

# PLANNING COMMITTEE AGENDA



**Wednesday 5<sup>th</sup> November 2014**

**at 10.30am**

**in the Council Chamber,  
Civic Centre, Hartlepool.**

## MEMBERS OF PLANNING COMMITTEE:

Councillors Ainslie, S Akers-Belcher, Barclay, Cook, Dawkins, James, Lilley, Martin-Wells, Morris, Payne and Springer.

### 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 1<sup>st</sup> October 2014.

### 4. ITEMS REQUIRING DECISION

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

1. H/2014/0354 Former Coastguards Office, Moor Terrace (*page 1*)
2. H/2014/0163 Meadowcroft, Elwick Road (*page 15*)
3. H/2014/0179 Meadowcroft, Elwick Road (*page 47*)
4. H/2014/0177 Land at Brenda Road (*page 63*)
5. H/2014/0308 Land off Station Road, Greatham (*page 75*)
6. H/2014/0367 Heugh Gun Battery, Moor Terrace (*page 87*)
7. H/2014/0427 34 Bolton Grove (*page 97*)

#### 4.2 Appeal at Quarry Farm, Hartlepool TS26 0LH – *Assistant Director (Regeneration)*



**5. ITEMS FOR INFORMATION / DISCUSSION**

- 5.1 Hartlepool Tree Strategy 2011-2016 Progress Report – *Assistant Director (Regeneration)*
- 5.2 Appeal at Low Throston, Hart Lane, Hartlepool – *Assistant Director (Regeneration)*
- 5.3 Update on Current Complaints – *Assistant Director (Regeneration)*
- 5.4 Updated Planning Policy Framework Justification October 2014 – *Planning Services Manager*

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

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

**EXEMPT ITEMS**

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

**8. ITEMS REQUIRING DECISION**

- 8.1 26 Egerton Road (paras 5 and 6) – *Assistant Director (Regeneration)*
- 8.2 Crookfoot Farm, Elwick (paras 5 and 6) – *Assistant Director (Regeneration)*

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

**10. FOR INFORMATION**

Site Visits – Any site visits requested by the Committee at this meeting will take place on the morning of the meeting on Wednesday 26<sup>th</sup> November



# **PLANNING COMMITTEE**

## **MINUTES AND DECISION RECORD**

### **1<sup>st</sup> October 2014**

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

**Present:**

Councillor: Rob Cook (In the Chair)

Councillors: Jim Ainslie, Allan Barclay, Keith Dawkins, Marjorie James, Geoff Lilley, Ray Martin-Wells, George Morris and George Springer

Officers: Dave Stubbs, Chief Executive  
Peter Devlin, Chief Solicitor  
Andrew Carter, Planning Services Manager  
Jim Ferguson, Planning Team Leader (DC)  
Sarah Scarr, Landscape Planning and Conservation Manager  
Peter Frost, Highways, Traffic and Transport Team Leader  
Adrian Hurst, Principal Environmental Health Officer  
Helen Heward, Senior Planning Officer  
Sinead Turnbull, Senior Planning Officer  
Kieran Bostock, Principal Engineer  
Jo Stubbs, Democratic Services Officer

Also Present: Stephanie Hampshire Mott MacDonald

#### **41. Apologies for Absence**

Apologies were submitted by Councillor Stephen Akers-Belcher.

#### **42. Declarations of interest by members**

Councillor Jim Ainslie declared a personal interest in Planning Application H/2014/0354 Former Coastguards Office, Moor Terrace.

#### **43. Confirmation of the minutes of the meeting held on 3<sup>rd</sup> September 2014**

Confirmed subject to the amendment that Councillor James could not attend due to her presence at a Northern Regional and Coastal Committee.

#### 44. **Planning Applications** *(Director of Regeneration and Neighbourhoods)*

**Number:** H/2014/0354

**Applicant:** Mr Mark Beard c/o SJR Architectural 104 The Innovation Centre HARTLEPOOL

**Agent:** SJR Architectural & Interior Designers Mr David Johnson  
SJR ARCHITECTURAL & INTERIOR DESIGN SUITE 104  
THE INNOVATION CENTRE VENTURE COURT,  
QUEENS MEADOW B HARTLEPOOL

**Date received:** 15/08/2014

**Development:** Change of use of former coastguards station to dwelling including first floor extension and viewing gallery

**Location:** FORMER COASTGUARDS OFFICE MOOR TERRACE  
HARTLEPOOL

**Decision:** **Deferred for further consideration of objections raised by PD Ports**

**Number:** H/2013/0573

**Applicant:** STARFORD HOLDINGS LIMITED C/O AGENT

**Agent:** Signet Planning Ltd. Mr Alastair Willis 26 Apex  
Business Village Annitsford Newcastle-upon-Tyne

**Date received:** 02/04/2014

**Development:** Variation of conditions and legal agreement on planning application H/2011/0005 to allow for the removal of the requirements for a buried long stop, the delivery of properties to level 3 of the code for sustainable homes, the requirements to deliver 10% renewable energy on site and 10% of affordable housing within each phase of the development

**Location:** BRITMAG LTD OLD CEMETERY ROAD  
HARTLEPOOL

Members raised concerns relating to whether the insurance would be robust enough and what financial protection residents would have in the event of a catastrophic event such as the previous year's inundation. The Senior

Planning Officer confirmed that residents would be asked to make regular payments which would be put toward any repairs which might be necessary in the future. Any shortfall would be covered by the management company Olnato as part of the 106 agreement. Members queried why no affordable housing had been included and were advised that a viability assessment had been carried out and had shown that there would be insufficient funds to provide affordable housing due to costs already incurred by the developer.

The Agent, Alastair Willis, spoke in support of the application. He highlighted that the owners had invested many years of money and effort into the site and were selling the land to the developer at a reduced rate. He urged members to support their officer recommendations.

Members raised concerns around the lack of affordable housing and school provision provided in the 106 agreement as well as the potential future flood risk and uncertainties around the proposed management company. However they balanced this with the positive impact of new homes being built in the North area along with the resultant council tax and new homes bonus and the regeneration of the area. Members supported the application unanimously.

**Decision:** **Planning Permission Approved subject to variation of the legal agreement and subject to conditions**

### **CONDITIONS AND REASONS**

1. Approval of the details of the appearance, landscaping, layout and scale (hereinafter called the reserved matters) for each phase of the development shall be obtained from the Local Planning Authority in writing before any development is commenced on that phase. Development shall be carried out as approved. To clarify the period for which the permission is valid.
2. Application for approval of the reserved matters in relation to the first phase of development shall be made to the Local Planning Authority not later than 14/10/2014. To clarify the period for which the permission is valid.
3. The development shall be limited to no more than 484 dwellings and shall not be carried out except in complete accordance with the following plans approved as part of planning permission H/2005/5284: Application Site Plan: Detailed Access Plan - Drawing Ref: NTP 9003-02 Rev A; Development Limits Plan - Drawing Ref: HG0343/MP03/Rev C; and the plans received 21/11/2013 (Drawing no. 2421/1 Revision A, Landscape Proposals (1 of 2) Drawing No 2421/2, Landscape Proposals (2 of 2) excluding the indicative layout which will be subject to a reserved matters application and except as may be varied by any details approved under the provisions of condition 24. For the avoidance of doubt.
4. The permission hereby granted shall permit the phased development of the site in accordance with a phasing plan and timescale for

implementation with a time scale for implementation first to be submitted to and agreed in writing by the Local Planning Authority and unless otherwise indicated all other conditions of this permission shall be construed so as to apply to phases accordingly. If the site is developed on a phased basis the applicant shall provide with each phase the reserved matters required to be submitted with that phase and any other relevant details required by any of the other conditions herein for approval by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority. Once approval has been granted to the details above in respect of that phase nothing in this condition shall require the approval of similar information for other phases before development of the approved phase can commence. To ensure no future phases of development are prejudiced by earlier phases.

5. The first phase of the development hereby permitted shall be begun before the expiration of one year from the date of approval of the last of the reserved matters in relation to that phase of the development. For the avoidance of doubt.
6. 1. No development shall take place in any phase until a Construction Management Plan (including demolition, reclamation and construction activities) detailing mitigation measures to prevent potential disturbance from reclamation and construction activities to birds on the SPA and other ecological receptors within the site identified in the Environmental Statement in that phase has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement, inter alia, shall provide for: i) the parking of vehicles of site operatives and visitors; ii) the access to the site for demolition and construction traffic; iii) loading and unloading of plant and materials; iv) storage of plant and materials used in constructing the development; v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; vi) wheel-washing facilities; vii) measures to control the emission of dust and dirt during demolition and construction; viii) a scheme for recycling/disposing of waste resulting from demolition and construction works; ix) and assessment of the in-combination effects derived from any other construction phases or activities operating concurrently. To conserve protected species and their habitat and in the interest of the protection of the SPA.
7. Any scheme of landscaping (hard and soft) required by condition 1 may be dealt with on a phased basis as provided for by condition 4 and shall be submitted to and approved in writing by the Local Planning Authority before development on each phase is commenced. The scheme must specify sizes, types and species and proposed numbers/densities where appropriate, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken and be implemented in accordance with the approved details and programme of works. Any trees plants or shrubs which within a period of 5 years from the completion of the development to which the planting relates 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. In the interests of visual amenity.
8. Unless otherwise agreed in writing by the Local Planning Authority the development hereby permitted shall not be commenced in any phase until an updated preliminary conceptual model and risk assessment identifying potential pollution linkages is presented within a detailed Phase 1 Desk Top Study. A pollution linkage consists of the following: i) a contaminant; ii) a receptor; and iii) a pathway capable of exposing a receptor to the contaminant. The Desk Top Study must include a site reconnaissance. Furthermore, the Phase 1 Desk Top Study shall set objectives for a Phase 2 site investigation. The study shall be submitted to and approved in writing by the Local Planning Authority. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy GEP18 of the adopted Hartlepool Local Plan (2006).
  9. Where potential pollution linkages have been identified within the Phase 1 Desk Top Study, the development hereby permitted shall not be commenced in any phase until a Phase 2 site investigation and amended conceptual model and risk assessment have been undertaken. The Phase 2 investigation must be undertaken by competent persons in accordance with DEFRA and Environmental Agency publication CLR11; 'Model procedures for the management of land contamination' and a written report of the findings must be produced. This shall be submitted to and approved in writing by 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 the following receptors: a) human health, b) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, c) adjoining land, d) groundwaters and surface waters, e) ecological systems, f) archaeological sites and ancient monuments, (iii) an appraisal of remedial options and proposal of the preferred option(s). 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 in accordance with policy GEP18 of the adopted Hartlepool Local Plan (2006).
  10. Should pollution linkages be confirmed from the Phase 2 site investigation, the development hereby permitted shall not be commenced in any phase until a detailed quantitative risk assessment has been carried out. The detailed quantitative risk assessment must act as an options appraisal exercise prior to the development of a detailed remediation scheme. This shall be submitted to and approved in writing by the Local Planning Authority, thereafter the development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. To ensure

- that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy GEP18 of the adopted Hartlepool Local Plan (2006).
11. The development hereby permitted shall not be commenced until a detailed remediation and decontamination scheme to bring the application site to a condition suitable for its intended use by removing unacceptable risks and harm to human health, controlled waters and natural habitats, flora and fauna as identified as a result of the risk assessment required by condition 8 has been approved in writing by the Local Planning Authority. The scheme shall be submitted to and approved in writing by the Local Planning Authority, thereafter the development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy GEP18 of the adopted Hartlepool Local Plan (2006).
  12. Following completion of measures identified in the approved remediation scheme as approved pursuant to condition 10, a validation report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority within the timeframe set out and approved within the remediation scheme, unless otherwise agreed in writing by the Local Planning Authority. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy GEP18 of the adopted Hartlepool Local Plan (2006).
  13. In the event that unsuspected contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 8 and where remediation is necessary a remediation scheme shall be submitted to and approved by the Local Planning Authority. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy GEP18 of the adopted Hartlepool Local Plan (2006).



14. If as a result of the investigations required by conditions 9 to 13 above, land fill 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), none of the dwelling(s) hereby approved which incorporate gas protection measures shall 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 protect the health and safety of future occupiers.
15. Prior to the commencement of any phase of the development hereby permitted and notwithstanding the submitted plans, final details for the proposed roundabout at West View Road and new link road onto Old Cemetery Road, including sections, levels, pedestrian crossing arrangements and boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the roundabout and link road shall be provided in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, no more than 100 dwellings may be occupied prior to the completion of the link road and roundabout which shall be available for use at all times thereafter. In the interests of highway safety and potential effect on a listed building (Throston Engine House).
16. The development shall be designed so as to preclude any vehicular access (with the exception of emergency vehicles) to/from the Brus Tunnel. In the interests of highway safety.
17. Prior to the occupation of the first dwelling, a 'Travel Plan Framework' shall be submitted to and approved in writing by the Local Planning Authority. Such a Travel Plan Framework shall clearly indicate the measures to be undertaken to reduce dependency on private cars associated with the development together with targets and timescales for the achievement of such measures. Thereafter a detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority and implemented within 6 months of the first occupation of the development. The Plan shall continue in operation at all times as approved unless otherwise agreed in writing by the Local Planning Authority. In the interests of controlling vehicle congestion on the highway network.
18. No development approved by this permission shall be commenced until a general drainage strategy for the provision of surface water and foul water drainage works has been submitted to and approved in writing by the Local Planning Authority. Thereafter each phase of development shall not commence until a detailed drainage scheme including flow attenuation and proposals for overcoming any capacity shortfall in the public sewers and pumping stations to which the development would connect in accordance with the general drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the

- approved details, unless otherwise agreed in writing by the Local Planning Authority. To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.
19. Prior to the commencement of any phase of development, a settlement facility for the removal of suspended solids from surface water run-off during construction works for that phase shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained throughout the construction period of that phase, unless otherwise agreed in writing by the Local Planning Authority. To prevent pollution of the water environment.
  20. Unless otherwise agreed in writing by the Local Planning Authority roof drainage downpipes shall at all times be sealed at ground level to prevent the ingress of any contaminated water/run off. To prevent pollution of the water environment.
  21. Unless otherwise agreed in writing by the Local Planning Authority 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 trapped gullies installed in accordance with the scheme previously submitted to and approved in writing by the Local Planning Authority. To prevent pollution of the water environment.
  22. During construction periods of the development and where relevant thereafter, any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, unless otherwise agreed in writing by the Local Planning Authority. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the capacity of the interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund. To prevent pollution of the water environment.
  23. No development shall take place within Area B of the site until the applicant, or its agent(s) or successors(s) in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The site is of archaeological interest.
  24. No development shall take place until a scheme for the retention, enhancement and creation of a combination of dunes and coastal grassland together with associated planting 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. In the interests of enhancing the nature conservation value of the area.

25. No development shall take place until a scheme including a programme of works for the provision of a coastal footpath and cycleway, including access points, has been submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved scheme. In the interests of providing recreational routes and the interests of the protection of the SPA.
26. The development hereby approved shall incorporate 'Secured by Design' principles as set out in 'Secured by Design New Homes 2009' published by the Association of Chief Police Officers. Details of proposed security measures including a programme of works shall be submitted to and agreed in writing by the Local Planning Authority before any phase of the development hereby approved commences. The scheme shall be implemented in accordance with the approved details and shall be completed in accordance with the approved programme unless otherwise agreed in writing by the Local Planning Authority. In the interests of crime prevention.

**Number:** H/2014/0393

**Applicant:** Mr Jon Whitfield Euro Property Management Ltd  
HUB TWO Innovation Centre HARTLEPOOL

**Agent:** Euro Property Management Ltd Mr Jon Whitfield  
HUB TWO Innovation Centre HARTLEPOOL

**Date received:** 21/08/2014

**Development:** Change of use from A1 Retail to A5 Hot Food  
(Resubmitted Application)

**Location:** 36A CATCOTE ROAD HARTLEPOOL

The Applicant, John Whitfield, addressed members explaining that this was simply the renewal of a previously lapsed application. The area in question was covered by CCTV and cleaned by Council workmen on a daily basis. The proposed proprietor, Pizza Hut, would bring significant improvements to the area and result in the creation of multiple jobs.

Members raised concerns around anti-social behaviour, litter and under-age alcohol purchases at the site. However they balanced this with the jobs which would be created and the bringing of an empty unit back into use. Members supported the application by a majority.

**Decision:** **Planning Permission Approved subject to the consideration by the Planning Services Manager of any additional representations received during the outstanding consultation period and the following conditions**

**CONDITIONS AND REASONS**

1. The development to which this permission relates shall be begun not later than three years from the date of this permission. To clarify the period for which the permission is valid.
2. The use hereby approved shall not commence until there have been submitted to and approved in writing by the Local Planning Authority plans and details for ventilation filtration and fume extraction equipment to reduce cooking smells, and all approved items have been installed. Thereafter, the approved scheme shall be retained and used in accordance with the manufacturers instructions at all times whenever food is being cooked on the premises. In the interests of the amenities of the occupants of neighbouring properties.
3. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 21/08/14 (Site Location Plan; Design & Access Statement; Dwg No. 90-02 Rev PL1; A-527-A2-01 Rev C). For the avoidance of doubt.
4. Any delivery of takeaway meals from the premises shall take place via the front entrance onto Catcote Road and not via the rear service yard. In the interests of the amenities of the occupants of neighbouring properties.
5. The details and location of any additional external lighting proposed to that approved under the provisions of planning approval H/2008/0164, shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The scheme shall thereafter be implemented in accordance with the approved details and thereafter retained during the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority. In the interests of the amenities of the occupants of neighbouring properties and crime prevention.
6. The premises shall not be open to the public outside the following times 10:30 to 23:00 on any day. In the interests of the amenities of the occupants of neighbouring properties.
7. Servicing of the unit shall be restricted as follows: 1) Between 7am and 9pm daily from the rear service yard; 2) Between 5:30am and 7am from the approved car parking area. In the interests of the amenities of the occupants of neighbouring properties.

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<b>Number:</b>	H/2014/0331
<b>Applicant:</b>	Mr Ian Scott 29 Ruswarp Grove HARTLEPOOL
<b>Agent:</b>	ASP Associates Mr David Loughrey Vega House 8 Grange Road HARTLEPOOL
<b>Date received:</b>	15/08/2014
<b>Development:</b>	Outline application for the erection of detached two and a half storey block of five flats

**Location:** Land to the rear of 51 The Front HARTLEPOOL

The Planning Team Leader highlighted that officers were still awaiting the results of a contamination study as requested by the Environment Agency. Any decision to approve made by members would be subject to the results of this study, comments from the Environment Agency and the completion of a Section 106 agreement.

Members raised concerns of the potential for crime and anti-social behaviour particularly as there was a large empty unit nearby. The Planning Team Leader acknowledged these concerns but felt that the provision of additional housing would deter criminals by providing additional surveillance. Members approved the application by a majority.

**Decision:** **Planning Permission Approved subject to the receipt of a Preliminary Risk Assessment and the satisfactory comments of the Environment Agency, the completion of a section 106 agreement securing £250 per dwelling for play space (£1250), £250 per dwelling for green infrastructure (£1250) £250 per dwelling for built sports facilities (£1250), the conditions listed in the report and any further conditions arising from the outstanding consultation with the Environment Agency. The final decision to be delegated to the Planning Services Manager**

### **CONDITIONS AND REASONS**

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 landscaping of the site (hereinafter called the "reserved matters") shall be obtained in writing from the Local Planning Authority. In order to ensure these details are satisfactory.
3. The development hereby permitted shall be carried out in accordance with plan number 1815/1 received by the Local Planning Authority on 04/09/2014 and plan number 1815/2 and location plan received at the Local Planning Authority on 18/07/2014. For the avoidance of doubt.
4. 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.
5. Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details. To prevent the increased risk of flooding from any sources in accordance with the NPPF.
  6. No part of the development shall be occupied until vehicle car parking has been constructed in accordance with plan number 1815/1 received 04 September 2014. In the interests of highway safety and to ensure a satisfactory form of development.
  7. No development shall take place until the Local Planning Authority has approved a report provided by the applicant identifying how the predicted CO2 emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or design efficiencies. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment or design efficiency measures shall have been installed. In the interests of promoting sustainable development.
  8. No construction works shall take place outside the hours of 08:00hrs to 18:00hrs Monday to Friday and 09:00hrs to 13:00hrs on a Saturday. No construction works shall take place on Sundays or Bank Holidays. In the interests of the amenities of the occupants of neighbouring properties.
  9. 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. archaeological 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.

10. The proposed round window(s) in the side elevations shall be glazed with obscure glass which shall be installed before the dwelling is occupied and shall thereafter be retained at all times while the window(s) exist(s). In the interest of the amenity of neighbouring properties and to prevent overlooking.
11. Prior to the commencement of the development hereby approved the developer shall enter into an agreement to secure means of access into and from the application site including parking areas as shown on plan number 1815/1 received 04/09/2014. A scheme detailing the means of access shall then be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented and retained for the life of the development. To ensure satisfactory access to the site

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**Number:** H/2014/0309

**Applicant:** J & B Recycling Ltd Thomlinson Road  
HARTLEPOOL

**Agent:** Allen & Hunt Ltd Mrs Dianne Brown Narlow Works  
Thorpe ASHBOURNE

**Date received:** 21/08/2014

**Development:** Erection of building to store recyclable waste

**Location:** J & B Recycling Thomlinson Road HARTLEPOOL

The Applicant, Vikki Jackson Smith, addressed the committee, highlighting the number of years the company had been operating in recycling and the number of local residents who were employed by them.

The Planning Team Leader advised that amended plans had been received to address the concerns of Northumbrian Water and that condition 2 would be amended to account for the amended plans.

Members supported the application unanimously.

**Decision:** **Planning Permission Approved subject to the following conditions (which have been amended as agreed by committee to account for amended plans)**



**CONDITIONS AND REASONS OR REASONS FOR REFUSAL**

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 (1031-002 block plan, 1031-003 location plan) and details received by the Local Planning Authority at the time the application was made valid on 21st August 2014 as amended by the plans (1031-001 RevA - Elevation Details) (1031-004 RevA - Roof Plan) received at the Local Planning Authority on 29th September 2014 and the plan (1031-005 - Floor Plan) received at the Local Planning Authority on 2nd October 2014.  
For the avoidance of doubt.
3. This permission relates only to the erection of the building detailed in the application. For the avoidance of doubt.
4. The building shall only be used for the storage of recyclable waste prior to its processing on site and the storage of processed waste prior to its dispatch from the site. For the avoidance of doubt and in the interest of the amenity of the area.
5. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1) A preliminary risk assessment which has identified:- all previous uses- potential contaminants associated with those uses- a conceptual model of the site indicating sources, pathways and receptors- potentially unacceptable risks arising from contamination at the site. 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF,

paragraph 121). The information provided with the planning application indicates that the site has been subject to potentially contaminative land-uses (eg. a waste transfer station). The environmental setting of the site is sensitive as it lies on the Sherwood Sandstone, a principal aquifer. This condition will ensure that the risks posed by the site to controlled waters are assessed and addressed as part of the redevelopment.

6. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121). The information provided with the planning application indicates that the site has been subject to potentially contaminative land-uses (eg. a waste transfer station). The environmental setting of the site is sensitive as it lies on the Sherwood Sandstone, a principal aquifer. This condition will ensure that the risks posed by the site to controlled waters are assessed and addressed as part of the redevelopment.
7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved. The risks posed by any unsuspected contamination discovered during development will require further assessment. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

8. The external materials used for this development shall match those of the existing building(s) located to the west unless some variation is otherwise agreed in writing by the Local Planning Authority. In the interests of visual amenity.
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**45. Update on Current Complaints** (*Assistant Director (Regeneration)*)

Fourteen issues currently under investigation were reported to the Committee. The Chair asked that members contact planning officers direct for any further information. A member highlighted that one of the items should refer to Hazelwood Rise rather than Haxelwood Rise as was written in the report. A councillor requested further information on items 2 and 8.

**Decision**

That the report be noted

**46. Any Other Items which the Chairman Considers are Urgent**

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

**47. Any Other business – Meadowcroft**

The Planning Team Leader advised members that the decisions relating to Meadowcroft which had been taken by members at the previous meeting had been referred to the National Planning Casework Unit. They had requested that English Heritage be consulted on the applications which had resulted in an objection. This meant that the applications would be brought back to the committee to be considered afresh. Members questioned whether English Heritage had been consulted previously and if not why not. A suggestion was made that discussion of this item continue in closed session in order that any potentially sensitive information remain private. This was agreed by members.

**Decision**

The information was noted

#### **48. Local Government (Access to Information) (Variation Order) 2006**

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

Minute 50 – (Any other items which the Chairman considers are urgent) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 3) Information relating to the financial or business affairs of any particular person (including the authority holding that information) and (para 5) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

#### **49. Any other confidential items which the Chairman considers are urgent** (*Assistant Director (Regeneration)*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 3) Information relating to the financial or business affairs of any particular person (including the authority holding that information) and (para 5) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

#### **50. Any other business – Meadowcroft** This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 3) Information relating to the financial or business affairs of any particular person (including the authority holding that information) and (para 5) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Further details of the discussion relating to Meadowcroft are contained in the closed minutes.

#### **Decision**

The information was noted

The Chair also advised members that the Planning Committee meeting

scheduled for Wednesday 29<sup>th</sup> October had been moved to Wednesday 5<sup>th</sup> November at 10am. As a result of this the Licensing Committee scheduled for 5<sup>th</sup> November would now take place on 6<sup>th</sup> November.

The meeting concluded at 1:20pm

CHAIR

**No:** 1  
**Number:** H/2014/0354  
**Applicant:** Mr Mark Beard c/o SJR Architectural 104 The Innovation Centre HARTLEPOOL TS25 5TG  
**Agent:** SJR Architectural & Interior Designers Mr David Johnson  
 SJR ARCHITECTURAL & INTERIOR DESIGN SUITE  
 104 THE INNOVATION CENTRE VENTURE COURT,  
 QUEENS MEADOW B HARTLEPOOL TS25 5TG  
**Date valid:** 15/08/2014  
**Development:** Change of use of former coastguards station to dwelling including first floor extension and viewing gallery  
**Location:** FORMER COASTGUARDS OFFICE MOOR TERRACE HARTLEPOOL

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## 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

1.2 This application was deferred at the last meeting to give the applicant the opportunity to address concerns raised by PD Ports and the Environment Agency. The original report updated as necessary is reproduced below.

## BACKGROUND

1.3 H/2012/0121 - The erection of a bird hide – application withdrawn.

## PROPOSAL

1.4 The proposed works seek to change the use of and extend a vacant redundant building formerly used as a coastguard's office to form a single one bedroom residential dwelling, incorporating a contemporary extension at first floor level to provide additional living accommodation including a viewing gallery.

1.5 The proposed structure is designed to incorporate features of the existing structures occupying the site. At first floor a brick and metal structure will be added to accommodate additional living accommodation. Access to the site will be taken from the existing public road through the gate of the existing lighthouse complex.

## SITE CONTEXT

1.6 The site is located within the complex of the Heugh Lighthouse within the Headland Conservation Area which is a designated heritage asset, and covered by an Article 4 Direction. Immediately adjacent to the West is the Heugh Lighthouse: which is a locally listed building, to the North is the Heugh Gun Battery a scheduled ancient monument. Immediately to the South is the Sebastopol Gun a grade II listed

structure. The site is in proximity of the former Lighthouse Battery coastal gun emplacement, which is no longer visible, but has concealed underground remains in the surrounding areas. Further to the west are residential properties.

1.7 This area of the Headland Conservation Area is characterised by the mixed uses found in close proximity to the site. The nearby Heugh Gun Battery is one of the focal points for visitors to the conservation area. There is a diverse mixture of architecture within this locality, with no one style of architecture or palate of materials that could be cited which characterises the area. Within the immediate location of the site are a number of properties built as functional buildings for coastguard use, of varying architectural merit.

## **PUBLICITY**

1.8 The application has been advertised by way of press notice, site notice (2) and neighbour letters (4). To date, there have been 19 letters of objection and 3 letters of support.

1.9 The concerns raised are:

- This would destroy the total look of the historic building
- Detract from local point of interest
- The headland is steeped in history and beauty, should be working to maintain its character instead of destroying it
- This dwelling is not in keeping with the properties in the surrounding conservation area
- The site of this dwelling is in a very public area and the proposed development would therefore be very noticeable
- Lighthouse is locally listed
- The addition of another access point to the road that leads to promenade, the museum and playground would increase danger to pedestrians
- Contrary to vision for Hartlepool
- Headland heritage being ignored yet again
- A beauty spot blighted by a house
- would obstruct lighthouse
- parking would be a problem
- disruption to museum visitors by construction working taking place could well result in loss of income at a time of financial constraint
- not in keeping with conservation area
- when land offered for sale the agents stated not for residential use
- not in keeping with local and national importance of site and area
- not in keeping with surrounding properties, memorials
- not in keeping with local and national importance of site and area
- constrict sea view
- design too modern
- the conversion of this building to two storey will detract from the heritage of this important and historically sensitive site
- detrimental effect upon tourism and the visitors that visit the site
- not in keeping with existing lighthouse

- the grassed area surrounding the proposed development is well used, this development will be off putting
- previous development rejected.
- Impact on historical site
- Out of keeping with area
- Detrimental effect on tourism
- Highway safety

1.10 Three letters of support raise the following issues:

- improve area
- residential usage of the building is appropriate, in that by the nature of the scale of the development
- will prevent youths being attracted to climbing of the roof
- the site is disused and neglected, this will be an improvement.

Copy Letters **C**

1.11 The period for publicity has expired.

## CONSULTATIONS

1.12 The following consultation replies have been received:

**Northumbrian Water:** Having assessed the proposed development we have no comments to make at this stage.

**Environment Agency:** A revised Flood Risk Assessment (FRA) has been received and previous concerns have been addressed. We would recommend that the ground floor remains as a means of access and utility/ancillary storage. No objection.

**English Heritage:** Having examined the proposal it is considered that it will not harm the setting of the scheduled Heugh Coastal Artillery Battery.

**Cleveland Police:** No objection to the proposed development

**Landscape & Conservation:** The design of the proposed building echoes other buildings within the Light House complex in that it is flat roofed and similarly to one of the structures within the complex it has a square tower to one side. The materials of the new building do reflect some of the buildings within the complex as bricks will be used, but the use of what appears to be a ridged, steel cladding is a new material to the site.

The issues for consideration are the impact on the heritage asset (Headland Light House) and the designated heritage assets (Sebastapol Gun and Headland Conservation Area).

The application site is situated within the boundary to the Headland Light House a heritage asset. This is the second Light House in this area, constructed in 1926. The significance of the building lies in the simple architecture of the building and the



local history connected to this property. In particular the reason for the construction of this building was to allow the nearby Gun Battery clear sight of the sea.

The proposed development will impact on the setting of this heritage asset. The structure will be in close proximity to the asset and will form part of the context when viewing the Light House from most locations however the change in levels with the application site located at a lower level to the Light House should minimise this impact. The compound itself comprises a number of buildings of differing heights therefore although there would be an additional building within this area the Light House should remain as the dominant building within the site and the significance of the asset, i.e. the design and history, will not be harmed.

Also in close proximity to the application site is the Sebastopol Gun, a grade II listed building. The existing garage structure forms part of the setting to this listed building. The significance of this listed building lies in the asset itself as one of a limited number of known surviving Crimean War Guns therefore the setting of the structure is limited to the dais it is located on. The proposed development will not adversely impact on the setting of this designated heritage asset.

The site is located within the Headland Conservation Area. The significance of the Headland Conservation Area lies in the original settlement of Hartlepool, established during the seventh century as a religious centre and later becoming important as a port. Its unique character is derived from its peninsula location and from the Victorian domestic residential architecture.

Two-storey is the most common building height in the Headland but those buildings on the main frontages to the sea front are three storey. Most houses make use of the attic space with light and ventilation provided by traditional skylights and a wide variety of roof dormer designs. Roof finishes are often in slate with other materials such as brick and render being the dominant materials used for domestic properties.

There is a diverse mixture of architecture within this locality. There is no one style of architecture or palate of materials that could be cited which characterises this area. Within the immediate location of the site are a number of properties, which although constructed as functional buildings, do have architectural merit.

Within the vicinity of the application site the conservation area is characterised by mixed uses. There is a proportion of residential development but also other diverse developments. The Heugh Gun Battery is near by and a focal point for visitors to the Headland Conservation Area. In addition the promenade in this area and Redheugh Gardens draw people to this locality.

There has been major investment in this part of the conservation area with funding going to support the restoration of the Gun Battery, Redheugh Gardens (including the War Memorial located within it) and the promenade. In addition individual grants to residential properties in nearby streets have also contributed to the enhancement of the area.

The proposed development is an individually designed property inspired by buildings on the site. As stated above some characteristics in the design echo elements of the

buildings within the site. Given the variety of design and the mixture of materials found within the application site it is considered that the proposal would result in less than substantial harm to the significance of the Headland Conservation Area.

The less than substantial harm is outweighed by the benefits which would result from this proposal. The structure is of an innovative design which would contribute to the quality of the built environment within this part of the conservation area. This is in line with NPPF Para 56 which states that development should 'respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation' and Para 60 which states, 'Planning Policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.'

**HBC Engineering Consultancy:** No objections at this stage.

The site itself appears to either be in or very close to EA flood zones 2 and 3. The application indicates both foul and surface water will be discharged into main sewer, if this is the case I would advise early contact with Northumbrian Water to ensure this is feasible.

For information purpose, this area sits behind a section of sea wall which currently has zero residual life remaining. HBC are intending to implement a scheme to update the existing sea wall to provide 100 year protection in early 2015 however this is subject to obtaining funding and receiving planning permission.

**Countryside Officer:** No objection

**Traffic & Transport:** There are no highway or traffic concerns

**Public Protection:** I have read the additional information provided by the applicant in support of the application at the former coastguards station at the Headland. Taking into consideration the additional information provided I am satisfied that there is little potential for light pollution considering the layout of the building and the location of the windows. The foghorn at the lighthouse is located in very close proximity to the proposed residential unit on the site. Any use of the foghorn in the future would cause significant noise nuisance to the proposed property due to the level and frequency of the noise it produces. I am therefore of the opinion that if there is any potential that the foghorn could be brought back into use then we have no option than to recommend refusal of this application on noise grounds. (The correspondence from PD Ports confirming the foghorn would not be needed at the site in the future was received after this response).

**Archaeology:** The coastguard office is within the precinct of the former Lighthouse Battery, this is of historic and archaeological significance as it was involved with the Bombardment of Hartlepool in World War I.

On paper the application would not appear to have any associated groundworks but I understand from your pre-application discussions with Robin Daniels that

reinforcement of the foundations might be necessary to carry the extra load of an added first floor. If this were the case then there may be a negative impact on archaeological remains associated with the gun battery.

I would therefore recommend a planning condition to be used in the event that foundation works or similar are required. This would require the applicant to employ an archaeological contractor to carry out monitoring during any groundworks and being given opportunity to record any deposits as appropriate. This is in line with the advice given in the NPPF (para 141). The condition could be waived if groundworks are not required.

**PD Ports:** Further to meeting at the Council office on 16<sup>th</sup> October 2014, PD Teesport can confirm that the Harbour Masters office has reviewed the need to retain the right to operate an audible warning signal (fog horn) from the Heugh Lighthouse and watch tower. It has been concluded that the fog horn will not be needed at the site in the future.

We are therefore able to remove our objection to the above planning application based on the possible reinstatement of the fog horn in the future.

Our concerns regarding light reflection and light in bloom conditions remain and we look forward to receiving further information from the applicant. We also discussed the possibility of additional security measures at the site entrance to ensure the gates are not left open at any time and again we look forward to receiving further detail to address this from the applicant.

## PLANNING POLICY

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

### Local Policy

1.14 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  
 GN3: Protection of Key Green Spaces  
 HE1: Protection and Enhancement of Conservation Areas  
 HE2: Environmental Improvements in Conservation Areas  
 HE12: Protection of locally important buildings  
 Hsg10: Residential Extensions  
 Rec9: Recreational Routes  
 To2: Tourism at the Headland

## National Policy

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

Paragraph 002: Primacy of development plan  
 Paragraph 006: Purpose of the planning system  
 Paragraph 007: Three dimensions to sustainable development  
 Paragraph 011: Planning law and development plan  
 Paragraph 012: Statutory status of development plan  
 Paragraph 013: NPPF is material consideration  
 Paragraph 014: Presumption in favour of sustainable development  
 Paragraph 017: Core planning principles  
 Paragraph 060: Promotion or reinforcement of local distinctiveness  
 Paragraph 131: Determining heritage planning applications  
 Paragraph 132: Impact on the significance of a designated heritage asset  
 Paragraph 134: Less than substantial harm to the significance heritage  
 Paragraph 135: Impact on the significance of a non-designated heritage asset

## **PLANNING CONSIDERATIONS**

1.16 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the impact upon the character and appearance of the conservation area and listed structures, archaeology of the site, flooding and drainage, highway safety, impact on the amenity of neighbours and impact on the operation of the lighthouse/Marine Safety.

## Principle of Development

1.17 The site is located within the Headland Conservation Area, and is adjacent to the Sebastopol Gun a grade II listed building, both of which are designated heritage

assets. The Headland Light House, adjacent to the site is a locally listed building therefore a heritage asset.

1.18 The area is predominately residential in character therefore the provision of a residential dwelling in this location is considered acceptable in principle.

1.19 Concerns have been raised with the design of the proposal and the impact upon the area. These matters are discussed in detail below. It is acknowledged that the design is of a contemporary nature. However, it is considered in the context of the site which includes various structures including a storage building, cylindrical lighthouse, redundant mast and 14m high former coastguard lookout the proposed structure on balance would be acceptable.

