

PLANNING COMMITTEE AGENDA



Wednesday 25 November 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 21 October 2015
- 3.2 To confirm the minutes of the meeting held on 28 October 2015

4. **ITEMS REQUIRING DECISION**

4.1 Planning Applications – *Assistant Director (Regeneration)*

- 1 H/2015/0417 Nelson Farm, Nelson Farm Lane (page 1)
- 2 H/2015/0396 Land at The Front, Seaton Carew (page 13)
- 3 H/2015/0316 Land at Blue House Farm, Stockton Road, Newton Bewley, Billingham (page 47)

4.2 Appeal at Land adjacent to Middleton House, Navigation Point, Middleton Road – *Assistant Director (Regeneration)*

5. **ITEMS FOR INFORMATION**

- 5.1 Appeal at 23 Stanhope Avenue – *Assistant Director (Regeneration)*
- 5.2 Update on Current Complaints – *Assistant Director (Regeneration)*



6. **ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT**
7. **ANY OTHER CONFIDENTIAL ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

FOR INFORMATION: -

Site Visits – Any site visits requested by the Committee at this meeting will take place on the morning of the Next Scheduled Meeting on Wednesday 16th December



PLANNING COMMITTEE

MINUTES AND DECISION RECORD

21st October 2015

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

Present:

Councillor: Rob Cook (In the Chair)

Councillors: Jim Ainslie, Stephen Akers-Belcher, Allan Barclay,
Sandra Belcher, Marjorie James, Brenda Loynes,
Ray Martin-Wells, Carl Richardson and George Springer

Also Present: Councillors Alan Clark, Steve Gibbon and David Riddle

Officers: Peter Devlin, Chief Solicitor
Damien Wilson, Assistant Director (Regeneration)
Andrew Carter, Planning Services Manager
Jim Ferguson, Planning Team Leader (DC)
Sylvia Pinkney, Head of Public Protection
Mike Blair, Highways, Traffic and Transportation Manager
Julie Reed, School Planning, Admissions and Capital Manager
Kieran Bostock, Senior Engineer (Environmental Engineering)
Helen Williams, Senior Planning Policy Officer
Fiona Stanforth, Planning Policy Officer
Elena Lilley, Apprentice
Jo Stubbs, Democratic Services Officer

53. Apologies for Absence

Apologies were submitted by Councillor George Morris

54. Declarations of interest by members

Councillor Ray Martin-Wells declared a prejudicial interest in planning application H/2014/0581 (Land North of the A689, Wynyard Park, Manorside)

55. Confirmation of the minutes of the meeting held on 30th September 2015

Minutes deferred

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

Number:	H/2014/0405
Applicant:	Mr Peter Jordan Persimmon Homes Ltd t/a Persimmon Homes Teesside Persimmon House Bowburn North Industrial Estate DURHAM
Agent:	Spawforths Mr Paul Bedwell Junction 41 Business Court East Ardsley LEEDS
Date received:	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

Peter Jordan spoke on behalf of Persimmon Homes. He detailed the consultation which had been carried out with councillors and representatives of the local community. This had resulted in a good quality deliverable scheme to which statutory consultees had raised no objection.

Robert Smith from Fens Residents Association asked members to consider the impact the application would have including a lack of urban regeneration, that brown field land should be used, future risk of flooding, wildlife, an increase in traffic problems and health concerns due to the proximity to power lines. He considered an approval would go against the reasons for withdrawing the local plan. He felt that the town's need for executive housing had already been met elsewhere and that the development would not meet the borough's housing need. He asked that if approved the housing be set back and that at a clay bund be installed as part of the drainage improvements in order prevent flooding as the proposed suds and shelving would be insufficient.

Ward Councillor Alan Clark spoke against the application commenting that he had previously pledged to stand by his constituents in opposition and intended to keep that promise. The type of housing proposed was not needed in Hartlepool and its proximity to power lines would result in intrusive noise levels. He also supported Mr Smith's request that a clay bund be installed saying it would be a small price to pay to reduce future flood risk.

Ward Councillor Steve Gibbon echoed Councillor Clark's concerns and expressed his support for the clay bund.

Members raised the following queries/concerns:

- What were the trigger points for major traffic infrastructure work to be put in place? The Highways, Traffic and Transportation Manager would prefer to do this as soon as possible but in reality improvements would be made prior to any detrimental impact on the road network. The trigger point for the Catcote Road/Brierton Lane signal works would be upon completion of property number 144.
- Would the roads be adopted? That was the intention
- What would be included in the proposed retail park? As the application was currently in outline format officers could not provide specific details. However it was expected to be A1 retail use to serve the development, probably including a small supermarket.
- Would said retail park have a detrimental impact on the economy of Greatham Village? Mr Jordan did not believe so. It would be designed to serve the needs of local residents but no more than that.
- What would be done to address speed problems in Newton Bewley? Nothing was proposed for Newton Bewley but signalisation would be installed at the Wolviston roundabout
- What control would the Council have over the proposed bus service in and out of the development? It would be paid for by the developer so officers would be able to specify routes and timings
- Would Persimmon be willing to provide play provision off site in the Manor House Ward through the Section 106 agreement? Mr Jordan indicated they would be happy to make a contribution to the local area but stressed that some facilities would need to wait until the development took shape and monies became available.

Members discussed the application at length. They requested clarification on the need for a clay bund as opposed to the suds and shelving which was being proposed by officers. The Senior Engineer (Environmental Engineering) explained that a clay bund could also cause problems in that it could act as a dam for water running off from properties and this issue would need to be dealt with. In his opinion and the opinion of the Environment

Agency shelving would provide flood protection by encouraging water to go via the beck.

A member highlighted concerns that the urban fence policy was being breached by allowing building onto farmland and this would have a negative impact on wildlife which could not be mitigated. The Planning Services Manager advised that the urban fence policy would only apply when the 5-year land supply had been reached. Prior to that planning applications had to be granted where the benefits outweighed the negative impacts. The member also commented that he did not believe the proposed bus service would meet the needs of residents and felt the development was designed to benefit the council, the developers and the more affluent members of society.

A member indicated that he would support this application reluctantly as to do otherwise would result in an unwinnable appeal case. A member asked that the conditions be brought back to the committee for their approval. This was supported by other members.

Members voted to support the application by a majority

Decision:

Minded to APPROVE Planning Permission subject to the satisfactory conclusion of discussions with the HSE, the completion of a section 106 agreement securing the developer obligations/contributions outlined in the report (Affordable Housing (Option 1), 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 additional developer obligations/contributions relating to the signalisation of the two roundabouts on the A689 at Wolviston, and the provision of off site play provision at Owton Manor with authority to add to or delete items from the legal agreement delegated to the Planning Services Manager. Conditions to be reported back to committee for decision.

The Committee considered representations in relation to this matter.

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

Date received: 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

Councillor Ray Martin-Wells left the meeting during consideration of this item

Members voted to approve the application by a majority.

Decision: **Outline Planning Permission Approved** subject to the completion of a Section 106 Legal Agreement securing the developer contributions/obligations set out in the report and Conditions. The Conditions delegated to the Planning Services Manager.

The meeting concluded at 11:40am.

CHAIR

PLANNING COMMITTEE

MINUTES AND DECISION RECORD

28th October 2015

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

Present:

Councillor: Rob Cook (In the Chair)

Councillors: Jim Ainslie, Allan Barclay, Sandra Belcher, Marjorie James, Brenda Loynes and George Springer

In accordance with Council Procedure Rule 4.2 Councillor Kevin Cranney was in attendance as substitute for Councillor Stephen Akers-Belcher

Officers: Damien Wilson, Assistant Director (Regeneration)
Andrew Carter, Planning Services Manager
Jim Ferguson, Planning Team Leader (DC)
Mike Blair, Highways, Traffic and Transportation Manager
Alyson Carman, Legal Services Manager
Sarah Scarr, Heritage and Countryside Manager
Brendon Colarossi, Principal Engineer (Construction)
Adrian Hurst, Principal Environmental Health Officer
Kieran Bostock, Senior Engineer (Environmental Engineering)
Daniel James, Senior Planning Officer
Fiona McCall, Planning Officer
Chris Scaife, Countryside Access Officer
Jo Stubbs, Democratic Services Officer

57. Apologies for Absence

Apologies were submitted by Councillors Stephen Akers-Belcher, Ray Martin-Wells, George Morris and Carl Richardson

58. Declarations of interest by members

Councillor Brenda Loynes declared a personal interest in planning application H/2015/0351 (Land at Quarry Farm).

Councillor Jim Ainslie declared a personal interest in planning application H/2015/0256 (Town Wall, Headland)

Councillor Marjorie James declared an interest in planning application H/2015/0256 (Town Wall, Headland) in her capacity as the Council's

representative on the Regional Flooding and Coastal Committee.

59. Confirmation of the minutes of the meeting held on 30th September 2015

Confirmed

60. Confirmation of the minutes of the meeting held on 21st October 2015

Deferred

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

Number: H/2015/0351

Applicant: Bellway Homes C/O Agent

Agent: Signet Planning Mr John Wyatt 26 Apex Business Village
Annitsford NEWCASTLE UPON TYNE

Date received: 21/08/2015

Development: Reserved matters application in relation to planning permission H/2014/0215 for means of pedestrian access and internal highway layout, appearance, landscaping, layout and scale of residential development

Location: Land at Quarry Farm Elwick Road HARTLEPOOL

Emma Moon, the Agent for Signet Planning, addressed the Committee. She advised that the design team had worked hard to ensure an attractive scheme and would continue to engage with local residents. Liz Carroll spoke on behalf of the Park Residents Association, expressing their support for the application and praising Signet's efforts in collaborating effectively.

Members supported the application by a majority

Decision: **Reserved Matters Approved**

CONDITIONS AND REASONS

1. The development hereby permitted shall be carried out in accordance with Dwg No(s) 513-BEL-14-028P01 (Proposed Site Layout), 513-BEL-14-028E01 (OS Location Plan), A-PIN STD/00 (Pine House Type), A-

- RED STD/00 (Redwood House Type Elevation), A-RED STD/00 (Redwood House Type Layout), A-ROW STD/00 (Rowan House Type), A-PLA STD/00 (Plane House Type), A-1880-V5/00/01 (Standard House Type 1880 Layouts Variant 5), A-1880-V5/00/02 (Standard House Type 1880 Elevations Variant 5), A-ACA STD/00 (Acacia House Type), A-ALD STD/00 (Alder House Type), A-ASP STD/00 (Aspen House Type), A-BAY STD/00 (Bay House Type), A-965-V5/00/01 (Standard House Type 965 Layouts Variant 5), A-965-V5/00/02 (Standard House Type 965 Elevations Variant 5), A-LIM STD/00 (Lime House Type) and A-MAP STD/00 (Maple House Type) received by the Local Planning Authority on 21 August 2015 and Dwg No: 513-BEL-14-028 P03 (Proposed Boundary Treatment) received by the Local Planning Authority 12 October 2015. For the avoidance of doubt.
2. Details of all external finishing materials of the houses, garages, paths, roads, drives and hardstandings shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose. Thereafter the development shall be carried out in accordance with the approved details. In the interests of visual amenity.
 3. No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing levels together with the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details. In the interests of visual amenity.
 4. No development shall take place until a scheme for the protection during construction works of all trees to be retained on the site, in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations', has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the approved details and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees which are seriously damaged or die as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season. In the interests of the health and appearance of the preserved tree(s).

The Committee considered representations in relation to this matter.

Number: H/2015/0318

Applicant: Mr Tim Dear 152 Grange Road HARTLEPOOL

- Agent:** SJR Architectural & Interior Designers Mr David Johnson Suite 104 The Innovation Centre HARTLEPOOL
- Date received:** 03/09/2015
- Development:** Outline planning application for the erection of 1 no. two-storey dwellinghouse with associated access, landscaping matters reserved
- Location:** Rear of 138 Elwick Road HARTLEPOOL

Dave Johnson, the Agent, addressed the Committee, explaining that this was a resubmitted application which had been fully discussed with the planning department. No complaints had been received from statutory consultees or neighbours. A member requested that conditions be included on the permission to ensure that the site was kept as clean as possible during the week and that the site be secured on evenings and weekends.

Members approved the application by a majority.

Decision: **Outline Planning Permission Approved**

CONDITIONS AND REASONS

1. Application for the approval of the reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates: (a) the expiration of five years from the date of this permission; or (b) the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved. To clarify the period for which the permission is valid.
2. Approval of the details of the landscaping of the site (herein after called the "reserved matters") shall be obtained in writing from the Local Planning Authority. To clarify the period for which the permission is valid.
3. The development hereby approved shall be carried out in accordance with plans 200 (Existing Site Location Plan), 201 (Proposed Site Plan), 202 REV A (Proposed Floor Plans & Front & Rear Elevations), 203 REV A (Proposed Elevations), 204 (Existing & Proposed Street Scene Elevation), 07 REV A (Existing Site Plan) all plans date received by the Local Planning Authority 3rd September 2015 and plans AMS TPP (Tree Protection Plan), AIA EXI (Existing Trees) and AIA TPP (Retained Trees) all plans date received by the Local Planning Authority on 27th July 2015 unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt.

4. Notwithstanding the submitted information, the proposed driveway/surfacing to serve the dwellinghouse hereby approved shall be constructed in accordance with the agreed 'no dig' constriction measures, working methods and materials as stipulated within chapter 4.2 of the submitted 'All About Trees' Arboricultural Method Statement and on plan AMS TPP (Tree Protection Plan, date received 27.07.2015). The driveway/surfacing shall be completed to the satisfaction of the Local Planning Authority prior to any construction of the dwellinghouse hereby approved unless otherwise agreed in writing with the Local Planning Authority. In the interests of visual amenity and to protect those trees on site and adjacent to the site that are considered to be of an amenity value.
5. Notwithstanding the proposals detailed in the Design and Access Statement/submitted plans and prior to the commencement of any development on site, details of proposed hard landscaping and surface finishes (including the proposed car parking areas, footpaths, access and any other areas of hard standing to be created) shall be submitted to and agreed in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The scheme shall be completed to the satisfaction of the Local Planning Authority in accordance with the agreed details prior to the occupation of the dwelling hereby approved. Any defects in materials or workmanship appearing within a period of 12 months from completion of the total development shall be made-good by the owner as soon as practicably possible. To enable the local planning authority to control details of the proposed development, in the interests of visual amenity of the area and protected trees.
6. Notwithstanding the submitted details in the application the external walls and roofs shall not be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the dwelling has been approved in writing by the Local Planning Authority. The materials shall be in accordance with the details approved. To enable the Local Planning Authority to control details of the proposed development.
7. Prior to the commencement of development, details of the existing and proposed levels of the site including the finished floor levels of the building to be erected, any proposed mounding and or earth retention measures and levels of the adjacent properties/boundaries shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority. To take into account the position of the buildings and impact on adjacent properties.
8. No development shall take place until the agreed scheme for the protection during construction works of all trees within and adjacent to the site has been completed in accordance with the measures stipulated within the 'All About Trees' Arboricultural Method Statement (date received 27th July 2015). The scheme shall thereafter be carried out in accordance with the approved details and particulars before any

equipment, machinery or materials are brought on to the site for the purposes of the development. Any trees which are to be removed (other than those permitted within the Arboricultural Impact Assessment, date received 27.07.2015), seriously damaged or die as a result of the site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season. In the interests of visual amenity and to protect those trees on site and adjacent to the site that are considered to be of a amenity value.

9. Notwithstanding the submitted information, no development shall commence until details of the proposed methods for the disposal of foul and surface water arising from the site have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the details so approved and the approved drainage details shall be retained for the lifetime of the development. To prevent pollution of the water environment and in order to ensure that the site is adequately drained.
10. Notwithstanding the submitted information, a scheme for means of enclosure shall be submitted to and approved by the Local Planning Authority before the dwelling hereby approved is occupied. Thereafter the development shall be carried out in accordance with the approved details and the enclosures erected prior to the occupation of the dwelling hereby approved. In the interests of the amenity of proposed occupiers of the dwelling and that of surrounding neighbouring properties.
11. Notwithstanding the submitted information and prior to the occupation of the dwelling hereby approved, details for the storage of refuse shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented accordingly. In the interests of the amenities of the occupants of neighbouring properties and ensure a satisfactory form of development.
12. The clearance of any vegetation, including trees and hedgerows, shall take place outside of the bird breeding season. The bird breeding season is taken to be March-August inclusive unless otherwise advised by the Local Planning Authority. Unless the site is first checked, within 48 hours prior to the relevant works taking place, by a suitably qualified ecologist who confirms that no breeding birds are present and a report is subsequently submitted to the Local Planning Authority confirming this. In order to avoid harm to birds.
13. Notwithstanding the submitted details shown on plans 202 REV A and 203 REV A, the 1no. window to be installed within the first floor side elevation (north, serving an en suite) of the proposed dwelling facing onto the adjacent northern boundary, shall be fixed and obscurely glazed using a minimum of type 4 opaque glass, details of which shall be first submitted to and agreed in writing with the Local Planning Authority prior to the installation of the window. The agreed scheme shall be implemented thereafter and shall remain for lifetime of the development hereby approved. In the interests of the amenities of the occupants of neighbouring properties and ensure a satisfactory form of development.

14. Notwithstanding the provisions of Classes A, B, C, D, E and F of Part of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the dwelling hereby approved shall not be extended or altered in any way (including the provision of any additional windows in the side elevations of the dwelling), nor any means of enclosure erected or additional areas of hard standing/surfacing created (other than those approved) within the curtilage without the written approval of the Local Planning Authority.
To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential properties and protected trees.
15. The development hereby approved shall be used as a single dwellinghouse as defined by Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification. For the avoidance of doubt and in the interests of the amenities of the occupants of neighbouring properties.
16. No construction/building works or deliveries shall be carried out except between the hours of 8.00 am and 6.00 pm on Mondays to Fridays and between 9.00 am and 1.00 pm on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority. To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties.
17. Prior to the commencement of development, a scheme for the provision of road cleansing shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall be carried out in accordance with the agreed details. To ensure a satisfactory form of development.
18. Prior to the commencement of development, a scheme for the securing of the site during construction works shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall be carried out in accordance with the agreed details. In the interests of highway and pedestrian safety.

The Committee considered representations in relation to this matter.

