

PLANNING COMMITTEE AGENDA



Wednesday 19th February 2014

at 10.00am

in the Council Chamber,
Civic Centre, Hartlepool.

MEMBERS OF PLANNING COMMITTEE:

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

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

3.1 To confirm the minutes of the meeting held on 22nd January 2014

4. ITEMS REQUIRING DECISION

4.1 Planning Applications – *Assistant Director (Regeneration)*

- | | | |
|---|-------------|--|
| 1 | H/2013/0479 | Hospital Site, Wynyard Park, Wynyard. (page 1) |
| 2 | H/2014/0009 | Former Henry Smith School Site, King Oswy Drive. (page 39) |
| 3 | H/2013/0617 | Housing – Variation - Change of Use to Teaching Space –
St Teresa's R C Primary School, Callander Road. (page 53) |
| 4 | H/2014/0007 | 38 Westbourne Road, Hartlepool (page 59) |
| 5 | H/2013/0602 | 9 Hardwick Court, Hartlepool (page 67) |

4.2 Neighbourhood Planning (Park Neighbourhood Plan Area and Forum Designation) – *Director of Regeneration and Neighbourhoods*



4.3 Locally Listed Buildings – *Assistant Director (Regeneration)*

4.4 Local Plan Timetable and Progress – *Assistant Director (Regeneration)*

5. ITEMS FOR INFORMATION

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

5.2 Shop Front Design Guidance – *Assistant Director (Regeneration)*

5.3 Consultation on Enterprise and Regulatory Reform Act – *Assistant Director (Regeneration)*

5.4 Quarterly Update Report for Planning Services October – December 2013/2014 – *Assistant Director (Regeneration)*

6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

FOR INFORMATION:

Site Visits – Any site visits requested by the Committee at this meeting will take place on the morning of the Next Scheduled Meeting on 19th March 2014



PLANNING COMMITTEE

MINUTES AND DECISION RECORD

22nd January 2014

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

Present:

Councillor: Rob Cook (In the Chair)

Councillors: Jim Ainslie, Keith Fisher, Mary Fleet, Sheila Griffin, Marjorie James, Alison Lilley, Geoff Lilley, Brenda Loynes, Ray Martin-Wells, George Morris, Jean Robinson and Linda Shields

In accordance with Council Procedure Rule 4.2 Councillor Carl Richardson was in attendance as substitute for Councillor Kevin Cranney

Officers: Damien Wilson, Assistant Director (Regeneration)
Chris Pipe, Planning Services Manager
Mike Blair, Highways, Traffic and Transportation Manager
Adrian Hurst, Principal Environmental Health Officer
Chris Scaife, Countryside Access Officer
Richard Trow, Senior Planning Officer
Tony Macnab, Solicitor
Jo Stubbs, Democratic Services Officer

89. Apologies for Absence

Apologies were submitted by Councillors Paul Beck and Kevin Cranney

90. Declarations of interest by members

Councillor Marjorie James declared a non-prejudicial interest in the following:

- H/2013/0612 Land at Sitwell Walk
- H/2013/0561 Exmoor Grove Children's Home

Councillor Sheila Griffin declared a non-prejudicial interest in item H/2013/0561 Exmoor Grove Children's Home

Councillor Mary Fleet declared a non-prejudicial interest in item H/2013/0561 Exmoor Grove Children's Home

91. Confirmation of the minutes of the meeting held on 18th December 2013

Approved.

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

Number: H/2013/0588

Applicant: Mr Owen O'Driscoll
c/o Agent

Agent: Sean McLean Design 22 Map House Portrack Grange Road Portrack STOCKTON ON TEES

Date received: 02/12/2013

Development: Change of use from Storage and Distribution (B8) to General Industrial (B2) and the erection of a plant maintenance building with welfare facilities and associated office and landscaping works (resubmitted application)

Location: Land West of Usworth Enterprise Park Usworth Road HARTLEPOOL

An objector, Tony Oliver, addressed the Committee explaining his reasons for objecting to the application. He described Regency Drive as a modest area with retired people who deserved better than the noise the development would bring. He refuted the assertions that all works would be carried out inside the premises saying that there had been noise coming from the existing site on a recent Sunday morning. Members queried how noise would be monitored and were advised by the Planning Officer that soundproofing conditions would be imposed which were felt to be satisfactory in this case. Environmental health would deal with any subsequent complaints. Members asked whether a condition that doors to the premises remain closed at all times could be included. The Applicant's representative, Tony Wattiss confirmed they would be. Members asked whether they could make operational times a condition of the licence but the Chair advised that this would be problematic when similar premises did not have such restrictions placed upon them. Mr Wattiss confirmed that the applicant would be happy to start work slightly later. Members were pleased to note the flexibility of the developer and felt that the concerns of residents did not outweigh the advantages and jobs the application would bring.

Decision: **Minded to approve subject to the conditions outlined below and no substantially different**

objections being received prior to the expiry of the consultation period, with the final decision delegated to the Planning Services Manager. Should any substantially different objections be received these shall be considered by the Planning Services Manager in consultation with the Chair of the Planning Committee

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission. To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans (Drg.No's: 1338/LP, 1338/01A, 1338/02A and 1338/03) and details (Mike Bradley Garden Design - Landscape proposals for 5m high semi-mature tree screen at industrial unit in Usworth Road Hartlepool for Mr O O'Driscoll) received by the Local Planning Authority on 25/11/2013, unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt.
3. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose. Thereafter the development shall be carried out in accordance with the approved details. In the interests of visual amenity.
4. All planting comprised in the approved details of landscaping approved under condition 2 of this consent shall be carried out prior to the occupation of the building or completion of the development, whichever is the sooner. Any trees 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.
5. The premises and site shall be used only for the maintenance of plant and machinery and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification. In the interests of the amenities of the occupants of neighbouring properties.
6. The area shown as car parking on the plan hereby approved (Drg No: 1338/01A) shall be provided before the building is brought into use. The car parking area shall thereafter be kept available for such use at all times during the lifetime of the development. In the interests of highway safety.

7. The premises shall only operate between the hours of 08:00hrs and 18:00hrs Mondays to Fridays and on Saturdays between the hours of 07:30hrs and 13:30hrs inclusive and at no other time on Sundays or Bank Holidays. In the interests of the amenities of the occupants of neighbouring properties.
8. No external maintenance of any plant and machinery shall take place outside of the building hereby approved. In the interests of the amenities of the occupants of neighbouring properties.
9. Before the use of the site hereby approved commences the building hereby approved shall be soundproofed in accordance with a scheme, which shall be first submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be retained during the lifetime of the development. In the interests of the amenities of the occupants of neighbouring properties.
10. Details of any external lighting to be installed upon the building hereby approved or within the site shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter any scheme shall be implemented in accordance with the details as agreed. In the interests of the amenities of the occupants of neighbouring properties.
11. The doors (including roller shutter doors) serving the hereby approved building shall be kept closed whilst maintenance operations are carried out. In the interests of the amenities of neighbouring properties.
12. Notwithstanding the provisions of Article 3 Schedule 2 Part 8 Class A and B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking and re-enacting that Order with or without modification), the building shall not be extended or altered and no additional or replacement plant or machinery shall be provided upon the site without the prior written consent of the Local Planning Authority. To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent properties and environment.

Number: H/2013/0612

Applicant: Mr Brendon Colarossi
Hartlepool Borough Council Engineering
Consultancy Civic Centre HARTLEPOOL

Agent: Hartlepool Borough Council Mr Brendon Colarossi
Civic Centre Victoria Road HARTLEPOOL

Date received: 19/12/2013

Development: Change of use of public open space to construction
of 4 parking areas

Location: Land at Sitwell Walk HARTLEPOOL

Members expressed their unanimous support for the application.

Decision: **Minded to Approve subject to conditions and no objections being received prior to the expiry of the consultation period, with the final decision delegated to the Planning Services Manager. Should any objections be received these would be considered by the Planning Services Manager in consultation with the Chair of Planning Committee**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission. To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 19/12/2013 (Drawing no. PR523/1/PA, Proposed parking scheme), unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt.
3. Notwithstanding the submitted plans a scheme including a programme of works for the enhancement of the adjacent open space shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details. In the interests of visual amenity.

Number: H/2013/0561

Applicant: Ms Jane Young
8-9 Church Street HARTLEPOOL

Agent: Hartlepool Borough Council Mr Colin Bolton
Property Services Division Church Street
HARTLEPOOL

Date received: 18/11/2013

Development: Erection of a single storey extension to provide additional bedroom

Location: Exmoor Grove Childrens Home Exmoor Grove
HARTLEPOOL

Members expressed their unanimous support for the application, describing the premises as a well used excellent facility.

Decision: **Planning Permission Approved**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission. To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans (807/10/001 & 807/10/002 Rev E) and details received by the Local Planning Authority on 15 11 13, unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt.
3. The external materials used for this development shall match those of the existing building(s) unless otherwise agreed in writing with the Local Planning Authority. In the interests of visual amenity.

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

Nine ongoing planning issues were highlighted to Members. A member requested clarification of the rules around advertising banners being placed on Council property. The Planning Services Manager advised that Highways Department had jurisdiction for Council-owned street furniture, Property Services Department for Council land and Planning Department for private land. Any concerns can be flagged up to the Planning Department who would ensure that the appropriate department dealt with it.

A member raised a concern that certain sections of the Council were unaware that Section 215 notices were available to them. Specific reference was made to a problem with overflowing bins at privately owned flats. The Assistant Director advised that this would be an issue for the Housing Standards Team rather than the Planning Department. A Section 215 working group had been established with cross-departmental attendees so there should be awareness across the Council.

Decision

That the report be noted.

94. Locally Listed Buildings (*Assistant Director (Regeneration)*)

The Planning Services Manager advised Members that it was proposed to carry out a review of the list of Locally Listed Buildings. The current list was

agreed by the Portfolio Holder in 2012 and the buildings included on it, while not of national significance, were felt to merit protection at a local level. The assessment criteria were the same as those used by English Heritage when assessing nationally listed buildings and their inclusion of a local list could be used to help seek financial assistance from English Heritage for future renovation or other works. Potential buildings would be identified using existing research materials and nominations from the public and local groups. Officers would then compile a full list of nominated buildings with a final selection made by an independent panel comprising specialists in conservation, architecture or history. This final selection would then be submitted to Planning Committee for approval.

Members felt they should be more involved in the process and requested that consideration to an additional layer of consultation be added comprising a Planning Sub-Committee which would consider and comment upon the proposed list before being asked to make a final decision. This would not impact upon Parish Councils and other public groups being given the opportunity to give their input but would allow Planning Committee members to feel they had made a real contribution to the process rather than agreeing a decision made by others. The Assistant Director would give this consideration and bring back proposals for a way forward to the committee in light of the tight timescales involved.

Decision

That the review of the list of Locally Listed Buildings for Hartlepool be agreed

That involvement of the Planning Committee be given consideration in the preparation of the proposed list and be brought back to the Committee for consideration.

95. Neighbourhood Planning (Park Neighbourhood Plan Area and Forum Designation) *(Director of Regeneration and Planning)*

Withdrawn from the agenda

96. Proposed Creation of two new Public Footpaths within Elwick Parish *(Director of Regeneration and Neighbourhoods)*

Members were asked to approve the creation of 2 new public footpaths in Elwick Parish. These would be funded through a combination of the Paths for Communities fund and the Limestone Landscapes Project Heritage Lottery funded project. The Council would be responsible for legal and administrative costs, estimated as being between £500 and £1000. Maps showing the location of the proposed footpaths were appended to the report

Members clarified that the Council would also be responsible for ongoing

maintenance of the new footpaths. The Countryside Access Officer confirmed this. The Council were obliged to pay for the legal costs as per the original agreement made as part of the Limestone Landscapes lottery bid in 2009.

Decision

That the creation of 2 new public footpaths within the parish of Elwick by the entering into and subsequently confirming of agreements with relevant landowners in accordance with section 25 of the Highways Act 1980 be approved

That Hartlepool Borough Council's financial commitment in relation to the legal and administration costs associated with entering into agreements with the relevant persons by carrying out the legal process in accordance with section 25 of the Highways Act 1980 which will be between £500 and £1000 be approved

97. Any other business which the Chair considers urgent

Planning Peer Challenge

The Assistant Director tabled a report which had been considered by Regeneration Services Committee on 16th January 2014. Recent Government legislation had been introduced to improve the speed of decision-making. Local Authorities were expected to determine major planning applications within 13 weeks with a 30% minimum threshold. Council's failing to meet this threshold would be placed in special measures whereby applicants could choose to take their applications direct to the Planning Inspectorate thereby bypassing the Council and leading to a loss of planning fee income. Hartlepool had been hovering dangerously close to the 30% threshold with regard to County matter planning applications and this fact coupled with suggestions that the threshold might increase to 40% had led the Assistant Director to request funding from the Planning Advisory Service to undergo a Planning Peer Challenge. This had been approved and the Challenge would commence on 18th February led by officers from Birmingham City Council. Key members of Planning Committee, staff and service users would be involved and the Chair requested that all Members of Planning Committee to take part in interviews. The Assistant Director advised that interviews were scheduled to take place on 19th and 20th February and asked that members note this in their diaries. Members queried why no formal report on this matter had been brought to Planning Committee in addition to Regeneration Services Committee given that the Peer Challenge would be investigating planning. The Assistant Director indicated that this was because Regeneration Services had overall responsibility for planning.

Pre-application developer forum

The Planning Services Manager advised members of a proposal to hold a

pre-application developer forum on 19th March at 9am. The current developer for the South-West extension wished to give a presentation to all Councillors and interested parties prior to Planning Committee in an effort to identify any potential planning issues ahead of the formal application process and consideration by Planning Committee. Members were reminded of the need to remain impartial and avoid any hint of pre-determination, they should look at this as an opportunity to gather information rather than make statements. A member asked that all interested parties and residents groups with a vested interest in the development be invited. The Planning Services Manager confirmed they would be. A member queried at what point it was decided to hold large scale events such as this as it did give an impression of favouritism being shown to larger developers. The Assistant Director said it was a subjective decision between officers and the Chair based on individual cases.

The meeting concluded at 11:40am.

CHAIR

No: 1
Number: H/2013/0479
Applicant: North Tees And Hartlepool NHS Foundation Trust North Wing, Hardwick Director of Estates Stockton on Tees Teesside TS19 8PE
Agent: Barton Willmore Mr James Hall Rotterdam House 116 Quayside Newcastle upon Tyne NE1 3DY
Date valid: 07/10/2013
Development: Outline application with some matters reserved for new hospital development with associated landscaping, access and ancillary uses including car parking and energy centre (renewal)
Location: HOSPITAL SITE WYN YARD PARK

PURPOSE OF REPORT

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

BACKGROUND

1.2 In order to set the context for this proposed development it is important to understand the background and decisions made prior to the submission of the planning application.

1.3 Various reviews of healthcare provision have been ongoing since 2003 in relation to the Teesside region. In 2003 to 2004 a general services review was undertaken which focused on primary and community services as well as acute care. Following the Green Paper 'Independence, Well Being and Choice' the Government carried out public consultation which resulted in the White Paper 'Our Health, Our Care, Our Say' which set out a new direction for health services. In the consultation process, stakeholders and the public told the government that they wanted care to be provided in or as close to their homes as possible with only the things which need to be in hospital taking place there.

1.4 Lord Darzi then reported to Government in 2006 and 2007 through interim and final reports on his 'Our NHS, Our Future' review, and stated that a new world class National Health Service should be focused on quality improvements accessible to all. His vision was that a new NHS should be; Fair, Personalised, Effective and Safe. Prior to that however, he had also assessed the key performances of the University of North Tees and University Hospital of Hartlepool in a 2005 report entitled "Acute Services – Hartlepool and Teesside". A Joint Scrutiny Committee was set up and a 3 month period of consultation was undertaken with key healthcare stakeholders. During this consultation period which aimed to address Darzi's recommendations emphasis was placed on reconfiguring maternity and paediatric services. This prompted an Independent Reconfiguration Panel (IRP) Review and accompanying

report which was submitted to the Secretary of State for Health in December 2006 for consideration. This report set out 10 recommendations to the Secretary of State for Health, including recommendation 3, which stated: “A modern hospital to replace the existing out of date hospital buildings should be provided on a new site in a well-situated location accessible to the people of Hartlepool, Stockton-on-Tees, Easington and Sedgefield.”

1.5 The justification for this recommendation being that until relatively recently, the population south of the Tees also received its acute care from four different hospital sites. However, patient services have now been brought together onto one hospital site at James Cook University Hospital in Middlesbrough. The IRP, at the time of the report, believed that people north of the Tees should also receive their hospital care from a modern 21st century hospital. The report considered that a new hospital would give residents north of the Tees sustainable clinical facilities of high quality comparable to those that exist south of the river. It would bring an end to the uncertainty that has blighted appropriate development of hospital services in the area for so many years. It recommended that planning for it should start at once. In making this recommendation, the Panel considered that the effective provision of hospital services north of the Tees, including maternity and paediatric services, could only be sustained if all clinical services are to be viable and fully integrated. The Secretary of State for Health (at that time the Right Hon. Patricia Hewett) agreed that the recommendations should be taken forward.

1.6 Following the conclusions of the above national and local reviews, a collaborative programme was devised to take forward the strategic planning and implementation of a new 21st century high quality modern and integrated healthcare system. The programme involves collaboration between the Primary Care Trusts and the North Tees and Hartlepool NHS Foundation Trust and is known as the ‘Momentum Pathways to Healthcare’ programme.

1.7 The programme was publicly launched in Spring 2007 followed by a Service Development and Design phase from summer 2007 to December 2008. The design phase for the hospital was led by the procured Design team, comprising Laing O’Rourke and architects Anshen & Allen who devised a conceptual model which meets the requirements of the clinical teams appointed to the project, with further detailed stakeholder input from patients, carers, their representatives, health professionals and managers. A concise report entitled “Pathways to Healthcare: The Road Map to New Hospital, Primary and Community Services and Facilities for Teesside” was publicly released at the programme launch and identified the 5 key phases including delivery of the hospital. The five key phases were:

- Phase One – Project Launch (April to June 2007).
- Phase Two – Service Development and Design (July 2007 to December 2008).
- Phase Three – Public Consultation (January to April 2009).
- Phase Four – Capital Planning, Development and Procurement (Spring 2008 to summer 2011) [This includes submission and determination of the Outline Planning Application and Outline Business Case for funding].
- Phase Five – Commissioning and building new hospital and facilities (Summer 2011 to 2014).

1.8 In March 2008 a site selection process was undertaken, led by Turner &

Townsend and DTZ as Land Agent Consultants to the Trust, to identify a preferred location for the proposed new hospital. The Site Selection process identified 10 potential sites across the Hartlepool and Stockton area.

1.9 The site selection exercise as well as the wider principles of reforming the healthcare services for Hartlepool, Stockton and parts of Sedgefield and Easington, formed the basis for a largescale public consultation exercise between June and September 2008.

1.10 On 23rd October 2008, following the 3 month consultation period the NHS Joint Committee (comprising North Tees and Hartlepool NHS Foundation Trust, Stockton on Tees Teaching Primary Care Trust and Hartlepool Primary Care Trust) held a meeting and determined that the location at Wynyard Business Park site north of the A689 was the preferred site.

1.11 An outline planning application for the Hospital at Wynyard Park was submitted on 16th June 2009 and this was duly approved in October 2010 (H/2009/0335). However following the granting of planning permission work on bringing forward the development was delayed due to the withdrawal of the funding stream. The applicant's have identified a new stream of funding to allow the hospital to come forward. In the meantime however the original outline application for the hospital (H/2009/03335) expired in October 2013 and a further application has therefore been submitted to secure a new consent on site to enable a revised timetable for the delivery of the hospital to be established and delivered. No alterations are proposed to the design, siting, scale and layout of the hospital and the application is the same as the previous approval although updated technical reports have been prepared.

THE APPLICATION & THE SITE

1.12 The application site is located at Wynyard Business Park on the proposed third phase of the development (known as Wynyard 3) north of the A689 and west of the A19. The red line site boundary lies wholly within the administrative area of Hartlepool Borough Council. The site is bounded to the north and west by existing agricultural land, with the northern area broken up by wooded embankments. To the south the site is also currently bounded by agricultural land and to the south east by recently constructed business units within Wynyard 2. It should be noted that planning permission for further commercial development on the land to the south, west and north was granted planning consent in October 2010 (H/2009/0494) although this is not yet built. (A further application for a mixed use scheme on this land is also currently under consideration (H/2013/0033)). Beyond this land to the south lies the A689 dual carriageway and then the residential estates of Wynyard Village. To the east the site boundary follows the edge of a dense tree belt (Swart Hole Plantation) which in part is also in the applicant's ownership. Beyond this lie fields which form the remainder of the Wynyard Business Park development (Wynyard 1 and 2). This land in Stockton-on-Tees is currently the subject of an application submitted to both Stockton-on-Tees and Hartlepool Borough Council's for residential development (H/2013/0043).

1.13 The site is approximately 19 hectares in size. It is greenfield and was formerly used for grazing and straddles several field boundaries. Partly across the central part

of the site is a linear plantation of mature trees. There is a variation in levels across the site with a highpoint at its western end and a linear depression at its eastern end.

1.14 Access to the vicinity of the site is already provided by Hanzard Drive, which is a single carriageway connecting to the A689 serving the commercial units already occupying Wynyard 2. Presently this access road terminates to the south east of the hospital site. Whilst the application is in outline form the applicant does seek to have access considered at this stage. For its full access however the site will need to rely on other planning permissions being fully implemented in Stockton & Hartlepool to create a dual carriageway spine road linking to roundabouts on the A689.

1.15 The outline application proposes the erection of a 568 bed hospital with an additional 66 day beds which will include 26 wards, 14 operating theatres and a range of outpatient, diagnostic and endoscopy facilities. The facility will provide 100% single patient bedrooms; including in the areas of adult intensive care (ICU), newborns (NICU) and emergency centre.

1.16 Although the layout, appearance, landscaping and scale of the hospital are reserved matters which would be considered in potential future application(s) the agent has provided a conceptual design and an indicative Masterplan. The indicative layout essentially consists of six ward templates protruding from the linear diagnostic and treatment blocks with the entrance foyer, restaurant, multi-faith centre, glazed street and linear garden linking the two together. The site will also accommodate linear gardens and landscaped ground and ancillary facilities such as a multi-faith centre, an education centre, a restaurant/cafeteria and convenience stores. An energy centre and car parking are located to the rear of the building with multi-storey parking extending round the eastern flank of the building. The energy centre will contain boilers, back up generators, combined heat and power generators, absorption chiller units and all the switchgear necessary to power the facility. The hospital building itself will measure some 20metres in height, 5 storeys high with a basement floor level below ground. The applicant is committed to delivering a world class health care facility and achieving a high level of design and sustainability. The development aims to achieve a BREEAM rating of excellent in its design and construction.

1.17 Due to the nature and location of the site all parking will be provided on the hospital site for patients, staff and visitors. It is envisaged that approximately 1500 car parking spaces would be provided at the hospital. It is proposed that the majority of these would be provided via a multi-storey car park which would take advantage of the gradient of the site to allow for a semi-submerged facility at the eastern end of the main hospital building. Such a facility would provide the main parking area adjacent to the hospital's main and staff entrances. The remaining car parking spaces would be provided as surface parking adjacent to the A&E entrance at the western end of the main building and at the rear of the hospital, primarily for staff use. Public transport will operate a loop system within the site with drop off points at the main hospital entrance.

1.18 The indicative landscaping proposal is a mixture of forms including a mix of soft, formal, sculptured and hard landscaping as well as the creation of two natural

balancing ponds/ wetland habitats to the south west and south east of the building with a third provided in the north east corner of the site, beyond the car parking.

1.19 The applicant for the proposed new hospital is the North Tees and Hartlepool NHS Foundation Trust. The Trust provides hospital-based health care to approximately 365,000 people living in Hartlepool, Stockton on Tees, parts of East Durham and parts of Sedgefield. The Trust has two existing hospitals within its catchment area – The University Hospital of Hartlepool (UHH) and University Hospital of North Tees (UHNT). They also provide a small number of outpatient and outreach clinics at Peterlee Community Hospital. At both UHH and UHNT a wide range of services are currently provided, including; Respiratory services, Accident and Emergency care, Haematology/oncology services, Gastroenterology services, Stroke services, Radiography, Pathology and Critical care services.

1.20 Currently, there are certain services that are only provided at one of the two sites, or where one site specialises. For example at UHH the introduction of the new angiography unit has improved the cardiology services provided including heart failure services, angina and diagnostics. Planned general surgery is provided at UHH as is trauma surgery. At the same time, the existing UHNT can provide services that are not available at UHH. These include emergency and complex general surgery, neonatal care, which supports the maternity department and elective lower limb joint replacement surgery.

1.21 The services to be provided at the proposed new hospital will be all encompassing, incorporating all that is currently provided at the two sites, thus ultimately resulting in the closure of these two hospitals. In addition Integrated Healthcare Centres (IHCs) have been placed in the community closer to people's homes, providing non-urgent medical treatment and minor surgery. Provision of the IHC's fell within the domain of the Primary Care Trusts (PCTs) for Stockton on Tees, Hartlepool and East Durham. Three of the four IHC's previously proposed have now been provided including one in Hartlepool.

1.22 The applicant has indicated that he remains committed in principle, subject to detailed discussions on trigger points, to the provisions of the legal agreement completed in connection with the original permission for the hospital (H/2009/0335) which secured health service provision, public transport provision, off site highway improvements, a cycleway contribution, a contribution for highway and/or public transport improvements at the Billingham Interchange, the implementation of a recruitment and training charter and the appointment of a travel plan co-ordinator.

1.23 The application has been subject to an Environmental Impact Assessment and is accompanied by an Environmental Statement (including supporting documents), Flood Risk Assessment, Planning Supporting Statement, Design and Access Statement, Transport Assessment, Travel Plan, Tree Survey, Statement of Community Involvement and a Sustainability & Energy Statement.

PLANNING HISTORY

1.24 The site, and surrounding area, have a long and complicated planning history. The most relevant recent planning applications are listed below:

H/OUT/0583/96 Outline application for Business Park. Approved 21st April 1997.

H/FUL/0006/00 Variation of condition on outline planning permission H/OUT/0583/96 for business park to allow a longer period for the submission of reserved matters (10 years). Approved 28th April 2000.

These consents granted outline planning permission for an extension to the Wynyard Park business park.

H/2007/0182 Reserved matters submission pursuant to previously approved outline planning application H/VAR/0006/00 for a business park including details of siting and storey heights to accommodate 275205 sq m of business (B1) floor space and part submission of landscaping framework under condition 3 of outline planning permission H/OUT/0583/96.

This application for reserved matters approval for a business park incorporating the current application site was subsequently effectively superseded by the application approved below.

H/2009/0494 Reserved matters application pursuant to outline planning permission granted under H/VAR/0006/00 for a Business Park to the North of the A689 Wynyard Park to accommodate 275,205m² of B1 floor space, 12,469m² of B2 floor space and 26,504m² of B8 floor space together with submission of landscaping framework under condition 3 of outline planning permission H/OUT/0583/96. Approved 4th October 2010.

This application again for reserved matters approval for a business park incorporating the application site, was approved in October 2010. The application was granted planning permission subject to the completion of a legal agreement requiring measures to control construction traffic, a transport contribution, the implementation of a travel plan, the implementation of ecological mitigation measures, the implementation of a targeted training and employment charter, measures to control the construction/inspection of the spine road and requiring the developer to provide to new tenants an information pack relating to the construction of the principal estate road.

H/2009/0335 Outline application for a hospital development with associated landscaping, access and ancillary uses including on-site car parking and energy centre. Approved 11th October 2010.

In October 2010 outline planning permission was granted for a hospital development on the site. The application was granted planning permission subject to the completion of a legal agreement relating to health service provision, public transport provision, off site highway improvements, a cycleway contribution, a contribution for highway and/or public transport improvements at the Billingham Interchange, the implementation of a recruitment and training charter and the appointment of a travel plan co-ordinator. This application has now lapsed hence the current application.

RELEVANT PERMISSIONS APPROVED ON ADJACENT SITES

1.25 A number of relevant applications have also been considered, or approved, on adjacent sites and these are listed below:

H/2011/0102 Outline application for the erection of 200 dwellings with full planning permission sought in part for roads, footpaths and related infrastructure of the core highway network.

This application for outline planning permission for the erection of 200 dwellings on a site to the west of the current application site was considered at the 4th November 2011 meeting of the Planning Committee. The Committee was minded to approve the application subject to the completion of a legal agreement securing an affordable housing contribution, highway and public rights of way contributions, public right of way link(s) through the site, a conservation management plan, highway construction standards, control of construction access traffic if required and conditions. The final decision on the scope and detailed content of the legal agreement and conditions was delegated to the Planning Services Manager in consultation with the Chair of Planning Committee. The applicant has not progressed the section 106 agreement and the application has to a large part been superseded by the application below.

H/2012/0360 Residential development comprising 168 residential units with associated roads, footpaths and infrastructure.

This application for full planning permission for the erection of 168 dwellings on a site to the west of the current application site was considered at Planning Committee in December 2012 it was approved subject to the completion of a legal agreement. The legal agreement secured an affordable housing contribution, a public right of way contribution, public right of way link(s) through the site, a conservation and habitat management plan, a woodland management plan, provision and maintenance of public open space and a play area, maintenance of highways, and the applicant's agreement not to implement the extant commercial permissions on parts of the site. The planning permission was granted in June 2013.

OTHER RELEVANT APPLICATIONS CURRENTLY UNDER CONSIDERATION IN THE WYNARD AREA

1.26 Major housing applications have also been brought forward on two other sites in Wynyard and are currently under consideration by Hartlepool and Stockton Borough Council's. Two of the applications (**H/2013/0076 & H/2013/0043**) relate to sites which are largely within Stockton however as parts of the accesses for the sites are in Hartlepool identical applications have been submitted to both Council's. These applications, with Hartlepool reference numbers, are listed below.

H/2013/0033 Outline planning application, with all matters reserved, for up to 603 dwellings, a 255 sq m (GEA) village hall, a local centre (Use Classes A1/A2/A3/A4 or A5) of up to 1,260 sqm, commercial development of up to 101,858 sq m of Class B1 floorspace, sports facilities (two playing fields, a Multi Use Games Area and Changing Rooms), a potential two form entry primary school for up to 420 pupils with associated playing fields and associated highways, landscaping and infrastructure works.

This site surrounds the hospital site. The application was reported to the September meeting of the planning committee when it was deferred until outstanding issues regarding highways and developer contributions are resolved. Discussions are ongoing and it is likely that the outcome of these discussions will be that the number of dwellings proposed will be reduced to addresses highway capacity concerns.

H/2013/0043 Residential development of up to 780 dwellings, a retirement village of up to 220 dwellings with a security point, ancillary retail facilities, access, infrastructure, open space and landscaping (all matters reserved except access). This site is located to the east of the application site. It lies largely in Stockton though part of the access is in Hartlepool. Discussions on this application are ongoing and it is likely that the outcome of these discussions will be that the number of dwellings proposed will be reduced to addresses highway capacity concerns.

H/2013/0076 Outline planning application with all matters reserved for construction of up to 650 houses, primary school (including sports facilities) and nursery, retail units (up to 500 sqm), doctors surgery, community facilities, access and associated landscaping, footpaths and open space.

This site is located to the south of the A689 in Wynyard Village. It lies largely in Stockton though part of the access is in Hartlepool. Discussions on this application are ongoing and it is likely that the outcome of these discussions will be that the number of dwellings proposed will be reduced to addresses highway capacity concerns.

In light of the scale of development currently being brought forward in the Wynyard area by different developers, and the complex issues arising from the consideration of multiple applications across two authorities Stockton Borough Council invited ATLAS (Advisory Team for Large Applications part of the Homes & Communities Agency) to act as a facilitator in discussion on issues arising. In light of this a cooperative exercise involving representatives from Hartlepool Borough Council, Stockton-on-Tees Borough Council, ATLAS, the Highways Agency, North Tees & Hartlepool NHS Foundation Trust, Wynyard Park Limited, Cameron Hall Developments Limited, has been progressed. This process has not concluded, but to date has proved a useful exercise in identifying areas requiring cross boundary consideration for example, highway issues, public transport, the location of the schools and other facilities and connections across the A689 and to the wider area. Following these discussions, in order to address highway capacity issues it is anticipated that the above applications will be amended to reduce the housing numbers.