#### Character and appearance of the conservation area and listed structures

1.20 The site is located within the Headland Conservation area. The significance of the Headland Conservation Area lies in the original settlement of Hartlepool, established during the seventh century as a religious centre and later becoming important as a port. Its unique character is derived from its peninsula location and from the Victoria domestic residential architecture.

1.21 The area is predominately residential in character with two-storey dwellings however the properties on the main frontage of the sea are three storey. The residential properties within this area are of a traditional design. Roof finishes are often in slate with other materials such as brick and render being the dominant materials used for domestic properties which make use of traditional materials.

1.22 Within the vicinity of the application site there are other diverse developments. The Heugh Gun Battery is close by and is a focal point for visitors to the Headland. In addition to this the promenade and Redheugh Gardens also draw visitors to the area.

1.23 The site itself is located within the lighthouse complex. This consists of a range of buildings of varying architectural merit and style. These include a modern non traditional flat roofed building, a redundant mast, a lighthouse and a modern non traditional two storey flat roof former lookout building, there is also a modern single storey pitched roof public convenience block which sits in the north east end of the site.

1.24 It is acknowledged that the development is of a modern contemporary design and that the issue of design is a highly subjective matter. However the proposal has sought to incorporate features from the existing non traditional buildings within and adjacent to the site and similar materials (painted brickwork and metal). It is considered that in this context given the variety of design and mixture of materials found within the vicinity of the application site that on balance the proposal would result in less than substantial harm to the significance of the Headland Conservation Area.

1.25 It is considered on balance that the less than substantial harm is outweighed by the benefits which would result from the proposal. It is acknowledged that it is of an

innovative design which would contribute to the quality of the built environment within this part of the conservation area. This is in line with NPPF Para 56 which states that development should 'respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation' and Para 60 which states, 'planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.

1.26 In terms of the listed structures the proposal is in close proximity to the light house which is a locally listed structure. It is acknowledged that the proposed development will impact on the setting of this heritage asset. As previously stated above the compound comprises a number of buildings of differing heights and design it is considered on balance that the addition of the proposed building will not significantly detract from the light house being the dominant feature. It is therefore considered that the significance of the asset will not be significantly harmed.

1.27 The Sebastopol Gun, a grade II listed structure sits in close proximity to the application site. The significance of this listed structure lies in the gun itself. It is considered therefore that the proposed development will not adversely impact on this designated heritage asset.

1.28 It is noted that there is an application (2014/0367) for a stone monument on land adjacent to the application site. However, this application is still under consideration and is on this agenda. Whilst the development will impact on the immediate setting of the monument should both applications be approved it would be difficult to substantiate this as a reason for refusal.

1.29 The Conservation Officer has raised no objections to the proposal and on balance the proposal is considered acceptable in terms of its impact on the character and appearance of the Conservation Area and listed structures.

### Archaeology

1.30 The coastguard office is within the precinct of the former Lighthouse Battery, this is of historic and archaeological significance as it was involved with the Bombardment of Hartlepool in World War 1. Whilst the proposal does not appear to have any associated groundworks it is unclear from the information provided whether there may be a requirement for reinforcement of the existing foundations to accommodate the extra load of an added first floor. The proposed works could have a negative impact on archaeological remains associated with the gun battery.

1.31 Therefore a condition is recommended to ensure archaeological recording works are carried out. This would require an archaeological contractor to monitor and record heritage assets through a programme of archaeological works to accord with the requirements of paragraph 141 of the NPPF. Subject to this condition in archaeological terms the proposal is considered acceptable.

### Flooding and drainage

1.32 The proposed site sits on the edge of flood zone 2 and 3 and therefore is within an area at risk of flooding. The applicant has submitted a Flood Risk Assessment and the Environment Agency have raised no objections to the proposal.

1.33 Northumbrian Water have raised no objections to the proposal.

### Highway safety

1.34 A number of concerns were raised by objectors regarding the safety of the proposed use of the access into the site and the immediate area. The Council's Traffic and Transport section were consulted on the proposal and raised no objection.

1.35 It is acknowledged that there may be an intensification of the existing gated access however it is not considered that the additional use that would be generated by the provision of a single residential dwelling would be of such a degree to sustain an objection.

1.36 There is a large area of informal parking adjacent to the Heugh Gun Battery visitors centre, it is not considered that the continued use of an existing access would have a significant impact upon this area.

### Impact on amenity of neighbouring properties

1.37 The application site is in close proximity to residential properties on Bath Terrace, Cliff Terrace, Moor Terrace and Raddiffe Terrace. Proposed residential developments must ensure that residential amenity of both existing neighbouring properties and the proposed occupiers of the new development are adequately preserved.

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

1.39 The nearest residential property is in excess of 40m. It is considered that there is unlikely to be a detrimental impact upon the amenity of the neighbouring residential properties.

1.40 The residential properties within this area are characterised by a mix of large three storey and two storey properties. There are large areas of open space including Redheugh Memorial Gardens.

1.41 Access to the site uses an existing access in to the compound of the lighthouse and coastguard building, this access is set a considerable distance from other residential properties to create a significant impact in terms of noise and disturbance.

1.42 It is not considered that the proposed development will result in a detrimental impact upon the amenity of neighbouring properties or land users and accords with local and national planning policy in this regard.

#### Impact on the operation of the Lighthouse/Marine Safety

1.43 Concerns have been raised by PD Ports that the development will compromise the operation of the lighthouse. In particular that light will reflect and bloom (in foggy conditions) and have a detrimental impact on the occupiers of the proposed dwelling and that the security of the premises will be compromised by the use of the access.

1.44 The owner of the former coastguard's station currently has access to the compound and has a key and therefore any access issues are essentially a matter for the two parties to resolve.

1.45 Concerns were also raised that the reintroduction of the foghorn would adversely affect any future occupiers of the dwelling. However PD Ports have now confirmed that the Harbour Masters office has reviewed the need to retain the right to operate an audible warning signal (fog horn) from the Heugh Lighthouse and watch tower and it has been concluded that the fog horn will not be needed at the site in the future.

1.46 The applicant has provided additional details regarding light pollution. These have been reviewed by HBC Public Protection who are satisfied that considering the layout of the building and the location of the windows that there is little potential for light pollution.

### **EQUALITY AND DIVERSITY CONSIDERATIONS**

1.47 There is no evidence of equality or diversity implications.

### **SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS**

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

1.49 There are no Section 17 implications.

### **REASON FOR DECISION**

1.50 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the 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. Details of all external finishing materials and gates/enclosures 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.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), 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.
4. 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), sheds or other incidental structures shall be erected within the curtilage of the dwellinghouse hereby approved without the prior written consent of the Local Planning Authority.  
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential property and the Headland Conservation Area.
5. A) No development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
  1. The programme and methodology of site investigation and recording
  2. The programme for post investigation assessment
  3. Provision to be made for analysis of the site investigation and recording
  4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  5. Provision to be made for archive deposition of the analysis and records of the site investigation
  6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

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

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

6. Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.  
To ensure discharge of surface water from the site does not increase the risk of flooding from sewers in accordance with the requirement of the NPPF.
7. The development hereby permitted shall be carried out in accordance with the plans Contract No: SJR/14:19 Dwg No(s) 03, 04, 05, 06 and 08 (site location plan) received 31 July 2014 and Dwg No(s) 02 Rev A and 07 Rev A received 8 August 2014 and details received by the Local Planning Authority on 18 August 2014.  
For the avoidance of doubt.
8. 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.  
In the interests of highway safety.

## BACKGROUND PAPERS

1.51 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.

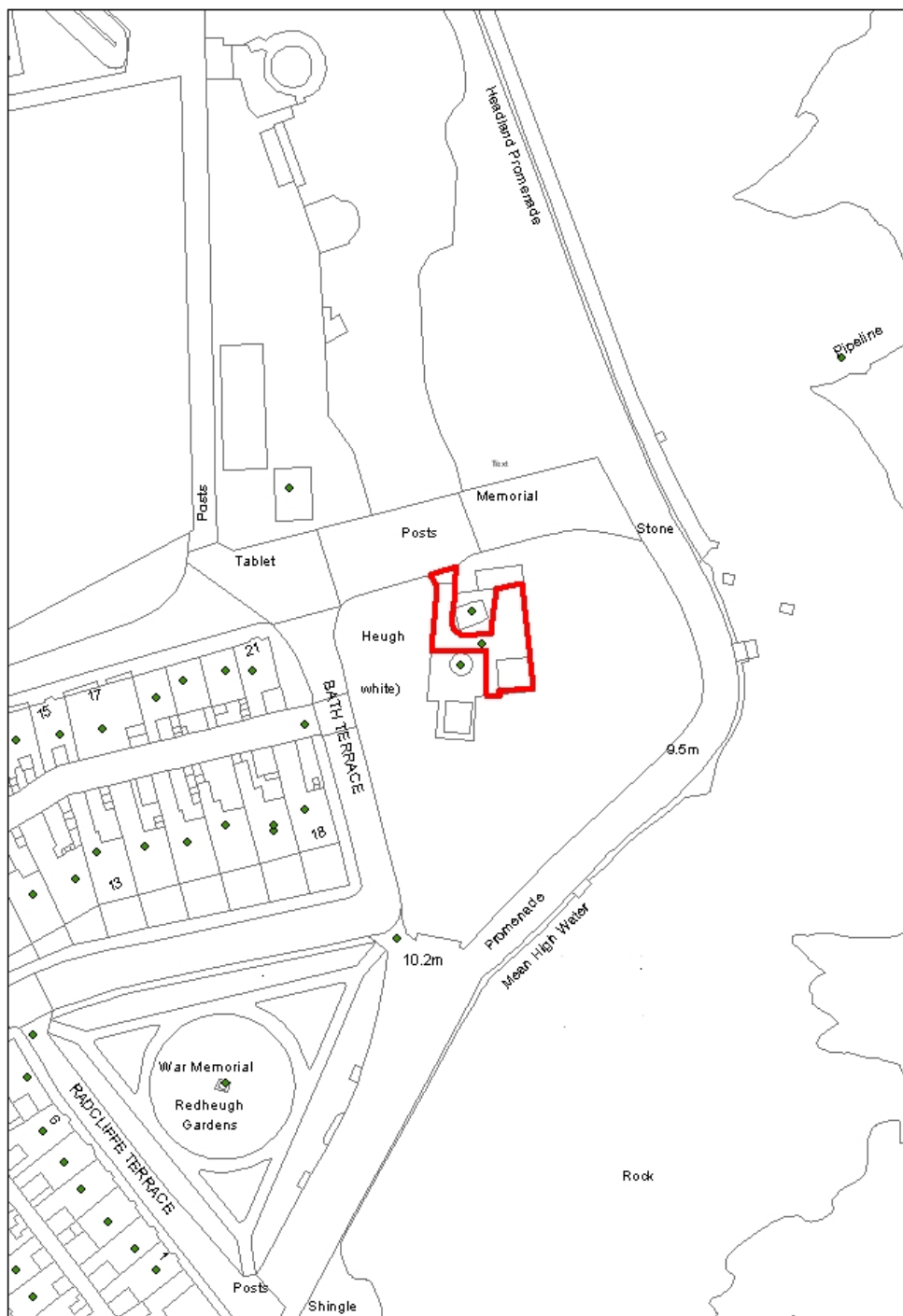
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# FORMER COASTGUARDS OFFICE, MOOR TERRACE



THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY  
**HARTLEPOOL BOROUGH COUNCIL**  
 Level 1, Civic Centre, Hartlepool TS24 8AY  
 Department of Regeneration and Planning

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**Scale: 1:1000**  
**Date : 12/09/14**  
**H/2014/0354**

**No:** 2  
**Number:** H/2014/0163  
**Applicant:** Mr & Mrs S Cockrill Elwick Road HARTLEPOOL TS26 0BQ  
**Agent:** GAP Design Mr Graeme Pearson 7 Hylton Road HARTLEPOOL TS26 0AD  
**Date valid:** 18/06/2014  
**Development:** Erection of fourteen unit retirement village, access road, entrance and enclosure details  
**Location:** Meadowcroft Elwick Road HARTLEPOOL

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## PURPOSE OF REPORT

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

## BACKGROUND

2.2 The application was deferred at the August committee meeting to allow members to undertake a site visit.

2.3 A site visit was undertaken prior to the September committee meeting and the application was considered by planning committee members at the meeting on 3rd September 2014. The committee were minded to approve the application, subject to a section 106 agreement to secure planning obligations and conditions delegated to the Planning Services Manager in consultation with the Chair. This was contrary to the officer recommendation.

2.4 Following the Committee meeting however the National Planning Casework Unit (NPCU) contacted the case officer and advised that a request that the application be “called in” for decision by the Secretary of State had been received. Therefore the Local Planning Authority can not issue a decision until this matter is resolved with the NPCU.

2.5 Through the investigation process it became evident that English Heritage had not been formally consulted regarding the proposed development. Given the size of the application site and location within a conservation area consultation with English Heritage is a requirement. As such formal consultation with English Heritage has taken place, in accordance with the requirements, and this report includes the consultation response from English Heritage for consideration by planning committee members along with all other consultee responses including those previously reported. This is in line with legal advice that the application should be reported back to Committee for decision

2.6 The site and adjacent land has been subject to a number of planning applications and notably a number of refusals for residential development which have been successfully defended at appeal.

(H/OUT/0283/96) November 1996 outline permission for 9 detached dwellings together with access improvements and landscaping was refused on the grounds of adverse impact upon the character and appearance of the listed buildings and conservation area and character of the woodland.

(H/OUT/0553/97) February 1998 Outline permission for the erection of 3 detached dwellings, associated access and related tree works in the field area to the south of Meadowcroft was refused on the grounds of highway safety, impact upon the setting and character of the listed buildings, and conservation area. This refusal was upheld at appeal. The inspector noted in dismissing the appeal that *“the vista across the appeal site is, in my judgement, particularly important. The position and orientation of the original villa will have been established to take advantage of the open south-facing aspect towards open countryside and away from the urban development to the north. The woodland area curves around to the south and enhances this aspect which is directly across the appeal site”*.

(H/2005/5697) December 2005 Outline permission for the erection of four detached dwellings consisting of three no. within the field area to the south of Meadowcroft and one no. with a frontage on to Elwick Road was refused on the grounds of the adverse impact upon the character and appearance of the listed buildings, conservation area and relationship with the adjacent development. An appeal was submitted and later withdrawn.

(H/2005/6033) September 2005 an application for the erection of a gatehouse was refused on the grounds that it would be unduly large and would be out of keeping with the character of the listed buildings at Meadowcroft and Meadowsides and with the Park Conservation Area. This refusal was upheld at appeal.

#### Background to adjacent site at Shu-Lin

2.7 The adjacent site, Shu-Lin (to the east of the application site) has also been subject to a number of applications which are summarised below;

In December 2005 an application for the erection of 18 apartments on the site was submitted. This scheme in the form of a single three storey block was withdrawn in March 2006 after fundamental concerns were raised in relation to the scheme.  
(H/2005/6027)

In November 2006 a planning application for the erection of 17 apartments with access road and service facilities (H/2006/0304) was refused for the following reasons.

1. The proposed development by reason of its layout, architectural form and detailing including the miscellany of associated infrastructure would have a detrimental impact on the character and appearance of the Park Conservation Area contrary to policy HE1 of the adopted Hartlepool Local Plan 2006.
2. The proposed development would intrude on views from the listed building located to the north west and therefore detract from the setting of the listed building contrary to policy HE10 of the adopted Hartlepool Local Plan 2006.

The applicant subsequently appealed and the appeal was dismissed.

In March 2008 an application for the erection of three dwellings with attached double garages and associated private driveways and landscaping (H/2007/0141) was withdrawn after fundamental concerns were raised in relation to the scheme.

In June 2009 an application for the erection of a detached dwelling garage and storage building was approved (H/2008/0663). This development was for a substantial detached property some 10.5m high to ridge, some 27.5m in width and some 21m in depth located at the northern end of the site. This application was not implemented though an application to renew the permission was approved in July 2012 (H/2012/0186).

In April 2012 an application for the erection of two detached dwellings was refused. The dwellings proposed were identical in design and appearance and measured some 19.7m wide, some 11.4m deep and some 9.8m to the ridge (excluding porches, garages and single storey offshoots).

In October 2012 an application for the erection of two dwellinghouses (H/2012/0354) was approved by Planning Committee against Officer recommendation.

In January 2013 an application for the erection of a detached bungalow and detached garages (H/2012/0563) was approved. The bungalow replaced the southern most dwellinghouse approved under the provision of H/2012/0354 above. A minor material amendment application (H/2013/0057) has since been allowed.

2.8 These residential properties (known as Summerhill view and Fentons) are now completed and occupied.

## PROPOSAL

2.9 Planning Permission is currently sought for the erection of fourteen terraced dwellings set in blocks of six, four and two blocks of two. The proposed retirement accommodation will be open plan in nature and will consist of a living, kitchen and dining area. Each will comprise two bedrooms and two bathrooms. The proposals take the appearance of dormer bungalows with a maximum roof ridge height of 7.7 metres. The design includes dormers, rooflights and dovecots to create interest within the elevations.

2.10 Access to the development will be provided through secure access gates which will be electronic. The existing access track will be widened in areas outside of tree protection areas. Car parking provision will consist of two parking spaces per

dwelling. The proposed gardens will be communal and controlled by a management company.

2.11 The proposed boundary treatments to enclose the access adjacent to the host dwelling is proposed to be a 1.8 metre high brick feature wall. The access gates will measure a maximum of 2 metres.

2.12 The finishing materials proposed will consist of facing bricks with slate roof tiles and windows proposed will consist of double glazing constructed from traditional materials. Each of the dwellings include PV panels on the roofs.

2.13 The applicant has advised that the upkeep of the dwelling and grounds is not affordable or feasible, therefore profit from the development will secure the future of Meadowcroft. The applicant also states that the proposal will provide accommodation for the over 55s which there is an identified need for in the borough.

## **SITE CONTEXT**

2.14 The major part of the application site consists of a paddock measuring approximately 0.73 hectares to the rear of Meadowcroft, a residential property which along with its neighbour Meadowside are Grade II listed buildings. The site is also located within Park Conservation area which was designated in 1979.

2.15 There are a number of mature trees within, and surrounding, the site and the proposed access passes through an area of woodland.

2.16 The surrounding area is predominantly residential in nature with the surrounding properties consisting of large well established properties set within generous plots. There are also properties adjacent to the site which have been recently constructed (on land to the rear of Shu-Lin). There is a park directly to the north of the application site, with a busy highway to the north, Elwick Road, providing access to the site. To the south the site is bounded by a public right of way and fields.

## **PUBLICITY**

2.17 The application has been advertised by way of neighbour letters (19). To date, there have been 12 objections.

2.18 The concerns raised are:

- Out of keeping with the character of the conservation area.
- Out of keeping with character of listed building.
- Loss of trees and impact upon the existing woodland.
- Extensive loss of existing trees poses a security threat to existing homes.
- Loss of view to open countryside from Meadowcroft and Meadowside which are listed buildings.
- Development will result in a loss of green area affecting the setting of the listed buildings.
- Dangerous access point will be significantly intensified.

- Access road will destroy the tranquility of the area.
- Drainage and sewerage disposal is already at capacity.
- Development will result in disturbance for neighbouring residential properties during construction.
- Increased risk of flooding.
- Impact upon wildlife.
- The site is of archaeological interest and should approval be granted a recording condition should be recommended and appropriately policed.
- Works have already commenced to provide access track and remove trees.
- Photographs in the submitted statement depict when trees are in full leaf and are therefore misleading.
- Devaluation of properties.
- Objections have been submitted by the applicant to other similar developments in the area.

2.19 Two submissions of support have also been received on the grounds that the facility is required to serve the town.

2.20 Copy Letters D.

## CONSULTATIONS

2.21 The following consultation replies have been received:

**English Heritage** English Heritage is a statutory consultee for applications in which the site area exceeds 1000 sq.m. affecting a conservation area.

The Park Conservation Area is significant as an area developed on the edge of the town in the late Victorian/Edwardian period and centred around Ward Jackson Park. Large villas were developed within large plots by wealthy industrialists wanting to live in spacious villas and grounds. Meadowcroft itself is a fine example of one of these villas, reflected in its listed status as a building of national importance. It is a smallscale country estate in which the house was designed to look south over the formal gardens with framed views through planting to the open fields further away from the house. The 1990 Planning (Listed Buildings and Conservation Areas) Act places a duty on Local Planning Authorities to "pay special attention to the desirability of preserving or enhancing the character or appearance" of a conservation area. The National Planning Policy Framework (NPPF) states that when considering the impact of proposed development upon the significance of heritage assets, great weight should be given to the asset's conservation (para. 132) and where a proposal would lead to harm to the asset Local Planning Authorities should refuse consent. The development of the remaining pastoral landscape setting of the grade II listed building and of this important estate within the Park Conservation Area would be harmful to the assets' significance. English Heritage recommends that the application is refused.

### English Heritage Advice

The Park Conservation Area is significant as an area developed on the edge of the town in the late Victorian/Edwardian period and centred around Ward Jackson Park.



Large villas were developed within large plots by wealthy industrialists wanting to live in spacious villas and grounds, away from the poor quality air of the town and as an expression of their wealth. The area tells the story of the success of Hartlepool at this time and is an attractive conservation area with high quality buildings. Unfortunately the character and appearance of the conservation area has been detrimentally affected by repeated development within the grounds of these large villas – this compromises their setting as well as the significance of the conservation area as a whole.

Meadowcroft itself is a fine example of one of these villas, reflected in its listed status as a building of national importance. It is a small-scale country estate - its form, including the landscape, is typical of a large country estate but on a smaller scale. The house was designed to look south over the formal gardens with framed views through planting to the open fields further away from the house. The contrast between the formal, domestic garden and informal, pastoral landscape further afield is significant and typical of a landscape of this form. The villa's original plot has since been subdivided with recent development approved in the east of the landscape contrary to English Heritage's advice. This has affected the setting of Meadowcroft, and its ancillary buildings, and therefore makes the remaining landscape to the south of the villa important to protect.

The Heritage and Design and Access Statements make no reference to the relationship of this land to the listed house nor the rest of the original estate and both documents lack an assessment of the significance of the heritage assets in line with the NPPF para. 128. The proposed development is of a terraced form of 4 blocks around a central courtyard, sited in the informal landscape to the south of the listed building. Development of this site would destroy the remaining landscaped setting of the listed house (its formal gardens and informal landscape both being integral to its setting) and any understanding of the relationship between the landscape and the house. The form of the development has been designed to reflect a coach house (Heritage Statement part 3.0). However, the scale of the development is such that it would dominate the landscape and would certainly not be ancillary in form to the main house. The access road (and accompanying highway detailing) and entrance gates/walls would also dominate the landscape and would harm the setting of the main house.

The 1990 Planning (Listed Buildings and Conservation Areas) Act places a duty on Local Planning Authorities to "pay special attention to the desirability of preserving or enhancing the character or appearance" of a conservation area. The NPPF goes further again in requiring Local Planning Authorities to take account of the desirability of new development to make a positive contribution to local character and distinctiveness (para. 131). When considering the impact of proposed development upon the significance of heritage assets, great weight should be given to the asset's conservation (para. 132) and where a proposal would lead to harm to the asset Local Planning Authorities should refuse consent.

This is a precious remnant of the original form of the Park Conservation Area and, in our opinion, should not be developed. The development of the remaining pastoral landscape setting of the grade II listed building and of this important estate within the Park Conservation Area would be harmful to the assets' significance.

The applicant has also applied for listed building consent for the development. From the information submitted, it is not clear where the development would involve the alteration, extension or demolition of the listed building or a structure within its curtilage and therefore require listed building consent. As such, I have not offered any comment in respect of the listed building consent application reference H/2014/0179.

English Heritage recommends that the application is refused on the grounds that the development would be harmful to the significance of the Park Conservation Area and the setting of the grade II listed Meadowcroft.

**Tees Archaeology** I have screened the proposal against the Historic Environment Record and note that ridge and furrow earthworks are present on part of the development area. These earthworks represent medieval or later agricultural activity and are of local archaeological interest. To the south and west are the remains of the deserted medieval settlement of Tunstall. Archaeological remains have been noted during construction work at Tunstall Hall to the immediate west. The site has archaeological potential as it contains earthworks, potentially of medieval date, with documented evidence of medieval settlement directly adjacent. The site has archaeological interest.

In this case the upstanding remains are limited to a former field system which is now fragmented and a case cannot be made for its physical preservation. The site appears to be outside of the main core of the deserted settlement and any archaeological features are likely to consist of features such as boundary ditches and waste disposal pits rather than more important structures such as buildings. They are also unlikely to preclude development or prove to be of major significance.

I therefore recommend, in accordance with the NPPF (para. 141) that any archaeological remains, including the ridge and furrow earthworks are subject to archaeological recording prior to and during development. A survey should be made of the extant earthworks in the first instance. The site should then be monitored by an archaeological contractor during any ground disturbance and any archaeological features or finds should be fully investigated and recorded prior to destruction.

I recommend a suitable planning condition to secure these works.

**Northumbrian Water** In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

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

The planning application does not provide sufficient detail with regards to the management of foul water from the development for NWL to be able to assess our

capacity to treat the flows from the development. We would therefore request the following condition:

**CONDITION:** Development shall not commence until a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

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

We would recommend that the developer contacts Niki Mather (tel. 0191 419 6603) at this office to arrange for a Developer Enquiry to ascertain allowable discharge points and rates.

**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 1 of the building regulations for domestic dwellings, or where buildings other than dwelling houses are involved then these should meet the requirements of Approved Document B Volume 2 for both access and water supply requirements. Further comments may be made through the building regulation consultation process as required.

### **Ramblers Association**

We thank the council for consulting the Ramblers Association on the proposed development.

FP Hartlepool 08 runs along sections of the development site boundary; it does not appear to be affected but should this prove to be not the case we ask that the path be kept in a fit condition for public use at all time.

### **Public Protection** No objections

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

However a public right of way, Public Footpath No.8, Hartlepool, runs outside the entrance to the development site, from Elwick Road to Catcote Road, with a second public footpath (No.9, Hartlepool) spurring off No.8, heading towards Summerhill Countryside Park. The first path is fully recorded within the Design and Access Statement.

I have a minor concern with regards to the entrance to the development site and its future relationship to users of the public footpath. As the site develops and is fully operational more vehicular traffic will enter and exit at the access point. I would

require some type of warning/information sign to be placed at a location to warn both pedestrian and vehicular traffic of other users and the caution required by both parties.

**Environment Agency** The Environment Agency has no objections to the proposed development but wishes to provide the following information.

#### Surface Water Disposal

The Environment Agency recommend visiting <http://www.environment-agency.gov.uk/research/planning/82584.aspx> for standing advice regarding general surface water drainage issues.

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open spaces.

The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

Support for the use of SUDS approach to ensuring development does not increase flood risk elsewhere is set out in paragraph 103 of the National Planning Policy Framework.

#### Disposal of Foul Sewage

As it is intended to dispose of foul sewage via the mains system, the Sewerage Undertaker should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution.

#### Otter

Our records show that there could be Otter in the area. These are protected under the Wildlife & Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2010. Further guidance can be found at Natural England's website <http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/iyb/otter.aspx>.

**HBC Engineering Consultancy** A contaminated land PRA would be required. I note that surface water will be discharged into sustainable drainage and the adjacent watercourse. There would therefore be a requirement for the applicant to submit a detailed drainage design outlining the intended surface water management of the

site. For this element, I would request a suitably worded condition including the requirement for both design and the need for an oil interceptor prior to discharge into the SuDS/watercourse. Within the detailed design, the applicant must highlight how betterment will be achieved over and above the current site Greenfield runoff rate, and how flows will be controlled before being discharged into the watercourse.

**Cleveland Police** With regards to your recent planning application for a 14 Unit Retirement Village, Access and Associated Works at Meadowcroft, Elwick Rd. Hartlepool.

I would like to make you aware that Cleveland Police operate the “Secured By Design” initiative. This is an ACPO and Home Office scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments.

I am prepared to study the plans and/or arrange a site visit/meeting if you feel that you would benefit or you are actively seeking to achieve this standard. If it is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour.

Once a development has been completed the main opportunity to design out crime has gone. The local Crime Prevention Design Advisor/ Architectural Liaison Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

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

Strong consideration should also be given in relation to the provision of On Site Security throughout the lifespan of the development.

**HBC Traffic & Transport** The visibility at the sites junction with Elwick Road in its current form is poor and below the required standard. There have been no recorded injury accidents in this location in the last three years. In order to improve the visibility the developer proposes to move the give way marking forward reducing the carriageway width on Elwick Road to 6.7 metres. This will give a 2.4 x 50 metre sight line.

The Department for Transport's Manual for Streets requires a 2.4 x 43 metre sight line for a 85<sup>th</sup> percentile speed of 30 mph. The current speed limit on Elwick Road is 30mph; therefore the proposed 2.4 x 50 metre sight line would be acceptable. We do however have concerns that traffic regularly exceeds the speed limit in this location, which may compromise the safety of the junction. The developer should fund a scheme to improve signing and lining in advance of the junction to ensure that traffic speed does not exceed 30 mph. There is little scope in improving the sight line further due to the road geometry, without demolishing the boundary wall.

The developer has stated that Elwick Road could be reduced in width with the use of white lining, Hatching has been used to push the give way markings forward and guide approaching traffic. The use of white lining would be visually intrusive and the junction should be re-kerbed and flagged to provide a more permanent boundary.

This work should be carried out using a section 278 agreement.

Detailed drawings of the junction should be provided prior to the commencement of the development.

The site provides 14 Cottages off a private drive, Hartlepool Borough Council design guide and specification requires that a private drive should serve no more than 5 properties. This is to protect the Council from incurring costs if at a later date there were calls for the site to become part of the adopted highway.

In order to protect the Council from future possible future costs the roads and pavings should be constructed to an adoptable standard, and system of street lighting installed. This would require the developer to enter into an advanced payment code or section 38 agreement.

The proposed carriageway construction through the section of woodland would not conform to the HBC specification, an alternative permeable carriageway construction would have to be used.

The developer has provided 2 spaces per property; this would be an acceptable level of parking.

**Victorian Society** Thank you for consulting the Victorian Society on this application. We object to the proposed erection of fourteen residential units in the historic grounds of Meadowcroft as it would harm the setting of the listed building and erode the character of the designated Conservation Area in which it is situated.

Meadowcroft is a large villa of 1895 built for John Rickinson, a wine and spirits merchant, and was one of several substantial houses erected in west Hartlepool towards the end of the nineteenth and the beginning of the twentieth centuries. As the *Park Conservation Area Appraisal* notes, on page 39, the area around Ward Jackson Park was “where the wealthy industrialists of the late Victorian and Edwardian period built their mansions”. It “is an area of fine environment notable for its many large houses and its particularly fine trees and woodland”. The Appraisal goes on to identify both the Briarfields and Meadowcroft estates as two that “still define the character of the conservation area’s green low-density layout”.

Meadowcroft remains one of the best and “most intact” (CAA p.88) examples of the grand suburban estate, with formal gardens, woods and fields to the south. Despite later development to west the estate is “still with enough historic structure to be discernible” (CAA, p.38). The Conservation Area then is defined as much by its green pastoral setting as by the fine architectural set pieces which are located here, and in the case of Meadowcroft also by the blur that exists between the estate and the countryside beyond.

The application proposes the erection of a fourteen-unit retirement village in the grounds of Meadowcroft, with new vehicular access track. We object in principle to this development. The new buildings would occupy a large plot and would sit at the heart of the surviving estate, in close proximity to the listed building. They would encroach upon its immediate setting and erode the Arcadian character of its wider grounds that are of such essential and acknowledged importance to the setting of the listed building and the wider Conservation Area.

The CAA highlights the danger of just this sort of development. On page 10 it states that “infill developments in the large garden areas of the large houses can pose a threat to the environment if not adequately controlled”. It also highlights that previous attempts to develop in the grounds of Meadowcroft in both 1998 and 2006 were unsuccessful, having been opposed by English Heritage, refused consent by the Council and subsequently turned down at appeal. In both cases it was the importance of Meadowcroft’s spatial and visual relationship with the open land to the south – deemed sufficiently important to the listing of the building and the designation of the Conservation Area – that formed the basis of those decisions. In exercising its planning powers Hartlepool Council has a statutory duty to pay special attention to the desirability of preserving the listed building and its setting, as well as a statutory duty to preserve or enhance the character and appearance of conservation areas. This application would do neither. It would harm the setting of the listed building and its “coherent” grounds, and would erode the character and appearance of the Conservation Area. On these grounds it should be refused consent.

**Arboricultural Officer** The Tree Survey and Plan that was submitted with this application provides a reliable and accurate picture of what trees are currently there and also provides an overview of how the woodland is to be managed at a later date should permission for the Retirement Village be granted.

The trees in this area are currently protected by Tree Preservation Order no. 100 which legally protects them from being removed or pruned without the consent of the Local Planning Authority. This is in addition to the status of The Park Conservation Area which also gives them similar protection.

The applicant has provided a comprehensive report identifying these trees individually and setting parameters which place some at risk from the development itself and others which are included within the overall management of the woodland belt itself.

Historically, before the applicant acquired this land, the woodland area comprised a neglected stand of trees consisting mainly Sycamore at very close spacing, intermingled with elms, chestnut, beech, and an under-storey of yew, elder, holly and bramble with a lot of ivy. Most of the elms had died through Dutch Elm Disease and any understory trees that existed were getting strangled by ivy.

Both the previous owner and the current owner have contributed to the removal of these elms and as they were exempt from the Order it was not necessary to request approval from the Local Planning Authority. That said, much of the undergrowth has also been removed together with some of the lower branches of the existing trees.

To put it into context, the woodland floor, which had previously been smothered with ivy will support a more diverse range of species if it is allowed to.

There are 8 trees that will be removed as a direct consequence of the road alignment and crown overhang into the proposed development site. A further 18 have been classified as being in poor condition and although it is advisory at the moment, they do not need to be removed to accommodate the new development.

The management of the woodland as described, will include a phased removal of trees and is consistent with the priority for replanting because it would establish cleared areas for groups to promote successful establishment by increasing light and reducing competition. New planting would include a range of sizes of plant stock combining feathery and transplants. These are the most likely to grow and establish healthily. Species mixes would be designed ultimately to emphasise a semi-natural range of trees similar to those present, with the aim of enhancing wildlife benefit/biodiversity.

Having looked at the site and taking in the context of any new changes, the proposed work to these trees is of a minor nature and will allow those remaining, more room to expand. The consultants undertaking this report have a proven track record and I am prepared to accept their findings and recommendations.

Should this application be accepted I will need to see details of a woodland management plan and detailed landscape proposals which can be conditioned but as far as the layout goes, I am satisfied with the consultants report and recommendations.

**HBC Ecologist:** I have visited the site to inspect the trees that will need to be pruned or removed as part of this application. None of these appears to have any potential for roosting bats. Therefore a bat survey would not be required in this instance. There is the possibility for breeding birds to be affected by removal of trees or foliage. This can be covered by our standard condition on breeding birds.

**Hartlepool Civic Society** Meadowcroft, an important listed building, situated within its own grounds, in the Park Conservation Area, is a valued part of the town's heritage – a designated heritage asset.

An important feature is the setting of this building which contributes to its status. The illustration on the front of the tree survey (12071029) clearly shows the quality of this setting. Indeed, in the Inspector's comments from an appeal against refusal of a previous application, reference was made that 'undeveloped spaces to the south of Meadowcroft/Meadowside, continue to contribute to the setting of this listed building'.

It is obvious that any development within the grounds would immediately degrade it. The Council has a duty within the provisions of the National Planning Policy Framework to protect heritage assets – viz

**PARA 131** – 'in determining planning applications, locally planning authorities should take account of .... The desirability of sustaining and enhancing the significance of heritage assets and ... the desirability of new



development making a positive contribution to local character and distinctiveness’.

**PARA 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’. It goes on to note that, ‘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.

‘Significance’ in the NPPF is defined as. ‘The value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset’s physical presence, but also from its setting.’

The Borough’s conservation areas are a major component of its status and it is vitally important that they are protected. One of the policies in the ‘Saved Policies from the Local Plan’ document – HE1 – includes:-

‘Proposals for development within a conservation area will be approved only where it can be demonstrated that the development will preserve or enhance the character or appearance of the area and where the development does not adversely affect the amenities of occupiers of adjoining or nearby properties.’

Following a number of previous applications/appeals the comments from the Inspectors are well documented – an example of which:

‘In my opinion the undeveloped spaces to the south of Meadowcroft/Meadowside, including the appeal site, continue to contribute to the setting of this listed building’ Given the detrimental impact upon this part of the conservation area that I have already identified, and the importance of these same undeveloped spaces to the setting of Meadowcroft/Meadowside, I cannot escape from the conclusion that the setting of the listed building would also be materially harmed by the proposed development.’

The views to and from the listed building will be totally destroyed by the development of houses which are actually two-storey.

The current application would require the removal of a number of mature trees, this again, would be detrimental to the conservation area, the tree cover in the Borough is very low as it is. In this area in particular, trees should be protected, not removed.

When looking at the plans, the proposed houses are pushed to the very edge of the site, close to existing trees – history tells us that it would only be a matter of time when the residents would be applying for removal of the trees pleading that they would be too near their houses!

In connection with access – the proposal of a carriageway construction going through the section of woodland again diminishes the nature of the setting – this could only be done by damaging trees which may have been done already.

According to the experts, the proposed roadway would not conform to Hartlepool Borough Council's specification. There are also anticipated problems with cars entering the main busy main road on a bend, therefore there will be difficulties with sighting etc. The manoeuvres required will be highly dangerous.