Number:	H/2015/0345
Applicant:	Mr Giles Mount Mars Pension Trustees Limited c/o LaSalle Investment Management One Curzon Street LONDON
Agent:	JLL Miss Heather Muddiman One Piccadilly Gardens MANCHESTER
Date received:	20/08/2015

Development: Change of use of part ground floor, first and second floors from Class A1 (Shops) to Class D2 (Assembly & Leisure)

Location: UNIT 140 MIDDLETON GRANGE SHOPPING CENTRE (FORMER MARKS & SPENCER)

Heather Muddiman spoke on behalf of the Agent JLL. She urged councillors to approve the proposal which would contribute to the vitality and vibrancy of the shopping centre. She acknowledged there had been objections from other gyms but most were outside the town centre and this application would provide health and fitness facilities in addition to a gym.

Members expressed their support for the application with the proviso that subsidised pricing options be made available to allow everyone to attend. They voted to approve the application by a majority.

Decision: Planning Permission Approved

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the date of this permission. To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans (location plan dwg no SK(140a)001, proposed ground floor mall level plan - unit 140a dwg no SK(140a)005, proposed first floor service road level plan - unit 140a dwg no SK(140a)006, proposed second floor plan - unit 140a dwg no SK(140a)007) and details received by the Local Planning Authority at the time the application was valid on 20/08/2015. For the avoidance of doubt.
3. The premises shall only be open to the public between the hours of 06:00 - 00:00 on any day. In the interests of the amenities of the occupants of neighbouring properties.
4. The premises shall be used as a Gymnasium and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification. In the interests of the amenities of the vitality and viability of the town centre and the occupants of neighbouring properties.
5. This permission relates only to the change of use of the first and second floor of the premises and part of the ground floor (for access only) as indicated by the red line on drawings SK(140a) 006, SK(140a) 007 and SK(140a) 005 respectively. For the avoidance of doubt.

The Committee considered representations in relation to this matter.

Number: H/2015/0310

Applicant: Mrs W Kipling Hall Drive BURLEY IN WHARFDALE

Agent: Mrs W Kipling 58 Hall Drive BURLEY IN WHARFDALE

Date received: 12/08/2015

Development: Change of use from dwellinghouse to purposes falling within self contained apartments or Class 4 (house in multiple occupation)

Location: 41 Grange Road HARTLEPOOL

Mrs Kipling, the applicant, addressed the Committee explaining that her intention was to provide apartments for professionals living in Hartlepool on a part-time basis. She had spent time and money bringing the property up to a suitable standard and intended to live there full-time whilst she was working in Hartlepool. A member queried whether a sprinkler system would be installed as not to do so would be detrimental to those living on the upper floor. Mrs Kipling advised that the top floor already had a self-contained exit and fire escape but a fire audit would be carried out to establish whether this was sufficient. A member queried whether the property had previously been a house of multiple occupancy as it was unusual for a house to have a fire escape. Mrs Kipling indicated that it had not been. A member queried who would manage the property if Mrs Kipling moved from Hartlepool permanently. The Planning Services Manager commented that this was not a material planning consideration but the member felt that depending on who was living in the property could result in crime or the fear of crime which were material planning considerations

Members voted in favour of the application by a majority.

Decision: Planning Permission Approved**CONDITIONS AND REASONS**

1. The development to which this permission relates shall be begun not later than three years from the date of this permission. To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with drawing 577-2/RevA, Site Location Plan, Heritage Plan and other details received by the Local Planning Authority on 6th August 2015, unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt.
3. Details of any proposed external finishes to the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. In order to maintain visual amenity.
4. The use hereby approved shall not commence until proposals for the storage of refuse within the site have been submitted to and approved in writing by the Local Planning Authority and all such approved details have been implemented. In the interests of the amenities of the occupants of neighbouring properties.
5. Prior to the commencement of the development hereby approved, the building shall be provided with noise insulation measures on the party walls with 39 and 43 Grange Road, details of which shall be submitted for the consideration and approval of the Local Planning Authority. The scheme shall ensure adequate protection is afforded against the transmission of noise between the property and neighbouring properties. The noise insulation scheme, as approved, shall be implemented in full and retained thereafter. In the interests of the amenities of the occupants of neighbouring properties.
6. The internal layout of the building shall be retained as indicated in the approved drawing 577-2/RevA to accommodate three bedsits with communal rooms and facilities on the ground floor and the first floor of the building and a one bedroom flat located in the second floor roof-space. In order to maintain the amenity of residents in the street.

The Committee considered representations in relation to this matter.

Number: H/2015/0256

Applicant: Hartlepool Borough Council Hartlepool Borough Council Civic Centre

Agent: Hartlepool Borough Council Mr B Colarossi
Engineering Consultancy Civic Centre
HARTLEPOOL

Date received: 21/07/2015

Development: Amendment to planning application H/2014/0400 for the construction of a reinforced concrete wall on top of the Ancient Monument Town Wall, including large culvert to control the water that overtops the wall, in order to relocate a pedestrian ramp approx 7m to the west of its original location

Location: Town Wall HARTLEPOOL

A member referred to the temporary road signage which was currently diverting traffic away from houses along the Town Wall and asked if this could be made permanent. The Highways, Traffic and Transportation Manager agreed that this would be a good idea. Reference was also made to problems with a resident trespassing on the site. The Principal Engineer confirmed that this was an issue and being monitored although so far no action had been taken. A number of residents had asked that the culprit be named but the Chair advised that it would not happen through this Committee. Councillors expressed concern that the council and the contractor could be liable if this trespasser injured themselves on site. A member queried whether all structural survey works had been carried out as the objectors indicated they had not. The Principal Engineer indicated that structural surveys on walls had been carried out and surveys on properties had been offered to those directly affected. If they had not been this was either because the owner had declined the offer or the property was not felt to be directly affected.

A member raised concerns at the impact the works were having on a nearby property. The Property Services Manager commented that this application solely related to an amendment to an already approved scheme for the change of location for the pedestrian ramp. He also highlighted that matters were the subject of a Government Ombudsman investigation into the conduct of the Council. A member praised the professional behaviour of the contractor and council officers on a project which would safeguard hundreds of houses. He denounced some of the scurrilous comments which had been made by opponents.

Members voted to support the amendment by a majority.

Decision: **Planning Permission Approved**

CONDITIONS AND REASONS

1. The development to which this permission relates shall be begun not later than three years from the 18 December 2014. To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details received by the Local Planning Authority on 17 June 2015 Drawing No(s): PR461/PASBW/1b (Footpath and Set

Back Wall Details), PR461/PASBW/2b (Outfall Details), PR461/PASBW/3b (Generic Sections) and PR461/PASBW/Z (Existing and Proposed Ramp Locations) and Drawing No: PR461/PASBW/4 (Culvert Long Section) received 5 October 2015. For the avoidance of doubt.

3. Details of all external finishing materials shall be submitted to and approved by the Local Planning Authority before development commences, samples of the desired materials being provided for this purpose. Thereafter the development shall be carried out in accordance with the approved details. In the interests of visual amenity.
4. Prior to the commencement of the development a sample panel of the proposed wall using the approved finishing materials shall be erected on site and approved in writing by the Local Planning Authority. The wall shall thereafter be constructed in accordance with the sample panel so approved. The sample panel shall be retained for reference on site throughout construction. In the interests of visual amenity.
5. (A) No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
 1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

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

(C) The planning condition will remain active until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured. In the interests of historic heritage.
6. Prior to the commencement of development a pre-construction walkover survey will be undertaken in order to determine the presence of any bird nests within the study area. The pre-construction walkover survey should take place within 48 hours of works commencing and be carried out in consultation with the Council's ecologist. Should nesting birds be present a mitigation strategy shall be submitted to and agreed in writing with the Local Planning Authority. In the interests of protected species.

7. Operations associated with the construction phase of the development hereby approved shall only be carried out within the hours of:- Monday to Friday (08:00 to 18:00) Saturday (08:00 to 13:30) No construction works shall be carried out on Bank Holidays and Sundays. In the interests of residential amenity.
 8. Prior to the commencement of development a Construction Management Plan shall be submitted to and agreed in writing with the Local Planning Authority. The Construction Management Plan shall be broadly in accordance with the construction mitigation measures set out in table 14.1 of the submitted Environmental Impact Assessment. The scheme shall be carried out in accordance with the details so approved. In the interests of residential amenity.
-

62. Appeal at 19-21 Tankerville Street, Hartlepool (*Assistant Director (Regeneration)*)

A planning appeal had been submitted against the decision of the Committee to refuse planning permission for a change of use and internal alterations to 19-21 Tankerville Street to create a Home of Multiple Occupancy for up to 20 residents. The appeal would be determined by written representation.

Decision

That officers be authorised to contest the appeal.

63. Proposed Partial Stopping-Up of Public Footpath No 25, Coniscliffe Road, Hartlepool (*Assistant Director (Regeneration)*)

The Countryside Access Officer reported that on the 29th June 2015 the Council, as Highway Authority, received an application for the partial stopping-up of the southernmost 5 metres of Public Footpath No. 25 that runs to the south west of Duchy Road/Coniscliffe Road. The plan submitted as part of the application was appended to the report.

The application was made by Prism Planning, on behalf of Tunstall Homes on the grounds that it was necessary in order to enable the housing development in that area. The cost would be approximately £2,500, to be fully paid by Prism Planning on behalf of Tunstall Homes.

Decision

- I. That the partial stopping-up of the Public Footpath No 25 be approved in accordance with section 257 of the Town and Country Planning Act 1990 and the implementation of the making of the order and its subsequent confirmation as shown in the plan

- II. That the order be confirmed if no objections are received or if received subsequently withdrawn
- III. That the order be referred to the Secretary of State for confirmation if any objections are received and not subsequently withdrawn

64. Update on Current Complaints

Details were given of 11 ongoing issues currently under investigation. A Councillor requested further information relating to a complaint regarding the parking of vehicles on a piece of grassed land owned by the Council on the side of a property on Hill View, Greatham.

Decision

That the report be noted

65. Paul Burgon

The Chair informed members that Paul Burgon, the Council's Enforcement Officer would soon be leaving the authority. He commended Mr Burgon for his hard work and diligence and asked that the best wishes of the Planning Committee be passed on.

66. Local Government (Access to Information) (Variation Order) 2006

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

Minute 67 – (Proposed Listed Building Repair Notice) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 6) namely information which reveals that the authority proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person.

Minute 68 – (Enforcement Action) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person or (b) to

make an order or direction under any enactment.

- 67. Proposed Listed Building Repair Notice** (*Assistant Director (Regeneration)*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 6) namely information which reveals that the authority proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person.

Members were given information regarding proposed enforcement action against the owners of a town centre building in order to carry out works to bring about the preservation of the building. Further details in the exempt minutes.

Decision

That the report be noted.

- 68. Enforcement Action** (*Assistant Director (Regeneration)*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and (para 6) information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person or (b) to make an order or direction under any enactment.

Members were asked to consider whether enforcement action was required against a Hartlepool business. Further details are contained in the closed minutes.

Decision

Contained within the closed minutes

- 69. Any Other Items which the Chairman Considers are Urgent**

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

70. Local Government (Access to Information) (Variation Order) 2006

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

Minute 71 – (Development Update) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 3) Information relating to the financial or business affairs of any particular person (including the authority holding that information).

71. Development Update This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 3) Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Members were informed of the current status of the redevelopment of a site in Hartlepool. Further information is supplied in the closed minutes.

Decision

That the information be noted.

The meeting concluded at 11.45am

CHAIR

No: 1
Number: H/2015/0417
Applicant: Mr Michael Ford, Nelson Farm, Nelson Farm Lane,
Hartlepool, TS27 3AE
Agent: Mrs Kerry Howard, Kinetica Energy Ltd, Vision House,
Oak Tree Court, Mulberry Drive, Cardiff Gate Business
Park, Cardiff, CF23 8RS
Date valid: 07/10/2015
Development: Amendments to approved access track, cable and
ancillary infrastructure originally approved under
H/2013/0414
Location: Nelson Farm, Nelson Farm Lane, Hartlepool

PURPOSE OF REPORT

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

BACKGROUND

1.2 This application has been submitted as an amendment to the original application approved under H/2013/0414 (Installation of a single 250kw wind turbine measuring 47m to the tip and associated infrastructure), in accordance with the Town and Country Planning Act 1991 (as amended).

1.3 Due to the number of neighbour objections received during the consultation period, the application must be considered at Planning Committee.

PROPOSAL

1.4 Planning permission is sought for amendments to the originally approved scheme under H/2013/0414. The need for this application has arisen due to discussions between the developer and the Distribution Network Operator regarding requirements for separation distances between the turbine and associated infrastructure, a meeting with HBC Countryside Access Officer regarding Public Rights of Way, and from discussions with the owner regarding current farming practices on the site. The following changes to the original proposal are as follows:

- Changes to the access route to the turbine site which will follow the line of Public Footpath no.7 in the first field (as originally proposed) but will then turn northwards just before the gate to the second field, following the boundary with the second field, then turning westwards through a natural gap in the hedgerow to reach the turbine site in the second field.
- Alterations to the location and design of the infrastructure housing to allow for separation distances from the turbine, and to allow the incorporation of the sub-station and HV switchgear/transformer equipment within the same structure. The

building will now be within the first field at the turning area rather than the originally proposed location near the turbine in the second field.

- Alterations to the amount and design of hard standing to allow for the above revised access route and provision of vehicle turning area within the first field.

SITE CONTEXT

1.5 The application site is Nelson Farm, an operational agricultural holding for beef and arable farming. The site consists of a number of agricultural buildings at the end of an access track, with field boundaries defined by thin hedgerows and wire fences with gates. The access is via a narrow vehicular and pedestrian track which leads from the A1086 in a generally westerly direction. There is a residential area to the south of this track which ends approx. half way up the track. The access track starts off as Public Bridleway No.30 up to Nelson's Lodge, and then becomes Public Bridleway No.7 which runs through the centre of the first field, with access via a gate. This continues westwards through another gate into the second field, and onwards from there. Public Bridleway No.1 also exists within the second field and runs southwards along the eastern boundary. The first field slopes consistently upwards to the west with the second field being more gently sloped.

PUBLICITY

1.6 The application has been advertised by way of 61 Neighbour Notification letters, three Councillor Notification letters and a site notice. To date there have been three objections received with specific comments made by one neighbour:

- Too much traffic on Jaywood (Close) which is already congested and is dangerous for kids in the area
- Interferes with nature and views

1.7 A fourth objection was also received however the comments related to a nearby application for residential development. The specific comments bear no relation to this application.

Copy letters **D**

CONSULTATIONS

1.8 The following consultation responses have been received:

HBC Building Control: I can confirm that the above application does not need Building Regulations.

HBC Traffic and Transport: There are no highway or traffic concerns.

HBC Heritage and Countryside: Public Bridleway No.7, Hart Parish, will need to be temporarily diverted to the south of its present location, whilst the turbine access track is installed for the period of development. Once the works are completed, the bridleway can be routed back onto its original route.

I have discussed these issues with the developer/consultant and we have reached a sympathetic and safe solution to accommodate this requirement. I am satisfied that this will be carried out in accordance with our discussions.

HBC Engineering Consultancy: No comments on this application.

HBC Planning Policy: This application is for relatively minor amendments affecting the access track, substation and switch gear infrastructure, previously approved under H/2013/0414. The amendments have been made to reduce impact on public rights of way and as a result of network operator requirements. No objections from a policy perspective subject to the Countryside Access Officer being satisfied with the new arrangements and the impact on any trees/hedgerows being minimised. The site does lie within a safeguarding minerals area (for limestone) but is unlikely to cause any issues.

HBC Public Protection: Not object.

HBC Landscape: Planning permission was previously granted for this development on 30/6/2014 under H/2014/0414. The amended application that this refers to involves realigning the road and needs consent because it falls outside the red line area of the previously approved application site. There is no detriment to the landscape and the road takes advantage of a gap in the hedge only by traversing over an arable field to access the turbine.

In respect of this application I therefore have no objections on the road realignment.

Northumbrian Water: Thank you for consulting Northumbrian Water on the above proposed development(s).

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 I can confirm that at this stage we would have no comments to make.

Highways Agency: Referring to the notification of a planning application dated 13 February 2014, your reference H/2013/0414, in connection with the A19, installation of a single 250kw wind turbine measuring 47m, Nelson Farm, Nelson Farm Lane, Hartlepool, notice is hereby given under the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the secretary of State for Transport:-

- a) offers no objection

Civil Aviation Authority: Thank you. On that basis the CAA has no comment on this proposed change.

Ministry of Defence: Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office on 13/10/2015. I can confirm that the MOD has no safeguarding objections to this proposal.

Tees Archaeology: Thank you for the consultation on this planning application.

The developer has previously provided an archaeological field evaluation for this proposal. This demonstrated that the archaeological potential was low. I therefore have no objection to the proposal and have no further comments to make.

Historic England: Thank you for your letter of 14 October 2015 notifying Historic England of the scheme for planning permission relating to the above site. Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion.

Durham Tees Valley Airport: Thank you for consulting Durham Tees Valley Airport on the above amendment to application H/2013/0414 at Nelson Farm.

The airport have no comment on the proposed amendments.

PLANNING POLICY

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

Local Policy

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

GEP1: General Environmental Principles
GEP12: Trees, Hedgerows and Development
PU7 Renewable Energy Developments
Rur7: Development in the Countryside

National Policy

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

development, ensure a high standard of design, respect existing roles and character, support a low carbon future, conserve the natural environment, encourage re-use of previously developed land, promote mixed use developments, conserve heritage assets, manage future patterns of growth and take account of and support local strategies relating to health, social and cultural well-being.

PARA 002: Primacy of the Development Plan

PARA 011: Planning law and Development Plan

PARA 012: Statutory status of the Development Plan

PARA 013: NPPF is material planning consideration

PARA 014: Presumption in favour of sustainable development

PARA 044: Minimum separation distances and impact on existing services

PARA 017: Core Planning Principles

PARA 093: Supporting the delivery of renewable energy

PARA 098: Determining applications for energy development

PARA 109: Contribution of development to enhancing local and natural environment

PARA 196: Primacy of the Development Plan

PARA 197: Presumption in favour of sustainable development

PLANNING CONSIDERATIONS

1.12 The material planning considerations in regard to the above proposal are the principle of development, the impact on visual amenity, the impact on neighbour amenity, the environmental and ecological impact, the impact on trees and hedgerows, the impact on existing public rights of way, the impact on existing archaeology and the impact on highway safety.

PRINCIPLE OF DEVELOPMENT

1.13 The original planning application H/2013/0414 was approved by Planning Committee as per Officer Recommendation. As a result, the principle of a single wind turbine with associated infrastructure in this location has already been established.

