with the 2012 version of the NPPF. The Council's Planning Policy section are of the view that the policies within the 2018 Local Plan are significantly aligned with the updated NPPF and thus the Local Plan is paramount in determining this application. Notwithstanding the above, the relevant NPPF (2024) paragraphs have been applied to assist in determining this application.

4.65 Policy LS1 of the Hartlepool Local Plan (2018) supports sustainable development based on a strategy of balanced urban growth with expansion being concentrated in areas adjoining the existing built-up area to ensure that growth occurs in a controlled way and is delivered alongside local and strategic infrastructure improvements, whilst Policy SUS1 of the Hartlepool Local Plan (2018) sets out that proposals for new development should be located on previously developed or brownfield land and should be designed in a sustainable way.

4.66 Paragraph 61 of the NPPF (2024) seeks to support the Government's objective of significantly boosting the supply of homes, stating that it is important that a sufficient amount and variety of land can come forward where it is needed.

4.67 Paragraphs 125 and 126 of the NPPF (2024) seek to promote making effective use of using suitable brownfield land or under-utilised land and buildings for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land, by taking a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable brownfield sites. Paragraph 127 of the NPPF (2024) requires planning policies and decisions to reflect changes in the demand for land, and that where it is considered that there is no reasonable prospect

of an application coming forward for the allocated use, it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs, and, in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.

~~4.68~~ The application site is considered to be within relatively close proximity to shops and services and public transport links and therefore deemed in a locational sense to be sustainable. It is therefore considered that the site is a suitable sustainable location in line with the aspirations of the NPPF (2024) as a whole.

Planning Obligations

4.69 In the interests of providing sustainable development and in ensuring that the proposal is acceptable in planning terms, and in accordance with Policies QP1 (Planning Obligations) and HSG9 (Affordable Housing) of the Hartlepool Local Plan (2018) and the Planning Obligations SPD (2015), the Council's Planning Policy section has confirmed that given the size of the proposed residential development, and in the interest of providing sustainable development, a commitment from the developer in terms of the provision of the following should be sought:

- Built Sports Facilities: £250 per dwelling, total £2,250
- Green Infrastructure: £250 per dwelling, total £2,250
- Outdoor sport and play facilities, Childrens Play: £250 per dwelling, total £2,250
- Outdoor sport and play facilities, Playing Pitches: £233.29 per dwelling, total £2,099.61
- Outdoor sport and play facilities, Tennis Courts: £57.02 per dwelling, total £513.18
- Outdoor sport and play facilities, Bowling Greens: £4.97 per dwelling, total £44.73

4.70 The HBC Ecologist has also requested a financial contribution towards a scheme to compensate for loss of on-site habitat. The Council's Ecologist has confirmed that the financial contribution figure of £10,000 towards enhancing biodiversity in the borough would be acceptable in this instance and the applicant has agreed to this in writing. It is noted that without this mitigation, the Council's Ecologist would object to the scheme. This would need to be secured through the s106 legal agreement along with the above listed financial contributions and obligations.

4.71 The applicant has agreed has to the above measures which would need to be secured by a S106 legal agreement and appropriate planning conditions. Other planning obligations include the requirement for long term maintenance and management of any soft landscaping areas (out with the curtilage of the dwellings).

4.72 As discussed, the proposal has been amended during the course of consideration, with amendments including the reduction in the overall scheme from 14 dwellings to 9. Given that the scheme has been reduced to under 10 dwellings, this has a resultant impact on financial obligations and contributions, including there

no longer being a requirement (in planning terms) for a mandatory financial contribution (£200 per dwelling) towards wardening to mitigate likely recreational disturbance or a contribution (£12,000 per dwelling) towards the construction of the Grade Separated Junction at the A19 Elwick as confirmed by the relevant technical consultees and as discussed further in the report below.

4.73 In view of the above, given the amendments to the application and the reduction in the overall scale of the development to 9 dwellings, as well as the agreed financial contributions and other obligations (including the £10,000 compensation for loss of biodiversity), it is considered that reasons 1, 2 and 4 of the previously refused application H/2017/0054 would not apply to the current application.

Energy Efficiency

4.74 Policy QP7 (Energy Efficiency) of the Local Plan seeks to ensure high levels of energy efficiency in all development, and the development is therefore expected to be energy efficient. In line with this Policy, the development is required to ensure that the layout, building orientation, scale and form minimises energy consumption and makes the best use of solar gain, passive heating and cooling, natural light and natural ventilation alongside incorporating sustainable construction and drainage methods.

4.75 In respect to energy efficiency, it is of note that Building Regulations have been updated as of 15th June 2022, and any forthcoming Building Regulation application will now be assessed under the new Regulations. In light of the above, given the implementation and requirements of the new Building Regulations, a planning condition is not required in respect of any energy efficiency improvement (previously required to be 10% improvement above the Regulations, prior to 15th June 2022) and such matters will need to be addressed through the new Building Regulations requirements.

4.76 As the application is no longer a ‘major’ application (less than 10 dwellings), any requirements for 10% renewable energy or electric charging point provision is no longer applicable to the application.

4.77 The application is therefore considered on balance to be acceptable with respect to energy efficiency and renewable energy provision.

Planning Balance

4.78 In weighing up the balance of policies in favour of against the main policies of constraint (Policies LS1 and NE3 of the Hartlepool Local Plan (2018)), emphasis is placed on balancing any identified potential harms of a proposal against the prospective benefits of development.

4.79 The NPPF (2024) applies a presumption in favour of sustainable development and states that “achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways”. In this context and in weighing up

the balance of the proposal, the main benefits and adverse impacts arising from the proposal (in the above context) are outlined below:

Benefits

- The proposed development would repurpose brownfield land, remove untidy disused buildings/land (on the approach to Summerhill Country Park) to the benefit of existing and future residents of the Borough (social, economic + environmental)
- The proposed development would improve the visual amenity of the area (particularly on the approach to Summerhill Country Park) (social + environmental)
- The proposed development would result in some additional tree and hedge planting (environmental)
- The proposed development would provide all of the pro-rata financial contributions to built sports, outdoor sport and play facilities and green infrastructure (economic + social)
- The proposal will provide a very modest contribution towards the council's 5 year housing supply including a mix of housing types (economic*)
- **there will also be 'social' benefits delivered by private housing provision however this benefit is reduced by no affordable housing provision as it is not required for this scale of development*

Adverse impacts

- The proposed development would have a potential detrimental impact on a parcel of land allocated as a green wedge, contrary to Local Planning Policy NE3 (social + environmental)
- The proposed development would result in a net loss to biodiversity with potential adverse ecological impacts (environmental)

4.80 In terms of the loss of green wedge, this impact is considered in the planning balance (as set out above) and in this instance, such impacts would not warrant a refusal of the application, a view supported by HBC Planning Policy. Furthermore and in terms of the resulting net loss to biodiversity, as set out in the Ecology section (below), As noted above, the application is not subject to a mandatory 10% net gain for biodiversity, although local and national planning policy would still require that the proposal does not result in an overall net loss for biodiversity. Whilst the Council's Ecologist has commented that it is disappointing that the proposed scheme would result in an overall net loss for biodiversity of 36.14% Habitat Units and 27.2% Hedgerow Units and would not achieve a biodiversity net gain (by way of providing 0.43 Habitat Units), the scheme would secure a financial contribution towards biodiversity improvements and it is of note that the Council's Ecologist has not formally objected to the proposals.

4.81 In conclusion, and when weighing up the balance of the benefits of the proposed residential development against the location being allocated as a green wedge (under Policy NE3), that the scheme results in biodiversity 'loss' and does not provide any affordable housing, it is considered that these impacts would, on

balance, be outweighed by the identified economic, environmental and social benefits of the proposal.

Principle of Development Conclusion

4.82 In view of the above considerations, the principle of development is, on balance, considered to be acceptable in this instance. Whilst it is acknowledged that the proposal has its shortcomings in terms the location on a green wedge and resulting in a net loss to on site biodiversity, weight in the overall planning balance is given to the positive benefits of the scheme, including the significant benefits of bringing a brownfield site back into use and that it would achieve all of the requested planning contributions, which officers consider would outweigh any disbenefits of the proposal being located on a green wedge and resulting in an overall net loss to on site biodiversity.

4.83 Overall, the principle of development is considered to be acceptable in this instance, subject to the proposal satisfying the main planning considerations of this application as set out in detail in the sections below.

IMPACT ON THE CHARACTER AND APPEARANCE OF THE AREA (INCLUDING THE NEARBY CONSERVATION AREA)

4.84 Policy QP4 (Layout and Design of Development) of the Local Plan seeks to ensure all developments are designed to a high quality and positively enhance their location and setting. Development should be of an appropriate layout, scale and form that positively contributes to the Borough and reflects and enhances the distinctive features, character and history of the local area, and respects the surrounding buildings, structures and environment.

4.85 Policy NE1 (Natural Environment) of the Local Plan requires all development ensures that the character, distinctiveness and quality of the Borough's landscape is protected and, where appropriate, enhanced. Policy NE3 (Green Wedges) of the Local Plan requires mitigation measures to be provided and enhancement of the green infrastructure network.

4.86 Paragraph 135 of the NPPF (2024) stipulates that planning decisions should ensure that developments, amongst other requirements, will function well and add to the overall quality of the area, are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

4.87 The application site is situated on the northern side of Summerhill Lane, whereby the proposed development would be situated on an area of land adjacent to Southbrooke Farm which formerly occupied farm buildings which have now been demolished, in an area which is generally characterised by allotments, fields and landscaping.

4.88 It is acknowledged that the site is within a designated Green Wedge, however the site is within the limits to development, which was revised as one of the

main modifications to the Local Plan when it was adopted in 2018, which primarily reflects the previous decision H/2014/0035 which was approved in March 2014.

Semi-Rural setting and landscaping

4.89 The area is characterised as a semi-rural setting, with allotments opposite the site, and Catcote School and English Martyrs beyond. The main highway of Summerhill Lane leads on to Summerhill Country Park.