OTHER RELEVANT APPLICATIONS IN STOCKTON-ON-TEES

1.27 Other relevant recent applications determined, or being considered, by Stockton On Tees Borough Council in the vicinity of the site are listed below (Stockton reference numbers are given):

08/1410/FUL Construction of access road and associated works Wynyard Park Access Road Wynyard Park. The above application which relates to works to the dual the access road to Wynyard Park to the south east of the site was approved in September 2010. It was designed to facilitate access to the business park development approved by Hartlepool Borough Council under the provisions of planning permission (H/2009/0494) and effectively the Hospital site. A High Pressure Gas Main crossed the site and following discussions with relevant parties measures to protect the integrity of the gas main during the construction works and when the proposed dual carriageway became operational were agreed. These

measures included the provision of a concrete impact protection slab in the first instance and the subsequent diversion/replacement of the existing pipeline under the road with a thicker walled steel pipe. These requirements and measures and triggers to manage the process were secured through conditions and a legal agreement. These include conditions which restrict the use of the road to single carriageway and the number of vehicles using the road (to less than 2000/hour) until the pipeline is upgraded. This approval has not been implemented. The applicant has submitted an application to extend the life of this permission.(see below)

13/2267/RNW Application to extend time limit to replace an extant planning permission for construction of access road and associated work (13/2267/RNW). An application to extend the time limit of the above application (08/1410/FUL) is currently under consideration.

12/0067/FUL Erection of a pre-nursery to sixth form co-educational independent school with associated playing fields, landscaping, car parking and infrastructure including a new access from the A689 and from Wellington Drive. Land South Of Coal Lane, East Of Wellington Drive, Wynyard Village. The above application for a school on the south side of the A689 was approved in June 2012.

PUBLICITY

1.28 The application has been advertised by neighbour notification, site notice and press advert. The time period for representations has expired. Fifteen letters of objection, three letters of no objection and one letter in which no view was stated have been received.

Those objecting to the proposal raise the following issues:

1. Infrastructure capacity limitations in particular highways (A689/A177/A19) which the application does not adequately mitigate for.
2. Massive overdevelopment at Wynyard and not enough thought regarding road, services and effect on the environment.
3. Currently major bottlenecks increased traffic/traffic congestion.
4. Other proposed developments will result in the area becoming heavily congested unless a relief road is incorporated in the development.
5. Highway safety.
6. Emergency vehicles will have difficulty accessing the facility during peak hours.
7. A dedicated access for emergency vehicles should be provided onto the A19.
8. Could the hospital have a dedicated access road.
9. Wynyard will become a rat run for motorists trying to avoid jams.
10. Noise, congestion, dust, dirt on roads during construction.
11. Noise and congestion post construction.
12. Emergency vehicle noise during evening and night.
13. Inadequate telephone network.
14. Parking.
15. Disturbance to Wynyard village.
16. Access to other services (shops, buses, public transport, etc) not adequate and not addressed.

17. The hospital would be better located close to the populations it serves making use of abandoned/derelict developments rather than a remote rural location that will cause significant disruption and disturbance to the environment and present rural communities.
18. Increased risk of flooding.
19. Absurd to close two hospitals one of which could accommodate the other (North Tees) and then build a new hospital that is insufficient to accommodate the needed number of beds.
20. Hospital at Stockton could be improved at fraction of costs and more convenient for population.
21. Removal of Hospital at North Tees would be detrimental to service. Increased travelling time, no public transport, poor access.
22. It will ruin a nice quite rural estate.
23. If people need a hospital James Cook is only ten minutes away.

Those not objecting to the proposal raise the following issues:

1. To improve the quality of health care.
2. Excellent new hospital welcome news.

The time period for representations has expired. Copy letters **A**

CONSULTEES

1.29 The following consultation responses have been received.

Economic Development : I support the proposals and welcome the potential for major investment within the Wynyard site.

Engineering Consultancy : For storm drainage I note that applicants proposal to discharge flows via a combination of three flood attenuation ponds and also main sewer. I also note the content of the Flood Risk Assessment (FRA) carried out by WSP which considers the area to be within a floodzone 1. The FRA makes reference to the adoption of both SuDS ponds and positive drainage. At this stage, the proposal is acceptable subject to detailed design; this latter element can be controlled through a standard drainage condition. I also note Chapter 11 of the EIA, and based on this information, I have no further comments regarding the potential risks from land contamination.

Environment Agency : No objections subject to conditions ensuring the development is brought forward in accordance with the FRA and a buffer zone is provided to watercourses.

Landscape Planning & Conservation (Ecologist) : The original ecological report by Fauber Maunsell and which is presented in this application was reviewed and updated by Penn Associates in 2013 on the basis of a single site visit incorporating a habitat survey and protected species risk assessment.

Both reports contain some slightly out of date information and, in particular, it should be noted that Swart Hole Plantation is now part of the Close Wood Local Wildlife Site

(LWS) therefore the proposed hospital site is immediately adjacent to an LWS. Also there have been additional records of badger in the vicinity of the site and Otter on Close Beck subsequent to the Fauber Maunsell report. However this does not make a significant difference to the conclusions of the Penn Associates report given in Appendix 8.9 and I consider that report to be accurate in its description of the site itself.

The adverse effects associated with this application would be:

- 1) Habitat loss, specifically the loss of c25ha of improved grassland and arable set-aside; the loss of c750m of gappy, species-poor hedgerow and the loss of at least 13 mature Ash trees.
- 2) There would also be the loss of breeding bird territories, including some farmland bird species of conservation concern although the likely number of these has not been determined.
- 3) Potential loss of badger foraging opportunities
- 4) Potential loss of bat foraging and commuting habitat
- 5) Potential loss of bat roosts associated with the removal of the mature Ash trees

In order to mitigate for potential harm to protected species the following conditions should be included with any permission:

- 1) Any trees that have been identified in the Penn Associates report as Category 1* (very high) and Category 1 (high) for bat potential, should be subject to bat activity surveys prior to any felling works being undertaken on them. Any trees with bat roosting potential should be felled according to a suitable method statement to reduce the risk of harm to bats.
- 2) Vegetation, including trees and grassland/arable set-aside should be cleared outside of the bird breeding season, taken to be March-August inclusive. An exception to this timing restriction could be made if the site is first checked within 48 hours prior to the relevant works taking place by a suitable qualified ecologist who confirms that no breeding birds are present and a report is subsequently submitted to the LPA confirming this.
- 3) The National Planning Policy Framework emphasises the need for planning to provide net gains in biodiversity and specifically to encourage opportunities for incorporating biodiversity in and around developments. The loss of the habitats described above would result in an adverse effect on biodiversity which should be compensated for through the development. The site plan (Fig 4.1) gives an indicative idea of landscape features which would be part of the new development. In particular it indicates three storm water lakes, which have the potential to be of significant benefit for wildlife, as well as extensive ornamental tree planting and a small area of woodland planting. If implemented as indicated in Fig 4.1 then the landscaping has the potential to produce a minor enhancement for biodiversity on this site, in line with the NPPF. Therefore a detailed landscaping scheme, which incorporates the requirement to enhance the biodiversity of the site, should be conditioned.

Landscape Planning & Conservation (Arboriculturalist) : An arboricultural impact assessment has been submitted in support of the application. The assessment includes a total of 13 individual trees, all mature or over-mature Ash, and 5 sections

of hedgerow mainly made up of Blackthorn, Elder and Hawthorn. Of the 13 individual trees, 12 are considered category C (low quality trees) and 1 is considered category U (trees unsuitable for retention).

It will be necessary to remove all existing trees and hedgerows in order to facilitate the development. Although this is considered unfortunate, a general indication of a significant landscaping proposal is included in the Design and Access Statement. The landscaping proposal (subject to final details which should be included with reserved matters) will serve to adequately compensate for the loss of amenity.

Parks & Countryside : Whilst there are no public rights of way within the boundary of this important development; it is surprising that no information, relating to linking or connecting to the existing rights of way to the north and south, is evident.

It is well documented and evidenced that mental and physical wellbeing is improved and raised when access to recreational walks are available to patients and carers/family.

It is necessary to create access for the above groups and also to look to linking to the public right of way network. This will have the effect of assisting in the care given within the development itself and provide a different and natural environment to do it in.

Public Protection : I would have no objections to this application subject to conditions requiring the implementation of the mitigation measures specified within the air quality assessment and the noise assessment submitted with the application for both the construction and operational phases of the development.

It should be noted that the environmental impacts on the neighbouring residential development have been considered as part of a separate application.

Traffic & Transportation : I have reviewed the updated Transport Assessment and Travel Plan and the proposed development will essentially generate the same volume of traffic as the previously approved application.

In the previous application a package of highway mitigation measures were agreed to increase capacity at key junctions on the A689 and A19, and improve public transport measures to and from the Wynyard area. These measures are still considered essential to allow traffic to operate as efficiently as possible.

Since the previous application further extensive development is being proposed. This development consists of the 2200 houses, business parks, a school and local centres. If all development is built out including the hospital, and proposed mitigation measures are in place, traffic models are indicating there will be severe delays on the A689 during the evening peak, this is a significant delay and does not take into account any delays getting onto the A689 from the local network. Further transport modelling is being undertaken to fully assess these implications.

Without this extra development the proposed mitigation would be considered appropriate. With the extra development further mitigation would be required in order

to bring traffic to an acceptable level and remove issues for emergency vehicles trying to access the hospital and ensure that the public transport can also operate efficiently from the site. This can be conditioned as and when these future applications are made.

The conditions agreed for the previous application are still applicable subject to the minor amendments suggested by the Highways Agency.

Natural England : Natural England's comments in relation to this application are provided in the following sections.

Protected species

Bats

Natural England **does not object** to the proposed development. On the basis of the information available to us, our advice is that the proposed development is likely to affect bats through disturbance of a European protected species. We are satisfied however that the proposed mitigation is broadly in accordance with the requirements of the Bat mitigation guidelines and should maintain the population identified in the survey report. Natural England supports the recommendations for a careful lighting strategy for the site, to minimise the impacts of the development on commuting and foraging bats. (They recommend that a condition to secure the protection of bats is appended to any consent)

All species of bat are European Protected Species. A licence is required in order to carry out any works that involve certain activities such as capturing the animals, disturbance, or damaging or destroying their resting or breeding places. Note that damage or destruction of a breeding site or resting place is an absolute offence and unless the offences can be avoided through avoidance (e.g. by timing the works appropriately), it should be licensed. In the first instance it is for the developer to decide whether a species licence will be needed. The developer may need to engage specialist advice in making this decision. A licence may be needed to carry out mitigation work as well as for impacts directly connected with a development.

Natural England's view on this application relates to this application only and does not represent confirmation that a species licence (should one be sought) will be issued. It is for the developer to decide, in conjunction with their ecological consultant, whether a species licence is needed. It is for the local planning authority to consider whether the permission would offend against Article 12(1) of the Habitats Directive, and if so, whether the application would be likely to receive a licence. This should be based on the advice we have provided on likely impacts on favourable conservation status and Natural England's guidance on how we apply the 3 tests (no alternative solutions, imperative reasons of overriding public interest and maintenance of favourable conservation status) when considering licence applications.

Otter

It is noted that a survey for European Protected Species has been undertaken in support of this proposal. Natural England **does not object** to the proposed development. On the basis of the information available to us, our advice is that the proposed development would be unlikely to affect otters. Natural England supports

the proposals for a cautionary approach towards otters on the site and the proposal for a search prior to commencement of works, Chapter E – Ecology from the Wynyard Park – Hartlepool: Environmental Statement states “Works on site will not commence until an otter checking survey has been undertaken to confirm the absence of otter from the development area, and areas within 50m of the boundary. Should active resting sites be present and considered to be significantly affected by the proposals, works within these areas will not commence until a Natural England licence has been obtained”. For clarity, this advice is based on the information currently available to us and is subject to any material changes in circumstances, including changes to the proposals or further information on the impacts to protected species.

Great Crested Newts

It is noted that a survey for European Protected Species has been undertaken in support of this proposal. Natural England **does not object** to the proposed development. On the basis of the information available to us, our advice is that the proposed development would be unlikely to affect great crested newts.

We have not assessed the survey for badgers, barn owls and breeding birds (Unless protected by Schedule 1 of the Wildlife & Countryside Act 1981 (as amended)), water voles, white-clawed crayfish or widespread reptiles. These are all species protected by domestic legislation and you should use our protected species standing advice to assess the adequacy of any surveys, the impacts that may result and the appropriateness of any mitigation measures.

The advice we are giving at the present time relates only to whether, in view of the consultation materials presently before us (including with reference to any proposed mitigation measures), the proposal is likely to be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range (*i.e.* the ‘*Favourable Conservation Status*’ test). We have not considered whether the proposal satisfies the three licensing tests or whether a licence would be issued for this proposal. This advice is based on the information currently available to us and is subject to any material changes in circumstances, including changes to the proposals or further information on the protected species.

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 for both access and water supply requirements. Further comments may be made through the building regulation consultation process as required.

Cleveland Emergency Planning Unit : The only points we wish to note are the presence of both the Natural Gas, NGN and National Grid pipeline and the Teesside Saltend Ethylene pipeline in the vicinity and the impact on the transport links within the area. As far as the plans we would offer no objections to them.

Hartlepool Water: Hartlepool Water are aware of this planning application and are currently in discussions with North Tees & Hartlepool NHS Trust. We do not anticipate any diversion work. We have no objections to this development.

Highways Agency : Referring to the notification of a planning application dated 10th October 2013, your reference H/2013/0479, in connection with the A19, outline application for a new hospital development, Wynyard Park, Wynyard, notice is hereby given under the Town & Country Planning (Development Management Procedure) (England) Order 2010 that the Secretary of State for Transport offers no objections.

Northern Gas Networks : No objections

Northumbrian Water : I refer to your letter dated 10th October 2013 and on the web Flood Risk Assessment by WSP 29/9/13. The assessment states Surface Water will discharge to beck. The application form should not be marked “main sewer”. There is no public SW sewer near this development. The foul sewer in Hanzard Drive (street) is still private. With this correct, Northumbrian Water has no comment about this development.

Ramblers : We are disappointed that no action has been taken to give staff and those patients able to walk recreational walks within the site. The D&A (Design & Access Statement) has many fine photos but it seems all will have to be content with what they can see from the upper floors.

It is especially disappointing, to be tantalised by the photographs in the D&A of views of attractive woodland and surrounding country and to realise that none will be able to enjoy the tranquillity such places give. The lack of access to the North Burn Valley for staff and patients is particularly disappointing.

We ask yet again that consideration be given for such recreational access - its therapeutic value is unquestioned.

Tees Archaeology : The Environmental Statement includes a chapter on Archaeology and Cultural Heritage. This meets the information requirements of NPPF para. 128. I have read this chapter and can confirm that I agree with the recommendation that no further archaeological work is necessary at this site. The report suggests that topsoil stripping might be monitored by an archaeologist as a precautionary measure. The negative results of previous trial trenching and a watching brief during geotechnical works suggest that this is not necessary and is unlikely to be productive.

Stockton-on-Tees Borough Council (SBC): (Original Comments) The proposed hospital should be sustainable and any potential impacts fully mitigated in line with the NPPF. It is considered that from a Highways perspective that the potential implications for the road network and the users of the hospital should be assessed along with the current housing applications. As such the potential highway impact of the hospital should form part of the comprehensive modelling work for the local and strategic highway and not follow the previous Transport Assessment that related to the extant business park development. Officers at Stockton on Tees Borough Council would welcome joint working with officers at Hartlepool Borough Council regarding the delivery of sustainable development at Wynyard Park.

(Further Comments from SBC) The updated Transport Assessment and Travel Plan have been reviewed and this has identified that the development should generate the same volume of traffic as the previously approved (now lapsed) application.

In the previous application a package of highway mitigation measures were agreed by Hartlepool Borough Council to increase capacity at key junctions on the A689 and A19, and improve public transport measures to and from the Wynyard area. These mitigation measures are still considered essential to allow traffic to operate as efficiently as possible. The measures currently proposed are likely to require land on the adopted highway within the administrative area of Stockton-on-Tees Borough and land in 3rd party ownership. Should consent be given to this application a Grampian condition would have to be added to ensure that these works can be delivered.

Since the previous application further extensive development is being proposed in the Wynyard area within the administrative areas of both Stockton and Hartlepool Borough Councils. The development proposals, which comprise of three applications consist of the 2200 houses, a business park, a school and local centre. However, following assessment on these applications, the Highways Agency (HA) have concluded that an absolute maximum of 1100 houses could be accommodated on the A19.

Officers at Stockton-on-Tees Borough are still considering the implications on the local highway network of the HA's recommendation for a maximum figure of 1100 houses. Clearly there is interdependence between the traffic generation and mitigation for the hospital and the proposed housing and even with this reduced quantum the risk of severe delays on the A689 remains a possibility. This risk should be fully considered as part of the Hospital application. In addition any impact of the additional traffic from the proposed housing on emergency vehicles movements and on the provision on an efficient public transport initiatives must be fully considered.

Prior to determination of the Hospital application WSP (acting as highway consultants for this application) should liaise with the other transport consultants (SAJ for Wynyard Village and Aecom for Wynyard Park) to present a comprehensive mitigation strategy for the hospital plus 1100 houses. If individual mitigation proposals are presented, some may compromise the operation of the other. As such the potential highway impact of the hospital should form part of the comprehensive modelling work for the local and strategic highway and not follow the previous Transport Assessment that related to the extant business park development.

PLANNING POLICY

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

Local Policy

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

- GEP1 – General Environmental Principles
- GEP2 – Access for All
- GEP3 – Crime Prevention by Planning and Design
- GEP9 – Developer Contributions
- GEP10 – Provision of Public Art
- Ind1 – Wynyard Business Park

Tra5 – Cycle Networks
 Tra15 – Restriction on Access to Major Roads
 Tra16 – Car Parking Standards
 Tra20 – Travel Plans
 GN4 – Landscaping of Main Approaches
 Rur2 – Wynyrd Limits to Development

National Policy

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

1.32 The following paragraphs from the NPPF are also considered relevant:

Para 7 – 3 elements to sustainable planning – economic, social and environmental
 Para 9 – Pursuing Sustainable Development
 Para11 – Primacy of Development Plan unless other material considerations indicate otherwise
 Para 14 – Presumption in Favour of Sustainable Development
 Para 17 – Core Planning Principles
 Para18 – Building a strong, competitive economy
 Para 22 – long term protection of employment sites
 Para 30 – Sustainable Travel
 Para 56 – Good Design
 Para 69 – Promoting Healthy Communities
 Para 203 – 206 – Planning Conditions and Obligations

Planning Considerations

1.33 The main considerations in this case are policy issues in terms of the proposed land use and loss of employment land, highway safety and accessibility issues. Other issues raised in the Environmental Statement are also relevant (see below). An Environmental Statement (including supporting documents), Flood Risk Assessment, Planning Supporting Statement, Design and Access Statement,

Transport Assessment, Travel Plan, Tree Survey, Statement of Community Involvement and Sustainability & Energy Statement has been submitted to accompany the application. The Environmental Statement considers the scheme in relation to a number of factors which include:

1. Planning policy
2. Landscape and visual amenity,
3. Archaeology and cultural heritage,
4. Ecology and ornithology,
5. Air quality,
6. Noise,
7. Water and land conditions,
8. Soci-economics
9. Traffic and transportation

This report will consider those issues in the same order.

POLICY ISSUES

1.34 Wynyard Park is recognised in local planning policy as a strategic growth point and the area is allocated for business park use within the Hartlepool Local Plan Saved Policies (2006).

1.35 The application is therefore a departure from the Hartlepool Local Plan as the land is allocated for business development specifically commercial uses (B1, B2 and B8 uses) which would not encompass a Hospital Use (D1).

1.36 The Hartlepool Employment Land Review for Hartlepool December 2008 indicated that there was an over supply of employment land within the built up area of Hartlepool. The Employment Land Review accepted that the land at Wynyard Business Park and at North Burn (referred to in the RSS as 'Wynyard') were not considered as part of the Borough's employment land supply but rather forms a sub regional supply. It is noted however that notwithstanding the loss of a small part of the employment land, the principle of the use of the site for Health Care has been previously accepted and it would be difficult now to sustain a contrary position. It is considered in any case whilst not a conventional commercial business the provision of a hospital of sub regional importance brings with it a major employer and a high value business to the site. The attraction of high quality employment is therefore welcomed. It may also act as an economic driver to the site by attracting supplier chain investment and associated medical investment.

1.37 It is not considered that the proposal would prejudice the successful implementation of the remaining Business Park uses or detrimentally affect the economic and environmental aspirations for the whole site.

1.38 The site lies within the Wynyard Limit to Development set out in Policy Rur2 of the adopted Hartlepool Local Plan 2006. The overall need for such a facility is not specifically an issue for the Local Planning Authority to determine– it is primarily concerned about the land use implications of siting the hospital in the proposed location. The issue of specific need is for the Health Trust to determine. This flows from a range of demographic and operational considerations. As stated in the background section there has been an extensive assessment of need and siting

options for the provision of a new hospital to serve the area. The latter having been informed by strategic planning policy as well as physical constraints and operational considerations. This process was also subject to substantial public consultation. The current application is therefore a considered outcome to these processes. The Local Planning Authority is not bound by the decision of the Health Trust but is entitled to pay regard to its view that there is a need for a new hospital and to the site selection process that has occurred and which has informed the current application.

1.39 In conclusion in light of the above, it is considered that in this instance a departure from the adopted plan would be acceptable and in policy terms the proposal is considered acceptable.

LANDSCAPE AND VISUAL AMENITY

1.40 The assessment of landscape and visual impact which has been undertaken as part of the Environmental Impact Assessment has had regard to the wider areas around the site that are designated for landscape value. The assessment has had regard to the illustrative layout and design submitted with the application and having regard to the previously approved Business Park development.

1.41 However it should be acknowledged that these issues (layout and design) are subsequently matters for a reserved matters application. The landscape impact study identified a number of areas where the proposals are likely to have adverse impacts on the landscape. These include:

- Impact on the historic field boundaries.
- Impact of the new hospital building and environs.
- Loss of existing hedgerows, trees and fields.
- Impact of additional traffic in previously quiet areas
- Impact of the new access roads
- Impact of lighting from the site and vehicles.
- Form of land enclosure will change from woodland and hedgerows to buildings.

1.42 In addition to these adverse impacts, a number of potentially beneficial impacts have been listed by the applicant as arising due to the development and proposed mitigation:

- New structural planting/woodland planting.
- New tree and shrub planting.
- New low fertility meadows and grassland.
- New wetland habitats.

1.43 The Environmental Statement concludes that at national/regional level the proposed development will be of no significance. However, at county level, significant adverse landscape it identifies that impacts will be caused by a change of land use and increased lighting and at local level by the former. However, that it also acknowledges there would also be significant benefits arising from the proposed planting, footpath access and wetland habitat creation. It is also recognised that

there will be some minor long distance visual impacts from the existing residences at Wynyard.

1.44 In addition to the landscape and visual impact assessment, a Tree Survey has been undertaken which identifies that 13 trees and 5 sections of hedgerow will need to be removed from the site however these trees are considered to be of low quality or not worthy of retention. The Council's Arboriculturalist has raised no objections to the scheme and considers that the landscaping proposal will serve to adequately compensate for the loss of amenity. This can be conditioned and addressed at the reserved matters stage.

1.45 It is acknowledged that the hospital is a significant development. However, the site is relatively well enclosed and is well away from any existing dwellings it is located in an area allocated in the extant local plan for business development and planning permission has previously been granted for business development and the same hospital development on the site. Mitigation through sensitive landscaping is anticipated to help integrate the development into its surroundings. The final scale of the development and landscaping will be considered at the reserved matters stage and can be conditioned. Lighting details to reduce light pollution can also be conditioned. In terms of its landscape and visual impact the proposal is considered acceptable.

ARCHAEOLOGY AND CULTURAL HERITAGE

1.46 An archaeological desk-based assessment has been undertaken as part of the Environmental Impact Assessment. This collated baseline data for archaeology and cultural heritage within a study area of approximately 1km from the site boundary. The only sites located within the actual site boundary relate to a spot find of Roman pottery and part of the possible deserted medieval village of Newton Hanzard. Tees Archaeology have raised no objections to the proposal and confirmed given the negative results of previous trial trenching and a watching brief during geotechnical works no further archaeological works are required.

ECOLOGY AND ORNITHOLOGY

1.47 The Environmental Statement identifies habitats currently present at the site as comprising arable, improved grassland, poor defunct hedgerows, and scattered trees. None of these habitats are considered species rich and the overall ecological value of the site is considered to be low. The site itself is not covered by any designations and the three identified Sites of Nature Conservation Interest within 1 km of the site will not be directly affected by the proposed development works. In terms of protected species there is some limited evidence of badger from footprints on the site, no evidence of bat roost was found however bats may use the adjacent woodland and the site presents foraging and commuting opportunities for bats, no evidence of great crested newts otter or Cray fish were identified. A total of fifty species of breeding bird were recorded within the site.

1.48 The Environmental Statement lists a number of ecological receptors that the proposed development would affect. None of these are assessed as being of more

than local importance and none of them critical to the determination of this application.

1.49 The following ecological impacts have been identified by the applicant (pre-mitigation):

- A slight adverse impact on site habitats, primarily due to habitat removal and its impact on foraging and movement corridors.
- A slight adverse impact on local watercourses, mainly from potential pollution.
- A slight adverse impact on the local badger population, predominantly related to increased human presence and associated disturbance and traffic (with an increased risk of road mortality) as well as habitat fragmentation.
- A moderate adverse impact on bat populations, mainly due to loss and fragmentation of foraging and commuting habitat as well as disturbance caused by increased human presence and associated lighting.
- A slight adverse impact on breeding bird populations was identified, primarily due to loss and fragmentation of breeding and foraging habitat as well as disturbance caused by increased human presence.
- A slight adverse impact on otter populations, primarily due to the potential for pollution into adjacent watercourses.

1.50 The mitigation suggested to address these impacts includes the following measures:

Habitats

- Retained trees and wooded areas in proximity to the working area to be protected during the construction works, including Swart Hole Plantation.

Watercourses

- Pollution control methods in accordance with Environment Agency guidance (Pollution Prevention Guidelines).

Badgers

- Pre-construction surveys
- Minimise night working during the construction period.
- Creation of areas of grassland and woodland belts to provide compensatory foraging areas.
- Creation of hedgerows to the site perimeter to improve connectivity of foraging areas.
- Provision of plant species suitable for use as food sources (fruits & nuts).

Bats

- Additional roost surveys at the time of tree removal and associated protection measures.
- Consideration of lighting impacts on bat populations.
- Bat boxes.

Breeding Birds

- Provision of plant species suitable for use as food sources (fruits & nuts).
- Additional pre-commencement surveys.

Otters

- General prevention of pollution actions/methods.
- Avoidance of disturbance to suitable otter habitat.

In addition a number of enhancement measures have been proposed:

- 5m buffer zone along Watercourse 1 (adjacent to Swart hole Plantation) to be planted with trees or scrub to provide cover for wildlife.
- Native species used as enhancement planting, especially those with food source benefits.
- A balancing pond.
- Hedgerow restoration and linkage with new and existing hedgerows.
- Creation of new grassland with species rich grass mix rather than low maintenance amenity grassland.
- Enhancement of the site for bat roosting facilities, including bat boxes.
- Management proposals for Swart Hole Plantation.

1.51 Natural England have not objected to the proposals. The Council's Ecologist broadly agrees with the conclusions of the Environmental Statement. It must be accepted there will be a slight adverse impact on several ecological receptors. The Council's Ecologist believes however that with a suitable landscaping scheme the development has the potential to produce a minor enhancement for biodiversity on this site. He has recommended that conditions controlling the felling of trees and site clearance be imposed and requiring a detailed landscaping scheme, which incorporates the requirement to enhance the biodiversity of the site. In light of the above it is considered that the ecological impact arising from the development is acceptable.

AIR QUALITY & NOISE

1.52 An assessment to consider the exposure of existing residential properties to nitrogen dioxide (NO₂) and particulate matter (PM₁₀) due to changes in local road traffic emissions has been undertaken. Potential impacts associated with construction dust were assessed qualitatively and mitigation measures recommended. Local air quality management and baseline air quality in the area were reviewed and assessed. The Environmental Statement concludes that the air quality impacts of this development should be minimal and the predicted concentrations of NO₂ and PM₁₀ would be well within the limit values for both pollutants air quality objectives.

1.53 The Environmental Statement assessed the extent to which the proposed hospital is a potential source of noise and vibration, or a sensitive receptor to noise and vibration from the surrounding area. Noise monitoring has been carried out at various points on the site and at its perimeter to determine the existing acoustic climate in the proximity of the proposed hospital and local noise sensitive receptors during a normal weekday. Construction and operational impacts have been assessed using relevant guidance methodologies. It concludes that any impacts are

expected to be negligible or minor. Mitigation measures are discussed to prevent excessive sound transmission from any fixed mechanical or electrical plant to existing noise sensitive receptors and the proposed hospital.

1.54 The Head of Public Protection has raised no objections to the proposal subject to conditions. The proposal is considered acceptable in terms of its impact on air quality and noise.

WATER AND LAND CONDITIONS

1.55 The Environmental Statement assesses the potential impacts of the development on the surface water environment, geology and hydrogeology. The assessment considers the potential for and significance of any ground contamination that may adversely affect the proposed development, construction workers and end users.

1.56 This assessment has identified that the construction and occupation of the proposed scheme has the potential to adversely impact upon a small tributary of Close Beck (along the eastern boundary) and Close Beck itself, which lies approximately 500m downstream. During construction the generation of silt laden runoff and the potential for spillages and erosion of the tributary of Close Beck will need to be carefully controlled. However, providing appropriate best practice measures are implemented on site prior to and during construction, and all works are carried out in compliance with the necessary discharge and land drainage consents, residual impacts are considered to be neutral and not significant.

1.57 A number of potentially adverse impacts have been identified during the construction phase in relation to storage of hazardous materials. Additionally during the occupational phase, surface water runoff from roads and car parks may pose adverse risks. The unmitigated potential impacts range from neutral to minor adverse, and with mitigation are considered to be neutral and not significant. During the site occupation, the main risks identified are potentially contaminated runoff from the site and a risk of minor spillages (e.g. from vehicles). Runoff from the site will pass through one of three storm attenuation ponds which will provide adequate treatment. Surface water from the site will then be discharge into the tributary of Close Beck. Residual impacts are considered to be neutral and not significant.

1.58 The Environmental Statement advises that the site has been the subject to extensive ground investigations which have confirmed the absence of significant contamination in soils and water. It concludes therefore that the potential for chemical contamination at the site is considered to be very low.

1.59 The application was accompanied by a Flood Risk Assessment (FRA) which advises that the site falls within Flood Zone 1. This zone comprises land assessed as having a less than 1 in 1,000 year annual probability of river or sea flooding in any year (<0.1%). The FRA concludes that the risk of the site flooding are low and that the proposed development with appropriate specified mitigation measures (Surface Water Drainage Strategy (SUDS), Finished Floor Levels, site levels) implemented should not increase flood risk to the site or other land.

1.60 The Council's Engineering Consultancy Team and the Environment Agency have been consulted and have raised no objections to the proposals subject to appropriate conditions. It is considered that in terms of issues relating to water and land (Drainage and Contamination) the development is acceptable.

SOCIO-ECONOMICS

1.61 The Environmental Statement includes an assessment of the likely impacts on employment, the economy, and social relationships arising from the development of the new hospital. It identifies various impacts including traffic, increased employment, Public Rights of Way, impacts of hospital closures and impacts on access to local health facilities concluding that after mitigation where appropriate impacts will be negligible or minor adverse.

1.62 In socio-economic terms, it is suggested that the development of the hospital on the site will have a positive impact on the local community and businesses, which will improve the local economy both directly and indirectly. The positive impact on jobs will be of moderate significance to the local economy.

1.63 In terms of how the proposed hospital will link to the community based healthcare facilities it is the aim of the Trust to change the way health care is provided, which would ultimately mean less visits to the hospital. The healthcare system concentrates on keeping people healthy with care in the home, at GP practice or in town centre clinic (IHC) where possible with the emphasis on providing as much as possible outside hospital.

1.64 It is clear that the hospital development itself would bring jobs and potentially encourage new related development to the surrounding business park. However there is also a potential that ultimately local jobs will be lost with the closure of the existing hospitals. It is reasonable to expect that with the expansion of the community and primary care based services and staffing as well as community teams and services being established, that there will also be new employment opportunities available.

1.65 The proposed hospital will create short term employment during the construction phase. Therefore, the local economy is likely to benefit indirectly from the construction workforce using local businesses for accommodation and subsistence.

1.66 It is important that opportunities for local residents and businesses to be involved in the construction and operation of the hospital are maximised. To this end the applicant has agreed via a section 106 agreement to ensure that the recruitment and training opportunities, local sub-contractor and supply chain opportunities during construction of the hospital and subsequent operation of the development, are made available to the residents of the Boroughs of Hartlepool and Stockton.

1.67 The Environmental Statement identifies concerns over the current lack of Non-Motorised User (NMU) provision along the A689 and a lack of public transport access both of which may cause exclusion to those without access to a private car.

However, the negative impacts can be reduced in the long term by implementing pedestrian and cycle paths/routes along the A689, providing safe crossing points along the A689 and through providing reliable public transport links to local population centres and settlements. A developer contribution to improve pedestrian and cycle access and public transport will be secured through the section 106 agreement as with the previously approved scheme.