We would draw the Council's attention to the following issues highlighted in the Park Conservation Area Appraisal produced by the North of England Civic Trust for Hartlepool Borough Council. Issues 4, 14, 15, 49 and 53 are particularly relevant All extol the virtues and importance of the landscape associated with Meadowcroft/Meadowside and this corner of the Park Conservation Area. Drawing on just a couple of quotes "protecting view of the conservation area from the outside is important, particularly at the gateways to the area and from Summerhill". "Views north from Summerhill are defined by heavy tree cover at and in land to the south of Meadowcroft" and "at Meadowcroft estate, the excising balance between plot sub-division and open land should be preserved, further sub-division would ham its historical layout character. No further buildings should be sited as far south as Shun Lin". With the appraisal in mind, this application cannot be considered to enhance or contribute to the Conservation Area or the setting of the listed building.

If this application were to be accepted it would totally destroy this Listed building and its setting and further detrimentally change the Conservation Area. We would urge the Borough Council to refuse this application.

**HBC Conservation Officer** (summarized) Objects as the proposal will negatively impact on the setting of the designated heritage asset (Meadowcroft / Meadowside) through the introduction of development into an area which would interrupt the views to and from the listed building to the open countryside.

Further to this the proposal would see the further subdivision of garden areas interrupting the hierarchy of buildings within the area and negatively impacting on the character of the conservation area.

In addition it would adversely impact on the character and appearance of the Park Conservation Area due to the introduction of development into an area of land which forms a rural boundary to the south of the conservation area causing significant harm to the historic character of the area.

No evidence has been presented to suggest that the significant harm would be outweighed by the public benefits of the proposal.

## **PLANNING POLICY**

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

### Local Policy

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

<b>Policy</b>	<b>Subject</b>
GEP1	General Environmental Principles
GEP2	Access for All
GEP3	Crime Prevention by Planning and Design
GEP9	Developer Contributions
Hsg9	New Residential Layout
Tra16	Car Parking Standards
HE1	Protection and Enhancement of Conservation Areas
HE2	Environmental Improvements in Conservation Areas
HE8	Works to Listed Buildings (Including Partial Demolition)

### National Policy

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

14	Presumption in favour of sustainable development
32	Transport Statements or Transport Assessments
34	Sustainable modes of transport
47	Supply of housing
48	Windfall sites
49	Five year land supply
58	Quality of development
72	Sufficient choice of school places
96	Decentralised energy supply
128	Determining planning application for Heritage Assets
129	Identify and assess the Heritage Asset
131	Determining planning applications
132	Impact of a proposed development on Heritage significance
133	Substantial harm to or total loss of significance
134	Less than substantial harm to the significance
137	New development within Conservation Areas
138	Elements of a Conservation Area

187	Approve applications for sustainable development
196	Determination in accordance with the development plan
197	Presumption in favour of sustainable development

## PLANNING CONSIDERATIONS

2.26 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 impact upon the character of the listed buildings and the conservation area, impact upon trees, amenity of neighbouring properties, highway safety, drainage, archaeology, ecology, developer obligations and all residual matters.

### Principle of Development

2.27 When considering NPPF paragraphs 14, 196 and 197 there is an identified need to determine planning applications in accordance with the Development Plan whilst considering the presumption in favour of sustainable development.

2.28 NPPF paragraphs 47, 48 and 49 state that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. As detailed in “*Saved Policies 2006 Hartlepool Local Plan Planning Policy Framework Justification*” document (May 2014) table 2 and graph 1 reveals a situation where the Council cannot demonstrate a 5 year supply of deliverable housing sites to meet the housing requirement over the next 5, 10 and 15 years when considering the projected gross housing delivery and the projected demolitions in the borough.

2.29 The inability of the Council to demonstrate a 5 year supply of deliverable housing sites means that, in accordance with NPPF paragraph 49, any saved policies included in the 2006 Local Plan regarding the supply of housing should not be considered up-to-date. As a result the NPPF as a whole should be used as a basis to determine this application alongside other relevant 2006 Local Plan policies, the Tees Valley Minerals and Waste DPDs and other material considerations.

2.30 With specific regard to this application and the 5 year land supply situation NPPF paragraph 14 holds significant weight and it states:

*“Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- Specific policies in this Framework indicate development should be restricted.”*

2.31 NPPF Paragraph 14 is explicit in that where the plan is out of date permission should be granted unless any adverse impacts of doing so would significantly and

demonstrably outweigh the benefits. As a result unless the impacts outweigh the benefits the application should be granted.

2.32 The application site is located within the defined limits to development within walking distance to amenities and services to serve a residential development. Therefore whilst the site is acknowledged as a sustainable location and the principle of residential development is considered to be acceptable this is subject to consideration of the material planning considerations as discussed below.

#### Impact upon the character of Listed Building and Conservation Area

2.33 Meadowcroft is a large villa of 1895 as the *Park Conservation Area Appraisal* notes (page 39), the area around Ward Jackson Park was “*where the wealthy industrialists of the late Victorian and Edwardian period built their mansions*”. It is therefore considered to be “*an area of fine environment notable for its many large houses and its particularly fine trees and woodland*”. The Appraisal goes on to identify both the Briarfields and Meadowcroft estates as two that “*still define the character of the conservation area’s green low-density layout*”. Meadowcroft remains one of the best and “most intact” (CAA p.88) examples of the grand suburban estate, with formal gardens, woods and fields to the south. Despite later development to west the estate is “still with enough historic structure to be discernible” (CAA, p.38).

2.34 English Heritage characterise the site as a smallscale country estate in which the house was designed to look south over the formal gardens with framed views through planting to the open fields further away from the house.

2.35 The Conservation Area is characterised as much by its green pastoral setting as by the fine architectural set pieces which are located here, and in the case of Meadowcroft also by the blur that exists between the estate and the countryside beyond.

2.36 Paragraph 17 of the NPPF sets out the core planning principles stating that, planning should, ‘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’.

2.37 Paragraph 131 states that, ‘in determining planning applications, local planning authorities should take account of...the desirability of sustaining and enhancing the significance of heritage assets and...the desirability of new development making a positive contribution to local character and distinctiveness.’

2.38 Paragraph 132 goes on to say that, ‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation.’ It goes on to note that, ‘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.’ It should be noted that significance is defined in the NPPF as, ‘The value of a heritage asset to this and future generations because of its heritage interest...Significance derives not only from a heritage asset’s physical presence, but also from its setting.’

2.39 Policy HE1 of the Hartlepool Local Plan seeks the ‘Protection and enhancement of conservation areas’ and notes, ‘Proposals for development within a conservation area will be approved only where it can be demonstrated that the development will preserve or enhance the character or appearance of the area and where the development does not adversely affect the amenities of occupiers of adjoining or nearby properties.’

2.40 A number of applications have been made over the years on this site and an adjacent site.

2.41 In particular the Planning Inspector's report on the most recent Appeal in this area at Shu-Lin should be noted (Ref APP/H0724/A/06/2029518). In the report the site and area is described as thus, ‘the edge of the built development on this side of Elwick Road is well defined and, other than Shu-Lin and a glimpse of Meadowcroft, none of a number of other large buildings nearby are readily apparent when viewing the conservation area from the public vantage points to the south, even during the winter months. Moreover the spaces between the frontage properties and the open countryside, including the appeal site, the adjoining paddock and the woodland, are generally free from development. Not only do these areas provide a soft and attractive edge to the urban area, they also provide a transitional zone between the countryside and the built up areas of The Park. In my opinion, the relatively undeveloped nature of these spaces, and the contribution which they make to the visual quality of the area, is one of the defining characteristics of this part of the conservation area.’

2.42 The inspector then goes on to describe the surrounding countryside and comments on the impact of the proposed development noting that, ‘I consider that they would unacceptably intrude into the important undeveloped spaces at the southern edge of The Park, seriously harming the character and appearance of this part of the conservation area.’

2.43 The Inspector does acknowledge the other development which has occurred in this area however he states, ‘overtly modern housing development has also taken place on many other open spaces around The Park...Nevertheless, whilst I acknowledge that recent new building has had a marked effect on the character and appearance of The Park, this does not alter the visual quality of the relatively undeveloped spaces along the southern side of the Elwick Road properties, or their effect in defining the character of this part of the conservation area.’ The Inspector concludes that the development would, ‘harm the character and appearance of The Park Conservation Area.’

2.44 The Inspector also has regard for the adjacent listed buildings and notes that, ‘In my opinion, the undeveloped spaces to the south of Meadowcroft/Meadowside, including the appeal site, continue to contribute to the setting of this listed building.’ He added, ‘Given the detrimental impact upon this part of the conservation area that I have already identified, and the importance of these same undeveloped spaces to the setting of Meadowcroft/Meadowside. I cannot escape from the conclusion that the setting of the listed building would also be materially harmed by the proposed development.’

2.45 An earlier appeal on the site to the rear of Meadowcroft for three dwellings follows much the same line.

2.46 The Park Conservation Area Character Appraisal summarises the decisions on this site and the adjacent Paddock as thus, 'Meadowcroft's spatial characteristics have been twice tested on appeal, in 1998 (T/APP/H072/A/98/298990/P7) and 2006 (APP/H0724/A/06/2029518). Both inspectors concluded that the spatial and visual relationship between Meadowcroft/Meadowside and open land to the south was important enough to the listing and the conservation area to prevent the proposed development from getting consent.'

2.47 In accordance with the requirements of the NPPF consideration needs to be given to the impact of the development on the designated heritage asset that is the listed building Meadowcroft/Meadowside.

2.48 The property comprises the main house, a lodge house on Elwick Road and, a block of stables / out buildings also to the north of the house new Elwick Road. The house was subdivided in the 1950s with land and associated buildings subsequently sold off. This began the gradual disposal of plots of land on this estate for the construction of housing. English Heritage have commented that the recent development approved in the east of the landscape was contrary to English Heritage's advice. This has affected the setting of Meadowcroft, and its ancillary buildings, and therefore makes the remaining landscape to the south of the villa important to protect.

2.49 What has remained is the link between the main house and the countryside. The house was constructed to face south which provided a link through the planned landscape to the adjacent rural area and created a feeling of being located far away from the town centre on a country estate. This is significant as the house is one of the few examples of such an estate remaining within Hartlepool.

2.50 In this instance paragraphs 131 and 132 of the NPPF are relevant. The setting of a heritage asset is defined in the NPPF (Annex 2) as, 'The surrounding in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'

2.51 The practice guide produced by English Heritage, Setting of Heritage Assets (October 2011) provides further explanatory information on setting. It notes that, 'The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration; by spatial associations; and by our understanding of the historic relationship between places.' The guidance goes on to state that, 'The contribution that setting makes to the significance does not depend on there being public rights or an ability to access or experience that setting.'

2.52 In considering the proposal against this guidance it is clear that the dwellings would impact on the setting of the listed building as they would interrupt the views to and from the listed building to the open countryside to the south of the site.

2.53 Furthermore the planned estate which once sat isolated on the site with a hierarchy of buildings spread across an area of gardens would be further reduced. The hierarchy of buildings can be seen clearly in the plans dating from 1987 – 1954 in the Conservation Area Appraisal. All ancillary buildings are located to the north of the property.

2.54 The green wedge which provided a boundary of gardens merged into countryside would be developed impacting on the setting of the listed building by further incremental development of the land introducing a suburban feel to the area with a cluster of houses. In particular this would be viewed when entering the site from the Elwick Road side which allows views of both the listed buildings and the site to the rear. Rather than viewing the dwelling with a garden and green open space to the rear, it would be seen with intensive development in the form of 14 dwellings which would instantly set the context of a large property subsumed by development rather than a house in spacious grounds.

2.55 Access to the site is via the existing entrance to Meadowcroft. A formal access in this location does not appear to be part of the original estate plan. The access runs down the side of the property. A new access is proposed through a previously undeveloped area of woodland. The introduction of a more formal access with regular vehicle movements would result in a change in the character of this area in particular the alteration from a garden to a 'public thoroughfare' would impact on the setting of the listed building and reinforce the subdivision of the site.

2.56 The appraisal considers the "status" of buildings in the area and notes that, it is 'characterised by a distinct hierarchy of buildings.' It goes on to state that, 'The principle hierarchy in the area is between large houses and their lodges and outbuildings, from the earliest development in the area up to the early twentieth century.' The appraisal highlights two issues,

1. The traditional hierarchy of the major historic houses and their lodges and outbuilding should be protected.
2. The wider hierarchy between major and minor houses should be protected, ensuring that minor houses are not mixed amongst major ones.'

2.57 The introduction of a group of houses to the grounds of Meadowcroft/Meadowside would interrupt this hierarchy. Not only would it alter the original hierarchy of buildings on the earlier Meadowcroft/Meadowside estate but further to this it would introduce additional modern minor houses to the subsequent arrangement of dwellings in this area which is contrary to the character of the area defined in the appraisal.

2.58 English Heritage consider that the development of the remaining pastoral landscape setting of the grade II listed building and of this important estate within the Park Conservation Area would be harmful to the assets' significance. Development of this site would destroy the remaining landscaped setting of the listed house (its



formal gardens and informal landscape both being integral to its setting) and any understanding of the relationship between the landscape and the house. The submitted Heritage Statement part 3.0 states that the form of the development has been designed to reflect a coach house. However, the scale of the development is such that English Heritage consider it would dominate the landscape and not be ancillary in form to the main house. Therefore English Heritage recommends that the application is refused.

2.59 The Council's Conservation officer also considers that the proposal would cause significant harm to the setting of the designated heritage asset which would not be outweighed by public benefits. Therefore in this regard the proposal is considered to be contrary to paragraphs 131 and 132 of the NPPF and HE1 of the Local Plan.

2.60 In terms of the impact upon the conservation area the character of the Park Conservation Area is defined in the appraisal completed in 2008. It describes the application site, as one of two original estates which 'define the character of the conservation area's green, low-density layout.' The appraisal goes on to note that, *'The countryside edge south of both estates is one of the conservation area's definitive features. This boundary between town and country is much more than just the end of one and the start of the other – there is an active designed relationship between the two which is key.'*

2.61 The importance of this area is described in the appraisal, *'The Arcadian origins of the neighbourhood were grounded in a strong visual, landscape and "wellbeing" link between the houses and the countryside they were built in, those with the capacity to do so escaping the dirt of the town to live a privileged life in their simulated country estates.'* It notes that Meadowcroft, *'fed off the dene and Summerhill, firstly by being laid out with long, controlled views to "borrow" the scene beyond by placing the house to the north of the plot, and secondly by landscaping with a country estate feel (large open fields with tree clumps and belts) to blur the boundary between estate and setting.'*

2.62 The appraisal states that this arrangement was retained in previous subsequent developments in this area but that Shu-Lin and No. 309 Elwick Road have 'begun to interrupt it, leap-frogging them to take the relationship to the south for themselves'. It goes on to note that this 'erodes the original spatial pattern which defines this edge, robs the earliest houses of their setting and fills in open land which is key to the estates' historic character.'

2.63 In relation to further developments within this area the appraisal states that, *'At the Meadowcroft estate, the existing balance between plot subdivision and open land should be preserved. Further sub-division would harm its historic layout character.'*

2.64 The Council's conservation officer has commented that the proposal would exacerbate this situation harming the character of this part of the conservation area by introducing buildings into an area that currently provides an open, green edge to the area.

2.65 It is stated that the design of the proposed dwellings is based on coach house style dwellings. However the Council's Conservation Officer considers that the repetitive design and cluster of buildings do not reflect the design of properties within the conservation area which are generally individually designed properties set within their own grounds. In addition if the buildings were to be read as ancillary properties to the main dwelling their location would not be to the south side of the property but to the north.

2.66 Furthermore the inevitable associated structures that are related with development such as this i.e. bin stores, lighting, formal parking areas will further emphasise the introduction of a suburban character to this part of the conservation area.

2.67 As previously discussed English Heritage have recommended that the application should be refused on the grounds that the development of the remaining pastoral landscape setting of the grade II listed building and of this important estate within the Park Conservation Area would be harmful to the assets' significance

2.68 The Victorian Society have also objected to the proposed development on the grounds that it would harm the setting of the listed building and erode the character of the designated Conservation Area in which it is situated.

2.69 It has been suggested that profit from the development will secure the future of Meadowcroft in essence that the proposed development should be considered as "Enabling Development" in which resultant funds from the construction of the houses in the grounds of the property will then be used to support the upkeep of the listed building. Enabling Development is defined in English Heritage guidance as, 'development that would be unacceptable in planning terms but for the fact that it would bring heritage benefits sufficient to justify it being carried out, and which could not otherwise be achieved'. The guidance goes on to note that the problem, 'which enabling development typically seeks to address occurs when the cost of maintenance, major repair or conversion to the optimum viable use of a building is greater than its resulting value to its owner or in the property market. This means that a subsidy to cover the difference – the 'conservation deficit' – is necessary to secure its future.' In order to fully assess Enabling Development an applicant is required to supply detailed financial information covering all aspects of the proposed enabling development in order to assess the need covering both the condition of the building and the means and cost of addressing the problems associated with it. In addition it should be demonstrated that sufficient funds are not realistically available from any other source. In this case no supporting information has been provided in the form of financial information demonstrating the problems with the building or details of the funds that will be generated from the development to address these issues and therefore the application is not considered to be Enabling Development.

2.70 It is considered that this proposal will cause significant harm to the character of the Park Conservation Area. The proposal neither sustains nor enhances the significance of the heritage asset but would harm the character of the Park Conservation Area. It is also considered that the development would harm the setting of the listed building (Meadowcroft). Furthermore it has not been demonstrated that substantial public benefit would outweigh the significant harm

caused to the designated heritage asset. Therefore the proposal would be contrary to principles within paragraph 131 and 132 of the NPPF and HE1 of the Local Plan.

#### Impact upon existing trees

2.71 A Tree Survey and Plan was submitted with the application. It provides a reliable and accurate picture of what trees are currently there and also provides an overview of how the woodland is to be managed at a later date should permission for the Retirement Village be granted.

2.72 The trees in this area are currently protected by Tree Preservation Order no. 100 which legally protects them from being removed or pruned without the consent of the Local Planning Authority. This is in addition to the status of the Park Conservation Area which also gives them similar protection.

2.73 The applicant has provided a comprehensive report identifying these trees individually and setting parameters which place some at risk from the development itself and others which are included within the overall management of the woodland belt itself.

2.74 Concerns have been raised that works to trees within the woodland area have commenced. The Council's Arboricultural officer has visited the site and has confirmed that historically, before the applicant acquired this land, the woodland area comprised a neglected stand of trees consisting mainly of Sycamore at very close spacing, intermingled with elms, chestnut, beech, and an under-storey of yew, elder, holly and bramble with a lot of ivy. Most of the elms had died through Dutch Elm Disease and any understory trees that existed were getting strangled by ivy.

2.75 Both the previous owner and the current owner have contributed to the removal of these elms and as they were exempt from the Order it was not necessary to request approval from the Local Planning Authority. That said, much of the undergrowth has also been removed together with some of the lower branches of the existing trees. To put it into context, the woodland floor, which had previously been smothered with ivy will support a more diverse range of species if it is allowed to.

2.76 There are 8 trees that proposed to be removed to facilitate the road alignment and crown overhang into the proposed development site. A further 18 have been classified as being in poor condition and although it is advisory at the moment, they do not need to be removed to accommodate the new development.

2.77 The management of the woodland as described, will include a phased removal of trees and is consistent with the priority for replanting because it would establish cleared areas for groups to promote successful establishment by increasing light and reducing competition. New planting would include a range of sizes of plant stock combining feathery and transplants. These are the most likely to grow and establish healthily. Species mixes would be designed ultimately to emphasise a semi-natural range of trees similar to those present, with the aim of enhancing wildlife to benefit biodiversity.

2.78 The Council's Arboricultural Officer has commented that the proposed work to the trees is considered to be of a minor nature and will allow those remaining, more room to expand. Therefore he raises no objections however should this application be approved he advises that details of a woodland management plan and detailed landscape proposals should be subject to a condition.

#### Amenity of neighbouring properties

2.79 The closest residential properties would be the properties adjacent to the east boundary of the site consisting of recently constructed properties to the rear of Shu Lin known as Summerhill View and Fentons. The proposed dwellings would be approximately 7 metres from eastern boundary of the application site. The rear gardens serving the neighbouring properties will also be adjacent to the shared boundary providing further separation distance between existing properties and the proposed dwellings. Taking into account the scale of the proposed dwellings, which will consist of a dormer style construction with only velux style rooflights within the rear roof slope, it is not considered that the proposal would result in a detrimental impact upon the amenity of neighbouring residential properties in terms of loss of light, overlooking or appearing overbearing.

2.80 The host property, Meadowcroft and adjoining property Meadowside are located approximately 38 metres from the northern boundary of the application site. Taking into account the separation distance from the proposed development it is not considered that the proposals would result in a detrimental impact upon the amenity of the properties to the north in terms of loss of light, privacy or through appearing overbearing.

2.81 There is an area of woodland which wraps around the west and south of the application site therefore there are no residential properties directly adjacent to the west or southern boundaries of the site.

2.82 The Council's public protection section were consulted and have raised no objections to the proposed development

#### Access and Highway Safety

2.83 Concerns have been raised by objectors with regards to access and highway safety. The Council's Traffic and Transport section has commented that the visibility at the sites junction with Elwick Road in its current form is poor and below the required standard. There have been no recorded injury accidents in this location in the last three years. In order to improve the visibility the developer proposes to move the give way marking forward reducing the carriageway width on Elwick Road to 6.7 metres. This will give a 2.4 x 50 metre sight line. 6.7 metres would be an acceptable width for the carriageway at this location.

2.84 The Department for Transport's Manual for Streets requires a 2.4 x 43 metre sight line for a 85<sup>th</sup> percentile speed of 30 mph. The current speed limit on Elwick Road is 30mph; therefore the proposed 2.4 x 50 metre sight line would be acceptable. The Council's Traffic and Transport section have however raised concerns that traffic regularly exceeds the speed limit in this location, which may

compromise the safety of the junction. It has been requested that the developer should fund a scheme to improve signing and lining in advance of the junction to ensure that traffic speed does not exceed 30 mph as there is little scope in improving the sight line further due to the road geometry, without demolishing the boundary wall. The Council's legal team have provided a view as to whether this could reasonably be controlled by condition. However as the speed limit of the road is controlled by legislation outside of the planning system it is considered it would be unreasonable to request the developer should provide funding in this regard through a planning condition or obligation.

2.85 However as discussed above the developer has proposed that Elwick Road could be reduced in width with the use of white lining and hatching to push the give way markings forward and guide approaching traffic. It is considered the use of white lining would be visual intrusive and therefore would be unacceptable in this location. As such the junction should be re-kerbed and flagged to provide a more permanent boundary. Should the application have been recommended for approval this work could have been secured through a condition to ensure detailed drawings of the junction be provided to be approved and the works implemented.

2.86 The site provides 14 No. Cottages with access which is proposed from a private drive, Hartlepool Borough Council design guide and specification requires that a private drive should serve no more than 5 properties. This is to protect the Council from incurring costs if at a later date there were calls for the site to become part of the adopted highway. Should the application have been recommended for approval the access could be required to be constructed to an adoptable standard and this could be secured through conditions requiring the prior approval of access details and through an appropriate clause in a legal agreement. The agent has confirmed that this would be acceptable.

2.87 The developer has provided 2 parking spaces per property. This is considered to be an acceptable level of parking to serve the proposed development.

2.88 In conclusion the proposed access arrangements are considered acceptable in principle subject to modification and appropriate conditions/legal agreement and it is not considered that the proposed development would result in an adverse impact upon highway safety. As such in this regard the proposal accords with policy GEP1, TRa16 and principles within the NPPF.

2.89 The Council's Countryside Access Officer has raised a minor concern with regards to the entrance to the development site and its future relationship to users of the public footpath. Taking into account the intensification of the junction comments have been received that some type of warning/information sign to be placed at a location to warn both pedestrian and vehicular traffic of other users and the caution required by both parties. Whilst the agent has been made aware of these concerns this is a matter which is outside the control of planning legislation and could not reasonably be subject to a condition.

### Archaeology

2.90 Tees Archaeology were consulted on the application and have commented that the site appears to be outside of the main core of the deserted settlement and any archaeological features are likely to consist of features such as boundary ditches and waste disposal pits rather than more important structures such as buildings. They are also unlikely to preclude development or prove to be of major significance.

2.91 Tees Archaeology recommended that should the application be approved any archaeological remains, including the ridge and furrow earthworks be subject to archaeological recording prior to and during development. This could be secured through a planning condition.

### Ecology

2.92 The Council's Ecologist has visited the site to inspect the trees that would need to be pruned or removed as part of this application. He has commented that none of these appear to have any potential for roosting bats, as such a bat survey would not be required in this instance. There is the possibility for breeding birds to be affected by removal of trees or foliage, therefore should the application be approved a suitably worded condition relating to breeding birds would be recommended.

### Drainage

2.93 Objectors have raised concerns regarding flooding. It is intended that surface water will be discharged into sustainable urban drainage system and the adjacent watercourse. There would therefore be a requirement for the applicant to submit a detailed drainage design outlining the intended surface water management and foul water management of the site. Therefore should the application have been recommended for approval suitably worded conditions, including the requirement for both design and the need for an oil interceptor prior to discharge into the SuDS/watercourse, would be recommended. The Council's engineers and the Environment Agency have raised no objections subject to appropriate conditions.

### Developer Obligations

2.94 In accordance with requirements of Local Plan policy GEP9 should the application have been approved the following contributions would be required to be secured by a section 106 agreement;

#### *Green Infrastructure*

2.95 Commitment to deliver £250 per dwelling equating to £3,500. The £3,500 commuted sum would be used to contribute to the ongoing green infrastructure connections in immediate local area.

#### *Play Provision*

2.96 Commitment to deliver on-site play provision to cater for doorstep use, or £250 per dwelling equating to £3,500. The £3,500 commuted sum would be used to contribute to the ongoing maintenance/replacement of the existing provision in the Ward Jackson Park.

### *Built Sport Facilities*

2.97 Commitment to provide a contribution towards off-site built sports facilities. £250 per dwelling would equate to £3,500. The £3,500 commuted sum would be used to part fund or used as matched funding to contribute to built sports provision in the local area and/or elsewhere in the Borough.

### *Infrastructure*

2.98 A commitment to build and maintain the access road to an adoptable standard and to secure appropriate maintenance of open space areas within the site.

2.99 As the application is for over 55 occupiers there would be no requirement for the development to contribute towards the expansion in capacity of education provision as it is assumed there will be no school aged children occupying the dwellings. The over 55 occupancy would need to be secured through a suitably worded Condition should the application have been recommended for approval a condition would be recommended accordingly. It must be understood however that should the dwellings revert to “open market” housing, and not be age restrictive, through a variation of Condition application, there would be a likely requirement to contribute towards the existing and future education capacity in the local area. Any contribution would be delivered as a commuted sum and would contribute towards additional primary and secondary school place provision.

2.100 In terms of affordable housing, the proposals are for 14 dwellings and are therefore below the 15 dwelling threshold where affordable housing would be required.

2.101 The agent has confirmed that the above requirements would be acceptable should the application have been recommended for approval.

### Residual Matters

2.102 The Council's engineers have commented that a contaminated land Preliminary Risk Assessment would be required. Therefore should the application have been recommended for approval an appropriate condition would be recommended.

2.103 Cleveland Police were consulted on the application and have commented that should the applicant want to receive Secure by Design accreditation the police should be contacted directly. The relevant information has been forwarded to the agent in this regard.

2.104 Devaluation of property is a matter of concern raised by neighbouring residents. This is not a material planning consideration and therefore cannot be considered when assessing this application.

### Conclusion

2.105 Whilst the principle of residential development in a sustainable location would normally be acceptable it is considered that the proposal will have a detrimental

impact on the setting of the designated heritage asset comprising of listed buildings (Meadowcroft / Meadowside) and the character and appearance of the Park Conservation Area. Through the introduction of development into an area which would interrupt the views to and from the listed building to the open countryside which were a key concept behind the original design of the dwellinghouse. Through the further subdivision of garden areas interrupting the hierarchy of buildings within the area and negatively impacting on the character of the Park Conservation Area. Through the introduction of development into an area of land which forms a rural boundary to the south of the conservation area, causing significant harm to the historic character of the area.

2.106 No substantive evidence has been presented to suggest that the significant harm, as outlined above would be outweighed by the public benefits of the proposal. Therefore the development is considered to be contrary to the principles of paragraphs 131 and 132 of the NPPF and policy GEP1 and HE1 of the Local Plan.

### **EQUALITY AND DIVERSITY CONSIDERATIONS**

2.107 There is no evidence of equality or diversity implications.

### **SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS**

2.108 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.

2.109 There are no Section 17 implications.

### **REASON FOR DECISION**

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

### **RECOMMENDATION – REFUSE** for the following reasons.

1. In the opinion of the Local Planning Authority the introduction of a group of houses to the estate of Meadowcroft/Meadowside would intrude on views from and to the listed buildings and be contrary to the historic layout of the area of Meadowcroft and Meadowside to the detriment of the setting of the listed building(s). It has not been demonstrated that substantial public benefit would outweigh the significant harm caused to the designated asset. Therefore the proposal would be contrary to paragraphs 131 and 132 of the NPPF and policies GEP1 and HE8 of the Hartlepool Local Plan 2006.

2. In the opinion of the Local Planning Authority the proposed development would cause significant harm to the character of the Park Conservation Area by virtue of the visual impact of the development in an area which provides a green boundary to the conservation area and would be contrary to the historical layout of the area. It has not been demonstrated that substantial public benefit would outweigh the significant harm caused to the designated heritage asset. Therefore the proposal



would be contrary to principles within paragraph 131 and 132 of the NPPF and policies GEP1 and HE1 of the Hartlepool Local Plan 2006.

## **BACKGROUND PAPERS**

2.111 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.

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## MEADOWCROFT, ELWICK ROAD



THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY  
**HARTLEPOOL BOROUGH COUNCIL**  
 Level 1, Civic Centre, Hartlepool TS24 8AY  
 Department of Regeneration and Planning

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**Scale: 1:2000**

**Date : 21/10/14**

**H/2014/0163-H/2014/0169**



**No:** 3  
**Number:** H/2014/0179  
**Applicant:** Mr & Mrs S Cockrill Elwick Road HARTLEPOOL TS26 0BQ  
**Agent:** GAP Design Mr Graeme Pearson 7 Hylton Road HARTLEPOOL TS26 0AD  
**Date valid:** 18/06/2014  
**Development:** Listed building consent for the erection of fourteen unit retirement village, access road, entrance and enclosure details  
**Location:** Meadowcroft Elwick Road HARTLEPOOL

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## PURPOSE OF REPORT

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

## BACKGROUND

3.2 The application was deferred at the August committee meeting to allow members to undertake a site visit.

3.3 A site visit was undertaken prior to the September committee meeting and the application was considered by planning committee members at the meeting on 3rd September 2014. The committee were minded to approve the application subject to conditions delegated to the Planning Services Manager in consultation with the Chair.

3.4 Following the committee meeting however the National Planning Casework Unit (NPCU) contacted the case officer and advised that a request that the application be “called in” for decision by the Secretary of State had been received. Therefore the Local Planning Authority cannot issue a decision until this matter is resolved with the NPCU.

3.5 Following this intervention it became evident that English Heritage had not been formally consulted regarding the proposed development. Given the size of the application site and location within a conservation area consultation with English Heritage is a requirement. As such formal consultation with English Heritage has now taken place, in accordance with the requirements, and this report includes the consultation response from English Heritage for consideration by planning committee members along with all other consultee responses including those previously reported. This is in line with the advice of the Chief Solicitor.

3.6 The site and adjacent land has been subject to a number of planning applications and notably a number of refusals for residential development which have been successfully defended at appeal.

(H/OUT/0283/96) November 1996 outline permission for 9 detached dwellings together with access improvements and landscaping was refused on the grounds of adverse impact upon the character and appearance of the listed buildings and conservation area and character of the woodland.

(H/OUT/0553/97) February 1998 Outline permission for the erection of 3 detached dwellings, associated access and related tree works in the field area to the south of Meadowcroft was refused on the grounds of highway safety, impact upon the setting and character of the listed buildings, and conservation area. This refusal was upheld at appeal. The inspector noted in dismissing the appeal that *“the vista across the appeal site is, in my judgement, particularly important. The position and orientation of the original villa will have been established to take advantage of the open south-facing aspect towards open countryside and away from the urban development to the north. The woodland area curves around to the south and enhances this aspect which is directly across the appeal site”*.

(H/2005/5697) December 2005 Outline permission for the erection of four detached dwellings consisting of three no. within the field area to the south of Meadowcroft and one no. with a frontage on to Elwick Road was refused on the grounds of the adverse impact upon the character and appearance of the listed buildings, conservation area and relationship with the adjacent development. An appeal was submitted and later withdrawn.

(H/2005/6033) September 2005 an application for the erection of a gatehouse was refused on the grounds that it would be unduly large and would be out of keeping with the character of the listed buildings at Meadowcroft and Meadowside and with the Park Conservation Area. This refusal was upheld at appeal.

#### Background to adjacent site at Shu-Lin

3.7 The adjacent site, Shu-Lin (to the east of the application site) has also been subject to a number of applications which are summarised below

In December 2005 an application for the erection of 18 apartments on the site was submitted. This scheme in the form of a single three storey block was withdrawn in March 2006 after fundamental concerns were raised in relation to the scheme. (H/2005/6027).

In November 2006 a planning application for the erection of 17 apartments with access road and service facilities (H/2006/0304) was refused for the following reasons.

1. The proposed development by reason of its layout, architectural form and detailing including the miscellany of associated infrastructure would have a detrimental impact on the character and appearance of the Park Conservation Area contrary to policy HE1 of the adopted Hartlepool Local Plan 2006.
2. The proposed development would intrude on views from the listed building located to the north west and therefore detract from the setting of the listed building contrary to policy HE10 of the adopted Hartlepool Local Plan 2006.

The applicant subsequently appealed and the appeal was dismissed.

In March 2008 an application for the erection of three dwellings with attached double garages and associated private driveways and landscaping (H/2007/0141) was withdrawn after fundamental concerns were raised in relation to the scheme.

In June 2009 an application for the erection of a detached dwelling, garage and storage building was approved (H/2008/0663). This development was for a substantial detached property some 10.5m high to ridge, some 27.5m in width and some 21m in depth located at the northern end of the site. This application was not implemented though an application to renew the permission was approved in July 2012 (H/2012/0186).

In April 2012 an application for the erection of two detached dwellings was refused. The dwellings proposed were identical in design and appearance and measured some 19.7m wide, some 11.4m deep and some 9.8m to the ridge (excluding porches, garages and single storey offshoots).

In October 2012 an application for the erection of two dwellinghouses (H/2012/0354) was approved by Planning Committee against Officer recommendation.

In January 2013 an application for the erection of a detached bungalow and detached garages (H/2012/0563) was approved. The bungalow replaced the southern most dwellinghouse approved under the provision of H/2012/0354 above. A minor material amendment application (H/2013/0057) has since been allowed.

3.8 These residential properties (known as Summerhill view and Fentons) are now completed and occupied.

## PROPOSAL

3.9 Following discussions with English Heritage the scope of the requirement for Listed Buildings Consent for the scheme as proposed has been clarified. This relates to the parts of the proposal which involve alterations to the structures within the curtilage of the listed building and therefore relates to works at the entrance to the site and principally alterations to the enclosure here, the walls and gates. These works relate to the provision of boundary walls and vehicular and pedestrian access gates (x3) to be provided to the development and the existing property. These include a 1.8 metre high brick feature wall with pillars. The access gates will measure a maximum of 2 metres.

## **SITE CONTEXT**

3.10 The major part of the application site consists of a paddock measuring approximately 0.73 hectares to the rear of Meadowcroft, a residential property which along with its neighbour Meadowside are Grade II listed buildings. The site is also located within Park Conservation area which was designated in 1979.

3.11 There are a number of mature trees within, and surrounding, the site and the proposed access passes through an area of woodland.

3.12 The surrounding area is predominantly residential in nature with the surrounding properties consisting of large well established properties set within generous plots. There are also properties adjacent to the site which have been recently constructed (on land to the rear of Shu-Lin). There is a park directly to the north of the application site, with a busy highway to the north, Elwick Road, providing access to the site.

## **PUBLICITY**

3.13 The application has been advertised by way of neighbour letters (19). To date, there have been 6 objections. The concerns raised are:

- Out of keeping with the character of the conservation area
- Out of keeping with character of listed building
- Loss of trees and impact upon the existing woodland
- Extensive loss of existing trees poses a security threat to existing homes.
- Loss of view to open countryside from Meadowcroft and Meadowside which are listed buildings
- Development will result in a loss of green area affecting the setting of the listed buildings
- Dangerous access point will be significantly intensified
- Access road will destroy the tranquility of the area
- Drainage and sewerage disposal is already at capacity
- Development will result in disturbance for neighbouring residential properties during construction
- Increased risk of flooding
- Impact upon wildlife
- The site is of archaeological interest and should approval be granted a recording condition should be recommended and appropriately policed
- Works have already commenced to provide access track and remove trees
- Photographs in the submitted statement depict when trees are in full leaf and are therefore misleading
- Devaluation of properties
- Objections have been submitted by the applicant to other similar developments in the area.

3.14 Eleven letters of support have been received on the grounds that the proposal will provide facilities which is needed to serve the town.

3.15 Copy Letters **E**

## CONSULTATIONS

3.16 The following consultation replies have been received:

**English Heritage** Comments awaited.

**Tees Archaeology** I have screened the proposal against the Historic Environment Record and note that ridge and furrow earthworks are present on part of the development area. These earthworks represent medieval or later agricultural activity and are of local archaeological interest. To the south and west are the remains of the deserted medieval settlement of Tunstall. Archaeological remains have been noted during construction work at Tunstall Hall to the immediate west. The site has archaeological potential as it contains earthworks, potentially of medieval date, with documented evidence of medieval settlement directly adjacent. The site has archaeological interest.