4.90 It is acknowledged that the Council's Landscape Architect has expressed concerns that the proposals would result in the loss of agricultural land and roadside planting which would alter the character of the local area and the approach to Summerhill Country Park. Whilst the proposals would result in the removal of some trees and hedges, consideration is given to the proposed planting of a large number of trees and hedges to include a planting belt of native species along the northern boundary to define the boundaries of the plots with the allotments to the north, as well as the planting of street trees along the southern boundary and within the front garden areas of individual plots. The comments from the Council's Arboricultural Officer confirm no objections subject to the submission of detailed landscaping plans, and this can be secured by appropriate planning conditions, which are duly appended. The Council's Arboricultural Officer has confirmed that the planting mix should be designed in accordance with guidance from the Trees & Design Action Group entitled 'Tree Species Selection for Green Infrastructure'. This advice can be relayed to the applicant via an informative.

4.91 The application site is relatively level, and it is considered that the proposal, which would be of a linear layout and appearance (albeit with some modest staggers), would not result in a significant detrimental impact on the rural character and appearance of the Green Wedge and the immediate area. It is further considered that the proposal would not result in an over development of the site. Nevertheless, it would be prudent to secure details of existing and proposed site levels, and a planning condition is required in this respect.

4.92 It is noted that in the appeal decision for H/2017/0054, the Inspector considered that "the presence of built development would not be a new feature within the site, as prior to demolition it included a number of considerably sized agricultural buildings" and that "when viewed from the rear, the proposed development would appear as a relatively isolated row of modern two storey houses. By virtue of the narrow shape of the site, it is logical that the dwellings would be arranged in the manner proposed to make best use of land".

4.93 The submitted elevations drawings for each of the house types details that windows would be white uPVC, whilst front doors, garage doors and rainwater goods would be black. Final finishing materials of the proposed dwellings can be secured by planning condition, which is considered necessary in this instance.

4.94 Overall, subject to the above considerations and having regard to the existing semi-rural setting and the existing and proposed landscaping, alongside the identified planning conditions, the application is considered to respect the

appearance of the application site and surrounding area in terms of the rural setting and landscape impact.

Nearby heritage assets (Park Conservation Area)

4.95 The application site can be viewed from the Park Conservation Area, a designated heritage asset when standing on the boundary at Briarfields Allotments (some 400m away). The application site is separated from the boundary of the Conservation Area by open fields. As noted above, the proposals include a strip of landscaping to the northern boundary, which would separate the rear gardens of the proposed plots from the allotments to the rear/north, and in turn provide an element of screening between the proposed development and the Park Conservation Area.

4.96 When considering any application for planning permission that affects a conservation area, the 1990 Act requires a local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. In considering the impact of development on heritage assets, the National Planning Policy Framework (NPPF) looks for local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness (paragraphs 207 & 214, NPPF).

4.97 The relevant Local Plan Policies are set in detail within the comments of the Council's Head of Service for Heritage and Open Spaces.

4.98 When considering the effect of the proposal on the significance of the area, it is of note that during consultation for the previous application H/2017/0056, the Council's Head of Service for Heritage and Open Spaces considered that the proposals would have the potential to impact an area of the Park Conservation Area when viewed from the boundary of Briarfields Allotments and that there were no identified public benefits that would outweigh such harm at that time. The Inspector, in the appeal decision for H/2017/0056, commented that "the proposed development would not affect the ability to appreciate the significance of the Conservation Area and its effect on setting would be neutral." Although it is acknowledged that the proposal would change the setting of the conservation area from one of open countryside and farm buildings to a more regular pattern of residential development, the Council's Head of Service for Heritage and Open Spaces has had regard to the appeal decision (and the comments from the Inspector in this respect) and has confirmed no objections to the proposal, in terms of any impacts on the significance of the Park Conservation Area.

4.99 In view of the above, it is considered that the proposals would not result in such an adverse impact on the designated heritage assets of the nearby Park Conservation Area as to warrant a reason to refuse the application in this instance.

<u>Character and Appearance Conclusion</u>

4.100 Having regard to the above considerations, taking account of the scale, design and location of the proposed development, it is considered that the proposed dwellings and related infrastructure would have an acceptable impact on the surrounding area and open countryside, including the nearby designated heritage

asset of the Park Conservation Area and nearby allotments, subject to the recommended planning conditions. The proposal is therefore considered to accord with the relevant planning policies of the Hartlepool Local Plan (2018) and the provisions of the NPPF (2024).

IMPACT ON HIGHWAY AND PEDESTRIAN SAFETY

4.101 The Council's Traffic and Transport section have been consulted and raise no objections to the proposal in terms of its design, access and layout. In respect to the location of the proposed development, the Council's Traffic and Transport team have requested that dropped kerbs and hard standing should be provided on the verge opposite to provide pedestrian access to the footway. Whilst their implementation is a matter for highways legislation, a planning condition can ensure that these are provided at an appropriate time (i.e. prior to completion or occupation) to the satisfaction of the Local Planning Authority, and such a condition is recommended accordingly.

4.102 The Council's Traffic and Transport team have advised that drive crossings would be required to be constructed in accordance with the HBC Design Guide and Specification and be installed by a NRASWA accredited contractor. In order to gain pedestrian access dropped kerbs and hard standing should be provided on the verge opposite to enable pedestrian access to the footway. These matters can be controlled via informatives, which can relay this advice to the applicant.

4.103 As noted in the viability section above, the Council's Traffic and Transport team previously confirmed that the development would be required to pay a pro-rata contribution to the proposed Elwick bypass and grade separated junction onto the A19, as the development would benefit from these works. This remains the consideration as the previous application H/2017/0054 and was included as a reason for refusal (reason 2), which was upheld in the related appeal decision APP/H0724/W/21/328610. As noted above, the application has since been amended to reduce the scheme from 14 dwellings to 9 dwellings, and therefore the requirement for this contribution is no longer applicable (as the scheme is under 10 dwellings), as agreed by the Council's Traffic and Transport team and the Council's Land Use Policy team. It is considered that the scheme is acceptable in this respect.

4.104 In view of the above and including no objections from HBC Traffic and Transport, it is considered that the proposal would not result in a detrimental impact on the local and strategic road network, when taking into account Policies LS1, INF2 and QP1 of the Hartlepool Local Plan (2018) and the Council's Planning Obligations SPD (2015).

ECOLOGY AND NATURE CONSERVATION

4.105 The Council's Ecologist has provided a response to the planning application having regard a number of potential impacts from the proposed development including the biodiversity value of the site and loss of habitat considerations; the consideration of the potential biodiversity enhancement; the potential for increased nitrogen pollution, as a result of increased overnight accommodation being provided; and the assessment of recreational disturbance, as a result of increased populations

utilising public amenity areas, where protected birds and vegetation communities co-habit these spaces. These matters are duly considered below.

1) Biodiversity Value and Loss of Habitat

Biodiversity

4.106 The application site relates to a vacant parcel of land which previously comprised farm buildings which have since been demolished, and it is of note that there is one residential dwelling on the site and a number of other buildings have been demolished.

4.107 The application was submitted prior to mandatory Biodiversity Net Gain (BNG) requirements that came into force in February 2024. Consequently, the application is not required to meet mandatory BNG requirements in this respect. Notwithstanding this, both the Hartlepool Local Plan and the NPPF (2024) as well as previous iterations of the NPPF seek to obtain a value of "no net loss" for biodiversity from development sites, and this has been a validation requirement at HBC since July 2022.

4.108 As such, the application is supported by a Biodiversity Metric 3.1 and a BNG Plan. The Metric shows a loss of 36.14% habitat units and a loss of 27.2% hedgerow units (a loss of 0.84 habitat units and 0.22 hedgerow units). It is prudent to note that the applicant's submitted BNG Plan indicated that an area of land would be required to create BNG, and that this may be possible on a parcel of land beyond the northern boundary of the application site. However, the applicant has since confirmed that purchasing the land to the north of the site is not possible or viable, and that there would be no area available for off-site BNG to be achieved.

4.109 The Council's Ecologist has had regard to the application site and the submitted Biodiversity Metric 3.1 and BNG Plan and initially confirmed that the provision of BNG on land to the northern boundary of the application site would have been acceptable (and would have needed to have been secured for 30 years), however owing to the applicant's confirmation that this solution is no longer possible, the Council's Ecologist recommended that the Biodiversity Metric was re-run however the applicant confirmed that it was costly to do so and would render the scheme even more unviable. The Council's Ecologist and the Council's Planning Policy team have confirmed that the previously submitted Metric is acceptable in this instance. The Council's Ecologist has ultimately confirmed that a financial contribution of £10,000 to be spent on enhancing biodiversity across the borough, would be acceptable in order to provide adequate compensation to enhance biodiversity within the Borough. In view of this contribution, it is considered there would not be any significant harm to biodiversity resulting from a development that cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, as required through paragraph 193(a) of the NPPF (2024).

Ecology compensation measures and enhancement

4.110 Ecological mitigation, compensation and enhancement (as per the NPPF) is additional to BNG and is aimed at providing opportunities for protected and priority

species, which are not otherwise secured under the purely habitat based BNG approach.

4.111 The NPPF (2024) requires development to provide net gains for biodiversity. In particular, paragraph 187(d) states that planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Net gain should be appropriate to the scale of the development and should be conditioned.

4.112 Paragraph 193(a) of the NPPF (2024) states that when determining planning applications, local planning authorities should apply the following principles:
- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

4.113 The Council's Ecologist has requested that measures detailed in the submitted Preliminary Ecological Appraisal (PEA) (to include a method statement for contractors, tree protection and hedgehog access holes in boundary fences) is conditioned, albeit given the time that has elapsed since the PEA was undertaken, an updated pre-commencement survey is required to confirm that measures remain appropriate. These can be secured by way of planning conditions securing an updated PEA, together with the Precautionary Working Method Statement detailed in Appendix 1 of the submitted document, is provided, and that hedgehog access is provided in boundary fences, which are duly recommended. The Council's Ecologist has recommended the inclusion of informatives in respect to bats, breeding birds and great crested newts, which are appended accordingly.

4.114 The Council's Ecologist notes that a wych elm tree is present at the site and requests that this is retained, and has confirmed that the soft landscaping scheme should include the planting of 5no. replacement wych elm whips to support a particular species of butterfly. A proposed landscaping plan has been provided which includes this particular species, and planting in accordance with the submitted details can be secured by planning condition.

4.115 In addition, the Council's Ecologist notes that the site is in proximity to open fields, where declining bird populations inhabit and that the demolished barn results in a loss of swallow nesting habitat. The Council's Ecologist has requested that each dwelling incorporates one universal bird nesting brick and one bat roost brick to be installed, to provide enhancement. A planning condition is recommended accordingly.