TRAFFIC AND TRANSPORTATION

1.68 Access to the site from the A689 is dependent on the implementation of other planning permissions on adjacent sites (H/2009/0494 & 13/2267/RNW if approved). It is proposed that a major local distributor road (spine road) will be provided between the two roundabouts on the A689 that serve Glenam Road and the eastern end of The Wynd within the overall masterplan for Wynyard 3. This link road was originally granted planning permission under a previous Wynyard Park approval (H/2009/0494 & 08/1410/FUL).

1.69 The indicative layout of the site shows two roundabouts on the spine road giving separate access to the west and east sides of the site. These will effectively separate ambulatory and emergency traffic flows (west) within the site as quickly as possible from the staff, patient and visitor traffic (east). A loop road is proposed from the first south eastern roundabout for 'pick up' and 'drop off' at the main entrance. This roundabout would also take patients, visitors and staff to the car parks to the east and rear of the hospital building. The second south western roundabout is proposed for emergency vehicles and deliveries. Ambulances are proposed to be able to access the 'drop off' point at A&E from this roundabout, whilst deliveries would travel to the rear of the building for drop off in the Facilities Management and Storage area and at the pharmacy delivery point. A Travel Plan has been submitted to accompany the application, with the aim of improving accessibility to the site for staff and patients.

Potential Traffic Impact

1.70 It is clear that together with the potential traffic generation from the business park and other proposed developments, there will be major traffic generation impacts arising from the proposed hospital development. In particular the impact of traffic generation onto the A19 / A689 junction needs to be carefully assessed as well as the need to provide adequate car parking on site.

1.71 The hospital must be accessible to the public, one of the key reasons behind the Wynyard 3 site being chosen as the preferred location for development is its accessibility to the wider catchment area, serving Hartlepool, Stockton and parts of Sedgefield and Easington. Whilst the existing site is well served by road links to the A19 and A1 by the A689 at present there is limited public transport service to the site.

1.72 The main transport effects will be associated with the movements of vehicles arriving and departing from the hospital site when the development becomes fully operational, particularly in the morning and evening peak periods. Increases in traffic volume will also be apparent during the construction phase of the

development, although it is likely that the operational phase of the development will have a greater impact upon the local network than the construction phase.

1.73 In order to address these concerns, with the previous hospital approval (H/2009/0335) various mitigation measures were secured these included junction improvements and the signalisation of the roundabouts at Glenam Road/Hanzard Drive, Samsung Avenue, the A19, Wolviston Services and the A1185. However, since the last application was considered “Pinch Point” funding has been secured by the Highways Agency to address existing capacity issues at the junction of the A689/A19 these include junction improvements and the signalisation of the roundabout at the A19 which would otherwise have needed to be provided in connection with the hospital development.

1.74 During the course of the consideration of the current application it has also transpired that the originally proposed mitigation works on the A19/A689 junctions would involve works on the land of other landowners. In order to address this issue sketch schemes have been prepared by the applicant’s transport consultant of revised mitigation measures which seek to avoid any requirement to encroach on third party land. The revised mitigation proposals have been reviewed and modelled by the Highways Agency and they have confirmed that with the works to be undertaken through the “Pinch Point” scheme no further improvements are required to the A19 junction to accommodate the development and they do not object to the revised mitigation proposals. In relation to the local network discussions, and transport modelling, are ongoing to determine whether the revised mitigation scheme can be accommodated in principle without detriment to the local highway network. It is anticipated that these discussion will be concluded prior to the meeting. If the revised mitigation scheme is acceptable then detailed proposals will be drawn up and conditioned. If the revised scheme is not acceptable and a third lane is required then this can be secured through a Grampian condition and or an appropriate legal agreement. Members will be updated on this issue at the meeting.

1.75 As part of the hospital development, provision for public transport is also to be introduced alongside Travel Planning measures in order to reduce single occupancy car trips this will be discussed further in the relevant section below.

1.76 It must be recognised that planning permission has previously been granted at Wynyard Park for extensive commercial development, which in itself if built would have a significant traffic impact in terms of congestion and for which only limited mitigation measures were secured. In general terms significant congestion is forecast for the A689, and also the A19 once further development of Wynyard Business Park takes place. However it is recognised that the overall situation which would result from the build out of Wynyard Park, were it to happen, would need to be addresses within a concerted future action plan. This is an issue which will require significant funding on a regional and national level to resolve in future.

1.77 In terms of traffic impact arising from the Hospital Development, the Highways Agency have not objected to the proposal. Stockton on Tees BC, have advised that from a Highways perspective the potential implications for the road network and the users of the hospital should be assessed along with the current housing applications. However, at the start of this process the original hospital permission was extant and

the hospital, and its associated highway mitigation measures, were treated as a commitment in the traffic modelling which is informing the consideration of those applications. It is also the case that the Highways Agency have not placed a holding direction on the current application as they have with the proposed housing developments.

Travel Planning

1.78 The applicant has prepared a travel plan in support of the application. The travel plan incorporates a range of measures to encourage sustainable travel to the site. These measures include the appointment of a Travel Plan Coordinator, a Travel Plan Steering Group, travel plan notice boards & information, dissemination of sustainable travel information to staff & patients, newsletters, sustainable travel events, internet pages, cycle parking, showers, encouragement to use public transport and a car share database. The implementation of the Travel Plan can be secured through a legal agreement.

Public Transport

1.79 The Wynyard area is currently not well served by public transport. Therefore, it is essential that good public transport links are provided to the new hospital ensuring that it is readily and equally accessible to the public. Furthermore national and local transport planning policies, as well as the policy of the Trust, encourage the use of public transport by staff and visitors as part of the sustainability agenda. Policy and necessity therefore require that the new site is well served by public transport. The applicant remains committed in principle to the public transport proposals which were secured by the legal agreement in respect to the original permission. These include ;

- New and extended scheduled bus services from Billingham, Hartlepool and East Durham.
- Demand responsive services from Sedgefield/Trimdons and West/ South Stockton.
- A contribution to Park & Ride proposals at Wolviston.

1.80 The developer is to fund the bus services, and others into different areas, along with the shortfall should the services not break even. Services will be reviewed periodically over a 10 year period from the date of the Hospital opening, by the local Authorities, the NHS Trust, and Wynyard Park. The precise arrangements for the services to be provided, review arrangements, and funding support will be secured within the s106 agreement following discussions.

Car Parking Supply

1.81 The Trust has forecast that the Hospital will require some 1500 car parking spaces though significant investment will be put into non car modes of transport (Cycling & Public Transport) to encourage the use of non-car modes as will the Travel Plan developed for the site.

1.82 Whilst the application is in outline form with only access being considered at this time, the concept scheme identifies a multi-storey car park located next to the

entrance of the hospital on the eastern flank of the site. This facility is proposed to take advantage of the natural slope of the site thereby minimising its visual impact, and will provide the majority of parking on the site. The remaining car parking spaces are proposed to be split between the land adjacent to the A&E department and land to the rear of the main hospital building so that surface parking does not dominate the landscape, nor encroach on the visual impact of the hospital frontage.

1.83 It is recognised that the current car parking standards guidance contained within the adopted by Hartlepool Borough Council in its Local Plan 2006 would allow a lesser provision of parking. However it is considered that should the standards in the Local Plan be enforced then severe car parking shortages might be experienced 8am and 8pm every day, which would have significant knock-on effects on surrounding roads and proposed developments.

1.84 Whilst it is important to reduce dependency on the private motor vehicle, it is recognised that the private car will be the primary means of transport for the majority of patients and visitors. It is also vitally important to ensure that public parking does not encroach beyond the site boundary, hence the precautionary approach to provision.

1.85 The proposed level of car parking is considered appropriate by the Council's Traffic and Transportation Team.

Car Park Charges

1.86 The Transportation Assessment states that the car parking charges to be levied at the new hospital will be the same as currently charged at University Hospital of North Tees and University Hospital of Hartlepool subject to inflation. A "pay on exit" system will be retained so that the true costs of parking are captured for all users. The Trust's commitment to public transport is considerable and represents a commitment to fund the revenue shortfall associated with loss-making bus services for a period of ten years after opening. This investment in public transport will be subsidised directly by the revenue from car parking charges at the new hospital.

Car Parking Management

1.87 The current management of car parking at the existing hospitals rests with the Estates Management team within the Trust, and this situation will continue with the new hospital. While the day to day staffing, maintenance and revenue collection functions will continue, management of the car parking at the new hospital will also be led at a strategic level by the work of the Travel Plan Officer. This will ensure that the aims and objectives of the Travel Plan are reflected in the day to day management of the car parking at the new site

1.88 Wynyard Park Limited has provided a letter which sets out their intention to control access to the car parks associated with the developments on Wynyard Park to prevent use by hospital related cars and to ensure that the verges and landscaping within Wynyard would be designed to avoid use by parked cars.

Cycling Proposals

1.89 It is proposed that cycle parking will be made available on site at key locations. It is probable that only staff will utilise cycling as a regular mode of transport and so in addition, showering and changing facilities are proposed to be made available for staff.

1.90 As with the original permission on site a £500,000 contribution, which will be secured by a legal agreement to improve cycling access to the Hospital is proposed. This will be secured through a legal agreement.

Conclusion

1.91 It is considered that subject to the satisfactory resolution of the outstanding discussions in relation to the impact of the revised mitigation proposals on the local highway network, appropriate conditions and a legal agreement securing the highway mitigation the proposed development is acceptable in highway terms.

SUSTAINABILITY & ENERGY

1.92 The North Tees and Hartlepool NHS Foundation Trust aspire to build an exemplar, low carbon, sustainable hospital which meets BREEAM Healthcare - Excellent Rating.

1.93 An energy centre is proposed within the grounds of the site which will contain the boilers, back-up generators, Combined Heat and Power (CHP) generators, absorption chiller units and all LV switchgear necessary to power a major facility such as this. In addition air handling units are proposed to be located within a screened open air compound on the roof. The energy centre will have an approximate footprint of 86m by 34m. It is proposed to be located to the rear of the hospital adjacent to the Facilities Management yard. These proposals should ensure that the hospital meets the national, regional and local sustainability and energy policy framework, a condition can be attached to any approval in this respect.

OTHER ISSUES

1.94 Concerns have been raised regarding this site and that hospitals should be located within urban areas, it should be noted that alternative sites are not a matter for the Local Planning Authority to consider. The Local Planning Authority must determine any application which is presented to it on its own merits. The proposed hospital is core to the Momentum: Pathways to Healthcare Programme and the delivery of healthcare across the North Tees area. The catchment area which the proposed hospital would serve is large and the site is equidistant from Hartlepool and Stockton centres for means of access and sits centrally within its wider catchment area of Hartlepool, Stockton and parts of Sedgefield and Easington.

OTHER APPLICATIONS CURRENTLY UNDER CONSIDERATION

1.95 It is noted that there are two outline applications for housing development currently under consideration at Wynyard Park. One of these sites is in Hartlepool

(H/2013/0033) which wraps around the site. The other is in Stockton (H/2013/0043) which is located beyond the woodland to the east of the site.

1.96 The Stockton housing application site is located beyond the existing woodland to the east of the site and it is not considered that the Hospital would unduly impact on the amenity of any residents of that scheme, or vice versa, should it be approved. The Hartlepool housing application site wraps around the site. The hospital permission was extant at the time of their submission and the design of the scheme as initially proposed has been amended in discussions to address any concerns in relation to the relationship of the two sites. In order to address highway issues it is anticipated that the application will be amended further to reduce the housing numbers.

1.97 It is concluded that should the housing applications be approved the two uses can be accommodated without detriment to one or the other.

CONCLUSION

1.98 In conclusion it is clear that the development of a new hospital on the application site raises a range of significant planning issues. In overall planning policy terms the development will amount to a departure from the approved development plan, which allocates the site for Business purposes. However, it is considered that the proposal is acceptable and would not prejudice the further development of the business park site, and therefore would not detrimentally affect the economic and environmental aspirations for the site as a whole. The hospital development will itself have employment generating impacts and the potential to generate spin off services and development. The provision through a legal agreement of employment opportunities and training agreements will help to maximise local benefits in this respect.

1.99 The transportation issues are the other major set of concerns associated with this proposal. The proposed hospital will help to secure necessary highway improvements and public transport penetration into the site. It must be acknowledged however that the proposed highway mitigation measures once agreed whilst allowing for the hospital to be brought forward will not act as a panacea for any future transport issues which might arise from other development at Wynyard.

1.100 The hospital building will be visually prominent but given the site is allocated for business use and its location set back from the main road and the potential for a high quality building and landscape design, this impact is not considered to be acceptable.

1.101 The applicant remains committed to the obligations secured in respect to the original approval for the Hospital relating to health service provision, public transport provision, off site highway improvements, a cycleway contribution, a contribution for highway and/or public transport improvements at the Billingham Interchange, the implementation of a recruitment and training charter and the appointment of a travel plan co-ordinator. In addition the applicant has agreed to provide a contribution to a Park & Ride Scheme at Wolviston should this be brought forward.

1.102 In conclusion the proposal is considered acceptable and is recommended for approval.

EQUALITY AND DIVERSITY CONSIDERATIONS

1.103 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

1.104 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision making. There are no Section 17 implications.

REASON FOR DECISION

1.105 An Environmental Statement (Environmental Impact Assessment) was submitted with this application and the environmental information therein was taken into consideration by the Local Planning Authority in reaching its decision. 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 satisfactory conclusion of discussions regarding off site highway mitigation, the completion of a legal agreement under S106 of the Planning Act relating to the linking the opening of the new hospital to other elements of the integrated health care programme, the provision of public transport services, the provision of off site highway improvements, a cycleway contribution (£500,000), the provision of a contribution towards the proposed Billingham Interchange Redevelopment (£100,000), the provision of a contribution towards a Wolviston Park & Ride scheme (£250,000), a commitment towards a targeted labour and training agreement for employment opportunities and the appointment of a Travel Plan Coordinator to oversee the implementation the Travel Plan and Car Parking Management Plan, the following conditions and any conditions considered appropriate relating to off site highway mitigation following the conclusion of discussions regarding off site highway mitigation. The final wording and content of the legal agreement and conditions to be delegated to the Planning Services Manager.

1. Application for the approval of the reserved matters referred to below must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) the expiration of five years from the date of this permission; or (b) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
To clarify the period for which the permission is valid.
2. Approval of the details of the 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.
To ensure the site is developed in a satisfactory manner.

3. The development shall be carried out in accordance with the mitigation measures set out in the Environmental Statement and supporting documents submitted with the application unless provided for in any other condition attached to this permission or unless otherwise agreed in writing by the Local Planning Authority. The development is the subject of an Environmental Impact Assessment and any material alterations to the scheme may have an impact which has not been assessed by that process.
4. The layout and scale of the final development shall be carried out in substantial accordance with the details submitted in the Environmental Statement and supporting documents of the hereby approved application, unless otherwise agreed in writing by the Local Planning Authority.
The development is the subject of an Environmental Impact Assessment and any material alterations to the scheme may have an impact which has not been assessed by that process.
5. The proposed building shall not exceed 6 storeys in height and the floorspace shall not exceed 100,000m² (Gross Internal Floor Area).
The development is the subject of an Environmental Impact Assessment and any material alterations to the scheme may have an impact which has not been assessed by that process.
6. The landscaping scheme required by condition 2 shall: 1) be designed so as to prevent vehicular parking on areas not identified for car parking. The scheme shall be implemented prior to the hospital becoming operational and retained thereafter for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority. 2) include a scheme for the protection of trees to be retained within the site. Thereafter the scheme shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. 3) include a scheme for the replacement of trees lost by the development. Thereafter the scheme shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. 4) include a scheme for strengthening the site boundary plantations. Thereafter the scheme shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. 5) shall be designed to enhance the biodiversity of the site. Thereafter the scheme shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
In the interests of visual amenity and highway safety.
7. A detailed ecological/environmental management plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. This should include details of mitigation measures and a detailed "balance sheet" of the residual adverse effects set against the compensatory/enhancement measures, including the long term sustainability of those measures. Thereafter the agreed measures shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
To ensure that appropriate biodiversity enhancements are achieved.
8. No development shall take place until a scheme for the parking of vehicles within the site has been submitted for the consideration and approval of the Local Planning Authority. Before the development is brought into use the approved car parking scheme shall be provided in accordance with the approved details.
Thereafter the scheme shall be retained for its intended purpose at all times

during the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of highway safety.

9. The hospital hereby approved shall not be brought into use until the proposed bus services, as detailed in the legal agreement accompanying this decision are operational, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of accessibility.
10. The hospital hereby approved shall not be brought into use until a scheme for cycleway provision/improvements to the site has been implemented in accordance with details which have been first submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of highway safety and promoting sustainable forms of transport.
11. A scheme for cycle storage including a programme of works shall be submitted to and approved in writing by the Local Planning Authority before the hospital hereby approved is first occupied. Thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
To ensure the site is developed in a satisfactory manner.
12. The Travel Plan prepared by WSP (Issue 1 dated 27/09/2013) shall be implemented at the time of development and thereafter adhered to at all times the development exists unless some variation is otherwise agreed to by the Local Planning Authority.
In the interest of reducing the traffic impact of the development on the Strategic Road Network.
13. The Car Park Management Plan received from WSP on 4/12/2013 (dated November 2013) shall be implemented at the time of development and thereafter adhered to at all times the development exists unless some variation is otherwise agreed to by the Local Planning Authority.
In the interest of reducing the traffic impact of the development on the Strategic Road Network.
14. The hospital hereby approved shall not be brought into use until the road linking the A689/The Wynd roundabout and A689/Glenam Road roundabout (through Wynyard 3) has been implemented to adoptable standards and is operational, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of safety and the free flow of traffic.
15. The development shall not be brought into use until an alternative diversion access route to the Hospital hereby approved is identified, tested and publicised in the event the A19 is closed to through traffic, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of safety and the free flow of traffic.
16. A scheme for the inclusion of a bus stop(s) including a programme of works shall be submitted to and agreed in writing by the Local Planning Authority before development commences, thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
In the interests of accessibility.
17. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 27/9/2013 and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated up to and including the 100 year critical storm (inc. CC) so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Surface water discharge will be attenuated to the 'greenfield' rate of 3.5 l/s/ha with storage volumes as calculated in section 3.2.4.
3. Finished floor levels should be set a minimum of 150mm above existing ground level as outlined in section 8.1.6.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To reduce the risk of flooding to the proposed development and future occupants.

18. Development shall not begin until a surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the approved details unless some variation is otherwise agreed in writing by the Local Planning Authority.

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To reduce the risk of flooding to the proposed development and future occupants.

20. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not pass through the interceptor, unless otherwise agreed in writing by the Local Planning Authority.

To prevent pollution of the water environment.

21. A scheme to incorporate energy efficiency measures and embedded renewable energy generation shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority the development should be designed to ensure energy consumption is minimised and meets the Building Research Establishment's Environmental Assessment Method (BREEAM) "excellent" ratings as a minimum. The hereby approved development should also have embedded a minimum of 10% energy supply from renewable resources. Thereafter the scheme shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

To encourage sustainable development.

22. A scheme for the location of the proposed helicopter pad including a programme of works shall be submitted to and approved in writing by the Local Planning Authority before the development commences. Thereafter the helicopter pad shall be provided in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

In the interests of minimising any possible impact of noise on neighbouring properties.

23. Details of any fixed plant and associated noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority before development commences. Thereafter the scheme shall be implemented in

accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of minimising any possible impact of noise on neighbouring properties.

24. A scheme for external lighting of the development including a programme of works shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be provided in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

To minimise light pollution and any impacts on ecology.

25. The development hereby approved shall incorporate 'secured by design' principles. Details of proposed security measures, including the provision of CCTV and a programme of work shall be submitted and agreed in writing with the Local Planning Authority before the building hereby approved is first occupied. The scheme shall be implemented in accordance with the approved details.

In the interests of crime prevention.

26. A scheme for the provision of public art/landmark features, including a programme of works, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity.

27. A scheme for refuse storage including a programme of works shall be submitted to and approved in writing by the Local Planning Authority before the hospital hereby approved is first occupied. Thereafter the scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

In the interests of visual amenity.

28. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a scheme to be agreed in writing by the Local Planning Authority, and where remediation is necessary a remediation scheme must be prepared in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

To ensure the site is developed in a satisfactory manner.

29. Prior to the removal of any trees that have been identified in the Penn Associates report dated September 2013 as Category 1* (very high) and Category 1 (high) for bat potential shall be subject to a bat activity survey shall be undertaken by a suitably qualified Ecologist. Prior to the felling of any such tree or any other tree with bat roosting potential a method statement for the felling works shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved scheme.

In order to ensure protected species (Bats) are not harmed during the course of the development.

30. Prior to any removal of vegetation, including trees and grassland/arable set-aside, between March to August (Inclusive) the vegetation shall be surveyed,

within 48 hours prior to the relevant works taking place, by a suitably qualified ecologist to ascertain the presence, or not, of breeding birds. Should no breeding birds be present a report shall be submitted to the Local Planning Authority to confirm this prior to the commencement of works. Should breeding birds/birds nests be found a scheme to protect the breeding birds shall be submitted to and approved in writing by the Local Planning Authority and thereafter adhered to. In order to ensure that breeding birds are not affected by the development.

31. The mitigation measures specified in the air quality assessment and noise chapters of the Environmental Statement shall be implemented during the construction and operational phase of the development unless some variation is otherwise agreed in writing by the Local Planning Authority.

In the interest of the amenity of the area.

32. Prior to the commencement of any works which may affect bats and or their habitat, a detailed mitigation and monitoring strategy should be submitted to, and approved in writing by the local planning authority. All works should then proceed in accordance with the approved strategy with any amendments agreed in writing.

In order to ensure protected species (Bats) are not harmed during the course of the development.

33. No development shall take place until a scheme for the provision and management of a 5 metre wide buffer zone alongside the watercourse shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

1. Plans showing the extent and layout of the buffer zone
- 2 Details of any proposed planting scheme (for example, native species)
- 3 Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
- 4 Details of any proposed footpaths, fencing, lighting etc.

Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. This condition is supported by the National Planning Policy Framework (NPPF), paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The Natural Environment and Rural Communities Act which requires Local Authorities to have regard to nature conservation and article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged. Such networks may also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the river basin management plan.

34. Prior to the commencement of any part of the development hereby approved a scheme for the disposal of foul sewerage arising from the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and the approved details retained for the lifetime of the development unless the Local Planning Authority agrees in writing to some variation of the approved scheme.

In order to ensure that the site is provided with suitable drainage arrangements.

BACKGROUND PAPERS

1.106 Background papers used in the compilation of reports relating to planning items are listed within the report and are available for inspection in the Civic Centre, Victoria Road, Hartlepool during working hours. Copies of the applications are available on-line:

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

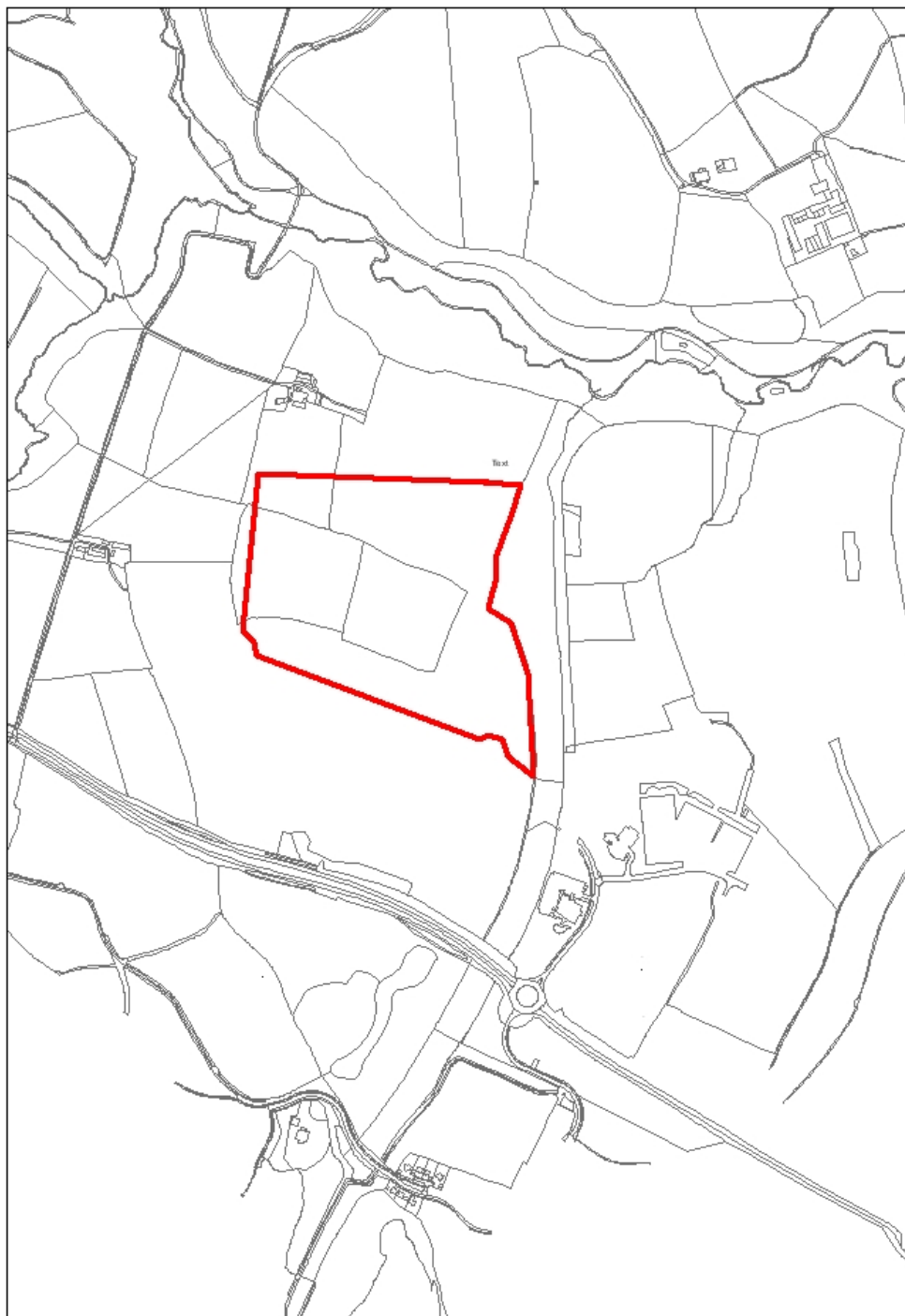
CONTACT OFFICER

1.107 Damien Wilson
Assistant Director (Regeneration)
Level 3
Civic Centre
Hartlepool
TS24 8AY
Tel: (01429) 523400
E-mail: damien.wilson@hartlepool.gov.uk

AUTHOR

1.108 Jim Ferguson
Planning Team Leader(DC)
Civic Centre
Hartlepool
TS24 8AY
Tel (01429) 523274
E-mail: jim.ferguson@hartlepool.gov.uk

HOSPITAL, WYNYARD



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

COPYRIGHT RESERVED LICENCE 1000233902013

Scale: 1:10000
Date : 05/02/13
H/2013/0479

No: 2
Number: H/2014/0009
Applicant: Galliford Try Sir Bobby Robson Way Great Park
 NEWCASTLE UPON TYNE NE13 9BA
Agent: Blake Hopkinson Architecture LLP Mr D Blake Suite 22A
 Union Quay NORTH SHIELDS NE30 1HJ
Date valid: 10/01/2014
Development: Variation of condition 3 of planning application
 H/2013/0145 comprising: Full application for the erection
 of 25 dwellings with associated landscaping, infrastructure
 and access; Outline application for up to 113 dwellings
 and associated access with all other matters reserved
Location: Former Henry Smith School Site King Oswy Drive
 HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

2.2 A valid hybrid planning application was received for the erection of 25 dwellings with associated landscaping, infrastructure and access; Outline application for up to 113 dwellings and associated access with all other matters reserved (H/2013/0145). The application was approved by the Local Planning Authority on 27/08/2013. A Section 106 Agreement was entered into as part of this application. The Section 106 Agreement secured:

1. £250 per dwellinghouse towards off site play provision;
2. £250 per dwellinghouse towards built sports facilities within the locality;
3. The completion of a targeted training and employment charter.

PROPOSAL

2.3 Planning permission is sought for the variation of condition 3 of planning application H/2013/0145 comprising: Full application for the erection of 25 dwellings with associated landscaping, infrastructure and access; Outline application for up to 113 dwellings and associated access with all other matters reserved.

2.4 The application is part retrospective as construction works relating to the full planning permission for 25 dwellings has commenced.

2.5 The variation of condition 3 relates to the substitution of approved plans relating to the layout of the 25 dwellings which have full planning permission. The

amendment to the previously approved layout is required as a consequence of the developer finding that the actual position of the mains sewer differs from what was shown on the Northumbrian Water record plans. This has an impact on the position of the non-build easement which dissects the site. Due to the existing position of the mains sewer the position of plots 14-17 and 22-25 must be altered to allow for the required non build easement either side of the mains sewer.

2.6 The overall proposal inclusive of both the full planning permission and outline planning permission comprises:

- a) Full Planning Permission:
 - 22 no. 2 bedroom bungalows
 - 2 no. 2 bedroom accessible bungalow
 - 1 no. 4 bedroom accessible bungalow
- b) Outline Planning Permission for up to 110 dwellings, indicatively showing a mixture of 2 and 3 bedroom houses and apartments with approval of access sought and all other matters reserved.

2.7 This application has been referred to committee as objections have been received from members of the public.

SITE CONTEXT

2.8 The application site lies on the northern side of King Oswy Drive, opposite St Hilda's School and has a site area of approximately 3.81 ha. Works have commenced on site with the construction of a number of foundations for the new properties. The land subject of this application is the site of the former Sir Henry Smith School, which has since been demolished. The site is bounded by existing housing to the east at Rogeri Place, Dowson Road and Brancepath Walk, and to the west at Whitrout Road. The site has a continuous frontage to King Oswy Drive on the south side with allotments to the north. The surrounding area is predominately residential in form and character.

2.9 The main access to the site is proposed to be from King Oswy Drive. Secondary accesses are also proposed from Dowson Road to serve the full application and Whitrout Road for the outline element.

PUBLICITY

2.10 The application has been advertised by way of 293 neighbour letters, a press notice and a site notice. To date, there has been one letter of no objection, and two e-mails of objection.

2.11 The concerns raised are:

- Traffic
- Mud on road from delivery wagons
- Concerned that the development of the area of the site with outline planning permission will cause damage to the rear garden of 46 Whitrout Road
- Would like a bush removed

2.12 Any comments received prior to the committee meeting shall be updated to members at committee. The neighbour consultation period does not expire until 21/02/2014.

CONSULTATIONS

2.13 The following consultation replies have been received:

HBC Engineering Consultancy: No objection, subject to condition.

HBC Landscape: No objection

HBC Public Protection: No objection

HBC Traffic and Transport: No objection

Northumbrian Water: No objection, subject to condition

PLANNING POLICY

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

Local Policy

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

- GEP1: General Environmental Principles
- GEP2: Access for All
- GEP3: Crime Prevention by Planning and Design
- GEP9: Developer Contributions
- Hsg9: New Residential Layout
- Tra14: Access to Development Sites
- Tra16: Car Parking Standards
- Tra20: Travel Plans

National Policy

2.16 In March 2012 the Government consolidated all planning policy statements, circulars and guidance into a single policy statement, termed the National Planning Policy Framework (NPPF). The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development, and approve all individual proposals wherever possible. It defines the role of planning in achieving sustainable development under three topic heading – economic, social and environmental, each mutually dependent. There is a presumption in favour of sustainable development. It requires local planning authorities to approach development management decisions positively, utilising twelve ‘core principles’ that

should underpin both plan-making and decision taking, these being; empowering local people to shape their surrounding, proactively drive and support economic development, ensure a high standard of design, respect existing roles and character, support a low carbon future, conserve the natural environment, encourage re-use of previously developed land, promote mixed use developments, conserve heritage assets, manage future patterns of growth and take account of and support local strategies relating to health, social and cultural well-being.

Paragraph 2 – Determination in Accordance with the Development Plan

Paragraph 11 – Determination in Accordance with the Development Plan

Paragraph 12 – Development Plan is the Starting Point for Decision Making

Paragraph 19 – Support Sustainable Economic Growth

Paragraph 54 – Delivering a Wide Choice of High Quality Homes

Paragraph 56 – Requiring Good Design

Paragraph 57 – Inclusive Design

Paragraph 196 – Primacy of the Development Plan

Paragraph 197 – Presumption in favour of sustainable development.

PLANNING CONSIDERATIONS

2.17 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the principle of development, residential amenity, design, highways, developer obligations and other issues.

Principle of Development

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

2.19 It is considered that the application site is located within a sustainable settlement. National planning policy contained within the NPPF directs new housing to sustainable areas, best able to support it in terms of access to facilities and services and access to good public transport links. The application site is located within the settlement limits for Hartlepool with the application site being in close proximity to services, facilities, and public transport links. The NPPF also encourages the effective use of land by reusing land that has been previously developed (brownfield land).