1.14 As the proposed amendments relate specifically to matters which are essential to the functionality of the turbine and are within land which is owned by Nelson Farm, the proposal is considered to make no significant changes in terms of the use of the site for the purpose which was already granted consent.

VISUAL AMENITY

1.15 In terms of the revised access track, it is noted that the new proposed route will be more indirect in terms of reaching the point where the turbine will be located. The creation of a new route through the hedgerow rather than utilising the existing access to the second field will mean that the alterations may have an increased prominence when seen from a distance given the increased width of the access track. However, the purpose of this increase is to allow for a turning circle for vehicles and to reduce the impact on established public rights of way. The benefits of these changes are therefore considered to outweigh any potential increase in visual prominence.

1.16 In terms of the revised design and location of the infrastructure housing building, it is noted that there will be a slight increase in scale of this structure. However, this will allow more equipment to be installed within the same location, meaning it is less spread out across the fields. In addition, the revised location now in the first field means that the building will now be located close to the field boundary. Although this is closer to the access track to the field and marginally closer to the residential area, it is considered that the structure would blend in better with the landscape, being located close to the boundary with hedgerows which reduce the visual impact on the landscape.

1.17 The changes, taken together, are not considered to have a significant or detrimental impact on the visual character of the location or the landscape as seen from the wider area. It is considered that the changes to these aspects of the site layout (with no changes to the turbine design or location) mean that the site will retain the rural character and agricultural nature of the area. It is considered that the development is acceptable in terms of its impact on visual amenity.

NEIGHBOUR AMENITY

1.18 Three letters of objection have been received in relation to the proposal. The issues raised were the increased traffic and reduced pedestrian safety on Jaywood Close, and the impact in terms of nature and views.

1.19 Firstly, taking the impact on traffic and pedestrian safety, it is noted that Jaywood Close is within the residential area to the south of the access track. This street is significantly separated from the application site and does not directly relate to it or to the access track in terms of vehicular access. The proposal is not considered to have any impact of traffic volume through this area, and as a result would not have an impact in terms of pedestrian safety in this residential area.

1.20 Secondly, in terms of the impact on nature and views, the principle of development in terms of the siting and design of a wind turbine in this location has already been set. As this proposal does not involve changes to this aspect, the impact is considered to be minimal. Considering the impact from the amendments, it is noted that the revised access will result in the loss of some hedgerows. However, this is a minor loss and given that the neighbour does not overlook this part of the site, the impact on their amenity is considered to be low.

1.21 In relation to the impact on neighbour amenity as a whole, the revised proposal does not change the main aspect of the development which is the turbine design and location. The amendments to the access track and also to the location of the infrastructure housing are considered to remain largely obscured from the residential area to the south east. Given the separation distance between any neighbours, the proposed changes to the original scheme are considered to have no significant impact on the amenities of neighbouring properties. No objections have been raised by HBC Public Protection.

ENVIRONMENTAL AND ECOLOGICAL IMPACT

1.22 In relation to the impact on nature, views and ecology, the principle of development on the site has been established by the original permission with the impact considered to be acceptable. As part of the original planning permission, an Assessment was undertaken. Mitigation measures were set out and approved with a condition applied to ensure development is in accordance with this methodology.

1.23 As part of this application, no further environmental or ecological impact details were submitted. However, given the relatively minor changes proposed and the fact that the proposal is within the same location/boundary, the originally approved mitigation measures are considered to still be relevant for the site. As there is considered to be no additional impact from the amendments, the previous condition has been carried over to ensure compliance with this original methodology. Overall, the proposal is considered to have a minimal impact on the environmental and ecological aspects of the site and surroundings.

TREES AND HEDGEROWS

1.24 As part of this amendment, the revised access route to the turbine site will involve utilising an existing gap in the hedgerow along the western boundary of the first field, with part of the fence removed to accommodate this. The impact from this is considered to be relatively minor given that the hedgerow is already thin and fairly sparse in places. It is noted that although there is a gap, some damage may occur to the surrounding planting during the laying of the access track and installation of the turbine and associated equipment. However, consultation with HBC Landscape (Arboriculture) has raised no objections to the proposal. The impact on existing planting is therefore considered to be low, and acceptable in accordance with Saved Policy GEP1 of the Hartlepool Local Plan 2006.

PUBLIC RIGHTS OF WAY

1.25 The site is accessed via a Public Right of Way which leads from the A1086 towards the west, providing vehicular access up to Nelson Lodge, and leading on through the centre of the fields. It is noted that Public Bridleway No.7 and potentially No.1 will be required to be diverted or temporarily closed during the laying of the access track and the installation of the turbine. However, consultation with HBC Countryside Access Officer has highlighted that discussions have already been undertaken with the applicant/agent prior to this application being submitted, and a mutually agreed solution has been arrived at for when such diversions or closures are required. It is considered that any disruption to these routes will be less intrusive than the original proposed route, with disruption limited to the first field. Overall, the amendment is considered to be acceptable in terms of impact on the footpath network. These closures or diversions are considered to be essential in terms of ensuring public safety during certain processes on site.

ARCHAEOLOGY

1.26 At the time of the original planning permission, a pre-commencement condition was applied for appropriate archaeological assessments to be carried out before full

works could be undertaken. A desk based study in 2013 concluded that the likelihood of remains being on site was high. Since then, a site investigation study was undertaken with trenches dug at various points, including at points where the access track in this amendment application would cover. No sub-surface archaeological remains were found. Tees Archaeology have raised no objection to the proposal. It is considered that given the extent of the investigations over the area, the amendments to the original proposal would have no significant impact in terms of any archaeological remains on site.

HIGHWAY SAFETY

1.27 The site is accessed via a farm track leading off the A1086. As part of this amendment, there are no changes proposed to this main access or the methodology for delivery of materials to the site. Consultation was undertaken with HBC Traffic and Transport with no objections made. In relation to the impact on highway safety, the proposal is considered to have a low impact on the existing road network, given the nature of the proposed amendments to the original scheme.

CONCLUSION

1.28 In relation to the material planning considerations examined above, the proposal is considered to be acceptable. It is not considered that the proposed amendments to the original scheme would have a significant or detrimental impact in terms of environmental impact, visual amenity, neighbour amenity, trees and hedgerows, public rights of way, archaeological remains or highway safety.

1.29 The proposal is therefore recommended for APPROVAL subject to the conditions set out below.

EQUALITY AND DIVERSITY CONSIDERATIONS

1.30 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

1.31 There is no evidence of Section 17 implications.

REASON FOR DECISION

1.32 It is considered by Officers that in the context of relevant planning policies and material planning considerations, the proposal is acceptable as set out in the Officer's Report. It is therefore recommended that the application is approved subject to the conditions set out below.

RECOMMENDATION – APPROVE subject to the following conditions

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

2. The development hereby permitted shall be carried out in accordance with the details, the plans (Location Plan Drawing Number KEDWG-PL-LP-333, Site Development Area Drawing Ref: KE333-SDA-25092015B, Indicative Access Track Cross Section Drawing no. KEDWG-CS, Proposed GRP Kiosk at Nelson Farm showing floor plan, elevations and section) and the supporting document (Kinetica Energy Nelson Farm Amendments to approved access track, cable and ancillary infrastructure originally approved under H/2013/0414 dated 25th September 2015) received by the Local Planning Authority on 25/09/15, unless otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt.
3. Noise levels from the turbine shall not exceed the levels as set out in tables 6 and 7 of paragraph 4.10 of the noise assessment dated 14/06/13 submitted in support of the planning application approved under the provisions of planning permission H/2013/0414.
For the avoidance of doubt.
4. If the wind turbine permitted under the provision of permission H/2013/0414 ceases to operate for a continuous period of 12 months, a scheme for the decommissioning and removal of the wind turbine generator and any other ancillary equipment and structures relating solely to that wind turbine, shall be submitted to and agreed in writing with the Local Planning Authority within 3 months of the end of the cessation period. The scheme shall include details for the restoration of the site. The scheme shall be implemented within 3 months of the date of its agreement in writing with the Local Planning Authority.
In the interests of visual amenity of the area.
5. Notwithstanding the details submitted, the development shall be carried out in accordance with the mitigation set out in Section 3.5.2 of the Environmental Report dated August 2013, submitted in support of the application approved under the provisions of permission H/2013/0414.
In the interests of protected species.
6. Prior to the commencement of the development, details of the delivery method of the wind turbine to include a schedule of works for the restoration of the Public Right of Way and any diversion of the Public Right of Way required during delivery, operation or decommissioning of the wind turbine shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
In the interests of highway safety and the Public Right of Way.

BACKGROUND PAPERS

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

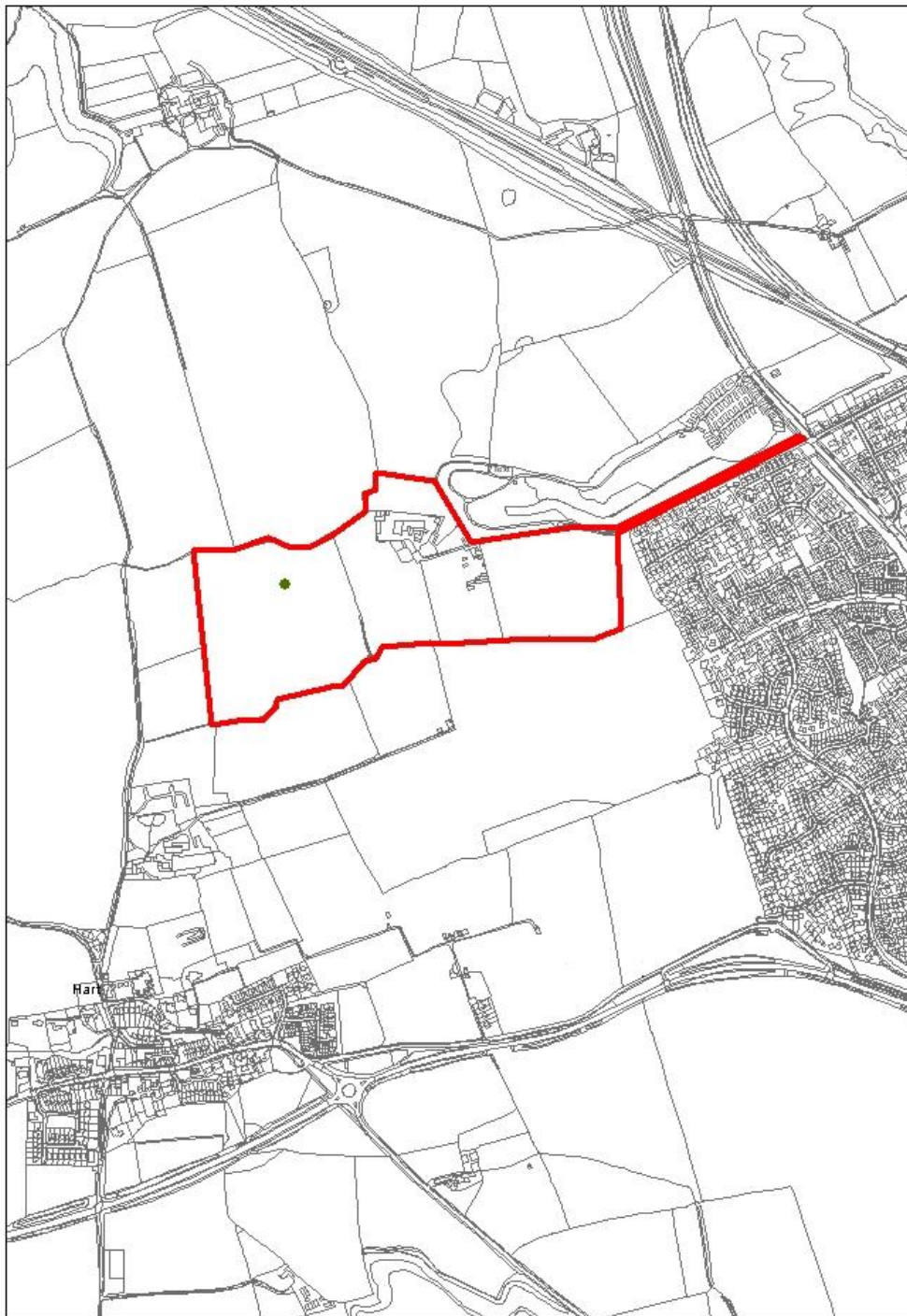
CONTACT OFFICER

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

AUTHOR

- 1.35 Leigh Taylor
Planning Officer
Level 1
Civic Centre
Hartlepool
TS24 8AY
- Tel: (01429) 523537
E-mail: leigh.taylor@hartlepool.gov.uk

NELSON FARM



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

COPYRIGHT RESERVED LICENCE 1000233902013

H/2015/0317
Scale: 1:10000
Date : 06/11/15

No: 2
Number: H/2015/0396
Applicant: Mr Geoff Woodcock Bowburn North Industrial Estate
 Bowburn Durham County Durham DH6 5PF
Agent: Hedley Planning Services Limited Mr Sean Hedley Unit 7
 Hexham Enterprise Hub Burn Lane Hexham NE46 3HN
Date valid: 21/10/2015
Development: Proposed seafront regeneration development including
 creation of multi-functional market/events space, play
 areas and facilities, hard standing and footpaths, lighting,
 cycle stands, alterations to existing vehicular access (to
 car park) and other associated works. Development
 includes demolition of Longscar Centre.
Location: LAND AT THE FRONT SEATON CAREW HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

2.2 The following planning applications are considered to be relevant to the current application site;

2.3 Planning permission was granted on 4th December 2013 for a change of use for the siting of amusements, rides, catering vans and use of the bus station kiosk for sale of hot beverages, snacks and newspapers at three separate parcels of land located along Seaton Carew front and the reopening of the newsagents kiosk within the bus station. The permission was granted subject to a planning condition restricting the operation of the use between 1st April and 30th September inclusive for a period of three years and the use ceasing by 1st October 2016. (H/2013/0432)

2.4 H/2014/0398 – Planning permission was granted on 15th May 2015 for the variation of condition 04 of planning application H/2013/0432 to allow the use of a generator on the site during operational hours.

PROPOSAL

2.5 This application seeks planning permission for a proposed seafront regeneration development including the creation of a multi-functional market/events space, play areas and facilities, hard standing and footpaths, lighting, cycle stands, alterations to existing vehicular access (to car park) and other associated works. The development includes the demolition of the Longscar Centre. The application is accompanied by a proposed masterplan and supporting Design and Access Statement which relates to three areas (that cumulatively form the overall regeneration master plan);

2.6 Area 1. Demolition of the Longscar Centre and development as multi-functional market/events space and other improvement works. This is not within Council ownership and notice has been served on the owners by the applicant. If the acquisition of the property cannot be served by negotiation this would be subject to a Compulsory Purchase Order (CPO), which is a separate legal process to the current planning application). This would facilitate land for the provision of a multi-functional market/events space which would be provided through new hard standing areas that would allow for such temporary events. Other works include improvements to the public realm in the form of cycle stands, new lighting, benches/seating areas. The area would be served by a vehicle access point for the events site.

2.7 Area 2(a) Land north of the Longscar Centre/paddling pool area – the proposals primarily consist of the removal of the paddling pool and the provision of a water play surface facility, beach huts, soft and hard landscaping areas, soft landscaping buffer/mounding to the highway (west), play equipment and picnic areas.

2.8 Area 2(b) The car park and land immediately to the south of the Longscar Centre - The scheme includes proposed upgrade works to the existing car park, primarily relating to the closure of the existing entrance point and the creation of a single entry/exit point (at the existing egress), revisions to the layout of the existing car park and improvements to soft and hard landscaping areas.

2.9 Area 3. Land adjacent to the listed bus stop/clock tower – the proposals primarily consist of the provision of soft landscaping areas with connecting footpaths and new vehicular block paving to the front of the bus stop. The Design and Access statement indicates that this area “would remain open to allow for flexible use for potential events e.g. outdoor concerts, funfairs or markets”.

2.10 The proposals contained within the current application (along with other development proposals for residential development which do not form part of the current application) have been screened (reference H/2015/0161) and in accordance with Section 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the Local Planning Authority has adopted an opinion to the effect that the development is not considered to be EIA development.

2.11 The application has been referred to planning committee as more than 2 objections have been received and in view of the nature of the proposals.

SITE CONTEXT

2.12 The application site relates to land at The Front, Seaton Carew, Hartlepool. The application site encompasses three parcels of land including the Longscar Centre with a car park and Grade II listed bus station and clock tower to the south. The paddling pool and associated land are present to the north of the Longscar Centre (total area approx. 03.68ha). The highway of The Front runs to the west of this land with commercial and residential properties beyond. The esplanade and beach are present to the east. Part of the site falls within Seaton Carew Conservation Area (the Longscar Centre is not included within this).

PUBLICITY

2.13 The application has been advertised by way of neighbour letters (92), site notices (4) and a press notice. To date, 3 objections have been received (1 anonymous) and these can be summarised as follows;

- The land could be better used for other than market stalls
- Once the Longscar is demolished, the land should be incorporated into the Conservation Area

2.14 An objection has been received from acting agents on behalf of Longsco Ltd (who are indicated within the objection as having a long lease on the Longscar Centre) which can be summarised as follows;

- Longsco Ltd wish to use the building for mixed leisure/entertainment/tourist uses with proposed holiday apartments at first floor level and object to the demolition of the Longscar Centre (but are supportive of the proposed seafront regeneration). An 'established leisure provider' would be 'the key operator' to such proposals.
- The retention of the Longscar Centre would be more effective and successful than the proposals to demolish it. The Centre "is profitable in its present form as a mixed leisure/tourist use"
- Longsco Ltd did not receive a consultation letter
- The description is inadequate as it includes reference to demolition and 'regeneration'
- The applicant does not own the Longscar Centre and the company Longsco Ltd "will vigorously contest the CPO". The proposed scheme would not provide any support to the CPO
- Is the demolition of the Longscar Centre for a temporary use a viable proposal? The temporary market stalls would not be sustainable. The proposals would be at a great cost to the Council. Longsco Ltd would welcome the opportunity to work with the Council
- The demolition of the Longscar Centre would 'erode' the "sense of place" along the seafront.
- There are no planning policies (either in the local plan or the NPPF) to justify the demolition of the Longscar Centre. The refurbished Longscar building would assist in the regeneration of Seaton Carew.
- The proposed demolition of the Longscar Centre would be contrary to the aims of the NPPF

To date, one letter of support has been received which supports the demolition of the Longscar Centre.