4.116 Subject to the recommended planning conditions and informatives, it is considered that there would be no significant loss of biodiversity value and loss of habitat at the site as to warrant a reason to refuse the application, and the proposed development would provide opportunities through the planting of wych elm tree whips and through the incorporation of nest bricks to provide biodiversity enhancement.

2) Nitrate Pollution

4.117 On 16 March 2022 Hartlepool Borough Council, along with neighbouring authorities within the catchment of the river Tees, received formal notice from Natural England that the Teesmouth & Cleveland Coast Special Protection Area/Ramsar (SPA) is now considered to be in an unfavourable condition due to nutrient enrichment, in particular with nitrates, which are polluting the protected area. Given the application would involve residential development, it is considered the proposals are 'in scope' for further assessment.

4.118 A Nutrient Neutrality Calculation and Habitats Regulation Statement has been submitted, which concludes that the proposed development would utilise mains drainage with sewage disposed of via the public sewer at Seaton Carew WwTW. A HRA Stage 1 Screening Assessment has therefore duly completed by the Council's Ecologist, which confirms that the proposed scheme can be screened out, and there would not be any Likely Significant Effect on the designated sites in terms of nitrate pollution.

3*) Recreational impacts on designated sites*

4.119 Following a Habitats Regulations Assessment (HRA) stage 1 screening, the requirement for a HRA stage 2 Appropriate Assessment has been triggered. As the competent Authority, Hartlepool Borough Council has a legal duty to safeguard European Sites. Increased recreational disturbance (including dog walking) is linked to an increase in new residents, which is a consequence of new and increased forms of residential development.

4.120 The Hartlepool Coastal Mitigation Scheme was designed so that additional recreational visits to the coast created by developments could be suitably mitigated. Developments of nine or fewer dwellings are mitigated by the financial contributions made by allocated housing development projects, whose contributions include a built-in contingency measure to cover the housing applications for nine or fewer dwellings

4.121 Given that the application has been amended to reduce the scheme from 14no. dwellings to 9no. dwellings, the increased recreational disturbance mitigation of £200 per dwelling (a total of £2,800) is no longer required. Natural England have been consulted and are satisfied with the Local Planning Authority's strategic solution is reliable and effective in preventing adverse harmful effects from increased recreational pressure on the protected sites, and confirmed no objections in respect of the provided HRA.

4.122 Consequently, the proposed development is considered to be acceptable in this respect.

4.123 Natural England have provided additional advice for the applicant and this has been relayed to the applicant by way of informative accordingly.

Ecology Conclusion

4.124 It is considered that subject to the financial contribution of £10,000 for biodiversity enhancement opportunities as well as conditions in respect of landscaping, and bat, nesting birds and swallow nest structures and bricks, that the proposed development would not result in any significant loss of biodiversity value or habitat and would provide an opportunity to enhance value and habitat, which can be controlled by way of planning conditions.

4.125 Having regard to these considerations, the proposed development is considered acceptable in terms of ecology matters, subject to the recommended S106 legal agreement, planning conditions and informatives.

AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS

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

4.127 As above, policy QP4 also stipulates that, to ensure the privacy of residents and visitors is not significantly negatively impacted in new housing development, the Borough Council seeks to ensure adequate space is provided between houses. The following minimum separation distances must therefore be adhered to:

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

Impact on Southbrooke Farm (east)

4.128 A separation distance of approximately 25m would remain between the side/front corner of plot 9 and the existing property at Southbrooke Farm, with existing hedges and trees between. Given the standard two storey height of the proposed dwelling at plot 9 and adjacent plots, as well as the set back from the highway of Summerhill Lane and oblique relationship and satisfactory separation distance to Southbrooke Farm, it is considered that the proposed development would not result in any adverse impacts on the amenity of this neighbour in terms of overbearing impression, loss of outlook or overshadowing.

4.129 The house type at plot 9 features a small window at first floor level in the east facing elevation, serving a dressing room. Given the satisfactory separation distances which meet the requirements of Policy QP4 of the Hartlepool Local Plan (2018), and oblique angles from windows in the front and rear of plot 9 and adjacent plots to windows in the front, rear and side of Southbrooke Farm or their private rear

garden amenity space, it is considered that the proposed development would not result in any adverse impacts on the privacy of occupants of this property in terms of overlooking. However, to prevent any issues arising from any proposed redevelopment of the site in the future, and to safeguard the privacy of future land users, it is considered prudent to obscurely glaze the identified proposed window in the side of plot 9, and a planning condition can secure this.

Impact on properties and land users to the north, south, south east and west

4.130 There are no immediate neighbours or residential properties that abound or are within close proximity to the application site to the north, south or west. The nearest property is the caretaker's property within the grounds of Catcote School which is approximately 80m to the south east (albeit it is noted that an extant planning permission by virtue of H/2024/0124, decision date 06/09/2024 permits the change of use of this dwelling to a group teaching space and staff office). There are other residential properties beyond the fields to the rear (north) of the site, but these are a minimum of 310m from the site and it is considered on this basis that the proposed development would not result in any significant impact on the amenity and privacy of any neighbouring residential properties.

4.131 The properties are roughly set in line with the main frontage of the properties facing onto Summerhill Lane. They are set back from the highway with three properties featuring a double garage (house type B) three properties featuring a single garage (house type A), with off street parking being provided within the curtilage of each plot. In addition, each property is proposed to have a rear garden space which would look out onto the open fields to the rear (north).

4.132 During the course of the application, the layout and design of the proposed dwellings has been amended (more than once) owing to concerns from the case officer in respect of the relationship between a number of plots, and owing to viability concerns expressed by the applicant. These include changes made due to the former significant stagger between some of the plots being excessive and concerns over the resultant, potential unacceptable impacts on the amenity of the future occupiers of the adjacent plots in terms of dominance, overbearing and poor outlook. Although it is noted that the Inspector in the decision for appeal APP/H0724/W/21/3286101 (for H/2017/0054) did not comment on the staggered relationship between the above identified plots, it is considered that the poor relationships were considered by officers to be unacceptable during the course of the consideration of H/2017/0054 and it is for this reason the case officer requested that these amendments were made during the consideration of the current application.

4.133 In response, the applicant has submitted amended plans, the amendments are considered to result in reduced impacts to an acceptable level on the amenity of each of these properties, owing to the stagger between individual plots being omitted/reduced, and particularly when taking into consideration the relationship between the room layouts within the house types of these plots, where plots 1 to 9 (inclusive) are relatively linear in terms of their front and rear orientations, with a maximum of 1m stagger between some plots (the rear of plots 6 and 7), which are considered to result in an acceptable relationship.

4.134 In terms of privacy, it is considered that there would be no unacceptable overlooking from any windows in the front or rear of the proposed dwellings towards any windows in the front, rear or side of adjacent or nearby properties within the proposed development. In terms of windows and doors proposed in side elevations, it is considered that all windows in side elevations would serve non habitable rooms such as W.C., utility room, stairs or dressing rooms. Appropriate boundary treatments would ensure there is no overlooking at ground floor and at first floor, windows do not directly face other windows in side elevations. Nevertheless, it is considered prudent to safeguard neighbour privacy and to avoid 'sterilising' any future neighbour development, that these windows are obscurely glazed, and an appropriate planning condition is duly secured. It is further considered that there would not be any unacceptable overlooking achievable towards windows in the front or rear elevations of any neighbouring property or their private rear garden amenity spaces, owing to satisfactory oblique relationships and screening afforded by boundary treatments.

4.135 In view of the above, it is considered that internal relationships between plots are acceptable. Appropriate boundary treatments would be provided between rear gardens, final details of which will be secured by a planning condition.

4.136 The level of space afforded to the properties is considered sufficient to meet the needs of occupiers without unduly affecting the amenity of future occupiers of the proposed dwellings. In view of the aforementioned relationships and proposed layout, it is considered in this instance that it would not be necessary or reasonable to apply a planning condition controlling the permitted development rights of occupants of properties to extend or alter any of the properties in this instance.

4.137 It is noted that immediately beyond the north western corner/boundary of the application site there are two existing telecommunication masts which are sited approximately 20m from the rear elevation of plot 1, and approximately 15m from the rear elevations of plots 2 and 3 (it is understood that low level telecommunications apparatus is sited to the rear of plot 4 consisting of base station but not of the comparable height to the 2no. adjacent masts). The communications operator (understood to be Vodafone) was consulted on the application and no comments/response was received.

4.138 Whilst it is acknowledged that there is existing planting along the northern boundary (and that the applicant has indicated an intention to enhance this to provide a softened interface to dwellings from Briarfields Allotments to the north), it is considered that these telecommunications masts would result in a degree of reduced outlook and a potential overbearing impression for the future occupiers of these plots. Notwithstanding this, consideration is given to the appeal decision (APP/H0724/W/21/3286101, decision date 21/03/2022) for the previous application H/2017/0057 whereby the Inspector concluded "The monopole structures are slim in nature and occupiers would still benefit from views of the open landscape beyond. Future residents would be aware of the layout and the presence of the masts when making the decision to occupy these particular dwellings. Furthermore, the effects could be reduced to some degree by appropriate landscaping secured by condition." It is noted that the proposed landscaping plan denotes hedge planting to the

northern boundary. Furthermore, no objections or requirements have been received from the Council's Public Health or Public Protection teams in this regard.

4.139 In view of the above considerations, and on balance, it is considered that the amended layout as a whole would not result in such an unacceptable impact upon the amenity of future occupiers and result in a poor form of development, so significant as to warrant a reason to refuse the application in this instance.

4.140 It is inevitable that a residential development of this nature would cause some disruption as a result of traffic and construction activity. However, it is considered appropriate conditions would help to manage disruption. The Council's Public Protection team have raised no objections to the application, subject to the inclusion of planning conditions relating to the management of dust and the limiting hours of construction/deliveries to control any potential disturbance in this respect, and appropriate planning conditions are recommended accordingly. Matters of open burning, as requested by HBC Public Protection, can be controlled through separate environmental legislation and this can be relayed to the applicant via an informative.

4.141 It is therefore considered that any additional disturbance arising from existing traffic or that associated with the development, either alone or in combination with the existing and proposed housing and other developments in the area would not result in any significant impacts on the amenity of existing (and proposed) neighbouring residents.