2.20 The principle of the reuse of brownfield land within the urban limits has been accepted in the approval of the original application, this application seeks to amend. The application for new dwellings within an existing residential area is considered to be appropriate development in the locality.

2.21 The proposed development is considered to be in accordance with policies GEP1, GEP2, GEP3 of the adopted Hartlepool Local Plan and paragraph 54 of the NPPF.

Residential Amenity

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

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

2.24 The development meets the minimum separation distances as set out in Supplementary Note 4 of the Hartlepool Local Plan, it is therefore considered that the revised layout of the 25 dwellings on the detailed application is acceptable in terms of their impact upon the privacy and amenity of neighbouring properties and future occupiers of the bungalows.

2.25 There is a minimum separation distance of 14m between the side elevation of the proposed bungalows and the front elevations of the properties on Brancepath Walk. It is considered therefore that the relationship is acceptable in terms of the guidelines set out in the Local Plan (2006) and it is unlikely that the single storey properties will have a significant impact upon the amenity of those properties on Brancepath Walk in terms of overlooking, overshadowing, dominance or outlook.

2.26 The indicative layout for the outline part of the site shows separation distances in excess of 20m to those existing properties on Whitrout Road. It is acknowledged, however, that layout is a reserved matter, and the detail of those relationships would be for consideration at reserved matters stage. The principle of this has been accepted in the approval of the original permission.

2.27 In terms of residential amenity space, the proposed bungalows would each have a private rear garden. In addition a Section 106 Agreement was secured on the original planning permission for the provision of £250 per dwelling towards off site play provision and £250 per dwellinghouse towards built sports facilities within the locality.

2.28 The Council's Head of Public Protection has raised no objections to the proposals. Whilst there is potential for short term disturbance to the surrounding area during construction works, it is considered the Council's Public Protection section have sufficient control under the Environment Act (1995) to control statutory nuisances.

2.29 The proposed development is considered to be in accordance with policies GEP1, GEP2, GEP3 and Hsg9 of the adopted Hartlepool Local Plan and paragraphs 56 and 57 of the NPPF.

Design

2.30 The surrounding properties are largely two storey. The proposed dwellings are to be single storey, with dual pitched roofs. The properties are similar to those in the locality, in that they are of a relatively standard, modern design with canopy detailing to the front and pitched roofs.

2.31 The layout has been designed to reflect the existing built form of the surrounding area, infilling the vacant land between Brancepath Walk and Whitrout Road. Sufficient amenity space has been provided for each of the dwellings, and each dwelling has sufficient parking provision. The layout incorporates soft landscaping and an area of public open space.

2.32 It is considered that the proposed design and layout of the scheme is acceptable in the context of its surroundings and is unlikely to detract from the character of the area. The design of the 25 bungalows has not altered although the layout has been slightly revised.

2.33 In terms of sustainability the dwellings shall be built to code level 3 as set out in the code for sustainable homes pre-assessment submitted to the Local Planning Authority 28 10 13.

2.34 The proposed development is considered to be in accordance with policies GEP1, GEP2, GEP3 and Hsg9 of the adopted Hartlepool Local Plan and paragraphs 56 and 57 of the NPPF.

Highway Safety

2.35 The proposed highway layout of both the full and outline elements are considered acceptable and the parking provision is considered appropriate. The Council's Traffic and Transportation section have raised no objections to the proposed development in terms of highway safety.

2.36 It is considered that the proposal will not give rise to levels of vehicular traffic which would have a detrimental impact on the capacity of the surrounding highway network. The highway layout has not altered since the original approval.

2.37 The proposed development is considered to be in accordance with policies Tra14, Tra16, Tra20 of the adopted Hartlepool Local Plan.

Developer Contributions

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

planning permission for a development if the obligation meets all of the following tests:-

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

2.39 A Section 106 Agreement has been entered into by the developer to provide £250 per dwellinghouse towards off site play provision; £250 per dwellinghouse towards built sports facilities within the locality and the completion of a targeted training and employment charter. For the part of the site which has full planning permission for 25 bungalows this equates to a commuted sum of £12,500.

2.40 In terms of the proposed commuted sum payment this is required to make the proposed development acceptable in planning terms as the new dwellings will increase the demand for amenity facilities in the area. The targeted training and employment charter indicates the developer's commitment to the use of local labour from the borough of Hartlepool during construction of both phases of the development. It is considered that the payment is set at such a level that it is fair and reasonable in relation to the development. The commuted sum payment is considered to be in accordance with policy GEP9 of the Hartlepool Local Plan.

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

2.42 The full planning element of the application is being brought forward by Vela, to provide a 100% affordable housing scheme of 25 onsite affordable housing units. This equates to a 19% provision of affordable housing on the site overall. It is considered that the level of affordable housing provision is acceptable.

2.43 A Deed of Variation is not required to secure these obligations in relation to this S.73 planning application as this is covered by the original approval.

Other Issues

2.44 An objection has been raised in relation to delivery wagons bringing mud from the site onto the highway. It is therefore considered appropriate to attach a planning condition requiring wheel washing facilities on site for the duration of the development.

EQUALITY AND DIVERSITY CONSIDERATIONS

2.45 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

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

2.47 There are no Section 17 implications.

REASON FOR DECISION

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

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

1. Application for the approval of the reserved matters referred to below must be made not later than the expiration of three years from the date of permission H/2013/0145 (approved 27/08/2013) and the development hereby approved in so far as it relates to outline planning permission for up to 110 dwellings must be begun not later than whichever is the later of the following dates: (a) the expiration of five years from the date of permission H/2013/0145 (approved 27/08/2013); or (b) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the following plans and documents received by the Local Planning Authority on 21 March 2013: (001, Site Location Plan; 10 REV.5, Accessible Bungalow Plan - Type A; 11 REV.4, Accessible Bungalow Plan Type B; 12 REV.4, General Needs Type Bungalow Type A Plan; 13 REV 4, Bungalow Plan Type B; Design and Access Statement, Noise Survey, Phase 1 Habitat Survey, Flood Risk Assessment, Statement of Community Involvement, Ground Gas/Water Monitoring Report, and Desk Study Report) the following plan received on 30 May 13: (001 Rev A, Landscape Strategy) as amended by the following plans received on 20th August 2013: (05 REV.2, Proposed Boundary Details; 14 REV.3, Accessible Bungalow Type A Elevations; 15 REV.2, Accessible Bungalow Plan - Type B Elevations; 16 REV.2, General Needs Bungalow - Type A Elevations; 17 REV.3, General Needs Bungalow - Type B Elevations) as amended by the following plans received on 8 January 2014 (006, Proposed Boundary Key Layout, 03, Existing Site Section and Proposed Streetscapes; 004 Rev J Proposed Site Layout - Detailed Application) the following plan received on 4 February 2014: (12T796-101 Rev C4, Proposed Drainage Layout; 12T796-100 Rev C3 Proposed External Works Layout).
For the avoidance of doubt.
3. The external materials used for this development shall be strictly in accordance with the details set out in the approved plans and documents and in accordance with the details submitted to the Local Planning Authority on 28 10 13.
In the interests of visual amenity.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure, shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road, without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
5. All planting, seeding or turfing comprised in the approved details of landscaping as shown on approved plan (001, Landscape Strategy, received 06 02 2014) shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way without the prior written consent of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property.
7. The development shall not commence until a detailed scheme for the disposal of surface and foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority.
Thereafter the development shall be carried out in accordance with the approved details.
To prevent the increased risk of flooding from any sources.
8. The development shall be carried out in accordance with the Construction Management Plan submitted to the Local Planning Authority 28 10 13.
In the interests of the amenities of the occupants of neighbouring properties.
9. The development shall be carried out in accordance with the code for sustainable homes pre-assessment submitted to the Local Planning Authority 28 10 13.
In the interests of sustainability.
10. The development hereby approved shall be carried out having regard to the following: 1. Site Characterisation An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: a. human health, b. property (existing or proposed) including

buildings, crops, livestock, pets, woodland and service lines and pipes, c. adjoining land, d. groundwaters and surface waters, e. ecological systems, f. archeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's '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 must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. 3. Implementation of Approved Remediation Scheme The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. 4. Reporting of Unexpected Contamination In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of 1 (Site Characterisation) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of 2 (Submission of Remediation Scheme) above, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared in accordance with 3 (Implementation of Approved Remediation Scheme) above, which is subject to the approval in writing of the Local Planning Authority. 5. Long Term Monitoring and Maintenance A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's '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) Order 1995 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way, and no garage(s) shed(s), greenhouse(s) or other garden building(s) shall be erected within the garden area of any of the dwelling(s) without prior planning permission.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

11. The number of dwellings hereby approved in so far as relates to the outline element of this permission shall not exceed 110.

To ensure the site is developed in a satisfactory manner.

12. For the outline element of this permission details of the layout, scale and appearance of the buildings, 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 acceptable.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other revoking or re-enacting that Order with or without modification), no garage(s) other than those expressly authorised by this permission shall be erected without the prior written consent of the Local Planning Authority.

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

14. Details of a wheel-washing facility within the site shall be submitted to and approved in writing by the Local Planning Authority within 28 days of the date of this permission. The facility shall be installed within 7 days of the approval of the submitted details and shall thereafter remain operational and be available for its intended use at all times during the lifetime of the development.

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

BACKGROUND PAPERS

2.49 Background papers used in the compilation of reports relating to planning items are available for inspection at Civic Centre Victoria Road Hartlepool during working hours. Copies of the applications are available on-line:

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

CONTACT OFFICER

2.50 Damien Wilson
Assistant Director (Regeneration)
Level 3
Civic Centre
Hartlepool
TS24 8AY

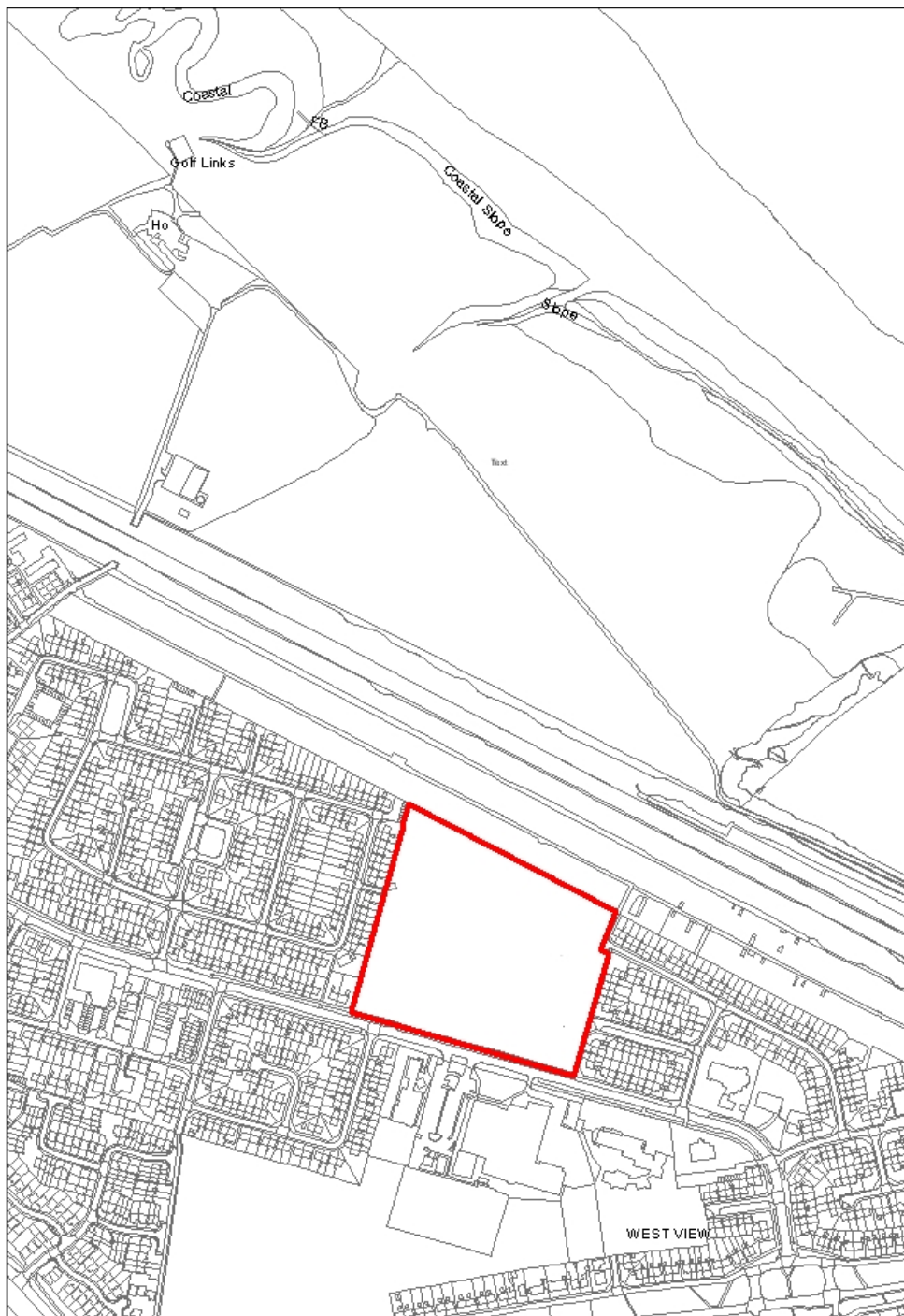
Tel: (01429) 523400
E-mail: damien.wilson@hartlepool.gov.uk

AUTHOR

2.51 Sinead Turnbull
Senior Planning Officer
Level 1
Civic Centre
Hartlepool
TS24 8AY

Tel: (01429) 284319
E-mail: sinead.turnbull@hartlepool.gov.uk

FORMER HENRY SMITH SCHOOL



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

COPYRIGHT RESERVED LICENCE 1000233902013

Scale: 1:1000
Date : 05/02/13
H/2014/0009

No: 3
Number: H/2013/0617
Applicant: Miss Mary Frain St. Teresas RC Primary School
Callander Road HARTLEPOOL TS25 3BG
Agent: SJR Architectural & Interior Designers Mr David Johnson
SJR Architectural Suite 104 The Innovation Centre
HARTLEPOOL TS25 5TG
Date valid: 18/12/2013
Development: Change of use of redundant caretakers bungalow to form
additional teaching and learning space for use in
connection with main school buildings
Location: St Teresas RC Primary School Callander Road
HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

3.2 There has been no recent relevant planning history.

PROPOSAL

3.3 Planning permission is sought for the change of use of a redundant caretakers bungalow to form additional teaching and learning space for use in connection with the main school buildings. The only external alteration to the bungalow would be the demolition of outbuildings to the rear of the property. Other alterations to the property would be limited to minor internal reconfiguration of room layout.

3.4 This application is being reported to committee as the proposal is for the change of use of a Council owned property.

SITE CONTEXT

3.5 The application site is located within the grounds of St Teresa's RC Primary School and fronts onto Callander Road, Hartlepool. The site is located within an area of designated green wedge as allocated by policy GN2 of the Hartlepool Local Plan.

3.6 The building is brick built with a concrete tile roof. The property is enclosed by a 1.4 metre high hedge to the front and green wire fencing to the sides and rear. To the north and east of the site are school playing fields, to the south is highway and to the west are the main school buildings.

PUBLICITY

3.7 The application has been advertised by way of 5 neighbour letters and a site notice. To date 1 letter of no objection has been received.

3.8 The period for publicity has expired.

CONSULTATIONS

3.9 The following consultation replies have been received:

HBC Traffic and Transport: No objections

HBC Public Protection: No objections

PLANNING POLICY

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

Local Policy

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

GEP1: General environmental principles

GEP2: Access for all

GEP 3: Crime prevention by planning and design

GN2: Protection of green wedges

National Policy

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

Paragraph 2 – Determination in Accordance with the Development Plan
 Paragraph 11 – Determination in Accordance with the Development Plan
 Paragraph 12 – Development Plan is the Starting Point for Decision Making
 Paragraph 19 – Support Sustainable Economic Growth
 Paragraph 56 – Requiring Good Design
 Paragraph 196 – Primacy of the Development Plan
 Paragraph 197 – Presumption in favour of sustainable development.

PLANNING CONSIDERATIONS

3.13 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the principle of development, impact on the visual amenity of the area, impact on the residential amenity of the area and highways.

Principle of Development

3.14 The application site is located within the grounds of the existing St Teresa's RC Primary School. It is also located within an area of designated green wedge as allocated by policy GN2 of the Hartlepool Local Plan.

3.15 Policy GN2 of the Hartlepool Local Plan supports development within allocated green wedges for the erection of buildings or structures which comprise extensions to existing premises, the provision of facilities ancillary to existing or proposed recreational, leisure or sporting uses or development related to the provision of wildlife sites. In addition there should be no significant adverse effect on the overall integrity of the green wedge.

3.16 The proposed development would see the re-use of a redundant building within the green wedge this is considered to be acceptable in principle as the development does not involve the erection of any new buildings or structures, the footprint of the property would in fact be reduced due to the removal of the existing outbuildings to the rear. It is considered that there would be no significant adverse effect on the overall integrity of the green wedge as a result of the development.

3.17 It is considered that the proposal will contribute positively to the range of teaching facilities at St Teresa's RC Primary School to the benefit of staff and pupils. The investment into the educational provision in the locality is to be welcomed.

3.18 The proposed development is considered to be acceptable in principle in accordance with policies GEP1, GEP2, GEP3 and GN2 of the Hartlepool Local Plan and paragraph 19 of the NPPF.

Impact on the visual amenity of the area

3.19 The only external alterations to the building include the removal of outbuildings to the rear. It is considered that the removal of these outbuildings would improve the appearance of the existing building. Other alterations to the building would be internal works to facilitate the reconfiguration of the internal layout.

3.20 It is considered that the proposed development would not have any significant detrimental impact on the visual amenity of the host property or the surrounding area in accordance with policy GEP1 of the Hartlepool Local Plan and Paragraph 56 of the NPPF.

Impact on the residential amenity of the area

3.21 The application site is located approximately 31 metres from the nearest neighbouring residential properties. Due to the distance of the building from neighbouring properties and the nature of the proposed change of use it is considered that the proposal would not create any significant disturbances to neighbouring residential properties. In addition the proposed change of use would not intensify the use of the site to such a level as to warrant the refusal of the application.

3.22 The proposed development is considered to be acceptable in accordance with policies GEP1, GEP2 and GEP3 of the adopted Hartlepool Local Plan.

Highways

3.23 The Council's traffic and transport section has been consulted and raises no objections to the proposed development in terms of highway safety. The proposal is considered to be in accordance with policy GEP1 of the Hartlepool Local Plan.

EQUALITY AND DIVERSITY CONSIDERATIONS

3.24 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

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

REASON FOR DECISION

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

RECOMMENDATION – APPROVE subject to the following conditions:-

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 18/12/2013 (Drawing no. 02, Location Plan; Drawing no. 01, Existing and Proposed Floor Plans).
For the avoidance of doubt.

3. Notwithstanding the details submitted with the application any making good of the building required as a result of the demolition works shall use external materials to match those of the existing building(s).
In the interests of visual amenity.

BACKGROUND PAPERS

3.27 Background papers used in the compilation of reports relating to planning items are available for inspection in Civic Centre, Victoria Road, Hartlepool during working hours. Copies of the applications are available on-line:
<http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet> except for such documents that contain exempt or confidential information and a paper copy of responses received through publicity are also available in the Members library.

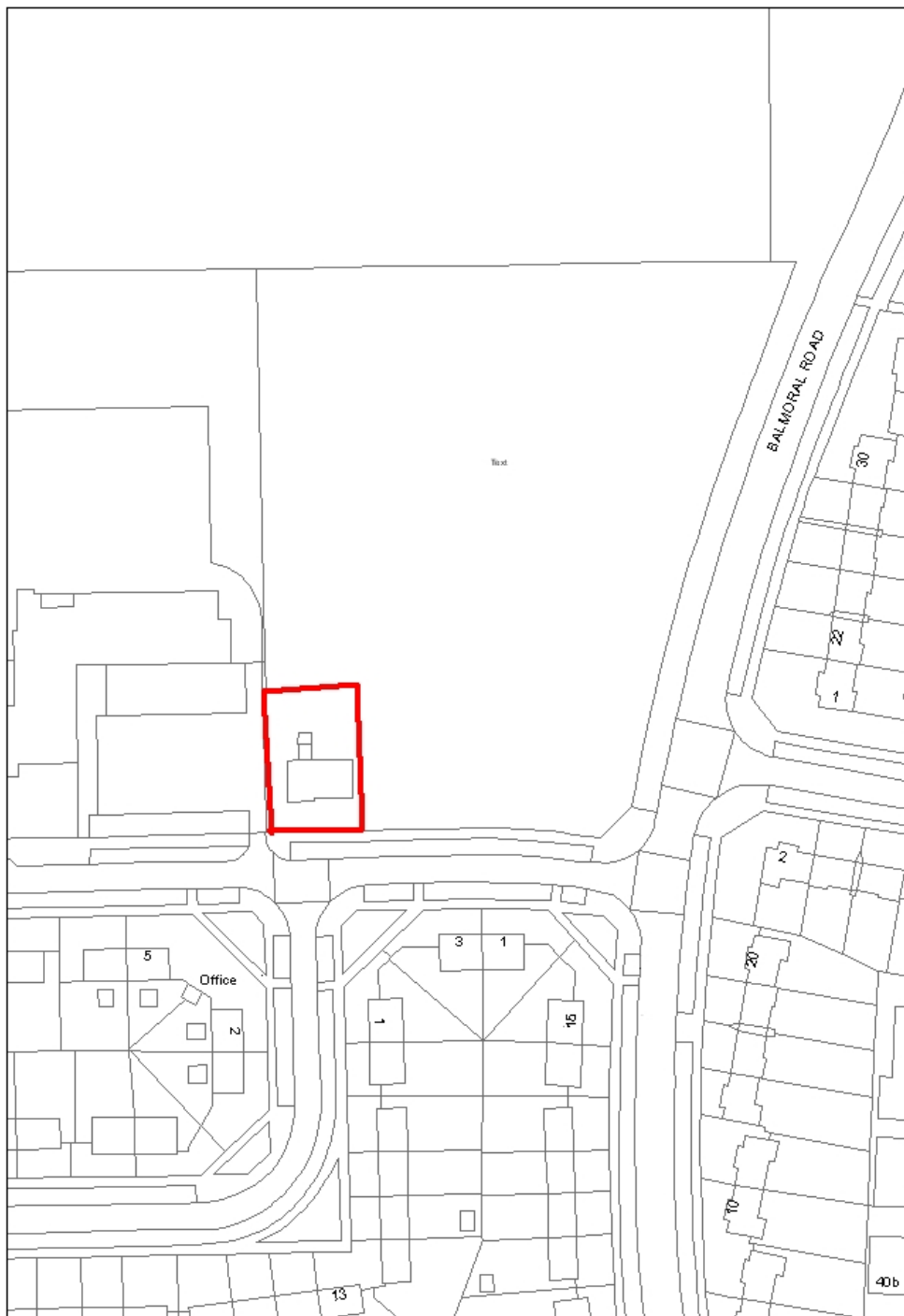
CONTACT OFFICER

- 3.28 Damien Wilson
Assistant Director (Regeneration)
Level 3
Civic Centre
Hartlepool
TS24 8AY
- Tel: (01429) 523400
E-mail: damien.wilson@hartlepool.gov.uk

AUTHOR

- 3.29 Sinead Turnbull
Senior Planning Officer
Level 1
Civic Centre
Hartlepool
TS24 8AY
- Tel: (01429) 284319
E-mail: sinead.turnbull@hartlepool.gov.uk

ST TERESAS RC PRIMARY SCHOOL



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

COPYRIGHT RESERVED LICENCE 1000233902013

Scale: 1:1000
Date : 05/02/13
H/2013/0617

No: 4
Number: H/2014/0007
Applicant: MR STUART CARLING WESTBOURNE ROAD
HARTLEPOOL TS25 5RE
Agent: MR STUART CARLING 38 WESTBOURNE ROAD
HARTLEPOOL TS25 5RE
Date valid: 08/01/2014
Development: Erection of boundary fencing (retrospective application)
Location: 38 WESTBOURNE ROAD HARTLEPOOL

PURPOSE OF REPORT

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

PROPOSAL AND SITE CONTEXT

4.2 The application site, 38 Westbourne Road, is a semi-detached bungalow with gardens and hard standing to the front, side and rear. The area of Westbourne Road to which the application relates is characterised by a number of house types and styles including large detached properties, terraced housing and bungalows. The property is bounded to the north, east and west by residential dwellings. Westbourne Road itself is located to the south of the site with further properties located beyond.

4.3 The application seeks retrospective consent for the erection of boundary fencing. Upon the boundary of the property fronting Westbourne Road the fence is positioned on top of an existing 0.82m high wall. The total height of the boundary enclosure to the front of the property therefore measures 2.82m. Further boundary fencing measuring 2m in height has been provided to the sides of the property with both 36 and 40 Westbourne Road.

4.4 The application has been referred to Committee as 4 letters of objection have been received.

PUBLICITY

4.5 The application has been advertised by way of neighbour letters (9). As outlined earlier in the report to date, there have been 4 letters of objection received.

4.6 The concerns raised are:

1. Risk of pedestrians using the adjacent pathway due to the reduced visibility caused by the fence as vehicles exit the property.

2. Risk to motorist from vehicles exiting the property due to the reduced visibility caused by the fence.
3. Owing to the number of vehicles kept by the occupier, approx 6 vehicles stored on the property, plus 3 vehicles parked on the road side, the above risks are increased by the moving of the vehicles on a regular basis.
4. Erection of a 2.8metre front and 2metre side boundary is excessively high when this look or security is not required for this type of residential property.
5. Already in place is a high conifer hedge approx 12-15feet in height across the front boundary and partially along one side of the property which we believe to be already excessive which effects the daylight and sunlight into the rooms also into the garden of the neighbouring property.
6. Gives a fortress look and gives the appearance a formidable and stark contrast to the adjoining properties.
7. Out of keeping with other adjacent properties.
8. Is totally detrimental to the whole street scene.
9. The development will effect daylight and sunlight to rooms of the neighbouring property.
10. Fence erected without warning
11. Concerns regarding height
12. Concerns regarding impact on viewing traffic and pedestrians when reversing from neighbouring property
13. Applicant has 3 vehicles parked on road instead of on his own land
14. Regulations state 1m high adjacent to a highway. The 1m height rule must have been stated for good reasons therefore I find it excessive to go almost 3 times this height.
15. Proposal gives a prison like look and is totally out of keeping
16. Visibility is greatly reduced therefore considerable risk to pedestrians and motorists.
17. The fence is approximately 8ft from the edge of driveway there is a sign prohibiting parking day and night.
18. There are a large number of cars kept at the property both behind the fence and on the public highway giving the appearance of a commercial property. Also there are a great many tyres kept on the property, surely a fire hazard.
19. The fence is not in keeping with the bungalows.
20. Fence impacts upon visibility.

Copy Letters B

4.7 The period for publicity has expired.

CONSULTATIONS

4.8 The following consultation replies have been received:

Traffic and Transportation - The required sight lines when exiting a private drive are 2.4 x 43metres, the width of the footway is 2.4 metres, therefore the sight line can be achieved.

There are numerous similar fences on Westbourne Road. I therefore have no highway or traffic concerns with this application.

PLANNING POLICY

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

Local Policy

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

GEP1: General Environmental Principles

National Policy

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

PLANNING CONSIDERATIONS

4.12 The main issues to consider when assessing this application are the appropriateness of the proposal in relation to the relevant Hartlepool Local Plan (2006) policies, with particular regard to the effect on the amenity of neighbouring properties, the effect on the character and appearance of the street scene, the existing property and highway safety.

PRINCIPLE OF DEVELOPMENT

4.13 Policy GEP1 of the adopted Hartlepool Local Plan 2006 states that in determining planning applications for development matters such as external appearance, relationship with the surrounding area, the effect on the amenities of occupiers of adjoining or nearby properties and highway safety should be considered.

4.14 On balance, it is considered that the fences, whilst large does not significantly impact upon the amenity of neighbouring residents in terms of outlook, dominance or loss of light. Whilst it is acknowledged that the fences are prominent in the streetscene it is not considered that they are detrimental to the character and appearance of the area or have created any significant highway safety issues. The justification for this reasoning is outlined in further detail in the remainder of this report.

Effect on the Amenity of Neighbouring Properties

4.15 Whilst it is acknowledged that the scale of the fences is large, in particular the height of the fence upon the front boundary wall. It is not considered that the appearance of the works has significantly impacted upon the amenity of the occupants of neighbouring properties to a level whereby the Local Planning Authority could sustain a refusal. With regard to the impact of the fences upon the amenity of the neighbouring properties of 36 and 40 Westbourne Road it is prudent to state that the majority of the fences upon the party boundaries could have been constructed without the need for planning consent. Therefore, whilst the 2m high close boarded fencing is erected upon the party boundaries between the aforementioned properties in close proximity to primary windows due consideration has to be given to the fact that the majority of the impacts by way of the works seeking full consent in terms of outlook, loss of light and dominance could feasibly have been realised without the need for consent.

4.16 Notwithstanding the above, it is considered that both 36 and 40 Westbourne Road are still afforded an acceptable degree of outlook from rooms within which the fencing is visible. It is not considered that the fences have significantly impacted upon the amenity of the occupants of these properties.

4.17 It is not considered that the fencing as erected has created any significant detrimental impact upon any of the remaining neighbouring properties in the vicinity.

Character and Appearance

4.18 Concerns have been received regarding the appearance of the fencing, particularly its height and the impact it has had on the character of the area.

4.19 With regard to the concerns raised, it is prudent to state that the applicant's fence is not the only example of this form of boundary treatment in the area. There are numerous examples of close boarded fencing and fences upon walls and acting as front boundary enclosures many of a height approaching and exceeding 2m. Given this, whilst the height of the fence upon the boundary wall to the front of the property is large (2.82m) it is not considered that it appears overly incongruous or detrimental to the area. Further to the above, there is a high level of tree planting behind and in close proximity to the fences which assist in reducing the impact of the fencing on the character and appearance of the area.

Highway Safety

4.20 The Council's Traffic and Transportation Section has raised no concerns in relation to highway safety. Whilst concerns have been received from the public regarding visibility for drivers the Traffic and Transport Section has advised that the required sight lines when existing a private drive are 2.4m x 43m, however since the width of the footway is 2.4, the Section considers that the sight line can be achieved in this instance. Again, with regard to the concerns raised, it is prudent to state that there are several other examples of boundary fencing in this form in situ upon Westbourne Road. Officers do not consider that any significant issues have been created.

Other Matters

4.21 Concerns have been raised regarding a number of cars and tyres stored at the property. It is prudent to state that this application purely concerns the erection of fences at the property. The general appearance of the property and any business activity operated from it has been investigated previously and will continue to be monitored.

EQUALITY AND DIVERSITY CONSIDERATIONS

4.22 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

4.23 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.

4.24 There are no Section 17 implications.

REASON FOR DECISION

4.25 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

BACKGROUND PAPERS

4.26 Background papers used in the compilation of reports relating to planning items are available for inspection in the Civic Centre, Victoria Road, Hartlepool during working hours. Copies of the applications are available on-line: <http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet> except for such documents that contain exempt or confidential information and a paper copy of responses received through publicity are also available in the Members library.

CONTACT OFFICER

- 4.27 Damien Wilson
Assistant Director (Regeneration)
Level 3
Civic Centre
Hartlepool
TS24 8AY
- Tel: (01429) 523400
E-mail: damien.wilson@hartlepool.gov.uk

AUTHOR

- 4.28 Author: Richard Trow
Senior Planning Officer
Level 1
Civic Centre
Hartlepool
TS24 8AY
- Tel: (01429) 523537
E-mail: richard.trow@hartlepool.gov.uk

38 WESTBOURNE ROAD



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

COPYRIGHT RESERVED LICENCE 1000233902013

Scale: 1:1000
Date : 07/02/13
H/2014/0007

No: 5
Number: H/2013/0602
Applicant: Mr Michael Streeting 9 Hardwick Court HARTLEPOOL
TS26 0AZ
Agent: ASP Associates Mr Paul Alexander Vega House 8
Grange Road Hartlepool TS26 8JA
Date valid: 10/01/2014
Development: Erection of two storey extensions at the sides and at the
rear to include a balcony, a first floor extension over
garage, single storey extension at the rear and a porch at
the front (Amended Plans Received)
Location: 9 HARDWICK COURT HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

5.2 Planning consent was granted in May 2009 (H/2009/0130) for the erection of a two-storey lounge/bedroom/en-suite extension to site, and a two-storey garage/utility/bedrooms extension to the other side.

PROPOSAL

5.3 The application seeks consent for the erection of two storey extensions at the sides and at the rear to include a balcony, a first floor extension over garage, single storey extension at the rear and a porch at the front. The proposed roof will incorporate the existing hipped design with an eaves height to match that of the existing house. Additionally, the application proposes two chimney's with inglenooks to the north side of the property.