CONSULTATIONS

2.15 The following consultation responses have been received;

HBC Heritage and Countryside Manager

This site is located in Seaton Carew Conservation Area. The boundary of the application also includes Seaton Carew Bus Station, a grade II listed building. Both

of these are considered to be designated heritage assets under the definition provided by the NPPF.

When considering any application for planning permission that affects a conservation area, the 1990 Act requires a local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The National Planning Policy Framework (NPPF) goes further in seeking positive enhancement in conservation areas to better reveal the significance of an area (Para. 137, NPPF). It also looks for local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness (paras. 126 & 131, NPPF).

In relation to listed buildings the above mentioned Act requires a local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The NPPF states that, 'great weight should be given to the asset's conservation', (Para 132).

Saved local plan policy, HE1, Protection and Enhancement of Conservation Areas is also relevant, along with HE3, Developments in the vicinity of Conservation Areas.

Seaton Carew Conservation Area

In form the Area consists of a frontage of properties facing out to the North Sea, across a wide expanse of sandy beach (at low tide) with a single road running north south to the front (the A178). This road is divided into two parts at the junction with Station Lane (which comes in from the west) with predominantly residential uses to the north and commercial buildings to the south. A more or less continuous frontage of buildings is formed behind the A178, from Lawson Road in the north to South End at the southern end of the conservation area.

This largely continuous frontage is punctuated by The Green, which is a large impressive square of properties set back from The Cliff, and the relatively narrow building-lined Church Street leading up to Holy Trinity Church. The exception to this is a small terrace of properties on the east side of the road at 70 to 79 The Front set with the rear elevations facing the sea. Just south of this group of buildings is the art deco Seaton Bus Station. The boundary of the conservation area skirts tightly around the Longscar Centre located north of 70 to 79 The Front.

Impact of the Longscar Centre on the Conservation Area

The early settlement of Seaton Carew was concentrated on a narrow strip facing the North Sea. With the exception of 70 to 79 The Front the sea frontage was clear of buildings. The frontage to the sea was very informal consisting of rough grass and sand dunes bounded by a bird's mouth fence. The promenade layout was introduced to improve the visitor experience over an extended period starting at the southern end of Seaton in the 1870's and eventually completed with the formation of the Esplanade at the northern end in 1905.

The introduction of the promenade created a more formal access adjacent to the sea front. It did not lead to commercial development. Spaces became more formalised with mowed grassed areas bounded with pathways, and benches were installed to

allow visitors to pause and admire the views. The development that did take place was of a municipal nature with the provision of the bus station and the North Shelter. With the exception of these structures this part of the conservation area remained open and free of obstructions.

The short terrace of 70 to 79 The Front are unassuming low rise buildings, in contrast to those which stand directly opposite. There is not a uniform design to the terrace and it has clearly grown incrementally over a number of years but most are two storey, some with bays to the front and others with shop fronts. Upper floors also have additional bays in some cases but in most sash style windows. The exception to this is 79 The Front which punctuates the end of the terrace rising to three stories, but its mix of bay and sash style windows means it has a character which reflects the rest of the terrace it is attached to.

The groups of terraces which are characteristic of this conservation area mean that buildings are unable to expand horizontally. For the most part development has consisted of the addition of dormers or offshoot extensions to the rear. Located tightly to the back of the pavement the main view that is seen is the original building form with any new development hidden away, visible in some areas from rear lanes.

There are few detached buildings in Seaton which form the exception to this plot design; one is the Longscar Centre. The site provided space for expansion and development with the only restriction its expansive plot. As a result the building has grown incrementally over the years to fill the available space becoming one of the largest structures within this part of Seaton.

Located to the rear of the plot and visible on all four sides the building can be widely viewed from both inside and outside the conservation area. The sheer scale of the building means it dominates all those around it. In particular when looking south to view the commercial centre of Seaton the property dwarfs the terraces of The Front which lie behind it.

When walking along the promenade it is the only building which is located to the rear of its plot. For the most part the visitor is able to view the terraces on the opposite side of the A178 across a grassed area similar to the original layout of the settlement. The tall, sprawling Longscar Centre obstructs these, meaning it is not possible to enjoy expansive views throughout the area as elsewhere on the promenade when adjacent to the property but instead that view is blocked by wall.

'Conservation Area At Risk'

Seaton Carew Conservation Area is considered to be a Conservation Area at Risk. Surveys of the area have been completed since Historic England (previously English Heritage), launched the 'At Risk' register for conservation areas in 2009. In 2012 the area was considered to be 'At Risk' and has continued to be 'At Risk' in consecutive years to date. The following was noted in the 2015 survey under 'factors threatening the character of the conservation area'

Whilst there are a number of contributory factors to the conclusion which has resulted in the area being 'at risk' one of these is the Longscar Building. Although the building is not in the conservation area, by virtue of the boundary running so

closely around the building, it means that the site does impact on the character of the area.

Removal of the building

The removal of the building would eliminate a property that has a different character to those within the Seaton Carew Conservation Area. The design of the building is an anomaly within the area. It is large and has been incrementally developed across the plot to an extent that it dominates the area in which it is located.

At the present time the building has a negative impact on the character of the conservation area. Whilst it is considered to be one of a number of factors which have contributed to the conclusion that the conservation area is at risk, its removal provides an opportunity for a positive enhancement of Seaton Carew, restoring unimpeded views to this part of the conservation area.

Furthermore the installation of a Market Square in this area would restore the openness to this part of the conservation area. This space would reflect the area to the east of the A178 by providing unobstructed views within this section of Seaton to both the small terrace of properties that are 70 – 79 The Front and allowing views across from the commercial area to the promenade and the sea beyond. This in turn will improve the experience felt when using the promenade in this part of Seaton for similar reasons.

The main arrival area for most visitors is the car park to the side of the Longscar Building. The removal of the property would allow for enhanced connections from this point to the commercial part of Seaton and the promenade.

It would also present an opportunity to enhance the area and reinforce this part of the conservation area as one for families. The site is next to the paddling pool area which is the main play offer for families with young children. The provision of the Market Square and the works associated with it would provide a formalised area for activity and a place for meeting which is not currently available. The combination of this and the improved play area and wider enhancements such as the grass mounding to buffer the road, raised planning area with integrated seating and picnic area would reinforce the character of the area as one of a leisure offer.

Works to the setting of Seaton Bus Station

Work has been carried out to the rear of the Bus Station in the past, however this was only to one side of the building with the intention that the remainder would be completed in future phases. These works were never carried out and there is a somewhat unbalance look to the area.

The proposed works echo the symmetry of the listed building and the simple design reflects the clean lines of the Art Deco design of the structure. The design and choice of materials will enhance the setting of the listed building and this part of the conservation area.

Historic England

Based on the information provided I offer the following comments.

Summary

Although the origins of Seaton Carew are medieval, the character of the present settlement stems primarily from the 18th to early 20th century buildings and spaces that line the seafront and the town's powerful visual relationship with the North Sea. I very much welcome this application for improvements to the esplanade and demolition of the Longscar Centre which will enhance the significance of the conservation area and help reaffirm local identity. The development of a comprehensive scheme for the seafront at Seaton Carew will not only conserve its significance but will enhance it by drawing on its historical setting and reinforcing its character, in line with paragraph 137 of the NPPF; consequently, I ask that you take into consideration these huge public benefits for the historic environment when making your decision.

Historic England Advice

Although the origins of Seaton Carew are medieval, the character of the present settlement stems primarily from the 18th to early 20th century buildings and spaces that line the seafront. Like many towns in the Tees Valley this was a time of rapid population growth, with the port of Hartlepool and the arrival of the railway in the early 19th century bringing both industry and tourism. It was around this time that Seaton Carew started to shift its focus away from fishing and agriculture towards accommodating wealthy businessmen wanting to escape the industrial climes of Darlington and Hartlepool, and welcoming holidaymakers and day-trippers. The thread that runs throughout the town's history is its relationship with the North Sea; the buildings along The Front, with a couple of exceptions, face the sea with nothing but the esplanade standing between the two. This creates a powerful visual relationship that is fundamental to the area's character and appearance.

One of the area's greatest assets is the esplanade that extends the length of the settlement and reinforces the area's strong connection with the sea. Over time, however, it has become fragmented, undefined and in places disconnected from the commercial and residential activity. It is these issues that this proposal seeks to address. Reintroducing mini destination points along the seafront, a mix of uses and better access through the area will increase permeability and entice people to explore and make use of the space. The consolidation of existing surfaces and street furniture and introduction of a more coherent, tailored design response will visually tie the conservation area together and reaffirm local identity. But by far the greatest enhancement will come from the demolition of the Longscar Centre. Although not within the conservation area, the site has an unavoidably intimate relationship with its historic surrounds not only because of its proximity to it but also because it is underused and neglected condition is affecting the quality and appeal of the surrounding area. It currently creates a visual and physical barrier between the sea and street and this harmful impact is exacerbated by the lack of reference architecturally to its context. Its demolition not only removes a visually detrimental building but allows a great opportunity to re-establish the link between the street and seafront and create an active and inviting focal point.

The importance of conservation areas and the contribution they make to the historic environment led to the statutory requirement to have special regard to preserving their character and appearance (s.72, Planning (Listed Building and Conservation

Areas) Act 1990). This desirability to conserve is reflected in the National Planning Policy Framework (NPPF) which asks local authorities to look for opportunities within conservation areas or their setting to enhance or better reveal their significance (para.137). The development of a comprehensive scheme for the seafront at Seaton Carew will not only conserve its significance but will enhance it by drawing on its historical setting and reinforcing its character; consequently, the application satisfies the requirements of paragraph 131 of the NPPF by celebrating and reinforcing the 'positive contribution that the conservation of heritage assets can make to sustainable communities'.

I very much welcome this application, which will not only enhance the conservation area's own significance but that of a number of listed buildings within it through improvements to their setting. I am also hopeful that this will support efforts to remove the conservation area from Historic England's Heritage at Risk Register. The success of the scheme will rely on the close monitoring of the work as it progresses though and to that end I would ask that you liaise with you in-house conservation advisors on conditions that will ensure this.

Recommendation

This application will bring about huge public benefits for the historic environment of Seaton Carew, as outlined above, and so I ask that this is taken into account when making your decision.

HBC Landscape Architect

There are no objections to the principle of this proposal, however, a number of comments are offered in relation to issues of maintenance and sustainability, particularly in regards to the intention that HBC take on responsibility for maintenance.

I note that following discussions with the designers Saxon Traffica has been suggested for the events area due to concerns over vehicular traffic for deliveries, etc. As this area is to be maintained by HBC there remain concerns that this may not be robust enough for the types of vehicles associated with the likely use of the events area. The specification of any such construction should take into consideration potential vehicle movements and associated damage for reasons of maintenance and long term sustainability. In terms of aesthetics and design context the use of the same paving in the events area as proposed for the main promenade and as used elsewhere along the promenade may not give the events area the visual distinction that a key use area should have. As the events area is intended to be a high profile location some visual demarcation and distinction in terms of materials would be beneficial.

It is also noted that proposals include a buff Mastertint surface for the public car park area. There are again some concerns regarding the maintenance of this surfacing and associated issues such as staining from tyre marks, oil marks, etc. and potential lack of tonal contrast between the adjacent buff Saxon paving. Details of finalised materials should be supplied for comment.

The water play feature looks to have been downscaled significantly but this would still require more detailed information including proposals detailing its construction

and plant requirements (i.e, is it to have an underground storage tank with mains connection?; what is the likely treatment procedure?; what filtration systems are intended?; what is proposed for any jets or sprays (in relation to legionnella, etc.)?; how will it be filled?; what is proposed for discharging treated water, etc?).

Provision of a detailed soft landscaping layout should be provided and should fully consider the environment involved and maintenance implications.

HBC Arboricultural Officer

The proposed layout encompasses soft landscaping within the overall design. This is broken into 3 areas; Area 1 the central area of the Seafront Regeneration which includes the Longscar Hall, Area 2 which embraces areas just North and South of the Longscar Hall and Area 3 which includes the Bus Station and adjacent grassed sward.

Area 1 will have raised planters incorporated as part of the Landscape contribution.

Area 2 will have buffer planting around the Church Street car park which will be resurfaced.

Area 3 will retain grass sward which would be used to host concerts, funfairs, etc.

No trees are mentioned to be included because of the harsh climate in this area during the winter where mortality rates have been predicted to be high.

The Design and Access Statement prepared by southern green (chartered landscape architects) in Section 8 outline the soft landscaping details including species selection and methodology none of which I have any issues with.

The design layout appears to be well thought out and the choice of species applicable to the seaside location that it will be planted in.

HBC Traffic and Transport

The access to the car park should be widened to 6 metres to allow 2 way traffic flow.

The aisle width between the parking bays should be a minimum 6 metres to allow for safe maneuverability, the plans supplied show an aisle width below this.

If the scheme is approved detailed plans should be supplied for approval prior to construction showing the access, layout and signage of the car park.

There have been concerns raised about parking on the car park access road at its junction with The Front. There are already double yellow lines at this junction. A section of limited 30 minute parking exists on the approach to the car park entrance. In order to help maintain access due to the increased traffic flow, the 30 minute parking should be removed and replaced with double yellow lines and loading / unloading restrictions considered for implementation at the junction. The developer should pay the costs associated with the introduction of these restrictions.

The Sustainable Travel officer has expressed an opinion that the cycle stands should be of a Street Pod design, these offer better security than standard Sheffield type stands. Details of the proposed cycle parking should be supplied for approval prior to the commencement of the scheme.

Details of the proposed enhanced pedestrian crossing on The Front should be submitted prior to commencement of the scheme.

HBC Engineering Consultancy

The boreholes in the report do not provide sufficient information regarding contaminated land. I would request some further intrusive testing and chemical analysis on this site (confirmed that this could be controlled by a planning condition).

I would also require a drainage condition on this application to ensure no flood risk will be passed on elsewhere.

Environment Agency

Environment Agency's position:

I can confirm that no objection to the scheme as submitted has been raised however we would like to offer the following advice:

Flood Risk Advice

We recommend that the applicant signs up to the EA flood warning service as stated in the Flood Risk Assessment.

Further Information: Advice to LPA and Applicant

Bathing Water Directive

Consideration needs to be given to the objectives of the Bathing Water Directive, which aims to safeguard public health and clean bathing waters. Bathing Waters are Protected Areas used by a large number of bathers and have been designated under the Bathing Water Directive.

There are 3 designated bathing waters in Seaton Carew (Seaton Carew North, Seaton Carew Centre and Seaton Carew North Gare). The whole of the sea front regeneration area faces the 3 Seaton Carew Bathing Waters. Therefore, it is vital that consideration is given the classification of the Bathing Waters and impact of the proposed developments on bathing water quality.

Both the Council and the applicant should ensure the achievement and maintenance of at least satisfactory bathing water quality in coastal waters as defined by the Bathing Water Directive, and good ecological quality as defined in the Water Framework Directive (WFD).

Particular emphasis should be given to water quality, which is key to achieving the standards of the Bathing Water Directive. [The new Bathing Water Directive](#) (BWD) introduces more stringent standards which will be reported at the end of the 2015 Bathing Water season. There is a risk that the bathing waters within the development area may fail the revised directive. Therefore, ensuring sufficient bathing water quality must be a key consideration of the development proposal.

Water Framework Directive

The development proposals must have regard to the objectives of WFD and the Northumbria River Basin Management Plan. The WFD is European Legislation designed to protect and enhance the quality of our rivers, lakes, streams, groundwater, estuaries and coastal waters, with a particular focus on ecology. The overall aim of the WFD is to ensure that all waterbodies achieve 'good status' by 2021 and to prevent the deterioration in the status of the waterbodies.

Public Sewage Infrastructure

Sewage collection and treatment infrastructure is in place in and around Seaton Carew to minimise the discharge of untreated sewage to Seaton Carew streams and coast. This infrastructure does include a number of permitted overflows to allow sewage to discharge with some or no screening in times of wet weather, electrical or mechanical breakdown.

Seaton Carew is at the downstream end of this sewage collection infrastructure. Any new development within Seaton Carew and the wider Hartlepool conurbation may result in an increase in the frequency and amount of sewage overflow at Seaton Carew. Therefore, any new development in the wider conurbation should be closely examined to ensure that adequate capacity is available or provided to prevent deterioration in bathing water quality.

Biodiversity Enhancement Opportunities

In order to meet the objectives of the National Planning Policy Framework (paragraph 109), the development proposals should seek to incorporate as many opportunities for biodiversity enhancement. For example, this can be achieved by planting locally native species of local provenance e.g. native wild flowers.

With respect to Seaton Park, the applicant should seek to ensure that native plant species are incorporate into any landscaping design. In addition, as the park lies on seasonally wet deep loam to clay, there is potential to create ponds within the park. This would benefit wildlife and could be used as an education resource for local schools.

Disposal of Foul Drainage

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

Land Contamination

In relation to the proposed development, in so far as it relates to land contamination, we only consider issues relating to controlled waters.

We do not consider this site a priority and as such we are unable to provide detailed site-specific advice or guidance with regards to land contamination issues for this site. However, the developer should be aware that the site is located on a Principal Aquifer which is a sensitive controlled waters receptor which could be impacted by any contamination at the site. The developer should address risks to controlled

waters from contamination at the site, following the requirements of the National Planning Policy Framework and the Environment Agency Guiding Principles for Land Contamination.'

We recommend that developers should:

- 1) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- 2) Refer to the Environment Agency Guiding Principles for Land Contamination for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
- 3) Refer to our website at www.environment-agency.gov.uk for more information.

Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The Conservation of Habitats And Species (As Amended) Regulations 2010
Article 16 of the Town and Country Planning (Development Management Procedure) Order 2010
Section 28 of the Wildlife and Countryside Act 1981 (As Amended)

Internationally and nationally designated sites

The application site is close 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 in close proximity to (250m at the nearest point) the Teesmouth and Cleveland Coast Special Protection Area (SPA) which is a European site. The site is also listed as Teesmouth and Cleveland Coast Ramsar site¹ and also notified at a national level as Seaton Dunes and Common Site of Special Scientific Interest (SSSI). Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Special Protection Areas (SPAs) are classified for rare and vulnerable birds, and for regularly occurring migratory species. The birds for which SPAs are designated may also rely on areas outside of the SPA boundary. These supporting habitats may be used by SPA populations or some individuals of the population for some or all of the

time. These supporting habitats can play an essential role in maintaining SPA bird populations, and proposals affecting them may therefore have the potential to affect the SPA.