In this case the upstanding remains are limited to a former field system which is now fragmented and a case cannot be made for its physical preservation. The site appears to be outside of the main core of the deserted settlement and any archaeological features are likely to consist of features such as boundary ditches and waste disposal pits rather than more important structures such as buildings. They are also unlikely to preclude development or prove to be of major significance.

I therefore recommend, in accordance with the NPPF (para. 141) that any archaeological remains, including the ridge and furrow earthworks are subject to archaeological recording prior to and during development. A survey should be made of the extant earthworks in the first instance. The site should then be monitored by an archaeological contractor during any ground disturbance and any archaeological features or finds should be fully investigated and recorded prior to destruction.

I recommend a suitable following planning condition to secure these works

**Victorian Society** Thank you for consulting the Victorian Society on this application. We object to the proposed erection of fourteen residential units in the historic grounds of Meadowcroft as it would harm the setting of the listed building and erode the character of the designated Conservation Area in which it is situated.

Meadowcroft is a large villa of 1895 built for John Rickinson, a wine and spirits merchant, and was one of several substantial houses erected in west Hartlepool towards the end of the nineteenth and the beginning of the twentieth centuries. As the *Park Conservation Area Appraisal* notes, on page 39, the area around Ward Jackson Park was “where the wealthy industrialists of the late Victorian and Edwardian period built their mansions”. It “is an area of fine environment notable for its many large houses and its particularly fine trees and woodland”. The Appraisal goes on to identify both the Briarfields and Meadowcroft estates as two that “still define the character of the conservation area’s green low-density layout”. Meadowcroft remains one of the best and “most intact” (CAA p.88) examples of the grand suburban estate, with formal gardens, woods and fields to the south. Despite later development to west the estate is “still with enough historic structure to be



discernible” (CAA, p.38). The Conservation Area then is defined as much by its green pastoral setting as by the fine architectural set pieces which are located here, and in the case of Meadowcroft also by the blur that exists between the estate and the countryside beyond.

The application proposes the erection of a fourteen-unit retirement village in the grounds of Meadowcroft, with new vehicular access track. We object in principle to this development. The new buildings would occupy a large plot and would sit at the heart of the surviving estate, in close proximity to the listed building. They would encroach upon its immediate setting and erode the Arcadian character of its wider grounds that are of such essential and acknowledged importance to the setting of the listed building and the wider Conservation Area.

The CAA highlights the danger of just this sort of development. On page 10 it states that “infill developments in the large garden areas of the large houses can pose a threat to the environment if not adequately controlled”. It also highlights that previous attempts to develop in the grounds of Meadowcroft in both 1998 and 2006 were unsuccessful, having been opposed by English Heritage, refused consent by the Council and subsequently turned down at appeal. In both cases it was the importance of Meadowcroft’s spatial and visual relationship with the open land to the south – deemed sufficiently important to the listing of the building and the designation of the Conservation Area – that formed the basis of those decisions. In exercising its planning powers Hartlepool Council has a statutory duty to pay special attention to the desirability of preserving the listed building and its setting, as well as a statutory duty to preserve or enhance the character and appearance of conservation areas. This application would do neither. It would harm the setting of the listed building and its “coherent” grounds, and would erode the character and appearance of the Conservation Area. On these grounds it should be refused consent.

**Arboricultural Officer** The Tree Survey and Plan that was submitted with this application provides a reliable and accurate picture of what trees are currently there and also provides an overview of how the woodland is to be managed at a later date should permission for the Retirement Village be granted.

The trees in this area are currently protected by Tree Preservation Order no. 100 which legally protects them from being removed or pruned without the consent of the Local Planning Authority. This is in addition to the status of The Park Conservation Area which also gives them similar protection.

The applicant has provided a comprehensive report identifying these trees individually and setting parameters which place some at risk from the development itself and others which are included within the overall management of the woodland belt itself.

Historically, before the applicant acquired this land, the woodland area comprised a neglected stand of trees consisting mainly Sycamore at very close spacing, intermingled with elms, chestnut, beech, and an under-storey of yew, elder, holly and bramble with a lot of ivy. Most of the elms had died through Dutch Elm Disease and any understory trees that existed were getting strangled by ivy.

Both the previous owner and the current owner have contributed to the removal of these elms and as they were exempt from the Order it was not necessary to request approval from the Local Planning Authority. That said, much of the undergrowth has also been removed together with some of the lower branches of the existing trees. To put it into context, the woodland floor, which had previously been smothered with ivy will support a more diverse range of species if it is allowed to.

There are 8 trees that will be removed as a direct consequence of the road alignment and crown overhang into the proposed development site. A further 18 have been classified as being in poor condition and although it is advisory at the moment, they do not need to be removed to accommodate the new development.

The management of the woodland as described, will include a phased removal of trees and is consistent with the priority for replanting because it would establish cleared areas for groups to promote successful establishment by increasing light and reducing competition. New planting would include a range of sizes of plant stock combining feathery and transplants. These are the most likely to grow and establish healthily. Species mixes would be designed ultimately to emphasise a semi-natural range of trees similar to those present, with the aim of enhancing wildlife benefit/biodiversity.

Having looked at the site and taking in the context of any new changes, the proposed work to these trees is of a minor nature and will allow those remaining, more room to expand. The consultants undertaking this report have a proven track record and I am prepared to accept their findings and recommendations.

Should this application be accepted I will need to see details of a woodland management plan and detailed landscape proposals which can be conditioned but as far as the layout goes, I am satisfied with the consultants report and recommendations.

**Hartlepool Civic Society** Meadowcroft, an important listed building, situated within its own grounds, in the Park Conservation Area, is a valued part of the town's heritage – a designated heritage asset.

An important feature is the setting of this building which contributes to its status. The illustration on the front of the tree survey (12071029) clearly shows the quality of this setting. Indeed, in the Inspector's comments from an appeal against refusal of a previous application, reference was made that 'undeveloped spaces to the south of Meadowcroft/Meadowside, continue to contribute to the setting of this listed building'.

It is obvious that any development within the grounds would immediately degrade it. The Council has a duty within the provisions of the National Planning Policy Framework to protect heritage assets – viz

**PARA 131** – 'in determining planning applications, locally planning authorities should take account of .... The desirability of sustaining and enhancing the significance of heritage assets and ... the desirability of new

development making a positive contribution to local character and distinctiveness’.

**PARA 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’. It goes on to note that, ‘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.

‘Significance’ in the NPPF is defined as. ‘The value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset’s physical presence, but also from its setting.’

The Borough’s conservation areas are a major component of its status and it is vitally important that they are protected. One of the policies in the ‘Saved Policies from the Local Plan’ document – HE1 – includes:-

‘Proposals for development within a conservation area will be approved only where it can be demonstrated that the development will preserve or enhance the character or appearance of the area and where the development does not adversely affect the amenities of occupiers of adjoining or nearby properties.’

Following a number of previous applications/appeals the comments from the Inspectors are well documented – an example of which:

‘In my opinion the undeveloped spaces to the south of Meadowcroft/Meadowside, including the appeal site, continue to contribute to the setting of this listed building’ Given the detrimental impact upon this part of the conservation area that I have already identified, and the importance of these same undeveloped spaces to the setting of Meadowcroft/Meadowside, I cannot escape from the conclusion that the setting of the listed building would also be materially harmed by the proposed development.’

The views to and from the listed building will be totally destroyed by the development of houses which are actually two-storey.

The current application would require the removal of a number of mature trees, this again, would be detrimental to the conservation area, the tree cover in the Borough is very low as it is. In this area in particular, trees should be protected, not removed.

When looking at the plans, the proposed houses are pushed to the very edge of the site, close to existing trees – history tells us that it would only be a matter of time when the residents would be applying for removal of the trees pleading that they would be too near their houses!

In connection with access – the proposal of a carriageway construction going through the section of woodland again diminishes the nature of the setting – this could only be done by damaging trees which may have been done already.

According to the experts, the proposed roadway would not conform to Hartlepool Borough Council's specification. There are also anticipated problems with cars entering the main busy main road on a bend, therefore there will be difficulties with sighting etc. The manoeuvres required will be highly dangerous.

We would draw the Council's attention to the following issues highlighted in the Park Conservation Area Appraisal produced by the North of England Civic Trust for Hartlepool Borough Council. Issues 4, 14, 15, 49 and 53 are particularly relevant All extol the virtues and importance of the landscape associated with Meadowcroft/Meadowside and this corner of the Park Conservation Area. Drawing on just a couple of quotes "protecting view of the conservation area from the outside is important, particularly at the gateways to the area and from Summerhill". "Views north from Summerhill are defined by heavy tree cover at and in land to the south of Meadowcroft" and "at Meadowcroft estate, the excising balance between plot sub-division and open land should be preserved, further sub-division would ham its historical layout character. No further buildings should be sited as far south as Shun Lin". With the appraisal in mind, this application cannot be considered to enhance or contribute to the Conservation Area or the setting of the listed building.

If this application were to be accepted it would totally destroy this Listed building and its setting and further detrimentally change the Conservation Area. We would urge the Borough Council to refuse this application.

**HBC Conservation Officer** Listed building consent is sought for the erection of a new entrance to Meadowcroft / Meadowside in the form of a new wall and a set of entrance gates to the driveway leading to the house and a similar set of gates leading to the garden. A third set of gates and enclosure, will also be provided for the access to the new buildings at the rear of the property.

The wall is contemporary with Meadowcroft / Meadowside and is therefore considered to be part of the grade II listed building hence the alteration of the entrance and the attachment of a new wall requires consent. This site is also located within the Park Conservation Area. Both of these are designated heritage assets as defined by National Planning Policy Framework (NPPF).

Relevant planning policy can be found in NPPF. The following paragraphs should be considered.

Paragraph 6 states that 'The purpose of the planning system is to contribute to the achievement of sustainable development.' There are said to be 'three dimensions to sustainable development; economic, social and environmental.' The environmental role is stated as, 'contributing to protecting and enhancing our natural, built and historic environment'.

Paragraph 17 of the document sets out the core planning principles stating that, planning should, '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'.

Paragraph 131 states that, 'in determining planning applications, local planning authorities should take account of...the desirability of sustaining and enhancing the

significance of heritage assets and...the desirability of new development making a positive contribution to local character and distinctiveness.'

Paragraph 132 states that, 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.' It goes on to note that, '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.'

Local plan policy HE8, 'Works to listed buildings' is relevant. This states, 'Traditional materials and sympathetic designs should be used in works to listed buildings, to buildings adjacent to listed buildings and to those buildings which affect the setting of a listed building.'

The boundary wall which runs along the northern edge of the site is described in the Park Conservation Area Appraisal as, 'one of the most distinctive features of the conservation area. The tall panelled section at the west end is very prominent on Elwick Road'.

The entrance to the site is not original to Meadowcroft but a new entrance created when the house was subdivided into two. The main boundary wall of the property will remain with a new wall extended into the site. The significance of this element of the listed building is found in the wall facing on to Elwick Road rather than the altered entrance therefore this proposed development will not harm the significance of this element of the heritage asset.

There would be no objection in principle to the proposed alterations to the boundary wall however it is suggested that there should not be any decoration to the wall other than a plain coping, i.e. the spheres to the pillars should be omitted. There is a walled garden in existence and a simple wall, gates and coping would reflect this. In addition this would reinforce the entrance as secondary to the original main entrance which can be found some distance away.

It is requested that the following conditions are considered.

- Final details of the wall are agreed.
- Sample brick and copings are provided.
- A section of the wall is built for consideration to enable the mortar finish to be agreed.

## **PLANNING POLICY**

3.17 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

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

<b>Policy</b>	<b>Subject</b>
GEP1	General Environmental Principles
GEP2	Access for All
GEP3	Crime Prevention by Planning and Design
GEP9	Developer Contributions
Hsg9	New Residential Layout
Tra16	Car Parking Standards
HE8	Works to Listed Buildings (Including Partial Demolition)

### National Policy

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

14	Presumption in favour of sustainable development
32	Transport Statements or Transport Assessments
34	Sustainable modes of transport
47	Supply of housing
48	Windfall sites
49	Five year land supply
58	Quality of development
72	Sufficient choice of school places
96	Decentralised energy supply
128	Determining planning application for Heritage Assets
129	Identify and assess the Heritage Asset
131	Determining planning applications
132	Impact of a proposed development on Heritage significance
133	Substantial harm to or total loss of significance
134	Less than substantial harm to the significance
137	New development within Conservation Areas
138	Elements of a Conservation Area
187	Approve applications for sustainable development
196	Determination in accordance with the development plan
197	Presumption in favour of sustainable development

## **PLANNING CONSIDERATIONS**

3.20 The main issues for consideration are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the impact upon the listed buildings which are defined heritage assets.

3.21 The boundary wall which runs along the northern edge of the site is described in the Park Conservation Area Appraisal as, 'one of the most distinctive features of the conservation area. The tall panelled section at the west end is very prominent on Elwick Road'.

3.22 The entrance to the site is not original to Meadowcroft but a new entrance created when the house was subdivided into two. The main boundary wall of the property will remain with a new wall extended into the site. The significance of this element of the listed building is found in the wall facing on to Elwick Road rather than the altered entrance therefore this proposed development will not harm the significance of this element of the heritage asset.

3.23 The HBC Landscape Planning & Conservation Manager raised no objection in principle to the proposed additions/alterations to the walls and gates subject to conditions including a condition relating to the detailing of the wall. In particular it is suggested that there should not be any decoration to the wall other than a plain coping, i.e. the spheres to the pillars should be omitted. There is a walled garden in existence and a simple wall, gates and coping would reflect this. In addition this would reinforce the entrance as secondary to the original main entrance which can be found some distance away.

3.24 The application is recommended for approval subject to conditions.

## **EQUALITY AND DIVERSITY CONSIDERATIONS**

3.25 There is no evidence of equality or diversity implications.

## **SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS**

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

3.27 There are no Section 17 implications.

## **REASON FOR DECISION**

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

**RECOMMENDATION – 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 (1404:ER:Sk.05 Location Plan, 1404:ER:Sk.04 Proposed site layout Enclosure Details, 1404: P.05 location plan and entrance elevations, 1404:P.06 Proposed site layout Enclosure and SW Outfall Details (Trees omitted for clarity)) and details received by the Local Planning Authority at the time the application was made valid on 18th June 2014, as amended in respect to the final details of the walls by condition 3 below.  
For the avoidance of doubt.
3. Notwithstanding the submitted details final details of the walls shall be submitted to and approved in writing by the Local Planning Authority. The walls shall thereafter be constructed in accordance with the plans so approved.  
In the interests of the character and appearance of the listed building.
4. Details of all external finishing materials (bricks and copings) 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 the character and appearance of the listed building.
5. Prior to the commencement of work on the wall a sample panel of one square metre of walling using the approved materials shall be constructed on the site and approved in writing by the Local Planning Authority. The remainder of the wall shall thereafter be constructed in accordance with the sample and so approved.  
In the interests of the character and appearance of the listed building.
6. This permission relates only to the walls and gates (vehicular and pedestrian x3) to be constructed at the north western end of the site.  
To clarify the extent of the permission.

## BACKGROUND PAPERS

3.29 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.

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## MEADOWCROFT, ELWICK ROAD



THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY  
**HARTLEPOOL BOROUGH COUNCIL**  
 Level 1, Civic Centre, Hartlepool TS24 8AY  
 Department of Regeneration and Planning

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**Scale: 1:2000**

**Date : 21/10/14**

**H/2014/0163-H/2014/0169**



**No:** 4  
**Number:** H/2014/0177  
**Applicant:** Brenda Road Holdings Ltd Nelson House David Place St Helier JERSEY NE2 4TD  
**Agent:** AAD LTD Mr Pramod Kumar 15 ST Albans Grove Kensington LONDON W8 5BP  
**Date valid:** 18/07/2014  
**Development:** Outline application with access (all other matters reserved) for the demolition of buildings on the site and redevelopment to provide a residential care home (70 beds - Use Class C2), 300 residential apartments with care for persons aged 55 and over (Use Class C2), 50 residential apartments (Use Class C3) 80 key worker apartments (Use Class C3), 80 houses (use class C3), community centre (Use Class D1), retail (Use Class A1), workshops and offices (Use Class B1) 641 parking spaces, bandstand and associated works.  
**Location:** Land at Brenda Road HARTLEPOOL

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## PURPOSE OF REPORT

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

## BACKGROUND

4.2 There has been no recent relevant planning history in relation to the site.

## PROPOSAL

4.3 Outline planning permission with details of access is sought for the demolition of buildings on the site and redevelopment to provide a residential care home (70 beds - Use Class C2), 300 residential apartments with care for persons aged 55 and over (Use Class C2), 50 residential apartments (Use Class C3) 80 key worker apartments (Use Class C3), 80 houses (use class C3), community centre (Use Class D1), retail (Use Class A1), workshops and offices (Use Class B1) 641 parking spaces, bandstand and associated works. Matters of appearance, landscaping, layout and scale are reserved.

4.4 The proposed development can be broken down as follows:

### Use Class C2 (Residential Care)

Residential care home (2 storeys) – 70 beds

1 bed apartments with care (Mix of 3 and 4 storeys) – 50 units

2 bed apartments with care (Mix of 3 and 4 storeys) – 250 units

1 bed apartments

Use Class C3 (Residential Dwellings)

1 bed apartments (Mix of 3 and 4 storeys) – 70 units

2 bed apartments (Mix of 3 and 4 storeys) – 60 units

3 bed townhouses (4 storeys) – 80 units

Use Class B1 (Light Industrial and Offices)

33,314 sq ft (3094 sqm)

Retail

2,153 sq ft (200 sqm)

Use Class A3 (Café)

1,400 sq ft (130 sqm)

Use Class D1 (Non Residential Institutions)

Community Centre and Crèche 10,010 sq ft (929 sqm)

4.5 The proposed apartments with care would operate on the basis that the residents would be over 55 and would purchase a care package. The care package would entail a weekly or monthly fee which would be based on the level of care the resident would require.

4.6 Within the application documents the applicant has set out that a proportion of the C3 Use Class accommodation would be for veterans. There is no agreement in place with the Ministry of Defence (MOD) to provide such accommodation in Hartlepool. It is not possible to either condition or enter into a legal agreement with the applicant to provide accommodation for the sole occupation by veterans and their families.

4.7 The applicant has stated that there would be provision made for 80 key worker apartments. A key worker is a public sector employee who is considered to provide an essential service. Key worker housing allows essential public service employed individuals to rent or buy a home. There is no established need for this type of property in Hartlepool. Key worker housing differs from affordable housing.

4.8 The proposed development would be a gated community with the management and maintenance of the internal highway network and shared amenity spaces being carried out by a management company. No details of the management company have been provided at this stage.

## SITE CONTEXT

4.9 The application site constitutes land at Brenda Road and is allocated for industrial/commercial use by local plan policy IND5 of the Hartlepool Borough Council Local Plan. The site is bounded to the north by Seaton Lane, to the west by Brenda Road, and to the east by the Middlesbrough/Hartlepool railway line. There is currently no development to the south of the application site. The application site occupies an area of approximately 11.8ha.

4.10 There are a number of existing buildings located within the northwest area of the site and a single warehouse located in the southeast. These buildings are to be demolished, number 31 Seaton Lane, a residential dwelling, also forms part of the application site, it would be demolished for access. The overall site is under occupied by industrial/commercial uses with the following buildings on site being utilised:

- A large warehouse building is leased by The Fitness Connection, Car Clinic, Trailer and Towbar Centre.
- Two smaller warehouse buildings to the south, consisting of Abbots Engineering and JJ Hardy's Engineering.

## PUBLICITY

4.11 The application has been advertised by way of neighbour letters (223), a press notice and three site notices. To date, there have been two letters of do not want to object, one letter of support, three letters of comments and thirty two objections, which includes one petition.

4.12 One letter of support has been received making the following comments:

- Would provide affordable accommodation.
- Groundbreaking facilities for elderly care.
- Would provide veterans accommodation.
- The modular method of construction will ensure that the development will more than adequately address issues of energy efficiency, climate change and sustainability.
- Long term jobs will be created.
- Visual amenity of Brenda Road will be improved.
- Will stimulate the local economy.
- The bio-diversity of the site will improve.

4.13 Three letters of comments have been received making the following observations:

- No objection as long as what is planned remains and they don't try and squeeze more homes onto the land.
- At least the application includes green areas (pond etc).
- No objection but would like the Brenda Road speed limit reduced to 30mph.
- Concerns regarding additional traffic coming onto an already busy road.

Thirty two objections, including one petition have been received making the following comments:

- Will impact on local wildlife, destroying their habitat.
- The buildings would not be in keeping with the area.
- High rise blocks of low cost flats not in keeping with an area that is bungalows, green fields and two storey private family homes.
- The three/four storey blocks will overlook my garden.
- The development looks crammed with accommodation of one type.
- Overdeveloped
- Too many buildings
- The access road will affect the security of our home.
- The description is deceiving the accommodation is not for “older people, veterans or cosy families” it will be rented accommodation for lowlives and derelicts.
- As the plans stand I will lose my garage and drive plus entrance to my property.
- A high number of people in an area with little resources, although do accept there will be community facilities.
- High crime potential.
- If not enough veterans or over 55's take up the accommodation, the housing will be made available to anyone including Council lets.
- Loss of privacy
- Some properties have covenants to prevent building over drains.
- How many with potential health problems will want to live three or four stories high.
- A self-sufficient village will alienate itself from the already functioning community.
- Highway safety.
- Seaton Carew is becoming overdeveloped.
- Close proximity to industrial factories working 24/7 and noise created by these.
- Loss of trees
- Unsuitable, overdeveloped layout.
- Lack of recognition of surrounding heavy industry.
- Residents of the development may well complain about noise and traffic levels on Brenda Road, this in turn may have a detrimental effect on business development around the Brenda Road Area.
- My business is transport, any future restriction that may be placed on my business through the complaints of residents of the development or indeed on any of the business on Brenda Road which my depot relies on, may have a severe economic impact upon my business as well as others that rely upon mine.
- Development not appropriate to the history and character of the area.
- Caparo Forging Europe and Tata Steel employ significant numbers of people. Both businesses have the propensity to create significant amounts of noise and vibration.

- The development is not complementary to the industrial area of Brenda Road.
- The development is not suitable for vulnerable people as it is inappropriate and out of character with the site and its surroundings.
- The noise survey is full of questionable assumptions and attempts to paint a rosy picture, which does not accurately reflect the true position.
- The noise survey misquotes Caparo Forges hours of operation.
- It is the contention of Caparo Steel that occupiers of the proposed development would experience unacceptable levels of noise and disturbance contrary to policy GEP1.
- Caparo forge employs just over 100 people and puts £2 million into the local economy each year. Caparo Forging Europe intend to invest in the Brenda Road site (including upgrading to heavy hammers), which would secure existing employment and could generate additional employment. As part of the plans the plant would move onto a 24/7 operation.
- Fears have already been voiced that if the development were to proceed, Caparo Forge could find itself in a position where transferring operations to its sister plant in Poland became a necessity.
- Tata Steel Tubes is unable to eradicate noise entirely from its process and are conscious that as housing developments continue to be built adjacent to the Brenda Road site, the noise emitted from the process will create a nuisance problem to the inhabitants.
- Will exacerbate flooding problems in the area.
- Covenants on some of the land to the rear of Seaton Lane.
- If the covenant is removed will the buildings be built closer to existing homes than what is shown on the plan?
- Drainage problems
- The plan incorrectly shows the location of my garden.
- Do we really need a self-sufficient village which would be alienated from an already functioning community?
- Object on the grounds of the poor state of the roads at Brenda Road and Seaton Lane – these roads require resurfacing.
- Unduly large development.
- Do not want blocks of flats.
- Do not consider blocks of flats a village.
- Increased strain on local landfill sites.
- Is it health effective to build so close to a landfill site?
- Will affect daylight and sunlight into our property.
- Increased traffic and congestion
- Additional noise and disturbance.
- Affect on local schooling – schools are already overcrowded.
- Loss of open outlook
- Invasive
- Overlooking
- Buildings 3 and 4 storeys high out of keeping with local dwellings.
- The opening up of the old River Stell will inevitably lead to flooding outside the existing flood plain.
- Agree with the Economic Regeneration manager's objection.



- A new road leading off the bend in Seaton Lane will potentially cause problems.
- Not enough information provided.
- How long will the work last?
- Impact on existing property values.
- Proximity of buildings to my property.
- Will significantly alter my outlook.
- Not a suitable location for the elderly.
- I have regular use of the gym you propose to demolish.
- I have my caravan in storage in the area you propose to demolish.

#### 4.14 Copy Letters **G**

4.15 The period for publicity has not expired, as re-consultation has been carried out following the submission of amended details.

### **CONSULTATIONS**

4.16 The following consultation replies have been received:

**Tees Archaeology:** No objection

**Office for Nuclear Regulation:** No objection

**HBC Economic Development:** Strongly objects to the development. The Brenda Road site is adjacent to heavy industry including TATA Steel and Caparo Forge, both of whom employ significant numbers of employees and operate sophisticated and high value supply chains that local businesses benefit from. The two businesses are an important part of the local economy and do at times create a significant amount of noise. The future scenario is easy to see whereby residents of this proposed development will lodge noise complaints with a real potential to affect the operation of both these businesses and ultimately reduce their efficiency and competitiveness within a global market place. This could easily result in the two businesses closing and relocating elsewhere in the UK or indeed abroad. This would be disastrous for the local economy and would also send a highly negative message to other local businesses and other potential inward investors.

Whilst highlighting two specific businesses above, there are concerns about impacts on other businesses in the locality including COMAH sites, the potential negative impact on the development of a new nuclear power station and the loss of employment land.

Hartlepool is short of around 3,000 jobs in the local economy and therefore needs to achieve significant business growth, much of which will come from the Brenda Road area. It is therefore imperative that industry in the area is protected from major barriers to growth and this proposal certainly represents a more than significant impediment to achieving economic prosperity.

No specific objection to the development itself but it should be situated in an appropriate residential location.

**HBC Engineering Consultancy:** No objection subject to conditions.

**HBC Landscape:** No objection subject to conditions.

**HBC Ecology:** No objection subject to conditions

**HBC Housing Services:** No comments offered

**HBC Parks and Countryside:** as mentioned in the Design and Access Statement; there are a number of public and permissive rights of way that are located to the south, east and north of the proposed development site.

These rights of way are well used and appreciated by the local and visitor population alike.

There are opportunities to link the site to these access routes and provide even better enjoyment of the recreational facilities that are close by.

The health and wellbeing of the future population of the development would be enhanced by these links being made available to them, their families and friends.

**HBC Public Protection:** No objections subject to condition

**HBC Property Services:** No comments offered

**HBC Traffic and Transportation:** Comments currently under discussion

**National Grid:** No comments offered

**The Chief Fire Officer:** Comments on system

**Environment Agency:** No objection subject to condition

**Hartlepool Water:** No objection

**Northumbrian Water:** No objection provided the development is carried out in accordance with the pre-development enquiry requirements.

**Cleveland Police:** Recommends the principles of Secured by Design be considered as part of the development.

**HSE (PADHI+):** Does not advise against on safety grounds

## **PLANNING POLICY**

4.17 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

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

GEP1: General Environmental Principles  
 GEP2: Access for All  
 GEP3: Crime Prevention by Planning and Design  
 GEP7: Frontages of Main Approaches  
 GEP9: Developers' Contributions  
 GEP12: Trees, Hedgerows and Development  
 Ind5: Industrial Areas  
 Hsg9: New Residential Layout  
 Hsg12: Homes and Hostels  
 Tra11: Strategic Road Improvements  
 Tra16: Car Parking Standards  
 Tra20: Travel Plans  
 Rec2: Provision for Play in New Housing Areas  
 GN3: Protection of Key Green Spaces

National Policy

4.19 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.

Para 2: Application of planning law (development plan and material considerations)  
 Para 6: Purpose of the planning system – creation of sustainable development  
 Para 7: Three dimensions to sustainable development  
 Para 13: The National Planning Policy Framework constitutes guidance  
 Para 14: Presumption in favour of sustainable development  
 Para 17: Core planning principles

Para 22: Avoid long term protection of undeliverable employment site  
Para 36: Travel Plan requirement  
Para 37: Minimise journey lengths  
Para 47: To boost significantly the supply of housing  
Para 49: Housing and the presumption in favour of sustainable development  
Para 56: Design of the built environment and its contribution to sustainable development  
Para 57: High quality inclusive design  
Para 61: The connections between people and places  
Para 64: Improving the character and quality of an area  
Para 66: Community involvement  
Para 96: Minimise energy consumption  
Para 100: Inappropriate development in areas at risk of flooding should be avoided  
Para 109: Contribute to and enhance the natural and local environment  
Para 196: Determination in accordance with the development plan  
Para 197: Presumption in favour of sustainable development  
Para 203 – Para 206: Planning Obligations

## **PLANNING CONSIDERATIONS**

4.20 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the principle of the development, housing mix, residential amenity design and layout, noise, drainage, ecology, landscaping and trees, highways, contamination, viability and developer obligations.

4.21 Discussions with HBC Traffic and Transportation are ongoing, an update report will follow.

## **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 The final scheme will be designed with the reduction of crime and anti social behaviour in mind.

4.25 There are no Section 17 implications.

## **REASON FOR DECISION**

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

## **BACKGROUND PAPERS**

4.27 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.

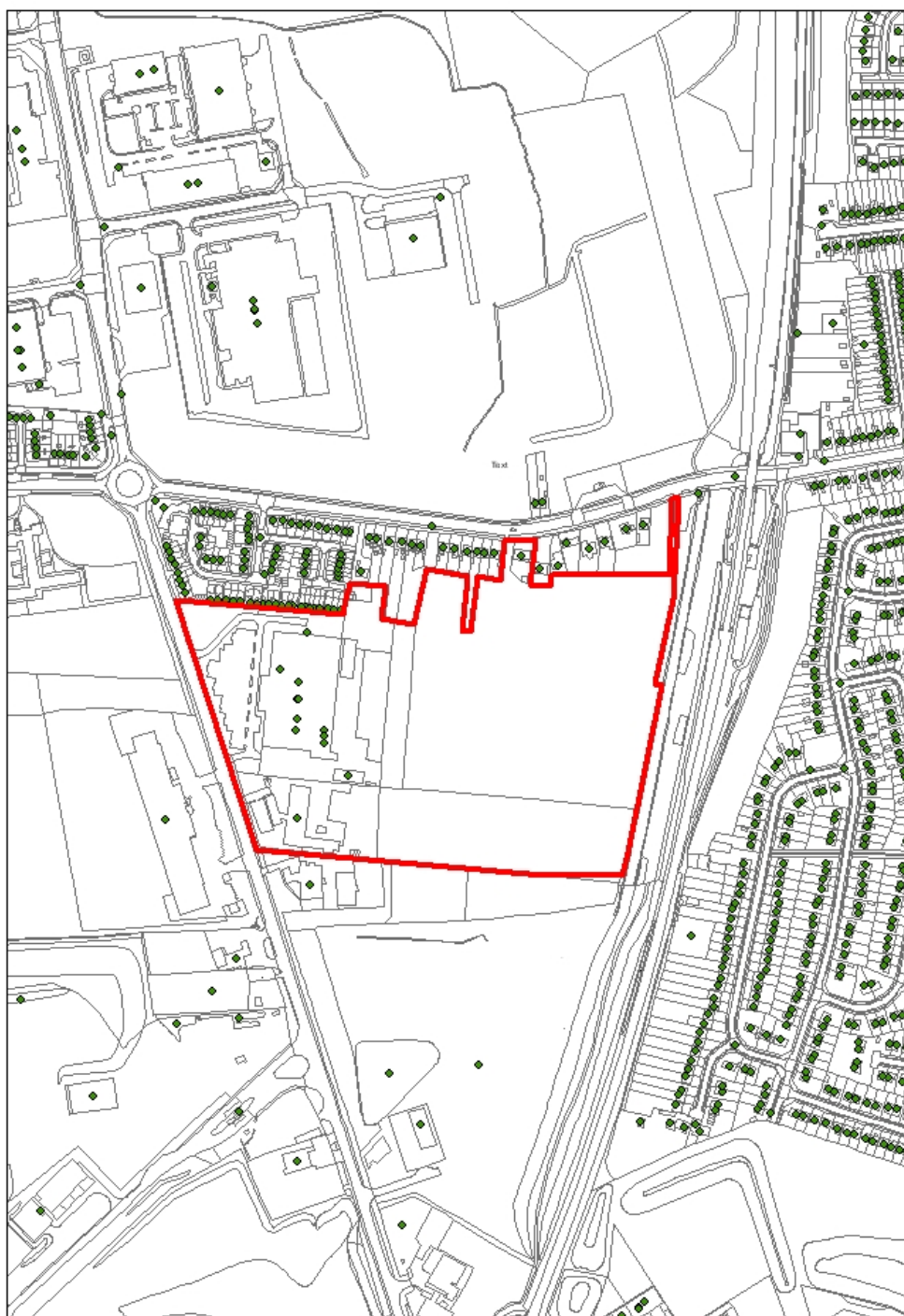
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## LAND AT BRENDA ROAD - SEECAH VILLAGE



THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY  
**HARTLEPOOL BOROUGH COUNCIL**  
 Level 1, Civic Centre, Hartlepool TS24 8AY  
 Department of Regeneration and Planning

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**Scale: 1:1000**  
**Date : 12/09/14**  
**H/2014/0177**



**No:** 5  
**Number:** H/2014/0308  
**Applicant:** c/o Agent  
**Agent:** Smiths Gore Mr Robert Murphy 26 Conisdiffe Road  
Darlington DL3 7JX  
**Date valid:** 16/07/2014  
**Development:** Outline planning application with all matters reserved for residential development comprising the erection of 29 dwellings  
**Location:** LAND OFF STATION ROAD GREATHAM

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## 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 The application has been referred to Committee as there have been 11 objections received.

## PROPOSAL

5.3 Outline permission is sought for residential development with all matters reserved. An indicative layout was originally submitted for 31 dwellings, due to issues raised in particular from highways an amended layout was submitted for 29 dwellings. The indicative layout shows a row of eight terraced dwellings at the northern end of the site with detached and semi-detached dwellings forming the remainder of the development. Vehicular access is shown to be taken from Station Road to the east with an additional pedestrian access to the north. A pumping station and SUDS (sustainable urban drainage) infiltration pond are shown in the south east corner of the site.

## SITE CONTEXT

5.4 The site extends to 0.99 hectares and is currently overgrown agricultural land. It is located between Station Road and Egerton Terrace and bounded by Greatham Primary School to the south west. There are a number of mature and semi mature trees bounding the site with mature and dense hedgerows along the Station Road boundary.

5.5 The site lies outside of, but directly adjacent to Greatham's Conservation Area which covers the west of the village. The village derives from its original establishment as a medieval settlement in the 11<sup>th</sup> to 13<sup>th</sup> centuries, with residential buildings predominantly comprising of 18<sup>th</sup> and early 19<sup>th</sup> farmhouses, townhouses and cottages to the north and 1960/70's housing to the south of the application site.



5.6 There are public footpaths to the south of the site which forms a link to the residential properties on Hill View, Saltaire Terrace and Egerton Terrace and the village beyond. Further south are residential properties. To the north and east is Station Road, beyond which are residential properties, sports pitches and allotment garden. To the west is Greatham Primary School and its playing fields and residential properties which front onto Egerton Terrace and Station Road.

## **PUBLICITY**

5.7 The application has been advertised by way of press notice, site notice (20) and neighbour letters (46). To date, there have been 11 letters of objection and 1 letter of no objection. Re-consultation was carried out on the amended indicative layout received, 2 letters of objection and 1 letter of no objection were received.

5.8 The concerns raised are:

- Development is excessive and moving a way from character of village
- Level of properties is not necessary or in keeping with identified housing need
- Noise pollution and traffic congestion
- Footpath through estate will have potential to increase traffic congestion during school run
- Land needs to be levelled, otherwise living rooms of new build will be level with existing bedroom windows
- Access with steps and no footpath a safety hazard
- Entrance to new builds on bend is dangerous
- Three storey builds will block light and not in keeping with village layout
- Better option is to have hedging along Station Road and the rear gardens facing Station Road
- Land higher than my house, the terrace housing will block light and effect privacy
- Hedge is old and should be retained
- Exit is dangerous
- Can drainage system take extra housing?
- No footpath provided
- Dangerous bends in road
- Smaller housing needed opposite existing housing on Station Road
- Compromise road safety
- Already problem with drainage and flooding
- Extra pressure on the school and local resources
- Decrease in daylight and sunlight on residents 2 – 10 Station Road
- Concerns as do not know full extend of development and the design
- Increase in traffic
- Entrance between two blind bends
- Noise pollution
- Safety issue for children coming and going to sports field opposite development
- No bungalows or suitable accommodation for elderly

- The proposals will produce a narrowing of the road in Station Road
- Is the school capable of meeting demand for the new development
- Removing the hedgerow will effect nesting birds and other wildlife
- The village has flooded in several places in the last couple of years
- Construction traffic and parking
- Road safety concerns
- Drainage and sewerage main drains block
- Terrace housing on Station Road would compromise privacy
- Compromise sunlight which will effect solar panels on existing house
- There needs to be consideration for safety of pedestrians and cyclists who use the road access to the playing field
- Concerns that properties would go 'buy to let' market
- Shortage of bungalows but non provided
- School currently full, therefore difficult to accommodate additional children
- Existing drainage system may not cope

## 5.9 Copy Letters F

5.10 The period for publicity has expired.

## CONSULTATIONS

5.11 The following consultation replies have been received:

**HBC Engineering Consultancy:** Land Drainage - The site is not located within a flood zone. I note the conclusions in the Drainage Assessment that sustainable drainage can potentially be achieved through infiltration techniques and swales. I would welcome working with the developer to further these designs however at this stage I do not have sufficient information to approve these proposals. I would therefore request our land drainage condition so that no work can commence onsite before the developer has demonstrated that Greenfield runoff can be achieved through the use of SUD's techniques.