5.4 The plans have been amended since they were originally submitted to incorporate shutters to the windows on the front elevation of the property matching those currently in situ and the provision of privacy screens to the sides of the balcony to the rear.

5.5 The application has been referred to Planning Committee as three letters of objection have been received.

SITE CONTEXT

5.6 The application site is a substantial double fronted property located on Hardwick Court with substantial gardens to the rear and open plan garden to the front. The

property benefits from an existing attached garage to the side (south) which is set forward of the front wall of the property by 1.23m. Hardwick Court is characterised by similarly designed properties, a number of which have been extended.

PUBLICITY

5.7 The application has been advertised by way of neighbour letters (10). To date, there have been three letters of objection received.

The concerns raised are:

1. The proposed balcony would incur loss of privacy to the rear of adjacent property, and would constitute an unwanted and unwarranted precedence in the neighbourhood.
2. The scale of the proposed development is inappropriate, particularly with regard to the shape and size of the plot, and the natural contours of the ground.
3. The final house width would be significantly greater than any other in the Court, thus creating an unbalanced appearance, and the omission of shutters to the upper windows would be out of keeping with the rest of the houses in Hardwick Court.
4. The development is out of keeping with Hardwick Court.
5. It is too extensive i.e. extension on three sides
6. It will be encroaching to other properties
7. Does not incorporate shutters
8. Extending the house on both sides is overdeveloping such a small site, many houses in the court are extended on one side but not two.
9. Extending both sides means the house would be excessive in comparison to its neighbours although I applaud their investment and ambition.
10. At the rear a Juliet balcony would allow neighbours to enjoy their privacy rather than an extended balcony.

Copy Letters C

5.8 The period for publicity is still outstanding but expires prior to the Planning Committee Meeting. Any further representations received will be tabled at the Meeting.

CONSULTATIONS

5.9 The following consultation replies have been received:

Traffic and Transportation – No highway or traffic concerns

Arboricultural Officer – No objections

PLANNING POLICY

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

Local Policy

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

GEP1: General Environmental Principles

Hsg10: Residential Extensions

National Policy

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

PLANNING CONSIDERATIONS

5.13 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Hartlepool Local Plan 2006 and in particular any impact upon the character and appearance of the area, any potential for loss of amenity for the occupants of neighbouring properties in terms of possible overlooking, overshadowing and/or poor outlook. Also necessary to be assessed will be the appearance of the proposals in relation to the existing dwellinghouse and, more generally the character of the streetscene.

PRINCIPLE OF DEVELOPMENT

5.14 Policy Hsg10 of the adopted Hartlepool Local Plan makes provision for the extension and alteration of dwellings subject to a series of criteria, namely, that works should not significantly affect the amenities of the occupiers of adjacent or nearby properties through overlooking, overshadowing or by creating poor outlook. Proposals shall be of a size and design and appearance that harmonises with the existing dwelling and should not be obtrusive and adversely affect the character of the streetscene.

5.15 On balance, it is considered that extensions to the dwelling can be suitably accommodated in the proposed locations without significantly impacting negatively on the outlook and privacy of the occupants of 8 and 10 Hardwick Court and 22 Auckland Way and the remaining surrounding residential properties in the area. Whilst it is acknowledged that the scale of the works is large it is considered that the scale of the proposed extensions are acceptable. It is considered that the proposed amendments to incorporate shutters to the window on the front elevation of the property and screens to the sides of the balcony to the rear further reduce the impact of the proposed works upon neighbouring properties and the streetscene in general. The proposal is therefore considered to be in accordance with policies GEP1 and Hsg10 of the adopted Hartlepool Local Plan 2006. The justification for this reasoning is outlined in further detail in the remainder of this report.

IMPACT UPON THE CHARACTER AND APPEARANCE OF THE AREA

5.16 Whilst it is acknowledged that the scale of the proposed works is large and would present a form of development (two storey extensions on both sides of the property) not typically reflective of properties located in the immediate vicinity, on balance, and having regard to the amended plan which incorporates shutters to the front elevation windows it is not considered that the appearance of the proposed works would significantly impact on the character of the area in general to a level whereby the Local Planning Authority could sustain a refusal.

5.17 Whilst large, on balance it is considered that the scale of the proposal is subservient to the main dwellinghouse. It is therefore not considered that the character of the existing dwellinghouse would be detrimentally affected.

5.18 Overall, the proposed extensions are considered acceptable in terms of its impact on the amenities of the surrounding area in terms of character and appearance, in accordance with the requirements set out in policies GEP1 and Hsg10 of the Hartlepool Local Plan 2006. It is considered that the key area of consideration in the determination of this application is the impact of the proposed works upon the amenity of the occupants of neighbouring residential properties.

RESIDENTIAL AMENITIES

5.19 Policies GEP1 and Hsg10 of the Hartlepool Local Plan 2006 require that extensions/alterations to residential properties do not cause an unacceptable impact on the amenities of the occupiers of adjacent or nearby properties through overlooking, overshadowing or by creating poor outlook.

5.20 It is necessary for the Local Planning Authority (LPA) to consider the impact the proposals will have on the aforementioned properties and whether or not a significant impact will be created of a level that the LPA could sustain a refusal.

5.21 The physical relationship and orientation of the property is such that it is considered unlikely that the proposed works would create any detrimental overshadowing/dominance issues upon the neighbouring properties.

5.22 On balance, whilst it is acknowledged that the proposed extensions will impact upon the amenities of neighbouring properties, in particularly those of 8 Hardwick Court, it is considered that, the physical relationship and orientation of the property is such that it is considered unlikely that they would create any significant detrimental overshadowing/overlooking or dominance issues upon the living conditions of the occupants of aforementioned neighbouring property. Concern has been received from the occupants of 8 Hardwick Court regarding the provision of a balcony to the rear. With regard to this aspect of the works, given that full height obscure glazing has been provided upon the side elevations of the balcony which will preclude any direct overlooking into the rear garden area of the aforementioned neighbouring property and that the balcony will be sited approximately 10m from the party boundary Officer's do not consider that any significant detrimental impact upon amenity will be created.

5.23 Whilst the two storey side extension to the north of the property will be sited in relatively close proximity to the neighbouring property of 22 Auckland Way given the oblique angles between the two properties and the changes in land levels it is not considered that any significant detrimental impact upon amenity will be created upon the occupant of the aforementioned property.

5.24 In general, it is not considered that the impact upon neighbouring properties will be of a level so to sustain a refusal. It is not considered that the extensions will appear unduly large or overbearing from the outlook of any of the neighbouring properties

HIGHWAY SAFETY

5.25 The Council's Traffic and Transportation Section has considered the proposed development and have stated that there are no highway or traffic concerns with the application.

STREETSCENE

5.26 Again, whilst it is acknowledged that the proposed development is large it is similar in scale to the previously approved 2009 permission which was not implemented. It is considered unlikely that it would appear unduly large or incongruous upon the streetscene.

EQUALITY AND DIVERSITY CONSIDERATIONS

5.27 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

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

5.29 There are no Section 17 implications.

REASON FOR DECISION

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

RECOMMENDATION – Minded to approve subject to the conditions outlined below

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 11/12/2013 (Drg.No: 1788/2 Rev E and the site location plan), on 23/12/2013 (Drg.No: 1788/1 Rev A) and the amended plan received by the Local Planning Authority on 05/02/2014 (Dwg.No's: 1788/3 Rev E and 1788/4 Rev E) unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. Details of all external finishing materials, including the shutters, shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose. Thereafter the development shall be carried out in accordance with the approved details.
In the interests of visual amenity.
4. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting the Order with or without modification), no additional windows shall be inserted in the elevations of the extensions facing Auckland Way and 8 Hardwick Court without the prior written consent of the Local Planning Authority.
To prevent overlooking.
5. The obscure glass panels to be fitted to the sides of the balcony as shown on the Proposed First Floor Plan and Proposed Elevations Plan received by the Local Planning Authority on 05/02/2014 (Dwg.No's: 1788/4 Rev E and 1788/3 Rev E) should be installed prior to the balcony area being brought into use and shall be retained in situ for the lifetime of the development
In the interests of the amenities of the occupants of neighbouring properties
6. The proposed ground floor WC window facing 8 Hardwick Court shall be glazed with obscure glass which shall be installed before the WC is brought into use shall thereafter be retained at all times while the window exists.
To prevent overlooking.

BACKGROUND PAPERS

5.31 Background papers used in the compilation of reports relating to planning items are available for inspection in the Civic Centre, Victoria Road, Hartlepool during working hours. Copies of the applications are available on-line: <http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet> except for such documents that contain exempt or confidential information and a paper copy of responses received through publicity are also available in the Members library.

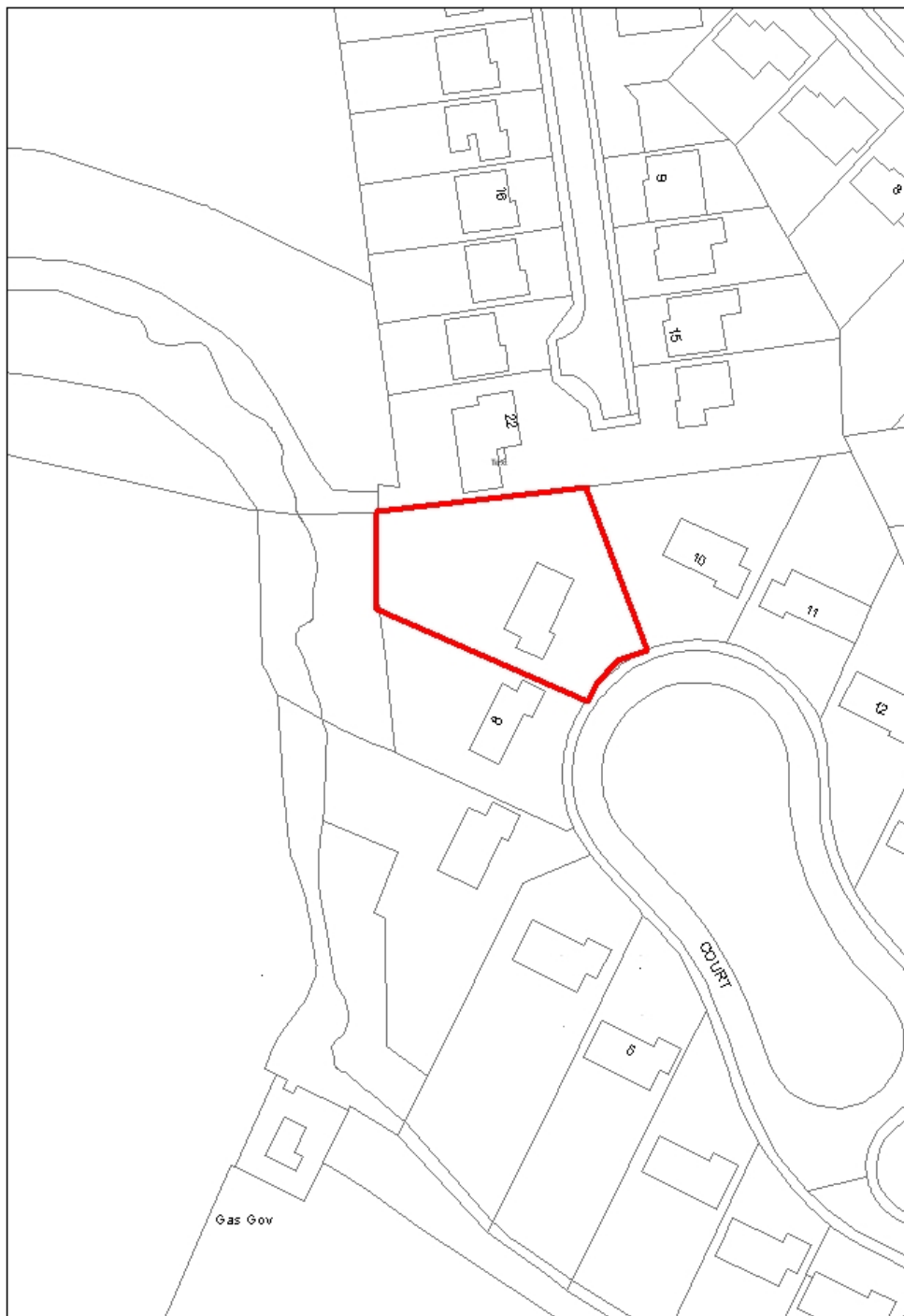
CONTACT OFFICER

- 5.32 Damien Wilson
Assistant Director (Regeneration)
Level 3
Civic Centre
Hartlepool
TS24 8AY
- Tel: (01429) 523400
E-mail: damien.wilson@hartlepool.gov.uk

AUTHOR

- 5.33 Richard Trow (Author)
Senior Planning Officer
Level 1
Civic Centre
Hartlepool
TS24 8AY
- Tel: (01429) 523537
E-mail: richard.trow@hartlepool.gov.uk

9 HARDWICK COURT



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

COPYRIGHT RESERVED LICENCE 1000233902013

Scale: 1:1000
Date : 05/02/13
H/2013/0602

POLICY NOTE

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

ADOPTED HARTLEPOOL LOCAL PLAN 2006

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

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

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

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

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

Ind1 (Wynyard Business Park) - States that land is reserved for development as a business park. Proposals for business development, and for those general industrial and storage uses which do not significantly affect amenity or prejudice the development of adjoining land, will be allowed where they meet the criteria set out in the policy. Town centre uses will not be allowed unless they are primarily providing support facilities for the business park. Travel plans will be required for large scale developments. The creation and maintenance of features of nature conservation interest and landscaping and woodland planting will be sought through planning conditions and legal agreements.

Hsg9 (New Residential Layout – Design and Other Requirements) - Sets out the considerations for assessing residential development including design and effect on new and existing development, the provision of private amenity

space, casual and formal play and safe and accessible open space, the retention of trees and other features of interest, provision of pedestrian and cycle routes and accessibility to public transport. The policy also provides general guidelines on densities.

Hsg10 (Residential Extensions) - Sets out the criteria for the approval of alterations and extensions to residential properties and states that proposals not in accordance with guidelines will not be approved.

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

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

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

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

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

GN2 (Protection of Green Wedges) - Strictly controls development in this green wedge where planning permission will only be given for development comprising extensions to existing buildings within the area, or providing ancillary facilities to recreational uses, or providing wildlife sites and subject to the effect on the overall integrity of the green wedge.

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

Rur2 (Wynyard Limits to Development) - States that housing and employment land is identified within the Wynyard limit to development but that expansion beyond that limit will not be permitted.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2012

2. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

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

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

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

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

12. This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

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

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

- be genuinely plan-led, empowering local people to shape their surrounding, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger

than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;

- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in the framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

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

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

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

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

54. In rural areas, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. Local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.

56: The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

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

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

- opportunities for meetings between members of the community who

might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;

- safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

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

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

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

204. Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

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

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

PLANNING COMMITTEE

19th February 2014



Report of: Director of Regeneration and Neighbourhoods

Subject: NEIGHBOURHOOD PLANNING (PARK
NEIGHBOURHOOD PLAN AREA AND FORUM
DESIGNATION)

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek a decision from Planning Committee on the designation of Park Neighbourhood Plan Area and Forum.

2. BACKGROUND

- 2.1 Neighbourhood Planning is central to the Coalition Government's Localism Act 2011. It is intended to give local people greater ownership of plans and policies that affect their local area, and to provide communities with the opportunity to develop a community-led framework for guiding the future development, regeneration and conservation of an area.
- 2.2 Once adopted a Neighbourhood Plan will become part of the formal planning process and must be in general conformity with national planning policy and the Local Authority's Development Plan (currently the Hartlepool Local Plan 2006).
- 2.3 Nationally there are 685 Neighbourhood Planning areas, over half of which have been formally designated. To date, two Neighbourhood Plans have completed the process and been formally adopted after a simple majority vote at referendum, to become part of local planning legislation.
- 2.4 In accordance with the Localism Act 2011 and Neighbourhood Planning Regulations published on 6 April 2012, the Local Planning Authority (LPA) has a statutory obligation to fulfil a number of duties throughout the development of a Neighbourhood Plan which include:
- Providing technical assistance, support and guidance to the Parish Council or Neighbourhood Forum. This can include sharing evidence and information on planning issues, providing advice on national and

local planning policies, assisting with consultation and facilitating communication with external partners;

- Formally publicising the proposed Neighbourhood Plan boundary and statement of suitability submitted by the Parish Council or Neighbourhood Forum. During this time, representations from interested parties can be made to the LPA in relation to the boundary and / or the Group undertaking the Plan development; all of which must be considered when formally designating the boundary at the end of the statutory consultation period;
- To validate the Neighbourhood Plan before arranging an independent examination (to be undertaken by a suitably qualified individual) and neighbourhood referendum; and
- Should a simple majority vote be gained at referendum, the LPA has a statutory obligation to adopt the Neighbourhood Plan. Any implications for the Council's Budget and Policy Framework will be subject to a report and any necessary approvals from Council.

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

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

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

3.1 Reports outlining the reporting and decision making procedure were previously taken to, and noted by Cabinet on 3 September 2012 and 18 March 2013, Neighbourhood Services Committee on 14 October 2013 and Planning Committee on 23 October 2013 and 18 December 2013.

3.2 As Neighbourhood Planning is a new policy introduced by Central Government through the Localism Act 2011, Officers continually monitor and evaluate the process. Given the changes to Hartlepool Borough Council's governance arrangements and the recent withdrawal of the Hartlepool Local Plan 2013, a review of the procedure in relation to the designation of neighbourhood areas and / or forums has been undertaken.

3.3 As outlined in Part 2 of the Neighbourhood Planning Regulations (General) and Section 2.4 of this report, the LPA has a duty to publicise and complete a period of statutory consultation on the proposed Neighbourhood Plan area and qualifying body (i.e. Parish Council or Neighbourhood Forum) before making a decision on whether or not to formally designate.

3.4 Given the nature of the LPA's involvement in the Neighbourhood Planning process, and in accordance with the Council's governance arrangements, it was proposed and agreed at the Planning Committee meeting held on 18 December 2013 that Planning Committee will consider, amongst other

matters, the designation of neighbourhood areas, given its general function ‘relating to town and country planning’. In addition, it was felt that the planning experience and knowledge of Planning Committee coupled with the extended membership of this particular Committee will also prove extremely advantageous in the decision making process.

4. PARK NEIGHBOURHOOD PLANNING FORUM DESIGNATION

- 4.1 In light of the agreed reporting and decision making procedure in relation to Neighbourhood Area and Forum designation, a decision on the Park Neighbourhood Plan Area and Forum is requested, based on the submission received by Park Neighbourhood Planning Forum (attached as **Appendix A**).
- 4.2 In early 2013, the Chair of Park Residents Association approached Hartlepool Borough Council demonstrating an interest in developing a Neighbourhood Plan for the former Park ward.
- 4.3 In August 2013 the Park Neighbourhood Planning Forum was established which will be responsible for the development of the Neighbourhood Plan. Hartlepool Borough Council Officers from the Planning Services and Community Regeneration and Development Teams are supporting the constituted Group through the Neighbourhood Planning process.
- 4.4 This is the first Neighbourhood Planning Forum to be established in Hartlepool and represents the communities living within the proposed Park Neighbourhood Plan area. In accordance with the Neighbourhood Planning Regulations – General (adopted on 6 April 2012) and best practice guidance published by Locality in 2013, the membership of the Forum is as follows:
- A minimum of 21 members: the Forum currently has 25 members.
 - A minimum of 1 Ward Councillor: the Forum currently has two Ward Councillors as part of their membership.
 - A minimum of 1 person who lives in the area: all members of the Forum are residents in the proposed Park Neighbourhood Plan area.
 - A minimum of 1 person who works in the proposed Neighbourhood Plan area: a number of members are currently working in the area.
- 4.5 The Park Neighbourhood Planning Forum has identified a proposed Neighbourhood Plan boundary and submitted the details to Hartlepool Borough Council as the LPA. Details provided include a plan identifying the proposed boundary and a statement demonstrating why the identified area is appropriate, and how the Park Neighbourhood Planning Forum is the appropriate body to be making the application, and has the capability to take the development of the plan forward.

5. PARK NEIGHBOURHOOD PLAN AREA DESIGNATION

- 5.1 The proposed Park Neighbourhood Plan area broadly includes the area south of Hart Lane, north of Summerhill Lane, east of the Rural Plan boundary and west of Granville Avenue. The boundary comprises the urban area of the Rural West ward (former Park ward), a proportion of the Burn Valley and Hart wards and also a fraction of the Victoria ward in order to include the entirety of the conservation area (a theme that it is anticipated the Plan will seek to emphasise, address and promote). The boundary also includes the addition of properties, golf and tennis clubs to the north which is viewed as part of the natural Park community and extends west to run co-terminously with the Hartlepool Rural Plan boundary for 'completeness' in neighbourhood planning terms.
- 5.2 The LPA publicly consulted on the proposed Park Neighbourhood Plan boundary and Forum (full submission attached as **Appendix A**) which ran between September and November 2013. This consultation period was in excess of the statutory requirements as outlined in the Neighbourhood Planning Regulations (General) adopted in April 2012 and is similar to the consultation carried out for the Rural, Headland and Wynyard Neighbourhood Plan boundaries approved at the 18 December 2013 Planning Committee meeting.

6. BACKGROUND TO THE PROPOSED NEIGHBOURHOOD PLAN AREA AND FORUM

- 6.1 The Park Residents Association boundary, which replicates the former Park ward boundary was agreed in 2007. Following the Local Government Boundary Commission review of the ward boundaries and subsequent changes, Park Residents Association agreed that its boundary would remain as initially agreed. At that time there was strong verbal support from members for no change, primarily due to the Park Conservation area and The Grove area not falling within the new Rural West ward.
- 6.2 The issue of creating a Neighbourhood Forum was informally discussed by several members of the Park Residents Association, but was not deemed a priority until the Rural Plan Working Group created its own Neighbourhood Plan boundary, falling short of the West Park urban area. The Chairperson of the Rural Plan Working Group gave a presentation to the Park Residents Association on 9 October 2012, a general debate followed. At the next Park Residents Association meeting in January 2013, the association resolved to form an Urban Area group to progress a Neighbourhood Forum for the area, given that it was not possible for the Association itself to undertake the role of developing a Neighbourhood Plan.
- 6.3 All those attending the Park Residents Association meetings were made aware that a Neighbourhood Forum was in the process of being formed. Those wishing to become a member of the Neighbourhood Forum were asked to submit their details to the Acting Chair. The minimum number

required to form a Neighbourhood Forum is at least 21. It was clarified at a Park Residents Association meeting that membership of the Association was not a pre-requisite to becoming a member of the Neighbourhood Forum.

7. CONSULTATION PERIOD: WRITTEN REPRESENTATIONS RECEIVED

- 7.1 As part of the statutory consultation process between September and November 2013, a written representation was received from GVA for and on behalf of Taylor Wimpey UK Ltd (letter attached as **Appendix B**) noting their interest in becoming a key stakeholder in the Park Neighbourhood Plan process, given their interest in Tunstall Farm.
- 7.2 In addition, it should be noted that there are ongoing concerns from the Rural West Ward Members in relation to the proposed Park Neighbourhood Plan Area and Forum. The concerns are noted below:
- the proposed Park Neighbourhood Plan area is not co-terminous with the Hartlepool ward boundaries;
 - low level of resident representation involved in defining the Park Neighbourhood Plan Area;
 - low level of engagement with Ward Members in the process of defining the Park Neighbourhood Plan Area;
 - should another Neighbourhood Planning group or Forum wish to include parts of the proposed Park Neighbourhood Plan Area (if adopted) that extend into adjoining wards, namely Hart, Burn Valley and Victoria, in defining their Neighbourhood Plan Area, this would not be possible.

8. CONSULTATION WITH WARD MEMBERS

- 8.1 Further consultation has been undertaken on the proposed Neighbourhood Plan area with Victoria, Burn Valley and Hart Ward Members outside of the formal consultation period. Contact was made with 5 Ward Members, 1 Hart, 1 Victoria and 3 Burn Valley Ward Members. Comments from the 5 Ward Members were received over the telephone and are summarised as follows:
- 3 Ward Members had no objections to the proposed Neighbourhood Plan Area and Forum designation;
 - 1 Ward Member would prefer the proposed boundary to be contained within the Rural West ward only and;
 - 1 Ward Member is not sure of the benefits of incorporating the proposed areas of Burn Valley and Victoria wards in the Park Neighbourhood Plan area.

9. RISK IMPLICATIONS

- 9.1 Any consultation required throughout the Neighbourhood Planning process will be delivered in adherence with the Voluntary and Community Sector

(VCS) Strategy and Statement of Community Involvement (SCI) for a statutory period of eight weeks. This accommodates the Neighbourhood Planning Regulations (General) adopted in April 2012 which stipulates a minimum six week consultation period.

10. FINANCIAL CONSIDERATIONS

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

11. LEGAL CONSIDERATIONS

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

12. STAFF CONSIDERATIONS

- 12.1 As outlined in Section 2.4, the Local Authority has a statutory obligation to provide technical assistance, support and guidance to the Park Neighbourhood Planning Forum, formally publicise and designate the boundary, validate the Plan before organising an independent examination and referendum.

13. ASSET MANAGEMENT CONSIDERATIONS

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

14. EQUALITY AND DIVERSITY CONSIDERATIONS

- 14.1 Equality and diversity will be considered through the associated consultation frameworks, and an Equality Impact Assessment (EIA) will be completed prior to the statutory consultation period on the first draft of the Park Neighbourhood Plan.
- 14.2 The Park Neighbourhood Planning Forum will be developing a range of engagement mechanisms to ensure that the Neighbourhood Plan process is inclusive to all residents and communities within the Neighbourhood Plan Area (once adopted) as well as other groups that have a common interest in the area.

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

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

16. RECOMMENDATIONS

- 16.1 A decision from Planning Committee is requested on the following:
- Designation of the proposed Park Neighbourhood Plan Area and;
 - Designation of the Park Neighbourhood Planning Forum as the appropriate body to develop the Park Neighbourhood Plan.

17. REASONS FOR RECOMMENDATIONS

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

18. BACKGROUND PAPERS

- 18.1 Cabinet (9 January 2012) – Review of Community Involvement and Engagement (including LSP Review).
- 18.2 Cabinet (3 September 2012) – Neighbourhood Planning (Reporting and Decision Making Procedure).
- 18.3 Cabinet (18 March 2013) – Neighbourhood Planning (Update).
- 18.4 Neighbourhood Services Committee (14 October 2013) – Neighbourhood Planning.

- 18.5 Planning Committee (23 October 2013) – Neighbourhood Plan Boundary & Forum Designation
- 18.6 Planning Committee (18 December 2013) – Neighbourhood Planning (Neighbourhood Area and Forum Designation)
- 18.7 <http://www.hartlepool.gov.uk/neighbourhoodplanning>

19. CONTACT OFFICER

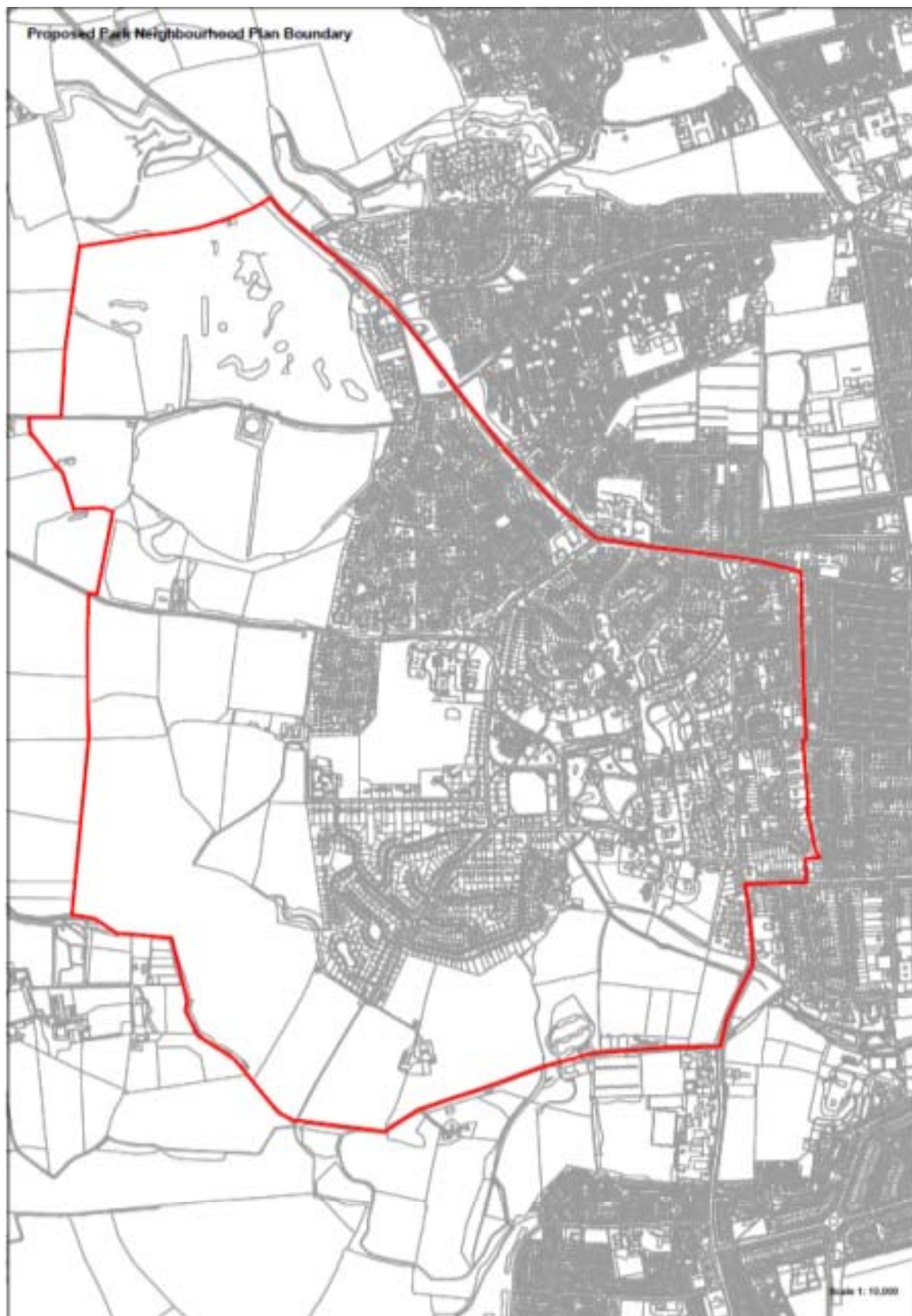
Denise Ogden
Director of Regeneration & Neighbourhoods
Level 3
Civic Centre
Hartlepool
TS24 8AY

Tel: (01429) 523300
E.mail: denise.ogden@hartlepool.gov.uk

Adele Wilson
Community Regeneration & Development Coordinator
Level 3
Civic Centre
Hartlepool
TS24 8AY

Tel: (01429) 523703
E-mail: adele.wilson@hartlepool.gov.uk

Park Neighbourhood Plan Area & Forum Submission



1.0 Background to Neighbourhood Planning

Neighbourhood Planning is central to the Coalition Government's Localism Act 2011; an opportunity that the Park community would like to take full advantage of in order to develop a Neighbourhood Plan for their area. It is intended that the 10 year land use and development framework will become part of the formal planning process and will be in general conformity with national planning policy and the Local Authority's Development Plan (currently the Hartlepool Local Plan 2006, which will be superseded by the Hartlepool Local Plan 2013 post anticipated adoption in late 2013).

The community of the proposed Park Neighbourhood Plan area have had aspirations to produce a Neighbourhood Plan for some time, and believe it will provide them with an opportunity to influence how their neighbourhood is developed in the future. Areas of particular interest to the local community include conservation and design, potential development opportunities in the area, traffic management, transport and road infrastructure, and public services.

2.0 Proposed Park Neighbourhood Plan Boundary (see attached Appendix 1)

The proposed Park Neighbourhood Boundary broadly includes the area south of Hart Lane, north of Summerhill Lane, east of the Rural Plan boundary and west of Granville Avenue. The boundary comprises the urban area of the Rural West ward (former Park ward) and a proportion of the Victoria ward in order to include the entirety of the conservation area (a theme that it is anticipated the Plan will seek to emphasise, address and promote). The boundary also includes the addition of properties, golf and tennis clubs to the north which is viewed as part of the natural Park community, and extends west to run co-terminously with the Hartlepool Rural Plan boundary for 'completeness' in neighbourhood planning terms.

