

PLANNING COMMITTEE AGENDA



Wednesday 21 October 2015

at 10.00 am

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

MEMBERS OF PLANNING COMMITTEE:

Councillors Ainslie, S Akers-Belcher, Barclay, Belcher, Cook, James, Loynes, Martin-Wells, Morris, Richardson 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 30 September 2015 (*to follow*)

4. **ITEMS REQUIRING DECISION**

4.1 Planning Applications – *Assistant Director (Regeneration)*

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|---|-------------|---|
| 1 | H/2014/0405 | Land between A689 and Brierton Lane, South West Extension (<i>page 1</i>) |
| 2 | H/2014/0581 | Land North of the A689, Wynyard Park, Manorside (<i>page 59</i>) |

5. **ITEMS FOR INFORMATION**

No items

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



No:	1
Number:	H/2014/0405
Applicant:	Mr Peter Jordan Persimmon House Bowburn North Industrial Estate DURHAM DH6 5PF
Agent:	Spawforths Mr Paul Bedwell Junction 41 Business Court East Ardsley LEEDS WF3 2AB
Date valid:	20/10/2014
Development:	Full planning application for demolition of buildings, construction of 144 dwellings (C3), construction of accesses to Stockton Road and Brierton Lane, roads, bridge with associated structures and associated earthworks, drainage features, public open space, landscaping, ecological works, electrical sub stations, vehicular circulation, pumping stations and infrastructure. Outline planning application for construction of up to 1,116 dwellings (C3), public house/restaurant (A3/A4) 500sqm, retail units (A1) 1,999 sqm, primary school (D1), medical centre (300sqm), public open space, playing fields, play spaces, drainage features, landscaping and ecological works, earthworks, electrical sub stations, pumping stations, car parking and vehicle and pedestrian circulation
Location:	Land between A689 and Brierton Lane South West Extension HARTLEPOOL

The application and the site

1.1 The application site extends to some 97.25 hectares in size and largely comprises arable farmland incorporating fields lined by hedgerows. It is located on the south west side of the main urban area of the Town between Brierton Lane to the North and the A689 to the South. The site generally falls from north to south towards Greatham Beck. The land also rises gradually from East to West. Two farm complexes, Claxton Farm and Lower Claxton Farm are located to the southern end of the site. Beyond to the site to the north is farmland and amenity land which accommodates a public footpath which affords links to Summerhill Country Park. To the north west Brierton Lane also accommodates a number of dwellings. To the west the site is bounded by farmland beyond which is Dalton Back Lane. To the East is the main urban area of Hartlepool accommodating amenity land and residential areas of Hartlepool including parts of the Manor and Fens Estates. Greatham Beck crosses the site close to its centre point and continues flowing down the eastern side of the site. The beck has well vegetated banks which incorporate mature trees. An overhead power line and a major hazard pipeline cross the site.

1.2 The application is a hybrid application incorporating elements for which full planning permission is sought and elements for which outline planning permission is sought. The development briefly proposes two development areas accommodation a total of 1260 dwellings at the northern and southern ends of the site with separate accesses. The northern housing area will accommodate some 460 dwellings served

by a new Northern Access Road (NAR) linked to Brierton Lane. The southern area will accommodate some 800 dwellings served by a new Southern Access Road (SAR) linked to the A689. The southern area will also accommodate a local centre, the school and playing fields. A green wedge will run through the site. Sustainable Urban Drainage (SUDS) features will be accommodated throughout the site. Full planning permission is sought for part of the housing and associated infrastructure at the northern end of the site and for the main accesses roads to serve the northern (northern access road) and southern (southern access road) development areas. The outline elements predominate and cover the main part of the site.

1.3 During the course of the application the application was amended to address concerns with the original proposals the main changes included: alterations to the housing layout for the area for which full planning permission is sought to address concerns regarding the layout (including separation distances and garaging details); the provision of two bungalows; additional landscaping on the western boundary of the site; and amendments to address highway concerns (including additional highway information, the removal of a proposed bus link to Moffat Road and various improvements to Brierton Lane). The details of the applications are outlined in more detail below.

1.4 Full planning permission is sought for the main highway infrastructure (including the access onto the A689 and Brierton Lane the main spine roads and the crossing for Greatham Beck) and phase 1 of the housing proposals which relates to the erection of 144 dwellings in the northern part of the site taking access indirectly from Brierton Lane and part of the drainage infrastructure to serve the phase 1 housing. Permission is also sought for various ancillary works including drainage features, public open space, landscaping, ecological works, electrical sub stations, vehicular circulation, pumping stations and infrastructure. The housing area is located at the northern end of the site and will be accessed from Brierton Lane via the northern access road which will pass on the western side of the housing area before cutting across it and the green wedge to the east to provide access for housing areas for which outline permission is sought to the north and south. It will accommodate 144 dwellings which will be arranged to including frontages onto the green wedge public open space and the main access roads. The development will accommodate two two bedroomed bungalows, seven two bedroomed dwellings, eighty two three bedroomed dwellings and fifty three four bedroomed dwellings. The dwellings will be two or two and a half storey. The dwellings will be constructed in brick, render with tiled roofs. Off site parking will be accommodated within or close to house plots or in garage courts. A SUDS area will be provided to the south of the housing area which will ultimately be linked to Greatham Beck to manage drainage from the site.

1.5 In terms of the outline part of the detailed proposal are not available for consideration at this stage. The indicative masterplan identifies the main areas of the development. The development can be broadly split into two the southern part will be served by the southern access road (SAR) from the A689. The northern part will be served by the northern access road (NAR) from Brierton Lane. There will be pedestrian/cycleway links via a green link and footpaths in the green wedge but no vehicular links between the northern and southern parts of the site. The scheme incorporates a green wedge varying in width from 30m to many hundreds of metres which runs from south eastern edge of the site to the northern boundary with Brierton

Lane. The green wedge incorporates landscaping, Greatham Beck, footpaths, playing pitches, SUDS features and play areas. The two housing areas in the northern part of the site are arranged either side of the green wedge and will be accessed from Brierton Lane. The eastern most of these is located adjacent to the existing built up area, the western most is located on the other side of the green wedge and includes the site described above for which detailed permission is sought. The southern housing areas are located on the western side of the green wedge. The larger housing area is shown bounded to the west by the SAR a green link passes through the housing area. No detailed plans have been provided however it is understood that the housing will include open market housing, a proportion of custom build/self build affordable housing and later/senior living accommodation in the form of detached and semi detached dwellings, town houses and apartments. The local centre which will accommodate a public house/restaurant, retail and medical centre is situated at the southern end of this housing area with a landscaped buffer incorporating further SUDS bounding the A689. The school will be located in the centre of the site with vehicular access from the SAR via a bridge over Greatham Beck. A pedestrian and cycle link will be provided to Moffat Road to the north. The development will incorporate various SUDS features to manage surface water arising from the site and flood compensation shelving will also be accommodated on the western side of Greatham Beck. The area between the northern and southern parts of the site will be green wedge incorporating sports pitches and SUDS features. In addition other ancillary development is proposed including landscaping and ecological works, earthworks, electrical sub stations, pumping stations, car parking and vehicle and pedestrian circulation.

1.6 Various highway works on and off site are also proposed to support the development. These are detailed in the response of HBC Traffic & Transportation Section but include,

- The provision of a traffic signal controlled junction at the junction of the Southern Access Road (SAR) and the A689 the operation of which will be linked to the A689/Greatham high street junction to optimise capacity. A footway cycleway will be provided to link the two junctions and join National Cycleway Route 14. The speed limit on the A689 between Greatham High Street and a point west of Dalton Back Lane.
- The provision of traffic signalisation to optimise capacity at the junction of the A689/A1185 and A689/Wolviston Services.
- Amendments to the junction cycle time at the A689/Truro Drive junction.
- The provision of a traffic signal controlled junction and lane widening at the A689/Brierton Lane junction and the removal of the pedestrian phase from the A689/Stockton Road traffic signal in favour of a walk with traffic crossing facility.
- The provision of a traffic signal controlled junction at the junction of Brierton Lane/Catcote Road to optimise junction capacity.

- A scheme to increase junction capacity at the Catcote Road/Oxford Road junction.
- A scheme to increase junction capacity at the Catcote Road/Truro Drive junction involving the creation of separate right and left turns on the Truro Drive leg.
- A supported bus service.
- A layby parking bay on the north side of Brierton Lane
- Extension of the footpath on the south side of Brierton Lane

1.7 The application has been accompanied by an Environment Impact Assessment. In addition reports submitted with the application include a Transport Assessment, a Travel Plan, a Flood Risk & Drainage Assessment, a Geo Environmental Desk Report, a Planning Statement, a Design & Access Statement, a Five Year Housing Land Supply Assessment, a Statement of Community Involvement, an Air Quality Assessment, a Noise Assessment, a Utilities Assessment, a Site Waste Management Plan, a Sustainability Statement, Ecological Reports and Archaeological Reports.

1.8 The Environmental Information contained in the EIA and the above information has been taken into account in reaching the recommendation outlined in this report.

PUBLICITY

1.9 The original plans were advertised by neighbour notification, site notices and press adverts. Sixty four objections were received, four letters of no objection, two letters where no view was stated and one letter raising concerns. Those objecting to the application raised the following concerns.

- Plans are impractical and unnecessary. Huge development. No need/justification. Houses not needed. Stagnant population. Housing market has crashed. Will lead to an oversupply of housing. Already empty homes/homes for sale in Hartlepool. Empty homes could be brought back into use, or sites in town redeveloped to meet need. A number of sites are already being developed in and around Hartlepool. Where are the jobs for the people who will live in the houses?
- Design of houses not in keeping with the area. New houses are not good solid family homes and therefore don't sell. Floor areas are compact and window sizes.
- Wrong type of housing in wrong location. Need in Hartlepool is for affordable/social housing, flats and bungalows which should be located near services where it can contribute to regeneration not for executive housing.

- Urban sprawl. Enough land and buildings in Hartlepool to accommodate development. Urban fence should not be breached. Brown field land should be used. Industrial land could be released for development.
- The application for an urban extension at High Tunstall is preferable given improvements to the A179/A19 junction and the central junction on the A179 accessing Hart village.
- Expect that the application will be amended in future to increase number of houses.
- Highway safety /access/egress issues onto A689 and within adjacent estates (Moffat Road, Maxwell Road,Catcote Road/Brierton Lane/Truro Drive). A689 is already dangerous with a history of accidents. The proposals will add to traffic congestion and reduce response times for emergency services . New junction on A689 will slow down traffic and cause congestion. People will use Greatham as rat run. Concerns at location of new junction which is close to other junctions. Lack of parking on the new estate. New school/bus link will cause congestion on Moffat Road. Concerns that any future link between the estate and Macrae Road will add to congestion. The development will cause a rat run in the western part of the town.
- A major western relief road is needed on the west side of Hartlepool to ease congestion on Catcote Road/Truro Drive. This is a long standing aspiration and the development does not make provision for this and so would be of no strategic benefit to Hartlepool.
- Access, vehicular or pedestrian, onto adjacent estates would disturb the peace of residents.
- The school will cause congestion and on street parking especially in Moffat Road.
- Impact on public rights of way.
- Bus services for other areas of the town may be affected if they are diverted to serve the development. Bus services would only be provided when estate has reached a significant size therefore congestion will be increased on the A689.
- Motherwell Road will become a Rat Run if bus link route provided.
- Access of ambulances to new Wynyard Hospital will be affected. Access to Queens Meadow should not be jepordised.
- Flooding . The beck/land already floods. A bund should be provided to afford additional flood protection to the homes in Newark Road.
- Impact on/loss of wildlife.The area is meant to be green belt. Impact on the environment. Loss of green belt/countryside. Were told fields would not be built on.

- Council does not have the resources (policing, waste, schools, medical, hospital and emergency provision and other services) to take on the burden of serving additional population. Lack of infrastructure (hospital, GP services, schools, shops, transport, recreational facilities ,drainage/sewerage). Lack of amenities in existing estates and in proposal. Lack of facilities until estate is built will add to congestion on Owton Manor Lane& Fens shops junctions.
- No need for pub/restaurant or shops. Existing shopping precincts are doing well, playing fields don't get used.
- Shops should be in centre of the site. Facilities should be provided simultaneously with new development not afterwards.
- Medical/hospital provisions are in flux plan should be shelved until come to terms with existing problems. A new medical centre is not required the one at Fens Shops should be retained.
- School not needed. Greatham school could be extended. School should be a main school not primary so that it doesn't affect village school.
- Loss of amenity for existing residents. Noise. Loss of privacy. Dust, noise, mud on roads, and disruption from years of building work. Loss of peaceful and tranquil recreational area for Fens residents. Loss of peaceful countryside outlook. Noise from school, playing pitches, access road, hotel/restaurant, retail units.
- Developers are only looking after there own interests they don't care what this town needs. Taxpayers views should be listened to. Strength of opposition should be taken into account. Developer tail wagging council dog.
- Council should focus on driving jobs and investment not houses. Local firms and labour should be used.
- Loss of property value.
- Along with the gypsy site the SW extension was the other main reason the local plan was withdrawn. What is the point of the Council making decisions only for these to be overturned?
- Object if a travellers site is proposed.
- Alterations to access will facilitate the spread of antisocial behaviour. Green wedge will attract antisocial behaviour as will existing retail facilities. (youths, litter, noise, night time revellers).Rise in Crime. Concerned that ponds will represent a danger to young children.
- Ground stability.
- Loss of farmland. Council should support the farmers at protect the farm buildings at Claxton.

1.10 The amended plans were advertised by neighbour notification, site notice and press advert. Fifty two letters of objection, three letters of no objection, one letter of support and one letter of comments were received.

1.11 Those objecting to the proposals raised the following issues;

- Development is not required. This scale of the development is not needed and unnecessary, it will lead to major disruption to the land and the surrounding area. The homes are not needed. Population of Hartlepool growing slowly. Numerous homes for sale. There has been a free for all for developers and there will soon be a massive oversupply of new homes. Empty homes should be refurbished and sold/rented. People in Hartlepool can't afford new homes and people won't want to move to Hartlepool. Existing new estates are in negative equity.
- Housing market in Hartlepool has never recovered from the recession. House prices are down. Abundance of houses for sale or rent. New development will impact on house prices forcing them down making them harder to sell and lead to running down of good quality existing estates.
- There are enough outstanding housing planning permissions to provide for the town. Hartlepool has unused or under used land and buildings which could be used before green fields are built upon. Brownfield land should be used to accommodate housing close to local amenities and regenerate deprived areas of the town.
- The town needs affordable and social housing and bungalows in central areas not executive homes, where will residents come from given employment situation in Hartlepool? There are no new industries or large public projects to justify housing.
- Heart of the town is dying definitive boundary should be maintained. Council has killed town. Should not build on countryside. Shopping centre built in wrong place has killed off the town. Infrastructure will cost millions town doesn't have the money and there are enough houses. Houses should be built elsewhere on sites in the town. The company has built houses elsewhere and caused a mess people are suffering. There is nothing in Hartlepool people have to travel to other towns we are the poor of this region.
- Increased noise and traffic in already congested area of the town. Traffic congestion (Brierton Lane, Truro Drive, Catcote Road, Mowbray Road, Owton Manor Lane, A689). Access/egress a major problem at the time of construction and after completion. Speeding traffic. Highway safety, the A689 is a dangerous road another and increased traffic junction will make it more dangerous and add to congestion. Traffic will lead to disruption and air pollution and effect access for emergency vehicles. The petrol station will cause a traffic hazard.
- Access onto A689 and services should be built first otherwise this will add to traffic on roads of adjacent estates.

- Access to Queens Meadow a site of regional strategic importance will be affected.
- Access, pedestrian, onto adjacent estates would disturb the peace of residents.
- Concerns that any future link between the estate and Macrae Road will add to congestion.
- The school will add to congestion in the surrounding area especially on Moffat Road.
- Rerouting of cycle path.
- Lack of amenities (buses). Strain on the existing poor public services for the area. (Poor bus service)
- Doctors surgery when others are in danger of closing? No need for new medical centre we want to keep the one at the Fens. Is the medical centre to be NHS or private?
- Likelihood that the school, medical and other infrastructure is not immediately available could cause major problems.
- Loss of green belt/countryside/open areas and creation of urban sprawl. Loss of view on open fields. Impact on beck and its wildlife. Loss of wildlife habitat/Impact on wildlife. Loss of trees/hedgerows. The green wedge/wildlife corridor should be wider. Natural Environment should become an extension of the Greatham Beck Local Nature Reserve and sufficient funds secured for its maintenance.
- Drainage/Flooding. Drainage system will not cope. The fields/beck floods the development will exacerbate the problem. A clay bund should be provided to protect the residents of Newark Road. Who will pay to repair surrounding houses if the beck floods?
- Electricity sub stations could be dangerous if poorly sited.
- Antisocial behaviour. Noise from school, walkway and green wedge
- New school would cause disturbance to nearby residential areas(traffic and noise). No need for schools other schools could be extended.
- What about secondary school provision.
- No need for a pub/restaurant, some in area have closed are closing, and the area is already well served. Such facilities should be concentrated nearer the coast where improvements are increasing tourism. No supermarket should be allowed. No need for shops, Hartlepool is full of empty shops and there are shops nearby.
- Along with the gypsy site the SW extension was the other main reason the local plan was withdrawn. It would make no sense to go against this decision.