4.142 Taking account of the above considerations regarding overlooking, light, outlook, overbearing appearance and private amenity space, it is considered the proposed development is acceptable in terms of amenity and privacy for all existing and future occupants of nearby and neighbouring properties (including those within the proposed development site) and would not warrant any reason to refuse the application in this instance.

FLOODING AND DRAINAGE

4.143 Local Plan Policy CC1(3) sets out that development should incorporate appropriate measures to minimise flood risk such as SUDS and/or the use of porous materials and water retention and recycling. Policy CC2 requires all proposals to demonstrate how they will minimise flood risk. Policy QP7 (3) sets out that all development will be required to incorporate sustainable construction and drainage methods.

4.144 The application site is within flood zone 1 and therefore at low risk of flooding, however the application, prior to the layout having being amended, was accompanied by a Drainage Strategy Layout. This has been assessed by the Council's Engineering Consultancy and Northumbrian Water.

4.145 Notwithstanding the above, the Council's Engineering Consultancy confirmed that a pre-commencement condition in respect of detailed surface water drainage design (SuDS) is required to fully satisfy matters of surface water management. Subject to the inclusion of this recommended planning condition (and planning obligation to be secured through the s106 legal agreement) relating to

details of surface water drainage (including long term management and maintenance) to ensure that surface water can be adequately discharged without passing on a flood risk elsewhere, the development is considered to be acceptable with regards to flood risk and drainage. The Council's Engineering Consultancy has also provided advice in respect of drainage design, which can be relayed to the applicant by way of an informative.

4.146 Northumbrian Water had also request that details of both surface water and foul sewerage be secured by appropriate planning conditions which are recommended accordingly.

4.147 In view of the above considerations and subject to the identified conditions, it is considered that the scheme is, in principle, satisfactory in terms of flooding and drainage related matters.

CONTAMINATED LAND

4.148 The Council's Engineering Consultancy has requested that a planning condition in respect of unexpected contamination be appended, which is recommended accordingly.

OTHER PLANNING MATTERS

Archaeology

4.149 The developer has provided an archaeological report on the standing buildings at Southbrooke Farm and an evaluation of the archaeological potential of the site carried out by trial trenching. This has demonstrated that the buildings are of no archaeological or architectural significance, and that the archaeological potential of the site is low. Tees Archaeology have confirmed no objections or additional requirements are necessary and the proposal is therefore considered to be acceptable in this respect.

Public Health

4.150 Officers have previously raised concerns with the regard to telecommunication masts that are positioned close to the rear boundaries of the proposed dwellings, particularly plots 1 – 3, in terms of poor outlook and dominance issues. For the reasons set out in this report, including the findings of the Planning Inspector in the dismissed appeal at the site, it is considered that such impacts would not warrant a refusal of the application in this instance.

4.151 In terms of any public health considerations, these masts are likely to have been in situ for over 15 years (they were approved in 2002 and 2004 respectively, as set out in the planning history at the start of the report). It is noted from the files for both phone mast applications that they were accompanied by the relevant International Commission on Non-Ionizing Radiation Protection (ICNIRP) declarations at the time of their respective submissions. An ICNIRP declaration remains a requirement of any new planning applications for telecommunications that are submitted, as set out in the NPPF (2024) and Local Plan (2018) as well as the

code operator's own best practice guidance. The NPPF states that local planning authorities "should not impose a ban on new electronic communications development in certain areas…or insist on minimum distances between new electronic communications development and existing development". The operator(s) were consulted as part of this application and to which no comments were received.

4.152 Notwithstanding this, the views of HBC Public Health and HBC Public Protection have been sought on this specific point and to date no comments or objections have been received which reference this point.

Waste

4.153 The Council's Waste Management team have been consulted and have advised that developers are expected to provide and ensure at the point of first occupancy that all new developments have necessary waste bins/receptacles, and it is considered appropriate that a planning condition is appended to secure appropriate provision for such bins i.e. an area of hard standing to the rear of the dwellings. The Council's Waste Management team have provided advice on the delivery and management of waste bins and the waste collection service, which can be relayed to the applicant via an informative. Subject to the above required conditions and informative, the application is considered acceptable in this respect.

Agricultural land

4.154 The NPPF (2024) defines the best and most versatile agricultural land as being Grades 1, 2 and 3a. Based on Natural England/Defra's 'Agricultural Land Classification' map, the application site is rated as 'good to moderate'. The application site is allocated on Magic Maps as "fen, marsh and swamp" (neutral grassland). Notwithstanding this allocation, the application site comprises an area of a former farm that is primarily hard standing that housed agricultural buildings, and is now considered to be brownfield land. The proposal is therefore considered to be acceptable in this respect.

Public Right of way

4.155 There is a public footpath that runs the length of Summerhill Lane and extends along the western boundary of the application site. The Council's Countryside Access Officer has confirmed that the proposals would not impact upon any PRoW, however has advised that at no time can the public footpath (Public Footpath No. 9) which runs along the western extent of the application site, be obstructed by materials, equipment, machinery or vehicles. An informative can relay this to the applicant.

Crime, Fear of Crime and Anti-Social Behaviour

4.156 HBC Community Safety have been consulted on the proposals and have not offered any objections or comments. A consultation response from Cleveland Police has been received which provides advice in relation to the height of rear boundary treatment, landscaping, security to properties and lighting. This advice can be

relayed to the applicant by way of an informative and the application is therefore considered acceptable in respect of crime, fear of crime and anti-social behaviour.

Demolition

4.157 The Council's Engineering Consultancy have been consulted and have confirmed that such demolition usually requires the submission of a Section 80 notice of The Building Act 1984 which requires the applicant to give notice to and receive permission from the council. This requirement is separate to and in addition to a planning application. There are no records of that permission for demolition having been given should it have been required (it may not have been necessary in any event, dependent upon the agricultural or otherwise nature of the buildings). An informative can relay this advice to the applicant.

OTHER MATTERS

Fire Safety and Access

4.158 Cleveland Fire Brigade has been consulted on the application and no objections or comments have been received.

CONCLUSION

4.159 It is acknowledged that the application site is allocated as Green Wedge as identified by Policies LS1 and NE3 of the Hartlepool Local Plan (2018), and that the development would result in an overall loss to biodiversity, and therefore the proposal has a number of shortcomings. Despite this, a financial contribution has been requested by the Council's Ecologist and agreed to by the applicant, which will provide adequate compensation to enhance biodiversity within the borough and weight in the overall planning balance is given to the positive benefits of the scheme, including the significant benefits of bringing a brownfield site back into use and that it would achieve all of the requested planning contributions, which officers consider would outweigh any disbenefits of the proposal being located on a green wedge and the overall loss to biodiversity.

4.160 In view of the consideration of the economic, environmental and social benefits of the scheme (including the biodiversity contribution), it is, on balance, considered that the development is acceptable for the reasons detailed above. It is further considered that the scheme would not result in such an unacceptable layout or an adverse impact on the visual amenity as to warrant a refusal of the application in this instance.

4.161 It is further considered that the that the proposal would not result in any adverse impacts on the amenity or privacy of neighbouring land users, and the proposal is considered to be acceptable in respect of all other material considerations. Subject to the identified conditions and the completion of a section 106 legal agreement to secure the obligations and financial contributions (as detailed above), as well as long term maintenance and management of landscaping and surface water drainage at the application site, the proposal is considered to be acceptable and is recommended for approval.

EQUALITY DUTY

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

CRIME AND DISORDER ACT IMPLICATIONS

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

REASON FOR DECISION

4.164 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 completion of s106 Legal Agreement to secure the following financial contributions and planning obligations

- A borough-wide biodiversity compensation contribution (£10,000); Built Sports Facilities (£250 per dwelling, total £2,250);
- Green Infrastructure (£250 per dwelling, total £2,250);
- Outdoor sport and play facilities; Playing Pitches (£233.29 per dwelling, total £2,099.61);
- Outdoor sport and play facilities;
- Tennis Courts (£57.02 per dwelling, total £513.18);
- Outdoor sport and play facilities,
- Bowling Greens (£4.97 per dwelling, total £44.73);
- the provision, maintenance and long term management of landscaping and open spaces;
- the provision, long term maintenance and management of surface water drainage infrastructure for the site;

and subject to the following planning conditions:

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

2. The development hereby approved shall be carried out in accordance with the following plans:

Dwg. No. RES684-BHA-HTA-ZZ-DR-A-1501 Rev P02 (House Type A – Floor Plans),
Dwg. No. RES684-BHA-HTB-ZZ-DR-A-1501 Rev P02 (House Type B – Floor Plans),
Dwg. No. RES684-BHA-HTC-ZZ-DR-A-1501 Rev P02 (House Type C – Floor Plans), received by the Local Planning Authority on 10th June 2022;

Sheet No. 3469(C)03 (House Type A – Elevations),
Sheet No. 3469(C)04 (House Type B – Elevations),
Sheet No. 3469(C)05 (House Type C – Elevations), received by the Local Planning Authority on 19th December 2023;

Dwg. No. 3469(B)01 Rev A (Site Location Plan, at a scale of 1:1250),
Dwg. No. 120-00 Rev 13 (Proposed Site Plan, scale 1:500) received by the Local Planning Authority on 15th July 2025;

Dwg. No. D422.L.001 Rev A (Landscape Proposals), received by the Local Planning Authority on 19th January 2026.
For the avoidance of doubt.

3. Notwithstanding the submitted information and prior to the commencement of development (including any demolition), details of the existing and proposed levels of the site including the finished floor levels of the dwellings and buildings to be erected and any proposed mounding and/or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details.
To take into account the position of the buildings and impact on adjacent land, proposed dwellings and their associated gardens in accordance with Policies QP4 and LS1 of the Hartlepool Local Plan.

4. Notwithstanding the submitted information and prior to the commencement of development (including any demolition), details of dust suppression measures during construction works shall be submitted to and agreed in writing with the Local Planning Authority. The approved dust suppression measures shall be installed before the use of the site commences and shall thereafter remain operational and be available for its intended use at all times during the construction of the development hereby approved.
In the interests of the amenity of the occupiers of adjacent and nearby premises and highway safety.

5. Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.
To prevent the increased risk of flooding from any sources in accordance with the NPPF.