3.0 Park Neighbourhood Planning Forum

The Park Neighbourhood Planning Forum was established in August 2013 and represents the communities living within the proposed Park Neighbourhood Plan area. In accordance with the Neighbourhood Planning Regulations - General adopted on 6 April 2012 and best practice guidance published by Locality in 2013, the membership of the Forum is as follows:

- A minimum of 21 members: the Forum currently has 25 members.
- A minimum of 1 Ward Councillor: the Forum currently has two Ward Councillors as part of their membership.
- A minimum of 1 person who lives in the area: all members of the Forum are residents in the proposed Park Neighbourhood Plan boundary.
- A minimum of 1 person who works in the proposed Neighbourhood Plan area: a number of members are currently working in the area.

APPENDIX A

All members are committed to the development of a Neighbourhood Plan for the Park area with a large proportion of members having been involved (and continue to be involved) in Park Residents' Association. This Association has been established for several years and has an in depth understanding of the community and the issues that affect the local area. The Residents Association have been active in the planning process in Hartlepool to date, and members have a good understanding of how the planning system in Hartlepool operates.

The Park Neighbourhood Planning Forum became a formally constituted group in August 2013 (see attached Appendix 2 and 3), and strong working links have been made with Officers within Hartlepool Borough Council's Neighbourhood Management and Planning Policy Teams to assist with the development of the Plan. The Forum is therefore in accordance with section 61F (5) of the 1990 Town and Country Planning Act as a relevant body to take the development of the Neighbourhood Plan forward (as outlined under Parts 2 and 3 of the Neighbourhood Planning Regulations – General).

4.0 Contact Details for Park Neighbourhood Planning Forum

Ted Jackson
Chair, Park Neighbourhood Planning Forum
C/O 7 Amble Close
Hartlepool
TS26 0EP

Park Neighbourhood Planning Forum CONSTITUTION

1. Name:

The Group shall be known as the **Park Neighbourhood Planning Forum** (hereafter known as the Group).

2. Objective:

The objective for which the Group is formed is the production of a Neighbourhood Plan for the Park area of Hartlepool (hereafter called the Plan). The area to be covered within the Plan Boundary, as consulted upon and adopted by the Local Planning Authority (LPA), is identified on the attached plan. It broadly includes the area south of Hart Lane, north of Summerhill Lane, east of the Rural Plan boundary and west of Granville Avenue. The boundary comprises the urban area of the Rural West ward (former Park ward) and a proportion of the Victoria ward in order to include the entirety of the conservation area. The Plan will be in general conformity with Hartlepool Borough Council's Local Development Framework (currently 2006 Local Plan).

This will be achieved by and include:

- Working in partnership with any statutory or voluntary body, to prepare, test and adopt a Neighbourhood Plan for the Park Neighbourhood Plan area.
- Encouraging good practice through effective performance management and consideration of case studies of other Neighbourhood Plans.
- Demonstrating a commitment to issues of diversity, equality of opportunity, social inclusion and sustainable development and be prepared to address these needs in areas where they arise.
- Consulting the community to ensure that the Plan is relevant to the needs and wishes of the community within the Plan boundary.

3. Aims:

The aims of the Group are:

- (i) To develop and strengthen joint local partnership working with local statutory agencies; and
- (ii) To encourage involvement from all residents, the local Voluntary and Community Sector (VCS) and all partners involved in this process.

4. Powers:

The Group will have the following powers in pursuance of its objects; to:

- (i) Liaise and seek support from Hartlepool Borough Council Officers, (in particular the South and Central Neighbourhood Manager, Community Regeneration and Development, and Planning Services Teams), Elected Members, Government Officers or their representatives and other relevant experts in order to ensure the integrity of the Neighbourhood Planning process.
- (ii) Open and maintain a bank account in the name of the Park Neighbourhood Planning Forum.
- (iii) To co-opt new members as required.
- (iv) Determine and monitor the spending of any monies received for the purpose of developing and implementing the Plan.
- (v) Undertake consultation within the Plan area to determine the issues of importance to local residents.
- (vi) Decide on which of the issues identified by the community that the Plan will address and prioritise.
- (vii) Discuss and progress any other issues identified by residents as priorities for the Plan area.
- (viii) Produce such documents as are deemed necessary to forward the objects.
- (ix) Provide such training and development as is required by members of the Group in order to progress the Plan.
- (x) Retain the services of relevant experts in order to forward the objects.
- (xi) In partnership with Hartlepool Borough Council, undertake a referendum within the Plan area, once the draft Plan has been finalised and independently examined, and to publish the results.

5. Membership:

- (i) Membership of the Group must reflect the inclusivity, diversity and character of the Plan area and comprise at least 21 people (one person must live within the boundary of the Plan area, one person must work within the boundary of the Plan area, one person must be a Councillor for the Plan area).

APPENDIX A

- (ii) Members must be willing to give a commitment to attending regular meetings and training as required.
- (iii) Any resident who lives either inside or outside the boundary of the Plan area and whose actions or expertise benefit the Plan area can be co-opted as a member of the Group by agreement of the Group.
- (iv) A total of two elected representatives of Hartlepool Borough Council shall be invited to join the Group.

6. Voting Members:

Where a vote is needed:

- (i) Members as outlined in section 5 shall have one vote each.
- (ii) Local Authority Officers and specialist service providers commissioned by the Group shall not have a vote.

7. Quorum:

- (i) A minimum of 15 members of the Group must be present for a meeting to proceed.
- (ii) A minimum of 15 members with a voting right must be present to enable any decisions to be made during meetings.

8. Meetings:

- (i) During the development phase, meetings of the Group will be held on a monthly basis with at least ten meetings per year.
- (ii) Meetings shall last no longer than two hours unless all members agree to an extension of up to 30 minutes.
- (iii) All contributions to a meeting shall be addressed through the Chair of the meeting to ensure that there is only one person speaking at any one time, and that everyone who wishes to speak has the chance to do so.

9. Declarations of Interest:

Any declarations of interest must be brought to the attention of the Chair at the beginning of each meeting.

10. Role of members:

All members of the Group must agree to undertake the following actions:

APPENDIX A

- (i) To act in the best interests of the Group, the residents and business community within the Plan area.
- (ii) To attend all appropriate meetings wherever possible.
- (iii) To take an active part in discussions and to contribute as best they can at meetings of the Group.
- (iv) To behave in a manner that is non-discriminatory and respectful of the views of others.
- (v) To understand and accept that the Group works for the benefit of all residents of the Plan area, irrespective of age, appearance, disability, gender, race, sexual orientation or socio-economic group.
- (vi) To be responsible for decisions made by the Group or actions they have individually agreed to undertake.
- (vii) To take part in working groups as determined by the Group.
- (viii) To represent the views of the Group during external meetings or networks as appropriate.
- (ix) If possible, to engage with training opportunities to further develop skills and update knowledge throughout their period of membership.
- (x) To encourage all residents, wherever possible, to attend consultation events on a regular basis and take an active part in the decision-making process.
- (xi) To work with other partners and agencies, as appropriate.
- (xii) To ensure that all opportunities to maximise resources available to the group are taken, such as match funding, services etc.
- (xiii) To try to ensure that improvements for the area, identified in the Plan, are long-lasting and sustainable.

11. Chair / Vice-Chair / Secretary / Treasurer:

The Chair, Vice-Chair, Secretary and Treasurer of the Group shall be elected by the voting membership of the Group on an annual basis.

12. Role of the Chair:

- (i) To be involved in the setting of agenda's for meetings.
- (ii) To ensure the meeting is quorate.

APPENDIX A

- (iii) To ensure outstanding matters are followed up and are dealt with.
- (iv) To ensure that all relevant items on the agenda are discussed.
- (v) To ensure that all participants, who wish to do so, have an opportunity to make a contribution.
- (vi) To fairly summarise issues and options before a decision is made.
- (vii) To ensure that voting procedures are complied with.
- (viii) To clarify decisions made so that everyone is clear as to what has been decided and who is to take any action required as a result.
- (ix) To suspend any member whose behaviour or actions are deemed to be in breach of the member's role agreement as outlined above.
- (x) To act as a cheque signatory.

13. Role of the Vice-Chair:

- (i) To deputise for the Chair as required.
- (ii) To support the Chair and to ensure the work of the Group is effectively managed.
- (iii) To act as a cheque signatory.

14. Role of the Secretary:

- (i) To distribute agenda's, supporting papers and minutes of previous meetings.
- (ii) To arrange training, induction and other development events for the benefit of members.
- (iii) To encourage all residents within the Plan area to attend consultation events and to take an active part in the decision-making process.
- (iv) To maintain full and accurate records of all the Group's activities and meetings.

15. Role of the Treasurer:

- (i) To pay all invoices and expenses as required.

APPENDIX A

- (ii) To ensure that all monies received are banked within 5 working days of receipt.
- (iii) To maintain accurate records of all financial transactions.
- (iv) To provide a report on financial transactions to each meeting of the Group.
- (v) To make all financial records available on request to any member of the Group.
- (vi) To act as cheque signatory.

16. Role of the Local Authority:

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

- (i) Provide technical assistance, support and guidance to the Group.
- (ii) Arrange training, induction and other development events for the benefit of members.
- (iii) Formally publicise the proposed Neighbourhood Plan boundary and statement of suitability submitted by the Park Neighbourhood Planning Forum.
- (iv) To validate the Neighbourhood Plan before arranging an independent examination (to be undertaken by a suitably qualified individual) and neighbourhood referendum; and
- (v) Should a simple majority vote be gained at referendum, the LPA have a statutory obligation to adopt the Neighbourhood Plan.

17. Decision-making:

The decision-making processes must be clear and understood by all.

- (i) Members of the Group will be responsible for any decisions relating to the spending of monies received, and for activities undertaken at their behest, for the purpose of developing the Plan.
- (ii) Decisions shall be based on information and advice given by partners, consultants or other experts; such information shall be provided in a timely manner, be accurate, factual and reliable, sufficient for the purpose, easy to understand and not full of jargon or acronyms.

APPENDIX A

- (iii) Where decisions are contentious, the Chair shall call for a vote; in such a case, decisions shall be made by a simple majority of voting members present at the meeting.
- (iv) Where a contended decision results in an equal number of votes both for and against, the Chair shall have a casting vote.

18. Finance:

- (i) A bank account shall be opened in the name of the Park Neighbourhood Planning Forum at such Bank as agreed by the members.
- (ii) Cheques shall be drawn up by the Treasurer, who will act as a signatory.
- (iii) A minimum of four persons shall be designated as cheque signatories, of whom two must be the Chair or Vice-Chair and treasurer.

19. Closure:

At any time following the formal adoption of the Plan, the Group may choose to wind up its activities; should such a decision be made by the members the following actions shall be taken:

- (i) Agreement shall be reached with Hartlepool Borough Council as to who will be responsible for monitoring the implementation of the Plan, (or its amendment or replacement in the future), as required.
- (ii) The Bank Account shall be closed and any monies remaining be returned to the relevant funding body if required or disseminated between similar groups as appropriate.

APPENDIX B

Park Neighbourhood Plan Area & Forum Designation (Written Representation – GVA on behalf of Taylor Wimpey UK Ltd)



Tom Britcliffe
Hartlepool Borough Council
Civic Centre
Hartlepool
TS24 8AY

GVA
Central Square
Forth Street
Newcastle u/T
NE1 3PJ

Dear Tom

Representations regarding Neighbourhood Plan Boundary – Park Neighbourhood Plan and Forum

GVA, on behalf of Taylor Wimpey UK Ltd ('Taylor Wimpey'), wishes to provide representations to the Park Neighbourhood Plan boundary consultation.

Introduction

Taylor Wimpey has promoted land referred to as Tunstall Farm (see annexure 1) for residential development for over five years. The site currently falls within the proposed Park Neighbourhood Plan boundary. Given Taylor Wimpey's interest at Tunstall Farm, our client should be a key stakeholder in the Neighbourhood Plan process and indeed our client is willing to dedicate time and assistance to the process to ensure that a legally compliant and sound plan can come forward which meets the development needs of both the local area and the Borough as a whole.

Background to Tunstall Farm

Tunstall Farm was first identified as a housing allocation in the Deposit Draft Local Plan (2001) and the subsequent Revised Deposit Draft (2003). However, the site was not included in the adopted Local Plan (2006) because of borough-wide housing supply conditions at the time and specifically a focus on providing most of the Borough's housing on brownfield regeneration sites in accordance with national planning policy which existed at that time which introduced a sequential approach to housing development.

Following a recognition by the Council that a wider mix of greenfield urban extensions as well as regeneration sites were required to meet development needs in the Borough, the Council identified Tunstall Farm as a preferred allocation for housing in the Core Strategy Preferred Options Report Draft 1 (2009) and Draft 2 (2010). The allocation was however removed at a Hartlepool Cabinet Meeting in September 2011 'as a result of the objections received and site issues including potential flooding and traffic impact'.¹

¹ Quote taken from Local Plan Sustainability Appraisal June 2012

Flooding and traffic impact issues at Tunstall Farm have been addressed comprehensively by Taylor Wimpey and independently verified by the Planning Inspectorate through the Examination in Public (EiP) process. A transport analysis of the highways network has been undertaken by Tim Speed Consulting and confirms that there is sufficient capacity in the surrounding roads and junctions to accommodate the development traffic and in future years improvements to key junctions would actually alleviate congestion over and above the baseline scenario. Flooding has also been objectively assessed by Queensbury Design Ltd. It is acknowledged that flood risk has been an existing problem in the wider area, however recent investments in drainage infrastructure have resulted in significant improvements. Our client's drainage assessment of the site has demonstrated that the development can be accommodated without increasing the risk of flooding elsewhere and will, in fact, further improve local drainage conditions.

This evidence was presented to the Local Plan Inspector during the EiP along with evidence relating to the need for further housing in this part of Hartlepool. At the EiP issues regarding infrastructure capacity were discussed and highways evidence was submitted demonstrating that an allocation for more than 100 dwellings could be accommodated. Further Hearing Sessions, focussing on flooding at Valley Drive, were held, with the Environment Agency and Council confirming that '....the site could be considered appropriate for housing with regard to flood risk' (Hartlepool Council's Statement for Tunstall Farm Hearing).

On 16 October 2013 the Inspector published a number of recommendations entitled 'Outline of modifications required for soundness.' The recommendation included a number of those set out in Taylor Wimpey's Hearing Statement including:

- **Allocating Tunstall Farm for approximately 100 dwellings:**

It was therefore the Planning Inspectorate's express recommendation that the allocation of Tunstall Farm was required to make the Hartlepool Local Plan **sound**. The Council subsequently withdrew the Local Plan at a Full Council meeting on 17 October 2013. The implication of this is that there is no up to date National Planning Policy Framework (NPPF) compliant Local Plan in Hartlepool.

In conclusion, the site is suitable and sustainable and meets a borough-wide identified need for higher market housing on the western edge of Hartlepool.

Representations

Procedural matters governing the preparation of a Neighbourhood Plan are provided by the Localism Act 2011, the Neighbourhood Planning Regulations 2012 and the NPPF 2011.

Paragraph 184 of the NPPF states that 'Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan'. The Local Plan in Hartlepool (2006) no longer provides an appropriate basis on which to progress a Neighbourhood Plan. The Local Plan is inconsistent with the NPPF as it is out of date and does not include allocations or policies which enable the authority to 'boost significantly the supply of housing'.² Given this, Taylor Wimpey is concerned about

² The Secretary of State has confirmed that when a plan does not provide sufficient viable housing sites to meet the housing requirement it is not consistent with the NPPF's primary objective of boosting significantly the supply of housing. APP/R0660/A/10/2141564

whether a Neighbourhood Plan progressed without a full understanding of the up to date strategic policies for an area, including policies and evidence relating to housing need, is sound or legally compliant.

The Planning Advisory Service states that '*Neighbourhood Plan areas should be coherent, consistent and appropriate in planning terms and should have regard to development proposals in the area*'. The presence of Tunstall Farm, a potential strategic housing allocation, within the proposed boundary should be a key consideration for the Neighbourhood Forum and Council. As successfully argued by Wycomb District Council (in Daws Hill Neighbourhood Forum Vs Wycomb District Council), the future of potential development sites which have a greater than local significance – i.e. strategic sites which have been assessed as needed to meet an identified borough-wide need – should not be determined by a Neighbourhood Plan in the absence of a clear strategic policy for the site. Indeed, Tunstall Farm was identified as being necessary to the soundness of the Local Plan by the EiP Inspector following a thorough review of all potential housing sites across the Borough. If Tunstall Farm is included within the Neighbourhood Plan boundary, the history of the site in terms of its wider importance to meeting borough-wide housing need and its emergence through the Local Plan process and EiP should be taken into account when the Neighbourhood Plan is progressed.

Benefits of Tunstall Farm

Housing development at Tunstall Farm represents sustainable development. There are a number of significant benefits associated with developing the land at Tunstall Farm for residential development, they include:

- The site is deliverable and sustainable and can therefore meet some of the Council's identified under-supply of housing;
- Infrastructure improvements will be provided which will reduce drainage and flood risk for the whole of the Valley Drive area;
- Funding can be provided to build new and refurbish existing affordable properties across Hartlepool.
- The creation of a distinctive residential neighbourhood within an attractive framework of open space and landscape to soften the urban edge and frame views from the south.
- Based on a scheme of around 100 dwellings, the following economic benefits will be derived from the proposals at Tunstall Farm:
 - Capital investment of circa £12 million in Hartlepool from the construction of new properties at Tunstall Farm
 - Around 60 new full time local jobs for the 3 year build period and a further 7 'spin-off' jobs in the local economy
 - Additional expenditure by residents of around £1.1 million in local shops.
 - Approximately £1.2 million in New Homes Bonus payments (based on Council Tax Bands D - F).
 - Approximately £2.2 million in additional Council Tax payments over 10 years.

The site therefore accords with the NPPF's objectives to support economic growth through the planning system.

Conclusions

On the basis of information contained within these representations, Taylor Wimpey has significant concerns about the appropriateness of progressing the Park Neighbourhood Plan in the absence of strategic policies based on up to date evidence. This would conflict with the provisions of the NPPF (paragraph 47) which states that development plan policies should be based on an up to date objective assessment of need. Upon adoption of up to date strategic policies for Hartlepool, any Neighbourhood Plan would be rendered out of date.

The significance of Tunstall Farm in meeting a borough-wide need for new higher value family housing on the western edge of Hartlepool should be recognised and the site should be taken forward and allocated through the strategic policies of the Local Plan rather than the Neighbourhood Plan.

If a Neighbourhood Plan is progressed, evidence relating to the previous Local Plan process, the EiP, the Inspectorate's recommendations and housing need should be considered and the site should be allocated for residential development of approximately 100 dwellings.

Taylor Wimpey wishes to fully engage with the Neighbourhood Plan process as a key stakeholder / interested party in the Valley Drive / Park area and requests that any developments with regard to the Neighbourhood Plan are referred to Taylor Wimpey in the future.

Yours sincerely,



Tom Baker
Principal Planner
GVA

For and on behalf of Taylor Wimpey UK Ltd

Annexure 1



PLANNING COMMITTEE

Wednesday 19th February 2014



Report of: Assistant Director (Regeneration)

Subject: LOCALLY LISTED BUILDINGS

1. PURPOSE OF REPORT

- 1.1 In January 2012 a list of Locally Listed Buildings was agreed by the Portfolio Holder. This report outlines the review of the list that is proposed and the options available for the selection of new entries.

2. BACKGROUND

- 2.1 Hartlepool has some 200 listed buildings. These are properties which have been designated by the Government as structures which are of 'special architectural or historic interest'.
- 2.2 Locally listed buildings are not of national significance however they may merit protection because, for example, they are the work of a local architect or have a link to a locally significant historical figure which, although not nationally noteworthy, nevertheless makes a contribution to the local sense of place.
- 2.3 The National Planning Policy Framework (NPPF), describes heritage assets as, 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and assets identified by the local planning authority (including local listing).' Within the NPPF there are policies relating to both designated and non-designated heritage assets.

3. UPDATING THE LIST

- 3.1 The original work carried out to establish the list encompassed surveying buildings across the borough resulting in 181 entries on the local list from a draft document of 230 nominations. It is considered that the most effective way to continue to update the list is on a thematic basis, rather than attempt

to review large areas again. This is similar to the methodology used by English Heritage for listed buildings.

- 3.2 It is proposed that the surveys for new buildings to add to the list will encompass buildings, structures and spaces associated with the military. This subject is already covered in the list by way of two pill boxes and anti-tank defences in Greatham, and a number of war memorials across the town. It is felt that this would be an opportunity to achieve more comprehensive coverage. Research has shown that there are remnants of pill boxes and anti tank track obstacles elsewhere in the borough. In addition 2014 is the centenary of the First World War and there are a number of events and projects planned in Hartlepool to mark this occasion. The choice of this subject matter will link in to those events.
- 3.3 The selection criteria for the list will be the same as that used to decide the original list in 2012. A copy has been attached in **Appendix 1** for information.
- 3.4 Alongside the new additions it is proposed that where buildings already on the list have been demolished or radically altered these will be deleted to ensure that the list is up to date and remains relevant.

4. METHODOLOGY

- 4.1 Officers will use existing research material to identify potential locally listed buildings. Alongside this it is proposed that the process is opened up to public consultation to allow residents and local groups an opportunity to nominate buildings which they feel are significant.
- 4.2 A standard form was developed when the initial list was compiled in 2011. This will be made available at Council offices and on the website. Alongside this is a guidance note including the criteria for inclusion. Where possible, it is requested that a photograph of the nominated site or a location plan is included so there can be no doubt of the building which is proposed. In addition they would be asked to provide any research or information they have on the nominations which they feel demonstrates why the site is locally important. This methodology was used in the compilation of the original list in 2011.
- 4.3 Local groups and committees would be invited to submit any nominations that they have. It is suggested that these groups would include the Hartlepool Conservation Area Advisory Committee, Hartlepool Civic Society, Parish Councils and residents groups across the town.

5. SELECTION PROCESS

- 5.1 Once nominations are closed officers will compile a full list of the sites including any relevant information which would assist in the selection

process. This list would then be published with a further period of consultation to enable residents and groups to nominate any buildings they feel have been missed off the initial draft list.

- 5.2 All of the sites owners and occupiers will be contacted directly to make them aware that their building has been nominated and inviting them to make any comments. Their comments will be presented alongside any material considered for selecting the buildings to be placed on a final list.
- 5.3 To ensure consistency in selection it is proposed that the same method of scoring entries is used as for the original list. Each criterion was marked on a scale of one to five. Five was the highest score meaning the nomination fully met the requirements of the criterion. One was the lowest score used where the criterion was not met. All nominations scoring 15 or over were included on the final draft of the local list. At the time these were then assessed by the Portfolio Holder who made the decision on the final list. Where owners or occupiers objected to inclusion on the list the Portfolio Holder made the final decision on their inclusion based on information presented by the owners, any background information available on the site and the score sheet of the independent panel.
- 5.4 In the selection of the list in 2011 an independent panel was used to choose the final entries for the draft list. The panel included Conservation Officers from neighbouring authorities (Middlesbrough and Stockton), a representative from the Conservation Area Advisory Committee (Victorian Society Member and Architect) and a local historian.
- 5.5 The panel met on four occasions (4 x afternoon sessions, 1:00 – 5:00pm) to assess the nominations. Each entry was considered including the evidence provided to support the nomination and any objections raised by the owner or occupier. Each entry was scored as outlined above after consideration of the available evidence.
- 5.6 The Planning Committee at its meeting on the 22nd January 2014 requested that it became more proactively involved in the selection of the final entries for the draft list. Having regard to this a number of options for the selection of entries for the list have been identified, and are outlined below.
- 5.7 Option 1 – Selection Panel
A similar panel could be used as outlined above with representatives from the Conservation Area Advisory Committee, a local history expert and a representative of a group who has an interest in Military History on the panel. The final list of draft nominations would be presented to this Committee for agreement.
- 5.8 Option 2 – Sub-Planning Committee assessing selections
The selection of the nominations could take place as outlined above with the Panel presenting information to a sub-committee formed by the Planning Committee who would consider the list prior to the final list of nominations being presented to the full Planning Committee for agreement.

5.9 Option 3 – Planning Committee Act as Selection Panel

An alternative option would be for the Planning Committee to consider each nomination, as described above, i.e. considering the information submitted for each entry and scoring the nominations to select the final list.

5.10 Option 4 – Joint Heritage and Planning Committee Selection Panel

A group could be brought together to consider the nominations with representatives who specialise in specific areas, for example military history, local history, architecture along with representatives of this Committee for example the Chair, Vice Chair and Heritage Champion. They would select the nominations which would be presented to the full Planning Committee for agreement.

5.11 Strengths, Weaknesses, Opportunities and Threats of the Proposed Methodology Options

An analysis of the proposed options can be found in **Appendix 2**.

- 5.12 Whilst it is clear that all of the options have both strengths and weaknesses as identified in **Appendix 2** the proposal to use a Selection Panel with Planning Committee considering a final draft list is considered by officers to be the most timely solution. This is also in line with English Heritage Guidance, 'Good Practice Guide for Local Heritage Listing' (May 2012) which states, 'Selection panels can be an effective way in which to independently assess nominated assets. Membership should be drawn from a representative cross-section of the community and not restricted to professionals.' and there is clearly an opportunity for elected member involvement on this panel, including but not restricted to, the Heritage Champion.

6. **EQUALITY AND DIVERSITY CONSIDERATIONS**

- 6.1 There are no equality or diversity implications.

7. **SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS**

- 7.1 There are no Section 17 Implications.

8. **FINANCIAL CONSIDERATIONS**

- 8.1 None.

|

9. RECOMMENDATIONS

- 9.1 That the Planning Committee agrees to the review of the list of Locally Listed Buildings for Hartlepool.
- 9.2 That the Planning Committee agrees to selection of a draft list by an Independent Panel with the final list agreed by Planning Committee.

10. REASONS FOR RECOMMENDATION

- 10.1 Heritage assets include ‘designated heritage assets and assets identified by the local planning authority (including local listing).’ Within the NPPF there are policies relating to both designated and non-designated heritage assets therefore it is important to have an up to date, relevant local list to provide clarity when processing applications.
- 10.2 The development of a local list includes the involvement of a number of interested parties from residents groups and parish councils to the public and elected Members. Entries on a local list will become a material consideration in the planning process therefore it is important to ensure that the selection process is as transparent as possible. Using a panel of individuals with no connection to the local authority to select entries by scoring each nomination is a fair way to select a list and ensures consistency as this is the methodology used to select the entries on the existing list.

11. BACKGROUND PAPERS

- 11.1 There are no background papers.

12. CONTACT OFFICER

- 12.1 Damien Wilson
Assistant Director (Regeneration)
Civic Centre, Victoria Road
Hartlepool
TS24 8AY
Tel: 01429 523400
Email: Damien.wilson@hartlepool.gov.uk
- 12.2 Sarah Scarr
Landscape Planning and Conservation Team Leader
Department of Regeneration and Neighbourhoods
Civic Centre, Victoria Road
Hartlepool
TS24 8AY
Tel; 01429 523275
Sarah.scarr@hartlepool.gov.uk

APPENDIX 1

Defining a locally important building

The statutorily listed buildings can be all sorts of structures including telephone boxes, walls and gates as well as what we all recognise as buildings. In addition there is also a statutory process which recognises parks and gardens. It is proposed that when considering locally important buildings these definitions are combined and therefore the list will not be limited to buildings but will include other streetscape structures along with parks and landscapes.

Assessment Criteria

The assessment criteria that will be used;

- **Design merit:** is it the work of a particular architect or designer of regional or local note? Does it have qualities of age, style or distinctive characteristics relative to the area? Does it have landmark quality? Is it characterful and time-honoured or locally-valued
- **Historic interest:** does it relate to an important aspect of local, social, economic, cultural, religious or political history; does it have an historic association with an important local feature?
- **Historic association:** does it have close associations with famous local people (must be well documented); does it relate closely to any statutorily protected structure or site?
- **Survival:** does it survive in a substantial and recognisable form; are historic features and layout still present; does it represent a significant element in the development of the area?
- **Layout:** is it part of a planned layout that has remained substantially intact e.g. a terrace or a square?
- **General:** does it provide an important visual amenity?

APPENDIX 2

	<u>Option 1</u> Selection Panel	<u>Option 2</u> Sub-Planning Committee assessing selections	<u>Option 3</u> Planning Committee act as Selection Panel	<u>Option 4</u> Joint Heritage and Planning Committee Selection Panel
Strengths	The selection process is independent from the local planning authority	Members are familiar with the town and its heritage.	Members are familiar with the town and its heritage.	This would have both independent experts and Members who are familiar with the town and its heritage.
Weakness	The availability of individuals can be limited due to other commitments which can lead to an extended process in allowing time for all interested parties to be free to meet.	The time taken to complete the process will be extended to accommodate a second assessment of the nominations prior to them being taken to the full committee.	Availability of all members of the Committee to assess the nominations.	Availability of all members of the Committee to assess the nominations.
Opportunity	Having representatives from both inside and outside the town brings a broad range of skills. It allows individuals to share expertise from elsewhere and can result in the identification of assets which may not otherwise have been designated.	<ul style="list-style-type: none"> The Panel will have representatives from both inside and outside the town brings a broad range of expertise. It allows individuals to share knowledge from elsewhere and can result in the identification of assets 	This is an opportunity for Members to familiarise themselves in detail with the local list process.	Having representatives from both inside and outside the town brings a broad range of skills. It allows individuals to share expertise from elsewhere and can result in the identification of assets which may not otherwise have been designated.

		<p>which may not otherwise have been designated.</p> <ul style="list-style-type: none"> • Assessment by a sub-group prior to consideration of the final draft by the full Planning Committee could critically assess the Selection Panel's thought process in depth. 		
Threats	There could be a view that those members of the Panel who are not from the town may not have a thorough enough view of the local area.	The second review of the nominations by the sub-committee could be perceived to be stymieing the Selection Panel's views.	Not having any outside of the Local Planning Authority presence on the panel could be perceived as too insular.	The presence of Members of Planning Committee could be perceived to by stymieing the Selection Panels' views.

PLANNING COMMITTEE

19th February 2014



Report of: Assistant Director (Regeneration)

Subject: LOCAL PLAN TIMETABLE AND PROGRESS

1 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is for information regarding for the timetable and progress of the Hartlepool Local Plan.

2 ISSUES AND OPTIONS STAGE

- 2.1 There are two options for progressing the Local Plan, either with or without the Issues and Options Stage.
- 2.2 Option 1 includes an Issues and Options Stage. The main purpose of the Issues and Options stage is to stimulate debate and seek the views of the community and other stakeholders on how and where Hartlepool should develop over the next fifteen years or so.
- 2.3 One of the main issues to be addressed in the paper is where future development in the Borough will be concentrated - the locational strategy. This includes issues relating to the future use of employment land, provision of housing, flood risk and reducing congestion.
- 2.4 In suggesting options for addressing the issues, it is important that these are as wide-ranging as possible as at least one of the Core Strategies prepared by Local Planning Authorities soon after the new planning system came into effect was found to be 'unsound' by the Planning Inspector at the Public Examination in part because it failed to provide a reasonable choice of spatial options for the public to respond to.
- 2.5 It is considered that Option 1 is the most appropriate option this is reinforced in paragraph 154 of the National Planning Policy Framework (NPPF) 2012 which states:

Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the

sustainable development of the area, including those contained in any neighbourhood plans that have been made.

- 2.6 Although it is acknowledged that the inclusion of the Issues and Options stage does add time onto the timetable for the preparation of the Local Plan, officers are committed to expediting the process where possible. It should also be acknowledged that should the Local Plan be prepared without the issues and options stage this would be unusual and could be problematic at the Examination in Public when justifying the development of the plan to the Secretary of State in light of the NPPF requirement highlighted above.
- 2.7 Throughout the preparation of the Local Plan proactive engagement of the Regeneration Services Committee will be scheduled into the timetable and also updates will be provided in the quarterly update reports for Planning Services to both the Regeneration Services Committee and Planning Committee.

3 PREPARATION OF THE LOCAL PLAN

Evidence Base

- 3.1 Consideration has been given to the evidence base which is required to be produced in order to inform and justify the progression of the local plan. **Appendix 2** details key pieces of evidence base and an anticipated timeline for their production. Two pieces of work are outlined to take approximately 1 year to complete. This is based on previous experience of completion of these projects. Whilst officers will speed up the process there is no guarantee that these large key pieces of work will be completed in advance of 1 year. Work has already commenced on the production of this evidence base so as not to delay the process.

Issues and Options

- 3.2 It is proposed once the evidence base is at a sufficient stage to provide options to the public and stakeholders to consider and comment upon, consultation would then begin. On reflection the timetable in **Appendix 1** shows that the inclusion of the Issues and Options Stage would add a further 2 months onto the process.

Preferred Options

- 3.3 All of the evidence base must be completed prior to consulting on the Preferred Options Stage of the process as the evidence must underpin the rationale for selection of the preferred options. It is therefore anticipated that the preferred options stage would take place in January 2015.

Publication and Submission Stage

- 3.4 At this stage the Council will have an agreed local plan which is publicised and submitted to the Secretary of State for examination. From this point on the timetable is out of the Council's hands. Once this point is arrived at the plan is considered to hold some degree of weight and planning applications can be considered in light of the emerging policies.