- New houses are too close to power lines.
- Profit is being put first. Developer is trying to profit at expense of Fens residents.
- More jobs are needed not houses.
- Council should consider other methods of obtaining funds rather than selling out to property developers.
- Disruption during building work (noise, building mess, digging of drains, danger of power cables)

1.12 The person supporting the proposal considers the proposal will be a benefit to the town.

1.13 The person making comments ask whether bus services will be improved, how increased traffic will be managed and whether additional GP surgeries will be built.

Copy letters **A**

CONSULTATION RESPONSES

1.14 The following consultation responses have been received:

Northern Gas Networks : I have checked the Northern Gas Networks records and can confirm that a high pressure pipeline crosses this site. The pipeline will be protected with an easement which will restrict the work which can be undertaken within that easement. No permanent structures or buildings may be erected within that easement. The Institution of Gas Engineers and Managers Document TD1 Edition 5 recommends a minimum building proximity distance of 14m for this particular pipeline. I note from the Masterplan that for the majority of the length of the pipeline through the site that it is to be incorporated in a landscape/cycleway area which would be acceptable to Northern Gas Networks provided that any trees planted within the easement follow the Northern Gas Networks Guidelines. The plan does indicate a road to cross the line of the pipeline on what appears to be an embankment and a bridge across the beck. It would not be acceptable to build up or reduce ground levels within the easement. Full details of the proposed bridge construction would need to be provided so that I can assess the potential impact on the pipeline and the easement. Where a road crosses a pipeline, a reinforced concrete protection slab to Northern Gas Networks specification may be required. (15/07/2015)

Greatham Parish Council : (Where policies are referenced please see Policy Note at the end of this agenda) Greatham Parish Council objects to the application to develop the land between the A689 at Claxton and Brierton Lane – the South West Extension of Hartlepool. In particular at the southern end this proposal will take the urban environment beyond Greatham village. Greatham Beck is the natural edge to the town and should continue to be so. The proposed expansion of Hartlepool to the south west is unlikely to serve the population of the town but actually create a

dormitory estate which serves the greater Teesside conurbation. Revitalizing the central areas of Hartlepool will not be served by further expanding suburbs.

NPPF planning references:-Paragraphs 7,10,37,110,111, 112
2006 Local Plan saved policies: - GEP1, Rur7

Greatham Parish Council strongly objects to the location of the so called 'Local Centre'. The Parish Council does not deny that if so large a development is permitted the new population will require some facilities to serve their needs but meeting their needs should be its overriding goal. Locating the 'local centre' at the far southern end of the development is not going to minimize journey lengths for those new residents wishing to access their new centre. Such a location is going to increase the use of the car to access these facilities. It would seem rather than being designed to serve the new community this proposed 'local centre' is aiming to draw custom from traffic passing on the busy A689. Again this is going to significantly increase traffic and pressure on the use of the new and existing junctions on the A689.

The village of Greatham has been fortunate to retain many facilities with a Post Office, several other shops (butchers shop recently closed, owner retired), pubs, church, chapel, community centre, school, etc. Consideration needs to be given to the affect any developments at Claxton may have on these facilities. The economic and social impacts of the location of the proposed 'local centre' on the existing facilities at Greatham do not appear to have been seriously considered despite being raised at the scoping opinion stage. The Parish Council disputes the statement made by Spawforths in their sequential assessment that the proposed new 'local centre' will not draw trade from the village while reducing travel distance for villagers to shop. Locating a new centre beside the village by-pass presents the maximum negative impact on existing businesses in the village and an adverse impact on the future of the village to sustain the existing and future vitality of that community. It is also the least likely to promote place making as it will be seen to be largely serving the A689, not a neighbourhood centre and the least likely location to build walkable neighbourhoods.

The village of Greatham is bypassed and its facilities of a size (small independent traders) and distance from the road unlikely to attract significant 'passing trade' from the A689. On the other hand a 'local centre' with a major chain supermarket adjacent the Greatham bypass is likely to be an irresistible temptation for village residents. The small shops in the village will be unable to compete resulting in loss of services in the village community. Even a small new supermarket located on the village side of a new development such as happened with Sainsbury on the Hart village side of Bishop Cuthbert could spell disaster for the small independent village shops and businesses. The location on the A689 is also liable to attract trade coming into Hartlepool away from the less conveniently located local centres further into the town.

It is interesting to compare with the similar proposals for a large development at High Tunstall. Here where the scheme is alongside what is only a country lane the 'local centre' is shown at the heart of the development where it belongs. High Tunstall proposals truly seek to create a neighbourhood centre.

The Parish Council would suggest moving the location of the Local Centre toward the northern end of the southern (Claxton) part of the proposed development in the vicinity of the new bridge over Greatham Beck. This would be a far more convenient location for the majority of new residents, especially the young, disabled and those growing older whose access to a car might be limited. Such a location is also more likely to entice people into walking to their local shops as these shops would not be 'out on a limb'. At this alternative location the local centre would be close to the proposed primary school and sports/play facilities and would give the proposed and future envisioned development a real and attractive sense of place, a true neighbourhood centre and a beating heart.

NPPF planning references:-7,17,28,37,38,55,69,70

2006 Local Plan saved policies: - GEP1 (ii) relationship to surrounding area

Greatham village stands on a ridge of high ground which looks over the valley into the southern part of the proposed site. Currently one can look westward from the village and the village retains an uninterrupted link to the remainder of the rural hinterland. The importance of the setting of the village is reinforced by Greatham Village Design statement and the inclusion of part of this open land within Greatham Conservation Area. How intrusive the proposed new estate will be at night when the lights are on needs to be considered. At the western end of the proposed Claxton site is the former Claxton Quarry landfill site which is still emitting methane. The Claxton site rises onto a low ridge towards the former Quarry this topography would make any development very obvious from all directions. This area must be part of the green wedge along the A689 becoming wider toward Dalton Back Lane and must be protected from development.

The Parish Council welcomes the inclusion of a green wedge along the A689 which widens towards Dalton Back Lane. In order to ensure the proposed landscaped area north of the A689 provides not only provide a buffer between any new development and the dual carriageway but assists in maintaining the distinct identity of and reduce the visual impact upon Greatham village and the wider rural area the Parish Council asks that, should the application be approved, a condition be made that this area include significant tree planting. There would be a further expectation that this wedge along with that along Greatham Beck be considered as a strategic gap/green wedge in future planning policies.

NPPF planning references:-7,118,125,

2006 Local Plan saved policies: - GEP12, GN3, GN4, HE3, Rur7, Rur14

The A689 is already an increasingly busy road and showing growing stress especially at the Wolviston junctions. There is simply too much development being concentrated along the A689 from Hartlepool to Wynyard. The development at Wynyard has dramatically increased the congestion and yet more housing has been approved and is being planned for Wynyard. Potential location of the main hospital for north of the Tees at Wynyard will further exacerbate these problems. How is it proposed to make capacity improvements?

Locating new development at Claxton which must also depend on the A689 will make congestion chronic. With the main road into Hartlepool from Teesside and the south a bottleneck it will work against Hartlepool as an attractive location to visit or shop. Claxton is the furthest edge of town site from the centre of Hartlepool it is as close to Billingham as the centre of Hartlepool. Claxton will inevitably become a commuter area for the main Teesside conurbation. It is far from a sustainable location and will rely on increased car use.

As the junctions at Wolviston become more congested there is a risk more traffic will start to use Dalton Back Lane to access the A19. The A19 junction near Dalton Piercy is unsuitable and very dangerous. While an earlier scheme indicated improvements for the Greatham/Dalton Back Lane & A689 junction as well as a completely new junctions further along the A689 towards Sappers Corner the current application indicates only a completely new junction. The Parish Council is very concerned about the safety of the existing junction especially with more traffic coming from a large new estate. We would like the safety improvements at the existing junction to be addressed by the current application.

The feasibility and advisability of a new western distributor road through these new developments needs to be addressed before any development occurs. Feeding into the existing estates on the western edge of the town will put new stresses on estate road and affect the quality of life for residents on those roads. If a western bypass is created by stealth rather than intention the same mistake as Catcote Road will occur where a little more than a residential street has become the main north-south route bypassing the town centre to the detriment of both users and residents.

NPPF planning references: - 30,41

2006 Local Plan saved policies: - Tra10, Tra15, Tra20, Rur7

While the plan suggests bus routes could be extended to link the new site with Hartlepool there is no indication of bus links with the rest of Teesside. Residents of any new estate will undoubtedly seek to access the No36 bus stops at the Claxton/Dalton Back Lane junction or Sappers Corner. Both require pedestrians to cross the busy A689 dual carriageway. Improved pedestrian facilities to enable safer access across the A689 should be a made a condition of any approval. A pedestrian/cycle bridge at Sappers Corner would be welcome. This would take the national cycle route over the busy A689 and provide a safer route for pedestrian traffic than the current lights which are poorly located. Possible developer contributions should be sought for these improvements. Will the presence of over 1000 new homes on the new estate which extends in front of Greatham the rerouting of the No36 to serve the larger population to the detriment of the village residents and economy continues to be a concern. This continuation of the 36 route through Greatham needs to be guaranteed.

NPPF planning references: -30,35

2006 Local Plan saved policies: - GEP1, Tra5

Flood risk needs to be taken into account along the full length of Greatham Beck. The agricultural fields presently provide refuge and habitat for species such as the brown hare (priority species), grey partridge (priority species), egrets (protected species)

and lapwing (protected species). Greatham Beck is a habitat for endangered water voles, which also use the drain running westward from Newark Road. Proximity of and surrounding this site with housing is going to put this habitat at grave risk. Increase surface drainage along with incidences of pumping station failures or incorrect connections of domestic sewage to surface water drainage would adversely affect water voles and other aquatic and waterside wildlife.

Greatham Beck valley needs to be protected as a wildlife corridor linking the rural hinterland to the important SSSI and RAMSAR wildlife conservation sites at Seal Sands and Saltholme. Any pollution from caused by run off from the proposed new housing sites will increase the possibility of devastating the creek area including Seal Sands and the nature reserve. The Strategy recognizes that the southern area of Hartlepool is the main area of international nature conservation which it is important to protect. The proposed green wedge along the beck is welcomed. This must be open the full length of the beck and not encroached upon by buildings.

NPPF planning references:- 7, 110,118

2006 Local Plan saved policies: - GEP1, GN3, GN4, WL5

The proposal suggests the need to divert existing rights of way. The Parish Council urges if this development does occur that any diversions of rights of way are done in a way that improves that right of way providing attractive routes that do not involve too great a deviation from a route which links to rights of way in the wider countryside. The introduction of new routes might be considered especially if they create new links.

NPPF planning references:- 75.

If one absolutely must build on greenfield sites into the countryside the most obvious solution must be the village model. The new green wedge between the proposal at the southern end of the proposed site at Claxton and the Fens estate is about the same size as the strategic gap between Greatham and Queens Meadow. There is a unique opportunity to create a distinct community – a new village of Claxton. It would have the potential advantages of the villages – strong community, low crime rates, community facilities maintained by community inspired volunteers and a strong mixed housing market. A development taking a cue from the villages might also be considered to sit better in the countryside.

A greater mix of densities and house types might be expected in a village style development and therefore the opportunity to provide a more mixed, balanced and inclusive community. There must be no high rise on sites such as Claxton. A height restriction should be included of not more than three storeys, unless it is a cultural feature such as a church tower. Welcome is the statement in Design and Access statement that housing would take design queue from the style of adjacent villages. Concerned, however, that for the 144 houses for which planning permission is being sought standard designs from the developers existing portfolio are reproduced. This does not contribute to local distinctiveness, quite the contrary.

Regrettable that the existing farmhouse needs to be demolished as this would give a new development an immediate provenance and sense of place. This especially the case located as it is near the entrance to the proposed site.

NPPF planning references:-64

2006 Local Plan saved policies: - GEP1, HE3, Rur7

The Parish Council requests that the school and community facilities in Greatham village are considered for assistance through developer contributions. (02/12/2015)

Greatham Parish Council is very pleased that Greatham village with its conservation area has been recognised by the developers as a source of inspiration, particularly in respect of maintaining local distinctiveness, for their proposed South West Extension. The stated intention to draw significant design influence from Greatham is also welcomed by the Parish Council. Unfortunately these positive declarations by the developer do not appear to have actually been followed through in the proposed housing. The Parish Council feels the developer has come up with the worst of both worlds in failing to provide anything innovative or of a high standard of design while also failing to realise a scheme that truly endeavours to reflect local distinctiveness. Taking their basic standard house types and applying one or two minor details picked from the appraisal of the much more varied vernacular in Greatham does not equate to a development which has drawn significant design influence. The suggestion of applying sash window styles but apparently applying them to their standard non sash openings show a distinct lack of architectural appreciation. Proposing 'key' buildings to be crowned with chimneys or rendered again fails to recognise that chimneys are the norm on most buildings in the village they claim to be taking aspiration from, nor that the use of render in Greatham is more random than on 'key' buildings. What is meant by 'materials chosen to reflect a semi-rural location' because the brick used is once again a standard on all their other sites. There does not appear to be any variation in house form – nearly all detached or semi-detached – surely it would be possible to introduce at least some small terraces with affordable homes. What is being proposed is a very standard housing estate with the application of one or two very easily incorporated details that most people will probably fail to notice. The Parish Council therefore concludes the developer has failed to meet the requirements of NPPF paragraph 60 and would wish to object on those grounds. (03/07/2015).

Hartlepool Civic Society : Objects We have studied these amendments and our comments to the original application still remain the same. We do welcome the applicant's character appraisal based on Greatham village and support the decision to draw SIGNIFICANT design influence from Greatham. How extremely disappointing to find that the applicant therefore proposes only to repeat their normal standard house types with minimum detail changes in the form of stone head and cills, sash style windows which are not sash at all and corbel eaves. We would also like to know what is meant by "materials chosen to reflect semi-rural location" – this appears to be brick which is again standard to all their other sites. Chimneys and render to key plots suggests a form of repetition for corner sites, etc. that is not based on the more random use of render to be found in Greatham or any other local village. With this in mind the Society objects on the grounds that the proposals continue to fail to promote and reinforce local distinctiveness and are

equally far from innovative, as the proposal continues to repeat housing types which can be found on every other site that the applicant is developing (NPPF paragraph 60). The Society would be happy to point the applicant to numerous other developments in the region where a superior approach has been undertaken. Substituting 2 houses for 2 bungalows in a proposed development of this size is frankly pathetic – here would have been an opportunity to really make a difference to the variety of housing supply.

Also to reflect character one might try to introduce the occasional terrace, perhaps for more affordable homes, and again draw real inspiration from the village design appraisal they have commissioned.

We are pleased there has been some minor changes regarding the landscaping. However, as detailed below we feel there is NO REQUIREMENT for a further 1,118 houses.(28/06/2015)

The Society has carefully considered the proposed plans. Regarding the proposal for the 144 houses – this northern site does dovetail into the town without cutting into too much of the countryside. Although there are positive proposals to deal with increases in traffic from the new properties, most notably at the Catcote Road-Brierton Lane junction, there are still concerns regarding further ‘traffic light’ provision to deal with the extra flow into Stockton Road especially so close to existing lights near the Travellers Rest.

The Society has **major concerns** regarding the very substantial ‘outline’ part of this application. It should be borne in mind - the Council already has approaching 5 years of housing provision, including affordable housing. The Society’s position has consistently been that there are sufficient brownfield sites within the ‘**urban fence**’ to accommodate projected future numbers as laid down by the Government. Indeed, there has been a re-affirmation by Eric Pickles (and presumably Greg Clark his successor), that it is the Government’s priority to build on brownfield land – **this policy has been emphasised since the ‘original’ Local Plan was formulated.** Hartlepool was recently praised for releasing Council sites.

The proposed site at Claxton is nearer the A19 and the A689 westwards from Wolviston, than it is from the centre of the town and its commercial area. It is obvious therefore that these properties would be attractive to commuters – (yet more car journeys) - giving absolutely nothing to the economy of the Borough – but the Borough would be required to provide services.

The ‘Masterplan’ for the Town Centre Area and the ‘Vision’ for the wider area would again reveal sites suitable for providing accommodation in the vicinity of established services and transport provision.

The number of empty and houses up for sale, together with planning permissions – shows that the town will have an over-supply of houses – many will fall into neglect. An important aspect of this situation is that many properties will have negative equity – the cascade effect of this will end up with even more empty properties and failing businesses and residents having to be looked after by Council Services.