It should be noted that the potential impacts that may arise from the proposal relate to the presence of SPA interest features that are located outside the site boundary. It is advised that the potential for offsite impacts needs to be considered in assessing what, if any, potential impacts the proposal may have on European sites.

No objection – internationally designated sites

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, and to assist you in screening for the likelihood of significant effects, based on the information provided, Natural England offers the following advice:

- ☐ the proposal is not necessary for the management of the European site.
 - ☐ that the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment.
- When recording your HRA we recommend you refer to the following information to justify your conclusions regarding the likelihood of significant effects.
- ☐ The application site lies at sufficient distance from the SPA to avoid direct impacts upon it.
 - ☐ The intervening habitat is not considered to comprise high quality supporting habitat for SPA birds.
 - ☐ The application site lies wholly within an area of Seaton Carew sea front that is currently developed.

No objection – no conditions requested, nationally designated sites

This application is in close proximity to Seaton Dunes and Common Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

Other advice

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- ☐ local sites (biodiversity and geodiversity)

- ☐ local landscape character
- ☐ local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at Wildlife and Countryside link.

We note that within Section 9.0 of the Design and Access Statement the “indicative planting palette” includes sea buckthorn *Hippophae rhamnoides*. While we would in most circumstances support the planting of native berry-bearing shrubs, the proximity of the application site to the nationally-important sand dune habitats of Seaton Dunes (which are extremely susceptible to invasion by this shrub) renders the introduction of this species inadvisable.

Protected Species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a ‘reasonable likelihood’ of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that ‘*Every public authority must, in exercising its functions, have regard, so far as is consistent with*

the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Natural England were consulted on the Habitat Regulations Assessment (HRA) produced by the appropriate authority (the Local Planning Authority) and provided a number of recommended changes to the HRA, which were implemented by the LPA into a final HRA.

Tees Archaeology

I have read the archaeological desk based assessment and agree that as this area is reclaimed ground the archaeological potential is very low. I therefore have no objection to the proposal and no further comments to make.

Northumbrian Water

In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control. Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

HBC Economic Regeneration

I fully support the proposals. The regeneration of the front at Seaton Carew is highly welcomed, contributing to the visitor offer and indeed improved facilities for local residents.

The proposals offer the opportunity to develop the local economy which will attract private sector investment and job creation.

HBC Countryside Access Officer

The England Coast Path National Trail runs through this proposed development site and so will need to be taken into account when considering the development of the overall design.

The third layout drawing is the main design that will need to consider the existing route of the National Trail so that its route is not obstructed or unintentionally altered without due legal process or permission.

HBC Public Protection

I would have no objections to this application subject to the following conditions;

The events/markets space (Area 1) and associated curtilage shall only be open to the public during an event between the hours of 0800 - 2200 hours, seven days a week.

The events/markets space (Area 1) hereby approved shall be limited to no more than six (6) events that would require amplified music in any 12 month period. Any event shall be limited to no more than two (2) consecutive days.

The events space at the rear of the bus station (Area3) hereby approved shall be limited to no more than six (6) events that would require amplified music in any 12 month period. Any event shall be limited to no more than two (2) consecutive days.

The events space at the rear of the bus station (Area3) and associated curtilage shall only be open to the public during an event between the hours of 0800 - 2400 hours, seven days a week.

Any fairground and amusements occupying the events space to the rear of the bus station (Area3) shall only operate/be open to the public between the hours of 10:00 and 22:00 hours Mondays to Saturdays inclusive. No ride/attraction/catering outlet, fencing, and any other accommodation and equipment shall be brought onto or removed from the site outside the hours listed above.

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

An hours restriction on construction and demolition activities to 7:30am to 6:00pm Monday to Friday, 8:00am to 12:30pm on a Saturday and at no time on a Sunday or Bank Holiday.

A condition prohibiting any open burning on the construction and demolition sites.

Cleveland Police

I have no comments with regard this application.

Health and Safety Executive

The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site.

RSPB

No comments received to date.

Tees Valley Wildlife Trust

No comments received to date.

Teesmouth Bird Club

No comments received to date.

Hartlepool Civic Society

The Society values the Conservation Area Status of much of Seaton Carew Seafront which includes the Bus Station, Shelters and the Clock Tower, the Marine and Seaton Hotels, the historically important Green and its surrounding buildings.

Having viewed the plans, we are pleased that their implementation should improve and restore the Conservation Area status.

At the southern end of the seafront we note that the setting of the Art Deco bus station and clock tower is to be enhanced and the use of the surrounding area is to be increased.

The plans for the 2 areas north and south of the Longscar Centre whilst increasing the 'feel' of traditional seaside – will attract families to the children's play activities.

It is pleasing that the Art Deco style is to be reflected in the space created by the proposed demolition of the Longscar Centre – the state of which has been of concern for many years.

However we understand, at this late stage of the planning process, there are some issues regarding this building.

It is fortunate that Hartlepool Borough includes such an asset as Seaton Carew and its seafront. Particularly in good weather it is an easily-reached magnet for local people and as well as those living further afield. A number of commercial properties on the Front have been improved by private owners themselves. Implementation of the plans, as well as improving the area and sustaining its Conservation Area Status, should increase its economic viability.

2.16 Copy Letters B

2.17 The period for publicity has expired.

PLANNING POLICY

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

Local Policy

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

Policy	Subject
GEP1	General Environmental Principles
GEP2	Access for All
GEP3	Crime Prevention by Planning and Design

GEP9	Developers' Contributions
GEP12	Trees, Hedgerows and Development
To3	Core Area of Seaton Carew
To4	Commercial Development Sites at Seaton Carew
Tra5	Cycle networks
Tra7	Pedestrian linkages
Tra16	Car Parking Standards
Rec1	Coastal Recreation
Rec9	Recreational Routes
Rec14	Major Leisure Developments
GN1	Enhancement of the green network
GN3	Protection of key green spaces
HE1	Protection and enhancement of the conservation areas
HE2	Environmental improvements in conservation areas
HE3	Development in the vicinity of conservation areas

National Policy

2.20 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 in the NPPF are of particular relevance to this application:

Para	Subject
2	Application of planning law (development plan and material considerations)
6	Purpose of the planning system – creation of sustainable development
7	Three dimensions to sustainable development
9	Pursuing sustainable development
11	Determination in accordance with the development plan
12	Status of the development plan
13	The National Planning Policy Framework constitutes guidance
14	Presumption in favour of sustainable development
17	Core planning principles

56	Design of the built environment and its contribution to sustainable development.
57	High quality inclusive design
60	Promotion or reinforcement of local distinctiveness
61	The connections between people and places
63	Innovative design
64	Improving the character and quality of and area
69	Healthy, inclusive communities
70	Social, recreational and cultural facilities
75	Public rights of way
96	Minimise energy consumption
99	Managing climate change risks in vulnerable areas
103	Ensuring that flood risk is not increased elsewhere.
109	Enhancing the natural and local environment
111	Use of previously developed land
114	Improve access and enjoyment of the coast
128	Significance of a heritage asset
129	Impact upon a heritage asset
131	Positive contribution towards local character and distinctiveness
132	Significance of a heritage asset and it's setting
134	Less than substantial harm to a heritage asset
137	Positive contribution to a heritage asset
196	Determination in accordance with the development plan
197	Presumption in favour of sustainable development
203	Conditions or planning obligations

Planning Policy comments (summary):

2.21 Planning Policy considers that the principle of development for the proposed seafront regeneration development is acceptable and would constitute sustainable development.

Other relevant documents:

2.22 Seaton Carew Masterplan Supplementary Planning Document (2015). The SPD was subject to extensive public and professional support resulting from consultation. The masterplan was endorsed by the Council's Regeneration Services Committee report on 28 August 2015 and subsequent Full Council decision on 17.09.2015.

PLANNING CONSIDERATIONS

2.23 The main material planning considerations when considering this application are the principle of development the impact on the character and appearance of the surrounding area, the impact on the setting of heritage assets including the conservation area, the impact on the amenity of neighbouring land users, the impact on highway and pedestrian safety, and matters of flooding and ecology. These any other matters are considered as follows;

PRINCIPLE OF DEVELOPMENT AND IMPACT ON CHARACTER AND APPEARANCE OF SURROUNDING AREA

2.24 The overriding objective of planning is to contribute to the achievement of sustainable development; this objective is echoed in the NPPF particularly as the presumption in favour of sustainable development (economic, environmental and social) is the golden thread running through the NPPF.

2.25 It is considered that the proposed three phased development will enhance the offer of Seaton Carew, having a positive impact on the environment, through the reconfiguration and enhancement of the public realm which will in turn have social benefits for users of the facilities and economic benefits to businesses operating within Seaton Carew.

2.26 Key to the proposals is the demolition of the Longscar Building. It is considered that the appearance, condition and prominent location of the long term vacant building has had a detrimental impact on the experience of users of the seafront for a number of years. The impact is twofold as identified in the Seaton Carew SPD:

The Longscar Building has a detrimental impact on Seaton Carew Conservation Area for two main reasons. The incremental extension of the building into the current incoherent group of structures contrasts with the architecture of the Conservation Area. Little of the character of the neighbouring buildings or that of the wider area is found within the design of the property. As a result its location in such a central position means it appears as somewhat of an anomaly in its current location. Furthermore its vacant state has a negative impact on the area, with a dead frontage facing on to the main commercial area and the promenade to the rear, having a detrimental impact on the vitality of the adjacent areas.

At the present time the building has a negative impact on the character of the Conservation Area. It is considered to be a significant contributing factor to the conclusion that the Conservation Area is at risk. Its removal would, therefore provide an opportunity for a positive enhancement of Seaton Carew. It would remove a property that has a different and adverse character to those within the Seaton Carew Conservation Area. The design is an anomaly within the area; it is both large and has been incrementally developed across the plot to an extent that it dominates the area in which it is located. Its removal would restore unimpeded views to this part of the Conservation Area although this should not be seen as the sole consideration.

2.27 It is considered that the proposed scheme will assist in addressing the ongoing issues created by the massing, location, form and condition of the Longscar building, creating a sustainable alternative use for the area which will enhance the tourist offer of Seaton Carew. It is considered that the demolition of this building will result in significant visual improvement to The Front from a number of areas within and without the conservation area including the adjacent esplanade and commercial/residential frontage.

2.28 It is considered that the design of the public space, proposed materials, landscaping and structures will enhance the appearance of the area, as well as improving pedestrian connectivity and views between the commercial core of Seaton Carew and the promenade. These proposals will positively contribute towards the ongoing regeneration of Seaton Carew, helping to achieve the aims of Seaton Carew Masterplan.

2.29 The proposed regeneration scheme primarily consists of new hard and soft landscaped areas with the provision of a multi-functional market/events space (with no permanent structures to be erected on this) centrally within the parcel of land (on the site of the Longscar Centre). Other works include the improvement to the public realm adjacent to the listed clock tower and bus station whilst the provision of street furniture in the form of seating areas, cycle stands and beach huts will improve the functionality and interest of the site as a whole whilst enhancing the existing provision/offer within the area.

2.30 The scheme also includes the provision of a water play surface area which will also contribute to the enhanced offer of the site to public users. It is considered that the proposals will enhance the local environment providing a modern design that is open, attractive, safe and accessible to users compliant with the principles of saved Policies To3, Rec1 and Rec9, which seek to improve Seaton Carew as a tourist/recreational destination.

2.31 The Council's Arboricultural Officer has raised no objections to the proposals and has commented that no trees are detailed due to the harsh climate of the area during the winter. The Council's Landscape Architect has commented that the scheme is acceptable from a visual perspective but has provided advisory comments in respect of suitable hard standing and surfacing materials, colours and finishes. Full details of all hard surfacing/landscaping and soft landscaping can be secured by planning conditions. Further details of street furniture and details of the water play feature can be secured by separate planning conditions.

2.32 The proposals are also supported by the Council's Economic Regeneration Manager who has commented that the proposals are highly welcomed and offer the opportunity to develop the local economy which will attract private sector investment and job creation.

2.33 In view of the above, it is considered that the overall design, scale and siting of the works would assist in improving the overall visual amenity of the surrounding area. It is further considered that the proposals would represent a sustainable form of development and the principle is accepted in this instance subject to the scheme satisfying other material planning considerations as set out below.

IMPACT SETTING OF HERITAGE ASSETS INCLUDING CHARACTER AND APPEARANCE OF CONSERVATION AREA

2.34 The majority of the application site falls within the Seaton Carew Conservation Area. The site also includes the Grade II Listed bus station and clock tower. There are also identified heritage assets adjacent to the site including a number of listed buildings along The Front. The application is accompanied by a Heritage Statement.

2.35 Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 requires the Local Planning Authority to give special consideration to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possesses and to the desirability of preserving or enhancing the character or appearance of conservation areas.

2.36 Furthermore, development decisions should accord with the requirements of Section 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework which notes that heritage assets are an irreplaceable resource and emphasises that they should be conserved in a manner appropriate to their significance. Para 132 of the NPPF notes that *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be”*.

2.37 Whilst not within the Seaton Carew Conservation Area boundary, the Longscar Building is bounded by it and majority of the development site is within the Conservation Area. As such, it is considered that the condition of the building over the long term has had a sustained negative impact on this heritage asset as well as the setting of heritage assets in the vicinity of the site. It is considered that the demolition of this building and the proposed development will improve the setting of heritage assets and have a significant positive impact on the Conservation Area, which is currently classified as ‘at risk’ by Historic England.

2.38 Historic England have also commented that the proposed development would both conserve the conservation area’s significance and also enhance it by drawing on its historical setting and reinforcing its character. As a result, Historic England considers that the proposal would *“bring about huge public benefits for the historic environment of Seaton Carew”* and therefore satisfy the requirements of paragraph 131 of the NPPF by celebrating and reinforcing the ‘positive contribution that the conservation of heritage assets can make to sustainable communities’.

2.39 The Council’s Heritage and Conservation Manager has endorsed these views and also commented that the proposed works in and around the listed bus station and clock tower *“echo the symmetry of the listed building and the simple design reflects the clean lines of the Art Deco design of the structure. The design and choice of materials will enhance the setting of the listed building and this part of the conservation area”*.

2.40 In view of the above and weighing up any ‘harm’ of the development, it is considered that the proposals, which are supported by both the Council’s Heritage and Conservation Manager and Historic England, are considered to be sensitive to the historic nature of the area and compliant with saved local plan Policies HE1, HE2 and HE3 and the provisions of the NPPF and is therefore acceptable in this respect.

AMENITY OF NEIGHBOURING LAND USERS

2.41 The proposed works are considered to be of a modest scale and taking into account the established setting of the site where such activity can be reasonably

expected, and the remaining separation distances to neighbouring properties, it is considered that the proposed scheme will not result in a significant adverse impact on the amenity and privacy of surrounding neighbouring land users including pedestrians. With respect to the proposed multi-functional market/events space (on the site of the existing Longscar Centre) and the aforementioned potential for events on land to the rear of bus station, these are for temporary events with no permanent buildings to be erected on these sites.

2.42 Furthermore, the Council's Public Protection team has raised no objections to the scheme subject to a restriction on the hours of use of the market/events space (Area 1) and the land to the rear of the bus station (Area 3) and a limit on the total number of events featuring amplified music at both sites, which can be secured by separate planning conditions. Consideration is also given to the 'fall back' position of permitted development (temporary uses of land) whereby land (particularly the land to the rear of the bus station) could be used *"for not more than 28 days in total in any calendar year, of which not than 14 days in total may be for the purposes of the holding of a market"*.

2.43 The Public Protection team has also recommended conditions in respect of hours of construction/demolition/deliveries and the requirement for a construction and demolition management plan, which can be secured by separate planning conditions. Subject to the above, it is considered that the proposal will not result in any significant adverse loss of amenity for neighbouring land users in terms of noise disturbance.

HIGHWAY AND PEDESTRIAN SAFETY

2.44 The Council's Traffic and Transport section has raised no objections in principle to the scheme subject to the widening of the proposed access/egress to the car park, amendments to the isle width of the car parking spaces and provision of car park signage. This is considered to be acceptable and the final details can be secured by a planning condition.

2.45 The section has also advised that works will be required to amend the existing parking restriction in place at the point of the car park exit/the entry onto The Front. This would be controlled through a Traffic Regulation Order and a planning condition is recommended accordingly. The section has also provided comments in respect of suitable cycle parking facilities which can be secured by a planning condition. Subject to the required planning conditions, it is considered that the proposal will not result in an adverse impact upon highway and pedestrian safety.

2.46 The proposed plans indicate the provision of an 'enhanced pedestrian crossing' to connect the site to the properties along The Front. These works do not form part of the current application/site boundary and could be undertaken/controlled through permitted development and separate legislation.

ECOLOGY

2.47 The application sites is situated close to the European site of Teesmouth & Cleveland Coast Special Protection Area (SPA)/Ramsar site and also notified at a

national level as Seaton Dunes and Common Site of Special Scientific Interest (SSSI). The Ramsar site and the European site share a boundary and interest features though the numbers of qualifying birds are lower for the Ramsar site.

2.48 The application is accompanied by a Habitat and Protected Species Risk Assessment.

2.49 A Habitats Regulations Assessment (HRA) has also been undertaken by the Local Planning Authority (as the Appropriate Authority). The HRA concludes that the regeneration of Seaton Front would be limited to improvements or amendments to existing facilities, such as parking, works to the paddling pool, landscaping elements (both hard and soft), the provision of various street furniture, provision of a temporary events/market space and demolition of the Longscar centre. The HRA accompanying the 2015 Seaton Carew Supplementary Planning Document looked in particular at possible effects associated with increased recreational disturbance on the SPA and concluded that it was anticipated that it would make this part of Seaton Front more attractive to visitors, but it is not introducing any major new attractions which would significantly change the current pattern or numbers of visitor use.

2.50 Furthermore, the application site is considered to lie at sufficient distance from the SPA to avoid direct impacts upon it and the intervening habitat is not considered to comprise high quality supporting habitat for SPA birds. It is also recognised that the application site lies wholly within an area of Seaton Carew sea front that is currently developed.

2.51 Therefore it is concluded that the current planning application would not have a significant effect on the SPA, SSSI or any other European site.

2.52 Natural England has been consulted on both the SPD and the current planning application (including the HRA) and has commented that they consider that the application is unlikely to have a significant effect on any nationally designated site or European site and can therefore be screened out of requiring any further assessment.