Examination to Adoption

- 3.5 This is a very staff intensive time where preparation for the examination in public is time consuming, the timetable and any further work is at the discretion of the Secretary of State.

4. RISK IMPLICATIONS

Financial Considerations

- 4.1 An evidence base will be required to underpin the Local Plan and some of this work is required to be carried out by consultants to give independence and credibility to the planning process. **Appendix 2** details some costs associated with the Local Plan process and details the key pieces of work which are required to be completed. The tendering process has commenced on key pieces of work.
- 4.2 It should be noted that the Policy Planning Officers have been dealing with planning applications to aid planning performance in light of the Government's drive to speed up the decision making process. These officers are committed to expediting the process of the production of the Local Plan; however, this may impact upon the amount of time they will be able to dedicate to dealing with planning applications. It is considered appropriate to employ a graduate in the Planning Services Team to ensure planning performance does not decrease. This will be an additional cost to the Council; it can be accommodated within the current budget due to savings being made within other parts of the service.
- 4.3 Some pieces of the evidence base maybe supported by other pieces of work being undertaken by the Council so costs identified could be reduced. However if there is a change in Government legislation this could have unforeseen costs for example for future unidentified pieces of work.

Legal Considerations

- 4.4 There is a statutory duty to prepare a Local Plan in accordance with the Planning and Compulsory Purchase Act 2004 (as amended).

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

- 5.1 The Crime and Disorder Act 1998 requires Local Authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making. The Council is committed to securing safe and secure environments within the Borough. Safety and security is a material consideration in planning and the emerging Local Plan contains within a policy the need for proposals to take be designed in a way which minimises crime and the fear of crime. This will be taken into account in the consideration of future planning applications.

6. RECOMMENDATION

- 6.1 Members are recommended to note the timetable and that the Regeneration Services Committee have been requested to approve Option One as the route to prepare the Local Plan.

7 APPENDICES

- Timetable for production of the Local Plan
- Project Plan for Evidence Base

8 CONTACT OFFICERS

- 8.1 Damien Wilson
Assistant Director of Regeneration
Civic Centre
Victoria Road
Hartlepool
TS24 8AY
Tel: 01429 523400
Email Damien.wilson@hartlepool.gov.uk

- 8.2 Chris Plpe
Planning Services Manager
Level 1
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Tel: (01429) 523596
E-mail: christine.pipe@hartlepool.gov.uk

Timetable for production of Local PlanOption 1 With Issues and Options Stage

Task	Date
Evidence Base production	Nov 2013 – Nov 2014
Issues and Options	July 2014 – Dec 2014
Preferred Options	Jan 2015 – May 2015
Publication & Submission Stage*	June – July 2015

The subsequent stages include the appointment of a Planning Inspector by the Secretary of State followed by an Examination being timetabled and preparation being undertaken by the Inspector. The Examination in Public (EIP) itself will be held over a number of days/weeks. Following from the EIP the Inspector will deliberate and make a recommendation on the soundness of the Local Plan. Should the plan be found sound this is usually on the basis of modifications put forward by the Inspector. Modifications will then be publicly consulted upon and responses along with the modified Local Plan will be presented to Council for adoption. These subsequent stages would be estimated to take a further 15 months to adopt the Local Plan. A Judicial Review Period of a further 6-8 weeks from adoption should also be factored in.

Option 2 Miss out Issues and Option Stage and go straight to Preferred Options

Task	Date
Evidence Base production	Nov 2013 – Nov 2014
Preferred Options	Dec 2014 – April 2015
Publication & Submission Stage*	May 2015 – June 2015

The subsequent stages include the appointment of a Planning Inspector by the Secretary of State followed by an Examination being timetabled and preparation being undertaken by the Inspector. The Examination in Public (EIP) itself will be held over a number of days/weeks. Following from the EIP the Inspector will deliberate and make a recommendation on the soundness of the Local Plan. Should the plan be found sound this is usually on the basis of modifications put forward by the Inspector. Modifications will then be publicly consulted upon and responses along with the modified Local Plan will be presented to Council for adoption. These subsequent stages would be estimated to take a further 15 months to adopt the Local Plan. A Judicial Review Period of a further 6-8 weeks from adoption should also be factored in.

* Plan will hold weight at this stage and the policies can be used in the determination of planning applications.

Project Plan for Evidence Base

TASK	SUB TASK	RESOURCES	LEAD OFFICER	TIME FRAME	COST
Evidence base November 2013 - November 2014	Open Space and recreation study (former PPG17 assessment)	HBC methodology HBC assessors HBC analysis Parks and countryside input	Matthew King All support	9 months	External with internal support £50,000
	Strategic Housing Land Availability assessment (SHLAA)	Need trained planners/regen etc to assist in site assessments Continual stakeholder input and buy in Need agreed methodology with stakeholders	Tom Britcliffe All support	1 year	Internal Venue hire and catering for workshops
	Housing needs paper	Input from housing team	Andrew Carter	One/two week	Internal
	Employment Land Review	External expertise required Could we do this in house -but we need more staff i.e econ dev	Tom Britcliffe	1 year	External £25,000
	Retail study	n/a	Andrew Carter coordinate	6 months	External £25,000
	Gypsy and Traveller assessment	Input from housing team	Andrew Carter coordinate	6 months	External £10,000
	Gypsy and Traveller SHLAA Dependant on Gypsy and Traveller assessment	HBC staff to assess sites as was the case in 2013	Andrew Carter lead All assist in assessments	3 months	Internal
	Healthcare assessment (NPPF para 171)	Resource implications unknown as this is a new requirement Advice from external NHS officers likely	Helen Williams coordinate	Unknown element	External

	Shoreline management plan	Further research needed	Helen Williams	-	Internal, other teams with technical knowledge
	Costal change management plan	Further research needed	Helen Williams	-	Internal, other teams with technical knowledge
	Tees Valley statistics unemployment and fuel poverty update paper	Liaise with econ dev and community regeneration	Helen Williams	Two weeks	Internal
	Future housing provision paper (include executive housing position)	n/a	Andrew Carter	Two weeks	Internal
Other key papers that evolve as sites are put forward					
	Infrastructure Plan	Update to existing plan dependant on locational strategy Traffic and transportation input Highway Agency input Education input External NHS input Utilities Provider input Engineers input Sport and Recreation input	Matthew King	6 months Then a continual process as sites evolve	Internal
	Housing implementation strategy	Andrew Carter likely to liaise with developers	Andrew Carter	Two weeks	Internal
	Sites deliverability assessment	Andrew Carter likely to liaise with developers	Andrew Carter	ongoing	Internal (work item ongoing as sites evolve)
	Strategic Flood Risk Assessment (SFRA) level one/level two, depending	HBC Engineers	Tom Britcliffe	6 months	External £15,000 (but will depend on the

	on the sites put forward.				flood risk of site considered)
	Sequential test (flooding)	SFRA will inform the sequential test	Tom Britcliffe	Ongoing as sites evolve	internal
Note: Liaise with Councillors continually to report on key findings and options/implications Suggest – regular meetings/forum with Councillors to inform them of progress and options coming forward and to allow for open discussion and sharing of ideas, concerns etc					
Issues and options drafting stage July 2014		Jan Brown – GIS	All	4 weeks	n/a
Extensive consultation stage August/Sept 2014	Suggest Letters to all residents and public notice	Additional staff required to assist in events Staff to work unsociable hours	Sarah Bowman All	Minimum 8 weeks	Letters/postage Printing Venue hire Advertising costs Additional staff will have to add hours to flexi sheet/lieu time or overtime
Consultation process and analysis stage 3 months Oct/Nov/Dec 2014	n/a	Admin support essential	All	3-6 months depending on number of responses and options put forward	n/a
All of the evidence must be done before preferred options can be formulated					
Stage two - Preferred options					
Write new plan as evidence/ responses emerge. Draft ready January 2015	- Try to iron out any Councillor concerns - Liaise with stakeholders, before formal consultation	n/a	All	Continual work as info emerges	n/a

Sustainability appraisal Draft ready January 2015	n/a	Need assistance from wider team Regeneration/landscape All do SA's to a high standard, but more officers are required i.e DC, econ dev, climate change staff	Helen Williams lead All officers to help	Ongoing process	n/a
Habitats Regulations Assessment Draft ready January 2015	n/a	Ian Bond and liaison with Natural England	Ian Bond	Ongoing process	n/a
Report to Regeneration Services Committee January 2015	n/a	n/a	Tom Britcliffe	Usual reporting procedure CP DW Dem services	n/a
Extensive consultation Feb/March 2015		Addition staff required, much have planning background i.e particularly Development Control who are knowledgeable in the subject	Tom Britcliffe	Minimum 8 weeks (may need more depending on number of events, and staff capacity)	Venue hire Printing costs Advertising costs
Redrafting stage April – May 2015	Time dependant on number of responses	Admin team required for processing assistance.	All	Time dependant on number of responses	n/a
Stage three - Formal submission stage *(Plan will hold weight here and policies can be considered when determining planning applications)* From this stage the timetable is out of the Council's hands.					
Formal submission	Appoint Programme officer	n/a	Tom Britcliffe	6 week statutory	n/a

stage Plan SA HRA Proposals map Consultation statement Duty to Cooperate paper all comments sent to inspector, they are not dealt with by HBC June/July 2015 (KEY DATE).				consultation (consultation events not necessary at this stage) How ever Statement of Community involvement adopted by the Council has this stage at 8 w eeks.	
Stage Four - examination					
Hearing preparation Sept 2015	Matters papers, subject depends on inspector	Potential legal costs		Dependant on Inspectors communication with HBC	
Hearings November 2015	Hearings must be publicised 6 w eeks before they start.	Potential legal costs	All	2 w eeks	Inspector fees £65,000 Programme officer £11,000 Venue hire £4000 Microphones £2700 Advertising costs and potential legal costs
Stage five – inspectors findings					

deadline for receiving inspectors report May 2016	n/a	Communication with Councillors essential asap as document is a public document and must be publicised soon after receipt.	n/a	n/a	n/a
Re drafting stage June 2016	n/a	n/a	All	Dependant on when we receive the report and how many changes inspectors findings Max 6 months	n/a
Consultation on major changes July/August 2016	n/a	n/a	All	8 weeks	Advertising costs
Consultation assessment September 2016	n/a	n/a	All	One month	n/a
Stage six - Adoption					
Report to Council for adoption October 2016	n/a	n/a	Tom Britcliffe/Chris Pipe	n/a	n/a
Stage Seven – Judicial review period					
6 weeks window for challenge s113 PA CA December 2016	n/a	n/a	n/a	n/a	n/a
Total known anticipated costs so far:					£125,000 for Evidence base £10,000 for advertising, printing

	and venue costs £82,000 for Total £217,000 Examination (potential legal costs add £16,000) Total 233,000
--	--

Total time frame **November 2013 - December 2016**

Some timetabling is dependent on the level of responses received and the time it takes for the planning inspectorate to set us a hearing date and the time it will take to write the report.

Costs detailed above are approximates at this stage and does not include officer time.

Updated timetabling can be provided as the plan is progressed.

PLANNING COMMITTEE

19 February 2014



Report of: Assistant Director (Regeneration)

Subject: UPDATE ON CURRENT COMPLAINTS

1. PURPOSE OF REPORT

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

1. An investigation has commenced in response to a complaint regarding the erection of a detached garage and repairing cars at a residential property on Moffit Road.
2. An investigation has been carried out and completed in response to an anonymous complaint regarding the erection of a porch on a residential property on Hillston Close. The property owner has agreed to submit a planning application to regularise the work.
3. An investigation has been carried out and completed in response to a complaint regarding the suspected incorrect setting out of two building plots on a housing development currently commenced on Tanfield Road. In this regard a site visit revealed no evidence of a planning breach.
4. An investigation has commenced in response to a complaint regarding uncompleted building works resulting in untidy gardens at a vacant property on Broomhill Gardens.
5. Officer monitoring noted a garage conversion to living space and installation of a bow window at a property on Watton Close. The conversion works enjoys permitted development rights, but the installation of the bow window requires planning permission. The property has been contacted and agreed to submit a planning application to regularise the works.
6. An investigation has been carried out in response to a complaint forward by the Council's Public Protection Section regarding the noise associated with the use of a summerhouse in the rear garden of a property on Hutton Avenue. Permitted development rights applied in the case for the erection of the summer house and the Council's Public Protection Team are to investigate the noise complaint and will take action if necessary.

7. An investigation has commenced in response to officer monitoring noting a business advertisement sign fixed on the gable of a detached garage at a residential property on Merlin Way.
8. An investigation has commenced in response to a Councillor's complaint regarding the erection of a garage on land owned by the council.
9. An investigation has commenced in response to a complaint regarding running a bathroom fitting business from a residential property on Saddleston Close.
10. An investigation has commenced in response to a complaint regarding running a car repair business from a residential property on Deacon Gardens.
11. A Councillor has raised a complaint regarding external alterations being carried out on a Public House in Elwick.
12. An investigation has commenced in response to a complaint regarding carrying out work not shown on the approved plan, specifically the erection of a balcony to the front of the property. Also the erection of a high wall/railing to the front and the paving of the rear garden at a property in Wynyard.

2. RECOMMENDATION

- 2.1 Members note this report.

PLANNING COMMITTEE

Wednesday 19th February 2014



Report of: Assistant Director (Regeneration)

Subject: SHOP FRONT DESIGN GUIDANCE

1. PURPOSE OF REPORT

- 1.1 This report provides details of the public consultation that is proposed for the Draft Shop Front Design Guidance Supplementary Planning Document for the Committee's information.

2. BACKGROUND

- 2.1 The Hartlepool Local Plan will be the key Development Plan Document setting out the spatial vision, strategic objectives and core policies for the Borough for the next 15 years. Alongside this will be a number of Supplementary Planning Documents which will provide an opportunity for more detailed thematic or site specific policies.
- 2.2 The Shop Front Design Guidance Supplementary Planning Document is intended to encourage good design within retail areas of Hartlepool to achieve centres that are vibrant, pleasant to visit, and safe. It is not intended as an undue burden on development.
- 3.3 English Heritage advice to local authorities in their publication 'Guidance on the Management of Conservation Areas' (February 2006) indicates that an appraisal of a conservation area needs a set of policies, strategies and actions identified to actively manage change in a conservation area. To this end Conservation Management Plans have been produced for Seaton Carew, Church Street and most recently Stranton. All of these areas have a commercial element. Public consultation carried out as part of the management plan indicated that there was a need for guidance on both shop front design and advertisements. This guidance would fulfil that need.
- 3.4 This is technical guidance that will be a material consideration in the determination of planning applications. Compliance with its contents will ensure that retail areas are vibrant and pleasant to visit. A copy of the draft document can be found in **Appendix 1**.

3. PUBLIC CONSULTATION

- 3.1 The Regeneration Services Committee on 16th January 2014 agreed to the proposed consultation on the document for a minimum period of eight weeks.
- 3.2 The means of public consultation will include:
- Copies of the documents made available at the Civic Centre
 - A statutory notice in the Hartlepool Mail
 - A local press release
 - A dedicate page on the Council's website
 - Letters to statutory consultees and other stakeholders.
- 3.3 The consultation began on the 3rd February and will close on 31st March 2014.

4. EQUALITY AND DIVERSITY CONSIDERATIONS

- 4.1 There are no equality or diversity implications.

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

- 5.1 There are no Section 17 Implications.

6. FINANCIAL CONSIDERATIONS

- 6.1 None

7. RECOMMENDATIONS

- 7.1 That the Planning Committee notes the public consultation currently being undertaken on the draft Shop Front Design Guidance.

8. APPENDIX

- 8.1 **Appendix 1**: Shop Front Design Guidance

9. CONTACT OFFICER

9.1 Damien Wilson
Assistant Director (Regeneration)
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Tel: 01429 523400

Email: Damien.wilson@hartlepool.gov.uk

9.2 Sarah Scarr
Landscape Planning and Conservation Team Leader
Department of Regeneration and Neighbourhoods
Bryan Hanson House, Hanson Square
Hartlepool
TS24 7BT

Tel; 01429 523275

Sarah.scarr@hartlepool.gov.uk



DRAFT SHOP FRONT DESIGN GUIDE



Contents

1.	Why is shop front design important?	1
2.	How to use this document	1
3.	Setting	2
4.	Shop front designs	3
5.	Creating a new shop front	5
6.	Doors	7
7.	Windows	8
8.	Security	9
9.	Materials	10
10.	Awnings and blinds	11
11	Signs and adverts	12
12.	Illumination	14
13.	Vacant shop units	15
14.	Space above shops	16
15.	Policy context	17
16	Glossary	

1. Why is shop front design important?

Shops and their frontages have an important role in making our town and local centres vibrant, pleasant to visit, and safe. In the same way that a theatre or film set creates a backdrop for the performance, a shopping parade made up of distinctive shop frontages creates a stage for economic action.



2. How to use this document

The purpose of this document is to encourage good design within the retail areas of Hartlepool. All guidelines should be balanced with the constraints and opportunities presented by each scheme.

In this guidance, the term 'shop front' refers to the full range of commercial premises found in town centres including banks, public houses and restaurants, as well as food and non-food retail.

3. Setting

Removing and replacing shop fronts over time is not a new trend. The key to retaining a vibrant shopping area is to ensure that the standard of shop fronts does not decline and that each design is appropriate to its particular circumstances. For example the design of a shop front in a town centre location, such as York Road or Church Street, will be different from one located in a village such as Greatham or Elwick.



TOWN



COUNTRY

The decision over whether to repair or replace a shop front will depend upon the age, quality and condition of the existing building and shop front. If the existing shop front is inappropriate to the building or the locality, or is beyond repair; then a new or replacement shop front may be the most suitable solution.

In some instances it will be desirable to maintain the original design of a shop front or re-instate traditional features when lost, however this will not always be the best solution and a modern scheme may be appropriate. Modern shop fronts should respond to the local area and the overall design of the development through consideration of proportions, location, extent and detailing of advertising and materials.



Guideline

Replacement shop fronts should respond to the context, reinforcing or improving the wider appearance of the street.

4. Shop front designs

Shop fronts are key elements in town and local centres and their appearance can contribute significantly to visual interest and add vitality to the street scene. Assessing buildings in the area will help to identify the characteristic of the area and individual details of the host building will help to inform the final design.

There will be times when a shop stretches across two or more properties. When considering a shop front in this situation it is desirable for the buildings to be seen as two units with a shop front designed specifically for each one. A unified approach to paint colours or advertising will assist in ensuring the business is seen as a single unit.



Corner shop fronts have an important visual and practical role to play in shopping areas. Special care is required for shops of 'double' aspect and window displays to ensure that these provide interest on both elevations.



Where historic shop fronts exist, these should be refurbished.



When planning a new shop front the age and architecture of the building should be taken into consideration.



Guidelines

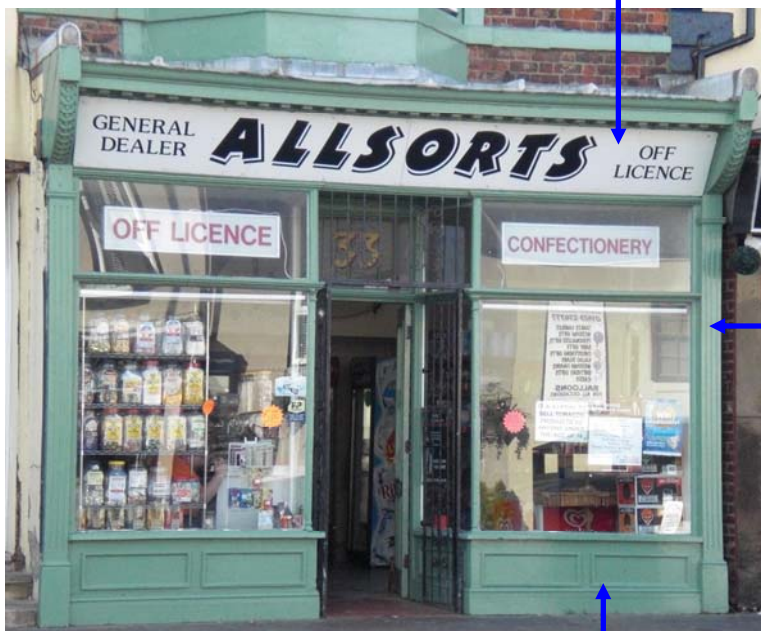
- *Where historic shop fronts exist, these should be refurbished as original detailing can not only enhance the individual building, but also contributes to the character of the area.*
- *The age and architecture of the building should be taken into consideration in any new design or alterations.*
- *Account should be taken of the scale and proportions of the building when considering a new shop front.*
- *The street scene and the design solutions adopted at adjoining buildings should be noted so that the new shop front fits into the street scene.*
- *The finishing materials should be chosen to complement the design of the host building and surrounding property.*
- *Where a shop front occupies the ground floor of more than one building, the design and proportions of each shop front should relate to each individual building. A single shop front that spans two or more buildings disregarding architectural detail and decoration will not be acceptable.*
- *Where a building is located on a corner site it should aim to address both elevations.*

5. Creating a new shop front

A traditional shop front is made up of a number of elements. Each of these elements contributes to the overall appearance of the shop front and the character of the building. These elements are:

Fascia

This is the flat or inwardly sloping section above the shop window traditionally where the shop sign is sited. Care is needed with the proportions and detailing. In particular, fascias should not be too deep, should not obscure architectural features or first floor window cills, and should never run uninterrupted for excessive lengths across two or more individual buildings, especially when they are of differing designs.



Pilasters and corbels

These are vertical columns situated at each side of the shop front, and adjacent to doors to upper floors. Pilasters usually have a wide base or plinth at the bottom and a decorative corbel at the top which sits at the side of the fascia.

Stall riser

This is the vertical panel beneath the shop window extending downwards to the ground. It provides protection to the glass from dirt, kicks and knocks and can be reinforced to assist in providing additional security against ram raiding.

Stall risers should be either painted timber paneling (properly detailed rather than beading fixed to a plain surface), rendered, glazed tiles or marble depending on the materials used on the building. The use of plastic paneling, glossy ceramic tiles without any relief and textured paints are usually inappropriate.

In some instances, where the building and shop front is contemporary in style, the incorporation of a traditional stall riser may be inappropriate. Where the location and style of the building allows, a large expanse of plate glass with the emphasis on the interior of the shop providing the display can be an attractive solution.

As with traditional design, a modern shop front should generally comprise three elements, each of which can be modernised and adapted to function appropriately.



Guidelines

- *For a shop front design to be successful three elements, the stall riser, fascia and shop window should be in proportion.*
- *Consider shop fronts on neighbouring properties. It may be appropriate to line up the fascia and stallriser with adjoining buildings, particularly in new developments. This can help unify a street.*
- *Ensure that the position or size of the fascia does not obscure any existing architectural features on upper floors.*

Cash machines

Where a new cash machine is to be installed it should be sensitively sited in a well lit area where the machine can be surveyed by passing pedestrians. Existing decorative detailing on the host building should not be compromised.

6. Doors

The entrance to the shop was designed to entice customers in and still serves that purpose today. Traditional shop fronts often have two points of entrance as shown below.



1. A main door to the shop, often set in a recessed lobby in the centre of the building

2. A side door providing access to the upper floor of the building.

The design of the shop door should take into consideration the shop front and be clearly identified as the main entrance to the premises.

Wherever it is practicable, alterations should ensure access for all through the main entrance by creating a clearly defined, well lit, unobstructed and level approach.

Over time shop fronts change and very often the side entrance door is removed on traditional shop fronts, effectively abandoning the upper floors. Besides the loss of valuable space, which could contribute to the up-keep of the building by providing another income from a flat or office, the floor to the building tends not to be maintained and deteriorates undermining the long term future of the whole building.

If restoring a shop front a side access door should be included in the design and alteration. Even if there is no access created immediately as part of a development scheme, the provision of the door will allow this to happen at a later date.

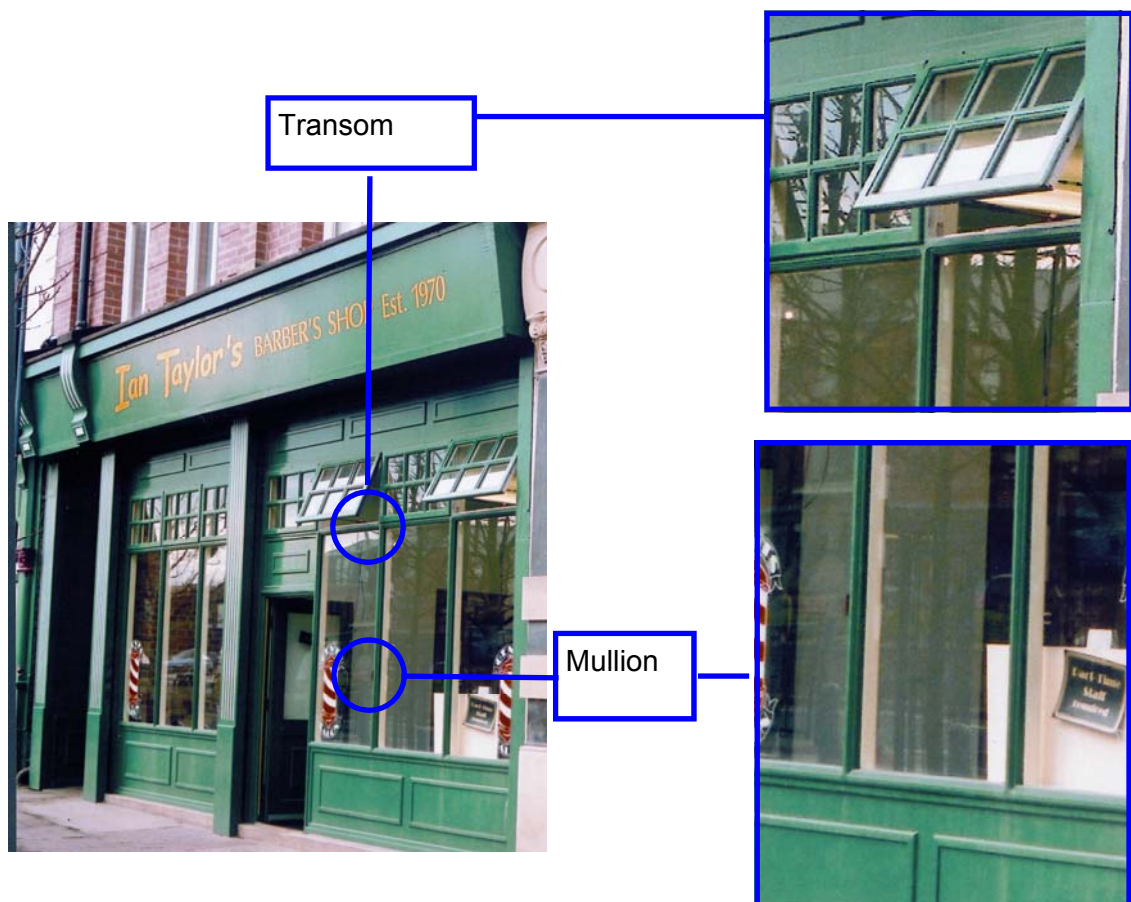
Guideline

The design of all doors should be of a style and material that relate to the shop front and building as a whole.

7. Windows

The shop window and its detailing display the shop inside and are the invitation to encourage shoppers to enter. They also serve a secondary purpose in ensuring that the street scene is active and vibrant.

The window framing and its glazing should be the dominant visual element in the overall design. Advanced manufacturing techniques allow for the use of large areas of glazing however this is usually not appropriate for more traditional shop front designs. In these instances glazing should be subdivided with mullions and transom bars to provide increased strength and support for security purposes. When used in conjunction with toughened or laminated glass (which remains intact when cracked), such approaches can improve shop front security as well as having a safety benefit.



Guidelines

- Ensure that proportions of glazing are appropriately balanced with the shop front frame and any other windows on the building.
- Avoid using large areas of glass. Subdivided windows provided increased security and lower the cost of any replacement.

8. Security

Solid external shutters can impact on the vitality of a shopping area, particularly after shop opening hours, when the area will be less busy and for most of the year largely dark. Illuminated shop window displays, combined with a perforated shutter, throw light onto the street. This supplements the normal street lighting and allows views into the shop creating a more inviting street scene at night.



There are alternatives to solid roller shutters including

- Security glass (see section on windows)
- Internal lattice grilles or shutters
- Removable external shutters and
- External open weave shutters

Open weave shutters allow window shopping and passive surveillance during closed hours. They also have the advantage of being less visually intrusive on the shop front and surrounding area.



Shutter box housings should always be integrated within the shop front or be recessed and flush with the shop front. Removable external shutters can be acceptable if they are appropriately designed to respect the architectural character of the shop front.

Protection of the whole of the building should be considered as an integral part of the overall security. Solutions for both windows and doors to the rear or side of the property should be of an appropriate design and style which will not detract from the area.

Guidelines

- *Ensure that all security measures are designed as an integral part of the shop front and / or building and not as an afterthought.*
- *Where possible consider using laminated or toughened glass as it is shatterproof.*
- *Avoid using external roller shutters. If there is no alternative to an external roller shutter ensure that it is open weave and the shutter box is contained behind the fascia. Solid external roller shutters will be refused in most circumstances.*
- *If appropriate consider using a security gate to protect a recessed doorway.*

9. Materials

The choice of materials and finishes is a major factor in determining the style of a shop front. Traditional shop fronts generally use materials such as painted timber, glass, render, stone and glazed tiles. Modern designs tend to be simpler in their design and allow the use of an extended palette of materials such as aluminium or stainless steel.

Materials are often dictated by the design of the shop front. Consider the age and architecture of the building itself, those immediately adjacent, and in the wider street scene. This will ensure that the choice of materials is compatible with the design of the shop front and the wider area, contributing to the local sense of place which can be created in commercial areas.



Guidelines

- *The finishing materials should be chosen to complement the design and surrounding property.*
- *Ensure that materials used for shop fronts in or near the Borough's heritage assets are sympathetic to the location.*

10. Awnings and blinds

Textile or canvas retracting roller blinds are part of traditional shop fronts and were designed to protect goods in the shop from damaging sunlight or if perishable from heat. They also protect customers and window shoppers from the rain and in some instances protect goods displayed on a forecourt outside a shop.



A **roller blind** is contained within the fascia of the shop window frame. When retracted back into the shop front the blind is effectively hidden away as part of the overall design allowing the shop front to be seen.



Dutch blinds are usually fixed to the front of a shop and can obscure parts of a shop front when closed.

Guidelines

- *Blinds should be formed as an integral part of the shop front design with the roller blind contained within the fascia either at the junction of the shop window frame and the fascia or within the cornice. When retracted away it should effectively become part of the overall design of the shop front.*
- *Dutch blinds consist of a frame over which a plastic material is stretched. This type of blind is capable of being folded back but can often obscure the shop front and should be avoided.*

11. Signs and adverts

Signs and advertisements can have a significant impact on the street scene. External advertising is important for commercial activity, their main purpose being to attract attention. Well designed signs can greatly enhance the environment whereas poor design can detract from it.



The **fascia** to a traditional shop front is intended to provide a location for advertising the business within. Such signs can come in a variety of designs including hand painted signs or individual lettering created in Perspex or metal.

Window signage can be applied to the shop window, fanlights over doors or windows on upper floors of the property. This is often useful if a different business is using the floors over a shop. Where the upper floor of a property is used by a separate business a name plate, adjacent to the door can assist visitors in identifying the entrance. It should be modest and in proportion with other signs on the building.



Projecting or hanging signs are usually located at first floor level or to the side of the shop front at fascia level and can increase the recognition of the business within the street. **Banner signs** can be used on buildings in a similar fashion where fascias signs cannot be incorporated. Such signs should be carefully located and attached not to obscure or damage architectural details on the building.

Menu boards and blackboards advertising special offers can often be found on restaurants, pubs and clubs. These should be modest and in proportion with other signs on the building. Care should be taken not to introduce too many on the property as this creates clutter and dilutes the messages on the signs.





In some areas there are **advertisements on gable ends or signs above first floor windows**. These come in the form of adverts painted directly onto masonry gables or individual letters fixed to elevations. Such proposals should be considered in the context of both the building and the wider area it is located in.

Very often a business will create its own **corporate identity** and wish to display this message consistently on all of its premises using a pallet of specific colours and / or signs. In such instances, consideration should be given to where the branding will be placed, along with the surrounding street scene, to ensure that it will be appropriate to both the host building and the surrounding area.



Signs on pavements or business forecourts often come in the form of A-boards. Such signage should be located where it will not cause an obstruction to those using the highway and have appropriate licences and insurance in place prior to it being displayed.

Guidelines

- *Where new shops fronts are proposed all advertisements should be designed as an integral part of the shop front and/or building.*
- *New signs on existing shop fronts should be in proportion and scale with the whole of the building as well as the shop front itself.*
- *Site signs carefully on the property to ensure that they do not obscure architectural features on the shop front or building.*
- *Choose signage which will reflect the character of the building and the wider area.*
- *As with all signage restraint is the key as excessive amounts can reduce the individual message and introduce unnecessary clutter.*
- *Lettering and graphics should be clear, simple and in proportion to the type of sign.*

12. Illumination

The lighting of shopping streets is key to creating a vibrant and safe night-time environment. Seeing into shops is important for natural surveillance with subtle external illumination assisting with views into the property after it has closed.