If this development were allowed – then just across the road – the unique village of Greatham would be totally ‘swamped’ – totally changing the character of the Conservation Area. Retail outlets proposed will result in those in the village not being viable, so having a detrimental effect on the residents.

The proposed local centre is badly positioned at the extreme southern edge of the development. As proposed it is clearly aimed at car users and would not be convenient for all sections of any new community (elderly, disabled and young). This location would encourage increasing car journeys to access facilities. It is also arguably too large for the development as proposed especially as the northern and southern elements of the application are not connected.

There is concern that the rear of properties in the Owton Manor area - Lindsay Road, Lanark Road, Milne Walk, Mullroy Road & Monkton Road will be exposed to new open public areas. This presents potential security/crime problems and is visually poor.

It is obvious to everyone that the A689 coming in and out of Hartlepool is already extremely busy – **another 2,000 plus cars** filtering on to this – apart from taking children to various schools - will just ensure gridlock. Impact on the regionally important A19 would also be detrimental.

If this outline application were allowed, it could gravely damage the wildlife corridor along Greatham Beck – which leads to the internationally important wildlife sites at the mouth of the Tees. This vital link between Seal Sands and the rural hinterland must be protected. Taking all these things into consideration – **there is no need for a development of this size** – there are already enough existing ‘executive’ houses and permissions to fulfil demand . Sufficient sites could be found in the ‘urban fence’ to comply with Government requirements for houses generally.

We would urge Hartlepool Borough Council to **REFUSE** the application in respect of the outline permission for the 1,118 unnecessary houses.(02/12/2014)

Environment Agency : NO objections. Subject to conditions relating to the following. 1) A Scheme to manage surface water drainage 2) A Scheme to deal with contamination 3) A Scheme to deal with unexpected contamination 4) A Scheme for the provision of a 10 metre wide buffer zone alongside watercourses and ponds 5) A condition securing the provision of a pond(s). (29/06/2015)

Child & Adult Services No Objections. However, the secondary S.106 agreement will have to be agreed with ourselves and the provision of a new primary school on the site will be required to be built to Local Authority design, size and specification.

Engineering Consultancy : Having reviewed the documents provided for this application in relation to both surface water and contamination and I would like to make the following comments;

- The report states "*Flood Zone 2 area indicates the extent of flooding from rivers with an annual probability of 0.1% (1 in 1000 years)*" this is slightly

misleading as the definition is *"Land having between a 1 in 100 (1%) and 1 in 1,000 (0.1) annual probability of river flooding"*.

- I welcome the fact that the properties and infrastructure will be located in flood zone 1 and that the bridge has been raised to provide a significant freeboard level.
- I recognise that Building Regulations Part H has been applied to this application and the identification of the preferred surface water disposal method appears to be a sensible and realistic approach.
- I welcome the fact that Greenfield run off has not only been achieved but bettered by 35%, this will help significantly mitigate runoff and allow for controlled discharge into the beck.
- Joint investigation (EA & HBC) in 2012 identified that the properties of Newark Road sit at a level outside of the 1:100 year flood zone. This work was undertaken following some flooding of the grassland in front of the properties on Newark Road. Flooding levels were recorded in this period as being between +9.4od and +10.6od while the property thresholds were measured at approximately +10.6od and 11.6od. The incorporation of the additional flood shelving will help further improve existing flood risk.
- I note the phasing of the work and that allowance has been made in the size of attenuation basins so as to accommodate the future development. Careful site management will be required to ensure that the existing operational SUDS will remain functioning and does not become 'clogged' with construction material and additional silts.
- I have reviewed the additional 1 page note provided by Persimmon Homes regarding the work phasing and I am satisfied that this will provide a suitable solution to restricting discharge until such time as the full site becomes operational.
- I note on the same page the brief paragraph regarding SUDs adoption. This is a discussion that is ongoing and as such will need to be conditioned.
- The proposed swale does not meet the Tees Valley design standard;
- Swales should be shallow with side slopes no more than 1 in 4 to allow flow across the edge, easy maintenance and for safe access.
- Swale depth should not exceed 450mm wherever possible.
- A 100-150mm depth for normal flows uses the vegetation to reduce flow and allow filtration.
- A maximum 300mm storage above normal flow depth, to include freeboard if necessary.
- A minimum base width of 0.5m
- Reasonable access for maintenance by mowers should be provided.
- I note the proposed basin does not meet the Tees Valley design standard;
- Silt should be intercepted at source wherever possible or be intercepted in a forebay where surface water runoff enters the basin.
- Surface water runoff should flow into the basin as controlled sheet flow from source control features to reduce the risk of erosion but if entry is uncontrolled through a point inlet then an erosion control structure will be necessary to manage the flow.
- Detention basins should have a 2:1 to 5:1 length to width ratio to provide maximum opportunities for settlement at the inlet and filtration of surface water runoff.

- There should be a gentle fall to the outlet of about 1 in 100 to encourage surface sheet flow by gravity.
- A controlled outfall at or just below ground level is usual to ensure drain down unless preceded by a micro-pool. This ensures a generally dry surface when it is not raining. A micro-pool enhances treatment, avoids a muddy area at the outlet and provides biodiversity interest.
- Side slopes to the basin should be 1 in 4 maximum, with clear access for maintenance.
- Basins require an overflow to allow for design exceedance or outlet blockage.
- Given the proximity of this site to Claxton Landfill I would recommend a period of gas monitoring.
- I concur with the findings of the Site Investigation report and request that further intrusive work is undertaken.

Conclusion-Overall I am satisfied with the proposals for surface water drainage. I welcome the approach taken by the applicant and I believe that with some work we could have a surface water solution that could be the flagship for future Hartlepool developments. I do still have some outstanding issues with the scheme in its current state but these can be ironed out during the detailed design. Any agreement for discharge rates needs to be via the Environment Agency given that this watercourse is classified as Main River. Can I please request a contaminated land and surface water condition be attached to this application. The surface water condition needs to be sufficient to incorporate the element of future maintenance and adoption. (24/06/2015)

Dalton Piercy Parish Council : At the meeting on 11th June 2015 Dalton Piercy parish councillors objected to the proposed housing development on the following grounds: Encroachment: Councillors and residents were concerned that this development represents a further encroachment on the surrounding villages as they slowly become absorbed into the wider town. Highway: this will result in more traffic coming through our village and in particular more people using the A19/Windmill/Dalton Piercy junction which has been the site of a number of fatalities in recent years. Wildlife: this is an accessible area of nature right on the doorstep of Hartlepool, any major development would have a major impact on the amount of wildlife habitat. (12/06/2015)

Sport England : In our original response letter we noted that a development of this scale there should be provision made for investment of £312,500 in open space, outdoor sport / recreation, and play facilities, and £312,500 into built sports facilities. Since the applicant had not confirmed their intention to meet this requirement (either on or off site) Sport England objected to the application.

The covering letter submitted with revised plans addresses these concerns in stating; *Sport England's outstanding objection centres on the non-identification of the beneficiary of the Built Sports Facility Contribution. It can be confirmed that this £313,500 contribution will be directed to the replacement of Mill House Leisure Centre and Provision of a swimming pool at Brierton Lane. Sport England should now be in a position to remove their outstanding objection now that the beneficiaries of the contribution have been identified.*"

In response to the above, I can confirm this meets Sport England's concerns and that our objection can be considered to be withdrawn subject to the applicant's commitment being reflected in a Section 106 Agreement.

HBC Head Of Sport & Recreation : I have been through the detailed response of Persimmons and am pleased that they have come up with a suggestion to protect the pitches using a post and rail system. My concerns were more due to the potential for vehicular access causing damage to the pitches rather than dog fouling (although this will still be a problem). This has/is causing significant damage and difficulties at some of our other sites that are just "open" and I am simply trying to avoid this being a problem at this site in the future.

With regard to the location of the pitches, it will always be better to have pitches grouped together particularly to help clubs grow and develop but appreciate the approach taken to develop an overall masterplan. I am satisfied too that the school will be able to offer the changing facilities necessary through a community use agreement to clubs and organisations.

Overall therefore, I have no further issues to raise and am satisfied with the proposals as they currently stand.

Northern Powergrid : No objections received. (4/06/2015)

Natural England: Internationally and nationally designated sites

The application site is in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is approximately 3km from the Teesmouth and Cleveland Coast Special Protection Area (SPA) which is a European site. The site is also listed as the Teesmouth and Cleveland Coast Ramsar site¹ and is notified at a national level as Seaton Dunes and Common Site of Special Scientific Interest (SSSI). Having considered the additional information submitted, our position on the development has not altered from that set out in my letter of 18 November 2014. Natural England has **no objection** to this proposal, as we do not consider it likely to have a significant effect on the interest features of the Teesmouth and Cleveland Coast SPA and Ramsar site, and nor is it likely to cause damage or disturbance to the interest features of Seaton Dunes and Common SSSI. (05/06/2015)

Tees Archaeology : The developer has submitted a revised Cultural Heritage Technical Paper. This takes on board findings of archaeological field evaluations that were not available at the time of the original submission. I have no problems with the technical paper which is consistent with the approach previously recommended in my comments in an email dated 03 December 2014 (attached). I would be grateful if my previous comments could be accepted with regards to the amended application with the suggested planning condition for archaeological recording. (03/06/2015)

Thank you for forwarding the archaeological evaluation report for the HSWX proposal. The development area has now been subject to a geomagnetic survey followed by extensive trial trenching. The trial trenching has identified the well

preserved remains of a square enclosure and peripheral features to the south east of Claxton Farm. The exact date and function of the enclosure is not known, however it is likely to be Romano-British in date as the environmental samples recovered from the ditches included cereal and weed types common to that period. The trial trenching also detected a discrete group of archaeological features towards the northern end of the development (Trench 10) which are probably associated with the intensive geophysical anomalies previously identified to the west (outside of the development area). The report recommends that these areas of archaeological interest are subject to archaeological excavation in advance of development. I agree with this recommendation. This recording can be achieved by means of a planning condition. I would be happy to provide further advice of the extent of the archaeological mitigation works. I note also the report on Claxton Farm. If Sarah is minded to accept it's demolition then I would recommend a more detailed, internal and external, photographic survey prior to development. This could be included as part of the written scheme recommended in the above condition. (03/12/2014)

Ramblers Association : We thank the Council for consulting the Ramblers of the amended plans for the development. We note the route of FP Claxton 04 is now to be diverted to the south of the development and will not follow estate roads.(02/06/2015)

HBC Arboricultural Officer : I would make no changes to my previous comments on this application. (01/06/2015)

A comprehensive landscape and green space strategy has been submitted in support of the application. As well as the retention of the majority of the existing trees, the strategy includes the planting of many new trees throughout the site along road verges, cycleways, open spaces, and in residential front gardens. The proposal involves the removal of a number of mature trees to allow the construction of a bridge. No details of the trees to be removed, or of the measures to be taken to protect retained adjacent trees from damage during construction works, have been submitted. It is recommended that an appropriately worded condition be attached requiring the submission of an arboricultural impact assessment and method statement for this element of the proposal. A significant amount of existing hedgerow is shown to be removed as part of the development. Although this is considered regrettable, mitigation in the form of extensive new native species hedgerow planting is shown to be provided. In addition to what is shown on the submitted plan, there are a number of further opportunities for tree planting across the site. For example some augmentation of the existing mature tree population along the course of Greatham Beck could be undertaken, and the inclusion of one or two appropriately located areas of fruit tree planting within the open spaces would be welcomed. The submitted landscape and green space strategy provides a generally acceptable indication of the proposal as it relates to landscaping of the site, however there is insufficient detail to enable a full assessment therefore it is recommended that landscaping details form part of a reserved matters submission or are required by condition. (27/11/2014)

Tees Valley Local Access Forum : Thank you for the opportunity to comment on the consultation. From the RoW view, the plans offer cycle and pedestrian improvements; there is an opportunity to go further and add equestrian routes.

These could link the multi-user path that comes from Summerhill to Brierton Lane at present to the A689 in the south and west to Dalton Back Lane. There is also a need to improve non motorised access along Brierton Lane. This could be achieved by establishing a path just to the south of Brierton Lane (on land part of the wider 'vision') to join the current footpath to Dalton Piercy. It is also the view of the Tees Valley Local Access Forum that there needs to be more landscaping on the western edge of the development; one row of trees is in-sufficient. (01/12/2014)

Cleveland Emergency Planning Unit : After having a look at the planning application the points we would have noted are the presence of the Natural Gas, NGN pipeline which runs through the middle of the proposed plan, the risk of flooding of Greatham Beck and the impact on the transport links on both Dalton back lane and the A689. Both of these are susceptible to surface water flooding in parts. The gas pipeline and beck are noted in the planning documents and have been addressed and with this in mind we have no objection to the plan. (06/11/2014)

Elwick PC : Please note that Elwick Parish Council does not meet again until 24 November. I will be in touch after the meeting with their comments (31/10/2014)

Teesmouth Bird Club : Teesmouth would like to make the following comments on this document. The work is thorough, comprehensive and frank. A programme of housing of this size, although large, has a sufficient footprint to allow worthwhile mitigation measures to be taken in the form of habitat enhancement, wildlife corridor creation and manipulation of pedestrian access routes. Depending on the housing density and associated garden size there ought to be scope for breeding and winter feeding of several species of Red and Orange concern as well as common garden birds in general. Inevitably, however, some species will be lost permanently from the site as a result of disturbance and habitat loss, regardless of mitigation measures practiced. Such species are Grey Partridge, Linnet, Yellowhammer, Lapwing and Corn Bunting. NPPF requires that where possible opportunities should be taken to enhance the biodiversity of a site. In what is essentially a largely built environment, there is scope for such measures. HBC has required that compensatory bat roosts should be installed in housing, because roost sites are to be lost when old farm buildings are destroyed. For certain bird species a similar practice is possible. The club would like to suggest that the following measures are required as a planning condition. There is in Europe, including the UK, a practice of installing, during the building of a structure, bespoke nest “bricks” for Common Swift, Starling and House Sparrow – all species declining as a result of loss of nest sites in the modern housing environment. (The club can advise on the best locations and aspects for this mitigation measure). Finally, the proposal of wild flower meadows and managed grassland requires an appropriate and enduring seasonal cutting programme to be a planning requirement if the mitigation measure is to be worthwhile. Where appropriate, robust, bespoke bird nest boxes should be fitted to existing large trees. (05/11/2014)

Durham Bird Club : I have noted the comments of Teesmouth Bird Club. Both Clubs have an interest in this area. In general, I fully support the comments of Dr McLee on behalf of the Teesmouth club. However, so far as farmland birds are concerned, I believe it is appropriate to draw attention to the recent State of Nature Report which shows that 60% of farmland species have declined in recent years, 34% “strongly”.

This has included a number of species of bird, some of which are farmland specialists. Although some species may now be benefitting from stewardship schemes, these proposals will of course remove suitable habitat completely if they are approved.

Given the significance of these applications and their potential impact on farmland bird species such as yellowhammer, grey partridge and skylark in these locations, I believe it is appropriate to consider offsetting and providing compensatory habitat within the area to replace that which is likely to be removed or, because of disturbance, likely to cease to be attractive to such birds.

I also note the comments of Greatham Parish Council in relation to Greatham Beck. The downstream length of this Beck from this site, particularly at its estuary at Seal Sands, is a very important site. This is of particular significance to the South West Extension application and if this is granted permission, I represent that great care must be exercised to ensure no pollution or disturbance occurs downstream from the site.

Northumbrian Water : Thank you for consulting Northumbrian Water on the above proposed development. 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: Due to the significant size and nature of this development, we would request the following condition in order to agree a detailed drainage strategy with the developer:

CONDITION: Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water. 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.(06/11/2014)

Durham CC Ecologist : I have concerns over the adequacy of and hence conclusions of the Habitats Regulation Assessment (HRA) for this application, as a number of issues seem not to have been considered. I note that the documentation refers to compliance with the Hartlepool Local Plan in terms of HRA but as I understand it there is no current Local Plan for Hartlepool, it having been withdrawn recently and a new plan is to be formulated in conjunction with Natural England (NE). If this is the current situation then no HRA exists for applications within Hartlepool. Regardless of the above the application site falls within the 6.5 km HRA buffer for the County Durham Plan which has been agreed with NE and considering the proposals and likely impacts, an Appropriate Assessment (AA) is likely to be required (taking into consideration the precautionary principle), it should be borne in mind that HRA does not respect administrative boundaries but considers only the effects on the European Protected Sites in this case the coastal SAC/s and SPA/s. The AA should also consider the in combination effects of the development upon the SAC and the SPA, this is likely to include other developments along the coast within

Durham and Hartlepool. I suggest the AA is likely to be formulated around the increased number of residents and their associated direct and indirect impacts upon the European Sites. Issues which are likely to need to be considered include:

- Increased recreational impacts upon the SAC and SPA, trampling and dog walking
- Increases in emissions to air such as nitrogen/acid – and their associated deposition impacts
- Eutrophication of the SAC from dog faeces/urine
- Air quality and hydrology/water quality

This is probably not an exhaustive list and the content should be agreed with NE.