**Contaminated Land –** A remediation strategy to detail how the developer intends to dispose of the cement sheeting is required. The standard contaminated land condition will cover this.

**Environment Agency:** No objections. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open spaces.

The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

Support for the use of SUDS approach to ensuring development does not increase flood risk elsewhere is set out in paragraph 103 of the National Planning Policy Framework.

#### Foul Drainage – Advice

The Sewerage Undertaker should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution. An acceptable method of foul drainage disposal would be connection to the foul sewer.

**Northumbrian Water:** In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

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

The developer has made a pre-development enquiry to Northumbrian Water which we responded to on 23<sup>rd</sup> January 2014. In this response we confirmed that the estimated foul flows of 1.4 l/sec can discharge into the combined sewer at manhole 5214 or manhole 6301. We also stated that no surface water would be allowed to discharge into our network unless the alternative options are proven to be unavailable.

The Drainage Assessment submitted with the planning application states: "*As the two possible connection points are only 1.2m deep it will be necessary to pump the flows from the development site and this will require a new foul pumping station*". As Northumbrian Water have not received detailed submission regarding this new sewage pumping station, we would request the following condition:

**CONDITION:** Development shall not commence until a detailed scheme for the disposal of foul water from the development including the new sewage pumping station, hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. Thereafter the development shall take place in accordance with the approved details.

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

As the planning application has indicated that surface water will be discharged using SuDS and swales, we would have no comments to make with regards to the management of surface water.

**Hartlepool Water:** We do not anticipate any diversion work, it is confirmed that Hartlepool Water has sufficient capacity in the local network to supply the proposed development therefore No objection.

**HBC Traffic & Transport:** The access to the site provides a 4.5 x 45 metre sightline, this is acceptable. Appropriate level access and tactile paving should be provided at pedestrian crossing points.

Parking Plots 1 -19 Acceptable.

Plots 20 - 29 only 1.5 parking spaces per property have been provided, this would only be acceptable if the housing was classed as social housing otherwise 2 spaces per property should be provided.

The roads and footways should be constructed in accordance with the HBC Design Guide and Specification and through a section 38 agreement

**HBC Landscape:** A tree survey has been submitted in support of the application which identifies the tree constraints and root protection areas of existing trees at the site. Twelve trees are included in the survey, and although none have been individually identified as being of particularly important merit, in recognition of their value in framing and screening the proposed development all are shown on the proposed site layout to be retained and incorporated into areas of public open space.

As the application is in outline only, insufficient detail has been included with the submitted tree survey to enable a full assessment of the implications of the development as it relates to trees, therefore these details will be required as part of a reserved matter submission.

It appears from the proposed site layout that a section of the existing boundary hedgerow will be removed from the Station Road frontage at the northern end of the site and a further section of existing hedgerow will be removed on the western side of the site in order to create the new access road to the development. Much of the existing hedgerow is shown to be retained however, and the removal of these two sections would not be considered to have a significant detrimental effect upon public visual amenity.

With regard to the landscaping of the proposed development, a general indication of landscaping is shown on the proposed site layout and includes the retained trees, two areas of public open space, as well as front and rear residential gardens to each dwelling plot. Although the plan appears generally acceptable, insufficient detail has been submitted in order to enable a full assessment of the landscape proposal, therefore these details will be required as part of a reserved matter submission.

I also need to see details of how the existing trees being retained are to be protected before any work starts on site (an arboricultural method statement (BS 5837:2012). This will remain in place until the development is completed.

**Ecology:** There are unlikely to be any ecological issues associated with this proposal other than the potential for breeding birds in the trees and hedges on site. These can be dealt with by planning condition on breeding birds.

**HBC Conservation:** This site is located just outside the Greatham Conservation Area, a designated heritage asset. Adjacent to the site are two locally listed buildings, Meadowcroft and Fairfield, Egerton Terrace which are considered to be non-designated heritage assets.

Only a small area of the site is located adjacent to the conservation area therefore it is unlikely that the significance of the conservation area or the locally listed buildings will be harmed in anyway.

**HBC Public Protection:** No objection subject to the provision of an acoustic wall or fence between the housing and the existing primary school.

**HBC Countryside Access Officer:** Comments awaited.

**Police:** No objection

**Archaeology:** This site has been subject to archaeological work previously (both a geophysical survey and trial trenching). There are no known archaeological deposits and the site is likely to have a low archaeological potential. No objection.

**Ramblers Association:** Footpath 09 runs immediately along the southern boundary from Station Road to its junction with Footpath 08 and cycle track at the southernmost corner of the development. Both will be affected by works to connect the proposed footpath/cycleway to the PROW network and FP09 by work on the security fence. A condition to protect users of the rights of way and to ensure they are available at all times should be imposed.

**Greatham Parish Council:** The Parish Council would expect any new development to fully comply with the Greatham Village Design Statement. NPPF paragraph 66 states “applicants will be expected to work closely with those directly affected by their proposals and to evolve designs that take account of the views of the community”. We would urge that this is undertaken in respect of all the reserved matters should this outline application be approved. The Parish Council would welcome such an approach in order to resolve some problems contained in the indicative scheme.

The mid to southern end of the site outlined in this application is an old quarry which includes steep drops down from the adjacent land; this includes the location of the access road. The Parish Council would expect the land within the site to be levelled and this quarry to be in-filled. Obviously we would like assurances as to how and with what this is to be done as the site is in the middle of the village adjacent to the village school and housing. We would expect conditions on what can be used to fill the hole and if lorries are needed to transport material some limit on how long the community will be required to suffer heavy traffic. If this in-filling is not to be done there would be concerns as to how, with water flowing off new roads and driveways, the area will be drained and flooding prevented.

There are problems with the road drains in Station Road as flooding regularly occurs on the road outside the Playing Field and in Station Road near Saltaire Terrace. We would need assurances that any new development would not add to these problems. The Parish Council welcomes the proposed pedestrian access at the south west corner which links the development to Hill View. This provides a safe route which avoids the road, in particular for children going to the adjacent playground and school. Such pedestrian links are in keeping with Greatham Village Design Statement. The Parish would like to see this made a condition of the development should a more detailed application be made.

The proposed development should seek to reinforce the existing streetscape or green public spaces by facing onto them where possible. This should be the case at the southern end of the site where there is an open space currently linking Saltaire Terrace and Hill View which includes a children's play area. The indicative proposal shows new properties backing onto this area. Turning these properties around to face this space would certainly assist in enhancing the public space and, being overlooked, improve community cohesion and safety and thus make the new development physically and socially well linked to the existing in a very positive way. Elsewhere on the indicative proposal we are concerned that some properties are in line with the street while others are at right angles to it. This is not in keeping with the character of the village.

At the northern end of the site the land is raised which means housing built at this end of the site (a terrace of 8 is suggested) will be higher than the terrace opposite (1-10 Station Road). The result would be ground floor windows of the new terrace looking into bedrooms of the existing and consequent loss of privacy and light. Adjustments in ground level, increased space, screening with the existing hedge or orientation/design of the new properties to alleviate this should be required.

The pedestrian access to the north of the site causes concerns of road safety. The access on to Station Road is at a point where visibility is restricted (between two sharp bends in the road) and there is no pavement on the proposed development side of the road. As a result pedestrians will be required to walk along the road or cross the road at a dangerous location. The Parish Council would ask that this problem be addressed – at the very minimum by providing a link to the pavement outside 11-16 Station Road. This access also appears to include steps which would hinder access between the site and the most direct route to the village facilities for wheelchair users and prams/pushchairs.

There is also concern that traffic may stop to access the new terrace for deliveries, etc. opposite 1-10 Station Road which is hazardous being between two blind corners.

Increases in traffic would be a concern at the junction of Station Road and Egerton Terrace where there is a turn off which serves the village school and number of properties including Whitehouse Farm almshouses and 11-16 Station Road. This junction is on a 90 degree bend and is considered a hazard. Parked Cars in Egerton Terrace further restrict the road. There is no alternative parking for residents of 1-8 Egerton Terrace but there is a grassed verge. The change of this grass verge to hard

standing such as can be found in other parts of the village would do much to ease traffic flow not least the 60 plus one might expect from the new development as proposed.

The retention of trees on the site is welcomed and would undoubtedly assist the new development to merge more successfully into the existing village.

**Civic Society:** The Society has studied the plans and would make the following comments.

Whilst we do not object to the concept of a development in principle, it is vitally important that the opportunity is grasped to maintain the character of the village – a rare asset in the Borough in its history and well-preserved features.

The NPPF para 131 states that in determining local planning applications, authorities should take account of the desirability of new developments making a positive contribution to local character and distinctiveness.

The old quarry on the site is a cause for concern that this is correctly rectified to provide sites for building. There have been serious problems elsewhere in the Borough with subsidence after houses were built on infill. This must be avoided here.

The proposed site is adjacent to the Greatham Conservation Area and should seek to enhance this heritage asset. Whichever developer finally carries out the scheme, it is also vital that the Greatham Village Design Statement should be followed implicitly. These should be conditions of any approval.

When it comes to designing the arrangement of the mixture of dwelling forms – the variance in levels and the effect on existing residents' properties must be considered – particularly loss of daylight and privacy to homes opposite in Station Road. The layout and design should not be to squash as many houses as possible into the site but to minimise any potential impact on existing residents while producing an attractive and complementary addition to the village.

Your local consultees will have presented their concerns regarding access, traffic and safety.

We would urge the Council's Planning Officers, when liaising with the owners and developers of this site to take these matters into consideration to create a scheme to be proud of.

**Cleveland Fire Brigade:** CFB offers no representations regarding the development, comments will be made through the building regulation consultation.

## PLANNING POLICY

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

## Local Policy

5.13 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  
 GEP12: Trees, Hedgerows and Development  
 Hsg5: Management of Housing Land Supply  
 Hsg9: New Residential Layout  
 Tra14: Access to Development Sites  
 Tra16: Car Parking Standards  
 Tra20: Travel Plans  
 Rec2: Provision for Play in New Housing Areas  
 GN5: Tree Planting  
 HE3: Development in the vicinity of Conservation Areas  
 Rur3: Village Envelopes  
 Rur4: Village Design Statements

## National Policy

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

Paragraph 002: Application of planning law  
 Paragraph 006: Purpose of the planning system – creation of sustainable development  
 Paragraph 007: Three dimensions to sustainable development



Paragraph 013: The National Planning Policy Framework constitutes guidance  
 Paragraph 014: Presumption in favour of sustainable development  
 Paragraph 017: Core planning principles  
 Paragraph 036: Travel Plan requirement  
 Paragraph 037: Minimise journey lengths  
 Paragraph 047: To boost significantly the supply of housing  
 Paragraph 049: Housing and the presumption in favour of sustainable development  
 Paragraph 056: Design of the built environment  
 Paragraph 057: High quality inclusive design  
 Paragraph 060: Promotion or reinforcement of local distinctiveness  
 Paragraph 061: The connections between people and places  
 Paragraph 064: Improving the character and quality of an area  
 Paragraph 066: Community involvement  
 Paragraph 096: Minimise energy consumption  
 Paragraph 196: Determination in accordance with the development plan  
 Paragraph 197: Presumption in favour of sustainable development

## **PLANNING CONSIDERATIONS**

5.15 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the impact upon neighbouring residents, character of the surrounding area, highway safety, flooding and drainage, ecology and landscaping.

5.16 A comprehensive update report setting out the relevant planning consideration and recommendation to Members will follow.

## **EQUALITY AND DIVERSITY CONSIDERATIONS**

5.17 There is no evidence of equality or diversity implications.

## **SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS**

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

5.19 There are no Section 17 implications.

## **RECOMMENDATION – UPDATE report to follow**

## **BACKGROUND PAPERS**

5.20 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.

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## LAND OFF STATION ROAD, GREATHAM



THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY  
**HARTLEPOOL BOROUGH COUNCIL**  
Level 1, Civic Centre, Hartlepool TS24 8AY  
Department of Regeneration and Planning

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**Scale: 1:3000**  
**Date : 21/10/14**  
**H/2014/0308**

**No:** 6  
**Number:** H/2014/0367  
**Applicant:** Mr David Worthington Sir William Gray House Clarence Road Hartlepool Cleveland TS24 8BT  
**Agent:** Hartlepool Borough Council Mr Steven Wilkie 1 Church Street Hartlepool TS24 7DS  
**Date valid:** 11/08/2014  
**Development:** Construction of a stone monument with 4 no bronze plaques to elevations, concrete foundation and paved setting and spotlighting  
**Location:** HEUGH GUN BATTERY MOOR TERRACE HARTLEPOOL

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## PURPOSE OF REPORT

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

## BACKGROUND

6.2 The application has been reported to Committee as three objections have been received.

## PROPOSAL

6.3 The proposal seeks to erect a memorial monument to commemorate the 100<sup>th</sup> anniversary of the Bombardment of the Hartlepool.

6.4 The memorial will be in a granite finish with a panel illustrating the bombardment with extracts from the Clark painting to three sides, and a text panel to the fourth side describing the events. The plaque providing details of the Sebastopol Gun will be relocated closer to the gun.

6.5 The setting for the memorial is also to be enhanced with repaving of the adjacent footways.

## SITE CONTEXT

6.6 The site sits adjacent to the 1926 Headland Lighthouse complex over the site of the former Lighthouse Battery coastal gun emplacement. The lighthouse is a locally listed building. The site currently consists of a central rectangle of grass surrounded by a red block paved footway of varying width, edged by block kerb edge units. A red brick wall runs along the western boundary of the site and along in part the northern boundary with a flat roofed building forming part of the boundary. The eastern boundary of the site is adjacent to a raised stepped dais with granite kern

edging, on which is situated a Grade II listed Crimean War cannon (Sebastopol Gun). The southern boundary opens out to a grassed area which extends to the promenade. It is within the Headland Conservation Area and is adjacent to the Sebastopol Gun a grade II listed structure, with the Light House being a locally listed building.

6.7 This area of the Headland Conservation Area is characterised by the mixed uses found in close proximity to the site. The nearby Heugh Gun Battery is one of the focal points for visitors to the conservation area. There is a diverse mixture of architecture within this locality, with no one style of architecture or palate of materials that could be cited which characterises the area.

## **PUBLICITY**

6.8 The application has been advertised by way of press notice, site notice and neighbour letters (4). To date, there have been 3 letters of objection raising the following:-

- I have no particular objection to the memorial being built, but I am concerned at the close proximity to my property – could it be repositioned to protect outlook and privacy.
- The size and scale of the proposal will be out of context
- The bombardment occurred over a considerable area of the Headland
- The site is not accessible from main promenade other than from the roadway of Bath Terrace – this is highway issue.
- The monument would be better placed in Redheugh Gardens
- There seems to have been little thought given to the practicalities of the monument being utilised by the public
- It is disrespectful to their memory, they have a memorial hidden away in the corner

## **Copy Letters B**

6.9 The period for publicity has expired.

## **CONSULTATIONS**

6.10 The following consultation replies have been received:

### **English Heritage – No objection**

**Archaeology** - The application includes a Heritage Statement. This largely considers the impact of the development on the setting of the adjacent Sebastopol Gun but also includes information on the archaeological potential of the site.

The Heritage Statement concludes that the excavation of foundations for the monument (c. 400mm deep) may have a negative impact on buried elements of the former Lighthouse Gun Battery. It recommends archaeological monitoring during the excavation of the foundations in order that an appropriate record is made of any finds or features of interest. I agree with this recommendation which is appropriate

to the expected significance of the remains and is in line with the policies of the NPPF (para 141).

**Landscape & Conservation** - There has been a major investment in this part of the conservation area with funding going to support the restoration of the Gun Battery, Redheugh Gardens (including the War Memorial located within it) and the promenade. In addition individual grants to residential properties in nearby streets have also contributed to the enhancement of the area.

The proposal is to pave over the grassed area to create a setting for the memorial. In addition the plaque providing details of the Sebastopol Gun will be relocated to be closer to the site of this heritage asset. There are no objections to the relocation of the plaque. Its movement close to the Gun will make the information more accessible and will not disrupt the setting of the memorial.

As outlined above there are a number of memorials within the vicinity of this area, particularly within Redheugh Gardens and the Sebastopol Gun. The historic events within close proximity of this area, and the opening of the Heugh Gun Battery to visitors, results in this area particularly being a focal point therefore the location of the memorial in this location, grouped near other memorials would consolidate this position.

The loss of the grassed area would not significantly impact on the setting of the listed building or the character of the conservation area. The less than substantial harm that would be caused by installing paving, the relocation of the plaque and the subsequent erection of the memorial would be outweighed by the public benefits of the proposal. Those public benefits can be seen in the consolidation of the memorials within this part of the conservation area and the enhanced interpretation that would be provided commemorating the historic events that have shaped this area.

**Traffic & Transportation** – Raise no concerns.

## **PLANNING POLICY**

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

### Local Policy

6.12 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

GN3: Protection of Key Green Spaces

HE1: Protection and Enhancement of Conservation Areas

HE2: Environmental Improvements in Conservation Areas

Rec9: Recreational Routes

To2: Tourism at the Headland

## National Policy

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

PARA 002 : Primacy of Development Plan

PARA 011 : Planning law and development plan

PARA 012 : Statutory status of development plan

PARA 013 : NPPF is material consideration

PARA 131 : Determining heritage planning applications

PARA 132 : Impact on the significance of a designated heritage asset

PARA 134 : Less than substantial harm to the significance heritage

PARA 135 : Impact on the significance of a non-designated heritage asset

PARA 141 : Information gathering historic environment

PARA 196 – Primacy of the Development Plan

PARA 197 – Presumption in favour of sustainable development.

## **PLANNING CONSIDERATIONS**

6.14 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the impact upon the character and appearance of the conservation area and listed buildings, and impact on the amenity of neighbours.

## Principle of Development

6.15 In policy terms policy GN3 seeks to protect key green space areas. The policy states that:

*‘Planning permission will only given for developments which relate to the use of land within these key green spaces’*

6.16 There are a number of memorials within the vicinity of this area, particularly within Redheugh Gardens and the Sebastopol Gun it is considered that the proposal relates to the use of the land and therefore is in accordance with policy.

6.17 Policy HE1 and HE2 are relevant in relation to protecting and enhancing conservation areas and all assets within them, the impact on heritage features are discussed in detail below. It is considered that the proposed monument is unlikely to have a detrimental impact upon the character of the Conservation Area including listed and locally listed structures. There are a number of historical structures within the area and it is considered that the provision of a memorial tribute in this location is unlikely to cause harm to the conservation area in accordance with policy.

6.18 The siting of the memorial in this location will encourage visitors to the Headland and is in accordance with policy To2. It is considered that the principle of the proposed development is acceptable.

#### Impact upon the character and appearance Conservation Area

6.19 The site is located within the Headland Conservation Area, and is adjacent to the Sebastopol Gun a grade II listed structure, both of which are designated heritage assets. The Headland Light House, adjacent to the site is a locally listed building therefore a heritage asset.

6.20 The proposal is to erect a memorial and pave over a grassed area to create a setting for it. In addition the plaque providing details of the Sebastopol Gun will be relocated to be closer to the site of this heritage asset. There are no objections to the relocation of the plaque. Its movement close to the Gun will make the information more accessible and will not disrupt the setting of the memorial.

6.21 As outlined above there are a number of memorials within the vicinity of this area, particularly within Redheugh Gardens and the Sebastopol Gun. The historic events within close proximity of this area, and the opening of the Heugh Gun Battery to visitors, results in this area particularly being a focal point therefore the location of the memorial in this location, grouped near other memorials would consolidate this position.

6.22 There are large grassed areas within this area however this particular site is separated from those by footpaths meaning it is somewhat disconnected from those other areas. The loss of the small grassed area would not significantly impact on the setting of the listed structures or the character of the conservation area.

6.23 The less than substantial harm that would be caused by installing paving, the relocation of the plaque and the subsequent erection of the memorial would be outweighed by the public benefits of the proposal. Those public benefits can be seen in the consolidation of the memorials within this part of the conservation area and the enhanced interpretation that would be provided commemorating the historic events that have shaped this area. It is considered that the proposal will have an acceptable impact on the character and appearance of the Conservation Area and listed buildings



6.24 The proposed memorial site sits above the area of the former Lighthouse Battery and there is potential for disturbance of any underlying archaeology. The excavation works for the foundations could have a negative impact on archaeological remains associated with the gun battery. Therefore a condition is recommended to ensure archaeological recording works are carried out.

6.25 Concerns have been raised with regard to the positioning of the monument in this location and the impact upon the area. An objector has suggested that there are other alternative locations that the monument could be placed. However the application must be assessed on the site that has been submitted. This site has been identified to have historical significance. The immediate area has a number of memorials and it is considered that the consolidation of the historic memorials and tributes would have a significant public benefit.

6.26 Further concerns have been raised with regard to direct access to the site. There is a paved area which is currently used when viewing the Sebastopol Gun, this area is to have improvement works carried out to the existing paving, this will enhance the area around the proposed monument and the existing Sebastopol Gun. There are a number of pathways which link into the area. Highways have been consulted and raise no concerns with the proposal.

### Other Matters

6.27 Concerns have been raised from the owner of the vacant coastguard building which is within the walled complex of the lighthouse. The owner of this site has an application which is under consideration for a change of use and extension of the former coastguard building to form a single dwelling (H/2014/0354). The owner requested that the memorial be moved away from his site to protect outlook and privacy. However, the applicant has declined to do so.

6.28 Notwithstanding the fact that the proposed dwelling does not yet have permission in the design currently proposed, only has fenestration at first floor level facing the site. The monument itself will be some 3.3m high but will be located some 4.5m from the site of the proposed dwelling. The site already affords public access and there are already monuments in the vicinity. It is not considered therefore the memorial would have a significant detrimental impact on the amenity of any potential occupier of the adjacent site in terms of loss of privacy and outlook.

## **EQUALITY AND DIVERSITY CONSIDERATIONS**

6.29 There is no evidence of equality or diversity implications.

## **SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS**

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

6.31 There are no Section 17 implications.

## REASON FOR DECISION

6.32 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. 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.
3. The development hereby permitted shall be carried out in accordance with the plans Dwg No(s) 104/08F L009 Rev B, 104/08F L005 Rev A, 104/08F L003 Rev B, 104/08F L008 Rev A (site location plan) and details received by the Local Planning Authority on 11 August 2014, unless otherwise agreed in writing by the Local Planning Authority.  
For the avoidance of doubt.
4. Recording of a heritage asset through a programme of archaeological works

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

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

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

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

## BACKGROUND PAPERS

6.33 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.

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## HEUGH GUN BATTERY, MOOR TERRACE



THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY  
**HARTLEPOOL BOROUGH COUNCIL**  
 Level 1, Civic Centre, Hartlepool TS24 8AY  
 Department of Regeneration and Planning

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**Scale: 1:1000**  
**Date : 21/10/14**  
**H/2014/0367**



**No:** 7  
**Number:** H/2014/0427  
**Applicant:** Mr & Mrs Michael Reeve 34 Bolton Grove HARTLEPOOL TS25 1BD  
**Agent:** GAP Design Graeme Pearson St Oswald House 32 Victoria Road HARTLEPOOL TS26 8DD  
**Date valid:** 08/09/2014  
**Development:** Extension to dormer on front elevation and new dormer to rear  
**Location:** 34 Bolton Grove HARTLEPOOL

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## PURPOSE OF REPORT

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

## BACKGROUND

7.2 The application site is a south facing semi detached dormer bungalow at Bolton Grove, Seaton Carew, Hartlepool.

## PROPOSAL

7.3 Planning permission is sought for an extension to the dormer window on the front elevation and a new dormer window to the rear.

7.4 The application has been referred to planning committee due to the number of objections received.

## SITE CONTEXT

7.5 The host dwelling is a semi detached property situated in a residential street. The dwelling shares boundaries with neighbouring residential properties to the north, east and west. There is a public highway to the front, south facing, elevation of the dwelling house.

## PUBLICITY

7.6 The application was advertised by way of four neighbour letters. Four letters of objection were received.

7.7 The concerns raised are:

- The proposal involves raising the wall and roof heights, making the dwelling larger in comparison to the neighbouring bungalow. This will have a negative impact on the appearance of the two properties.

- The alterations to the dwelling will not be in keeping with the scale, design and character of other adjacent properties.
- The development will be visually overbearing and will result in the dominance of one property over the other.
- The dormer windows are not set back from the eaves and would extend across the full length of the roof.
- The development will reduce the amount of light to neighbouring properties.
- The additional windows to the rear will result in overlooking into adjacent gardens and a loss of privacy.
- The extension of the property from two bedrooms to three bedrooms would result in increased noise when in use.
- The adjoining neighbour stated, with regards to the Party Wall Act notice has not been served by the applicant regarding the proposed works.

7.8 Amended plans were submitted to the Council on the 02/10/2014. The alterations included the stepping in of the proposed front dormer extension and a reduction in the roof height of the new rear dormer window. Neighbours were re consulted for a two week period until the 20/10/2014 (this included two additional letters to the objectors who had not been consulted initially). The objections and comments outlined above were resubmitted to the Council on the amended plans. Two additional comments were submitted:

- The proposal would set a precedence for other bungalow owners to extend.
- Planning permission was refused for the same style of extension to a neighbouring property in the past.

7.9 One, do not want to object, letter was submitted.

7.10 Copy Letters **A**

7.11 The period for publicity has expired.

## **CONSULTATIONS**

7.12 No consultations were undertaken.

## **PLANNING POLICY**

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

### Local Policy

7.14 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

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

7.16 The relevant paragraphs of the NPPF are listed below:

PARA 002: Primacy of the development plan

PARA 011: Planning law and the development plan

PARA 012: Statutory status of development plan

PARA 013: NPPF is material consideration

PARA 014: Presumption in favour of sustainable development

PARA 056: Design of built environment

## **PLANNING CONSIDERATIONS**

7.17 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 impact on visual amenity of the area and neighbour amenity.

7.18 Adopted Hartlepool Local Plan Policy GEP1 (General Environmental Principles) sets out a number of general criteria which should be taken into account when determining planning applications. The external appearance of the development and its relationship with the surrounding area should be considered. The effect on the amenities of occupiers of adjoining or nearby properties should also be taken into account.

7.19 Policy Hsg10 (Residential Extensions) sets out more detailed criteria which residential extensions should adhere too. Proposals should also be in accordance with the guidance set out in supplementary note 4.



### Visual Amenity

7.20 The scale and massing of the extension of the dormer window on the front elevation is considered to be subordinate to the host dwelling. It is in keeping with the design of the existing dormer. The extension is in accordance with supplementary note 4 of the Hartlepool Local Plan as it is set back from the eaves and does not extend the full length of the roof.

7.21 With regards to the new dormer window at the rear of the property, there are some concerns regarding the scale and massing of this element of the proposal as it extends the full length of the roof and is not set back from the eaves. This contravenes guidance set out in supplementary note 4. It would have been more preferable if the size and design of the new dormer matched the proposal on the front elevation. However, as this part of the proposal is at the rear of the property it is considered that it will not have a significant impact on visual amenity or the street scene. The roof slope is of a sufficient size to absorb the new dormer which will expand the width of the property.

7.22 Subject to the use of matching materials the proposal will be acceptable in terms of its impact on the character of the host property and surrounding area.

### Neighbour Amenity

7.23 Adequate separation distances are maintained to the front, side and rear. It is considered that the proposal would not create any significant overshadowing or overbearing to neighbouring properties. The proposal would not create any significant loss of privacy, light or other amenity to neighbouring properties.

7.24 A number of the objections received from neighbouring properties commented that the new dormers would result in overlooking into adjacent gardens and a loss of privacy. It is considered that the impact will not be significant enough to recommend refusal on these grounds. It should be noted that in accordance with the legislation for permitted development rights, a householder can enlarge a property, consisting of an addition or alteration to its roof, at the rear without planning permission (subject to a number of criteria). This would include the erection of new dormer windows.

7.25 One objector commented that the extension of the property from 2 bedrooms to 3 would result in more noise created when in use. It is considered that the creation of a third bedroom will not significantly impact on the amenity of neighbouring properties in this respect.

### Other Issues

7.26 One of the objections received stated that the proposal would set a precedence for other owners of bungalows and a similar proposal had been refused in the past. It should be noted that all planning applications are considered on their own merits.

7.27 With regards to the comments received on the Party Wall Act and serving notice on a neighbouring property, Party Wall issues are not a material planning

consideration and are dealt with under separate legislation and are essentially a matter for the parties involved.

### Conclusion

7.28 It is considered that in relation to the relevant policies as stated above, and in relation to the impact of the proposal on visual amenity of the area and neighbouring amenity, the proposal is considered acceptable and is therefore recommended for approval subject to the conditions set out below.

### **EQUALITY AND DIVERSITY CONSIDERATIONS**

7.29 There is no evidence of equality or diversity implications.

### **SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS**

7.30 There are no Section 17 implications.

### **REASON FOR DECISION**

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

### **RECOMMENDATION -**

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 08/09/2014 as amended by the plans (drawing 1428:W.01) received on 02/10/2014.  
For the avoidance of doubt.
3. The external materials used for this development shall match those of the existing building(s).  
In the interests of visual amenity.

### **BACKGROUND PAPERS**

7.32 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.

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## 34 BOLTON GROVE



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 Department of Regeneration and Planning

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**Scale: 1:1000**  
**Date : 21/10/14**  
**H/2014/0427**

## UPDATE

**No:** 4  
**Number:** H/2014/0177  
**Applicant:** Brenda Road Holdings Ltd Nelson House David Place St Helier JERSEY NE2 4TD  
**Agent:** AAD LTD Mr Pramod Kumar 15 ST Albans Grove Kensington LONDON W8 5BP  
**Date valid:** 18/07/2014  
**Development:** Outline application with access (all other matters reserved) for the demolition of buildings on the site and redevelopment to provide a residential care home (70 beds - Use Class C2), 300 residential apartments with care for persons aged 55 and over (Use Class C2), 50 residential apartments (Use Class C3) 80 key worker apartments (Use Class C3), 80 houses (use class C3), community centre (Use Class D1), retail (Use Class A1), workshops and offices (Use Class B1) 641 parking spaces, bandstand and associated works.  
**Location:** Land at Brenda Road HARTLEPOOL

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### PURPOSE OF REPORT

4.1 The application appears as item 4 on the main agenda, an amended plan and additional highway comments have been received and have now been assessed. The planning considerations are detailed in full in the remainder of the report.

### CONSULTATION

**The Chief Fire Officer:** No objection

**HBC Traffic and Transportation:** The amended layout is acceptable

### PLANNING CONSIDERATIONS

4.2 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the principle of the development, housing mix, residential amenity, design and layout, noise, drainage, ecology, landscaping and trees, highways, contamination and developer obligations.

#### Principle of Development

4.3 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

## UPDATE

on to state that there are three dimensions to sustainable development: economic, social and environmental. These aspects should not be taken in isolation, as they are mutually dependent. Therefore to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

4.4 In applying the presumption and in viewing the Government agenda to build more homes due regard must be had to the requirement to provide homes that meet the needs of the community and that are in the right location. Furthermore due regard must be had to the fact that Hartlepool Borough Council cannot currently demonstrate a five year supply of deliverable housing sites and thus the majority of housing policies within the 2006 Local Plan are deemed, currently, to be out of date. Where policies are out of date the local authority must approve applications unless in doing so the adverse impacts of such an approval would demonstrably and significantly outweigh the benefits.

4.5 Considerable weight should be given to the fact that the authority cannot demonstrate a five year housing land supply but that does not override the requirement to ensure that development is sustainable and appropriate.

4.6 The site is considered to be located in a relatively sustainable location with good links to Seaton train station and bus routes, nearby employment opportunities and the Golden Flatts School on the opposite side of Brenda Road.

4.7 The application site is allocated for industrial/employment development by virtue of Policy IND5 of the Hartlepool Borough Council Local Plan. The site contains a number of operational businesses at the moment; however the site is significantly under developed for industrial/employment uses.

4.8 Paragraph 22 of the NPPF guards against the long term retention of employment sites with no realistic prospect of being delivered. The policy states that '*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*'.

4.9 Paragraph 47 of the NPPF seeks to significantly boost housing supply; this paragraph coupled with paragraph 22 of the NPPF which guards against the long term protection of employment land with no realistic prospect of being delivered supports the principle of the redevelopment of the site for a mixed use scheme, with a focus on residential development.

4.10 While the scheme seeks to demolish buildings in existing employment use, the applicant anticipates that there will be a net gain in employment. This will include jobs created during the construction period and jobs on site when the development is operational.

4.11 The Council's Economic Development section have objected to the proposal. The primary basis of the objection is that residential development will not sit comfortably alongside existing industrial uses and will lead to residents making noise

## UPDATE

complaints against existing businesses, which HBC Economic Development are concerned would potentially force the businesses to move out of the area. The applicant has however considered this scenario and has set out appropriate mitigation measures for noise abatement. These mitigation measures have been agreed as acceptable by the Council's Public Protection section, who have not objected to the proposal. It would therefore be difficult to sustain an objection on the basis that the development will constrain neighbouring businesses.

4.12 Paragraph 56 of the NPPF sets out the Government's commitment to maintaining the importance of good design of the built environment. Good design is seen as a key aspect of sustainable development and is indivisible from good planning.

4.13 The amended masterplan has indicated that the site can accommodate the quantum of development proposed while providing adequate separation distances. There are concerns that due to the quantum of development proposed in order to achieve adequate separation distances, the design quality of the scheme may be compromised. However it must be remembered that the proposal is in outline with details of a maximum level of proposed development indicated by the submitted masterplan. It is considered that through the submission of a carefully considered reserved matters application good design and appropriate levels of amenity for occupiers of the development and neighbouring properties could be achieved.

4.14 The quantum of development proposed relates to the viability of the development, the developer is seeking to maximise development on site to achieve a satisfactory financial return. It is considered that the regeneration benefits for the site and the locality are to be welcomed. However at reserved matters stage issues of viability will not take precedent over the requirement to achieve a well designed and appropriate scheme for the site.

4.15 There are three dimensions to sustainable development, these being economic, social and environmental gains, these should be sought jointly and simultaneously through the planning system. One aspect, such as economic gain does not take precedent over the other two. In this case, the economic benefit and viability of the scheme, does not outweigh the need to deliver a scheme that is acceptable in terms of social and environmental aspects of development.

4.16 The regeneration benefits for the borough must be weighed up against the achievement of best design. As the application is in outline the final design details shall be addressed at reserved matters stage, whereby it shall be expected that the development achieves adequate separation distances and adequate levels of amenity space, combined with a design that delivers a quality environment for occupiers of the scheme and does not have a significant detrimental impact on the occupiers of neighbouring properties.

4.17 On balance it is considered that an appropriate design could be achieved at reserved matters stage. It is considered that the regeneration benefits, which the development would offer to the area are to be welcomed.

## UPDATE

4.18 It is appreciated that there is a large amount of employment land, particularly in the south of the Borough. However it should also be appreciated that with the nuclear power station and other potentially dangerous/hazardous sites in this area that a large amount of that land is sterilised and cannot be used for other uses. The southern part of this site falls within the Health and Safety Executive (HSE) consultation zone identified in the Local Plan. Paragraph 4.60 in the Local Plan relating to local plan policy IND10 specifically states that “residential development including that specifically for the elderly or infirm should not be located within any part of these zones” and goes on to recommend they should be used for operations such as warehousing. However consultation with the HSE through the PADHI+ planning advice system has been carried out for the development, the outcome being that the HSE would not object to the proposed development. In addition the application site is located within the outer zone of the Hartlepool Power Station; the Office of Nuclear Regulation has been consulted and raises no objections to the proposed development.

4.19 The principle of the proposed development is considered to be acceptable and in accordance with policies GEP1, GEP2 and GEP 3 of the Hartlepool Borough Council Local Plan and paragraphs 14, 22, 47 and 56 of the NPPF.

### Housing Mix

4.20 The application site is within the outer zone as identified in the 2012 Strategic Housing Market Assessment (SHMA), however as this development represents a strategic proposal, it is considered appropriate to assess the proposal as a borough wide strategic development. In the Hartlepool Borough there is a balanced provision of one and two bed properties. In this instance it is considered that the development would not meet need or demand in the Borough. However the proposal would not exacerbate the balance of one and two bed properties.

4.21 There is a demand for accommodation for the elderly and a demand for three bed properties; it is therefore considered that the proposal meets a need for these types of accommodation in the Borough.

### Residential Amenity

4.22 Paragraph 58 of the NPPF seeks to achieve long term well functioning developments which have a strong sense of place using streetscapes and buildings to create attractive and comfortable places to live, work and visit. Development should be visually attractive as a result of good architecture and appropriate landscaping.

4.23 New development should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. It is therefore considered appropriate to condition that Secured by Design is considered in bringing forward the development.

4.24 The proposal is in outline with detailed design reserved, however the submitted indicative masterplan indicates areas of private and public amenity space. The final



## UPDATE

scheme would be required to provide adequate levels of private and public amenity space for future occupiers of the development.

4.25 At a local level policy Hsg9 of the Hartlepool Borough Council Local Plan requires new development to provide adequate amenity space both private and public and there should be no significant detrimental effect on the occupiers of both the new and existing development.

4.26 The indicative masterplan indicates that separation distances that meet or exceed those allowed for within the relevant guidance of the local plan could be achieved.

4.27 In order to protect the amenity of residents it is considered appropriate to condition details of extraction facilities for the proposed café and opening hours for the café and the retail element of the scheme.

4.28 Use Class B1 is an industrial use category which is considered to be appropriate in residential areas. It is therefore considered that the proposed inclusion of B1 uses within the development would be acceptable in terms of residential amenity.

4.29 It is noted that objections have been received from local businesses and HBC Economic Development regarding the potential impact of nearby industrial areas on future occupiers of the site. However mitigation measures have been put forward to address these issues and HBC Public Protection have not objected to the proposal.