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

7. Notwithstanding the submitted details and prior to the commencement of the development hereby approved, a scheme for the provision, long term maintenance and management of all landscaping within the site shall be first submitted to and agreed in writing with the Local Planning Authority. The scheme shall be in general confirmity with the plan Dwg. No. D422.L.001 Rev A (Landscape Proposals, received by the Local Planning Authority on 19/01/2026) and shall include shall include the planting of 5no. wych elm saplings and 2no. replacement trees (identified as Group 2), as detailed in the submitted 'Preliminary Ecological Appraisal and Bat Survey Report, Version 2' (document dated 14/06/2022, date received by the Local Planning Authority on 16th June 2022 or as may be amended through the requirements of condition 10 of this decision notice). The scheme shall specify sizes, types and species, indicate the proposed layout and surfacing of all areas, include a programme of the works to be undertaken, details of the existing and proposed levels of the site including any proposed mounding and or earth retention measures. All soft landscaping including planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following completion or first occupation of individual dwellings (whichever is sooner). All planting, seeding or turfing comprised in the approved details of landscaping for all other areas (out with the residential curtilages) including areas of open space within the site shall be carried out in the first planting season following the occupation of the dwellings or completion of the development, whichever is the sooner. Thereafter the development hereby approved shall be carried out and maintained in accordance with the agreed scheme, for the lifetime of the development hereby approved. Any trees, plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

In the interests of visual amenity, biodiversity enhancement and to ensure a satisfactory form of development.

8. Notwithstanding the submitted information and prior to any equipment, machinery or materials being brought onto the site for the purposes of the development, a scheme for the protection during construction works of all trees and hedges to be retained on the site, in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations', has been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure protection of the Wych Elm tree (identified as TN8) and Groups 4-6 and the hedge to the east of the application site boundary, as identified in the 'Arboricultural Method Statement Tree Protection Plan' (TPP Rev B', documented dated 18/04/2024, both received by the Local Planning Authority on 18th April 2024). Following the written approval of the Local Planning Authority, the scheme shall thereafter be carried out in accordance with the approved details and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.
In the interests of the health and appearance of the existing trees, hedges and the visual amenity of the area.

9. No development shall take place (including demolition, ground works, vegetation clearance) until an updated Preliminary Ecological Appraisal and Bat Survey Report including a Precautionary Working Method Statement and a timetable has been submitted to and approved in writing by the Local Planning Authority. The Preliminary Ecological Appraisal And Bat Survey Report shall include any required avoidance, mitigation and compensation measures. Thereafter the approved measures shall be adhered to and implemented in accordance with the approved details and timetable, and throughout the construction period.
To ensure the development provides mitigation against bats and other identified protected species in accordance with policy NE1 and Section 15 of the National Planning Policy Framework.

10. Prior to the commencement of development hereby approved, full details of the dropped kerbs to the southern side of Summerhill Lane, including the exact location, specification and design, as well as a timetable for the works and their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The scheme (and timetable) shall ensure that the implementation of the dropped kerbs is completed prior to the occupation of any of the dwellings or the completion of the development (whichever is sooner) hereby approved.
To provide public infrastructure, in accordance with QP5 of the Hartlepool Local Plan (2018).

11. Notwithstanding the proposals detailed in the submitted plans and prior to the implementation of such works on site, details of proposed hard landscaping and surface finishes (including the proposed car parking areas, footpaths, access and any other areas of hard standing to be created) shall be submitted to and agreed in writing by the Local Planning Authority. This shall include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme, including car parking provision and footpath connections, shall be completed in accordance with the agreed details prior to the occupation or completion of the dwellings (whichever is the sooner).
To enable the local planning authority to control details of the proposed development, in the interests of visual amenity of the area.

12. No part of the residential development shall be occupied until vehicular and pedestrian access connecting the proposed development to the public highway has been constructed to the satisfaction of the Local Planning Authority.
In the interests of highway and pedestrian safety and in the interests of the visual amenities of the surrounding area.

13. Notwithstanding the submitted details and prior to above ground construction of the dwellings hereby approved, full details of all walls, fences and other means of boundary enclosure, including size, siting and finishing materials, shall be submitted to and approved by the Local Planning Authority. Boundary treatments shall include details of the provision of hedgehog openings (and suitable associated signage), as detailed in the submitted 'Preliminary Ecological Appraisal and Bat Survey Report, Version 2' (document dated 14/06/2022, date received by the Local Planning Authority on 16th June 2022, or as may be amended through the requirements of condition 10 of this decision notice). Thereafter the development shall be carried out in accordance with the approved details prior to first occupation of the dwellings or completion of the development (whichever is the sooner).
In the interests of visual amenity and biodiversity enhancement.

14. Notwithstanding the submitted information, details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before above ground construction 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.

15. Prior to the commencement of development above ground level, details of 9no.integral bat roosting box bricks (suitable for crevice roosting bats), 9no.integral universal bird nesting bricks to be installed in a south or east facing sides of the dwellings hereby approved and details of 10no.swallow nest cups including the exact location, specification and design, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the bat box bricks, bird nesting bricks and swallow nest structures shall be installed strictly in accordance with the details so approved prior to the occupation or

completion of each of the individual 9no. dwellings hereby approved, whichever is the sooner, and shall be maintained for the lifetime of the development.
To provide an ecological enhancement for protected and priority species, in accordance with section 15 of the NPPF (2024).

16. Prior to the commencement of the development above damp proof course level of the 9no. residential dwellings hereby approved, a scheme for obscure glazing and restricted opening (max. 30 degrees) of the following proposed side facing windows (plot numbers as identified on plan Dwg. No. 120-00 Rev 13 (Proposed Site Plan, scale 1:500, received by the Local Planning Authority on 15th July 2025) shall first be first submitted to and approved in writing by the Local Planning Authority:
    - The 1no. window at first floor in the west elevation (serving a dressing room) and the 1no. door and 1no. window at ground floor in the east elevation (serving a utility room and W.C.) in plot 1;
    - The 1no. window at first floor in the west side elevation (serving a landing) and the 1no. door and 1no. window at ground floor in the east side elevation (serving a utility room and W.C.) in plot 2;
    - The 1no. window at first floor in the east side elevation (serving a landing) in plot 3;
    - The 1no. window at first floor in the east elevation (serving a dressing room) and the 1no. door and 1no. window at ground floor in the west elevation (serving a utility room and W.C.) in plot 4;
    - The 1no. window at first floor in the west elevation (serving a dressing room) and the 1no. door and 1no. window at ground floor in the east elevation (serving a utility room and W.C.) in plot 5;
    - The 1no. window at first floor in the west side elevation (serving a landing) in plot 6;
    - The 1no. window at first floor in the west side elevation (serving a landing) and the 1no. door and 1no. window at ground floor in the east side elevation (serving a utility room and W.C.) in plot 7;
    - The 1no. window at first floor in the east side elevation (serving a landing) and the 1no. door and 1no. window at ground floor in the west side elevation (serving a utility room and W.C.) in plot 8;
    - The 1no. window at first floor in the east elevation (serving a dressing room) and the 1no. door and 1no. window at ground floor in the west elevation (serving a utility room and W.C.) in plot 9.

    The windows shall be glazed with obscure glass to a minimum level of 4 of the 'Pilkington' scale of obscuration or equivalent. Thereafter, the windows shall be installed in accordance with the approved details and prior to the occupation of each respective plot and shall remain for the lifetime of the development hereby approved. The application of translucent film to the windows would not satisfy the requirements of this condition.
    To prevent overlooking.

17. Prior to the occupation of the dwellings hereby approved, provision shall be made for storage of refuse within the curtilage of the dwellings hereby approved, details of which shall be first submitted to and be agreed in writing with the Local Planning Authority prior to the first occupation or completion of

the individual dwellings hereby approved. Thereafter, the provision for the storage of refuse shall be carried out in accordance with the approved details. To ensure a satisfactory form of development.

18. No construction/building/demolition works or deliveries shall be carried out except between the hours of 8.00 am and 18.00 on Mondays to Fridays and between 9.00 am and 13.00 on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.
To ensure the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

19. In the event that contamination is found at any time when carrying out the approved development, works must be halted on that part of the site affected by the unexpected contamination and it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken to the extent specified by the Local Planning Authority and works shall not be resumed until a remediation scheme to deal with contamination of the site has been carried out in accordance with details first submitted to and approved in writing by the Local Planning Authority. This scheme shall identify and evaluate options for remedial treatment based on risk management objectives. Works shall not resume until the measures approved in the remediation scheme have been implemented on site, following which, a validation report shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include programmes of monitoring and maintenance, which will be carried out in accordance with the requirements of the report.
To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

20. The development hereby approved shall be used as C3 dwellinghouses and not for any other use including any other use within that use class of the schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that use class in any statutory instrument revoking or re-enacting that order.
To allow the Local Planning Authority to retain control of the development.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure, shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road, without the prior written consent of the Local Planning Authority with the exception of those enclosures approved as part of this permission and shown on.

To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential properties and the appearance of the wider area.

BACKGROUND PAPERS

4.165 Background papers can be viewed by the 'attachments' on the following public access page:
https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=153068