I also note that the land to be lost to development is home to some qualifying bird species of the SPA, both wintering and breeding birds and as such is functional land in terms of the HRA. An assessment will be needed of how and why qualifying birds use this land and whether or not it can be replicated/mitigated for elsewhere again this may require an assessment of in combination effects.

I would also suggest that, regardless of the HRA process, the bird populations should be considered in the light of Reg.9A of the Habitats Regulations and subsequently Article 2 of the Wild Birds Directive. The Local Authority will be the competent authority in all the above circumstances and must be convinced that there will be no adverse impacts. I suggest reference to the Waddensee case 1997.

My concern is that without the proper application of the HRA process any subsequent planning permission will be unsound and open to challenge, indeed the application probably cannot be determined without the above process being complete. I suggest that immediate consultation with NE takes place in order to clarify the above points.

HBC Ecologist : My only additional comment would be that I am now unsure whether the proposed SUDS ponds would benefit biodiversity. If not the overall enhancement may be less than I had envisaged but I still think there would be an overall enhancement due to the other measures proposed. (24/07/2015)
I have been on site and inspected all of the hedges that would be affected by the South West extension proposal. None of the hedges met the Hedgerow Regulations criteria in terms of the number of woody species and associated features. I've also cross referenced the breeding bird surveys with the Red Data Book for Birds in Britain and the hedges do not support any of those bird species or any bird species listed under Schedule 1 of the Wildlife and Countryside Act 1981. Consequently none of the hedges would be classed as "important" under the Hedgerow Regulations 1997. (13/04/2015)

The following ecological issues are associated with the proposal:
Loss of existing habitat and the requirement to provide an overall enhancement for biodiversity in line with NPPF;
Effects on breeding birds;
Effects on wintering birds, particularly with respect to birds associated with the Teesmouth & Cleveland Coast SPA;

Effects on bats;
Effects on Great Crested Newts (GCN)
Habitat loss and ecological enhancements

The proposal would involve the loss of a large area of farmland which supports various ecological receptors. Much of the ecological value of the site is associated with the river corridor which would be retained however there would be still be some loss of biodiversity if mitigation measures are not satisfactory. In addition there should be an overall enhancement for biodiversity in line with NPPF.

The Ecology chapter of the ES states that habitat creation proposals will be provided within the Landscape & Visual Assessment section of the ES. Fig 4 of the Landscape & Visual section indicates that 11.63 ha of species rich grassland will be created including 1.33ha of cycle route verge. However much of these areas will be taken up by SUDS therefore it is unclear how much species rich grassland will be created. Nevertheless the proposal includes the creation of 10 SUDS ponds and a further three ponds created specifically for wildlife and a net increase of 816.5m of hedgerow. Provided that a total of 13 ponds/ wetlands are created on the scale indicated on Fig 8 "Landscape Mitigation and Green Space Strategy" and there is a net increase in hedgerows as indicated, then there should be an overall enhancement for biodiversity on the site. However, almost all of this ecological mitigation would appear to be created on the south of the site on the part covered by the outline application. It would therefore be useful to know what ecological mitigation will specifically be created as part of the full application on the northern part of the site to ensure that an overall enhancement for biodiversity is still achieved under that part of the application.

Breeding birds

The Environmental Statement has assessed the site as being of County importance in terms of its breeding birds. Again most of these are associated with the river corridor, existing ponds and hedgerows. There would be some loss of the species associated specifically with the farmland but overall give the habitat enhancements outlined above there should be an overall increase in the numbers of breeding birds as a result of the proposals. To avoid potential harm to breeding birds during the construction phase, the Council's standard condition on breeding birds should apply to all vegetation clearance (including hedgerow, grassland, scrub and trees).

Wintering birds

The site is used by a variety of bird species over the winter period, again with the majority of the activity being associated with the beck corridor and therefore unlikely to be significantly affected by the proposals. Some birds associated with the Teesmouth & Cleveland Coast SPA are found on the site though these are in relatively low numbers with an average of 21 SPA birds in total. It should also be noted that the bird surveys included areas of the wider site that would not be developed under these proposals. Natural England has been consulted and has concluded that the proposal would be unlikely to have a significant effect on the Teesmouth & Cleveland Coast SPA.

Bats

Bat activity across the site is associated mainly with the beck corridor and with the hedgerows, as would be expected. By far the majority of the recorded bat activity was from Pipistrelles and Noctule bats. These species are tolerant of lighting and Pipistrelles regularly forage in gardens so they are unlikely to be adversely affected by the proposals; in fact given the additional landscaping and ponds to be created they may even benefit. The 2013 bat surveys recorded very low levels of activity from Myotis and Long eared Bats. These species can be adversely affected by increases in light levels however their presence on this site, particularly Long eared Bats, does not seem to fit with respect to the species' ecology and known distribution in Hartlepool therefore it is likely that these results are incorrect. One of the buildings at Claxton Farm has been shown to be a bat roost for small numbers of bats therefore a European Protected Species licence will be required for the destruction of the roost as part of the proposals. As this is a roost of relatively low importance for a common species, it is likely that its loss can readily be mitigated for hence it is considered that Natural England would be likely to grant a licence for its destruction. The most recent surveys of the buildings were in 2014 however if the building has not been demolished under licence by 2016 then further bat surveys would be required. Section 6.1.3 of Volume 5 of the ES recommends that destruction of the roost should take place over the winter period when bats are unlikely to be roosting in the buildings. It is usual to avoid this period when destroying roosts as it is difficult to ascertain that whether bats are hibernating in a particular location or not, therefore I consider that destruction of the roost should occur during the bat activity period with a pre-works bat activity survey carried out immediately prior to destruction, as described in section 6.1.5.

A 2014 inspection of the trees to be removed to accommodate the road crossing of Greatham Beck classified 12 as having moderate/high potential for roosting bats. Condition - These should be surveyed in the bat activity season immediately prior to their removal to ensure that no roosting bats are present. The results of the survey should be submitted to the LPA.

Additional bat roosting opportunities should be provided as part of this proposal. As has been the case with permissions for other medium to large housing proposals, we would like to see some of these incorporated into buildings.

Great Crested Newts (GCN)

A small population of GCN have been found to be breeding in a pond (pond D) to the west of the site. This pond would be approximately 200m from the development and separated from it by Dalton Back Lane, so any effects on GCN breeding in this pond are anticipated to be very minor. GCN has been recorded in pond E, on site, but just a single individual. Nevertheless a European Protected Species licence would be required for works to proceed in the vicinity of this pond. As this is such a small population and there is room to provide alternative habitat by way of mitigation then it is considered likely that Natural England would grant a licence. If works have not been carried out under licence by 2016 then a further set of GCN surveys would be required to update the information required for a licence.

The Hydrology report states that the pond 80m SW of Claxton Farm may be at risk from the development as it is lower than Claxton Farm. This would be pond E and any indirect effects on the pond such as run-off should also be mitigated for.

I would like to see the following measures incorporated to provide an enhancement for GCN; the creation of a new pond west of link road and the creation of additional terrestrial habitat around pond E. (02/12/2014)

HBC Ecologist has undertaken a Habitat Regulations Assessment in accordance with Article 6(3) of the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna & Flora (Habitats Directive) as transposed into UK law under the Conservation of Habitats and Species Regulations 2010 (as amended). The closest European Site is the Teesmouth & Cleveland Coast Special Protection Area (SPA). This has concluded that the development would not have an effect on the SP. Therefore it is concluded that this application would similarly not have an adverse effect on any other European site. Natural England have been consulted and have commented that the application is unlikely to have an effect on the SPA.

Durham CPRE (Campaign For the Protection of Rural England) : On behalf of CPRE Durham, I refer to these applications (H/2014/0405 & H/2014/0428 (High Tunstall)). We also note the recent decisions to refuse permission for housing development at Quarry Farm and Tunstall Farm.

One thing that is of particular concern about all these applications is that they are all in open countryside. Although they may be adjacent to the built development, they clearly breach the so called “Urban Fence”. As we understand it, Hartlepool has for years had a policy of resisting housing development west of the Urban Fence. All these proposals will therefore be in direct conflict with any such policy. That said, it is accepted that the South West extension was included in the former Hartlepool draft plan. However, the draft plan has now been withdrawn so there is no de facto policy to allocate this site for housing. Indeed, we understand that there is presently a search for sites which includes questioning whether the Urban Fence should be breached.

Household Numbers in Hartlepool

We note that, as per the 2011 Census, there are currently some 40,400 households in Hartlepool. It is proposed to build a net increase of 4800 houses, a figure which it appears it is intended to retain notwithstanding the withdrawal of the draft Plan (“Future Housing Needs for the next 15 years”).

This represents an 11.9% increase in the number of households in Hartlepool. CPRE North East has been arguing at the Newcastle Gateshead and Durham Examinations in Public that this size of projected population increase is considerably more than is officially forecast for the North East in the Office of National Statistics projections for 2012, the most up to date available. We do not believe Hartlepool shows any reason to be different.

Further we note that the emerging Durham Plan has allocated a significant amount of land for housing in the Sedgefield area, close to the Tees Valley catchment area for employment. In addition, the Durham proposals allocate a significant amount of land for housing in Peterlee, a relatively short distance to the north of Hartlepool. (Recently, approval has been given for some 900 houses at the Low Hills site in Peterlee.) At present we are awaiting the Interim Report of the Inspector in respect of the Examination in Public of the Submission Draft of the Durham Plan before the various sites provisionally allocated are considered in more detail.

We are also awaiting the Household Projections from the Department of Communities and Local Government which we understand will be based on the ONS 2012 projections. The DCLG document was anticipated in the autumn, then to be

published on December 15th. The DCLG website now indicates they will be published in February 2015.

We therefore challenge whether there is a requirement to build another 4800 houses in Hartlepool. Even if there is, we believe the following issues are relevant

- 1) There is no indication from the figures as to how many empty houses in Hartlepool could be brought back into residential use. This of course is an objective of the National Planning Policy Framework (NPPF) - see for example the 8th bullet point of paragraph 17 and paragraph 51.
- 2) Even if 4800 new houses is a correct assessment, it appears to us incomprehensible that such a large proportion of them should be provided by these two sites plus the two smaller sites that have been refused permission. Indeed, so far as the South West Extension site is concerned, it is noted that this is proposed to be Phase 1. If these two applications should be approved and Phase 2 of the South West Extension site comes about (as seems probable if certain constraints particularly in relation to highways are "resolved"), these two sites will provide 4500 of the 4800 households. Should the two sites at Quarry Farm and Tunstall Farm be allowed permission on appeal, then practically the whole of the 4,800 households will be satisfied by these sites alone.
- 3) We do note the provisions of paragraph 52 of the NPPF in relation to large scale developments that is referred to in the South West Extension application (but would be equally relevant to the High Tunstall application). We refer to this further below.

Brownfield Land v Greenfield Land

CPRE nationally is also concerned that there is insufficient development in recent years on brownfield land. In November it produced a Report entitled "From Wasted Space to Living Places" which provides evidence that the supply of suitable brownfield sites has remained fairly constant over the past few years. We represent that, if these sites are granted permission, it will virtually remove any incentive to redevelop any suitable brownfield sites in the borough.

We are also very concerned about such a major incursion into open countryside beyond the Urban Fence if either of these applications is granted permission. It is accepted that none of this land has any specific designation such as Green Belt but nonetheless, CPRE represents that the countryside should be valued for its own sake. This is reflected in 5th bullet point of paragraph 17 of the NPPF. While it may have no specific designation, the countryside affected by both of these applications is inherently attractive and from the evidence in the applications has wildlife value. This we represent needs to be respected.

Sustainable Development

The NPPF refers to the United Nations definition of Sustainable Development and provides three roles for it in paragraph 7 – economic, social and environmental. CPRE has published a Policy Guidance Note on Housing in which it is said at paragraph 4.7

"Urban extensions potentially provide the most sustainable option for new development where existing towns and cities don't have capacity to meet need. In addition to the above CPRE's support for this type of allocation should be dependent on a number of Smart Growth criteria being satisfied. These are where:

housing need has been properly evidenced and justified;
alternative sites in the urban area are not available;"

A number of other criteria also is included in this paragraph. However, given our comments above, we question whether these first two criteria have been met for such a large amount of development beyond the Urban Fence, especially when it appears that the South West Extension is in fact Phase 1 of a total of 2500 households proposed in this location.

Paragraph 4.9 states

“New settlements can provide new homes on a large scale where all other options for development in existing towns and cities, or sustainable urban extensions, are exhausted. To do so, their locations must be carefully chosen to ensure they are capable of providing self-sustaining new communities, with local jobs and facilities. They should be firmly resisted where they propose using countryside for low density or dormitory town development in close proximity to an urban area, as this will not meet any test for ‘sustainable development’. Their design and delivery should reflect the same principles to those described above in paragraph 4.7 for urban extensions.”

We note both of these proposals refer to the proximity to the A19. The High Tunstall proposal includes a proposal for a new road to link to the A179 to enable easier access to the A19. We question whether the local economy can sustain this number of houses on its fringe or whether the intent is for people living here to travel on the A19 for jobs in other locations. This has to be considered alongside other proposals for large housing developments in County Durham particularly in the Sedgefield area

In short, CPRE Durham questions whether housing development on this scale in this location is sustainable given these criteria.

Five year Housing Supply

We note the comments in the applications in relation to this and indeed the admission by the Council that there has been an undersupply in the recent past (as indeed appears to be the case with just about every local authority). While we do not wish to comment on the actual figures in any area of the North East, we represent that the above criteria in relation to population projections are relevant in addressing this issue. We are not proposing that the 5 year supply should be calculated to precision, but our understanding is that, in Hartlepool, the shortfall is not such that it requires developments of this magnitude to address it.

We acknowledge the “Sedgefield” approach to addressing any undersupply but also represent that this does not mean that developers are entitled to claim that just about any application anywhere has to be approved to address this problem. We note that this was at least hinted at in the case of *St Albans City Council v Hunston Properties and the Secretary of State for Communities and Local Government* [2013] EWCA Civ 1610 where, at paragraph 31, Sir David Keene said

“There seemed to be some suggestion by Hunston during the course of argument that a local planning authority, which did not produce a local plan as rapidly as it should, would only have itself to blame if the objectively-assessed housing need figures produced a shortfall and led to permission being granted on protected land, such as Green Belt, when that would not have happened if there had been a new-style plan in existence. That is not a proper approach. Planning decisions are ones

to be arrived at in the public interest, balancing all relevant factors, and are not to be used as some form of sanction on local councils. It is the community which may suffer from a bad decision, not just the local council or its officers.”

We represent that this is a very important consideration in these applications.

General

We note that this site was included in the now withdrawn Hartlepool Plan. However, as the whole process is starting afresh, it does not appear it now has any status in planning terms.

We also note that in the Planning Statement it is stated that the Scoping Opinion suggests consultation with CPRE. We are not aware of any approach being made to any of our members. If it is claimed otherwise, we request sight of the correspondence (our previous representative in the Teesside area has resigned through ill health but we are not aware of him receiving anything)

Nature of the development

We accept that the northern part of this proposal abuts the Urban Fence. The southern part however does not and cannot do so, we assume, because of services in the intervening land. We note it is proposed to designate this land as Green Wedge.

This however does mean that the southern development will be separated from the Urban Fence. There will be a small but distinct break between the existing development and the new.

We represent therefore that at least this part of the development should be considered in conjunction with paragraph 4.9 of the CPRE PGN mentioned above. While it is acknowledged that housing is not the only development in this case, the other proposals will be insufficient to make this a “self-sustaining new community” and indeed, its proximity to the A19 is noted above.

We are extremely concerned that this will represent an unacceptable encroachment into open countryside which may be “deliverable” within the meaning of the NPPF but could well not be sustainable as its inhabitants will travel to other locations to work.

New road and bridge across Greatham Beck

Greatham Beck is acknowledged to be a local wildlife site and to have at least some local importance (further downstream of course it has a much greater importance). While this part of the site is not to be developed for housing, we note the proposal to link this part of the development to the Moffat Road area. It is noted that the school is in this location.

This road will be an intrusion into the tranquillity of this area and we therefore challenge it. Further, we note the proposed bridge is a suspension one which, we believe, will be very visible in this location.

We are concerned about the proposal for this new road and bridge and, if it is determined to grant permission for the other aspects of the application, represent that this issue needs very careful assessment.

Green Wedge or Green Belt

We note the proposal to create a new Green Wedge on the land between this proposed development and the existing Urban Fence. As we have indicated above, it appears it is not possible to develop this land because of the services within it.