4.30 It is considered that issues relating to residential amenity could be appropriately addressed through conditions and at reserved matters stage.

### Design and Layout

4.31 An indicative masterplan was submitted by the applicant, this layout was subsequently amended to remove 50 one bed apartments from the scheme as the original masterplan failed to demonstrate adequate separation distances. The revised masterplan indicates that guideline separation distances would now generally be met, with 30 metres between 4 storey elevations and 25 metres between three storey elevations. Separation distances have been met for both the proposed development and with neighbouring properties.

4.32 The applicant would be expected to submit suitable details at reserved matters stage which address the amenities of neighbouring properties.

4.33 While the proposed layout indicated by the amended masterplan has demonstrated that the quantum of accommodation can be provided with the required separation distances there are concerns that the level of development proposed would compromise the quality of the design and living conditions of occupiers, particularly as to accommodate the proposed development buildings would be three and four storeys in height, and would be of a substantial massing. There are also concerns regarding the relationship of parking to individual properties. However it is

## UPDATE

considered that through careful consideration of a reserved matters submission an appropriate design and layout for the site could be achieved.

4.34 The proposed masterplan indicates that the proposed café would be in close proximity to a four storey block of apartments. It is considered that the café should be located at a more appropriate distance from any proposed residential accommodation. It is considered that this can be adequately addressed at reserved matters stage.

4.35 The masterplan indicates that the proposed surgery space for visiting health professionals would be located adjacent to the rear garden of 45 Seaton Lane, it is considered that there is adequate space within the boundary of the surgery to relocate the building off the boundary off the neighbouring property. It is considered that this can be adequately addressed at the reserved matters stage.

4.36 It is noted that the scale of development proposed which includes a large proportion of 3/4 storey buildings would not strictly be in keeping with much of the character of the area, though a three storey apartment block is located to the north west of the site. Notwithstanding this the site is relatively isolated aside from the residential area to the north and given the scale of the development will create a character of its own. It is considered that a refusal on the grounds of the scale and character of the development could not be sustained. The detailed designs of the buildings will ultimately be considered at the reserved matters stage.

### Noise

4.37 Objection has been received from local business and HBC Economic Development, raising concerns that occupiers of the proposed development would experience unacceptable levels of noise and disturbance and consequently the development conflicts with policy GEP1 of the Hartlepool Borough Council Local Plan with particular reference to point *‘in general development should be located so as not to be unduly affected by poor air quality, noise or similar effects emanating from adjacent uses of land’*. There are concerns that this would constrain and discourage local businesses.

4.38 HBC Public Protection originally objected to the scheme due to significant concerns regarding noise impacts on residential properties from existing industry near to the site. HBC Public Protection has now lifted the earlier objection following the applicant undertaking further noise measurements on site. The applicant has submitted an addendum report to the original noise assessment. The additional survey work was undertaken in August 2014 with confirmation that Caparo were operating the 5 tonne forging hammer on their site. HBC Public Protection also undertook noise measurements on site which were found to be consistent with the applicant's measurements. HBC Public Protection are satisfied that noise impacts to future occupiers of the development can be mitigated against subject to suitable planning conditions.

4.39 The proposal is considered to be in accordance with policy GEP1 of the Hartlepool Borough Council Local Plan.

## UPDATE

### Drainage

4.40 The Flood Risk Assessment (FRA) report for the site indicates that the site currently falls within a Flood Zone 3a and that the site has a high probability of flooding from the Stell watercourse which runs directly underneath the site. This issue has also been highlighted in the Hartlepool Strategic Flood Risk Assessment and the Hartlepool Surface Water Management Plan.

4.41 The FRA makes reference to the existing flooding problem being as a result of the undersized culvert under the site at the point where the watercourse runs under Brenda Road. The Council's engineers welcome the developer's intentions to provide a remedial scheme targeting the existing flood issues associated with the culvert by providing 2x 1050mm diameter culverts to replace the existing smaller triple barrel culvert that has been long attributed to flooding problems on Brenda Road.

4.42 In terms of the proposed storm drainage, the Council's engineers accept that in theory flows can be discharged into the existing culverted watercourse running under the site subject to the upsizing work as detailed in the FRA and a reduction in existing site run off rate which will all be subject to detailed design. In this respect it is acknowledged that the site development through the reengineering and opening of the existing culvert can provide a suitable surface water storage area and will help provide betterment in the run off rate when compared to the existing situation. It is noted that the indicative layout for the site includes attenuation ponds with property situated away from the attenuation ponds thus ensuring there will be no risk to property flooding.

4.43 In terms of the Council's new responsibilities and duties under the Floods and Waters Management Act, the Council are currently awaiting Schedule 3 to be enacted. Schedule 3 will give each Lead Local Flood Authority the responsibility of setting up and managing a Sustainable Drainage Systems (SuDS) Approval Body (SAB). In terms of future development, SuDS will be key to managing surface waters. With this in mind, the applicant's proposal to incorporate SuDS into the development as part of the site surface water management is to be welcomed.

4.44 The Environment Agency have raised no objection to the proposed development subject to conditions. Northumbrian Water have raised no objection to taking the foul waste from this development however the discharge of surface water has not been considered as the applicant indicated in this enquiry that this was not required. It is therefore considered appropriate to condition the submission of further details of surface water drainage.

4.45 Neither the Council's Engineers, the Environment Agency or Northumbrian Water have objected to the proposed development, it is therefore considered that adequate drainage can be achieved on site. The proposal would be to suitable conditions relating to drainage.

### Ecology

4.46 Concerns have been raised in relation to the impact of the development on the ecology of the area. In support of the application the applicant has submitted an

## UPDATE

Extended Phase 1 Survey and a bat emergence survey. The Extended Phase 1 Survey indicated that additional survey work should be carried out including a detailed vegetation survey including an assessment of the extent and quality of Open Mosaic Habitat (OMH) on site, a breeding bird survey, a bat activity survey, an amphibian survey, to include ponds on the adjacent land to the south of the site and an Invertebrate survey. The Councils ecologist has recommended suitable conditions requiring the submission of additional survey work at reserved matters stage.

4.47 In addition the submission of a Japanese Knotweed management plan would be required at reserved matters stage. This shall be conditioned.

4.48 In terms of the impact on Ecology the proposals is considered acceptable subject to conditions.

### Landscaping and Trees

4.49 There are a number of small trees located at the south western corner of the site, and it is assumed that these are to be removed to facilitate the development. The trees are generally of poor quality, are not considered to be particularly significant in terms of public visual amenity and therefore should not impose a constraint upon the proposed development.

4.50 The indicative masterplan shows large areas of landscaped public space with small residential gardens to many of the properties, and it is considered that the proposal will lead to a significant improvement of the site in terms of public visual amenity. However insufficient detail has been included to enable a full assessment of the landscaping proposal, therefore full landscaping details would be conditioned as part of any approval for the proposed development and would be provided as part of the reserved matters application.

### Highways

4.51 The Transport Assessment submitted by the applicant has assessed a number of key junctions which will be affected by the development. The junctions have been modelled with and without the development and up to the year 2018.

4.52 The analysis already shows that Owton Manor Lane / A689 / Seaton lane junction would operate above capacity in 2018 without the proposed development in place. Adding the traffic predicted to be associated with the proposed development this would cause the junction to operate further over capacity, although the impact is relatively minimal. The over capacity issues affect the Owton Manor Lane leg of the junction during the morning peak hour period (8.00am - 9.00am) and only exists for a short duration. All other junctions analysed would operate well within capacity.

4.53 It is considered that the Travel Plan Framework, contained within the Transport Assessment (TA) is sufficient at this stage. A condition is attached to ensure that a Final Travel Plan is in place ready for implementation as and when the site is occupied. The hard measures described in the TA such as good walking / cycling permeability, use of manual for streets in the design and so on are to be welcomed

## UPDATE

(although further measures could be considered as discussed below). The soft measures set out within the Travel Plan appear to be relevant and suitable for the nature and scale of the development.

4.54 The TA sets out that the development is in a relatively sustainable location and that having a Travel Plan in place would help enhance this. However it is considered that there should be a commitment sought to enhancing sustainable access still further by seeking funding from the developer to upgrade the rights of way (particularly the one on the eastern boundary of the site which already has permissive cycle rights) to provide a suitable surface and that it is tied into the development. This would significantly enhance sustainable access as it would provide direct and more convenient access to Seaton Carew Railway station and bus stops on Station Lane (as well as to the existing shops / services on Station Lane). Upgrading this cycle route would also help with the strategic cycle network development and link in with some LGF proposals and potential other future schemes.

4.55 The access onto Seaton lane would be acceptable. A pedestrian refuge island will require relocation; this would have to be done at the expense of the developer. Brenda Road forms the western boundary to the site, this section of road has a 50 mph speed limit. A high percentage of commercial and HGV's use this road. The location of the existing school and proposed retail provision will generate a large number of pedestrian trips. In order to promote walking as opposed to vehicular trips a light controlled crossing and speed limit reduction would have to be funded by the developer.

4.56 Sufficient parking has been provided for the over 55's housing with care and the Care Home element of the scheme, it is however important that the C2 element is conditioned to remain C2 as C3 dwellings require significantly more parking than C2 accommodation.

4.57 The applicant intends for the site to remain private this would be acceptable however all roads, paving and street lighting would be required by condition to be constructed to an adoptable standard using the advanced payment code method.

4.58 The scheme has been amended to improve access arrangements and to safeguard a strip of land on Brenda Road adjacent to the site, which may be utilised for future highway improvements. The proposed access and parking arrangements are considered to be acceptable in principle subject to conditions and a legal agreement to secure an acceptable standard of development in terms of highway safety and to secure highway improvement works. It is considered that final details of parking and the highway network within the site can be adequately addressed at reserved matters stage.

4.59 The proposal is considered to be in accordance with policies Tra11, Tra16 and Tra20 of the Hartlepool Borough Council Local Plan.

### Contamination

## UPDATE

4.60 A Preliminary Risk Assessment for land contamination has been submitted and assessed by HBC Engineering Consultancy. As the land is previously developed land HBC Engineering Consultancy have recommended a suitable planning condition to facilitate further site investigation and potential remedial work.

### Developer Obligations

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

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

4.62 A Section 106 Agreement is proposed to provide the following obligations:

- Education £436,610
- Play Provision £65,000
- Built Sports £65,000
- Green Infrastructure £157,500
- Highway Improvements (A crossing) £60,000
- 27.5% Affordable Housing comprising 50 one bed apartments and 8 two bed apartments (This is calculated on the C3 accommodation only)
- Conservation Management Plan to secure ecological mitigation.
- To secure the acceptable provision and maintenance of highway infrastructure, open space and drainage infrastructure.
- To secure the retention of the C2 uses on the site.

### **EQUALITY AND DIVERSITY CONSIDERATIONS**

4.63 There is no evidence of equality or diversity implications.

### **SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS**

4.64 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.

4.65 The final scheme will be designed with the reduction of crime and anti social behaviour in mind.

4.66 There are no Section 17 implications.

## UPDATE

### REASON FOR DECISION

4.67 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 and subject to the applicant entering into a Section 106 Agreement to secure the following obligations/contributions: education provision £436,610, play provision £65,000, built sports £65,000, green Infrastructure £157,500, highway Improvements £60,000, 27.5% Affordable Housing a Conservation Management Plan to secure ecological mitigation, the acceptable provision and maintenance of highway infrastructure, open space, drainage infrastructure and to secure the retention of the C2 uses on the site. Subject to the consideration by the Planning Services Manager of any further objections received prior to the expiry of the consultation period, with the final decision being delegated to the Planning Services Manager in consultation with the Chair of Planning Committee. Should the Section 106 Agreement not be signed by 28 November 2014 or any other date as agreed by the Planning Services Manager then the application should be refused due to lack of adequate provisions in respect of the provisions secured by the developer obligations.

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 clarify the period for which the permission is valid.

3. As part of the first reserved matters submission made pursuant to condition 1, a phasing scheme showing each phase of the proposed development and defining the quantity and type of development (including infrastructure) within each phase and a timetable for implementation shall be submitted to and approved in writing by the local planning authority. Thereafter reserved matters submissions shall be made in accordance with the approved phasing scheme.

To ensure a satisfactory form of development.

4. The development hereby permitted shall be carried out in accordance with the plan received by the Local Planning Authority on 22/07/2014 (Drawing no. 101 REV 01, Proposed Location Plan) and the plan received 24/10/2014 (Drawing no. 202 REV 03, Outline Master Plan (approval of access only)).

For the avoidance of doubt.

## UPDATE

5. 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.

6. The total development hereby approved shall not exceed the following maxima:

70 bed care home (C2 Use Class); 50 one bed apartments (C2 Use Class); 250 two bed apartments (C2 Use Class); 70 one bed apartments (Use Class C3); 60 two bed apartments (Use Class C3); 80 three bed houses (Use Class C3); 3094 sqm of Use Class B1 floorspace; 200 sqm of Use Class A1 (Retail) floorspace; 130sqm of Use Class A3 (Cafe) floorspace and 929sqm of Use Class D1 (Non Residential Institutions) floorspace.

To ensure a satisfactory form of development.

7. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Useful Simple Projects (April 2014) and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the site so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

2. Confirmation of the opening up of any culverts across the site to the size and capability as detailed in the river modelling project of August 2010.

3. Upgrading of existing culverts on the site as detailed in the river modelling project of August 2010.

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 and to reduce the risk of flooding from blockages to the existing culvert (s) and to replace parts of the culvert with open channels.

8. A detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works.

In the interests of visual amenity.



## UPDATE

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

In the interests of visual amenity.

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

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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

## UPDATE

and other offsite receptors.

11. The development hereby permitted shall not be commenced until such time as a scheme for surface and foul water management, including the detailed drainage/SuDS design, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, 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 pollution of the water environment.

12. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings 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.

To prevent pollution of the water environment.

13. The reserved matters submission for each phase shall include details of existing and proposed levels of the site including finished floor levels of the buildings to be erected, sections through the site and adjacent land/buildings and any earth retention measures.

In order to ensure that these details are acceptable in the interests of visual amenity, and the amenity of future and adjacent residents.

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

In the interests of the occupiers of adjacent and nearby premises and highway safety.

15. No construction/building works or deliveries shall be carried out except between the hours of 8.00 am and 6.00 pm on Mondays to Fridays and between 9.00 am and 1.00 pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.

16. No development shall take place until the Local Planning Authority has approved a report provided by the applicant identifying how the predicted CO<sub>2</sub> emissions of the development will be reduced by at least 10% through the use of on-site renewable energy equipment or design efficiencies. The carbon

## UPDATE

savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Before the development is occupied the renewable energy equipment or design efficiency measures shall have been installed.

In the interests of promoting sustainable development.

17. No part of the development shall be occupied until vehicular and pedestrian access connecting the proposed development to the public highway has been constructed to the satisfaction of the Local Planning Authority.

In the interests of highway safety and to ensure a satisfactory form of development.

18. 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.

19. 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) 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.

20. 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.

21. The details submitted with the reserved matters shall include details of bin stores and cycle storage.

In the interests of visual amenity.

22. Prior to the commencement of the development full details of the method of external illumination, siting, angle of alignment; light colour and luminance of buildings and external areas of the site, including parking areas shall be submitted to and agreed in writing by the Local Planning Authority, the lighting shall be implemented wholly in accordance with the agreed scheme and shall be maintained for the lifetime of the development.

In the interests of residential amenity.

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23. The reserved matters submission for each phase shall include details of all walls, fences and other means of boundary enclosure. Thereafter the development shall be carried out in accordance with the approved details.

In the interests of visual amenity.

24. The first reserved matters submission for each phase shall include details of acoustic fencing. Prior to the first occupation of the development in each phase the agreed acoustic fencing shall be installed and retained thereafter for the lifetime of the development.

In the interests of residential amenity.

25. The clearance of any vegetation, including trees and hedgerows, shall take place outside of the bird breeding season. The bird breeding season is taken to be March-August inclusive unless otherwise advised by the Local Planning Authority. Unless the site is first checked, within 48 hours prior to the relevant works taking place, by a suitably qualified ecologist who confirms that no breeding birds are present and a report is subsequently submitted to the Local Planning Authority confirming this.

In order to avoid harm to birds.

26. The first reserved matters submission made pursuant to condition 1, shall include details of further ecological surveys and shall inform appropriate mitigation and enhancement. These surveys should comprise:

a detailed vegetation survey including an assessment of the extent and quality of OMH habitat on site

breeding bird survey

bat activity survey

amphibian survey, to include ponds on the adjacent land to the south of the site

Invertebrate survey

The surveys should be carried out to recognised methodologies by suitably qualified ecologists.

In the interests of protected species.

27. The reserved matters submission for each phase shall include a parking scheme for that phase of development. The scheme shall be carried out in accordance with the approved details and shall be maintained for the lifetime of the development.

In the interests of highway safety.

28. Prior to commencement of development, full details of a scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and clearly identify the extent of the Japanese Knotweed on a scaled plan.

To eradicate Japanese Knotweed from the development site, to prevent the spread of the plant through development works.

## UPDATE

29. Prior to the commencement of the development, the approved scheme and timetable for the eradication of Japanese Knotweed referred to in condition 28 above, shall be implemented in full and a validation report confirming the remediation treatment carried out and that the site is free of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority.

To eradicate Japanese Knotweed from the site and to prevent the spread of the plant through development works.

30. Prior to the commencement of the development, details of a wheel-washing facility within the site shall be submitted and approved in writing by the Local Planning Authority. The approved facility shall be installed before the development commences and shall thereafter remain operational and be available for its intended use at all times during the construction phase(s) of the development.

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

31. The cafe (Use Class A3) hereby approved shall not commence until there have been submitted to and approved in writing by the Local Planning Authority plans and details for ventilation filtration and fume extraction equipment to reduce cooking smells, and all approved items have been installed. Thereafter, the approved scheme shall be retained and used in accordance with the manufacturers instructions at all times whenever food is being cooked on the premises.

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

32. The cafe (Use Class A3) premises shall only be open to the public between the hours of 07:00 and 18:00 Mondays to Saturdays inclusive and 09:00 and 16:00 on Sundays.

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

33. No development shall be commenced until full engineering details of roads designed to an adoptable standard, details of paving and streetlighting within the development site have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details.

In the interests of highway safety.

34. The occupation of the use class C2 accommodation hereby permitted shall be restricted to:

- i) persons aged 55 years or older;
- ii) other persons who are living as part of a single household with a person or persons aged 55 years or older; or
- iii) persons who were living as part of a single household with a person or persons aged 55 years or older who has since died.

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In the interests of amenity.

35. The reserved matters submission for each phase shall include details of the location of each dwelling which is proposed to be a dwelling with care (Use Class C2).

For the avoidance of doubt and in order to ensure adequate car parking provision is made in the interests of highway safety.

36. The reserved matters submission for each phase shall include details of the location of each dwelling which is proposed to be an affordable unit as defined within the National Planning Policy Framework.

To ensure a satisfactory form of development.

37. Prior to the commencement of the development a scheme for off site highway works including ghost islands and right turn lanes on Brenda Road and the relocation of a pedestrian refuge island on Seaton Lane, shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed to the satisfaction of the Local Planning Authority prior to the first use of the proposed development.

In the interests of highway safety and sustainability.

38. Notwithstanding the submitted details a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be implemented and operated as approved.

In the interests of highway safety and sustainability.

39. The reserved matters submission for each phase shall include details of noise insulation measures to all use class C2 and use class C3 accommodation.

The noise insulation scheme, as approved, shall be implemented in full and retained thereafter during the lifetime of the development.

In the interests of amenity.

## BACKGROUND PAPERS

4.67 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

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## UPDATE

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## UPDATE

**No:** 5  
**Number:** H/2014/0308  
**Applicant:** c/o Agent  
**Agent:** Smiths Gore Mr Robert Murphy 26 Conisdiffe Road  
Darlington DL3 7JX  
**Date valid:** 16/07/2014  
**Development:** Outline planning application with all matters reserved for  
residential development comprising the erection of 29  
dwellings  
**Location:** LAND OFF STATION ROAD GREATHAM

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### UPDATE

5.1 This application appears on the main agenda at item 5. The report was left open to allow for receipt of outstanding consultation responses and ongoing discussion with regard to planning obligations. The time period for representations has expired.

5.2 The following outstanding consultation has been received:

**HBC Countryside Access Officer** – No objection.

### PLANNING CONSIDERATIONS

5.3 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 (including Developer Obligations) and in particular the impact upon the neighbouring residents, character of the surrounding area, highway safety, flooding and drainage, ecology and landscaping.

#### Principle of Development

5.4 The overriding objective of planning is to contribute to the achievement of sustainable development; this objective is echoed in the National Planning Policy Framework (NPPF) particularly as the presumption in favour of sustainable development is the golden thread running through the NPPF. In applying the presumption and in viewing the Government agenda to build more homes due regard must be had to the requirement to provide homes that meet the needs of the community and that are in the right location. Furthermore due regard must be had to the fact that Hartlepool Borough Council can not currently demonstrate a five year supply of deliverable housing sites and thus the housing policies within the 2006 Local Plan are deemed, currently, to be out of date. Where policies are out of date the local authority must approve applications unless in doing so the adverse impacts of such an approval would demonstrably and significantly outweigh the benefits.

5.5 In viewing statute, planning policy and the information submitted one must have regard to all material considerations and consider if in fact the proposal is deemed to be sustainable development.

## UPDATE

5.6 Considerable weight should be given to the fact that the authority can not demonstrate a five year housing land supply but that does not override the requirement that is set out in statute to ensure that development is sustainable. Given the sites location within the village envelope and the fact that the village is considered to be moderately sustainable due to the public transport links, the proximity to employment and the amount of facilities that exist within the village e.g a shop, primary school, play park and public house, it is considered that the principle of development within this area would constitute sustainable development. Evidence and preliminary findings from the planning inspector in late 2013 indicate that the location is appropriate for housing development.

### Developer Obligations

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

5.8 Taking into account the specific circumstance of the development into consideration it is considered reasonable to request contributions for the following:

- £100,144 for education provision
- £250 per dwelling for green infrastructure (£7,250)
- £250 per dwelling for play (£7,250)
- £250 per dwelling for built sport (£7,250)
- 10% affordable housing provision which equates to 3 dwellings

### Affordable Housing

5.9 Within the area there is an acute need for affordable housing, as identified within the 2012 Tees Valley Strategic Housing Market Assessment (TVSHMA), the evidence indicates that there is a need for 27.5% affordable housing across the Borough.

5.10 A viability assessment appraisal has been undertaken which has demonstrated that a contribution of 10% affordable housing can be sustained, this would equate to 3 dwellings on site. This level is consistent with other similar or comparable residential development approvals across the borough.

5.11 The viability assessment has been considered and taking into account the need to deliver a viable housing scheme the proposed contribution is considered acceptable.

### Green Infrastructure

5.12 In line with policy Gep 9 (Developers Contributions) and the NPPF promotes the provision of strategically planned networks that link existing (and proposed) green spaces with green corridors running through urban, suburban, urban fringe

## UPDATE

and rural areas. Through the maintenance, enhancement and extension of these networks multi-functional benefits can be realised for local communities, businesses, visitors and the environment.

5.13 Given the importance of green infrastructure housing developments comprising of five dwellings or more will require contributions of £250 per dwelling. Whilst some green features are provided on site, it is considered that such green infrastructure would fall within the category of amenity green space which adds to the visual amenity of the site and to provide some small pockets of space for informal play

5.14 It is considered in this instance that the contribution would be directed towards the allotments within Greatham village.

### Built Sport

5.15 Policy Gep 9 (Developers Contributions), requires allowance is made for the provision of leisure facilities in housing developments comprising of five dwellings or more.

5.16 In the interests in ensuring that residents have access to a variety of leisure opportunities and in having regard to the size of the site it would be unreasonable to suggest that the applicant provide a new built sports facility on site. However, it is necessary to assist in improving of the built sports facilities in which residents are likely to use. Given that built sports cannot be suitably provided on site then a contribution of £250 per dwelling would be required.

5.17 It is considered in this instance that the contribution would be directed towards the swimming arena in Mill House leisure centre.

### Provision of Play Space

5.18 In line with policy Rec2 (Provision of play in new housing areas), Gep 9 (Developers Contributions) and the draft Planning Obligations SPD, play facilities should be provided in housing developments comprising of five dwellings or more.

5.19 The site is likely to be home to a number of children and therefore provision must be made for play provision. The applicant has agreed to provide a contribution of £250 per dwelling.

5.20 It is considered in this instance that the contribution would be directed toward Greatham village play park.

### Impact Upon the Character and Appearance of the Area

5.21 There have been some public objections to the development relating to the impact upon the area and existing properties. The National Planning Policy Framework 2012 (NPPF) sets out the Government's commitment to good design. Paragraph 56 states that, good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

## UPDATE

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

5.23 Officers consider that the density of the site at some 29 dwellings per hectare is acceptable and is reflective of the surrounding area. The separation distances proposed between dwellings within the site accords with and in many instances exceeds the guidance set out in the Hartlepool Local Plan 2006. It is considered that a development can be brought forward that would not have a detrimental impact on the character and appearance of the Conservation Area. However it is noted that this application is in outline to establish the principle of development full details regarding design and layout are to be submitted at a later date with a reserved matters application when they will be fully assessed.

### Effect of the Proposals on Neighbouring Properties and Surrounding Area

5.24 The indicative layout has been refined through extensive discussions. It is considered that the layout of the 29 dwellings upon the site has been designed in such a way as to limit the impact upon the amenity of the neighbouring properties close to the site and overlooking it.

5.25 The closest neighbouring properties are to the north and east of the application site. The proposal is in outline and therefore no detailed layouts have been provided, however the Indicative Site Layout Plan shows that dense hedging will in part be retained and additional planting provided. The separation distances indicated between the proposed dwellings and neighbouring dwellings to the north and east significantly exceed the guideline separation distances in the Local Plan. The properties to the north for example are some 23-24 metres distant. The applicant will have to demonstrate at the reserved matters stage that satisfactory relationships can be achieved. However, given the relative low density of the development, and the indicative layout plan submitted to accompany the application, it is anticipated that satisfactory relationships can be achieved

5.26 It is not considered that the additional disturbance arising from traffic associated with the development, either alone or in combination with the existing and proposed housing and other developments in the area would have a significant impact on the amenity of neighbouring residents. No objections have been received from the Head of Public Protection. Owing to the scale of the development and proximity to residential properties, it is considered necessary to impose a condition relating to construction hours. In terms of the impact on the amenity of neighbours the proposal is considered acceptable.

### Impact Upon Highway Safety

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5.27 The Council's Traffic and Transportation Team have been consulted on the application and raise no objection to the proposal. The access to the site provides a 4.5 x 45 m sightline, this is acceptable. Appropriate level access and tactile paving should be provided at pedestrian crossing points this can be achieved by planning condition.

5.28 In terms of increased traffic generation the Traffic and Transportation Team do not consider that the traffic movements associated with an additional 29 houses will compromise the efficiency or the safety of the transport network for the area.

5.29 In terms of the layout of the residential development it is noted that additional parking would need to be accommodated at the northern end of the site the layout plan provided is for indicative purposes only and this issue can be addressed at the reserved matters stage.

### Landscaping and Trees

5.30 Planning policy GEP1, GEP12 and Hsg9 support the retention of the existing hedgerows on the peripheries of the site and support the intention for additional planting. Whilst there will be an area of hedgerow lost it is not considered that it will have a significant detrimental effect upon public visual amenity.

5.31 A tree survey has been submitted in support of the application which identifies the tree constraints and root protection areas of existing trees at the site. Twelve trees are included in the survey, and although none have been individually identified as being of particularly important merit, in recognition of their value in framing and screening the proposed development all are shown on the proposed site layout to be retained and incorporated into areas of public open space.

5.32 With regard to the landscaping of the proposed development, a general indication of landscaping is shown on the proposed site layout and includes the retained trees, two areas of public open space, as well as front and rear residential gardens to each dwelling plot. Although the plan appears generally acceptable, insufficient detail has been submitted in order to enable a full assessment of the landscape proposal, therefore these details will be required as part of a reserved matter submission.

5.33 An Arboricultural method statement will also be required which will describe how the trees that are to remain will be protected during the construction phase and any other issues to mitigate damage to existing trees. Also details of the proposed landscaping will be required at the reserved matters stage. Appropriate conditions are therefore recommended.

### Drainage and Flooding

5.34 The latest flood map from the Environment Agencies website illustrates that the area is located within flood zone one and is a low risk area in terms of flooding. Information submitted show a SUDS infiltration pond. SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which

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involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open spaces.

5.35 The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

5.36 Support for the use of SUDS approach to ensuring development does not increase flood risk elsewhere is set out in paragraph 103 of the National Planning Policy Framework.

5.37 The Environment Agency and the Council's engineers have considered the information submitted with the application. No objections are raised subject to a land drainage condition being imposed on any approval. The condition is required to ensure that an appropriate surface water management strategy, through detailed design, is considered and fully agreed with the Local Planning Authority.

5.38 Northumbrian Water raise no objection to the proposal subject to a detailed scheme for the disposal of foul water condition being imposed on any approval given. The condition is required to ensure that adequate precautions are taken to mitigate against any potential flooding risk from any sources in accordance with the NPPF.

### Public rights of way

5.39 There are two Public Footpaths that abut the southern perimeter of the proposed development site. These are designated as Public Footpath Nos 8 and 9, Greatham.

5.40 The southern boundary is lined along the perimeter of the site with trees and hedging, concerns were raised with the potential impact the removal of the existing trees and provision of fencing could have on the existing footpath. However as this is an outline application seeking to establish the principle of residential development on the site, specific fencing/boundary arrangement for plots are a matter of detail, it would therefore be more appropriate to consider this at reserved matters stage should approval be given.

5.41 There will be a need to cross certain footpaths and the cycle track in order to connect the foul pumping station to the existing sewerage drains to the south. This would be facilitated by applying to the relevant bodies for temporary closure/diversion orders in respect of the footpaths and the track.

5.42 The Countryside Access Officer raises no objection to the development proposals.

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### Renewables

5.43 To assist in meeting the EU renewable energy consumption target of 15% of the UK energy is consumed via renewable resources and to assist in the Council's climate change agenda consideration should be given to the provision of on site renewable energy generation. Evidence regarding the on site provision of renewable energy is set out in the 2010 background paper entitled 'energy supply from decentralised and renewable or low carbon sources'. The background paper indicates that an acceptable level of on site provision is 10%, such provision was deemed to not render a scheme unviable. This has been confirmed with the agent and a condition is recommended accordingly.

### **EQUALITY AND DIVERSITY CONSIDERATIONS**

5.44 There is no evidence of equality or diversity implications.

### **SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS**

5.45 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**

5.46 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 completion of a legal agreement to secure contributions towards primary education (£100,144), £250 per dwelling for green infrastructure (£7,250), £250 per dwelling for built sport (£7,250) and £250 per dwelling for play (£7,250), 10% affordable housing (3 dwellings), the acceptable provision and maintenance of highway infrastructure, open space and drainage infrastructure and the following conditions:

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), the means of access there to and the landscaping of the site (hereinafter called the "reserved matters") shall be obtained in writing from the Local Planning Authority.

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In order to ensure these details are satisfactory.

3. Development shall not commence until a detailed scheme for the disposal of foul water from the development including the provision of a new sewage pumping station, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.  
To prevent the increased risk of flooding from any sources in accordance with the NPPF
  
4. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated can be attenuated to the greenfield run off equivalent for the impermeable areas only and will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.  
To prevent the increased risk of flooding, both on and off site.
  
5. 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



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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

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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.

6. No part of the development shall be occupied until vehicular and pedestrian access, including tactile paving and appropriate level access connecting the proposed development to the public highway has been constructed to the satisfaction of the Local Planning Authority.  
In the interests of highway safety and to ensure a satisfactory form of development.
7. A detailed scheme of landscaping and tree and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works.  
In the interests of visual amenity.
8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or completion of the development, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.  
In the interests of visual amenity.
9. No development shall take place until a scheme for the protection during construction works of all trees to be retained on the site, in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations', has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season.  
In the interests of the health and appearance of the preserved tree(s).
10. The clearance of any vegetation including trees and hedgerows shall take place outside of the bird breeding season. The breeding season is taken to be March-August inclusive unless otherwise advised by the Local Planning

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Authority. Unless the site is first checked within 48 hours prior to the relevant works taking place, by a suitably qualified ecologist who confirms that no breeding birds are present and a report is subsequently submitted to the Local Planning Authority confirming this.

In the interests of breeding birds.

11. The total development hereby approved shall not exceed the following maxima: Up to 29 Residential dwellings (C3 Use Class).  
To ensure a satisfactory form of development.
12. Prior to the commencement of development details of existing and proposed levels of the site including finished floor levels of the buildings to be erected and any earth retention measures shall be submitted to and approved in writing by the Local Planning Authority.  
In order to ensure that these details are acceptable in the interests of visual amenity, safety and the amenity of future and adjacent residents.
13. Prior to the commencement of development details of acoustic fencing to be erected between the residential development and Greatham Primary School shall be submitted to and approved in writing by the Local Planning Authority, thereafter the approved scheme shall be implemented in accordance with the approved details prior to the occupation of any of the dwellings which share the boundary with the school  
In the interests of the amenities of the occupants of neighbouring properties.
14. The development hereby permitted shall be carried out in accordance with the site location plan Dwg No 1038076/01 and details received by the Local Planning Authority on 2 July 2014, unless otherwise agreed in writing by the Local Planning Authority.  
For the avoidance of doubt.
15. Details of all walls, fences and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced. Thereafter the development shall be carried out in accordance with the approved details.  
In the interests of visual amenity.
16. 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.
17. 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.

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

18. 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.

19. A scheme to incorporate on site renewable energy generation shall be submitted to and agreed in writing by the Local Planning Authority before the construction of any of the hereby approved dwellings commences. Thereafter the scheme shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.  
To encourage sustainable development.

20. No construction works shall take place outside the hours of 08:00hrs to 18:00hrs Monday to Friday and 09:00hrs to 13:00hrs on a Saturday. No construction works shall take place on Sundays or Bank Holidays.  
In the interests of the amenities of the occupants of neighbouring properties.

21. The details submitted with the reserved matters shall include a tree survey in accordance with BS5837:2012 of all trees and hedges within and adjacent to the site, details of their condition and recommendations regarding their retention.  
The tree survey details submitted with this application was not detailed enough. In order to ensure that account is taken of trees/hedges on and adjacent to the site in bringing forward the final scheme.

## BACKGROUND PAPERS

5.41 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.

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## **POLICY NOTE**

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

### **ADOPTED HARTLEPOOL LOCAL PLAN 2006**

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

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

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

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

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

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

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

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

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

**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.

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

**Tra11** (Strategic Road Schemes) - Identifies this land as a safeguarded road improvement corridor where no permanent development will be permitted.

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

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

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

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

**Rec9** (Recreational Routes) - States that a network of recreational routes linking areas of interest within the urban area will be developed and that proposals which would impede the development of the routes will not be permitted.

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

**GN5** (Tree Planting) - Seeks additional tree and woodland planting in this area through the use of planning conditions and obligations.

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

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

**HE3** (Developments in the Vicinity of Conservation Areas) - States the need for high quality design and materials to be used in developments which would affect the setting of conservation areas and the need to preserve or enhance important views into and out of these areas.

**HE8** (Works to Listed Buildings (Including Partial Demolition))

States that traditional materials and sympathetic designs should be used in works to listed buildings and to adjoining or nearby properties affecting the setting of the building. These should be in keeping with the character and special interest of the building. Those internal features and fittings comprising an integral part of the character of the building should be retained where practical. Alterations to part of a listed building will only be approved where the main part of the building is preserved or enhanced and no significant features of interest are lost.

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



would preserve or enhance the character of the site and the setting of other buildings nearby.

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

**Rur4** (Village Design Statements) - States that the design of new developments within villages will need to take account of any relevant village design statements which have been adopted by the Borough Council as supplementary planning guidance.

## **MINERALS & WASTE DPD 2011**

**Policy MWP1: Waste Audits** : A waste audit will be required for all major development proposals. The audit should identify the amount and type of waste which is expected to be produced by the development, both during the construction phase and once it is in use. The audit should set out how this waste will be minimised and where it will be managed, in order to meet the strategic objective of driving waste management up the waste hierarchy.

## **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.

6. The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

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.

**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.

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

**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.

**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.

**32.** All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

**34.** Decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to

take account of policies set out elsewhere in this Framework, particularly in rural areas.

**36.** All developments which generate significant amounts of movement should be required to provide a Travel Plan.

**37.** Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

**47.** To boost significantly the supply of housing, local planning authorities should:

- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
- identify and update annually a supply of specific deliverable<sup>11</sup> sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;
- identify a supply of specific, developable<sup>12</sup> sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;
- for market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target; and
- set out their own approach to housing density to reflect local circumstances.

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

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

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

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

**58.** Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Planning Policies and decisions should aim to ensure that developments...respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

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

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

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

**72.** The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools; and work with schools promoters to identify and resolve key planning issues before applications are submitted.

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

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

**100.** Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:

- applying the Sequential Test;
- if necessary, applying the Exception Test;
- safeguarding land from development that is required for current and future flood management;
- using opportunities offered by new development to reduce the causes and impacts of flooding; and
- where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to facilitate the relocation of development, including housing, to more sustainable locations.

**109.** The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- 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;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

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

planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

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

**131:** Viable uses consistent with the conservation, positive contribution to sustainable communities and local character and distinctiveness  
In determining planning applications, local planning authorities should take account of:

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

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

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

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

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

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

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

**137.** LPA's should look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals to preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

**138.** Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

**141.** Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

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

Paragraph 131: 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.