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

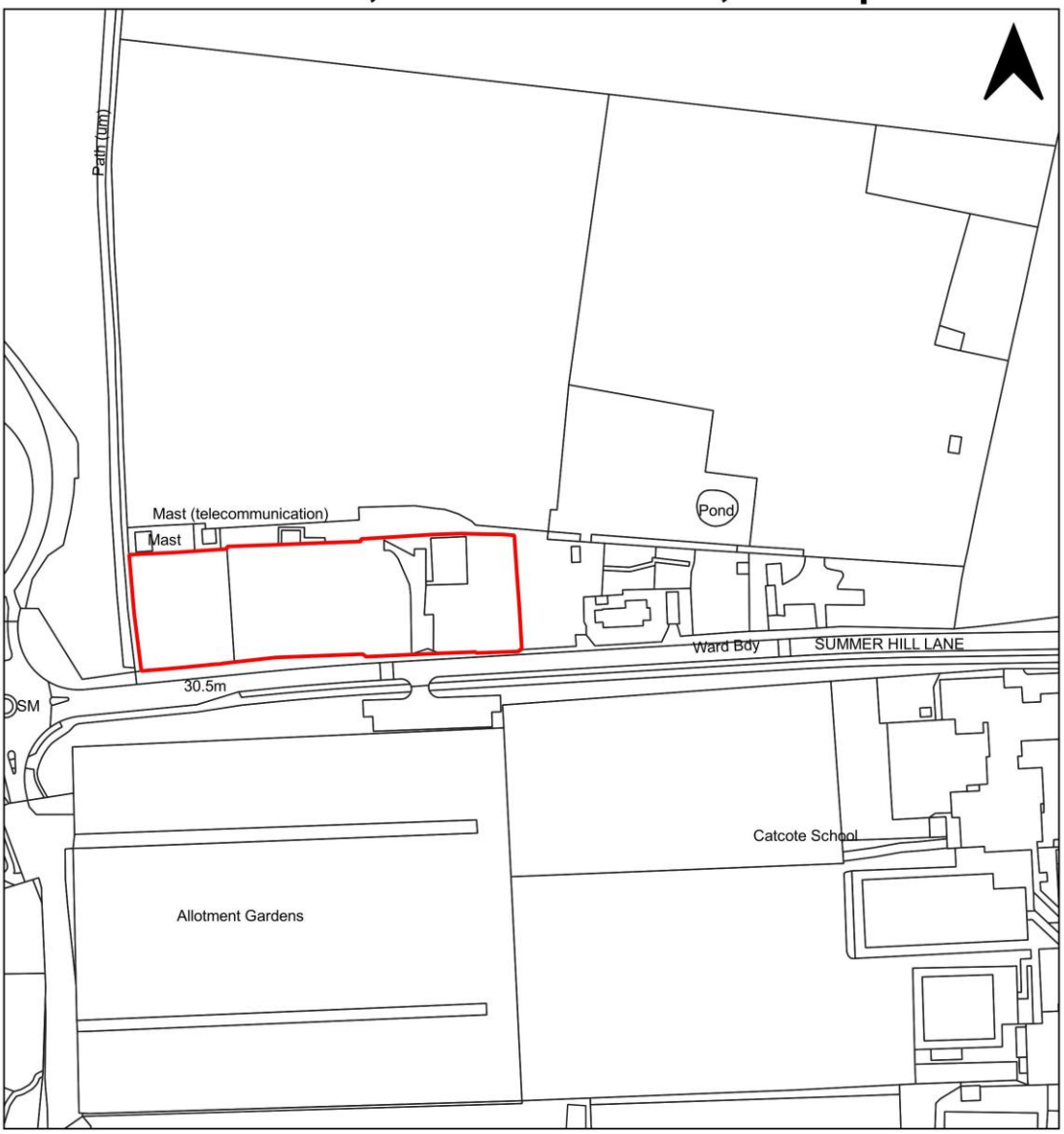
CONTACT OFFICER

4.167 Kieran Bostock
Director for Neighbourhood and Regulatory Services
Level 3
Civic Centre
Hartlepool
TS24 8AY
Tel: (01429) 284291
E-mail: kieran.bostock@hartlepool.gov.uk

AUTHOR

4.168 Stephanie Bell
Senior Planning Officer
Level 1
Civic Centre
Hartlepool
TS24 8AY
Tel: 01429 523246
E-mail: Stephanie.Bell@hartlepool.gov.uk

Southbrooke Farm, Summerhill Lane, Hartlepool



THIS PLAN IS FOR IDENTIFICATION PURPOSES ONLY

HARTLEPOOL BOROUGH COUNCIL	**DRAWN** LH	**DATE** 02/02/2026
	Scale 1:1800	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	**DWG.NO** H/2022/0171	**REV**

POLICY NOTE

The following details a precis of the overarching policy documents referred to in the main agenda. For the full policies please refer to the relevant document, which can be viewed on the web links below;

HARTLEPOOL LOCAL PLAN 2018
https://www.hartlepool.gov.uk/localplan

HARTLEPOOL RURAL NEIGHBOURHOOD PLAN 2018
https://www.hartlepool.gov.uk/downloads/file/4876/hrnp_2016-2031_-_made_version_-_december_2018

MINERALS & WASTE DPD 2011
https://www.hartlepool.gov.uk/info/20209/local_plan/317/tees_valley_minerals_and_waste_development_plan_documents_for_the_tees_valley

REVISED NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2024
https://www.gov.uk/government/publications/national-planning-policy-framework--2

ILLUSTRATIVE EXAMPLES OF MATERIAL PLANNING CONSIDERATIONS

Material Planning Considerations	Non Material Considerations
Can be taken into account in making a planning decision	*To be ignored when making a decision on a planning application.*
• Local and National planning policy	• Political opinion or moral issues
• Visual impact	• Impact on property value
• Loss of privacy	• Hypothetical alternative proposals/sites
• Loss of daylight / sunlight	• Building Regs (fire safety, etc.)
• Noise, dust, smells, vibrations	• Land ownership / restrictive covenants
• Pollution and contaminated land	• Private access disputes
• Highway safety, access, traffic and parking	• Land ownership / restrictive covenants
• Flood risk (coastal and fluvial)	• Private issues between neighbours
• Health and Safety	• Applicants personal circumstances (unless exceptional case)
• Heritage and Archaeology	• Loss of trade / business competition (unless exceptional case)
• Biodiversity and Geodiversity	• Applicants personal circumstances (unless exceptional case)
• Crime and the fear of crime	
• Planning history or previous decisions made	

(NB: These lists are not exhaustive and there may be cases where exceptional circumstances require a different approach)

Hartlepool Borough Council

Planning Committee

18 February 2026

Report of: Director for Neighbourhood and Regulatory Services

Subject: UPDATE ON ENFORCEMENT ACTIONS

---

1. Purpose of Report

1.1 To update members with regard to enforcement actions that have been taken.

1.2 The following enforcement actions have been taken within this reporting period:

1. An Enforcement Notice has been served in respect of the erection of a roof structure outbuilding (carport) at the front of a residential property in Kildale Grove.

2. An Enforcement Notice has been served in respect of the material change of use of land for the storage of caravans, portacabins, truck bodies and boats at an area of land adjacent to the former Sports Domes complex on Tees Road.

2. Recommendations

2.1 Members note this report.

3. Contact Officer

Kieran Bostock
Director for Neighbourhood and Regulatory Services
Tel: 01429 284291
E-mail: Kieran.Bostock@hartlepool.gov.uk

4. Author

Tony Dixon
Enforcement Officer
Neighbourhood and Regulatory Services
Tel (01429) 523277
E-mail: tony.dixon@hartlepool.gov.uk

Hartlepool Borough Council

Planning Committee

18th February 2026

Report of: Director for Neighbourhood and Regulatory Services

Subject: PLANNING APPEAL AT 43 KILDALE GROVE, HARTLEPOOL, TS25 2AG

APPEAL REF: 6003791.

Erection of a single storey roof structure outbuilding (retrospective). (H/2025/0359).

---

1. Purpose of Report

1.1 To advise members of a planning appeal that has been submitted against the Local Planning Authority's decision to refuse a retrospective planning application for the erection of a single storey roof structure outbuilding (retrospective). (H/2025/0359).

1.2 The planning application was refused on 22nd December 2025 under delegated powers for the following reason:

In the opinion of the Local Planning Authority, the erected single storey structure to the front results in a visually intrusive and highly incongruous feature, to the detriment of the host dwelling and application site and the surrounding wider street scene of Kildale Grove, by virtue of its prominent siting, design, and scale. It is therefore considered that the development is contrary to Policy QP4 of the Hartlepool Local Plan (2018) and paragraphs 131, 135 and 139 of the NPPF (2024).

1.3 A copy of the officer's report is appended at **Appendix 1**.

2. Recommendations

2.1 That Members note this report.

3. Contact Officers

Kieran Bostock
Director for Neighbourhood and Regulatory Services
Tel: 01429 284291
E-mail: Kieran.Bostock@hartlepool.gov.uk

4. Author

Tom Strachan
Planning Officer
Neighbourhood and Regulatory Services
Tel (01429) 401774
E-mail: tom.strachan@hartlepool.gov.uk

Appendix 1.

Application No	H/2025/0359
Proposal	Erection of a single storey roof structure outbuilding (retrospective)
Location	43 KILDALE GROVE HARTLEPOOL

PS Code: 21

DELEGATION ISSUES **1) Publicity Expiry**	Neighbour letters: Site notice: Advert: Weekly list: Expiry date: Extended date:	19/11/2025 NA NA 27/10/2025 23/12/2025
2) Publicity/Consultations **PUBLICITY** The application was advertised by way of neighbour notification letters to seven neighbours. To date, one neighbour response has been received confirming no objection. **CONSULTS** The following consultation responses were received; **HBC Landscape Architect:** There are no landscape issues with the development. **HBC Traffic and Transport:** The structure restricts sight lines exiting the drive on the south side. Walls and hedges obstruct visibility at several other properties in the area and given the low speeds a vehicle would exit the driveway, I would have no objections. **HBC Building Control:** I can confirm that we do not require Building Regulation application for Erection of a single storey open sided roof structure outbuilding (retrospective).		
3) Neighbour letters needed Y		

4) Parish letter needed N

5) Policy

National Planning Policy Framework (NPPF)(2024)

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

PARA001: Role of NPPF
PARA002: Determination of applications in accordance with development plan
PARA003: Utilisation of NPPF
PARA007: Achieving sustainable development
PARA008: Achieving sustainable development
PARA009: Achieving sustainable development
PARA010: Achieving sustainable development
PARA011: The presumption in favour of sustainable development
PARA012: The presumption in favour of sustainable development
PARA039: Decision making
PARA048: Determining applications
PARA056: Planning conditions and obligations
PARA057: Planning conditions and obligations
PARA131: Achieving well-designed places
PARA132: Achieving well-designed places
PARA135: Achieving well-designed places
PARA139: Achieving well-designed places
PARA231: Implementation

Hartlepool Local Plan 2018

CC1: Minimising and adapting to climate change
LS1: Locational Strategy

QP3: Location, Accessibility, Highway Safety and Parking
QP4: Layout and Design of Development
QP5: Safety and Security
QP6: Technical Matters
SUS1: The Presumption in Favour of Sustainable Development

Supplementary Planning Documents

Residential Design Guide Supplementary Planning Document (2019)

6) Planning Consideration

RELEVANT PLANNING HISTORY

The following planning applications are relevant to the current application site;

H/2011/0376 – Two storey front and side extensions – approved 05/10/2011.

H/2012/0329 – Amendments to H/2011/0376 to include a front bay window – approved 07/08/2012.