However, we are concerned that Green Wedge has limited, if any, legal status. It is not mentioned in the NPPF. The applicant however has referred to paragraph 52 of the NPPF as being relevant in this case. That paragraph states that in such circumstances, it may be appropriate to create Green Belt around any such new development. This of course can only be done in a local plan setting but we represent that, if this application is granted, a Green Belt should be considered in this area, including the land up to Back Dalton Piercy Lane. We note that the Parish Council has suggested that this land should be protected.

Greatham Beck and Sustainable Drainage Systems

If this application is granted, we do support the proposals to retain the area around Greatham Beck as a Wildlife Site and represent that every effort should be taken to protect and improve it for this purpose.

We note the proposal for a number of SuDS ponds in the application. We acknowledge the benefit these can have not just for drainage but also for wildlife. If the application is granted, we support this part of it

HBC Heritage & Countryside Manager : As you are aware this site does not include any listed buildings, conservation areas or locally listed buildings. The main issue for consideration is Claxton Farm and the level of significance which should be attributed to the buildings. I have considered the information presented in the report by the applicant and I am satisfied that the structures relating to the farm are of some interest in the context of Hartlepool. In such cases the National Planning Policy Framework states that, 'The effect of an application on the significance of a non-designated heritage asset should be taken in to 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.' It does appear that the buildings in question have been altered which has diminished the significance leaving only remnants of the original buildings. In addition there are other examples of groups of farm building elsewhere in Hartlepool which are listed or locally listed as they are better examples. In light of this it is considered that there would be no objection to the demolition of the structures subject to a record being made of them prior to the demolition. (12/12/2014)

HBC Public Protection : I would have no objections to this application subject to the following conditions; No development shall take place until a detailed scheme of noise insulation measures for the residential properties to the South of the development facing the A689 and the residential properties directly adjacent to the

access and spine roads of the development has been submitted to and been approved in writing by the Local Planning Authority. The scheme of noise insulation measures shall be prepared by a suitably qualified consultant/engineer and shall take into account the provisions of BS 8233:2014 "Guidance on Sound Insulation and Noise Reduction for Buildings". The approved scheme shall be implemented prior to the commencement of the use and be permanently retained thereafter. An extract ventilation condition to any hot food uses on the local centre. An opening hours restriction to no later than midnight on the local centre.(27/07/2015).

I would also recommend an hours restriction on deliveries to restrict any deliveries to the local centre to daytime hours due to the close proximity of residential properties. (02/04/2015)

HBC Countryside Access Officer : With regards to previous discussions and related emails; I have recommended that the two main public rights of way to be diverted should follow the practiced and proven process of use of section 257 of the Town and Country Planning act 1990. This will allow for the legal diversion of Public Footpath No.1, Greatham Detached Parish and Public Footpath no.4, Claxton Parish. As also mentioned there is a need to consider the requirements and needs of other users with the development of the site. Safe and traffic free pedestrian, cycle and equestrian access should be provided through out the site, especially taking advantage of the north-south open space that lies on top of the main gas pipe corridor. With burgeoning livery businesses being set up in the local area, it seems sensible to make sure that recreational access is provided for ALL non-vehicular users and not just the pedestrian and cycle communities. Special care needs to be taken to link in the wildlife corridors areas so that access is sympathetically provided where it is relevant. If there is a need to provide pedestrian or non-vehicular bridges across Greatham Beck, then this must not be reduced in scale if it means that these benefits are having to be purely balanced against cost. Access to the countryside is essential to help provide improved mental health as well as improved physical health. Overall this development needs to make sure that all the public must have the best possible chance to enjoy access beyond urban environments. The scale and size of the development can provide this. To consider and discuss further any access, other than the two diversion applications, please ask the developer and/or the agent to contact me.(27/07/2015).

Highways England: Formally recommend that condition should be attached to any planning permission that may be granted. They request that a condition securing the implementation of the "Milestone Transport Planning Travel Plan Revision B dated April 2015, Ref 14/007" is implemented. (12/06/2015).

Cleveland Police : I have the following comments regard this application
I am not aware if the developer is seeking Secured by Design accreditation in relation to this development. I have attached requirements for Secured by Design if required. In relation to designing out crime and disorder I have concerns with regard the proposed parking to the rear of properties which include rear of plots 19-21, 50-51, 62-63, 98-99, 110-124. The reason these parking areas should be avoided are that they introduce access to rear of properties where most burglaries are committed, create areas of concealment which can encourage anti-social behaviour and often poorly lit therefore increasing the fear of crime. Proposed garage locations for plots

1,2,6, 27,28, 40,41,74,97,75,96,199,100 are also not recommend any proposed dedicated garage parking should have the entrance to the garage overlooked by other dwellings offering a clear unobstructed view. (22/12/2014)

HBC Traffic & Transportation : The development will comprise of 2 distinct areas, the first will be accessed from the A689 via the Southern Access Road and the second from Brierton Lane via the Northern Access Road. It is not proposed to connect these at this stage forming two separate culs-de-sac. It is a long term aim of the Council to provide a western relief road, the proposed layout will provide 2 vital links in the chain, however it is imperative that at some point in time that these roads are joined together. It is understood that the developer intends to provide this connection in future phases. This further phase should be constructed to the same standard as the Southern and Northern Access Roads. The design should be conditioned to ensure that this future link is protected in order to protect the future transport requirements of the town.

Southern Access Road (SAR)

The SAR is 1.65km long and would have a 30mph speed limit, the carriageway will comprise of Footway / Cycleway 3.5m, Verge 2.0m, Traffic Lane 3.65 m, Traffic Lane 3.65 m

Verge 2.0m, Footway 2.0m. There are 5 principal roundabout junctions (maybe more subject to reserved matters). The SAR will serve up to 800 properties and a Local Neighbourhood Centre which will consist of a Local Food Retail Store, other Local shops, Pub/ Restaurant, Primary School and GP Surgery. The proposed carriageway geometry and layout are acceptable.

Public Transport

The developer is looking to provide a supported bus service to serve the southern sector of the development for a 5 year period. The details of this provision should be provided prior to first occupation. Plans should be provided prior to the commencement of the scheme for the provision and location of bus stop infrastructure including half width lay- bys, shelters and low floor kerbs.

School

A School Safety scheme should be submitted to the council detailing signage, guard railing, parking proposals, traffic Regulation orders associated with school time parking. A school time 20 mph speed limit should be implemented on the section of highway fronting the proposed school. An approved scheme should be implemented prior to the occupation of the school.

Suspension Bridge

The proposed bridge across Greatham Creek will place a substantial maintenance cost on the Council, a commuted sum of £75,000 should be paid to the Council to cover the costs of future inspections and maintenance. Prior to construction full design details of the bridge should be submitted to the Councils Structural Engineer for approval.

Northern Access Road (NAR)

The NAR is 645m long and would have a 30mph speed limit, the carriageway will comprise of the same cross section width as the SAR. The NAR will serve 460

properties. The proposed carriageway geometry and layout of the NAR are acceptable.

Public Transport

It is stated that the northern sector of the development is located within 400 metres of the Rift House, Bacon Walk bus stops and Eskdale Road, South End bus Stops therefore there are no requirements for the provision of extra bus stop infra structure. With the requirement for the two Access Roads to be joined in future phase's half width lay-bys should be provided on the NAR. Detailed plans should be provided of the proposed bus stop improvements proposed at the 4 stops outlined above, improvements to be approved and implemented prior to occupation of the first phase.

Junction Modelling

I can confirm that the scope of the Transport Assessment has been agreed with Hartlepool Borough Councils Traffic Section. As part of the TA a number of key junctions have been analysed. These junctions have been analysed in the following years 2013 Base Year, and 2023.

A689 / Southern Access Road

It is proposed the new junction will operate under traffic signal control. The junction should be connected to the A689/ High St, Greatham junction with a SCOOT system to optimise capacity. The principle of the junction design is acceptable however the details will need to be agreed with the Councils Traffic signal Engineers. A 3.0 - 3.5 metre wide footway / cycle way is to be provided on the north eastern side of the junction which will join into the existing National Cycle Route 14 at the A689 / Greatham High Street junction. These proposals would be acceptable.

In order to promote the safety of pedestrians and cyclists using this route the speed limit on the A689 between Greatham High Street and to point west of Dalton Back lane should be reduced to 50mph. The developer should fund all costs associated with the reduced speed limit, including signage road markings and Traffic Regulation Orders. The above works would need to be carried out under a section 278 agreement.

A689 / Dalton back Lane / Front Street

The junction will operate well within practical capacity in 2023, the assessment of this junction is acceptable.

A689 / A19

The developer considers that HSWX be accommodated on the Strategic Route network without triggering further major upgrade works beyond the Highways Agency Pinch Point scheme recently implemented.

A689 / A1185 and A689 / Wolviston Services

Improvements are due to be carried out at these junctions funded through the Local Growth fund at a cost of £592k, it is a requirement of the LGF funding that the loan is repaid back in full through developer contributions. It is a requirement of this scheme to pay back the cost of these 2 junctions in full. It is considered that these improvements will be sufficient to accommodate HSWX.

A689 / High St, Greatham

The junction will operate well within practical capacity in 2023, the assessment of this junction is acceptable.

A689 / Queens Meadow

This junction was not assessed however it is accepted that this will operate efficiently with the addition of the development.

A689 / Truro Drive

There will be significant queuing in the AM peak, in mitigation it is proposed to amend the junction cycle time from 180 seconds to 240 second, this will help reduce traffic congestion to a certain extent however it is expected that this junction will still operate close to capacity. There are no practical physical measures which can be implemented to help reduce congestion at this junction.

A689 / Seaton Lane / Owton Manor Lane

The modelling shows that there will be minimal increases in traffic queues, although the junction currently suffers from queuing traffic on Owton Manor Lane during peak periods. There are no practical physical measures which can be implemented to help congestion at this junction.

A689 / Stockton Road / Brierton Lane and A689 / Stockton Road (Plan 14/007/BR1/02)

The modelling shows that there are significant increases in traffic queues on both these junctions particularly in the AM peak. It is proposed to convert the A689 Brierton Junction to traffic signal control, including the widening of Brierton Lane (on its north side) to accommodate a flared 2 lane approach, and extended signal controlled right turn lane into Brierton Lane and Walk with traffic controlled pedestrian phase over the Brierton lane approach. It is proposed to remove the all pedestrian Phase on the existing A689 / Stockton Road traffic signal junction and replace with a walk with traffic crossing facility on the A689 (N) and Stockton Road approaches. The proposed amendments are acceptable. The developer considers that these measures should be introduced following the completion of the 600th property, this would be acceptable. The works would need to be carried out under a section 278 agreement.

Brierton Lane / Masefield Road

The junction will operate well within practical capacity in 2023, the assessment of this junction is acceptable.

Brierton Lane / Catcote Road

It has been identified that this junction will operate over capacity at an early stage of the development and that the junction will require signalisation. It is therefore proposed to implement the traffic signal junction prior to the occupation of phase 2. Phase 1 of the development will consist of the construction of 144 properties accessed from Brierton Lane. The proposed mitigation (plan 14/007/BR1/01) and trigger point for the implementation of the scheme are acceptable. The works would need to be carried out under a section 278 agreement.

Catcote Road / Marlowe Road

The junction will operate well within practical capacity in 2023, the assessment of this junction is acceptable.

Catcote Road / Macaulay Road

This junction was not assessed however it is accepted that this will operate efficiently with the addition of the development.

Catcote Road / Oxford Road

The developer considers that the junction will operate well within practical capacity in 2023, however as offered to fund a scheme to increase capacity at the junction, this will include the removal of the pedestrian crossing on the eastern leg and the provision of 'walk with traffic' crossing facilities on the southern and western legs of the junction. This will require the construction of traffic islands and the realignment of the carriageway. These improvements would be welcome and help with congestion and pedestrian movements at the junction.

Catcote Road / Masefield Road

The junction will operate well within practical capacity in 2023, the assessment of this junction is acceptable.

Elwick Road / Park Road / Wooler Road

The developer accepts that this junction will operate over capacity in both peak hours under base conditions. However concludes that the HSWX development results in only minimal changes in queue lengths and does not offer any mitigation, the assessment of this junction is acceptable.

Catcote Road / Wynyard Road

The junction will operate well within practical capacity in 2023, the assessment of this junction is acceptable.

Catcote Road / Owton Manor Lane

The junction will operate well within practical capacity in 2023, the assessment of this junction is acceptable.

Catcote Road / Truro Drive

The developer considers that the junction will operate well within practical capacity in 2023, the assessment of this junction does not correspond with existing conditions where long queues are frequently observed, the developer has offered to fund a scheme to improve capacity of the junction, this will involve the creation of separate right and left lanes on the Truro drive leg. These improvements would be welcome and help with congestion at the junction.

Conditions

Public Transport

1) Details should be provided and agreed on the proposed bus service provision prior to first occupation and implemented within 3 months of first occupation of the southern sector.

2) Plans should be provided prior to the commencement of the scheme for the provision and location of bus stop infrastructure including half width lay- bys, shelters and low floor kerbs for the southern access road.

3) Detailed plans should be provided and approved for the proposed bus stop improvements at the Bacon Walk, Eskdale Road, Rift House and South End stops prior to first occupation of the first phase.

4) Plans should be provided prior to the commencement of the scheme for the provision and location of bus stop infrastructure including half width lay- bys, shelters and low floor kerbs for the northern access road.

School

5) A School Safety scheme should be submitted for approval detailing signage, guard railing, parking proposals, traffic Regulation orders associated with school time parking. A school time 20 mph speed limit should be implemented on the section of highway fronting the proposed school. An approved scheme should be implemented prior to the occupation of the school.

Bridge

6) A sum of £75,000 should be paid to the Council to cover the costs of future inspections and maintenance on completion of the bridge.

7) Prior to construction full design details of the bridge should be submitted to the Councils Structural Engineer for approval.

Network

8) A scheme should be submitted for approval detailing a scheme to reduce the speed limit on the A689 between Greatham High Street and to point west of Dalton Back Lane to 50mph. The approved scheme should be implemented prior to the opening of the site access.

9) A detailed plan of the proposed changes at the Brierton Lane / Stockton Road / A689 junction should be submitted and approved and implemented prior to the construction of the 600th property

10) A detailed plan of the proposed changes at the Brierton Lane / Catcote junction should be submitted and approved and implemented prior to first occupation of phase 2.

11) A detailed plan of the proposed changes at the Oxford Road / Catcote junction should be submitted and approved and implemented prior to first occupation of phase 2.

12) A detailed plan of the proposed changes at the Truro Drive / Catcote junction should be submitted and approved and implemented prior to first occupation of phase 2

Construction

13) A construction management plan detailing delivery routes, measures to reduce the impact on residents and measures to reduce mud on the highway should be submitted and approved prior to the commencement of construction.

Public Health England - In general, 66 kV overhead lines are expected to comply with the recommended exposure guidelines. The local authority may wish to confirm this with the electricity company.

PLANNING POLICY

1.15 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

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

Com12: Food & Drink
Com5: Local Centres
Com8: Shopping Development
Com9: Main Town Centre Uses
GEP1: General Environmental Principles
GEP2: Access for all
GEP3: Crime Prevention by Planning and Design
GEP9: Developer Contributions
GEP12: Trees Hedgerows & Development
GN5: Tree Planting
Hsg5: Management of Housing Land Supply
Hsg9: Developer Contributions
Rec2: Provision of play in new housing areas
Rec6: Dual use of school facilities
Rec8: Areas for quiet recreational purposes
Rur1: Urban Fence
Rur14: Tees Forest
Rur18: Rights of way
Rur19: Summerhill to Newton Bewley Greenway
Rur7: Development in the countryside
Tra 5: Cycleways Networks.
Tra15: Restriction on access to Major Roads
Tra16: Car parking standards
Tra20: Travel Plans.
WL7: Protection of SNCIs, RIGS and Ancient Semi-Natural Woodland

1.17 The following policies in the adopted Tees Valley Minerals and Waste DPD are relevant to the determination of the application:

MWC4: Safeguarding Minerals from Sterilisation
MWP1: Waste Audits

National Policy

1.18 In March 2012 the Government consolidated all planning policy statements, circulars and guidance into a single policy statement, termed the National Planning Policy Framework (NPPF). The NPPF sets out the 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 paragraphs of the NPPF are of particular relevance to the determination of the application.

2 : Application of Planning law

6 : Purpose of the planning system creation of sustainable development.

7 : Three dimensions to sustainable development.

13: The National Planning Policy Framework constitutes guidance

14: Presumption in favour of sustainable development

17: Core land-use planning principles

32: Transport Statement or Transport Assessments

34: Sustainable modes of transport modes

36: Travel Plans

37: Minimising Journey Length

38. Large scale residential developments

47: Supply of Housing

48: Windfall Sites.

49: Five year land supply

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

57: High quality inclusive design.

58: Quality of development

60: Promotion or reinforcement of local distinctiveness.

61: The connections between people and places.

64: Improving the character and quality of an area.