2.53 Natural England has provided advisory comments in respect of recommended landscaping species. As set out above, the final landscaping scheme can be secured by a planning condition.

2.54 Natural England has also provided comments in respect of the standing advice on protected species. The potential for bats within the Longscar Centre was considered as part of the aforementioned screening opinion, in which the Council's Ecologist (at that time) concluded that this was relatively low risk for bats and therefore a bat survey would not be required.

2.55 The main part of the site relates to open, landscaped areas. It is considered that in this instance, there are limited opportunities for biodiversity enhancements save for an appropriate landscaping scheme. Taking the above considerations into account, it is considered that the proposal is acceptable in respect of ecology and any identified impacts on protected designated sites.

FLOODING AND DRAINAGE MATTERS

2.56 Part of the application site falls within flood zones 2 and 3. A flood risk and drainage assessment has been submitted which has been considered by the Council's Engineering Consultancy section who have commented that further details of surface water drainage will be required to ensure that no flood risk will be passed on elsewhere and this can be secured by a planning condition.

2.57 The Environment Agency has also considered the submitted information and has raised no objections to the scheme in this respect. Northumbrian Water has raised no objections to the scheme in terms of drainage, including foul sewerage.

2.58 In view of the above and subject to the identified planning condition, the scheme is considered to be acceptable in terms of flooding and drainage related matters.

ARCHAEOLOGY

2.59 Tees Archaeology has considered the submitted information and has confirmed that archaeological potential at the site is very low. The scheme is therefore considered to be acceptable in this respect.

CONTAMINATED LAND

2.60 In terms of land contamination, the Council's Engineering Consultancy section has commented that further investigations will be required in respect of contaminated land. This can be secured by an appropriate planning condition. The Environment Agency has also provided guidance on this matter, which will be passed to the applicant through informative notes on the decision notice.

PLANNING OBLIGATIONS

2.61 The Council's Planning Policy section have advised that given the nature of the proposal, which will significantly improve the green infrastructure links in this area of Seaton Carew along the promenade as well as improve the play provision in the area, there will be no additional requirements for planning obligations from the scheme.

RESIDUAL MATTERS

2.62 The Council's Countryside Access Officer has commented that a National Trail runs through the proposed development site and therefore the developer will need to ensure that this is not obstructed or altered. This matter is covered by separate legislation. This can be appended as an informative.

2.63 With respect to the objection received commenting that once the site of the Longscar Centre has been cleared/developed, the land should be incorporated into the conservation area, these comments are noted however this would need to be considered through a formal process/review of the conservation area boundaries.

2.64 The Environment Agency has provided advisory comments/guidance on the Bathing Water Directive, the Water Framework Directive and public sewage infrastructure, which will be passed to the applicant through informative notes on the decision notice.

2.65 The application has been considered through the Health and Safety Executive's Planning Advice tool, the outcome confirms that the proposed development site does not currently fall within the consultation distance (CD) of a major hazard site or major accident hazard pipeline. The scheme is therefore acceptable in this respect.

2.66 In terms of the objection received on behalf of Longsco Ltd, the Local Planning Authority undertook the relevant consultations of neighbouring land users and details provided of land owners, based on the information at that time and this included Longsco Ltd.

2.67 In terms of the application description, the Local Planning Authority considers this to be satisfactory in this instance in view of the proposed development. The demolition of the Longscar Centre constitutes 'building operations' and therefore comes within the definition of 'development'. Whilst such works would require prior approval in its own right (a form of permission), such demolition works would be covered by the current planning application, should planning permission be granted. This is covered in online National Planning Practise Guidance which states "*where the demolition of one or more buildings is required as part of a redevelopment, details of the demolition can be included in the planning application. This will enable the local planning authority the opportunity to consider demolition alongside other aspects of the development*". Details for the method of construction and demolition is secured by way of a planning condition.

2.68 With respect to the proposed scheme (and the demolition of the Longscar Centre) not being viable, there is no formal requirement within national or local planning policies to justify the demolition of the existing commercial building or the viability of the proposed regeneration scheme. As set out above, it is considered that clear and substantial benefits would arise from the demolition of the existing building and the proposed regeneration scheme.

2.69 The Council's Public Protection team has recommended a planning condition in respect of restriction on open burning; whilst these comments are noted, this matter can be controlled through separate legislation.

EQUALITY AND DIVERSITY CONSIDERATIONS

2.70 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

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

2.72 There are no Section 17 implications.

REASON FOR DECISION

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

RECOMMENDATION – APPROVE subject to the following planning conditions;

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with plans 752/SC/100 (Site Location Plan at 1;750), 752/SC/002 (Detail Areas Plan Sheet 1 of 3), 752/SC/003 (Detail Areas Plan Sheet 2 of 3) and 752/SC/004 (Detail Areas Plan Sheet 3 of 3) received by the Local Planning Authority on 14.09.2015; plan 752/SC/100 REV A (Site Location Plan at 1;1250) received by the Local Planning Authority on 21.09.2015 and plan 752/SC/001 REV E (Phase 1, 2, and 3 Landscape Masterplan) received by the Local Planning Authority on 22.09.2015 unless otherwise agreed in writing with the Local Planning Authority.
For the avoidance of doubt.
3. Notwithstanding the submitted details, a detailed scheme of soft landscaping and shrub planting shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced. The scheme must specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, details of the existing and proposed levels of the site including any proposed mounding and or earth retention measures, and be implemented in accordance with the approved details and programme of works.
All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the completion of the development or an alternative timescale agreed in writing with the Local Planning Authority. Any trees, plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.
In the interests of visual amenity and to ensure a satisfactory form of development.
4. Notwithstanding the proposals detailed in the Design and Access Statement/submitted plans and prior to the commencement of development, details of proposed hard landscaping and surface finishes (including the proposed car parking areas, market square/events area, footpaths and any other areas of hard standing to be created) shall be submitted to and agreed in writing by the Local Planning Authority. This will include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. The agreed scheme shall be implemented prior to the operation of the site and/or the site being open to the public. Any defects in materials or workmanship appearing within a period of

12 months from completion of the total development shall be made-good by the owner as soon as practicably possible.

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

5. Notwithstanding the submitted plans and prior to the commencement of development, a scheme showing the widening of the car park access and provision of car parking spaces, to Local Planning Authority standards, shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall thereafter be completed to the satisfaction of the Local Planning Authority before the car park hereby approved is brought into use unless otherwise agreed in writing with the Local Planning Authority.
In the interests of highway and pedestrian safety and in the interests of the visual amenity of the surrounding area.
6. No development shall commence until a scheme of car parking signage, highway measures and parking restrictions adjacent to the existing car park and the junction to The Front has been submitted to and agreed in writing by the Local Planning Authority including a timetable for the works. The scheme shall include details of appropriate signage, and lining/markings on the highway. The agreed scheme shall be implemented in accordance with the approved timetable and details.
In the interests of highway and pedestrian safety and in the interests of the visual amenity of the surrounding area.
7. Development shall not commence until a detailed scheme for the disposal of surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.
To prevent the increased risk of flooding from any sources in accordance with the NPPF.
8. The development hereby approved shall be carried out having regard to the following:
 1. Site Characterisation
An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - a. human health,
 - b. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - c. adjoining land,
 - d. groundwaters and surface waters,
 - e. ecological systems,
 - f. archeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of 1 (Site Characterisation) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of 2 (Submission of Remediation Scheme) above, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a validation report must be prepared in accordance with 3 (Implementation of Approved Remediation Scheme) above, which is subject to the approval in writing of the Local Planning Authority.

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled

waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. Notwithstanding the submitted plans, the final details of the railings, gate piers and other means of boundary enclosure shall be submitted to and approved by the Local Planning Authority before the development hereby approved is brought into use. Thereafter the development shall be carried out in accordance with the approved details.

In the interests of visual amenity.

10. Notwithstanding the proposals detailed in the Design and Access Statement/submitted plans and prior to the development hereby approved being brought into use, full details of all street furniture including secure cycle parking, children's play equipment, waste storage, picnic benches, beach huts and seating areas shall be submitted to and agreed in writing with the Local Planning Authority. The elements shall be carried out in accordance with the details so approved.

To ensure a satisfactory and sustainable form of development.

11. Notwithstanding the proposals detailed in the Design and Access Statement/submitted plans and prior to the development hereby approved being brought into use, full details of the proposed water play feature/surface as indicated on plan 752/SC/002 (Detail Areas Plan Sheet 1 of 3, date received 14.09.2015), shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall include details of its construction and plant requirements, tanks treatment and filtration procedure, details of any jets or sprays and details for the disposal of water. These elements shall be carried out in accordance with the details so approved.

To ensure a satisfactory and sustainable form of development.

12. Prior to the erection of any external lighting associated with the development hereby approved, full details of the method of external illumination, siting, angle of alignment; light colour, luminance of external areas of the site, including parking areas, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed the lighting shall be implemented wholly in accordance with the agreed scheme.

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

13. The events/markets space (Area 1 as identified within section 3.0 Masterplan Proposals of the Design and Access Statement and plan 752/SC/003 - Details Area Plan Sheet 2 of 3, date received 14.09.2015) hereby approved shall be used for temporary events only and no permanent structures or buildings shall be sited on this parcel of land without the prior written consent of the Local Planning Authority.

For the avoidance of doubt.

14. Events/markets in the events/markets space (Area 1 as identified within section 3.0 Masterplan Proposals of the Design and Access Statement and plan 752/SC/003 - Details Area Plan Sheet 2 of 3, date received 14.09.2015) and associated curtilage shall only take place between the hours of 0800 - 2200 hours, on any day.

In the interests of the amenities of the occupants of neighbouring properties/land users.

15. The events/markets space (Area 1 as identified within section 3.0 Masterplan Proposals of the Design and Access Statement and on plan 752/SC/003 - Details Area Plan Sheet 2 of 3, date received 14.09.2015) hereby approved shall be limited to no more than six (6) events that would require amplified music in any 12 month period. Any event shall be limited to no more than two (2) consecutive days.
In the interests of the amenities of the occupants of neighbouring properties/land users.
16. No development shall take place until a Construction and Demolition Management Plan has been submitted to and agreed in writing with the Local Planning Authority to agree the routing of all HGVs movements associated with the construction phases, and to effectively control dust emissions from the site remediation and construction works. The Construction Management and Demolition Plan shall address earth moving activities, control and treatment of stock piles, parking for use during construction, measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing, sheeting of vehicles, offsite dust/odour monitoring and communication with local residents.
To avoid excessive noise and disturbance to the occupants of nearby properties.
17. No construction/building or demolition works or deliveries shall be carried out except between the hours of 07.30 am and 06.00 pm on Mondays to Fridays and between 08.00 am and 12.30pm on Saturdays. There shall be no construction or demolition activity including demolition on Sundays or on Bank Holidays.
To avoid excessive noise and disturbance to the occupants of nearby properties.
18. Events within the events space at the rear of the bus station/clock tower (Area 3 as identified within section 3.0 Masterplan Proposals of the Design and Access Statement and plan 752/SC/004 - Details Area Plan Sheet 3 of 3, date received 14.09.2015) and associated curtilage shall only take place between the hours of 0800 - 2400 hours, on any day.
In the interests of the amenities of the occupants of neighbouring properties/land users.
19. The events space at the rear of the bus station/clock tower (Area 3 as identified within section 3.0 Masterplan Proposals of the Design and Access Statement and plan 752/SC/004 - Details Area Plan Sheet 3 of 3, date received 14.09.2015) hereby approved shall be limited to no more than six (6) events that would require amplified music in any 12 month period. Any event shall be limited to no more than two (2) consecutive days.
In the interests of the amenities of the occupants of neighbouring properties/land users.
20. Any fairground and amusements occupying the events space to the rear of the bus station/clock tower (Area 3 as identified within section 3.0 Masterplan Proposals of the Design and Access Statement and plan 752/SC/004 - Details Area Plan Sheet 3 of 3, date received 14.09.2015) shall only operate/be open to the public between the hours of 10:00 and 22:00 hours on any day. No ride/attraction/catering outlet, fencing, and any other accommodation and equipment shall be brought onto or removed from the site outside the hours listed above.

In the interests of the amenities of the occupants of neighbouring properties/land users.

BACKGROUND PAPERS

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

CONTACT OFFICER

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

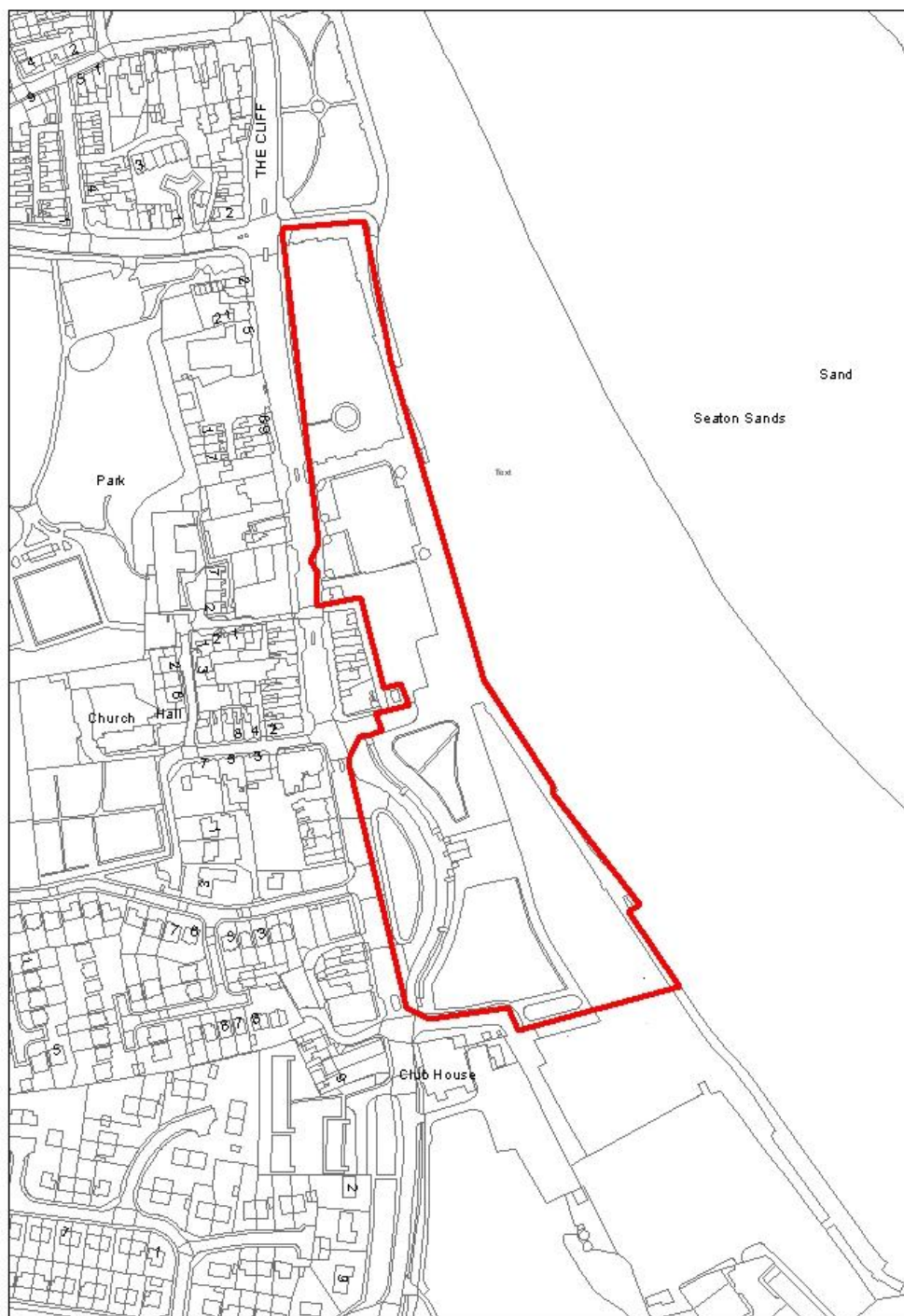
Tel: (01429) 523400
E-mail: damien.wilson@hartlepool.gov.uk

AUTHOR

2.76 Daniel James
Senior Planning Officer
Hartlepool Borough Council
Civic Centre (Level 1)
Victoria Road
Hartlepool
TS24 8AY

Tel: (01429) 524319
E-mail: daniel.james@hartlepool.gov.uk

SEAFRONT REGENERATION



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

COPYRIGHT RESERVED LICENCE 1000233902013

H/2015/0396
Scale: 1:3000
Date : 06/11/15

No: 3
Number: H/2015/0316
Applicant: Mr William Cooper The Green Easter Park READING
West Berkshire RG7 2PQ
Agent: BARTON WILLMORE MR LIAM TATE 3RD FLOOR 14
KING STREET LEEDS LS1 2HL
Date valid: 09/09/2015
Development: Construction of a temporary Solar Farm, to include the
installation of Solar Panels with transformers, a District
Network Operator (DNO) substation, security fence and
gate (incorporating infra-red beam system) and other
associated infrastructure
Location: Land at Blue House Farm Stockton Road Newton Bewley
BILLINGHAM BILLINGHAM

PURPOSE OF REPORT

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

BACKGROUND

3.2 There is no planning history at the application site that would be of material relevance to the development of this site.

3.3 Within the vicinity of Newton Bewley a planning application has been received for a Solar array on 10.8ha of land at Low Burntoft Farm located some 1km to the northwest across the A689 (H/2015/0315). This application is pending.

3.4 The applicant made a request in February 2015 for a Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

3.5 A formal screening was issued by this Authority dated 8th April 2015 which confirmed that, having applied the criteria outlined in Schedule 2 of the Regulations, that it was the opinion of the Council that the development as proposed would not be likely to have significant effects upon the environment by reason of factors such as the nature of the development, its size and its location.

PROPOSAL

3.6 This proposal seeks to locate a Solar Photovoltaic installation (Solar Farm) with the potential to generate approximately 5Mwp of electricity on 11ha of land consisting of two fields located in a broadly central location within the Blue House Farm holding. Electricity generated would be notionally capable of powering up to 1,700 homes and this would be exported to the grid under an arrangement with an

independent connection provider (ICP) utilising their permitted development rights under S17 of the Town and Country Planning (General Permitted Development) Order 1995.

3.7 The physical presence of the solar array would consist of a total of 18,768 x 260W fixed tilt crystalline dark blue solar panels fixed at an angle of 20 degrees in 30 south facing rows. The height of each panel would be 2409mm high affixed to a steel frame and mounted into the ground on concrete shoes. The panels are proposed to be laid out in east-west rows with a distance of some 5m between each row. To the rear of each panel are located inverters that convert the sunlight to an AC current that is then stepped up by the on-site transformer before being transmitted to the grid.