SITE AND SURROUNDINGS

The application site relates to 43 Kildale Grove, a semi-detached dwelling in a residential estate, to the east of Seaton Carew railway station. To the side (north) the property is adjoined to No. 41 Kildale Grove, and at the opposite side (south), the property is adjacent to No. 30 Egton Drive. Beyond the highway to the front (west) are No's 56, 58, 60 and 62 Kildale Grove. To the rear (east), the host property's rear garden boundary adjoins that of the rear garden serving No 28 Egton Drive (the main neighbouring dwelling being to the south east of the application site).

The dwelling has previously been extended and altered, including to provide two storey front (west) and side (south) extensions. The external walls are predominantly red brick with partial render at first floor level on the north side of the front façade. Substantial sandstone coping stones feature on the front gable projection, with light brown fenestration throughout. The roof is finished in red clay tiles.

To the front, save for the structure to which this application pertains, the curtilage is largely open (consistent with all properties in the immediate vicinity), with the boundary to no. 41 Kildale Grove delineated by a low brick wall. The boundary to no. 30 Egton Drive features a brick wall and close board timber fence, approximately 1.8m in height.

PROPOSAL

The application seeks retrospective planning permission for the erection of a single-storey timber roof structure outbuilding over the driveway to the front of 43 Kildale Grove.

The structure measures approximately 5.4m in length and approximately 3.5m in width. Its height varies from approximately 3.1m along the southern façade, up to approximately 3.2m along the northern façade, resulting in the ridgeline extending above the height of the garage door, where it reaches close to the first-floor windowsill level. Closed board timber panels also span the southern side of the structure, with an approximate height of approximately 1.65m and starting approximately 0.5m above ground level. The structure is constructed from timber painted dark brown/black. It is understood to serve as a carport for the occupants of the host property.

During the course of the application, the presence of a fence to the south side of the structure was noted (as reflected on the submitted plans) and therefore the description of development was updated to omit a previous reference to the structure being 'open sided'. Notwithstanding that the structure is primarily open sided, given the retrospective nature of application, for completeness, such reference to 'open sided' was omitted but it was considered not to be necessary to issue further consultations given the nature and scale of the amendment and therefore neighbours are considered not to be prejudiced by this.

Furthermore, it was noted during the officer's site visit undertaken on 15th December 2025, that artificial foliage/climbing plants had been erected on each of the six vertical timber posts and to the inside of the closed board fencing to the south side of the structure. Notwithstanding that this is not illustrated on the submitted plans and is out with the development description, given the scale and nature of the additions, it was considered not to be necessary to have these reflected on the proposed plans or in the description of development in this instance.

MATERIAL PLANNING CONSIDERATIONS

The main planning considerations with respect to this application are the impact on the character and appearance of the application site and surrounding area, the impact on amenity of neighbouring land users, and the impact on highway safety. These and any other relevant planning matters are considered in full in the following paragraphs.

IMPACT ON CHARACTER AND APPEARANCE OF EXISTING DWELLING AND SURROUNDING AREA

Policies QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) require, amongst other provisions, that proposals should be of an appropriate size, design and appearance in keeping with/sympathetic to the host

property and the character of the surrounding area. Whilst carports may be considered acceptable in certain circumstances, additions to property frontages need careful consideration as such additions may result in development that is incongruous and out of keeping when viewed from the wider street scene.

The retrospective erection of a carport to the front of the dwelling, which protrudes approximately 3.5m beyond the existing porch projection, results in the structure being readily and highly visible from the street scene to the front, and when moving along Kildale Grove (particularly when travelling from north to south along Kildale Grove). This is further compounded by the structure's overall height of between approximately 3.1m-3.2m, including the roof component's approximate height of approximately 0.4m. The timber panels erected to the south side of the structure are considered to exacerbate its prominence, particularly when viewed from the south, where no similar structures are present.

Policy QP4 of the Hartlepool Local Plan (2018) expects development to be designed to a high quality and positively enhance their location and setting. This policy requires that the scale and materials of development should be such that the development blends into the existing environment and does not appear as an intrusive addition. Paragraph 135 of the NPPF (2024) states that development should be sympathetic to the local character, and paragraph 139 of the NPPF (2024) state that permission should be refused for development of a poor design.

By virtue of their openness, any additions to frontages within this estate are likely to result in highly prominent structures (as is the case with this application), with outbuildings/structures to the front not a common feature of Kildale Grove. Given this, and that it is considered that the retrospective erection of the carport is substantial in scale and appearance, the development is considered to be out of keeping with the application site itself and the surrounding street scene.

In terms of materials, the use of brown timber boarding and posts can be considered to be characteristic of the area (noting several boundary treatments using comparable material and colour palettes). However, within the wider street scene of Kildale Grove, there are no similar structures to the erected outbuilding at the application site (particularly its siting, scale and design) and, overall, such developments are not a design feature of the area.

It is therefore considered that the erected structure, by virtue of its design, scale and siting within the front curtilage of the host property (adjacent to the highway and public footpath) results in a visually intrusive and highly incongruous feature in the street scene and is therefore detrimental to the character and appearance of the host dwelling (and application site as a whole) as well as the wider street scene. As such, it is considered that the retrospective structure fails to respect the prevailing character of the surrounding area and results in an unacceptable disruption of visual continuity provided by the generally open nature of frontages along Kildale Grove.

Overall, it is considered that the erected structure by virtue of its design, scale and siting to the front of the host property results in a visually intrusive, overbearing and highly incongruous feature, which is considered to result in an adverse impact on the character and appearance of the host property and surrounding street scene (Kildale Grove). The proposal is therefore considered to be contrary with the provisions of Policy QP4 of the Hartlepool Local Plan (2018) or paragraphs 131, 135, and 139 of the NPPF (2024). As such, the identified impacts would warrant a refusal of the application in this instance.

IMPACT ON AMENITY AND PRIVACY OF NEIGHBOURING PROPERTIES

Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) requires that proposals should not negatively impact upon the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overshadowing and visual intrusion particularly relating to poor outlook, or by way of overlooking and loss of privacy. These requirements are reiterated in the Council's adopted Residential Design SPD (2019).

The following minimum separation distances must therefore be adhered to:

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

<u>Impact on No. 41 Kildale Grove (north/side)</u>

The application site is adjoined to No. 41 Kildale Grove to the side (north).

A separation distance of approximately 6.5m would remain from the erected structure to the shared boundary, and a distance of approximately 8.5m remains to the nearest window to the front elevation of No. 41 Kildale Grove. It is acknowledged that a result of the overall scale and proximity of the erected structure to the front windows serving No 41, that the proposal is likely to result in a degree of impact on the amenity of No 41 in terms of an overbearing impression.

However, consideration is given to the non-direct relationship between the erected structure and the frontage of the neighbouring property, as well as the projecting bay at ground floor level and projecting two-storey gable frontage of the host dwelling, and the aforementioned remaining (oblique) separation distances. Further consideration is given to the relatively open nature of the erected structure, albeit it is appreciated that the structure is of a highly notable scale and form.

Taking into account the above identified relationship to this neighbour from the proposal and relevant separation distances (of which the required distances would not be directly applicable in this instance in any event), it is considered that the retrospective development would not result in any significant adverse impact on the

amenity of this neighbour, in terms of loss of outlook, overshadowing or overbearing concerns as to warrant a refusal of the application in this instance. Given the non-habitable nature of the development, it is considered that the retrospective structure to the front of the dwelling would not result in any significant adverse impact on the privacy of this neighbour in respect of overlooking.

Overall and for the above reasons, the development is considered not to be in conflict with Policy QP4 of the Hartlepool Local Plan (2018) and the Residential Design Guide SPD (2019).

Impact on No. 30 Egton Drive (south/side)

No. 30 Egton Drive is a detached bungalow property, adjacent to the application site to the side (south).

The structure is sited in close proximity to the shared boundary to the south of the host site (which abounds the rear/southern boundary to No 30 Egerton Drive), and a separation distance of approximately 1m to the boundary and approximately 16m to the nearest window to the rear (north) elevation of No. 30 Egton Drive would remain. The nature of the neighbouring property (as a bungalow) means that views of the structure to which this application pertains are only possible from the ground floor level of No. 30 Egton Drive (being a single storey bungalow). Existing trees in the rear garden of No. 30 Egton Drive, and the approximately 1.8m high close board timber fencing along the shared boundary are considered to partially screen some of the erected structure from windows in the rear elevation (and from the rear garden) of this neighbour.

Taking into account the above identified relationship and separation distances to this neighbour from the proposal (as well as the proposal's set off from the adjacent boundary), it is considered that the retrospective development would not result in any significant adverse impact on the amenity of this neighbour, in terms of loss of outlook, overshadowing or overbearing concerns to windows in the rear elevation of the neighbouring property or its immediate rear garden area. Given the non-habitable nature of the development as well as the presence of the existing boundary treatment, it is considered that the retrospective structure to the front of the dwelling would not result in any adverse impact on the privacy of this neighbour in respect of overlooking.

In view of the above, the development is considered not to be in conflict with Policy QP4 of the Hartlepool Local Plan (2018) and the Residential Design Guide SPD (2019).

Impact on No. 56, 58,60, and 62 Kildale Grove (west/front)

To the front (west) of the application property are No. 56, 58, 60, and 62 Kildale Grove, with a highway between.

A separation distance of approximately 16.4m would remain from the erected structure to the front of No. 60 Kildale Grove and a distance of approximately 16.5m to No. 58 Kildale Grove (being the two properties most directly to the front of the application site) would remain from the structure. Slightly greater distances would remain from the proposals to the front of No. 56 and 62 Kildale Grove (approximately 21.5m and 18.8m respectively). In view of these relationships and satisfactory separation distances whereby the proposal relates to a non-habitable structure and therefore the required distances of Policy QP4 and the aforementioned SPD are not directly related, it is considered that the retrospective erection of the structure would not result in any adverse impacts on the amenity or privacy of these neighbours, in terms of overshadowing, loss of outlook, overbearing impression or overlooking.

Impact on No. 28 Egton Drive (south east/rear)

To the rear (south east) of the application property is No. 28 Egton Drive with No 26 Egton Drive located beyond that. The rear garden of the application site abounds the rear garden boundary of No 28 Egton Drive, with the main rear elevation of the neighbouring property being situated to the south east of the application site and at an oblique angle; an oblique separation distance of approximately 21m would remain from the side/south elevation of the proposal and the rear/north elevation of the neighbouring property with the intervening presence of the rear garden boundaries in between.