66: Community Involvement

69: Creating healthy, inclusive communities

70: Delivering healthy inclusive communities

72: Sufficient choice of school places

96: Decentralised energy supply and minimising energy consumption

99: Avoiding increased vulnerability to climate change

100: Inappropriate development in flood risk areas

101: Sequential Test

103: Increasing flood risk elsewhere

118: Conserving and enhancing biodiversity

135: Non designated heritage assets

187: Approve applications for sustainable development

196: Determination in accordance with the development plan

197: Presumption in favour of sustainable development

203: Conditions or planning obligations

204: Planning obligations.

205: Obligations and market conditions over time

206. Planning conditions

PLANNING CONSIDERATIONS

1.19 The main planning considerations are planning policy, highways, design/layout/ impact on the visual amenity of the area, the amenity of the occupiers of adjoining properties/future occupiers of the site, crime fear of crime and antisocial behaviour, flooding and drainage, ecology, cultural heritage, education, contamination, pipelines and overhead power lines, impact on the vitality and viability of the town centre and existing local centres and loss of farmland.

POLICY

1.20 The site lies outside of the of the development limits defined by policy Rur 1 of the Hartlepool Local Plan (2006) where residential development would normally only be allowed in special circumstances. Policy Rur 14 encourages development to include tree planting, landscaping and improvements to the rights of way networks. Policy MWC4 of the Tees Valley Minerals and Waste DPD seeks to safeguard part of the area for mineral exploitation.

1.21 However at the current time Hartlepool Borough Council cannot demonstrate a 5 year supply of deliverable housing sites. Paragraph 49 of the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development and that where a Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites policies relating to housing should be considered out of date.

Paragraph 14 of the NPPF advises that a presumption in favour of sustainable development lies at the heart of the NPPF which should be seen as a golden thread through both plan making and decision taking. For decision taking this means:

- approving development proposals that accord with the development plan without delay; and
- 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.

1.22 The Hartlepool Rural Plan consulted on its first draft in May/June 2014. The plan group is currently collating the responses and is seeking to publish their final plan by the end of 2016. At this point in time only limited weight can be applied to the policies within the plan, as the plan develops the level of weigh attributed may increase, but that is dependant upon policy compliance. Notwithstanding the above, The South West Extension is within the boundary of the rural Neighbourhood Plan; the plan acknowledges the proposal for the South West Extension and considers that it is the role of the Local Authority to allocate strategic sites for the borough.

1.23 The proposal incorporates many elements in itself that will make it sustainable a school, a local centre, SUDS and good access to public open space. The applicant

has also agreed to a number of developer obligations discussed below including subsidising of bus services to the site. The site is located on the edge of the existing Urban Area where it can effectively link in to existing sustainable links to the wider urban area with access to employment opportunities and social and commercial services. It is considered that the site is sustainable. It is not considered that specific policies within the NPPF indicate that the development should be restricted.

1.24 As concluded below it is not considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits. The proposal is therefore recommended for approval.

1.25 In the interests of providing sustainable development and in ensuring that the proposal is acceptable in planning terms the following developer contributions/obligations have been agreed with the applicant. These developer contributions/obligations will be secured through a section 106 agreement.

Affordable housing

1.26 The borough wide affordable housing need is 44%. A viability assessment has been undertaken and for viability reasons Persimmon Homes cannot meet the full 44% affordable housing need. Persimmon are able to go some way in meeting the need but the number of homes provided is dependant upon the tenure split as set out in options 1 and 2 below.

1. Persimmon can erect 138 dwellings on the site with 82 being for social rent and 55 being intermediate tenure. This equates to a 60/40 social rented/intermediate tenure split and an overall provision of 11%.
2. Persimmon could provide 151 dwellings on site 75 being social rented and 76 being intermediate. This is a 50/50 social rented/intermediate tenure split and an overall provision of 12 %.

1.27 It is recommended that the first option is preferable as it is more aligned with the need identified within the evidence base (Strategic Housing Market Assessment).

Education

1.28 Persimmon propose to provide a new primary school on site. Discussions on a flexible approach which might include extensions to existing schools are ongoing. The final delivery mechanism will be agreed in the section 106 agreement.

1.29 A secondary education contribution of £2,001,620.

Built sports & recreation contribution

1.30 A built sports and recreation contribution of £315,000. The £315,000 commuted sum would be used to part fund or used as match funding to contribute to the following strategic leisure schemes:

- Replacement of the Mill House leisure centre
- Provision of a swimming pool at Brierton

Sustainable transport contribution

1.31 A package of sustainable transport measures (£1,578,775) including a five year subsidised bus service.

Use and maintenance of green wedge/green link/play areas/open space

1.32 A commitment to provide and maintain the green wedge/green link/play areas/open space including associated pathways/cycleways, enclosures, play equipment and play area surfacings and other relevant infrastructure to an appropriate standard.

A commitment to public access to these areas.

Maintenance contribution towards bridge over greatham creek.

1.33 A contribution of £75,000 towards the future maintenance of the Greatham Creek Crossing.

Provision & maintenance of highways

1.34 A commitment to provide and maintain highways to an adoptable standard in the event that they are not adopted.

Safeguarding route for future western by pass

1.35 A commitment to safeguard and accommodate the route for any future western by pass.

Maintenance of playing pitches

1.36 A commitment to maintain the playing pitches and any associated enclosures or other infrastructure to an appropriate standard.

Community use agreement

1.37 A commitment to a community use agreement allow pitches, school car parking and changing facilities to be used by the community outside school hours.

Local labour agreement

1.38 A commitment to encourage the use of local labour.

Travel plan

1.39 A commitment to implement the approved travel plan.

Western edge screen planting

1.40 A commitment to deliver screen planting agreed by the Local Planning Authority on the western edge of the development.

HIGHWAYS

1.41 Concerns in relation to the impact of the development on highway grounds have featured heavily in the concerns raised by objectors in relation to the development.

1.42 In support of the application the applicant has prepared a Transport Assessment which includes modelling of the impacts of the development on key junctions and proposes mitigation to address these impact and increase junction capacity where this can be accommodated.

1.43 In terms of the local highway network the proposals incorporate separate accesses for the northern and southern part so of the development. At the northern end of the development two accesses will be formed one directly onto Brierton Lane and one joining at Westfields before accessing Brierton Lane. The southern part of the development will have access directly on to the A689 one of the principal routes into and out of Hartlepool access here traffic will be controlled by a traffic signal controlled junction whose operation will be linked to the existing traffic controlled junction to the west at Greatham High Street in order to optimise capacity. At Wolviston, the applicant will also fund the proposed signalisation of the two roundabouts on the approaches to the A19. (Regional Growth Fund contributions have been secured as a loan for these works on the basis that the funds will be repaid using the developer contributions). Elsewhere various key junctions throughout the town will be improved, these include junction A689/Truro Drive junction, A689/Breirton Lane junction, A689/Stockton Road Brierton Lane/Catcote Road Catcote Road/Oxford Road, Catcote Road/Truro Drive. Improvements will also be undertaken on Brierton Lane. It is noted however that at the junction of A689/Seaton Lane/Owton Manor Lane and A689/Turoe Drive physical improvements cannot be accommodated.

1.44 In addition the applicant has proposed various measures to promote the use of sustainable modes of transports these include a travel plan and a subsidised bus service. The applicant has also agreed to provide a sum to allow for the future maintenance of the on site bridge over Greatham Beck. All these measures can be secured through an appropriate legal agreement or conditions.

1.45 The applicant has also agreed to allow for the retention of a route through the site to link the SAR and NAR access roads which in future will help to facilitate the southern part of a western relief road on the western edge of the town should this be required. An actual link is not proposed at the current time but the obligation will reserve the land and accommodate the requirement for the future.

1.46 Concerns have been raised in relation to the impact the traffic generated by the school might have on the adjacent roads. In particular a pedestrian and cycle link is shown to be provided into the site from the neighbouring estate. Moffat Road might therefore be used by parents to drop children off. HBC Traffic & Transportation have not objected to the proposal. Any such issues would be transitory and could be dealt with by appropriate Traffic Regulation Orders should issues arise.

1.47 It is acknowledged that highway impacts will arise from the development. It is also acknowledged that Policy Tra15 of the Hartlepool Local Plan 2006 restricts the provision of new access points or the intensification of existing access onto the A689 and the A19. However the NPPF paragraph 32 indicates that account should be taken of whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. It goes on to advise that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. Highways England and HBC Traffic & Transportation have been consulted on the proposals and have raised no objections subject to conditions and an appropriate legal agreement securing relevant planning obligations. It is not considered that any residual impact

arising from the development would be severe. In highway terms the proposal is considered acceptable.

DESIGN/LAYOUT/ IMPACT ON THE VISUAL AMENITY OF THE AREA

1.48 The application is a hybrid application. It incorporates development for which full planning permission and outline planning permission is sought as described above.

1.49 The site is subject to a number of constraints which to a degree have dictated the form of the development proposed these include Greatham Beck and its floodplain, the presence of a major gas pipeline and utility apparatus.

1.50 In terms of the detailed scheme for the 144 houses the development will provide a mix of house types in accordance with Strategic Housing Market Assessment. The dwellings here consist of 53 four bedroomed houses, 82 three bedroomed houses, and nine two bedroomed houses. The proposals include two two bedroomed bungalows. The houses are predominantly detached though 19 pairs of semis and four short terraces of three dwellings are proposed. In bringing forward the amended proposals the applicant has sought to incorporate some elements of traditional design including chimneys, corbel eaves details, sash style windows with stone heads and cills inspired by surrounding farmsteads and Greatham Village to reflect the sites semi rural location. Parking is accommodated in garages some integral and in on plot parking spaces. The scheme for the most part has been designed so that dwellings look out onto the green wedge and the main thoroughfares. The provision of public open space is limited to one area at the northern end of the site however this is more than compensated for by the provision which will be delivered within the wider site covered by the outline part of the application. The proposal has been assessed against the guidelines contained within the Hartlepool Local Plan (2006) and the development meets or exceeds the separation distances outlined within the Local Plan. The provision of the highway infrastructure will result in the loss of a number of trees and open up views and access from the A689 however this impact will be localised and additional planting can be accommodated within the site. The layout and design of the detailed scheme is considered acceptable.

1.51 The layout of the wider scheme for which outline consent is sought, as indicated on the indicative masterplan is considered broadly acceptable. The detailed layouts and buildings and house types will be subject to reserved matters applications. The layout incorporates a substantial green wedge which has the potential to provide a significant ecological, landscape and recreational asset for existing and future residents. The proposed residential areas which flank the green wedge, in the detailed proposal have been, and in the outline proposal can be, designed to overlook the area to give a pleasant aspect to the properties and so that the green wedge benefits from passive surveillance. The school located in the centre of the site is considered relatively accessible with a good part of the school routes from the northern and southern parts of the site capable of being accommodated on dedicated footpaths/cyclelinks within the green wedge or the green link well away from the road. Similarly a pedestrian and cycle link will be provided into the adjacent housing estate at Moffat Road. There is provision for good access to public open

space, play areas and sports pitches for future and existing residents. The applicant has confirmed that he is willing to enter into a legal agreement which will allow for the facilities in the school (Changing rooms etc) to be made available after school for groups who want to make use of the pitches. The applicant was asked to consider relocating the local centre to the centre of the site but considers that its location to the southern end of the site, where it might attract an element of passing trade, will make it far more likely to be commercially successful and so deliverable. It is also the case that the dwellings located in the northern part of the site could make use of the existing shopping facilities on Brierton Lane helping to support the viability of that local centre. Existing Public Rights of Way will be retained albeit with some diversions the most significant of which involving footpath Claxton 04 which will be diverted to the south of the development through the green wedge. New public rights of way through the Green Wedge and Green Link will enhance public access.

1.52 In terms of its wider visual impact, the site is partially screened or filtered by existing roadside hedging and established trees along the A689, Dalton Back Lane, Brierton Lane and Greatham Beck. Notwithstanding this the proposed development will clearly have a significant impact on the landscape in this area with the existing farmland being replaced by urban development. It is considered that these impacts will be both positive and negative. The green wedge will, with the additional planting proposed provide a buffer between the site and the existing housing to the south east corner of the development and provide a green thread through the site. It has the potential to form a significant and attractive landscape asset on the western edge of the town. In addition a landscaped buffer will be provided in the southern part of the site between the local centre and the A689. Following discussion the applicant has agreed to provide additional landscaping in the form of tree planting strip on the western edge of the development to assist in the screening of the site and to soften the treatment where it meets with the rural edge. It should also be noted that in many views the site will be seen in the context of the existing urban area. The landscaping and planting proposed will assist in further filtering or screening views of the development however given the scale of development proposed and the elevated nature of parts of the site relative to adjacent areas notably to the south and south east it will not be possible to screen the development entirely. This matter is touched upon in the conclusion to this report where it is determined that on balance, any negative impacts would not outweigh the positive impacts arising from the proposal.

THE AMENITY OF THE OCCUPIERS OF ADJOINING PROPERTIES/FUTURE OCCUPIERS OF THE SITE

1.53 The closest neighbouring residential properties to proposed developed areas of the site, which include residential areas and the school, are located in the north east corner and eastern side of the site and on Brierton Lane. They include new residential properties and established residential development in adjoining estates and individual properties. The school and housing in these areas will be adjacent to the existing housing area these areas form part of the outline proposal and so detailed designs are not available. However, it is considered that suitable designs could be accommodated which would ensure that the amenity of the neighbouring properties was not unduly affected. In respect to neighbours elsewhere the green wedge incorporating sports pitches and SUDS areas will provide a buffer which will ensure that the amenity of the residents is not unduly affected.

1.54 HBC Public Protection have been consulted and have raised no objection to the proposals subject to conditions relating to the operating hours of the local centre, extract and ventilation condition on any hot food uses in the local centre and suitable noise insulation measures to houses facing the A689 and the access and spine roads and working hours during construction.

1.55 Concerns has been raised by objectors regarding the disruption that would be caused during the development of the site. It is inevitable that the development of a site of this scale will cause some disruption to neighbouring residents however the generation separation distances to neighbours for much of the development area will help to minimise any impacts. It is also proposed to impose condition relating to the hours of construction and requiring the submission of a Construction Management Plan which will require the developer to address relevant issues in relation to noise, dust, wheel washing, construction traffic routes and consultation with neighbours to seek to minimise disruption. Finally there are various powers available to the council under the relevant public health and highway acts should incidents arise.

1.56 It is considered that with appropriate conditions the proposal will not have an unacceptable impact on the amenity of adjoining properties/future occupiers of the site.

CRIME FEAR OF CRIME AND ANTISOCIAL BEHAVIOUR

1.57 Concerns in relation to anti-social behaviour have featured in the responses received from objectors to the proposal. In particular that the green wedge will attract antisocial behaviour and that improvements to accessibility along the western edge of the town will result in the spread of antisocial behaviour.

1.58 Cleveland Police have been consulted. Cleveland Police have not objected to the proposal but have made detailed comments in relation to the part of the scheme for which detailed planning permission is sought. In particular regarding the use of rear garage courts and the positioning of garages. The applicant has sought to address these concerns in the latest amended plans which have significantly reduced the number of rear garage courts proposed to a single court.

1.59 In terms of the concerns that the green wedge and alterations to access will attract and spread antisocial behaviour. Whilst such concerns cannot be eliminated it is considered that good design can help to minimise them. The proposed residential areas which flank the green wedge. In the detailed proposal they have been, and in the outline proposal can be, designed to overlook the area so that it benefits from passive surveillance. Similarly the increased attractiveness of the area is likely to lead to an increase in its use again adding to the passive surveillance of the area. Landscaping, paths design and lighting can be designed at the detailed stage to seek to minimise such issues. Where issues arise these will need to be dealt with by the appropriate authorities.

1.60 It is considered that the proposal is acceptable in terms of issues relating to crime, fear of crime and antisocial behaviour.

FLOODING & DRAINAGE

1.61 Concerns regarding the impact of the development on flooding have featured heavily in the concerns raised by objectors in relation to the development.

1.62 The applicant has submitted a Flood Risk Assessment in support of the application this advises the larger part of the development falls within a Flood Zone 1 area (Flood zone 1 areas are areas least at risk to flooding). The proposed bridge structure at the crossing point of Greatham Beck will be designed with the full supporting structure within the Flood Zone 1 area with the proposed level of the underside of the bridge supporting deck, spanning over the Flood Zone 2 and 3a areas, above the 1 in 1000 year flood level plus climate change provided by the Environment Agency to prevent restrictions associated with flows within the Greatham Beck in flood conditions. The area adjacent Greatham Beck and its contributing drainage ditches in the central and southern portion of the site falls into Flood Zone 2 and 3a areas this area will remain largely undeveloped and allocated for public open space. In addition enhancement and improvement will be provided by incorporating additional flood shelving areas on the western side of the Greatham Beck in the southern part of the site.