3.8 It is also intended to locate the following on the site to service the power generation of the solar array:

- 3 x low voltage switches/transformers in wired fenced enclosures 3.5m square and 2m high with associated enclosed cabinets 1.8m high;
- A brick built DNO (Direct Network Operator) station 5.4m x 4.94 x 4.8m high to the apex of the double pitch roof plus attached meter room;
- A containerised energy storage system, 2.43m wide x 2.89m high x 12.192m deep.
- A metering Cabinet
- A 1.2m high pole mounted infra red beam security system;

3.9 The boundary of the site would be enclosed by a 2.2m high wire mesh deer fence with gated entrance. In addition, an existing access road from the A689 would be improved to carry HGV deliveries during the construction period and extended to the site with vehicle turning area capable of accepting HGVs formed outside of the site.

SITE CONTEXT

3.10 The site consists of two adjoining fields of improved grassland separated by a wire fence currently used to graze, cattle, sheep and horses under the tenancy of the Blue House Farm. The boundaries of the combined field benefit from a mature hedge and tree hedgerow with substantial gaps consisting of mainly native species with some gaps. The land is level and located within an agricultural setting with Blue House Farmhouse and separate farm cottage located some 100m to the west. Surrounding land is all agricultural in its use.

3.11 To the north is the A689 dual carriageway linking Hartlepool with Billingham and beyond. The nearest settlements are the northern edge of Billingham located some 500m to the south and the small settlement of Newton Bewley located some 800m to the north west.

3.12 A subterranean Gas pipeline runs through the north eastern corner of the field red-lined as part of the application site but located some 10 metres outside of the perimeter fence of the solar array. Northern Gas Networks, HSE and the pipeline operators have been consulted.

3.13 There are no public footpaths located nearby and the access to the site from the A689 is a private driveway.

PUBLICITY

3.14 The application has been advertised by way of neighbour letters, a site notice and a press notice. To date, there have been 10 letters received from local residents, six of which object to the proposal.

3.15 The concerns raised are:

- Adverse impacts upon the local landscape;
- Loss of 15% of the land of this working holding;
- The central position within the agricultural tenancy would give rise to inconvenient and disturbance with regard to access; problems with land drainage and livestock security;
- The proposed site is of high grade arable land within the green belt and it is generally felt that commercial developments should not be sited upon good quality land but focused instead on existing commercial and industrial sites;
- Such a development would be a blot on the landscape;
- Would result in an increase of traffic on the A689
- Would result in the loss of wildlife habitat;
- Proximity to other solar farms in Newton Bewley and within the Borough of Stockton;
- Would generate noise;
- Would result in reflection of sunlight, glint and glare.

3.16 Four letters of no objection have been received.

3.17 Copy letters **C**

3.18 The period for publicity has expired.

CONSULTATIONS

3.19 The following consultation replies have been received:

HBC Arboriculturalist: A landscaping scheme for the proposed development has been included within the appendix of the Landscape and Visual Impact Assessment. The scheme includes the planting of native species hedgerow to augment the existing sections of hedgerow at the site boundaries, as well as the planting of a number of hedgerow trees. The scheme should, as it matures, should serve to mitigate for the visual intrusion of the proposed development and help to integrate it into the surrounding environment. I would consider the submitted landscaping details acceptable.

HBC Public Protection: No objection

HBC Ecologist: The Biodiversity Management Plan submitted as part of the application for a Solar Farm, ref no H/2015/0316, is acceptable and should result in a significant enhancement for biodiversity. Its implementation should be conditioned. The pond adjacent to the site has been found to have evidence of the presence of Great Crested Newts (GCN). However the development itself poses a low risk of harm to GCN due to the nature of the development. A series of Reasonable Avoidance Measures are given in section 5.3.2 of the Extended Phase 1 and Protected Species Report, to avoid any harm to GCN from the development. These should be conditioned.

HBC Traffic and Transportation: the provisions made for highway implications set out in the Traffic Management Plan are acceptable

HBC Engineers: No comments on this application

HSB Economic Regeneration: No objection

HBC Landscape Architect: No objections on landscape and visual grounds. Although the proposal does introduce additional elements that convey an industrial perception, the site involved and the landscape proposals put forward suggests that the overall landscape and visual impact should be of a relatively low scale.

Tees Archaeology: there are no known heritage assets of archaeological interest within the development area. The physical footprint of the development is small and is unlikely to have a significant impact on as yet unidentified deposits.

Northern Gas Networks: Confirm that their high pressure pipeline runs in excess of 100m from the eastern boundary of the site and would not be affected by the proposed development.

HSE: HSE does not wish to be consulted on solar arrays and solar farm developments in the vicinity of other major hazard sites and major hazard pipelines, as they are not a relevant development under the Town and Country Planning (Development Management Procedure) (England) Order 2015, and will not lead to a material increase in the number of people in the vicinity of the major hazard.

Sabic/Ineos: (pipeline operator) SABIC and INEOS are not objecting to these applications, however we do need to ensure that the work at these sites that is within 50 metres of the MAHP is controlled by the pipeline operator. The pipeline operator has been in discussion with Anesco and has agreed to restrictions.

Ramblers Association: We note that no PROW is affected and have no further comment.

Teesmouth Bird Club: The club is in agreement with the biodiversity enhancement proposals in compliance with NPPF clauses 117 / 118. Any approval should have as a condition that the sward management should be as specified with a cutting management plan and not devolved to livestock grazing and its tendency to be overgrazed. There is a small population of tree sparrows in the area and their numbers can be enhanced by nest boxes fitted to trees or poles in proximity to trees

or hedging. Crab Apples, a local but seldom planted tree, could be considered as a replacement to some of the Field maple standards.

Hartlepool Civic Society: The Society has studied the plans for these proposed developments.

We are concerned with the number of these applications in the area recently, and the cumulative effect they will have. Of huge importance is the impact on the visual appearance and character of the area.

Whilst accepting the need for alternative energy, we do not want to see the pastoral landscape being radically altered to be replaced with swathes of solar panels – which **still** have an industrial feel about them.

Surely, there is room to accommodate some solar installations but these should be discreetly placed away from areas of public access and be landscaped to reduce impact plus seeking to enhance biodiversity.

We are somewhat confused with the landscape plan for 0316 – as it seems to be for a different site towards Carlton/Hardwick.

The prime consideration for all of these developments must therefore, be landscaping and hedging to retain the countryside character of the area.

Elwick Parish Council: No objection, but concern about the possible impact of sun reflection on drivers if the hedges around the site are not sufficiently high.

Stockton Borough Council: The submitted glint and glare does not appear to assess any receptors within the Stockton Borough Council; the A1185 Seal Sands Link Road should be assessed (it is noted that the borough boundary crosses this road at points).

The proposed solar farm development is located outside the Stockton Borough Council (SBC) boundary to the north east of Billingham. A number of viewpoints have been assessed but none of these fall within the SBC area. Two of the viewpoints are located on the SBC boundary at a public road (viewpoint 4) and a public right of way (Viewpoint 10), but both of these are assessed to have a 'neutral' magnitude of effect on the view. It is a concern that none of the assessed viewpoints are within Cowpen Bewley Woodland Park. This country park is a popular attraction for residents in the local area, to enjoy the rural setting and views across the surrounding landscape. The focal point of the park is a small mound which rises to 30m AOD, allowing 360 degree views. It is considered that this is a key location which should be included in the landscape and visual impact assessment.

The submitted landscape drawings indicate gapping up of hedgerows to mitigate the visual impacts. Small hedge plants are proposed, and robust Landscape Management will be required to ensure establishment, and that they reach their screening height to mitigate the visual impact of the development. Whilst there is limited visibility of the proposed control buildings, the submitted drawings 001476_401A and 001476_402A give no indication of their proposed colour or

materials. These buildings should reflect the local character, in terms of colour and materials to minimise their impact on landscape character and visual amenity, or should be screened from public view where possible. The large sign included on the side of the building in drawing 001476_402A is not appropriate to the rural location.

The submitted documentation gives no information about the connection from the proposed development to the National Grid. This connection is an important factor for consideration when reviewing the proposals, and that any connections whether above or below ground could lead to impacts upon landscape character and visual amenity, which should be considered as part of this application.

Natural England: No objection.

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

PLANNING POLICY

Local Policy

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

3.21 The following 2006 Local Plan policies are relevant to this proposal:

GEP1	General environmental principles
GEP12	Trees, hedgerows and development
PU7	Renewable energy developments
Tra15	Restriction on access to major roads
Rur14	Tees Forest

National Policy

3.22 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 making, these being; empowering local people to shape their surrounding, proactively drive and support economic development, ensure a high standard of design, respect existing roles and character, support a low carbon future, conserve the natural environment, encourage re-use of previously developed land, promote mixed use developments, conserve heritage

assets, manage future patterns of growth and take account of and support local strategies relating to health, social and cultural well-being.

Paragraph 2 – NPPF as a material consideration

Paragraph 11 – Determination in accordance with the development plan

Paragraph 12 – Development in accordance with an up to date development plan

Paragraph 13 - The National Planning policy Framework constitutes guidance

Paragraph 14 - Presumption in favour of sustainable development

Paragraph 17 – Core Planning Principles

Paragraph 19 - supporting sustainable economic growth

Paragraph 66 - Community involvement

Paragraph 97 – Increase the use and supply of renewable and low carbon energy;

Paragraph 98 – Approval of applications for energy development if impacts are, or can be made acceptable

Paragraph 103 – Development informed by a site specific flood risk assessment.

Paragraph 109 – Enhancing the Natural Environment

Paragraph 111 – Encourage the use of previously developed land;

Paragraph 112 – Use of poorer quality agricultural land

Paragraph 118 – Enhancing biodiversity as part of new development;

Paragraph 197 – Presumption in favour of sustainable development

Summary of Policy Comments: Solar photovoltaic developments are a key renewable technology that can help to create a clean, balanced UK energy mix. The Government is committed to increasing the supply of renewable energy and recognises the role that solar developments can play in meeting the UK's renewable energy targets and creating a low carbon economy.

Solar farm developments should be supported provided they are appropriately sited, give proper weight to environmental issues such as landscape and visual impact, heritage and local amenity. In policy terms therefore this proposal is supported subject to the Council being satisfied that:

- the development will not have an adverse impact on the landscape and that the mitigation measures proposed can minimise the visual impact
- glint and glare from the development will not pose any significant risks
- site access arrangements are adequate
- the development will not result in any increased risk of flooding, either to the site itself or elsewhere
- the mitigation/enhancement measures proposed will result in a net increase in local biodiversity
- there are no implications on the existing major pipeline which affects the site

PLANNING CONSIDERATIONS

3.23 The main issues for consideration in this instance are the appropriateness of the proposal in principle in terms of the policies and proposals held within the Development Plan, highways, design and layout, anti social behaviour, impact on the amenity of neighbouring properties, and the character and integrity of the surrounding countryside.

Principle of Development

3.24 National planning policy contained within the National Planning Policy Framework (NPPF) supports the development of renewable energy with paragraph 93 of NPPF recognising the importance of the planning regime in delivering renewable energy. In this respect, renewable energy is considered to be a central tenet to the economic, social and environmental dimensions of sustainable development.

3.25 Paragraph 14 of the NPPF states that “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. For decision-taking this means approving 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:
- 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.

3.26 Sustainable development has therefore been made a core principle set out in Paragraph 17 of the NPPF which underpins government planning guidance and which is considered to be central to the economic, environmental and the social success of the country. These three principles are expected to be pursued in an integrated manner to provide for solutions and deliver multiple goals. The NPPF considers that there need not be an inherent contradiction between achieving increased levels of development and protecting and enhancing the environment, provided that development is planned and undertaken responsibly and the planning system is expected to take an active role in guiding development to sustainable solutions.

3.27 Paragraph 97 of NPPF states that to help the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation.

3.28 Paragraph 98 of NPPF states that when determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. In addition, Local Planning Authorities should approve the application if its impacts are (or can be made) acceptable.

3.29 The Secretary of State for Communities and Local Government issued a Written Ministerial Statement on Renewable Energy Developments on 10 October 2013. This states that NPPF includes a strong protection for the natural and historic environment. It goes on to state that some local communities have genuine concerns that when it comes to developments such as wind turbines and solar farms insufficient weight is being given to local environmental considerations like landscape, heritage and local amenity. Though continuing to support the

presumption in favour of sustainable development the new guidance makes it clear than the need for renewable energy does not automatically override environmental protections and the views of local communities should be listed to.

3.30 The Planning Practice Guidance (PPG) published on 6 March 2014 states that increasing the amount of energy from renewable and low carbon technologies will help make sure that the UK has secure energy supply, reduce greenhouse gas emissions and slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable. The PPG also set out particular advice in terms of large scale ground mounted solar photovoltaic farms.

3.31 The Secretary of State for Communities and Local Government issued a further written Ministerial Statement on 25 March 2015 stating that the Government's Solar Photovoltaic Strategy underlines the importance of focusing growth on domestic and commercial roof space and previously developed land. The Statement goes on to state as the solar strategy noted, public acceptability for solar energy is being eroded by the public response to large scale solar farms which have sometimes been sited insensitively...'Protecting the global environment is not an excuse to trash the local environment.'

3.32 In respect of adopted Hartlepool Local Plan (2006), the following saved policies remain relevant to the determination of this application:

Policy GEP1 is a broad ranging policy which centres on the external appearance of development and its relationships with its surroundings in the landscape whereas;

Policy GEP12 is concerned with the retention of existing, and planting of additional, trees and hedgerows within development sites.

Policy Tra15 seeks to restrict new access points, or the intensification of existing accesses, on major roads – including the A689 – in the interests of highway safety.

Policy PU7 of the Hartlepool Local Plan 2006 supports renewable energy developments projects in order to facilitate the achievement of national targets for new electricity generating capacity. The policy states that in determining applications for such projects significant weight will be given to the achievement of wider environmental and economic benefits, account will also be taken of the potential effects upon;

- The visual appearance and character of the area;
- The amenity of local residents;
- Ecology
- Airport and radar telecommunications.

3.33 The impact of the development upon visual appearance and character of the area, the amenity of local residents, ecology and aviation safety are all assessed in detail below.

3.34 Both national and local planning policy seeks to support the development of renewable energy providing the impacts are or can be made acceptable. Therefore it is considered that the proposed development has the potential to be acceptable in principle subject to detailed consideration of its potential effects.

Landscape Impact

3.35 Located some 500m to the south of the A689, there is the potential for the site to be visible from the highway given the level topography of the landscape. The present boundary hedgerows have gaps as well as variations in thickness therefore offering only intermittent screening from the wider landscape. It should be noted that the proposed deer fenced perimeter of the solar installation would be set at least 5 metres within the outer hedgerow.

3.36 The Landscape and Visual Assessment (LVIA) presents a landscape strategy to assimilate the proposed development into the surrounding landscape and thereby minimise the effects upon the local landscape character and amenity and improve the ecological potential benefits of both the site and the surrounding landscape.

3.37 Though the existing boundary hedgerow provides for valuable linear habitats, the hedgerow has gaps in parts and the proposal would seek to restore and enhance planting with native hedgerow species that would fit the existing species mix. Infilling of hedgerow gaps would take place in the autumn with the margin below maintained as rough grassland. The intention is to provide a dense hedgerow cover of some 3m in height that would effectively screen the solar installation from outside view. A Broadly triangular belt of meadow grassland with some woodland planting would be created on the northern eastern corner of the site located outside of the perimeter fence on land that is crossed by the gas pipeline. This would provide for an operational buffer between the perimeter fence and the pipeline of some 10 metres. As well as meadow grassland, this part of the site would also accommodate a mix of native species such as Common Hazel, Common Hawthorn, Blackthorn and Common Oak, planted in single species groups of 10 – 20 plants.

3.38 A meadow grassland mix would be used to seed both the interior of the site and the remaining land beyond the fence perimeter. The interior of the site would be mowed on an annual basis with the exterior being mown on a 2 -3 year cycle.

3.39 The landform is one of undulating land within the Rural Fringe (NCA Profile 23 – Tees Lowlands) and is probably of low agricultural value and low landscape value. However, no land survey assessment has been produced either by the applicant or by an agent acting for the tenant to support their claim in respect of the quality of the land. Currently the site is being used for the grazing of animals including the tenant's horses. Though the development can be interpreted as introducing an industrial use into the countryside, the use is nonetheless temporary over a 40 year period when the land would then be returned to an agricultural use.

3.40 Though it is maintained by the tenant's representative that the proposal would result in the unacceptable loss of high grade land from agricultural use the land is not

designated as the best and most versatile agricultural land and it is not considered its loss to agricultural production would outweigh the benefits of the proposal.

3.41 With the implementation of the landscaping scheme as proposed in the LVIA, improvements to the hedgerow would result in the removal of gaps and provide for a robust screening of the solar installation within its perimeter from wider view within the surrounding landscape. This screening would be enhanced within the north eastern corner of the site by additional tree planting beyond the perimeter fence over land that will also serve as a buffer for the gas pipeline that passes below.

3.42 Stockton Borough Council commented that none of the viewpoints in the LVIA were located to the south of the site from within their boundary. In particular they observed that views from Cowpen Bewley Woodland Park, a popular destination for visitors located 1.3km from the site was not taken into consideration.

3.43 An addendum to the LVIA showing potential viewpoints from the urban edge of Billingham, some 500m to the south, was submitted to this Authority on 27th October 2015 and provided a 360 degree viewpoint (Photograph 15) located within a mound within the park. This shows a mixed landscape consisting of lower lying woodland, water bodies and rough grass forming the near distance with the industrial areas of Billingham and Middlesbrough informing the wider and more distant view with undulating farmland with ridge located to the right in the direction of Greatham.

3.44 The application site is located within this distant view where numerous pylons traverse the view diminishing the visual amenity experience. The visibility of the site is also filtered at this distance by intervening hedgerow boundaries. The proposed development would form only a segment of the middle to far distant landscape already populated with a number of Pylons and already naturally screened by intervening hedge and tree screens. Given these existing intervening landscape features and the low profile of the solar panels, the development would have a small magnitude of effect in respect of the view from the grounds of Cowpen Bewley Woodland Park even without the remedial planting proposed. The reinforcement of the hedgerow planting gapping up the existing hedgerows, particularly on the southern boundary will serve to further reduce any visual impact upon this site.