**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

5 November 2014



**Report of:** Assistant Director (Regeneration)

**Subject:** APPEAL AT QUARRY FARM, HARTLEPOOL TS26  
0LH

APPEAL REF: APP/H0724/A/14/2225471 – OUTLINE  
APPLICATION FOR THE CONSTRUCTION OF 81  
DWELLINGS WITH ALL MATTERS RESERVED  
EXCEPT FOR ACCESS

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### 1.0 PURPOSE OF REPORT

- 1.1 To advise members of the receipt of the above planning appeal.
- 1.2 The above application was considered at the Planning Committee on 3<sup>rd</sup> September 2014 where it was refused contrary to officer recommendation for reasons relating to highway safety and crime/fear of crime/antisocial behaviour.
- 1.3 The appeal will be decided through the inquiry procedure.
- 1.4 The inquiry will take place on 22<sup>nd</sup> and 23<sup>rd</sup> January 2015.

### 2.0 RECOMMENDATIONS

- 2.1 That Members authorise officers to contest the appeal.

### 3.0 CONTACT OFFICER

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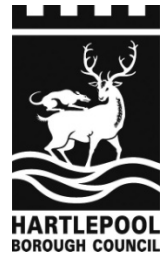
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# PLANNING COMMITTEE

5<sup>th</sup> November 2014



**Report of:** Assistant Director (Regeneration)

**Subject:** HARTLEPOOL TREE STRATEGY 2011 – 2016  
PROGRESS REPORT

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## 1. PURPOSE OF REPORT

- 1.1 This report provides an update on progress in relation to the Hartlepool Tree Strategy 2011 - 2016.

## 2. BACKGROUND

- 2.1 The Hartlepool Tree Strategy 2011 – 2016 was adopted by Members on 7<sup>th</sup> February 2011. Its overall aim is to enhance the role and status of trees in the borough and to ensure the sustainability of its tree population. The tree strategy seeks to realise this aim by achieving the following three objectives:

1. Retain and protect the borough's existing trees.
2. Maintain the borough's publicly owned trees using good arboricultural management and ensure the safety and wellbeing of the public through the assessment and management of risk associated with trees.
3. Increase the number of trees in the borough.

A comprehensive action plan was created in response to the overall aim and objectives of the tree strategy. This report provides an update on progress in relation to that action plan.

## 3. PROGRESS ON IMPLEMENTING THE TREE STRATEGY

- 3.1 The information in this report has been collected through monitoring and recording of the activities in relation to trees of a number of Council sections including Landscape Planning and Conservation, Parks and Countryside, Neighbourhood Management, and Engineering Design and Management.

### 3.2 Objective 1: 'Retain and protect the borough's existing trees'.

#### 3.2.1 *Action 1: 'Protect privately owned trees of amenity value using Tree Preservation Orders where appropriate'.*

The Council has continued to make Tree Preservation Orders (TPOs) to protect privately owned trees of high amenity value from unnecessary felling or disfigurement. It has also used its planning powers to ensure that all works undertaken on protected trees has been carried out in accordance with arboricultural best practice.

Nine new TPOs have been made either as a result of development proposals, disposal of Council property or in response to receipt of a notice to fell trees within a conservation area. Planning conditions are applied, where necessary and appropriate, to tree works approvals in order to ensure that pruning works to TPO trees are carried out in accordance with the recommendations contained in BS3998:2010 'Recommendations for tree work'.

#### 3.2.2 *Action 2: 'Keep the borough's Tree Preservation Orders under review and revoke and remake Orders as necessary'.*

In addition to making new Orders where necessary, the Council has kept its existing TPOs under review, regularly revoking and remaking or varying out-of-date Orders as appropriate. By doing this the Council seeks to reduce ambiguity and ensure that the borough's TPOs can be enforced should legal action become necessary. Twenty-three new TPOs have been made as a result of TPO reviews.

The table below provides a brief summary in relation to the review of TPOs since adoption of the new tree strategy.

Year	Orders reviewed	Orders revoked	Orders varied	New Orders made
2011-2012	3	3	0	14
2012-2013	5	5	0	7
2013-2014	3	3	1	2

#### 3.2.3 *Action 3: 'Make full use of the Council's powers of enforcement with regard to TPOs, trees in conservation areas and planning obligations with regard to trees by responding to complaints and proactively monitoring outcomes'.*

Unauthorised works to protected trees within the borough is not a common occurrence and no cases of unauthorised works to trees subject to TPO have arisen since 2011. There have been five cases of unauthorised works to trees that are located within conservation areas but not covered by a TPO, and in all cases a letter has been sent to the tree owner informing them that an offence may have been committed, and reminding them of the need to first submit notice to the Council before carrying out works to trees in conservation areas. It is considered that, given the individual circumstances of each case, this approach has been the correct and proportionate response to the offence in each case.

3.2.4 *Action 4: 'Ensure that, through effective engagement in the planning process, existing trees are retained on development sites where appropriate and that they are adequately protected'.*

Since adoption of the tree strategy approximately thirty comprehensive arboricultural impact assessments have been submitted in support of planning applications, many of them major applications (an arboricultural impact assessment is the document that is required to support planning applications for development that affects existing trees). This has led to the effective retention and protection of many trees on development sites that may otherwise have been irreparably damaged by construction works in their vicinity.

In order to aid in effective engagement in the planning process a Trees and Development Guidelines Supplementary Planning Document has been produced. The document, which forms part of the Hartlepool Local Development Framework, provides an outline of the procedures and design criteria necessary to achieve the successful integration of existing and new trees, shrubs, hedges and hedgerows into new developments. The document was formally adopted by Members on 6<sup>th</sup> June 2013.

Informal advice on the requirements in relation to trees and development is provided either through the 'One Stop Shop' planning advisory service or at any time upon request.

3.2.5 *Action 5: 'Explore the potential to further develop the use of the corporate GIS for the administration of Tree Preservation Orders'.*

The Council is currently developing a web based GIS service which is intended to provide public access to a range of information held on the corporate GIS. Significant progress has been made in preparing the TPO related data in GIS for inclusion in the web based service, and as the functionality of the service increases it is anticipated that the TPO information will be successfully integrated.

3.3 Objective 2: 'Maintain the borough's publicly owned trees using good arboricultural management and ensure the safety and wellbeing of the public through the assessment and management of risk associated with trees'.

3.3.1 *Action 1: 'Develop the use of the corporate GIS for the management of all publicly owned trees'.*

Locational data relating to publicly owned trees has been held on corporate GIS for a number of years, however until recently there was no attribute data associated with each feature (i.e. there were no details such as tree species, age class, DBH range, condition, management recommendations etc.).

'In the field' attribute data collection and update is now carried out using a handheld mobile computer with GPS capability. This development of the corporate GIS for the management of publicly owned trees has made

enhanced use of existing software and systems as an alternative to procurement of specific tree management software.

**3.3.2 Action 2: ‘Develop and implement an integrated programme of cyclical inspection and maintenance of all publicly owned trees’.**

Since adoption of the tree strategy a cyclical programme of tree inspection including trees in parks, recreation grounds, cemeteries, public open space and adjacent to highways has been implemented.

The programme of tree inspections has been developed taking account of current tree risk management guidance recently produced by the National Tree Safety Group and published by the Forestry Commission. In accordance with this and other guidance, a three year ongoing cycle of inspection was judged to be appropriate for the borough due to the number and location of publicly owned trees and the resources available to the Council.

In addition to implementing the cyclical programme of inspection, and in order to formalise and record the way that publicly owned trees in Hartlepool are inspected and maintained, a Tree Risk Evaluation and Management Policy has been produced. As a supplement to the tree strategy, the Tree Risk Evaluation and Management Policy sets out the Council's approach to managing the risks associated with the trees that it has responsibility for.

The table below provides a summary of the numbers of trees inspected, and the number of trees it has been necessary to remove for reasons relating to their condition.

Year	HIGHWAY TREES		PARKS & COUNTRYSIDE TREES	
	No. of trees inspected	No. of trees removed	No. of trees inspected	No. of trees removed
2011-2012	3492	23	4014	65
2012-2013	3095	10	1469	17
2013-2014	3653	N/A	1222	N/A

**3.3.3 Action 3: ‘Ensure that, wherever practical and appropriate, publicly owned trees that must be felled are replaced with a new tree in the same location or nearby’.**

From time to time it is necessary to fell healthy publicly owned trees, in many cases to facilitate improvements to highways. Where this situation occurs the Council seeks to provide appropriately located replacement trees as part of the overall highway improvement scheme. It is acknowledged that young newly planted trees can not readily replace the loss of a mature tree, however over time it is considered that any temporary loss of public visual amenity can be effectively offset.

The table below provides information on recent highway improvement schemes that have required the removal of mature or semi-mature trees and the nature of the replacements provided.

Site	Reason	No. of trees removed	Type	No. of replacement trees	Type	Size at planting
Owton Manor Lane./ Catcote Road Junction	Junction widening	4	Mature Whitebeam	7	Norway Maple	Extra heavy standard
Elwick Road / Catcote Road Junction	Junction widening	2	Mature Apple	2	Ornamental Pear	Extra heavy standard
York Road (Elwick Road to Lister Street)	Road Improvements	0	N/A	5	London Plane	Extra heavy standard
Elwick Rise	Bus layby improvements	2	Semi-mature Ash	3	Great White Cherry	Extra heavy standard

**3.3.4 Action 4: ‘Carry out a quantitative assessment of, and using a recognised valuation method place a value on, the borough’s publicly owned tree resource’.**

The CAVAT (Capital Asset Value for Amenity Trees) method expresses the value of a publicly owned tree population in monetary terms in a way that is directly related to the public benefit that the trees provide, drawing upon objective evidence and published data as well as expert arboricultural input. It is intended to facilitate management of the tree stock as a whole as if it were a financial asset of the community.

Data collection for the purposes of CAVAT is included as part of the cyclical programme of tree inspections outlined at 4.3.2 above. Therefore, upon completion of a full round of tree inspections and of analysis of the CAVAT related data; it should be possible to place a monetary value upon the borough’s publicly owned tree population.

**3.3.5 Action 5: ‘Investigate the feasibility of a Council tree budget and report the findings to the appropriate committee’.**

The Council currently has a maintenance budget of £20,000 which was identified as a budget pressure in 2012/13 and any cost in relation to the strategies recommended within this report will be met from the existing budget provision. Note that the Council also incurred £16,000 as a one off to pay for tree replacement.

In asset management terms it is considered appropriate to allocate a budget figure that is a percentage of the asset’s total overall value to the management of the resource. This is recognised as prudent to maintain the resource efficiently and avoid increased costs associated with lack of maintenance and asset degradation.

In practice, with regard to the maintenance of the borough’s publicly owned trees, this would mean allocating an annual budget for the maintenance of trees which is commensurate with the value of the tree stock as calculated using the method outlined at 4.3.4 above.



### 3.3.6 Action 6: *'Prepare management plans for all publicly owned woodlands'*.

Publicly owned woodlands within the borough are managed and maintained by staff and volunteers based within the Parks and Countryside section. Comprehensive management plans have been formulated and implemented for Burn Valley Family Wood and Summerhill Country Park. The development of formal management plans for other smaller areas of publicly owned woodland are expected to be completed prior to the final review of the 2011 – 2016 tree strategy.

### 3.3.7 Action 7: *'Conduct a biennial assessment of the tree strategy and report the findings to the appropriate committee'*.

This report is the product of the biennial assessment and provides an update for decision makers on progress in implementing the tree strategy. It is hoped that in addition to highlighting achievements, the assessment will identify where improvements could be incorporated into a future edition of the borough's tree strategy.

## 3.4 Objective 3: 'Increase the number of trees in the borough'.

### 3.4.1 Action 1: *'Prepare potential future tree planting plans for the borough and pursue their implementation'*.

A number of tree planting initiatives have been undertaken recently across the borough. This has resulted in the planting of around 2600 new trees in the borough's parks, cemeteries, open spaces, and highway verges.

The table below provides a summary of tree planting undertaken by the Council since 2011.

Council Portfolio	Site	Sponsored	No.	Type (Species)	Size at Planting
Highways	Merlin Way	Minor works North area	23	Lime	Extra heavy standard
Highways	Easington Road	Minor works North area	9	Ornamental Pear	Extra heavy standard
Highways	Clavering estate	Minor works North area	8	Great White Cherry	Extra heavy standard
Highways	Wilshire Way	Minor works North area	4	Ornamental Pear	Extra heavy standard
Highways	Throston Grange Estate	Minor works North area	6	Ornamental Pear	Extra heavy standard
Parks & Countryside	Stranton Cemetery	Woodland Trust (Friends of Stranton Cemetery)	500	British Native	Whip (woodland)
Parks & Countryside	Clavering Park	Big Tree Plant	250	British native	Extra heavy standard
Parks & Countryside	Seaton Park	Woodland Trust	840	British native	Whip (hedgerow)
Parks & Countryside	Ward Jackson Park	Woodland Trust	250	British native	Whip (hedgerow)
Parks & Countryside	Seaton Park	'Plant a tree in February'	30	Alder & Willow	Extra heavy standard
Parks &	Waverley	Woodland Trust	200	British native	Whip

Council Portfolio	Site	Sponsored	No.	Type (Species)	Size at Planting
Countryside	Terrace Garden				(hedgerow)
Parks & Countryside	Waverley Terrace Garden	Cllr S Akers Belcher	2	Rowan & Maple	Extra heavy standard
Parks & Countryside	West View Cemetery	Woodland Trust / Ahmadiyya Group	420	British native	Whip (hedgerow)
Parks & Countryside	Hart Primary School	Woodland Trust	42	British native	Whip (woodland)
Parks & Countryside	Burn Valley Gardens	Unknown	2	Copper Beech	Extra heavy standard
Parks & Countryside	Burn Valley Gardens	Unknown	2	Sweet Chestnut	Extra heavy standard
Parks & Countryside	Ward Jackson Park	HBC staff	1	Tulip tree	Extra heavy standard
Parks & Countryside	Summerhill	HBC staff	1	Wych Elm	Extra heavy standard
Neighbourhood Management	Meadowsweet Drive	Members budget	15	Ornamental Pear, Silver Birch	Extra heavy standard
Neighbourhood Management	Throston Grange	Members budget	25	Ornamental Pear, Silver Birch, Whitebeam	Extra heavy standard
TOTAL			2630		

**3.4.2 Action 2: ‘Through effective engagement in the planning process require tree planting wherever it is appropriate in relation to new developments’.**

Section 6 of the newly adopted Trees and Development Guidelines Supplementary Planning Document deals with the requirements for landscaping schemes for new developments within the borough and stresses the importance of allowing for the planting of new trees when designing new developments.

The planting of roughly 1000 new trees located within public areas and private residential gardens across the borough have been approved as part of landscaping schemes for new development. Examples of these would include the developments at Middle Warren, Headway, Easington Road, Sidings Close and at Wynyard.

**3.4.3 Action 3: ‘Through effective engagement in the planning process encourage tree planting in association with new highway infrastructure’.**

The guidance contained in the Trees and Development Guidelines Supplementary Planning Document applies equally to highway infrastructure. Recent and current examples of new or upgraded highway infrastructure that has had tree planting incorporated would include the York Road improvement scheme, the transport interchange at Upper Church Street and the forthcoming Hart Lane/Raby Road junction widening scheme.

3.4.4 *Action 4: 'Encourage and assist landowners to take up grant aid for tree planting and woodland establishment and management, and monitor level of take up'.*

Little progress has been made under this action to date. Unfortunately the Forestry Commission English Woodland Grant Scheme has recently been suspended therefore the primary source of grant funding for woodland creation in England is no longer available.

Alternative sources of funding for tree planting on publicly owned land, such as through the Woodland Trust, have been accessed by various resident groups around the borough, and assistance in making applications for funding has been provided by staff within the Regeneration and Neighbourhoods Department.

Information with regard to the woodland and forestry industry sector within the borough was recently fed into a consultation process as part of the Rural Development Programme 2014 – 2020.

3.4.5 *Action 5: 'Seek residents support and encourage suggestions for further tree planting through relevant neighbourhood forums'.*

The Friends of Stranton Cemetery group have recently undertaken tree planting at the cemetery with trees provided by the Woodland Trust as part of the Queen's Diamond Jubilee celebrations. Officers oversaw the planting and advised on planting locations and density in conjunction with the countryside volunteers.

A further recent example involves a proposal for the development of a community orchard on land at Masfield Road. This proposal has been resident initiated and led, with tree related input from the Council's Arboricultural Officer.

The majority of the trees planted as outlined in the table under 4.3.1 above have been planted as a result of resident requests through neighbourhood forums or friends groups.

3.4.6 *Action 6: 'Review and update tree related information on the Council's web site'.*

A number of changes in relation to the Council's powers and responsibilities with regard to trees, as well as changes to the Council's own guidance and policies in relation to trees, have been implemented since adoption of the tree strategy. For example a new Trees and Development Guidelines Supplementary Planning Document has recently been adopted. As these changes occur, the relevant pages on the website are updated by the Council's Arboricultural Officer.

Through ongoing experience, feedback gained from residents and research of best practice the tree related information, advice and guidance available on the Council's website continues to be improved. Examples of this include

the publishing of information notes on the Council's powers in relation to dangerous trees on private land, common questions that prospective homebuyers have about protected trees, and how trees are vulnerable to damage from development activities and to aid in the understanding of why it is important to protect them from such activities.

3.4.7 *Action 7: 'Review annually and where necessary re-issue tree related information leaflets'.*

As a result of an action contained in the Strategy For Trees in Hartlepool 2005 – 2010 two tree related information leaflets, one entitled 'Right Tree, Right Place' and one entitled 'Trees and Development', were issued during 2007. These leaflets were subject to annual review and due to some elements of the advice and guidance contained in the leaflets becoming out of date they have since been withdrawn.

Tree related information notes, some examples of which are outlined in the section above, are now made available for download via the Council's website. This method of publishing information saves on the cost of production and printing. These information notes can also be printed and sent by post when requested.

#### **4. CONCLUSION**

- 4.1 It is considered that since adoption of the Hartlepool Tree Strategy 2011 – 2016 good progress has been made in its implementation. The result of the assessment outlined in this report demonstrates that the borough's tree population is steadily increasing in quantity and diversity through the Council's activities in relation to publicly and privately owned trees and the guiding principles set out within the tree strategy.

#### **5. EQUALITY AND DIVERSITY CONSIDERATIONS**

- 5.1 There are no equality or diversity implications.

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

- 6.1 There are no Section 17 implications

#### **7. RECOMMENDATIONS**

- 7.1 It is recommended that Members note the content of this report.

## 9. BACKGROUND PAPERS

[Hartlepool Tree Strategy 2011 – 2016](#)  
[Trees and Development Guidelines Supplementary Planning Document](#)  
[Tree Risk Evaluation and Management Policy](#)

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## PLANNING COMMITTEE

5 November 2014



**Report of:** Assistant Director (Regeneration)

**Subject:** APPEAL AT LOW THROSTON, HART LANE,  
HARTLEPOOL – APPEAL REF:  
APP/H0724/A/14/2219037 – TEMPORARY SITING  
OF A MOBILE HOME

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### 1.0 PURPOSE OF REPORT

1.1 To advise members of the outcome of the above planning appeal.

1.2 The appeal was allowed. A copy of the appeal decision is **attached**.

### 2.0 RECOMMENDATIONS

2.1 That Members note the outcome of the appeal.

### 3.0 CONTACT OFFICER

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## Appeal Decision

Site visit made on 17 September 2014

**by George Arrowsmith BA, MCD, MRTPI**

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

**Decision date: 10 October 2014**

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**Appeal Ref: APP/H0724/A/14/2219037**

**Low Throston House, Hart Lane, Hartlepool, TS26 0JZ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Andrew Haygarth against the decision of Hartlepool Borough Council.
  - The application Ref H2013/0627, dated 20 November 2013, was refused by notice dated 2 April 2014.
  - The development proposed is the temporary siting of a new mobile home.
- 

### Decision

1. The appeal is allowed and planning permission is granted for a new mobile home at Low Throston House, Hart Lane, Hartlepool, TS6 0JZ in accordance with the terms of the application, Ref H2013/0627, dated 20 November 2013, subject to the following conditions:
  - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos 267/1b/Rev B and 267/8/Rev A and associated brochure details.
  - 2) The mobile home hereby approved shall be removed from the site within 2 years from the date of this notice.

### Main Issue

2. The main issue is whether the mobile home, which is already in place, is unacceptably detrimental to visual amenity.

### Reasons

3. The appeal site is associated with Throston House, a large modern 2-storey detached house which is set well back from Hart Lane. Access to the house is via Netherby Gate Lane, a cul-de-sac which serves 3 other detached houses. In addition to the parent house the curtilage contains a substantial 2-storey building containing garages with residential accommodation above and stables. Like Throston House itself, the 2-storey building is set well back from Hart Lane but the stables are between the house and Hart Lane. The appeal site is to the south west of the stables and is consequently closer to Hart Lane than any of

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Appeal Decision APP/H0724/A/14/2219037

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the other buildings. When seen from Hart Lane the buildings appear to sit on a shallow plateau above road level.

4. There is an approximately 1.5m high wall around the appeal site, a further outer wall enclosing a paddock to the south of the stables and a 1.8m high close boarded fence on the Hart Lane frontage extending for some distance northwards from the junction between Hart Lane and Netherby Gate Lane. There is also a vehicular access track which climbs up the slope towards the paddock area from this same junction. The contrast between this track's hard core surface and the grassed surface on either side makes it an obtrusive feature when seen from Hart Lane to the south
5. There is an extant permission for a bungalow on the appeal site. I read that the foundations for the bungalow have been constructed although comments to the Council from Tees Archaeology say the work was in breach of a condition designed to secure archaeological monitoring in connection with the Deserted Mediaeval Village of Low Throston, a scheduled ancient monument which lies to the west and north of the appeal site. I am not informed of any action taken, or proposed to be taken, by the Council in relation to this asserted breach and the Council do not claim that the current proposal either causes or threatens any damage to the ancient monument.
6. I am told that after the work on the foundations began the appellant's daughter became pregnant, at which point the appellant decided to suspend building work on the bungalow and instead acquired the mobile home which now stands on the site. The appellant's reason for replacing the bungalow with a mobile home is that it was *"to guard against the possibility of the daughters partner acquiring rights in the event that the relationship did not mature into a permanent one"*.
7. I am told that the Council became aware of the mobile home and took enforcement action requiring its removal. An appeal against the enforcement notice (Ref: APP/H0724/C/13/2209310) was made under ground (c), that there had been no breach of planning control. The appeal was dismissed but, since only ground (c) was pleaded, my colleague did not consider the planning merits of the case.
8. Before the enforcement appeal was determined the appellant submitted an application for the temporary siting of a mobile home. This application was refused and is the proposal that is now before me.
9. The Council argue that the mobile home is in a prominent position and appears incongruous and out of keeping by virtue of its design and short life construction materials. However, they do not identify any specific aspects either of the design or construction materials that make the structure appear incongruous or out of keeping. The Council's corporate view can be contrasted with that of the reporting officer who commented that the mobile home is sited amongst an established group of buildings and structures and is set back from the main highway by approximately 26m, factors which the officer considered reduced the impact of the mobile home on the visual amenity of the site and the surrounding area. The officer shared the Council's view that the design and materials were unsuitable for a permanent structure but considered that the proposal would be acceptable for a temporary period.



Appeal Decision APP/H0724/A/14/2219037

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10. The appellant considers that the mobile home has the outward appearance of a very small bungalow and is almost indistinguishable from other residential property with its tile effect pitched roof. He also says that its distance from any neighbouring houses makes it unobtrusive.
11. In my judgement the mobile home is not as unobtrusive as the appellant claims. It is true that it is some distance from any nearby houses and it is also the case that the combination of an embankment, fence and hedge has a screening effect when looking towards the site from the footpath which runs along the site frontage. The structure is however clearly visible when approaching along Hart Lane from the south and from the footpath on the opposite side of Hart Lane.
12. My assessment of the mobile home's appearance lies somewhere between the Council's view that it is incongruous and out of keeping and the appellant's opinion that it is almost indistinguishable from other residential development. I consider that the combination of a long low profile, prominent central gable and large areas of glass do make the structure appear more like a mobile home, which it is, than a conventional bungalow or any of the nearby residential development. On the other hand it is seen alongside the other features in the appellant's grounds, including the stables, walls and access track. In this regard it is significant that the Council have not said that any of these other structures are unlawful. Given the visual context I agree with the reporting officer that any adverse impact on the amenity of the surrounding area is reduced. When seen from close range the relatively insubstantial nature of the construction materials is apparent but the distance from the site boundaries also reduces this effect when the structure is seen from outside the site.
13. I have considered what would happen if I were to dismiss the appeal – the fall-back position. In his grounds of appeal the appellant asserts that he has the right to place a caravan within his curtilage by virtue of section 55(2) (d) of the Act. In this regard, in his decision related to the earlier enforcement appeal, my colleague found that the site had become a separate planning unit and no longer fell within the curtilage of Throston House, with the effect that section 55(2)(d) no longer applies to this specific site even though a caravan could be located elsewhere within the appellant's curtilage. There is another element to the fall-back position, which is the extant permission for a bungalow. I do not know whether that is a full or outline permission but in any event neither party has provided me with details of the bungalow. It is nevertheless clear that, even if the current appeal is dismissed, there is likely to be a single storey building on the same site.
14. A final factor to be taken into consideration is the temporary nature of the proposal before me. I do not suggest that a proposal to make a development temporary can outweigh its adverse effects but in this particular case I consider that the most potentially adverse visual aspect of the proposal is the relatively insubstantial nature of the construction materials which are likely to lead to a long term deterioration in the structure's appearance. In these circumstances the opportunity to limit the length of time the mobile home remains on-site, which is invited by the description of the proposal, is a decisive factor in its favour. I conclude that the retention of the mobile home for a temporary period would not conflict with the objectives of saved policy GE1 in the adopted Hartlepool Local Plan.
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Appeal Decision APP/H0724/A/14/2219037

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15. The Council's first reason for refusal relates to the precedent effect of granting approval. I consider that this reason is secondary to the main issue in that it carries weight only insofar as the proposal conflicts with the objective of protecting visual amenity. Since I have concluded that, because of the particular circumstances of the case, the development does not have an unacceptable effect on visual amenity I consider that no damaging precedent would be created by allowing the appeal. In addition the circumstances of this case are so unusual that it is likely that any subsequent proposal for the siting of a mobile home could be differentiated from it.

**Conditions**

16. I am not told when the mobile home was placed on the site but I read that the enforcement notice which was the subject of the earlier appeal was issued on 10 September 2013. It is therefore apparent that the structure has already been on site for over a year. Moreover, in explaining why he sited the mobile home, the appellant explains that he wished to put off building the permitted bungalow for 'a couple of years'. In these circumstances the Council's suggestion that the mobile home should remain for no more than 2 years is a reasonable stipulation to which the appellant has not objected and which I have required by a condition.

*George Arrowsmith*

INSPECTOR

## PLANNING COMMITTEE

5 November 2014



**Report of:** Assistant Director (Regeneration)

**Subject:** UPDATE ON CURRENT COMPLAINTS

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### 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 incorporation of Council land into the rear garden of a residential property on Harvester Close.
  2. An investigation has been completed in response to a complaint regarding an estate road aligned not in accordance with the approved plans outside a property on Gooseberry Close. Given the complaint is a dispute with the developer, there is no input from a planning point of view.
  3. An investigation has commenced stemming from a Councillor raising a complaint made by a constituent regarding the running of car repair business from a property on Alliance Street.
  4. An investigation has been completed in response to a complaint regarding land clearance works taking place close to great crested newt (GCN) breeding ponds, related to the erection of an anemometer mast on land in Tofts Road West. The Council's Ecologist confirmed the cutting back of vegetation for the erection of a site boundary steel fence did not encroach into the designated GCN protection zone.
  5. An investigation has commenced in response to a complaint regarding the installation of UPVC windows to the rear of a property on Friar Terrace. The property is located in the Headland Conservation Area and also protected by an Article 4 Direction. Due to a prompt response to the complaint only one window had been installed and with the property owner's cooperation the work has been suspended, and a planning application has been submitted.
  6. An investigation has commenced stemming from the Council's Licensing Officer noting a temporary planning application had expired for an outside

beer garden at a public house on Dunston Road. The owner is to submit the relevant planning application to renew the consent.

7. An investigation has commenced in response to an anonymous complaint regarding the incorporation of land into the rear garden at two residential properties on Middlegate.
8. An investigation has commenced in response to a complaint regarding the erection of low steel decorative railings around the front and side garden of a corner property on Whinchat Close. There is an open plan condition on the estate planning consent. The property owner will be submitting a retrospective planning application. It is common for owners of corner properties to enclose their property to prevent animals and people straying across their garden.
9. An investigation has commenced in response to an anonymous complaint regarding the running of a car business from a residential property on Vincent Street.
10. An investigation has been completed in respect of complaint received regarding the laying of concrete pads adjacent to a fish processing unit on the fish quay. Permitted development rights applied in this case. No action necessary.
11. An investigation has commenced stemming from the Council Building Control Surveyor noting alterations made to a maintenance building to provide additional office space, erected under planning consent on Usworth Enterprise Park. The site owner has agreed to submit a non material amendment planning application.

## **2. RECOMMENDATION**

- 2.1 Members note this report.

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## PLANNING COMMITTEE

(5<sup>th</sup> November 2014)



**Report of:** Planning Services Manager

**Subject:** UPDATED PLANNING POLICY FRAMEWORK  
JUSTIFICATION OCTOBER 2014

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### 1. PURPOSE OF REPORT

- 1.1 The report is for information only.
- 1.2 To update the Planning Committee on the change to the five year land supply situation in the Borough. A copy of the updated Planning Policy Framework Justification October 2014 is attached as Appendix 1.

### 2. BACKGROUND

- 2.1 This information is presented in an update to the Planning Policy Framework Justification November 2013 report and the subsequent May 2014 report and is based on recently updated supporting evidence. The first edition of the November Planning Policy Framework Justification was approved by the Regeneration Services Committee on 5th December 2013.
- 2.2 The Planning Services Team produced this document to highlight policies in the adopted local plan and whether they comply with the NPPF. This document has been used since its approval to support the determination of planning applications.
- 2.3 The first document and all subsequent documents stated that the Council could not demonstrate a 5 year housing land supply and therefore all policies relating to the supply of housing are considered to be out of date. This in effect meant that the NPPF 'presumption in favour of sustainable development' potentially allows housing to be progressed in areas which otherwise may not have been deemed as acceptable, for instance those outside of development limits.
- 2.4 Planning Officers have recently reviewed the 5 year land supply following the end of quarter year housing monitoring (2014-2015) and have taken into consideration planning permissions that have been granted since May 2014

which was the time of the last report. This new information will form part of the emerging evidence base for the new Local Plan. The 5 year land supply has been recalculated and has changed from the 4.6 year supply reported in the May 2014 document.

### **3. UPDATED PLANNING POLICY FRAMEWORK JUSTIFICATION OCTOBER 2014**

- 3.1 This update to the May 2014 document only makes factual changes regarding the 5 year land supply. The rest of the document is unchanged as the information is still considered to be up to date and robust.
- 3.2 The five year land supply has changed from a 4.6 year supply in May 2014, where Hartlepool, in October 2014, has a 4.24 year supply of deliverable housing sites. The detail behind the 4.24 year supply is detailed in Appendix 1, with specific regard to chapter 4 of the document; pages 7 to 13.

### **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. RECOMMENDATIONS**

- 6.1 That the Planning Committee notes the content of the report.

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# Saved Policies 2006 Hartlepool Local Plan

## Planning Policy Framework Justification

*October 2014*





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**1. INTRODUCTION**

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

## 2. BACKGROUND

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

### **2006 Local Plan**

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

### **Saved Policies of the 2006 Local Plan**

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

### **2013 Local Plan**

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

### **The Current Situation**

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

### 3. NATIONAL PLANNING POLICY FRAMEWORK & GUIDANCE

- 3.1 The National Planning Policy Framework (NPPF) was published in March 2012 along with the Planning Policy for Traveller Sites. It is a key element of the Government's reforms to make the planning system less complex and more accessible, by combining the majority of existing guidance within one overarching document. It replaced all Planning Policy Statements (PPSs), Planning Policy Guidance (PPGs) and Circulars, with the exception of PPS10 (Waste). Whilst the NPPF does not affect the status of development plans as the starting point for considering planning applications, local authorities have been encouraged to review existing Local Plans and other planning documents to ensure that they have a high level of consistency with the NPPF.
- 3.2 From the date of its publication, the policies contained in the NPPF have been a material consideration that local authorities need to take into account when making development decisions, and in the preparation of local planning documents. To allow for a period of transition, Councils can give weight to relevant policies adopted since 2004, even if there is a limited degree of conflict with the NPPF. Published alongside the NPPF is the National Planning Practice Guidance (NPPG) which gives further clarity to the policies and considerations contained in the NPPF. The NPPG is a material consideration along side the NPPF when making development decisions.
- 3.3 With regard to this NPPF paragraph 214 states:
- "For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004\* (\*In development plan documents adopted in accordance with the Planning and Compulsory Purchase Act 2004 or published in the London Plan) even if there is a limited degree of conflict with this Framework."*
- 3.4 As previously stated in section 2, the 2006 Local Plan was prepared in accordance with the Town and Country Planning (Transitional Arrangements) (England) Regulations 2004 and not the Town and Country Planning (Regional Planning) (England) Regulations 2004. As a result the Council cannot give full weight to the saved policies in the 2006 Local Plan.
- 3.5 However NPPF paragraph 215 goes further to state:
- "In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*
- 3.6 The Council's current situation therefore falls into the "in other cases" category. Paragraph 215 states that "due weight" should be given to "relevant" policies in existing plans according to their degree of consistency with the NPPF. Paragraph 215 offers a mechanism whereby the 2006 Local Plan can still be given due weight dependant upon the consistency of the policies with the NPPF.
- 3.7 Section 5 of this document demonstrates the 2006 Local Plan saved policies consistency with the NPPF bearing in mind the current situation in the borough.
- 3.8 NPPF paragraph 196 further states:
- "The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions"*
- 3.9 Bearing in mind NPPF paragraph 196 it is considered that other material considerations can be taken into account alongside relevant policies in the development plan (2006 Local Plan) and the NPPF. Taking this into consideration, the borough has specific policy areas where the 2006 Local Plan is silent and/or the relevant policies are out-of-date. These other material considerations, as illustrated in section 4, should be given due weight in decision making; with specific regard to determining planning applications.

#### 4. SPECIFIC MATERIAL CONSIDERATIONS

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

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

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

#### **Demonstrating a 5 Year Land Supply of Deliverable Housing Sites**

- 4.2 The Council cannot effectively demonstrate a 5 year supply of deliverable housing sites. This is a crucial consideration in establishing the future planning framework to be used in decision making, with particular regard to determining planning applications. The following paragraphs outline the Council's position with regard to the 5 year supply of deliverable housing sites.

- 4.3 The NPPF places great importance in the delivery of a wide choice of high quality homes. NPPF paragraph 47 states:

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

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

- 4.4 NPPF paragraph 48 states:

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

- 4.5 Bearing in mind paragraphs 47 and 48 the Council has a requirement to identify a supply of deliverable sites sufficient to provide five years worth of housing against their housing requirements. As discussed in section 2, the Council submitted to the Secretary of State in June 2012 its new Local Plan and it was subject to public Hearings in January 2013 running to September 2013. The public hearings resulted in a situation where the Planning Inspector found the Local Plan sound subject to modifications.
- 4.6 As the Local Plan was withdrawn prior to adoption any policies contained in the plan are deemed to hold no weight, this includes any housing allocations contained in the Local Plan. As a result no housing allocations contained in the withdrawn Local Plan are to be included in the 5 year supply demonstration.
- 4.7 The former emerging Local Plan sought to meet a housing need established in the evidence base document *"Future Housing Provision in the Borough for the Next 15 Years"* which was published in April 2013 and as a result was not part of the actual Local Plan. Whilst the Local Plan was withdrawn the evidence behind the Local Plan was not withdrawn and is still robust and a material consideration. The *"Future Housing Provision in the Borough for the Next 15 Years"* document is a source of evidence independent of the Local Plan as a result this holds significant weight in assessing what the housing needs are over the next 15 years in the absence of an up to date Local Plan which includes appropriate housing provision.
- 4.8 In suggesting modifications to the withdrawn Local Plan, the Planning Inspector sought to assemble housing sites to broadly accord with the quantum of development proposed in the *"Future Housing Provision in the Borough for the Next 15 Years"* document. The document identified a future housing need in the borough over the next 15 years for approximately 4,800 net additional dwellings equating to an average net additional dwelling requirement of 320.
- 4.9 The *"Future Housing Provision in the Borough for the Next 15 Years"* document has been updated in May 2014 to reflect the changes in completions and demolitions that have taken place since April 2013 base date. The updated document can be downloaded from the Council's website and should be read as a companion piece to this report. The broad findings and crucially the net additional dwelling target of 4,800 over 15 years is unchanged.
- 4.10 As a result the Council are satisfied that the 4,800 net additional dwellings equating to an average net additional dwelling requirement of 320 over 15 years is a robust and appropriate requirement. This is essentially the standard housing requirement scenario.
- 4.11 In accordance with NPPF paragraph 47 the Council accepts that there has been a record of persistent under delivery of housing. As a result there is a requirement to increase the provision over the first 5 years by an additional 20% (moved forward from later in the plan period). This is scenario 2 (frontloaded) and is the housing requirement against which the Council is seeking to demonstrate a 5 year supply of deliverable housing sites. Table 1 illustrates the requirement scenarios.

**Table 1: Housing Requirement Scenarios**

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

4.12 Scenario 2 is the most robust and appropriate housing requirement against which the Council will demonstrate the 5 year supply of deliverable sites.