1.63 A drainage strategy developed in consultation with the HBC Engineers and the Environment Agency is also included within the FRA. In terms of surface water drainage arising from the site this will be managed through a Sustainable Urban Drainage System (SUDS). It is proposed that the surface water drainage design will consist of discharging the proposed surface water run-off into Greatham Beck within the site boundary at a restricted rate equivalent to the existing Greenfield run-off rate for a 1 in 100 year storm event, plus a minimum betterment of 30% in accordance with the Environment Agency requirements. The proposed drainage strategy is based on discharging the proposed surface water at restricted rates via 6 No discharge points into the Greatham Beck. This will split the development areas to allow variation in the rates of discharge, points of discharge and timing of each individual discharge in which to replicate the current Greenfield run-off mechanism. The proposed surface water drainage will be designed to achieve the restricted discharges via flow control devices with on-site attenuation provided through a combination of swales and attenuation basins to accommodate up to a 1 in 100 year storm return period plus an allowance for climate change in accordance with Environment Agency and the Local Authority SUDS Approving Body (SAB) requirements. The flood risk assessment has concludes that the site can be developed with no increased risk of flooding to the proposed development or to third party land with improvement and betterment provided as part of the proposed scheme.

1.64 HBC Engineering Consultancy and the Environment Agency have examined the proposals and subject to conditions to refine the proposed drainage scheme have raised no objections to the proposal. HBC Engineering consultancy welcome the fact that the design of the new drainage system will allow for a 35% betterment above existing Greenfield run off rates. They conclude "Overall I am satisfied with the proposals for surface water drainage. I welcome the approach taken by the applicant and I believe that with some work we could have a surface water solution that could be the flagship for future Hartlepool developments. I do still have some

outstanding issues with the scheme in its current state but these can be ironed out during the detailed design."

1.65 A number of objectors, including the Fens Residents Association, have requested that a clay bund, in front of the properties in Newark Road, be incorporated into the development in order to provide additional flood protection for residents. In light of the concerns raised by objectors this matter was raised with the applicant who has advised that additional flood shelving areas on the western side of the Greatham Beck will instead be provided. This is the applicant's preferred solution as it can be contained fully within the site and will not affect the visual outlook of the residents. The addition of a bund had not been requested by the Environment Agency or HBC Engineering Consultancy. The latter in their response have advised "Joint investigation (EA & HBC) in 2012 identified that the properties of Newark Road sit at a level outside of the 1:100 year flood zone. This work was undertaken following some flooding of the grassland in front of the properties on Newark Road. Flooding levels were recorded in this period as being between +9.4od and +10.6od while the property thresholds were measured at approximately +10.6od and 11.6od. The incorporation of the additional flood shelving will help further improve existing flood risk." It should also be noted that the proposed measures to manage surface water on the site will in any case result in a betterment in terms of surface water reaching Greatham Beck. The measures and the flood shelving will afford the residents additional flood protection without the requirement for a bund.

1.66 In terms of foul drainage it is proposed that this will be disposed of to Northumbrian Waters existing foul drainage system. The topography of the site will require the use of foul water pumping stations, with the exception of the north east corner of the site where it is proposed to utilise a new gravity foul water system to serve approximately 148 residential properties. The new gravity foul water system serving the north east corner of the site is proposed to discharge to the existing combined 375mm-diameter combined sewer in Wynyard Road at the junction with Eskdale Road approximately 190m to the east of the northern part of the site. Foul water flows from the remainder of the northern part of the development, consisting of approximately 312 residential properties, will utilise a foul water pumping station that will discharge to the new gravity foul water system serving the north east corner of the site. Foul water flows from the southern part of the development, consisting of 800 No. residential properties, a school, a medical centre, a public house and retail units, will utilise a series of 3 No. foul water pumping stations that will discharge to either: (i) MH6603 on the existing 375mm-diameter foul water sewer, located between Stockton Road (A689) and Caistor Drive, approximately 900m to the east of the south east corner of the site, or (ii) The existing combined manhole downstream of MH6603 on the existing 600mm-diameter combined sewer approximately 960m to the east of the south east corner of the site. Northumbrian Water have raised no objection to the proposal subject to a condition requiring the approval of a detailed drainage scheme.

ECOLOGY

1.67 Policy WL5 and WL7 of the Hartlepool Local Plan seek to protect local and national sites of nature conservation importance. Concerns regarding ecology have featured heavily in the responses of objectors.

1.68 The applicant has provided several specialist reports to identify and address ecological issues on the site. The site contains no specific nationally designated wildlife sites though there is a small Local Wildlife Site centred on Greatham Beck in the south east corner of the site. . The development would involve the loss of a large area of farmland, including trees and hedgerows which support various ecological receptors. However mitigation in the form of habitat creation would also be provided within the site particularly in the green wedge, pond(s) and SUDS features, and landscaped areas, and much of the ecological value of the site is associated with the river corridor which would be retained.

1.69 The following ecological issues are associated with the proposal:

- Loss of existing habitat and the requirement to provide an overall enhancement for biodiversity in line with NPPF;
- Effects on breeding birds;
- Effects on wintering birds, particularly with respect to birds associated with the Teesmouth & Cleveland Coast SPA;
- Effects on bats;
- Effects on Great Crested Newts (GCN)
- Habitat loss and ecological enhancements.

1.70 In terms of impacts on specific species, protected species such as Bats and Great Crested Newts and over wintering and breeding birds have been identified on parts of the site. The presence of Otter, Water Vole and Badger however has not been recorded.

1.71 The site is used by a variety of bird species over the winter period, with the majority of the activity being associated with the beck corridor and therefore unlikely to be significantly affected by the proposals. Some birds associated with the Teesmouth & Cleveland Coast SPA are found on the site though these are in relatively low numbers with an average of 21 SPA birds in total. (It should also be noted that the bird surveys included areas of the wider site that would not be developed under these proposals.) Natural England has been consulted and has concluded that the proposal would be unlikely to have a significant effect on the Teesmouth & Cleveland Coast SPA. A Habitats Regulations Assessment has been carried out by HBC Ecologist in accordance with Article 6 (3) of the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive), as transposed into UK law under the Conservation of Habitats and Species Regulations 2010 (as amended) and reached the same conclusion. Teesmouth Bird Club have also been consulted and have not objected to the proposal recognising that whilst there will inevitably be impacts particularly for farmland birds, a development of the scale and scope proposed has the capacity to allow worthwhile mitigation measures to be taken in the form of habitat enhancement, wildlife corridor creation and manipulation of pedestrian access routes. Teesmouth Bird Club have requested that bird nesting opportunities also be incorporated within the buildings and the site a proposal endorsed by HBC's Ecologist. Appropriate conditions are proposed. The development of the site has the potential to affect breeding birds dependent upon what time of the year the works take place. In order to address this issue a condition is proposed restricting works to clear vegetation at critical times unless the area is first surveyed by a qualified

ecologist who confirms that no breeding birds are present. Durham Bird Club whilst generally in agreement with Teesmouth Bird Club have asked that offsetting and compensatory habitat within the area to replace that which is likely to be removed or, because of disturbance, likely to cease to be attractive to such birds.

1.72 Bat surveys have confirmed that Bat activity across the site is associated mainly with the beck corridor and hedgerows. By far the majority of the recorded bat activity was from Pipistrelles and Noctule bats. These species are tolerant of lighting and Pipistrelles regularly forage in gardens so they are unlikely to be adversely affected by the proposals. HBC Ecologist considered that given the additional landscaping and ponds to be created the development may even be beneficial to bats. The 2013 bat surveys recorded very low levels of activity from Myotis and Long eared Bats. These species can be adversely affected by increases in light levels however HBC Ecologist considers their presence on this site, particularly Long eared Bats, does not seem to fit with respect to the species ecology and known distribution in Hartlepool therefore it is likely that these results are incorrect. One of the buildings at Claxton Farm has been shown to house a bat roost for small numbers of bats therefore a European Protected Species licence (Issued by Natural England) will be required for the destruction of the roost as part of the proposals. As this is a roost of relatively low importance for a common species, it is likely that its loss can readily be mitigated for hence it is considered that Natural England would be likely to grant a licence for its destruction. In light of the above HBC Ecologist has raised no objections to the proposal subject to a condition requiring additional surveys should the buildings at Claxton Farm not be demolished before 2016, and further surveys of trees to be removed at the Greatham Beck crossing prior to their removal. Further conditions recommended by HBC Ecologist include a requirement that the demolition of the building accommodating the bat roost should occur during the bat activity period (April - May (inclusive), September - October (inclusive)) as it is otherwise difficult to determine whether bats are hibernating or not. Finally, HBC Ecologist recommends that bat roosting opportunities should be incorporated within the buildings. Appropriate conditions are proposed.

1.73 A small population of Great Crested Newt (GCN) have been found to be breeding in a pond (pond D) to the west of the site. This pond would be approximately 200m from the development and separated from it by Dalton Back Lane, and any effects on GCN breeding in this pond are anticipated to be very minor. GCN have been recorded in pond E, on site, but just a single individual. The pond is to be retained. Nevertheless a European Protected Species licence (Issued by Natural England) would be required for works to proceed in the vicinity of this pond. As this is such a small population and there is room to provide alternative habitat by way of mitigation then it is considered likely that Natural England would grant a licence. HBC Ecologist has also identified that the Hydrology report states that this pond 80m may be at risk from the development as it is lower than Claxton Farm. He has requested a condition to ensure that any indirect effects on the pond such as run-off are mitigated for. In addition, he has requested, a condition to provide enhancements for GCN on the site including an additional pond close to pond E and the creation of appropriate terrestrial habitat around pond E. Appropriate conditions are proposed.

1.74 HBC Arborist has acknowledged that a comprehensive landscape and green space strategy has been submitted in support of the application. As well as the retention of the majority of the existing trees, the strategy includes the planting of many new trees throughout the site along road verges, cycleways, open spaces, and in residential front gardens. The proposal however involves the removal of a number of mature trees to allow the construction of the bridge across Greatham Beck. He recommends that an appropriately worded condition be attached requiring the submission of an arboricultural impact assessment and method statement for this element of the proposal. A significant amount of existing hedgerow is shown to be removed as part of the development whilst this is regrettable, none of the hedgerows would be would be classed as “important” under the Hedgerow Regulations 1997 and mitigation in the form of extensive new native species hedgerow planting is shown to be provided. The Arborist has identified additional opportunities for tree planting across the site. For example augmentation of the trees along the course of Greatham Beck, and the inclusion of one or two appropriately located areas of fruit tree planting within the open spaces. The submitted landscape and green space strategy provides a generally acceptable indication of the proposal as it relates to landscaping of the site however the Arborist recommends that specific landscaping details are conditioned.

1.75 The development will have ecological impacts however in order to mitigate against these impacts and to seek to provide ecological enhancements various ecological benefits are proposed within the green wedge and landscaped areas . These include tree planting, the creation of 11.63 ha of species rich grassland, the provision of SUDS ponds and a pond created specifically for wildlife and a net increase of 816.5m of hedgerow. In addition to the specific measures discussed above suitable schemes to deliver these benefits can be conditioned. It is considered that with the mitigation proposed then there should be an overall enhancement for biodiversity in accordance with the requirements of the NPPF on the site.

1.76 In light of the mitigation proposed it is considered therefore that in terms of its ecological impact the proposal is acceptable.

CULTURAL HERITAGE

1.77 In terms of heritage assets the site contains no listed buildings, conservation areas or locally listed buildings. Greatham Conservation Area is located to the south but given the separation distances it is not considered the proposal will have any significant impact on this heritage asset.

1.78 The development area has been subject to archaeological evaluation, including a geomagnetic survey followed by extensive trial trenching. The trial trenching has identified the well preserved remains of a square enclosure and peripheral features to the south east of Claxton Farm. The exact date and function of the enclosure is not known, however it is likely to be Romano-British in date as the environmental samples recovered from the ditches included cereal and weed types common to that period. The trial trenching also detected a discrete group of archaeological features towards the northern end of the development (Trench 10) which are probably associated with the intensive geophysical anomalies previously identified to the west (outside of the development area). The report recommends that these areas of

archaeological interest are subject to archaeological excavation in advance of development. Tess Archaeology have reviewed the report provided by the applicant and agree with its recommendations. They request that the recording of the areas of archaeological interest is conditioned. An appropriate condition is proposed.

1.79 A number of buildings associated with the existing farm use are located within the development area including Claxton Farm. The significance of this complex has been the subject of a report which has been considered by the HBC Heritage & Countryside Manager who has advised that she is satisfied that the structures relating to the farm are of some interest in the context of Hartlepool. In such cases the National Planning Policy Framework states that, 'The effect of an application on the significance of a non-designated heritage asset should be taken in to 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.' The buildings in question have been subject to alterations in the past which have diminished their significance leaving only remnants of the original buildings. In addition there are other examples of groups of farm building elsewhere in Hartlepool which are listed or locally listed as they are better examples. In light of this the Heritage & Countryside Manager has no objection to the demolition of the structures subject to a record being made of them prior to the demolition. An appropriate condition is proposed.

1.80 It is considered that in terms of its impact on heritage assets the proposal is considered acceptable subject to appropriate conditions.

EDUCATION

1.81 Concerns have been raised at the impact of the development on local schools. HBC Education have clarified the requirements for the development in educational terms these include the provision of a new primary school and secondary education contributions. The applicant has agreed to these requirements which will help to manage any impacts on educational provision arising from the development.

CONTAMINATION

1.82 The applicant has prepared a Geo-Environmental Desk Study to examine the risk of contamination being present on the site.

1.83 The report concludes that based on the previous known site uses that the risk of the whole site being affected by significant contamination is considered to be negligible to low. However, the risks from localised contamination associated with farm activities are considered to be low to moderate in these areas. The presence of underground fuel storage tanks and septic tanks within the farms should be anticipated. It advises that there are no official landfills recorded within the site. However, several small sand and gravel pits have been recorded and backfilled with unknown materials. Additionally, two known landfills are present in the northwest and southwest of the site within approximately 500m of the site boundary. Organic deposits (alluvium) and other deposits of potential Made Ground (associated with the farms) are anticipated, which could present other potential ground gas sources. The

risk of the whole site being affected by hazardous gas is considered to be low to moderate. The report therefore recommends a programme of ground investigations.

1.84 The report has been considered by the Environment Agency and HBC Engineering Consultancy and they have advised that further investigations and appropriate remediation should be conditioned.

1.85 It is considered that with appropriate conditions requiring further investigations and appropriate remediation any risk from contamination can be addressed.

PIPE LINES & OVERHEAD POWER LINES

1.86 A Natural Gas pipeline runs through the centre of the site. The land in the close proximity of the pipeline cannot be developed. In order to address this the applicant is proposing to leave the area of the pipeline largely undeveloped, except where roads will cross the pipeline and instead it will be used as a green link (walkway/cycleway) through the site.

1.87 The HSE have been consulted and their comments are awaited.

1.88 The pipeline operator (Northern Gas Networks) has been consulted and has advised that the pipeline will be protected by an easement. They confirm that the proposal for the pipeline to be incorporated in a landscape/cycleway area is acceptable and request further details of the proposed road/bridge construction in order to ensure any impact on the pipeline is acceptable. They also advise that where a road crosses a pipeline, a reinforced concrete protection slab to Northern Gas Networks specification may be required.

1.89 It is considered that, subject to the final comments of the HSE, with appropriate conditions the relationship with the pipeline is considered acceptable.

1.90 The site is crossed by Overhead Powerlines, concerns have been raised by objectors in relation to the impact the powerlines, in particular the electro-magnetic fields they generate, might have on the health of any future occupier of the development, and that noise from the powerlines might cause nuisance to the occupiers. In the UK there are no mandatory requirements in relation to appropriate set back distances from such structures. Instead the applicant has entered into discussions with the operator of the lines and followed their guidance. The proposals exceed the minimum separation distance of 9m suggested by the operator. Further the advice of Public Health England has been sought, they have advised that in general, 66 kV overhead lines are expected to comply with the with the International Commission on Non-ionizing Radiation Protection (ICNIRP) recommended exposure guidelines but suggested clarification be sought from the operator. The operator has undertaken monitoring of the EMF generated by the overhead powerlines and confirmed that it is well within the limits set out in the relevant guidelines. HBC Public Protection have advised that given the distance of the powerlines from any prospective property any noise generated by the lines would be unlikely to cause any nuisance to future residents.

1.91 In terms of the relationship with the overhead powerlines the proposal is considered acceptable.

IMPACT ON THE VITALITY AND VIABILITY OF THE TOWN CENTRE AND EXISTING LOCAL CENTRES.

1.92 The development incorporates a small local centre which is a reasonable requirement for a development of this scale. Concerns have been raised by Greatham Parish Council in respect to the impact the development might have on the shops at Greatham. It is also noted that there are other local centres in the vicinity of the site

1.93 In support of the application the applicant has prepared a sequential assessment for the local centre. (Given the scale of the local centre (less than 2,500 sq m) a retail impact assessment was not required). The closest local centres to the development are located at Brierton Lane, Catcote Road, Wynyard Road, Owton Manor Lane and Greatham Village. This concludes that the retail development cannot be accommodated in the above centres and that sequentially the proposed location is most appropriate and that it will provide for the population of the development.