On shop fronts the main external illumination is often to the signage. To fascia signs this can be in the form of picture lights or swan neck lights fixed above the fascia. Such lights should be kept to the minimum required to illuminate a sign as multiple lights can cause clutter.

Alternatively more integral lighting can be provided such as lighting within the cornice of a shop front down-lighting the fascia sign or illumination of individual lettering with lighting to the rear giving a subtle halo effect.

Subtle illumination of the building elevation by up-lighting from a ground floor cornice or from above at the eaves can, with the right building, emphasise its architectural details



Guidelines

- *Lighting of signs should be considered in conjunction with the lighting of window displays and door lobbies to achieve a maximum overall effect.*
- *Where possible illumination should be integrated into the design of the shop front. In all cases the size and number of fittings should be kept to a minimum to avoid unnecessary visual clutter or obtrusive additions.*
- *Avoid using completely internally illuminated box signs or fascias. Individually mounted and lit letters or symbols on a background made of appropriate materials are usually more acceptable.*

13. Vacant shop units

The accumulation of vacant shop units can have a negative impact on a retail area. Where such properties exist the continued maintenance of the shop front not only contributes to the enhancement of the wider street scene, but can also make the property a more attractive prospect to a potential occupier.

Pop-up shops can provide a short term use of an empty building. The advantage of this is that the building remains actively occupied and new uses, even on a temporary basis, can invigorate shopping areas bringing in new customers.

In some locations it is desirable to retain an active frontage to a shop front. This can be done by providing advertisements to shop windows. These displays can add colour and interest to a street scene which may otherwise have blank windows.



Guidelines

- *If the shop is vacant consider how the window space could be used to assist in maintaining the vitality and attractiveness of a shopping area and attract potential tenants. For example the window could be used for exhibitions by artists, schools or community groups.*
- *The short term use of vacant commercial buildings in shopping parades as pop-up shops will be encouraged.*
- *The use of advertisements and other treatments to vacant shop premises will be encouraged where it will enhance the surrounding area by creating an interesting shop front.*

14. Space above shops

Space above shops is just as important as the shop front itself. The condition and appearance of upper floors contributes to the general appearance of the street scene. Very often these spaces can lie vacant as a shop continues to trade below.

These floors can provide useful space for the shop unit itself or can be utilised to provide additional income for the property owner in the form of a flat or a business use.



Guidelines

- *The occupation of floors over commercial buildings will be encouraged.*
- *The treatment of floors above shops, including windows, elevations and signage should be of a style and design which is appropriate to the character of the host building.*

15. Policy Context

The relevant policies from the 2006 Hartlepool Local Plan, for all shop front applications are as follows.

Policy reference	Policy title	Description of policy
GEP1	General Environmental Principles	A framework of guidance over a complete range of planning issues such as the appearance of development, its effect on the area and the need to conform to a range of standards and requirements. The policy does not refer to specific types of development or uses, other policies within the plan do this.
GEP2	Access For All	Sets requirements to ensure that developments are accessible by all residents and visitors.
GEP3	Crime Prevention	Sets requirements that development should seek to reduce or crime and/or the fear of crime.

Depending on the location of the development then the following policies may be relevant:

Policy reference	Policy title	Description of policy
GEP7	Frontages of Main Approaches	The policy states that when considering development proposals adjoining the major corridors listed in the policy development will be required to be of a high standard of design.
Com1	Development of the Town Centre	The policy states that proposals for revitalisation and redevelopment within the town centre should, where possible, provide improvements to the overall appearance of the area. It also outlines policy in relation to the reuse of vacant buildings and proposals for A3, A4 and A5 uses.

Policy Context Continued

Policy reference	Policy title	Description of policy
Com2	Primary Shopping Area	States that in this area retail development of an appropriate design and scale in relation to the overall appearance and character of the area will be approved.
Com4	Edge of Town Centre Areas	Defines 10 edge of town centre areas and indicates generally which range of uses are either acceptable or unacceptable within each area particularly with regard to A1, A2, A3, A4, A5, B1, B2, & B8 and D1 uses.
Com5	Local Centres	States that proposals for shops, local services and food and drink premises will be approved within this local centre subject to effects on amenity, the highway network and the scale, function, character and appearance of the area.
Com6	Commercial Improvement Areas	The policy outlines that the borough council will encourage environmental and other improvement and enhancement schemes in designated commercial improvement areas as outlined in the local plan.
Com9	Main Town Centre Uses	States that main town centre uses likely to attract large numbers of visitors should be located in the town centre. Proposals for such uses outside the town centre must justify the need for the development and demonstrate that the scale and nature of the development are appropriate to the area and that the vitality and viability of the town centre and other centres are not prejudiced.
Com12	Food and Drink	States that proposals for food and drink developments will only be permitted subject to consideration of the effect on amenity, highway safety and character, appearance and function of the surrounding area.

Policy Context Continued

Policy reference	Policy title	Description of policy
Com16	Headland – mixed uses	Aims to strengthen tourism and established economic activities to increase local employment and prosperity for this area, widen the mix of housing and conserve the environmental heritage of the Headland. Proposals for small scale retail, office and workshops, leisure and educational uses and housing developments of an appropriate scale and complementing the historic and cultural character of the area will be approved in mixed use areas identified in the policy subject to a set of criteria.
HE1	Protection and Enhancement of Conservation Areas	The policy sets out that development within the conservation area should either preserve or enhance the area and its assets.
HE2	Environmental Improvements in Conservation Areas	policy outlines that the borough council will encourage environmental improvements to enhance conservation areas
HE3	Developments in the Vicinity of Conservation Areas	The policy informs that design and materials use in development that would affect the setting of a conservation area should have regard to the character of the area and the neighbouring area.
HE8	Works To Listed Buildings (Including Partial Demolition)	The policy indicates that traditional materials and sympathetic design should be retained and/or used when carrying out works to listed buildings and buildings which affect the setting of a listed building to ensure that the integrity of such assets is preserved.
HE12	Protection of Locally Important Buildings	The policy sets out the factors to be considered in determining planning applications affecting a listed locally important building.

Policy Context Continued

Relevant paragraphs from the Policy Framework are summarised below.

1. The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied.

2. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

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

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

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

10. Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.

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

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;

56. The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

60. Planning decisions should not attempt to impose architectural styles or particular

Policy Context Continued

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

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

63. In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

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

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

70. To deliver the social, recreational and cultural facilities and services the community needs decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Policy Context Continued

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

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

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

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

16. Glossary

Advertisement - any letter, model, sign, awnings or blind.

Cill - horizontal piece of timber at the base of a window opening projecting slightly to throw water away from the building.

Corbel Bracket - a decorative timber piece usually found above a pilaster.

Down lights - lighting typically recessed into a projecting cornice to light a fascia board.

Façade - the exterior face of a building.

Fanlight - glazed area above a door.

Fascia - horizontal board over a shop front which usually carried the name of the shop.

Finishing Materials - the materials used to construct the shop front.

Halo lighting - typically used for back-lit letters to create a glow of light around the letters by illuminating the wall surface from within the letter.

Heritage Asset - a building, monument, site, place, or area of landscape positively identified as having a degree of significance meriting consideration in planning decisions. Heritage assets are the valued components of the historic environment.

Mullion - a vertical element (glazing bar) that divides a window in two.

Pilasters - pillars framing the shop front.

Roller shutter - this is made up of horizontal slats hinged together which roll down over a shop front on guides located at either side of the shop front.

Shop Door - this is the main entrance door to the shop.

Shop Window - the main window to the front of the shop.

Street scene - the environment that you see around the shop.

Swan lighting - curved single metal lights that shine light typically to the fascia board.

Stall riser - the plinth on which the shop front sits.

Transom - a horizontal bar across a window.

PLANNING COMMITTEE

Wednesday 19th February 2014



Report of: Assistant Director (Regeneration)

Subject: CONSULTATION ON ENTERPRISE AND
REGULATORY REFORM ACT

1. PURPOSE OF REPORT

- 1.1 The report provides details on the response to the consultation carried out by the Department for Culture Media and Sport on the Enterprise and Regulatory Reform Act.

2. BACKGROUND

- 2.1 The consultation sought views on the draft secondary legislation that has been prepared to accompany the heritage elements of the Enterprise and Regulatory Reform Act 2013.
- 2.2 The intention of this Act is to simplify the listed building consent system and reduce the instances in which applications for listed building consent will be required.
- 2.3 This consultation is seeking views on the draft secondary legislation that relates to:
- Listed Building Heritage Partnership Agreements
 - Local Listed Building Consent Orders
 - Certificates of Lawfulness of Proposed Works.
 - The principles and approach in taking forward National Listed Building Consent Orders.
- 2.4 These proposals are already fixed and the purpose of the consultation is to consider the details of the process for using these new measures.

3. LISTED BUILDING PARTNERSHIP AGREEMENTS

- 3.1 These Agreements have the potential, to be used when managing listed buildings granting prior permission for specified works for a set period. It is anticipated that such agreements would cover predictable and repetitive works commonly carried out.

- 3.2 The Agreement could be initiated by either party (i.e. the local authority or building owner). Similar to an application for listed building consent, details of the agreement would be made available for inspection at a place in the locality, the local authority would publish the information on its website and display a notice on or near the listed building for not less than 28 days. A copy of the notice would also be served on every person not party to the proposed Agreement whom the authority knows to be the owner of that building whose name and address is known to the Authority. There would be provision for the termination and variation of the agreement and all agreements would be forwarded to English Heritage.
- 3.3 As with similar regulations the provision to apply and modify these provisions by the Secretary of State is in place.
- 3.4 Such an agreement would be instigated where there is a complex of listed buildings in a single ownership.

4. LOCAL LISTED BUILDING CONSENT ORDERS

- 4.1 Local Listed Building Consent Orders granting general listed building consent for certain works of alteration or extension (but not demolition) of certain listed buildings in an area. This means that owners and developers will be able to carry out the works specified in the Order without having to submit a listed building consent application each time. The Orders should be broadly based on those for Local Development Orders adapted as necessary to meet the requirements of the listed building consent regime.
- 4.2 Local Planning Authorities considering making a Local Listed Building Consent Order will be required to prepare a draft Order together with a statement setting out their reasons and justification for making such an Order. It is proposed that there should be a specific requirement for local planning authorities to consult English Heritage on draft Orders where they cover Grade I and II* listed buildings.
- 4.3 It is proposed that local planning authorities should be required to publicise the draft Order in the same way proposed for Heritage Partnership Agreements. When an order is revoked, a similar method of publicity would be used to notify all interested parties.
- 4.4 Compensation arrangements are proposed in instances where the local authority does not give six months notice of its intention to withdraw a listed building consent granted through an Order. Liability would arise where an application for listed building consent was submitted and consent refused or granted subject to conditions not imposed by the Order within six months of the withdrawal of the Order.
- 4.5 Such Orders would be area orders covering buildings of a similar design which are regularly subject to applications of the same type, for example replacement windows.

5. CERTIFICATES OF LAWFULNESS OF PROPOSED WORKS

- 5.1 Section 61 of the Enterprise and Regulatory Reform Act 2013 introduces a system of Certificates of Lawfulness of Proposed Works to listed buildings. This will allow owners and developers to obtain formal confirmation that works of alteration or extension (but not demolition) of a listed building which they wish to undertake do not require listed building consent because they do not affect the special architectural or historic interest of the building.
- 5.2 The intention is to provide a simpler and faster mechanism which gives clarity on when listed building consent is not required without the need to submit a full application for listed building consent. There will be no requirement on owners and developers to submit such an application. It will still be possible, where the relevant parties are happy to do so, for such requests to be dealt with through an informal exchange of correspondence instead or, where the owner/developer is satisfied the proposed works do not require listed building consent, for them to proceed with works.
- 5.3 Certificates will only be available in respect of prospective works and will be valid for a period of ten years from the date of issue. Applicants will have the right of appeal where an application is refused or not determined within the required time period.
- 5.4 The proposed procedures for making and processing applications and appeals for Certificates of Lawfulness are broadly based on the procedures existing in the planning system. It is not proposed to prescribe any specific requirements for publicity or consultation on these applications. This is in line with the approach taken on Lawful Development Certificates in the planning system.
- 5.5 The aim of introducing Certificates of Lawfulness is to provide a simpler and faster alternative to submitting a full listed building consent application.

6. NATIONAL LISTED BUILDING CONSENT ORDERS

- 6.1 The Act also enables the Secretary of State to grant a general listed building consent for works for the alteration and extension (but not demolition) of listed buildings by making a National Listed Building Consent Order.
- 6.2 The consent may be granted subject to conditions and before making a National Listed Building Consent Order the Secretary of State must consult with English Heritage. Each draft Order will be debated and voted on in Parliament.
- 6.3 A pilot National Listed Building Consent Order is being developed with the Canal and River Trust. The pilot will test the methodology for developing future Orders.

6.4 Key proposals include:

- Initial ideas on what could be included in a prospective Order should be discussed between key interested parties, including the owner or manager of the listed building to be covered, English Heritage and relevant local planning authorities.
- Prior to public consultation there should be engagement with Government to ensure proposals fall within the legislation.

6.5 In developing proposals the following should be considered:

- The scope for the order, the works included and any conditions necessary.
- Justification for the prospective Order including an assessment of the likely impact.
- A consultation plan detailing who will be consulted.

6.6 Once proposals are developed they should be formally submitted to Government for detailed consideration.

7. CONSULTATION RESPONSE

7.1 A response to the consultation has been produced and submitted to the Department for Culture, Media and Sport in consultation with the Heritage Champion, Cllr Ainslie. The full response can be found in **Appendix 1** of this report.

7.2 In summary the authority is supportive of the proposals however the detailed process requires some further consideration. In both the case of Listed Building Partnership Agreements and Local Listed Building Consent Orders a time limit of five years is suggested. Further to this it is proposed that consultation should be carried out, similar to that for Listed Building Consent applications to ensure that all interested parties are able to comment on any proposals. In relation to Certificates of Lawfulness it is also proposed that a period of consultation should be incorporated into the process. It is proposed that guidance should be produced for National Listed Building Consent Orders to ensure it is clear the cases in which such Orders will be used and the level of consultation carried out is consistent.

8. EQUALITY AND DIVERSITY CONSIDERATIONS

8.1 There are no equality or diversity implications.

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

9.1 There are no Section 17 Implications

10. FINANCIAL CONSIDERATIONS

10.1 None

11. RECOMMENDATION

- 11.1 That the Planning Committee notes the response to the consultation on the Enterprise and Regulatory Reform Act.

12. BACKGROUND PAPERS

- 12.1 Enterprise and Regulatory Reform Act: Secondary Legislation to accompany the Heritage Provisions: A Consultation:
<https://www.gov.uk/government/consultations/enterprise-and-regulatory-reform-act-secondary-legislation-to-accompany-the-heritage-provisions-a-consultation>

13. APPENDIX

- 13.1 Appendix 1: Hartlepool Borough Council's submitted consultation response.

14. CONTACT OFFICER

Damien Wilson
Assistant Director (Regeneration)
Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Tel: 01429 523400

Email: Damien.wilson@hartlepool.gov.uk

15. AUTHOR

Sarah Scarr
Landscape Planning and Conservation Team Leader
Department of Regeneration and Neighbourhoods
Bryan Hanson House, Hanson Square
Hartlepool
TS24 7BT

Tel; 01429 523275

Sarah.scarr@hartlepool.gov.uk

APPENDIX 1

Details of the response to the consultation are provided below.

1. Do you agree that the duration of a Listed Building Heritage Partnership Agreement should be left to the discretion of individual local planning authorities?

No, the maximum duration of the agreement should be set at five years.

This would allow sufficient time for works to take place should they be required, but it would also provide an opportunity for the agreement to be reviewed on a regular basis to ensure that the significance of the heritage asset has not been negatively impacted. Should the works be acceptable it would be easy to continue with the agreement for a further five years. If issues have arisen this should be sufficient time to redraft the agreement to ensure that no further works could be carried out that may harm the listed building.

2. Do you agree that local planning authorities should only consult English Heritage on the proposed grant of listed building consent included in draft Listed Buildings Heritage Partnership Agreements where they cover Grade I and II listed buildings?*

Yes, as this would be in line with current arrangements for listed building consent applications.

3. Do you agree that local planning authorities should only be required to specifically notify known owners of the listed building who are not party to the draft Agreement of the proposed listed building consent, with any further notification being left at the local authority's discretion?

No. In line with similar applications i.e. listed building consent there should be provision to consult with other interested parties, e.g. residents groups or amenity societies. Heritage assets are often of an interest to the wider community and can make a great contribution to their locality. For this reason it is important that communities do have the opportunity to comment on agreements as they would with any other application.

4. Do you have any other comments on the draft regulations for Listed Building Heritage Partnership Agreements?

No.

5. Do you agree that local planning authorities should only consult English Heritage on draft Local Listed Building Consent Orders where they cover Grade I and II listed buildings?*

Yes, as this would be in line with current arrangements for listed building consent.

6. Should local planning authorities only be required to notify known owners of listed buildings of the draft Local Listed Building Consent Order? The need for any further notification would be at the local authority's discretion.

No. In line with similar applications i.e. listed building consent there should be provision to consult with other interested parties, e.g. residents groups or amenity societies. Heritage assets are often of an interest to the wider community and can make a great contribution to their locality. For this reason it is important that communities do have the opportunity to comment on agreements as they would with any other application.

7. Do you agree that the duration of a Local Listed Building Consent Order should be left to the discretion of individual local planning authorities?

No, the maximum duration of the agreement should be set at five years.

This would allow sufficient time for works to take place should they be required, but it would also provide an opportunity for the agreement to be reviewed on a regular basis to ensure that the significance of the heritage asset has not been negatively impacted. Should the works be acceptable it would be easy to continue with the agreement for a further five years. If issues have arisen this should be sufficient time to redraft the agreement to ensure that no further works could be carried out that may harm the listed building.

8. Do you have any other comments on the draft regulations for Local Listed Building Consent Orders?

No.

9. It is proposed that Certificates of Lawfulness of Proposed Works should be determined by the local planning authority within six weeks. Do you agree?

Yes.

10. The procedures that are being proposed for Certificates of Lawfulness of Proposed Works are intended to be 'light touch' to avoid creating any unnecessary burdens while still ensuring an appropriate level of protection for listed buildings. Do you agree that the draft regulations are sufficiently 'light touch'?

Yes.

11. Do you have any other comments on the draft regulations for Certificates of Lawfulness of Proposed Works?

In line with Listed Building Consent Applications it is suggested that there should be publicity around such certificates but with a timescale requiring a

response within 14 days. This would allow interested parties to express any comments they wish but not reduce the timescale of processing the certificate.

Although the aim is to speed up the process consultations from such groups can lead to valuable information being provided therefore it would be desirable to allow them some opportunity to comment should they wish.

12. Do you consider that this new system of Certificates of Lawfulness of Proposed Works will encourage applications from people who would otherwise have, correctly, not applied for listed building consent and gone ahead with the proposed works?

No.

13. Are there any other steps that could be taken to provide greater certainty about when listed building consent is or is not required. For example, improved guidance?

It would be difficult to provide guidance as there is no 'one size fits all' in this situation and each building will be different. Greater clarity in list descriptions regarding the significance of the individual elements would assist in determining what may or may not require consent.

14. Do you have any comments on the proposed approach for making National Listed Building Consent Orders?

Detailed guidance should be produced in particular on the scale of qualifying proposals to ensure that this proposal is only for 'development of scale'.

Guidance should also be produced on the consultation that should take place to ensure that in all instances it is fair and consistent ensuring there is no variation in the consultation between different Orders.

15. Do you agree that the compensation procedures which there are powers to prescribe through regulations for National Listed Building Consent Orders should mirror those put in place for Local Listed Building Consent Orders?

Yes

PLANNING COMMITTEE

19th February 2014



Report of: Assistant Director (Regeneration)

Subject: QUARTERLY UPDATE REPORT FOR PLANNING SERVICES OCTOBER – DECEMBER 2013/2014

1. TYPE OF DECISION/APPLICABLE CATEGORY

This report is for information.

2. PURPOSE OF REPORT

- 2.1 To update the Planning Committee on performance and progress across the key areas of Planning Services for the third quarter of 2013/2014.

3. BACKGROUND

- 3.1 The Planning Service consists of four discrete teams: Development Control, Planning Policy, Landscape Planning and Conservation and Tees Archaeology.
- 3.2 The Development Control Team focuses on assessing proposals for new development and their impact on their surroundings, particularly in the form of planning applications. The service encourages the use of an advisory service (One Stop Shop) to enable proposals to be considered informally before applications are submitted, helping to improve the quality of development where appropriate. The section is also responsible for monitoring development and, where necessary, implementing enforcement action against unauthorised development, including derelict and untidy buildings and land.
- 3.3 Planning Policy is responsible for spatial planning policy and sustainable development policy, this includes the preparation, monitoring and review of the statutory Local Development Framework including the Local Plan, which will establish the overarching planning policy framework for the Borough and will eventually replace the adopted Hartlepool Local Plan 2006. The section also provides policy advice in relation to planning applications and guidance on development activities, including the preparation of development briefs.

- 3.4 Landscape Planning and Conservation provides professional and technical expertise aimed at the conservation, protection and enhancement of the natural and built environment of Hartlepool. This team provides arboricultural and ecology advice and carries out ecology surveys and the inspection and review of Hartlepool's protected tree stock, including the making of Tree Preservation Orders, the processing of High Hedge applications and the surveying of Council owned trees. The section also has wider roles across the Council this includes ensuring that the authority complies with statutory duties such as the Habitats Directive, Wildlife & Countryside Act and NERC (Natural Environment and Rural Communities) Act.
- 3.5 Tees Archeology is a shared service between Hartlepool and Stockton Borough Councils based in Sir William Gray House. The section provides the Local Planning Authorities and other relevant organisations with advice on the archaeological implications of planning proposals and, maintains and updates a Heritage Environment Record (HER); Government policy requires authorities to hold a record of heritage assets, archaeological and historical sites and other information such as excavations, found objects and documentary sources within its area. It is also involved in a wide range of projects both in Hartlepool, Stockton and the wider region. In the recent reorganisation of the Community Services Division Tees Archaeology moved to the Planning Services.

4. DEVELOPMENT CONTROL

- 4.1 This quarter 14 major applications (such as minerals and waste developments, residential developments over 10 dwellings, the creation of floorspace over 1,000 square metres or sites over 1 hectare) have been received and 12 were determined within the required target date (13 weeks or longer with the applicant's consent). This means that 85.7 % were determined within the target date well above the national target of 60%. In terms of the performance for the year to date, up to and including this third quarter, 86.6% of major applications have been determined within the required target date.
- 4.2 In terms of minor planning applications (such as residential developments up to 9 dwellings, the creation of floor space less than 1,000 square metres or sites less than 1 hectare) 23 were received and 17 (73.9 %) were determined within the 8 week target date well above the national target of 65%. In terms of the performance for the year to date, up to and including this third quarter, 79.48 % of minor applications have been determined within the 8 week target date.
- 4.3 With regard to other planning applications (such as change of use, householder development, advertisements, notifications etc) 80 were received and 67 (83.75%) were determined within the 8 week target date again above the national target of 80%. In terms of the performance for the year to date, up to and including this third quarter, 87.34% of minor

applications have been determined within the 8 week target date.

- 4.4 One planning appeal was received during this quarter. One appeal was determined which was allowed by the Planning Inspectorate.
- 4.5 The applications received this quarter have generated a fee income of £98,525.00.
- 4.6 73 informal enquiries (pre-application advice in the form of the 'One Stop Shop') have been received generating a fee income of £ 3396.66 For the year to date, up to and including this third quarter 347 informal enquiries have been received generating a fee income of £12,346.66.
- 4.7 Planning Services receives complaints regarding potential planning breaches which are then investigated by the Council's Planning Enforcement Officer and 51 complaints were received this quarter. One enforcement notice was served and three Section 215 notices. A single appeal was received against the enforcement notice served. For the year to date, up to and including this third quarter, 130 complaints have been received, 2 enforcement notices served, 7 Section 215 notices served and a single appeal was received against an enforcement notice served.

5. PLANNING POLICY

- 5.1 At a meeting held on October 17th 2013 the Council made a decision to withdraw the submitted Local Plan that had been through public examination and officers have began work on a new Local Plan for the Borough.
- 5.2 In light of this decision, the section produced a Planning Policy Justification Framework during October and November 2013. This is to allow the Local Planning Authority to use the existing Local Plan 2006 policies relevant under the current National Planning Policy Framework (NPPF) regime.
- 5.3 A separate detailed report covering the Local Plan timetable is included on this meeting agenda. Officers are progressing work on the new Local Plan as a high priority, therefore work has begun in this quarter on the main evidence base documents that will form the basis for potential development and growth options for the new local plan. Details of timescales can be found in the timetable report and a short progress update will be reported on the main work items each quarter to this Committee.
- 5.4 The main evidence base documents that underpins the Local Plan includes, the Strategic Land Availability Assessment (SHLAA), Employment Land Review (ELR), The Open Space Assessment and Gypsy and Traveller Accommodation Assessment (GTAA). Other subsequent evidence base work will be carried out once these have been completed covering such issues as flood risk, retail and Infrastructure.

- 5.5 The SHLAA identifies future suitable sites to ensure that there will be enough land available in the Borough to continuously meet housing need over a fifteen year timescale and starting in years 2014-15. The SHLAA will provide options for housing development that will ultimately be the basis for allocations in the emerging local plan and all work will be done in-house. A call for sites process took place in December and there has been a good response from private landowners. It is also proposed to include a number of Council owned sites which is the subject of a Finance and Policy Committee report on the 31 January 2014. A steering group has been formed to guide the development of the SHLAA that is made up of housebuilders, registered social landlords and officers from Housing Services, Estates and Planning Services. In the next quarter officers will visit and survey each of the sites to be considered as part of the SHLAA.
- 5.6 The Employment Land Review (ELR) is a three stage process that assess the existing employment land stock and quality and then identifies quantitative and qualitative need over the Local Plan period. Stage 1 will be done in-house whilst stages 2 and 3 will be put out to tender. A focused four week consultation on the Stage 1 Brief is now complete and work on finalising the tender brief is underway. Site visits to all employment allocations are scheduled for February. Work on the tender brief for Stages 2 and 3 has also commenced and is expected to be complete by end of February after which the tendering process will commence.
- 5.7 The Open Space Sport and Recreation Audit and Assessment has been out to tender. 7 tender bids were received on the 10th January. These have been shortlisted and interview took place in January with a view to the work beginning at the start of February running through until August. This piece of work is required as the previous assessment was completed in 2008 and would not be considered up-to-date or robust if used in the preparation of the new Local Plan. It will help to show where there are deficiencies and surpluses of open spaces in the town, people's view on the open spaces and set standards for provision over the coming years. This document will be the main piece of evidence which will aid the Council in requesting developer contributions for green infrastructure and open space and play provision.
- 5.8 An updated Gypsy and Traveller Accommodation Assessment (GTAA) is required to contribute towards the Local Plan evidence base. The GTAA cannot be undertaken in-house and therefore has to be prepared by an impartial consultant. Throughout December 2013 discussions have taken place with prospective consultants with a specialism in housing need relating to Gypsy & Travellers; with a view to undertaking a new GTAA for the period 2016 to 2031 (15 years). A tender brief was sent out to interested parties in December 2013 with a closing date of the 13th January 2014. Officers have considered the tender received with have appointed an appropriate consultant, with the GTAA findings expected in the summer 2014.
- 5.9 Bearing in mind the current Planning Policy Justification Framework officers regularly give professional advice on planning policy issues which are often the key consideration for determining planning applications. In the last

quarter the Planning Policy section has, as part of its regular workload, been heavily involved in the processing of planning applications. This is primarily regarding providing professional advice to seek and negotiate developer contributions which subsequently involves viability testing. Officers have also been offering advice to the Neighbourhood Planning Groups which have been established in the Borough to support the Community Regeneration Team.

- 5.10 A regular quarterly monitoring update will be reported on the Local Development Orders (LDO's) for Enterprise Zones as per the monitoring framework agreed as part of the LDOs. The table below show the progress to date since April 2012 when the Enterprise Zones were designated.

LDOs for Enterprise Zones Monitoring

No	INDICATOR	ENTERPRISE ZONE		
		Queens Meadow	Oakesway	Port
		Progress to date	Progress to date	Progress to date
(i)	Annual number of businesses locating to EZ.	5 (Propipe, Omega, Durable, Solomons, Lab Shop)	None	1 (TWL)
(ii)	Annual number of queries for businesses wanting to locate, that do not qualify through the LDO.	Unable to monitor this indicator as the majority of queries are not formerly logged as a planning inquiry or with Economic Regeneration Team. May remove this indicator from LDO.		
(iii)	Annual number of developments considered to be unacceptable for design reasons.	None	None	None
(iv)	Annual number of developments considered to be Environmental Impact Assessment type development.	None	None	None
(v)	Annual number of requests to change use class or land use within the same use class.	None	None	None

6. LANDSCAPE PLANNING AND CONSERVATION

6.1 The Ecologist has been focused on a number of schemes including working with the community in Elwick on a project funded through the Limestone Landscapes, a partnership supported by the Heritage Lottery Fund. The work included assisting residents in finding out more about the wildlife in their village and providing information to them about the ecology of the area. The data collected will be used in a leaflet and on a website dedicated to the project, both of which are being developed by the residents themselves. In addition to this work with the community the consultancy side of the service has been developed with bat survey work carried out for a local housing association and a number of other smaller private schemes outside the Borough, providing additional income for the service.

6.2 Arboricultural officers carried out surveys of publicly owned trees in various locations within the town within this quarter. These inspections are carried out on a cyclical basis with trees examined to identify any risks they may pose to the public or signs of obvious defects which can then in turn be reported to enable appropriate remedial action to take place. Alongside this work the consultancy side of the tree service is being developed with survey work carried out at a development site outside the borough and tree risk assessments being offered to schools in Hartlepool. This work contributes to the additional income that the team are looking to developing.

– Ecology	£6,396
– Arboriculture	£735
– Conservation	£7,300
Total	£14,431

6.3 Conservation projects have included a Heritage at Risk Project jointly carried out with Tees Archaeology. Officers led volunteers surveying of 187 Grade II listed buildings in the borough. It was part of a pilot scheme to trial different ways of gathering information on the condition of these historic buildings around the country funded by English Heritage. The survey took the form of an external visual inspection carried out from public areas and a record made of the information gathered. A document was produced highlighting those properties in Hartlepool deemed to be at risk and this information will be fed into the Derelict Buildings and Untidy Land Group which the Conservation Officer takes an active part in. The work on this group can be demonstrated by the recent action taken regarding a vacant listed building which was causing concern. Officers obtained a warrant to enter the property and inspect the building to determine if works were required to make the building sound. The information gathered will be collated and analysed to assess what further action can now be taken against the owners to address the problems with their property.

6.4 Alongside this project work the team has provided specialist advice and guidance on 195 planning applications in the first six months of this year and processed numerous applications covering works to trees, listed building consent and work to properties in conservation areas.

7 TEES ARCHAEOLOGY

- 7.1 In the last year Tees Archaeology has been working with the local community at Elwick as part of the lottery funded Limestone Landscapes, Village Atlas programme. The work has involved excavations on the village green, recording the buildings of the village, carrying out hydrological and geological surveys and drawing together information about the history and development of the settlement. Local people and the local school have all taken part in this process and the results will be held by the local community and Tees Archaeology as a lasting resource about Elwick. The project finishes at the end of March.
- 7.2 Tees Archaeology has also been working with the Friends of North Cemetery to help them investigate and record the cemetery and to provide information about it through an exhibition and a forthcoming booklet. In addition to this the service has provided a Historic Environment Audit for the River Tees Rediscovered project which covers the area from the Teesmouth to Piercebridge and will shortly be the subject of a stage 2 application to the Heritage Lottery under their Landscape Partnerships scheme.

8. EQUALITY AND DIVERSITY CONSIDERATIONS

- 8.1 There are no equality or diversity implications.

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

- 9.1 There are no Section 17 Implications.

10. RECOMMENDATIONS

- 10.1 That the Planning Committee notes the content of the report and the progress made across key areas of the Planning Services Team.

11. BACKGROUND PAPERS

- 11.1 There are no background papers.

12. CONTACT OFFICERS

- 12.1 Damien Wilson
Assistant Director (Regeneration)
Level 3
Civic Centre
Hartlepool
TS24 8AY

Tel: (01429) 523400

E-mail: damien.wilson@hartlepool.gov.uk

- 12.2 Chris Pipe
Planning Services Manager
Department of Regeneration and Neighbourhoods
Bryan Hanson House, Hanson Square
Hartlepool
TS24 7BT

Tel: 01429 523596

christine.pipe@hartlepool.gov.uk