4.13 In identifying sites that contribute towards meeting a 1<sup>st</sup> 5 year supply the Council has only included deliverable (meeting the definition in NPPF footnote 11) housing sites in the borough which already benefit from a residential planning permission including those where development has commenced but with further dwellings still to complete on-site. No other sites have been included; only sites which benefit from planning permission. Notwithstanding this some sites which benefit planning permission have subsequently not been included in the 1<sup>st</sup> 5 years or in subsequent years as they have specific delivery problems with:

- Physical site constraints
- Low demand housing offer planned (including flats)
- Economically unviable in current housing market conditions

Where sites with planning permission have not be included in the 1<sup>st</sup> 5 years due to issues with regard to deliverability they have been discounted (i.e. moved into the post 15 year delivery category) or identified for development in the 2<sup>nd</sup> and 3<sup>rd</sup> 5 year periods, when it is more likely that development could occur. So to recap only sites that explicitly meet the definition in NPPF footnote 11 have been included in the 1<sup>st</sup> 5 year supply; therefore are deliverable.

4.14 As the new Local Plan was withdrawn no strategic sites outside of current development limits (such as the South West Extension) can be included in the identified supply.

4.15 Table 2 and graph 1 summarise all of the sites which contribute towards the 5 year supply.

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

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Total
<b>Gross Expected Completions</b>	375	518	404	353	260	231	195	149	130	45	35	35	35	35	29	2829
<b>Expected Demolitions</b>	-180	-25	-25	-25	-25	-25	-25	-25	-25	-25	-25	-25	-25	-25	-25	-530
<b>Net Expected Completions</b>	195	493	379	328	235	206	170	124	105	20	10	10	10	10	4	2299

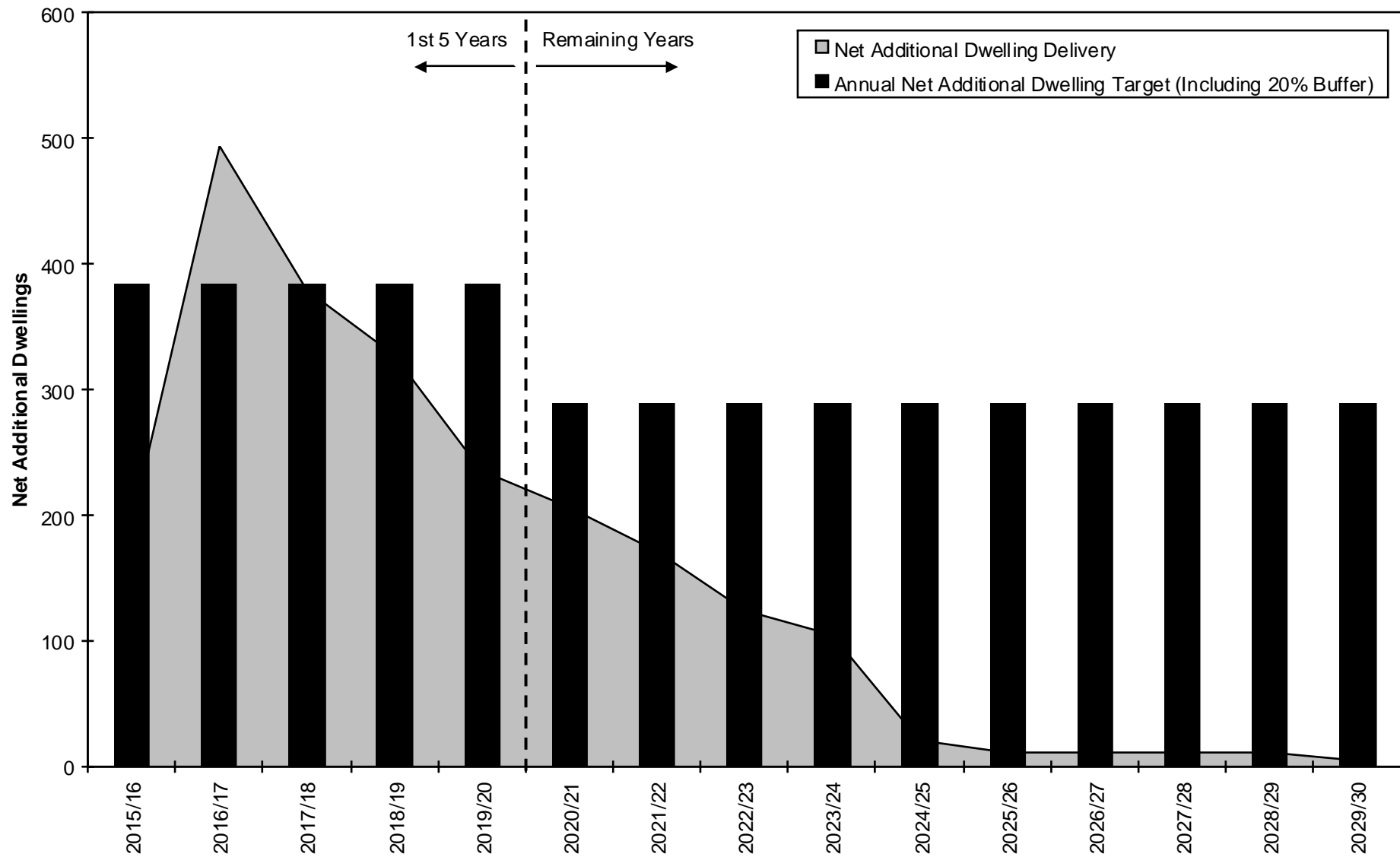
<b>Net Additional Housing Target</b>	320	320	320	320	320	320	320	320	320	320	320	320	320	320	320
<b>Standard Target Accordance</b>	-125	173	59	8	-85	-114	-150	-196	-215	-300	-310	-310	-310	-310	-316
<b>5 Year Accordance</b>	<b>30</b>					<b>-975</b>					<b>-1556</b>				
	<b>1st 5 Year</b>					<b>2nd 5 Year</b>					<b>3rd 5 Year</b>				
	<b>5.09</b>					<b>1.95</b>					<b>0.14</b>				

<b>Additional 20% Buffer Target</b>	384	384	384	384	384	288	288	288	288	288	288	288	288	288	288
<b>20% Buffer Target Accordance</b>	-189	109	-5	-56	-149	-82	-118	-164	-183	-268	-278	-278	-278	-278	-284
<b>5 Year Accordance</b>	<b>-290</b>					<b>-815</b>					<b>-1396</b>				
	<b>1st 5 Year</b>					<b>2nd 5 Year</b>					<b>3rd 5 Year</b>				
	<b>4.24</b>					<b>1.45</b>					<b>0.95</b>				



## 5.4

Graph 1: Current Housing Trajectory



- 4.16 Table 2 and graph 1 reveals a situation where the Council cannot demonstrate a 5 year supply of deliverable housing sites to meet the housing requirement over the next 5, 10 and 15 years (scenario 2) when considering the projected gross housing delivery and the projected demolitions in the borough. Currently the Council is approximately 290 dwellings short of demonstrating a 5 year supply, which equates to a 4.2 year supply of deliverable housing sites.
- 4.17 It must be appreciated that the 5 year land supply situation has significantly improved since November 2013. In November 2013 the Council was approximately 587 dwellings short of demonstrating a 5 year supply, which equated to a 3.5 year supply of deliverable housing sites. In the year 2013/14 the Borough Council granted permission for 1,347 additional dwellings. This significant uplift in planning permissions, in greenfield, desirable and deliverable locations has significantly boosted the potential supply of housing in the Borough in the short to medium term. Bearing this in mind in May 2014 the Council could demonstrate a 4.6 year supply of deliverable housing sites.
- 4.18 In the year 2014/15 the Borough Council has so far granted permission for a further 543 additional dwellings. However it must be appreciated that not all of these dwellings that have been granted permission are assessed as being “deliverable” or in some cases developable in accordance with the definition in footnotes 11 and 12 in the NPPF. Certain site delivery assumptions have been made on the delivery of dwellings on all sites; the criteria are established in appendix 3.
- 4.19 As part of this assessment process the Council has reviewed all existing planning permissions with regard to their deliverability. Sites that were previously considered deliverable in the 1<sup>st</sup> 5 years have now been assumed to undeliverable in the 1<sup>st</sup> 5 years and even beyond in some cases. An example of this is development at the Marina where there are significant concerns around deliverability relating to approximately 300 dwellings:
- Housing offer dominated by apartments which are not desirable.
  - The stalling of development. No new apartment blocks have been built in the Marina over last 10 years; only fitting out of existing blocks have taken place.
  - Economic viability of the whole development but specifically relating to the building a new apartment block to facilitate new individual apartments.

Based on those concerns the previously considered deliverable sites, equating to approximately 300 dwellings are no longer deemed to be deliverable in the 1<sup>st</sup> 5 years so have been phased later in the 15 year period and in most cases beyond the 15 year period. If the housing market of the Marina (and other similar areas) improves, (for instance a new apartment block is started) in the short term a review of the phasing will be undertaken and development will be assessed as being deliverable and be included in the 1<sup>st</sup> 5 years.

- 4.20 In summary, in the years 2015/16 to 2019/20 which constitute the next 5 years, the Council cannot demonstrate a 5 year supply of deliverable housing sites. Currently the Council is approximately 290 dwellings short of demonstrating a 5 year supply, which equates to a 4.2 year supply of deliverable housing sites.

- 4.21 With specific regard to the Council not being able to demonstrate a 5 year supply of deliverable housing sites NPPF paragraph 49 states:
- “Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”*
- 4.22 The inability of the Council to demonstrate a 5 year supply of deliverable housing sites means that, in accordance with NPPF paragraph 49, any saved policies included in the 2006 Local Plan regarding the supply of housing should not be considered up-to-date.
- Affordable Housing Provision**
- 4.23 There is an existing and future need for additional affordable housing in the borough to be delivered. The need for additional affordable housing is a material consideration in decision making.
- 4.24 The evidence base for the affordable housing provision in the borough is detailed in the *“Tees Valley 2012 Strategic Housing Market Assessment Final Report”* which was published in May 2012 with specific regard to tables 4.20 and 4.23. In Hartlepool there is an overall need for approximately 88 affordable dwellings each year. When matched against the proposed total net annual dwelling target of 320 dwellings, this equates to a “need” delivery of 27.5%.
- 4.25 Although the evidence identifies a significant level of affordable housing need, the Council appreciates that providing an element of affordable housing as part of private development affects the economic viability of schemes. Bearing this in mind it is necessary to ensure that affordable housing is provided at a level that is economically viable and does not prevent development from taking place.
- Renewable Energy**
- 4.26 The Council are committed to delivering sustainable development and will seek to ensure that new development has regard to the need to reduce CO2 emission and mitigate against the impacts of climate change through providing a minimum of 10% of the developments energy needs from renewable and/or decentralised resources.
- 4.27 In November 2010 the Council produced an evidence paper called *“Energy Supply from Decentralised and Renewable or Low Carbon Sources”* which relates to providing an on site energy supply from decentralised and renewable or low carbon sources. The evidence paper reviews European, National, Regional and local guidance along with particular reports that formed part of the Regional Spatial Strategy evidence base, to ascertain the overarching aim of RSS policy 38 and why the 10% requirement on major developments was originally set.
- 4.28 The background paper concluded that the RSS evidence and policy which was tested at examination in public in 2006 were justifiable and that a similar approach was appropriate within Hartlepool. The Council consider that the application of the 10% requirement should only apply to major applications, some smaller scale developers may see the requirement as an undue burden, however major developments that are more likely to have a significant increase in CO2 emissions are likely to have greater profit margins and therefore the 10% requirement is considered acceptable as it should not have a significant financial impact upon build costs that can not be off set against profit margins. As indicated in European Directive 2001/77/EC as more renewable energy technologies are used, the price will fall due to economies of scale.
- 4.29 NPPF paragraphs 93, 94, 95 96 and 97 are paramount in ensuring that development meets the challenge of climate change. The on site renewable energy requirement is part of the Council’s proactive strategy to mitigate and adapt to climate change as required by NPPF paragraph 94, furthermore the on site renewable energy provision ensures that Hartlepool takes responsibility and contributes to meeting EU and government targets in providing energy from renewable or low carbon sources as per NPPF paragraph 97.
- 4.30 Notwithstanding the above where it can be proven that it is not viable and would place undue burden on the development to derive a minimum of 10% of the energy needs from renewable and/or decentralised resources, a lower percentage may be considered acceptable and/or the development should seek to make up any shortfall through additional energy efficiency measures in building construction and layout.

## 5. 2006 LOCAL PLAN POLICIES NPPF CONSISTENCY

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

**Table 3: 2006 Local Plan Saved Policies NPPF Consistency**

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

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

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

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

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

**General Environmental Principles**

- 5.3 All of the GEP policies are in full or partial consistency with the NPPF. The main issue is regard to policy GEP1 is whereby it seeks to restrict development to within the urban limits, this is not a requirement of the NPPF. Furthermore the Council cannot currently demonstrate a 5 year supply of deliverable housing sites (see section 4) in accordance with NPPF paragraph 47, therefore until such a time that a 5 year land supply can be demonstrated, full weight cannot be given to policies which seek to restrict additional housing provision based upon the extent of the urban fence.

- 5.4 Policy GEP9 is only partially consistent with the NPPF. The policy is not fully consistent with the NPPF as it is seeking to secure contributions towards acquisition and demolition of surplus housing stock and housing improvements in low demand housing areas in accordance with policy Hsg5. Hsg5 is not in conformity with the NPPF and as a result this type of contribution cannot be secured. However with regard to all other contributions advocated in the policy there securing is consistent with the NPPF.

**Industrial and Business Development**

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

**Retail, Commercial and Mixed Use Development**

- 5.6 All of the COM policies are in full or partial consistency with the NPPF in general with the exception of policies COM7 relating to Tees Bay and COM8 relating to shopping development which are not consistent with the NPPF and COM9 which is substantially not consistent.

- 5.7 Policy COM9 which concerns main town centre uses is substantially not consistent with the NPPF with the exception of the hierarchy of centres proposed and the references to travel plans. As a result NPPF paragraphs 24, 25, 26 and 27 should be used to determine planning applications relating for main town centre uses based on the hierarchy of centres established in policy COM9, with weight given to the need to prepare Travel Plans and Planning Conditions where relevant.

**Tourism**

- 5.8 All TO policies are consistent with the NPPF.

**Housing**

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

**Transport**

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

**Public Utility and Community Facilities**

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

**Development Constraints**

- 5.13 The DCO policy is consistent with the NPPF.

**Recreation and Leisure**

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

**The Green Network**

- 5.15 All GN policies are consistent with the NPPF.

**Wildlife**

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

**Conservation of the Historic Environment**

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

**The Rural Area**

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

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

**Minerals**

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

**Waste**

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

**2006 Local Plan Policies NPPF Consistency Conclusion**

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

## 6. PLANNING FRAMEWORK CONCLUSION

6.1 The Council currently has a situation where the planning framework consists of:

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

### **Saved 2006 Local Plan Policies & National Planning Policy Framework**

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

### **Material Planning Considerations**

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

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

### **Summary Conclusion**

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

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



## **Appendix 1:**

### **2006 Local Plan Saved Policies / NPPF Accordance**

Table A: General Environmental Principles

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

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

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

Table B: Industrial and Business Development

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

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

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

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



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

Table C: Retail, Commercial and Mixed Use Development

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

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

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

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

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

Table D: Tourism

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

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



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

Table E: Housing

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

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

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

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

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

Table F: Transport

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

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



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

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

Table G: Public Utility and Community Facilities

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

Table H: Development Constraints

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

Table I: Recreation and Leisure

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

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

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

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



Table J: The Green Network

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

Table K: Wildlife

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

Table L: Conservation of the Historic Environment

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

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

Table M: The Rural Area

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

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

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

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



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

Table N: Minerals

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

Table O: Waste

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

## Appendix 2:

### Demonstrating a 5 Year Land Supply of Deliverable Housing Sites

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H058	Lati mer Park	08/05/96	23	23	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H129	Hawk Ridge	06/05/98	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H004	Lowfield Farm	23/10/02	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H063	Block 6 Chart House	20/11/02	22	22	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H064	Block 15 Breakwater House	20/11/02	16	16	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H065	Block 16 Coral House	20/11/02	24	23	1		1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site has started and has continued to deliver units over the last 5 years. 1 unit is remaining and there is no reason as to why this unit cannot be completed in the next 5 years.
H066	Block 21 Sandpiper House	20/11/02	22	22	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H067	Block 22 Drake House	20/11/02	24	24	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H068	Block 23 Mansion House	20/11/02	40		40		5	5	5	5	5	5	5	5	0	0	0	0	0	0	0	0	Site has started with all external works completed. Individual apartments will be fitted out and completed and there is no reason as to why this unit cannot be completed in the next 5 years and beyond.
H070	Block 33 Mayflower House	20/11/02	20	20	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H062	Block 5 Keel House	20/11/02	8	8	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H083	Block 29 Marina	20/11/02	48		48		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	48	The site has seen no development in over 10 years. Historically the apartment blocks at the Marina have developed slowly one block at a time; with individual apartment units being fitted out at the point of sale, the Council expects this trend to continue. The lack of recent development is primarily due to the economic viability of the scheme and lack of demand for the house types proposed (apartments) in the local area and the wider borough.
H069	Block 27 Trafalgar House	20/11/02	38	32	6		6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site has started and has continued to deliver units over the last 10 years. 6 units are remaining and there is no reason as to why these units cannot be completed in the next 5 years.
H082	Block 28 Marina	20/11/02	20		20		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	20	The site has seen no development in over 10 years. Historically the apartment blocks at the Marina have developed slowly one block at a time; with individual apartment units being fitted out at the point of sale, the Council expects this trend to continue. The lack of recent development is primarily due to the economic viability of the scheme and lack of demand for the

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
																							house types proposed (apartments) in the local area and the wider borough.
H081	Block 26 Marina	20/11/02	20		20		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	20	The site has seen no development in over 10 years. Historically the apartment blocks at the Marina have developed slowly one block at a time; with individual apartment units being fitted out at the point of sale, the Council expects this trend to continue. The lack of recent development is primarily due to the economic viability of the scheme and lack of demand for the house types proposed (apartments) in the local area and the wider borough.
H085	Block 32 Marina	20/11/02	36		36		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	36	The site has seen no development in over 10 years. Historically the apartment blocks at the Marina have developed slowly one block at a time; with individual apartment units being fitted out at the point of sale, the Council expects this trend to continue. The lack of recent development is primarily due to the economic viability of the scheme and lack of demand for the house types proposed (apartments) in the local area and the wider borough.
H086	Mixed Use Maritime Avenue	20/11/02	54		54		0	0	0	0	14	20	20	0	0	0	0	0	0	0	0	0	The house types proposed seek to diversify the existing housing offer dominated by apartments on the Marina, bearing this in mind there is no reason as to why these units cannot contribute in the first 5 years and beyond.

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H087	South of Maritime Avenue	20/11/02	400		400		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	400	The site has seen no development in over 10 years. The lack of development is primarily due to the significant on-site infrastructure constraints, ground conditions and undesirable location making the the development economically unviable and undeliverable in the current economic/housing climate. The situation is further compounded by the lack of demand for the house types proposed (apartments) in the local area and the wider borough. It is unlikely that the current planning permission will develop in the next 15 years.
H084	Block 31 Marina	20/11/02	24		24		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	24	The site has seen no development in over 10 years. Historically the apartment blocks at the Marina have developed slowly one block at a time; with individual apartment units being fitted out at the point of sale, the Council expects this trend to continue. The lack of recent development is primarily due to the economic viability of the scheme and lack of demand for the house types proposed (apartments) in the local area and the wider borough.

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H076	Block 18 Marina	20/11/02	16		16		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	16	The site has seen no development in over 10 years. The site is currently used as an access point to an existing car park serving existing apartment blocks and also is an informal area of open space. Historically the apartment blocks at the Marina have developed slowly one block at a time; with individual apartment units being fitted out at the point of sale, the Council expects this trend to continue. The lack of recent development is primarily due to the economic viability of the scheme and lack of demand for the house types proposed (apartments) in the local area and the wider borough.
H075	Block 17 Marina	20/11/02	16		16		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	16	The site has seen no development in over 10 years. The site is currently being used as incidental open space. Historically the apartment blocks at the Marina have developed slowly one block at a time; with individual apartment units being fitted out at the point of sale, the Council expects this trend to continue. The lack of recent development is primarily due to the economic viability of the scheme and lack of demand for the house types proposed (apartments) in the local area and the wider borough.



Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H077	Block 19 Marina	20/11/02	60		60		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	60	The site has seen no development in over 10 years. The site is currently used as an access point to an existing car park serving existing apartment blocks and also is an informal area of open space. Historically the apartment blocks at the Marina have developed slowly one block at a time; with individual apartment units being fitted out at the point of sale, the Council expects this trend to continue. The lack of recent development is primarily due to the economic viability of the scheme and lack of demand for the house types proposed (apartments) in the local area and the wider borough.
H078	Block 20 Marina	20/11/02	18		18		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	18	The site has seen no development in over 10 years. Historically the apartment blocks at the Marina have developed slowly one block at a time; with individual apartment units being fitted out at the point of sale, the Council expects this trend to continue. The lack of recent development is primarily due to the economic viability of the scheme and lack of demand for the house types proposed (apartments) in the local area and the wider borough.
H079	Block 24 Marina	20/11/02	19		19		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	19	The site has seen no development in over 10 years. Historically the apartment blocks at the Marina have developed slowly one block at a time; with individual apartment units being fitted out at the point of sale, the Council expects this trend to continue. The lack of recent development is primarily due to the economic viability of the scheme and lack of demand for the house types proposed (apartments) in the local area and the wider borough.

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H080	Block 25 Marina	20/11/02	48		48		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	48	The site has seen no development in over 10 years. Historically the apartment blocks at the Marina have developed slowly one block at a time; with individual apartment units being fitted out at the point of sale, the Council expects this trend to continue. The lack of recent development is primarily due to the economic viability of the scheme and lack of demand for the house types proposed (apartments) in the local area and the wider borough.
H039	145 Stockton Road	02/07/03	4		4		4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why these units cannot be completed in the next 5 years.
H005	7 The Grove	14/09/04	3	3	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H007	Owton Manor House	02/02/05	7	4	3		3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why these units cannot be completed in the next 5 years.
H110	Middle Warren 6D (Persimmon)	23/08/05	2	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H051	Trinity Court	13/09/05	47	47	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H092	United Reform Church	02/12/05	10	6	4		4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years.
H056	Hartfields	20/01/06	242	242	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H033	Dryden Road	30/03/06	18	18	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H054	Sylvan Mews Wynyard	18/04/06	30	30	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H109	Hunters Walk	24/05/06	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H006	Norton House	05/06/06	2	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H040	125-127 Park Road	14/07/06	5	5	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H048	Middle Warren 7E (Charles Church)	21/08/06	67	67	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H055	Wynyard (Bellway)	23/10/06	22	22	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H036	Golden Flatts	08/11/06	82	82	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H050	Sedgewick Close	27/11/06	52	52	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H003	Rear of 40 Owton Manor Lane	18/12/06	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H009	19 Hartville Road	19/12/06	2	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H115	12 Worset Lane	22/12/06	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H041	4 York Road	31/01/07	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H014	27 Seaton Lane	19/02/07	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H098	7 Hylton Road	30/03/07	2	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H047	Middle Warren 7C (Persimmon)	19/04/07	77	77	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H046	Middle Warren 7B	23/04/07	106	106	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H052	Trinity Square	24/04/07	110	110	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H128	Middlethorpe Farm	05/06/07	5	5	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H021	32 Eldon Grove	14/06/07	4	4	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H053	Headway	17/07/07	178	153	25		25	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years.
H049	Middle Warren 9A (B)	02/08/07	95	95	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H011	Rear of 65 Seaton Lane	03/08/07	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H097	65 Grange Road	14/08/07	3	3	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H015	6 Valley Close	24/01/08	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H031	Shropshire Walk	20/02/08	2	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H030	Pine Grove	04/03/08	7	7	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H029	Ivy Grove	04/03/08	4	4	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H140	19 Tunstall Avenue	02/04/08	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H100	13 Manor Road	16/06/08	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H043	Titan House	14/07/08	49	49	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H099	Middle Warren 9A (Persimmon)	18/07/08	47	45	2		2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years.
H027	Piercy Farm	28/07/08	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H024	St James Church Hall	20/08/08	4	4	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H022	30 Stockton Road	27/08/08	18	18	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H025	Sun Hotel	10/09/08	2	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H026	38 The Grove	19/09/08	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H091	Union House	10/10/08	7	4	3		3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years.
H020	Thackeray Road	20/10/08	12	12	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.

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H023	Jesmond Road / Heather Grove	06/11/08	17		17		7	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why these units cannot be completed in the next 5 years.
H089	Tristram Avenue	01/12/08	9	9	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H037	Smyth Place / Bruce Crescent	22/01/09	22	22	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H038	Warren Road, Davids on Drive and Jones Road	22/01/09	52	52	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H061	Chesterton Road	30/01/09	15	15	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H090	Orwell Walk	24/02/09	60	60	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H072	78 Grange Road	05/03/09	3	3	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H088	25 Birchill Gardens	01/05/09	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H107	Briarfield House	14/05/09	8	8	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H094	15 Burwell Walk	17/07/09	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H093	5 Wynyard Woods	21/07/09	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H102	Rear of 153 Seaton Lane	14/09/09	10	10	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H101	Shops Elizabeth Way	14/09/09	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.

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H103	White House Farm	23/09/09	4	4	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H114	Charles Square Phase 1	04/11/09	20	20	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H113	Seaton Lane Phase I	04/11/09	25	25	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H111	29 Hutton Avenue	11/11/09	5	5	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H116	Hutton Court	09/12/09	3	3	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H118	PE Coaches	10/12/09	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H074	152 Grange Road	02/02/10	2	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H121	Belle Vue (The Lakes)	02/02/10	99	99	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H119	Blakelock Gardens	04/02/10	14	14	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H120	Kipling Road	15/03/10	20	20	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H123	North Farm	19/03/10	14		14		7	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why these units cannot be completed in the next 5 years.
H122	Maxwell Court	25/03/10	19	19	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H125	Park Mead	29/03/10	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H126	2 St Pauls Road	20/04/10	2	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H117	Charles Square Phase II	23/04/10	17	17	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H130	41 EGERTON ROAD	26/08/10	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H131	38 Holt Street and 16 Lister Street	12/10/10	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H139	Chester Hotel	04/11/10	8	4	4		4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why these units cannot be completed in the next 5 years.
H137	Easington Road	05/11/10	68	68	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H059	Loyalty Road	23/02/11	25	25	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H144	St Marks Church	31/03/11	5	5	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H143	Monmouth Grove	31/03/11	22	22	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H142	Pangbourne	04/05/11	1		1		1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why the unit cannot be completed in the next 5 years.
H141	195 Raby Road	04/05/11	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H149	Crest Identity	10/06/11	4		4		4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.



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H148	Park House	23/06/11	1		1		1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the unit cannot be completed in the next 5 years.
H147	21-27 Midlotian Road	11/07/11	4	4	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H145	2-4 Whitby Street	01/08/11	4		4		4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H146	49 The Front	01/08/11	4	4	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H150	25 Raby Road	24/08/11	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H153	Seaview House	07/09/11	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H156	Eaglesfield Road	09/09/11	65	48	17		17	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years.
H157	Fernbeck	12/09/11	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H158	Manor House Farm	20/10/11	4		4		4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why the unit cannot be completed in the next 5 years.
H151	Cumbria Walk	21/12/11	2		2		2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H152	Former Mission Hall Burbank	22/12/11	4		4		4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.

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H160	Crows Meadow Farm	06/01/12	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H155	29 Hutton Avenue	09/01/12	2		2		2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the unit cannot be completed in the next 5 years.
H154	Lambs House Farm	19/01/12	1		1		1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the unit cannot be completed in the next 5 years.
H161	Mayfair	03/02/12	237	78	159		35	35	35	35	19	0	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years and beyond.
H162	79 The Front	14/02/12	4	4	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H163	Newholm Court	03/04/12	10	10	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H164	60-62 Southgate (Barkers Place)	10/04/12	5	5	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H169	Jesmond Road School	10/04/12	40	40	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H108	Briarfield Plot	12/04/12	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H165	156 Grange Road	30/04/12	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H167	154 Grange Road	16/05/12	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H170	Crookfoot Farm	28/05/12	1		1		0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the unit cannot be completed in the next 5 years.

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H132	Manor Farm	27/06/12	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H166	Perth Street Regeneration Scheme	13/07/12	83	38	45		20	20	5	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years.
H168	1 Victoria Place	24/07/12	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H172	Overlands Plot A	03/09/12	1		1		0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why the unit cannot be completed in the next 5 years.
H173	Eden Park Self Drive	03/09/12	7		7		0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site is currently an active car wash business. However the business can be ceased in a timely fashion and there is no reason as to why the subsequent residential units cannot be completed in the next 5 years.
H174	Jones Road (Supported Housing)	05/09/12	42		42		20	22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why the units cannot be completed in the next 5 years.
H175	31 South Road	20/09/12	4		4		0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H176	Sussex & Oxford Street	28/09/12	10		10		0	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H177	37 York Road	01/10/12	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.

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H179	Close Farm Cottage	26/10/12	3		3		0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why the units cannot be completed in the next 5 years.
H181	Middle Warren Area 9 Phase 15	05/12/12	167	27	140		35	35	35	35	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years and beyond.
H171	Middle Warren 9 (Former PU10 site) Phase 16	17/12/12	49	41	8		8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years.
H214	Percy Street	11/03/13	6	4	2		2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years.
H182	70-71 MILLPOOL & 1-2 SOMERSBY CLOSE	12/03/13	4		4		0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H183	41/43 York Road	08/04/13	4		4		4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why the units cannot be completed in the next 5 years.
H178	Shu Lin	26/04/13	2	2	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H184	94 Milton Road	03/05/13	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H187	Brierton Farm	08/05/13	1		1		0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why the units cannot be completed in the next 5 years.

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H188	Land at Tanfield Road	22/05/13	45	23	22		22	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years.
H186	9 FRONT STREET	30/05/13	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H190	Land adjacent Seaton Carew Nursery School	05/06/13	35		35		0	10	25	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H189	Wynyard Park	07/06/13	168	20	148		25	25	25	25	25	23	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years and beyond.
H193	Middle Warren 9 B2	21/06/13	95	22	73		35	35	3	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years and beyond.
H194	38 Church Street	27/06/13	3		3		0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why the units cannot be completed in the next 5 years.
H192	Nelson Farm	17/07/13	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H195	2 SCARBOROUGH STREET	18/07/13	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H196	39 Wharton Terrace	01/08/13	2		2		0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H191	FORMER HENRY SMITH SCHOOL SITE	27/08/13	138	25	113		0	25	25	25	25	13	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years and beyond.
H197	Havelock Centre	05/09/13	13		13		13	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H198	FORMER BRIERTON SCHOOL SITE	25/09/13	107		107		0	35	35	35	2	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H199	Foggy Furze Library	25/09/13	30		30		15	15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why the units cannot be completed in the next 5 years.
H205	174 West View Road	25/09/13	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H204	71 Church Street	04/10/13	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H185	Former Mas Agraa Palace	07/10/13	9		9		0	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H201	Claremont	30/10/13	28		28		0	14	14	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H200	Crown House	30/10/13	8	8	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H202	38-42 Victoria Road	11/11/13	10	10	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.
H208	33 South Road	18/12/13	1	1	0		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	Site is complete with no dwellings remaining.

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H180	19-21 Tankerville Street	03/01/14	7		7		0	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H136	Morison Hall	06/01/14	8		8		8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H209	120 Alma Street	16/01/14	2		2		0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H210	51 Stockton Road	22/01/14	3		3		0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H057	Niromax	12/02/14	26	18	8		8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and resulted in completions already and there is no reason as to why these units cannot be completed in the next 5 years and beyond.
H207	Springwell Flats	14/03/14	10		10		10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why the units cannot be completed in the next 5 years.
H203	Upper Warren	19/03/14	500		500		0	35	35	70	70	70	70	70	70	10	0	0	0	0	0	0	2 Builders have been confirmed as operating on the site at any given time once development is expected to start in 2016. There is no reason as to why the units cannot be completed in the next 5 years and beyond.
H211	Southbrooke	24/03/14	8		8		0	0	8	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H213	Raby Gardens	27/03/14	33		33		0	33	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why the units cannot be completed in the next 5 years.
H215	Land North of the A689	01/04/14	200		200		0	25	25	25	25	25	25	25	25	0	0	0	0	0	0	0	Planning Permission has been granted subject to the S106 Legal Agreement being signed. The S106 is due to be signed in 2015 and subsequent development is expected to start later that year with completions appearing in 2016. There is no reason as to why the units cannot be completed in the next 5 years and beyond.
H212	20 Owton Manor Lane	04/04/14	1		1		0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the unit cannot be completed in the next 5 years.
H220	Creosote Works	06/06/14	108		108		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	108	There are significant concerns with regard to the deliverability of the site. Concerns are focussed on the on-site infrastructure constraints, land remediation costs, significant on-site contamination and adjacent neighbouring uses and an undesirable location making the development economically unviable and undeliverable in the current economic/housing climate. The situation is further compounded by the lack of demand for the house types proposed (apartments) in the local area and the wider borough. It is unlikely that the current planning permission will develop in the next 15 years.
H045	Tunstall Court	01/07/14	14		14		0	5	5	4	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why the units cannot be completed in the next 5 years.
H221	301 Stockton Road	04/07/14	4		4		4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	The site has started and there is no reason as to why the units cannot be completed in the next 5 years.



Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H216	WYNYARD WOODS WEST	09/07/14	134		134		0	20	20	20	20	20	20	14	0	0	0	0	0	0	0	0	Planning Permission has been granted subject to the S106 Legal Agreement being signed. The S106 is due to be signed in 2015 and subsequent development is expected to start later that year with completions appearing in 2016. There is no reason as to why the units cannot be completed in the next 5 years and beyond.
H223	Three Gates Farm	25/07/14	2		2		0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H104	Hartlepool Hospital	01/08/14	100		100		0	0	20	20	20	20	20	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H218	FRIARAGE	06/08/14	38		38		0	0	19	19	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H217	THE WOODCUTTER PUBLIC HOUSE	06/08/14	14		14		0	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H219	Raby Arms	08/08/14	23		23		0	23	0	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H222	Priory Farm	18/08/14	2		2		0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.
H224	28 York Road	18/08/14	3		3		0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	There is no reason as to why the units cannot be completed in the next 5 years.

Site Ref	Site Name	Granted	Gross Addition	Completed	Remaining		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	Post 15 Years	Future Delivery Comments
H225	Britmag	09/10/14	484		484		0	35	35	35	35	35	35	35	35	35	35	35	35	35	29	0	There is no reason as to why the units cannot be completed in the next 5 years and beyond.
Gross Expected Delivery							375	518	404	353	260	231	195	149	130	45	35	35	35	35	29	833	

## Appendix 3:

### Site Deliverability Assumptions

#### Introduction

On all residential developments the Council monitors the progress of planning applications from granting of permission to completion on the ground; so has a good understanding of how development progresses in the Borough. In most cases though the Council, where possible, will gain an understanding of the development phasing from communication with the actual developer themselves. Based on this approach the Council can make a robust estimate as to when, how and at what rate a residential development is likely to progress in the future.

The decision to grant planning permission does not necessarily mean that all dwellings are deliverable at the point of the decision, there are several factors that need to be considered to assess the deliverability of the residential development. In deciding upon the deliverability this is done on a case by case basis but the following factors provide a robust framework for which to make an informed deliverability decision.

#### (1) Development Start Up

Once the decision is made to grant permission, on most schemes there is a requirement to agree further issues such as Reserved Matters, S106 Legal Agreements, the discharging of conditions etc. Historically in Hartlepool this part of the process varies in time but a conservative estimate suggest approximately 6 to 12 months may be lost in negotiations/decision making before completions start of the site.

Once all of the negotiations/decisions have been finalised it will take time for the prospective developer to assemble the development site prior to the construction phase starting; historically this may take approximately 6 to 12 months.

This reveals a situation whereby most developments do not actually see any notable completions on the ground until 12 to 24 months after the decision to grant planning permission.

#### (2) Build Rates

In preparing the Strategic Housing Land Availability Assessment (SHLAA) and in its function as the Local Planning Authority the Council has a good understanding of the capacity of the housebuilders operating in the Borough. Bearing this in mind it is accepted that “typical” volume housebuilders can build/sell an approximate maximum 35 dwellings per annum; however this may vary depending upon site specifics, for instance an apartment scheme may be quicker and an executive scheme may be slower. Using a simple multiplier, if 2 developers are operating on a large site the annual delivery could be approximately 70 per year and so on.

In conjunction with the 1 to 2 years lost to pre development works, as an example a development of 200 dwellings may only contribute approximately 35 dwellings in years 3, 4 and 5 respectively; equating to a total of 105 (out of 200) over the 1<sup>st</sup> 5 years.

**(3) Economic Viability & Housing Market Conditions**

Assuming that 35 dwellings can be completed in each of years 3, 4 and 5 is an assumption not considering the economic viability of the scheme and the prevailing housing market conditions. It would be safe to assume a greenfield development in a popular area could contribute approximately 105 dwellings in the 1<sup>st</sup> 5 years however other sites could face difficulties. For instance a brownfield urban regeneration scheme consisting of apartments may well not be economically viable in the current housing market due:

- Low land values.
- The ability of the developer to raise appropriate finance.
- Lack of demand for those house types.
- Lack of demand to live in that geographical area.

In a situation where the issues above are prevalent it would be very difficult for the Council to realistically justify the deliverability of those units in the 1<sup>st</sup> 5 years.

**Deliverability Conclusion**

Taking into consideration a combination of factors (1) (2) and (3) a decision on the deliverability of a scheme is made on a case by case basis as to whether a development can be delivered in the 1<sup>st</sup> 5 years and be considered “deliverable” in accordance with footnote 11 in the NPPF.