1.94 In terms of achieving sustainable development it is appropriate for the development to accommodate a local centre which will provide for the future residents. Given the scale of the proposed local centre and its distance from the other local centres it is not considered that a reason for refusal based on its impact on the other local centres could be sustained.

LOSS OF FARMLAND

1.95 Concerns have been raised that the development will result in the loss of agricultural land and buildings. This is the case. However the land is not classed as the best and most versatile land and in any case the loss of the land must be balanced with the need for housing in the Borough.

LOSS OF MINERALS

1.96 Part of the northern part of the site lies in a mineral safeguarding area in the Tees Valley Minerals & Waste DPD. It is considered however that the need for housing in the Borough would outweigh the need for the mineral resource (sand & gravel) at this time.

CONCLUSION

1.97 Hartlepool Borough Council cannot demonstrate a 5 year supply of deliverable housing sites. Paragraph 14 of the NPPF advises that a presumption in favour of sustainable development lies at the heart of the NPPF and that where policies are out of date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or specific policies in the NPPF indicate development should be restricted.

1.98 The proposal is considered to be sustainable development. It is not considered that specific policies within the NPPF indicate that the development should be restricted.

In terms of the benefits arising from the development these include the developments significant contribution to the Borough's housing land supply, the delivery of socio economic benefits (including jobs during and after construction, additional council tax, additional household expenditure, developer contributions including educational provision), the developments potential to provide ecological benefits and enhancements to the green infrastructure of the town (Green Wedge) and benefits in terms of managing flood risk which will arise from the delivery of the SUDS infrastructure/flood shelving to be delivered by the development.

1.99 The adverse impacts arising from the development include the loss of agricultural land and buildings, the loss of the mineral resource (sand & gravel), the visual impacts of the development and residual highway impacts though these are not considered to be severe.

1.100 It is not considered that the adverse impacts of approving the development would significantly and demonstrably outweigh its benefits. The development is therefore recommended for approval.

RECOMMENDATION – APPROVE subject to the receipt of satisfactory comments from the HSE, the completion of a section 106 agreement securing the developer obligations/contributions outlined in the report (Affordable Housing (Option1), Primary School Provision, Secondary Education Contribution (£2,001,620), Built Sports & Recreation Contribution (£315,000), Sustainable Transport Contribution (£1,578,775), Bridge Maintenance Contribution (£75,000), Agreement on use and maintenance of green wedge/green link/play areas/open space, a commitment to provide & maintain highways to an adoptable standard, safeguarding route for future western by pass, maintenance of playing pitches, community use agreement, local labour agreement, travel plan, western edge screen planting) and subject to conditions with Authority to add to or delete items from the legal agreement and to add or delete conditions delegated to the Planning Services Manager. The conditions are still being finalised but will be likely to include conditions covering the following.

- 1) Time Limit
- 2) Submission of Reserved Matters
- 3) Plans
- 4) Phasing
- 5) Quantum of development
- 6) Contamination
- 7) Archaeology

- 8) Disposal of foul water
- 9) Surface Water Management
- 10) Buffer Zone along water courses
- 11) Provision of Flood Shelving
- 12) Recording of Claxton Farm
- 13) Aboricultural Impact Assessment and Method statement for installation of Bridge.
- 14) Landscaping Scheme including habitat creation
- 15) Landscaping Maintenance
- 16) Nesting Birds
- 17) Noise Insulation
- 18) Extract Vent condition (Local Centre)
- 19) Hours of deliveries (Local Centre)
- 20) Hours of operation (Local Centre)
- 21) Phasing
- 22) Breeding Birds
- 23) Bat surveys
- 24) Great Crested Newt Surveys
- 25) Mitigation Pond (E)
- 26) Demolition of building(s) containing bat roost.
- 27) Bat Roosting Opportunities
- 28) Bird Nesting Opportunities
- 29) Provision of new wildlife pond(s)
- 30) Additional Habitat Around Pond E
- 31) Details of proposed bridge construction relative to pipeline
- 32) Measures to protect pipeline/highway.
- 33) Detailed design and provision of green wedge

- 34) Details of and provision of play areas
- 35) Details of and provision of sports pitches
- 36) Delivery of school, green wedge and other facilities
- 37) Construction Hours
- 38) Construction Management Plan
- 39) Levels
- 40) Bus infrastructure
- 41) Bridge Details
- 42) School Safety Scheme
- 43) A scheme detailing a scheme to reduce the speed limit on the A689 between Greatham High Street and to point west of Dalton Back Lane to 50mph.
- 44) A detailed plan of the proposed changes at the Brierton Lane / Stockton Road / A689 junction should be submitted and approved and implemented prior to the construction of the 600th property.
- 45) A detailed plan of the proposed changes at the Brierton Lane / Catcote junction should be submitted and approved and implemented prior to first occupation of phase 2.
- 46) A detailed plan of the proposed changes at the Oxford Road / Catcote junction should be submitted and approved and implemented prior to first occupation of phase 2.
- 47) A detailed plan of the proposed changes at the Truro Drive / Catcote junction should be submitted and approved and implemented prior to first occupation of phase 2
- 48) Finishing Materials
- 49) Design Code
- 50) Permitted Development Restrictions
- 51) Enclosures

1.101 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

1.102 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.

1.103 These issues are discussed in the report where it is concluded the proposal is acceptable.

REASON FOR DECISION

1.104 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.

BACKGROUND PAPERS

1.105 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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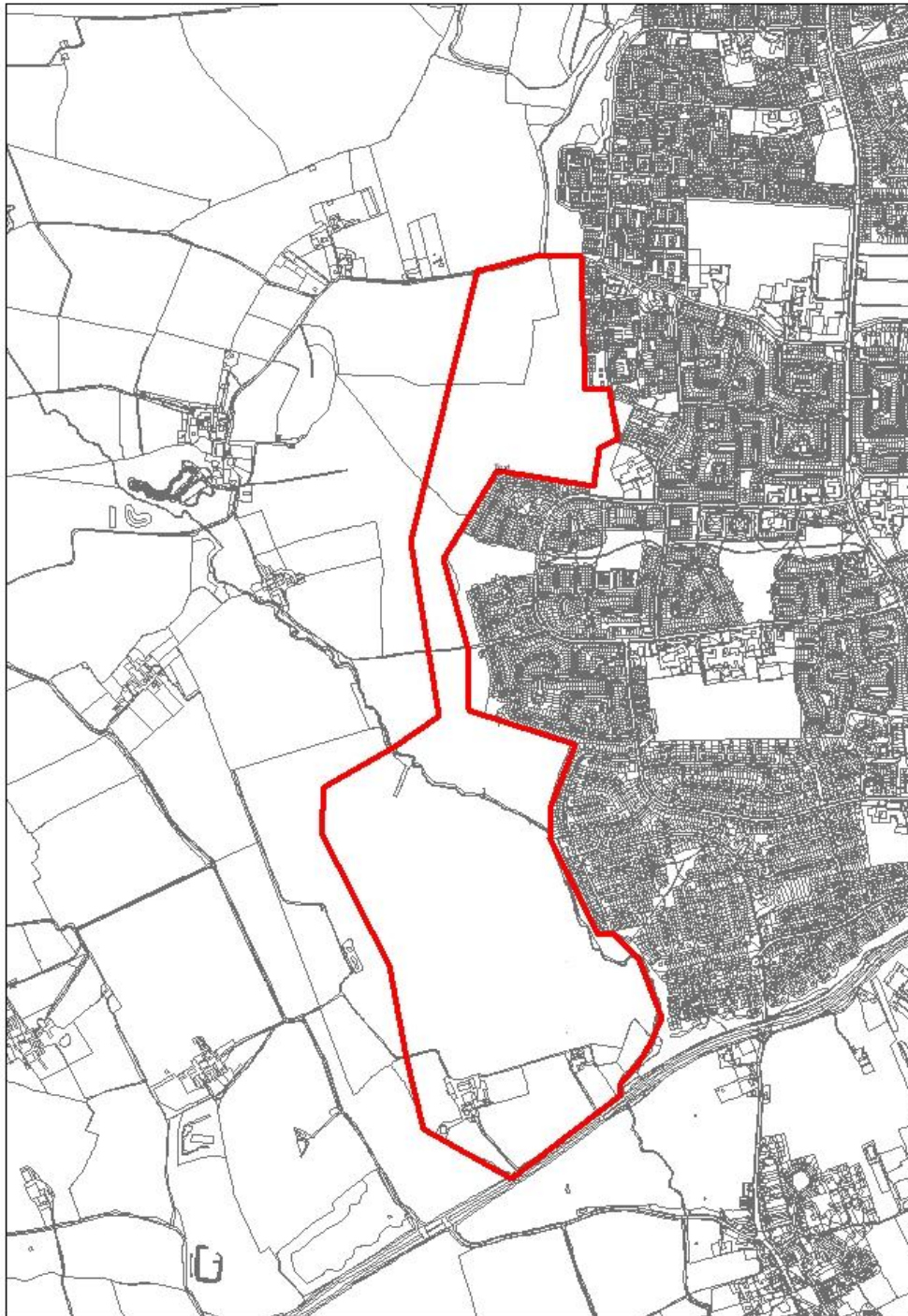
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SOUTH WEST EXTENSION



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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H/2014/0405
Scale: 1:15000
Date : 08/10/15

No: 2
Number: H/2014/0581
Applicant: Wynyard Park Land Ltd Care of Agent
Agent: Prism Planning Ltd Mr Rod Hepplewhite 1st FLOOR 11
 HIGH ROW DARLINGTON DL3 7QQ
Date valid: 24/12/2014
Development: Outline planning permission with some matters reserved
 for residential development comprising 15 dwellings
Location: LAND NORTH OF THE A689 WYNYARD PARK
 MANORSIDE PHASE 1 WYNYARD

PURPOSE OF REPORT

2.1 To consider the developer contributions and ecological mitigation proposed by the applicant in relation to the above development.

BACKGROUND

2.2 The application was minded to approve by Committee on 5th August 2015 subject to the satisfactory conclusion of discussions regarding viable developer contributions and ecological mitigation. Subject to the satisfactory conclusion of those issues the final decision was to be made by Planning Committee.

2.3 Officers have been in ongoing discussions with the applicant regarding the developer contributions and ecological mitigation. The conclusion of these discussions is therefore being brought back to Planning Committee for a decision.

PLANNING CONSIDERATIONS

2.4 With regard to specific developer contributions the applicant is proposing the following which will ultimately be agreed in and delivered through a S106 Legal Agreement:

- £120,000 for off site affordable housing.
- £36,615 for secondary education provision.
- £3,750 for green infrastructure.
- £3,750 for play provision.
- £3,750 for built sports facilities.

2.5 With regard to ecological mitigation the applicant is proposing the following which will ultimately be agreed in and delivered through an obligation in the S106 Legal Agreement:

- Native structure planting and associated species diverse grassland - min. 0.6ha. To be located along the southern edge of the final phase of the Manorside development adjacent to the A689 road corridor. To be created by end of 2018.

- Native scrub planting – min. 0.6ha. To be located along the western edge of the Swart Hole Plantation. To be created by the end of March 2016.
- Wetland habitat – two wetland areas with a combined area of min. 1.5ha. To be located within the proposed development zone adjacent to the A689 road corridor between the Manorside development and Swart Hole Plantation. Min. 50% of wetland habitat edge to be designed and maintained primarily as wildlife habitat. One wetland habitat to be formed by the end of 2020 with the second being completed by the end of 2025.

RECOMMENDATION

2.6 The developer contributions and ecological mitigation proposed is noted and that Planning Committee makes a final decision on the proposals. Should members be minded to approve the application in the terms set out in this report then the application should be **APPROVED** subject to the completion of a Section 106 Legal Agreement securing the developer contributions/obligations set out above and Conditions. The Conditions are still being finalised and it is recommended that these are delegated to the Planning Services Manager.

LAND NORTH OF A689



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HARTLEPOOL BOROUGH COUNCIL
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Department of Regeneration and Planning

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H/2014/0581
Scale: 1:3000
Date : 17/07/15

POLICY NOTE

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

ADOPTED HARTLEPOOL LOCAL PLAN 2006

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

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

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

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

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

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

Com8 (Shopping Development) - States that the sequentially preferred locations for shopping development are firstly within the town centre, then edge-of-centre sites, Victoria Harbour and then other out of centre accessible locations offering significant regeneration benefits. Retail proposals over 500 square metres located outside the primary shopping area will be required to demonstrate need, to justify appropriate scale and to demonstrate that a sequential approach has been followed. All retail proposals over 2500 square metres gross to be accompanied by a Retail Impact Assessment. For proposals between 500 and 2499 sq metres applicants should agree with the Council whether retail impact assessment is required. Legal agreements may be sought to secure rationalisation of retail provision and the improvement of accessibility and conditions will be attached to control hours of operations.

Com9 (Main Town Centre Uses) - States that main town centre uses including retail, office, business, cultural, tourism developments, leisure, entertainment and other uses likely to attract large number of visitors should be located in the town centre. Proposals for such uses outside the town centre must justify the need for the development and demonstrate that the scale and nature of the development are appropriate to the area and that the vitality and viability of the town centre and other centres are not prejudiced. A sequential approach for site selection will be applied with preferred locations after the town centre being edge-of-centre sites, Victoria Harbour and then other out of centre accessible locations offering significant regeneration benefits. Proposals should conform to Com8, To9, Rec14 and Com12. Legal agreements may be negotiated to secure the improvement of accessibility.

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

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.

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

Tra10 (Road Junction Improvements) - Identifies road junctions where improvement schemes will be carried out.

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

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

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

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.

Rec6 (Dual Use of School Facilities) - Seeks the wider community use of school sports and playing field facilities. Developers contributions may be sought in this respect.

Rec8 (Areas of Quiet Recreation) - Identifies that this area will be developed for quiet recreational purposes.

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.

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

GN5 (Tree Planting) - Seeks additional tree and woodland planting in this area through the use of planning conditions and obligations.

WL5 (Protection of Local Nature Reserves) - States that development likely to have an adverse effect on a local nature reserve will not be permitted unless the reasons for development outweigh the harm to the substantive nature conservation value of the site.

WL7 (Protection of SNCIs, RIGSs and Ancient Semi-Natural Woodland) - States that development likely to have a significant adverse affect on locally declared nature conservation, geological sites or ancient semi-natural woodland (except those allocated for another use) will not be permitted unless the reasons for the development clearly outweigh the particular interest of the site. Where development is approved, planning conditions and obligations may be used to minimise harm to the site, enhance remaining nature conservation interest and secure ensure any compensatory measures and site management that may be required.

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.

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

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

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

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

Rur19 (Summerhill- Newton Bewley Greenway) - Reserves land on the western edge of the urban area for the creation of the Summerhill, Brierton to

Cowpen Bewley greenway and requires that development in the vicinity takes account of the need to maintain an adequate through route for use by pedestrians, cyclists and horse riders.

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.

Policy MWC4: Safeguarding of Minerals Resources from Sterilisation

Within the minerals safeguarding areas, non-minerals development will only be permitted in the following circumstances:

- a) the development would not sterilise or prejudice the future extraction of the mineral resource because there is evidence that the resource occurs at depth and can be extracted in an alternative way or there is evidence that the resource has been sufficiently depleted by previous extraction; or
- b) the mineral will be extracted prior to development and this will not significantly adversely affect the timing and viability of the non-minerals development; or
- c) the need for the non-mineral development can be demonstrated to outweigh the need for the mineral resource.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2012

1. The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework for producing distinctive local and neighbourhood plans.
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.

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

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.

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

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

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

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.

35. Developments should be located and designed where practical to:

- accommodate the efficient delivery of goods and supplies;
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- consider the needs of people with disabilities by all modes of transport.

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.

38. For larger scale residential developments in particular, planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.

41. Local planning authorities should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice.

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 deliverable¹¹ 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, developable¹² 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.

55 states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- a) The essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- b) Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- c) Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- d) The exceptional quality or innovative nature of the design of the dwelling.

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.

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

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

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

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

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

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.

75. Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

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.

99. Local Plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.

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.

101. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A

sequential approach should be used in areas known to be at risk from any form of flooding.

103. When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

110. In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework.

111. Planning decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.

112. Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

114. Local planning authorities should:

- set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure; and
- maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast, and improve public access to and enjoyment of the coast.

118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

- proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;
- development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- opportunities to incorporate biodiversity in and around developments should be encouraged;
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and
- the following wildlife sites should be given the same protection as European sites:
 - potential Special Protection Areas and possible Special Areas of Conservation;
 - listed or proposed Ramsar sites; and—sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

125. By encouraging good design, planning decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

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.

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

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

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

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.