Furthermore, and in the above context, the structure would be largely screened from No. 28 Egton Drive by the host dwelling itself, with any potential views further interrupted in any event by virtue of the garage, boundary treatments and trees to the rear garden of No. 30 Egton Drive.

In view of the above, it is therefore considered that the development would not result in any adverse impacts on the amenity or privacy of this neighbouring property in terms of overshadowing, loss of outlook, overbearing impression or overlooking.

HIGHWAY SAFETY AND CAR PARKING

The application has been considered by the Council's Traffic and Transportation team who have confirmed that, whilst the proposal restricts sight lines when existing the drive on the south side, visibility is obstructed at several other properties in the area. As a result of this and the low speeds at which a vehicle would exit the driveway, they have confirmed that there are no objections on highway safety grounds in this instance. The proposal is therefore considered to be acceptable in this respect.

CONCLUSION

In conclusion, it is considered that the retrospective erection of the structure by virtue of its design, scale and siting to the front, results in a visually intrusive and highly incongruous development, to the detriment of the character and appearance of the host dwelling and application site, and within the street scene of Kildale Grove. It is therefore considered the development is contrary to Policy QP4 of the Hartlepool Local Plan (2018) and paragraphs 131, 135 and 139 of the NPPF (2024), which state that permission should be refused for development of a poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

7) EQUALITY DUTY

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

8) CRIME AND DISORDER ACT IMPLICATIONS

In this instance, there are no Section 17 implications.

9) Alternative Options Considered
No

10) Any Declared Register of Interest
No

11) Chair's Consultation Necessary
Y

12) Recommendation

REFUSE for the following reason;

Reason

1. In the opinion of the Local Planning Authority, the erected single storey structure to the front results in a visually intrusive and highly incongruous feature, to the detriment of the host dwelling and application site and the surrounding wider street scene of Kildale Grove, by virtue of its prominent siting, design, and scale. It is therefore considered that the development is

contrary to Policy QP4 of the Hartlepool Local Plan (2018) and paragraphs 131, 135 and 139 of the NPPF (2024).

INFORMATIVE

1.0 Statement of Proactive Engagement

The Local Planning Authority in arriving at its decision to refuse this application has, without prejudice to a fair and objective assessment of the proposals, issues raised, and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF, however it is not possible to address key constraints in this instance given the identified impacts on the character and appearance of the host property and wider street scene.

Author of Report: Tom Strachan

Signed: T. Strachan **Dated: 18/12/2025**

Signed: DJAMES **Dated: 18/12/2025**
Planning Team Leader

Signed: **Dated:**
Chair of the Planning Committee

Hartlepool Borough Council

Planning Committee

18th February 2026

Report of: Director for Neighbourhood and Regulatory Services

Subject: PLANNING APPEAL AT ALVIN HOUSE. 9 SOUTH END, HARTLEPOOL, TS25 1DB

APPEAL REF: APP/H0724/Z/25/ 6002479.

Erection of entrance porch and the erection of a fence (part retrospective) H/2025/0140

---

1. Purpose of Report

1.1 To advise members of a planning appeal that has been submitted against the Member's decision to refuse a planning application for the erection of entrance porch and the erection of a fence (part retrospective). (H/2025/0140).

1.2 The planning application was refused on 12th Novmber 2025 under delegated powers for the following reason:

In the opinion of the Local Planning Authority, the erected front porch extension, by virtue of its design, use of materials, scale and siting, constitutes an unsympathetic and visually intrusive form of development, to the detriment of character and appearance of the host dwelling and surrounding Conservation Area, and to the detriment of the setting of the adjoining Grade II Listed Building. As such, the development causes less than substantial harm to the designated heritage assets (Seaton Carew Conservation Area and 8 South End respectively). It is further considered that there is no information to indicate that this harm would be outweighed by any public benefits of the development. The proposal is therefore

contrary to Policies HE1, HE3, HE4, HE7, HSG11 and QP4 of the Hartlepool Local Plan (2018), as well as Paragraphs 135, 139, 203, 210, 212, 215, and 219 of the National Planning Policy Framework (2024).

2. Recommendations

2.1 That Members note this report.

3. Contact Officers

Kieran Bostock
Director for Neighbourhood and Regulatory Services
Tel: 01429 284291
E-mail: Kieran.Bostock@hartlepool.gov.uk

4. Author

Emily Palmer
Planning Officer
Neighbourhood and Regulatory Services
Tel (01429) 523246
E-mail: emily.palmer@hartlepool.gov.uk

Hartlepool Borough Council

Planning Committee

18th February 2026

Report of: Director for Neighbourhood and Regulatory Services

Subject: PLANNING APPEAL AT GLADSTONE HOUSE, 46 VICTORIA ROAD, HARTLEPOOL, TS26 8DD

APPEAL REF: APP/H0724/Z/25/3376057.

Advertisement consent for the display of 2no. signs to the front elevation at first floor level and 1no. sign to the side elevation at first floor level. (H/2025/0111)

---

1. Purpose of Report

1.1 To advise members of a planning appeal that has been determined in respect to an application for Advertisement Consent application for the display of 2no. signs to the front elevation at first floor level and 1no. sign to the side elevation at first floor level. (H/2025/0111).

1.2 The appeal was allowed. A copy of the Inspector's decision (dated 30/01/2026) is attached **(Appendix 1).**

2. Recommendations

2.1 That Members note this report.

3. Contact Officers

Kieran Bostock
Director for Neighbourhood and Regulatory Services
Tel: 01429 284291
E-mail: Kieran.Bostock@hartlepool.gov.uk

4. Author

Emily Palmer
Planning Officer
Neighbourhood and Regulatory Services
Tel (01429) 523246
E-mail: emily.palmer@hartlepool.gov.uk

Planning Inspectorate

Appeal Decision

Site visit made on 20 January 2026

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th January 2026

Appeal Ref: APP/H0724/Z/25/3376057
46 Victoria Road, Hartlepool TS26 8DD

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
- The appeal is made by Mr Robert Moore against the decision of Hartlepool Borough Council.
- The application Ref is H/2025/0111.
- The advertisement proposed is the display of 2no. signs to the front elevation at first floor level and 1no. sign to the side elevation at first floor level.

Decision

1. The appeal is allowed and express consent is granted for the display of 2no. signs to the front elevation at first floor level and 1no. sign to the side elevation at first floor level as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Preliminary Matters

2. The location of the appeal site in the above banner heading has been taken from the appeal form as this accurately describes the location of the appeal site. The description of the development has been taken from the decision notice as this concisely and accurately describes the proposed development.

3. The works as described above has already taken place on site. The appeal has therefore been assessed on a retrospective basis.

Main Issue

4. Regulations to control advertisements may be exercised only in the interests of visual amenity and public safety. The assessment regarding public safety is not disputed and the main issue is therefore the effect of the advertisement on visual amenity.

Reasons

5. The appeal site relates to Gladstone House, a two-storey end of terrace commercial property situated at the corner of Grange Road and Murray Street. The appeal property is located within the West Victoria Road edge of Town Centre and the Grange Conservation Area (CA). It faces the busy Victoria Road to the south and there are a mixture of residential and commercial uses nearby with the town centre a short distance to the east. The area therefore has a mixed character and there are other advertisements and signage in the vicinity including existing commercial signage to nearby establishments.

6. The property features in views along Victoria Road/Grange Road and the host property is a former Victorian property with historical character and features such as canopy, neoclassical columns, double hipped roof, bay windows, quoins, decorative window heads and dentil course. Such common characteristics with other properties give the area a homogenous feel.

7. The development seeks retrospective advertisement consent for the display of 2no. signs to the front elevation at first floor level and 1no. sign to the side elevation at first floor level. The front elevation comprises two separate signs located either side of the central, first floor window. One of the signs incorporates the company logo whilst the other incorporates a slogan and contact details. The side elevation to the west faces towards Murry Street and the signage on this elevation incorporates all of the same details of those on the front elevation at first floor level. The signs are printed on white, uPVC foam boards and the lettering is self-adhesive vinyl in a contemporary style, with colours including blue and orange shades.

8. As set out, the appeal site falls within the CA which is recognised for its architectural, historical, and cultural significance. I have a duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. I have also had regard to paragraph 212 of the National Planning Policy Framework (the Framework) which states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

9. Whilst three signs are proposed, each sign has a flat profile and is non-illuminated. They are each small in scale located at first floor level and there is a good amount of space surrounding each sign where they do not dominate the host building or screen historical detailing. The level of detail is proportionate to the type of sign and does not amount to visual clutter. The colour also avoids excessive prominence or visual conflict with the host buildings character. The signs are simply reflective of the commercial nature of the host property and the immediate surrounding area. To this end, it is not unreasonable for commercial properties to have signage to the front of their properties to either provide contact details or make it easier for people to find. I do not find the signs to be excessive given their small-scale nature. I observed other signs nearby and did not find the signage to unduly stand out as a dominant addition in this context nor did I find the signage to visually detract from the historical features of the host property or surrounding area.

10. I understand that the property has historically had signage associated with it and whilst there is some dispute regarding the scale of previous signage, advertisement would still be a familiar feature on this property and its overall scale, materials, design and siting appears proportionate to the type of sign and consistent with other advertisements in the surrounding area. These advertisements vary somewhat in size and format but are clearly visible when travelling along the nearby roads and form part of the established character of the area.

11. Having regard to the character of the locality, including the presence of various advertising displays, and existing commercial signage to nearby establishments, the advertisement display does not appear out of keeping in this setting which is

clearly an established location for advertisements and signs. The Council has suggested an alternative in terms of window transfers and a sign of smaller scale. However, this would not alter my findings on the scheme I am considering which I do not find to be excessive or incongruous.

12. For the above reasons, I conclude that the development does not unacceptably harm visual amenity. It therefore preserves the character and appearance of the CA. I have taken into account Policies QP4, QP8, and HE3 of the Hartlepool Local Plan, 2018 which explain amongst other things, that the Borough Council will seek to ensure that advertisements are appropriately located within the Borough and are of an appropriate scale and size. Advertisements which introduce visually obtrusive features will not be permitted. Given I have concluded that the proposal does not harm visual amenity, the development does not conflict with these policies or Chapter 16 of the Framework relating to conserving and enhancing the historic environment.

Conditions

13. The five standard conditions set out in Schedule 2 of the 2007 Regulations are imposed in the terms of my decision.

Conclusion

14. For the reasons given above, and taking into account all matters raised, the appeal is allowed.

N Teasdale

INSPECTOR