3.45 The Council's Landscape Architects were consulted on the proposals and have commented that although the presence of a solar farm within the rural fringe does introduce additional elements that convey an industrial perception to receptors, as a result of the landscaping proposed the visual impact is considered to be relatively low. As such the Council's Landscape Architects raise no objections.

3.46 Overall, the proposed planting scheme would result in a positive benefit to the character of the local landscape and serve to effectively screen the solar installation from wider view by the retention and enhancement of trees and hedgerows related to the development. As such the proposal would comply with the requirements of saved policies GEP1 Policy GEP12 of the Hartlepool Local Plan (2006).

Ecology

3.47 Linked to the maintenance and improvement of the site is the retention and improvement of ecological habitats. The submitted Biodiversity Management Plan identifies the site as intensively grazed grassland comprised of rye grass and various other coarse grasses with a short sward containing herbs such as white clover and shepherds purse.

3.48 The boundary of the fields that will enclose the site is defined by a hedgerow, of mature hawthorn, gappy in parts of the northern southern and eastern boundaries, with a number of mature trees such as an Ash and perpendiculate Oaks interspersed within the hedgerow.

3.49 A pond is located some 10m to the north east of the site and this has been identified as being a habitat of Great Crested Newts, a European protected species. By means of an ecological enhancement a new pond would be created in the North West corner of the site in order to increase the value of the site for breeding Great Crested Newts (GCN). This would be achieved by providing additional breeding opportunities for the GCN and would also serve to improve the resilience of this species within the locality.

3.50 Reasonable avoidance measures would need to be undertaken to ensure that no works associated with the proposal would risk harming the Great Crested Newt or their habitats. In this respect, a separate condition would need to be applied to any planning permission granted to implement mitigation measures contained in Section 5.3.2 of the submitted Extended Phase 1 Habitat Survey and Phase 2 Protected Species Survey in respect of the protection of the GCN population.

3.51 No hedgerow removal would be required to undertake the construction works and the site would be prepared in a manner to avoid any damage to the hedgerows and trees by erecting the perimeter fence as the first part of the development. The function of this would be to separate the hedgerows and trees from the construction area prior to the commencement of the construction works and, to provide for a 10m wide operational Buffer Zone.

3.52 Hedge and tree planting would be carried out in accordance with the details and timetable provided within the appendix to the LVIA with the site and surrounds be seeded as wildflower meadow to increase the botanical biodiversity of the sward. This is intended to provide for enhanced conditions suitable for small mammals such as the harvest mouse and field vole. This, in turn, would provide a food source for other species such as the kestrel and the barn owl encouraging them to use and, possibly colonise the site. The meadow planting would also provide larval food plants for a number of butterflies and moths. This would then provide a food source for bats and would also serve to benefit and encourage a wide range of invertebrates such as bees.

3.53 To support the increase in biodiversity, it is proposed to erect two tree mounted bat-boxes in order to maximise and encourage bat occupancy particularly for species other than the Common Pipistrelle which is known to already frequent the wider locality. Also, two Barn Owl boxes would be provided on trees located within the hedgerow on the south eastern corner of the site. The rationale behind this is to encourage occupation by this species which has experienced population decline.

3.54 As implemented, Biodiversity Management Plan would result in a significant enhancement to the biodiversity of the locality over a sustained period of the some 40 years, the expected operational life of the solar installation. As such, the proposal would comply with the requirement of paragraph 109 of the NPPF and saved Policy PU7 of the Hartlepool Local Plan in having the potential significantly improve the natural environment of the locality.

Glint and Glare

3.55 A Glint and Glare Assessment has been undertaken by the applicant to assess the potential for solar reflections affecting any of the local receptors such, as the carriageway of the A689, the nearby dwellings located on Blue House Farm; dwellings at Newton Bewley.

3.56 Given the level topography of the landscape and existing hedge and tree boundaries the applicant is able to demonstrate that there would be no glare experienced by drivers using the highways located north (A689) or south of the site. On estate roads or dwellings in Billingham.

3.57 At present, without further landscape mitigation, solar glare is predicted for one dwelling located on the Blue House farmstead early morning from March to mid April from 0615GMT for approximately 15 minutes per day. However, the proposed additional hedge and tree screening, as proposed within the LVIA, would remove this when the replacement hedging is in place and mature ensuring that no solar reflections leave the site and impact upon the dwelling.

3.58 In addition, the study also indicated that there is no expected impact upon aircraft safety with the Tees Valley Airport being located some 16 km distant. The comments of Durham Tees Valley Airport, Ministry of Defence and the Civil Aviation Authority are awaited. In respect of highway users, HBC Traffic and Transportation have indicated that they have no highway concerns.

3.59 By avoiding any material detriment by reason of glint and glare on both local, more distant receptors and aircraft approach paths, the proposal subject to the comments of the outstanding consultees appears to comply with the requirements saved Policy GEP1 of the Hartlepool Local Plan (2006).

Transport Impact

3.60 There are two distinct elements in respect of highway safety in the implementation of this proposal. The first pertains to highway movements during the construction period which is expected to be of 10 to 12 weeks duration involving major HGV deliveries of solar panel and other materials to the site. The second element would consist of maintenance visits once the site has become operational.

3.61 This application is likely to generate a significant amount of traffic on the highway network during the construction and decommissioning phase of the development and, as such a Transport Statement has been prepared to demonstrate

compliance with paragraph 32 of the NPPF in terms of providing a safe and suitable access to the site.

3.62 Access to the site would be made direct from the westbound dual carriageway of the A689 onto a 4m wide track serving Blue House Farm improved to Direct Network Operator (DNO) standards.

3.63 It is proposed that HGV vehicles would turn left or right from the site access onto the dual carriageway as indicated in the swept path analysis figure in appendix 3 of the report accessing the strategic road network via the nearby junction with the A19. Access of HGVs onto and off the A689 would be subject to management by banksmen as part of the Construction Traffic Management Plan.

3.64 Within the site, an area of hardstanding would be provided along the track to allow for the manoeuvring of all HGVs including 16.5m long articulated trucks to allow them to enter and leave the site in a forward gear and reduce mud risk onto the highway. A similar area would be provided within the application site.

3.65 Some two HGV movements are expected per day during the construction period. Though this would lead to an increase in the number of vehicles using the A689 in terms of workers vehicles and other smaller commercial vehicles this would be for the relatively short construction period only. In this respect, the Transport Statement estimates the total number of vehicle movement during this period to reach 34. However, this, on balance would be considered de-minimis in relation to the daily traffic usage along the A689.

3.66 Once the development is completed and the solar installation functioning, the likely visits to the site would be for maintenance and inspection only and involve 1 - 2 visits a week by van or 4 x 4 vehicle.

3.67 The Councils Traffic and Transportation Section have indicated that the provisions made for highway implications as set out in the Traffic Management Plan are acceptable. The comments of the Highways Agency are awaited. On balance, subject to satisfactory comments from the Highways Agency, the proposal would comply with guidance contained within paragraph 32 of the NPPF in providing for a Transport Statement and Traffic Management Plan that is able to identify and put in place a satisfactory framework for traffic management during the construction period of the development.

Noise and Vibration

3.68 Outside of the construction period the solar installation would, in effect, operate silently under normal circumstances. Any noise that might be generated from the arrays would relate to mechanical noise from switchgear and this would be at a level that is indiscernible outside of the site. The nearest pair of dwellings are located some 100m to the west at Blue House Farmstead and would be too distant to be affected by any faint click of switchgear that might be generated. Other dwellings are over 500m distant on the edge of Billingham or in Newton Bewley, are at too great a distance ever to be affected by incidental low level localised sounds. No objections have been raised by HBC Public Protection.

3.69 There would be no discernible noise or indeed vibration disturbance generated by this development that other than the switchgear, has no moving parts. There would therefore be no material impact upon the residential amenity of local residential receptors. As such, the proposal would comply with the requirements of saved Policy GEP1 of the Hartlepool Local Plan (2006).

Pipeline

3.70 A subterranean Gas pipeline runs through the north eastern corner of the field red-lined as part of the application site. Plan number 001476-200 Rev C shows the pipeline located some 10 metres outside of the perimeter fence of the solar array. Northern Gas Networks was consulted in respect of the proximity of the application site to the pipeline and had no comments to make. The HSE were also consulted and have commented that HSE does not wish to be consulted on solar arrays and solar farm developments in the vicinity of other major hazard sites and major hazard pipelines, as they are not a relevant development under the Town and Country Planning (Development Management Procedure) (England) Order 2015, and will not lead to a material increase in the number of people in the vicinity of the major hazard.

3.71 The pipeline operators have been contacted directly and have confirmed that discussions have taken place with the developer and as such raise no objections regarding the development. The pipeline operator has confirmed that sufficient controls are in place under legislation separate to planning therefore no planning conditions are required.

Flood Risk

3.72 The site is located within the Environment Agency's Flood Zone 1, which identifies the site as being within an area of low risk in respect of flooding.

3.73 Being a form of development which is located directly upon prepared soft ground without any extensive foundation work, there would be a negligible increase in impermeable surface area. This would allow for natural drainage of the site to continue functioning as before into the soil surface where natural infiltration into the underlying soils would occur. This, in effect, would retain the existing hydrological characteristics of the site.

3.74 With the site being maintained as a grass surface, any increase in surface water run-off is estimated to be negligible and any surface water run-off measures are considered to be unnecessary. Both the Environment Agency and HBC Engineers have been consulted on this aspect of the application and neither has raised any comment in respect of the drainage of the site or flood risk. Nonetheless it is recommended that a generic drainage condition be applied to any consent that may be granted to ensure that the run-off and hydrology characteristics of the site remain essentially the same as before the development. No further mitigation measures with regard to surface water run-off are considered to be necessary.

Cumulative Impact

3.75 The proposal has been considered in its own terms and with regard to the cumulative impact, this being one of two Solar Arrays being proposed within the vicinity of Newton Bewley in the locality. A similar development has also been proposed in respect of a solar array on 10.8ha of land at Low Burntoft Farm located to the northwest across the A689 (H/2015/0315). This application is pending. However, located at a distance of 1km to the North West across the A689 highway it is considered that together, both developments would have a barely discernible impact cumulatively on the broader landscape character given their separation, scale and location within the intervening undulating topography.

Impact Residential Amenity

3.76 Considerable concern has been raised, particularly by local residents, on a number of issues and those that are material to the determination of this planning application. All of the issues raised such as the use of agricultural land, quality of the land, impacts upon the landscape, cumulative impacts and proximity to other solar farms, and any increase in road traffic, noise and glint & glare have already been addressed within the body of this report.

Conclusion

3.77 The development goes some way towards meeting the requirements of National Policy contained in the National Planning Policy Framework and the Department of Energy and Climate Change National Policy Statement both of which seek to address the causes and impacts of climate change and provide for sustainable sources of renewable energy generation. Positive elements of this proposal would be:

- ☐ The potential to generate a significant amount of electricity from a non-polluting renewable source;
- The potential to maintain and improve habitats and biodiversity;
- The extent of visual self containment of the site offered by existing hedgerows and by proposed hedgerow enhancement, tree and meadow grass planting;
- There would not be any significant detrimental impact on landscape character;
- The application site lies outside any landscape designated area.

☐ 3.78 With the additional planting, the residential and visual amenity of nearby dwellings would be maintained.

3.79 The proposal would have considerable benefit in respect of being a form of development that would be able to generate substantial levels of electricity in a sustainable manner without significant detriment to the landscape or detriment to the amenity enjoyed by local residents or the wider community including recreational users. The benefits of this proposal are therefore considered to override the concerns that have been expressed by third parties with regard to the development setting a having a detrimental impact on landscape character, utilizing agricultural land or highway safety.

3.80 On balance, the proposed development is considered to be acceptable. Conditions are recommended to ensure that the development is undertaken in a satisfactory manner and in line with the advice received from consultees.

EQUALITY AND DIVERSITY CONSIDERATIONS

3.81 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

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

3.83 There are no Section 17 implications.

REASON FOR DECISION

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

RECOMMENDATION - APPROVE subject to satisfactory comments being received from Durham Tees Valley Airport, the Civil Aviation Authority, the Ministry of Defence and the Highways Agency, the following conditions and any other conditions arising from the outstanding consultations:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby approved shall in all respects accord strictly with the following drawings and documents:
 - Q1500038_04Rev.A : Location plan scale 1:5000;
 - 001476_100/Rev B: Location Maps;
 - 001476_200/Rev.C Site Plan (Layout);
 - 001476_401/revB: Typical Buildings;
 - 001476_402/rev.B: Containerised Energy Storage;
 - 001476_400/Rev.B; Elevations Sections Fence;
 - Solar Photovoltaic Glint and Glare Study, dated August 2015;
 - Biodiversity Management Plan dated August 2015;
 - Results of Extended Phase 1 Habitat Survey and Phase 2 Protected Species Survey and Ecological Appraisal dated August 2015;
 - Flood Risk Assessment dated 20th August 2015;
 - Transport Statement dated August 2015;
 - Landscape and Visual Impact assessment dated September 2015;
 - Planning Statement Dated September 2015;
 - Design and Access Statement dated September 2015;
 - Traffic Management Plan;

Validated by the Local Planning Authority on 2nd September 2015 and the Addendum to Landscape and Visual Impact assessment received by this Authority on 27th October 2015.

To ensure that the proposed development is carried out in accordance with the drawings and submitted documents forming part of the application to which this approval relates.

3. Before the development hereby approved is commenced, details of a scheme for the management of the site's surface water run-off shall be submitted to and approved in writing by the Local Planning Authority. The details shall include as a minimum:

- Details of the final drainage scheme, including pathways and flow routes for excess water during extreme weather;
- Demonstration, prior to operation of the site and to the satisfaction of the Local Planning Authority, that relevant parts of the scheme have been completed in accordance with the details agreed.

The scheme shall thereafter be managed and maintained in accordance with approved details unless otherwise approved in writing by the Local Planning Authority.

To prevent the increased risk of flooding and to minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development.

4. When the land ceases to be used as a photovoltaic park for renewable power production or, at the end of the period of 40 years from the date of grid connection (such date to have been given to the Local Planning Authority within one month of grid connection), whichever shall first occur, the use hereby permitted shall cease and all materials and equipment brought onto the land in connection with the use shall be removed and the land restored, in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority prior to the decommissioning works taking place. Such details shall include the time scale for decommissioning.

The application has been assessed in accordance with the details submitted by the applicant and, taking into account the benefits of the production of renewable energy. At the end of the design life of the development the land should be restored in order to protect the visual amenity and character of the surrounding countryside.

5. No external artificial lighting shall be installed during the operation of the site as a solar PV facility without the prior written consent of the Local Planning Authority.

In the interests of the visual amenity of the area.

6. All satellite navigation systems used to direct delivery drivers to the site shall be pre-programmed so that they accord with the agreed route in the Transport Management Plan.

In the interests of highway safety.

7. Landscape planting shall be in accordance with the details provided in appendix A:1 'LVIA Methodology' of the Landscape and Visual Impact Assessment submitted with this application and all additional planting shall be implemented in the first planting season after the first use of the development. No existing hedgerows and trees indicated to be retained shall be uprooted, removed, destroyed or worked upon unless in accordance with appendix A:1 'LVIA Methodology' or otherwise specifically agreed in writing with the Local

Planning Authority. If any retained tree or hedgerow is felled, uprooted, removed, destroyed or dies, another tree shall be planted at the same place (or hedgerow reinstated) and that tree and hedge shall be of such size, species and density, and shall be planted at such time as may be specified in writing by the Local Planning Authority. Any trees, plants or shrubs which within 5 years of the completion of the development die, are removed or become seriously diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

In order to protect trees and hedgerows of public amenity and ecological value.

8. The routing of the heavy goods vehicles to the site and; the provision of the temporary access to serve vehicles during the period of construction shall be constructed and maintained strictly in accordance with the Traffic Management Plan submitted as part of this application. All temporary hardstanding areas and buildings associated with construction shall be removed from the site when construction of the development is complete. The site shall then be reinstated to its original condition including the field gate entrance.
In the interests of Highway Safety.
9. Details in respect of the provision of wheel washing facilities for use by vehicles leaving the site shall be submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities, as approved, shall be in situ and ready for use prior to the commencement of the development.
In the interests of highway safety.
10. The mitigation measures indicated in Section 5.3.2 of the Extended Phase 1Habitat Survey and Phase 2 Protected Species Survey shall be undertaken to avoid harm to a population of Great Crested Newts, identified as being present in nearby ponds. The mitigation measures shall be implemented prior to the commencement of the development and maintained in situ thereafter for the duration of the use of the site.
In order to protect the habitat of a European Protected Species
11. No development hereby permitted shall be commenced until a Construction Management Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include details of:
 - The timetable of the works;
 - Limiting daily hours of construction to between 0700 – 19.00 hours Monday to Friday; 07.00 – 17.00 hours on Saturday with no working on Sundays and Bank Holidays/Public Holidays;
 - Location of the works compound where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the construction phase;
 - Areas on site where delivery vehicles and construction traffic will load or unload buildings materials, finished or unfinished products, parts, crates, packing materials and waste;
 - The means of enclosure of the site during construction works; and

The Construction Management Statement shall be strictly adhered to during the construction of the development hereby permitted, unless a variation is approved in writing by the Local Planning Authority.

- In the interests of amenity, public convenience and highway safety, including preventing inconvenient obstruction and delays to public transport and service vehicles and to emergency vehicles.
12. No construction traffic or delivery vehicles shall be parked off-site on the highway for loading or unloading purposes unless prior written agreement has been given by the Local Planning Authority.
In the interests of amenity, public convenience and highway safety, including preventing inconvenient obstruction and delays to public transport and service vehicles and to emergency vehicles.
 13. Full written details of the external finishes to the ancillary buildings shall be submitted to and approved in writing by the local planning authority prior to their erection. The approved finishes shall be implemented and retained thereafter.
In the interests of visual amenity.
 14. The ecological enhancement and management of the site shall be undertaken wholly in accordance with the details and measures contained within Biodiversity Management Plan, dated August 2015 and submitted to inform this application.
To maintain and enhance the biodiversity of the site.
 15. Access and egress to the site for Heavy Goods Traffic and Plant during the construction period shall be undertaken in strict accordance with the provisions of the Traffic Management Plan submitted in support of the development.
In the interests of amenity, public convenience and highway safety.

BACKGROUND PAPERS

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

CONTACT OFFICER

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

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

AUTHOR

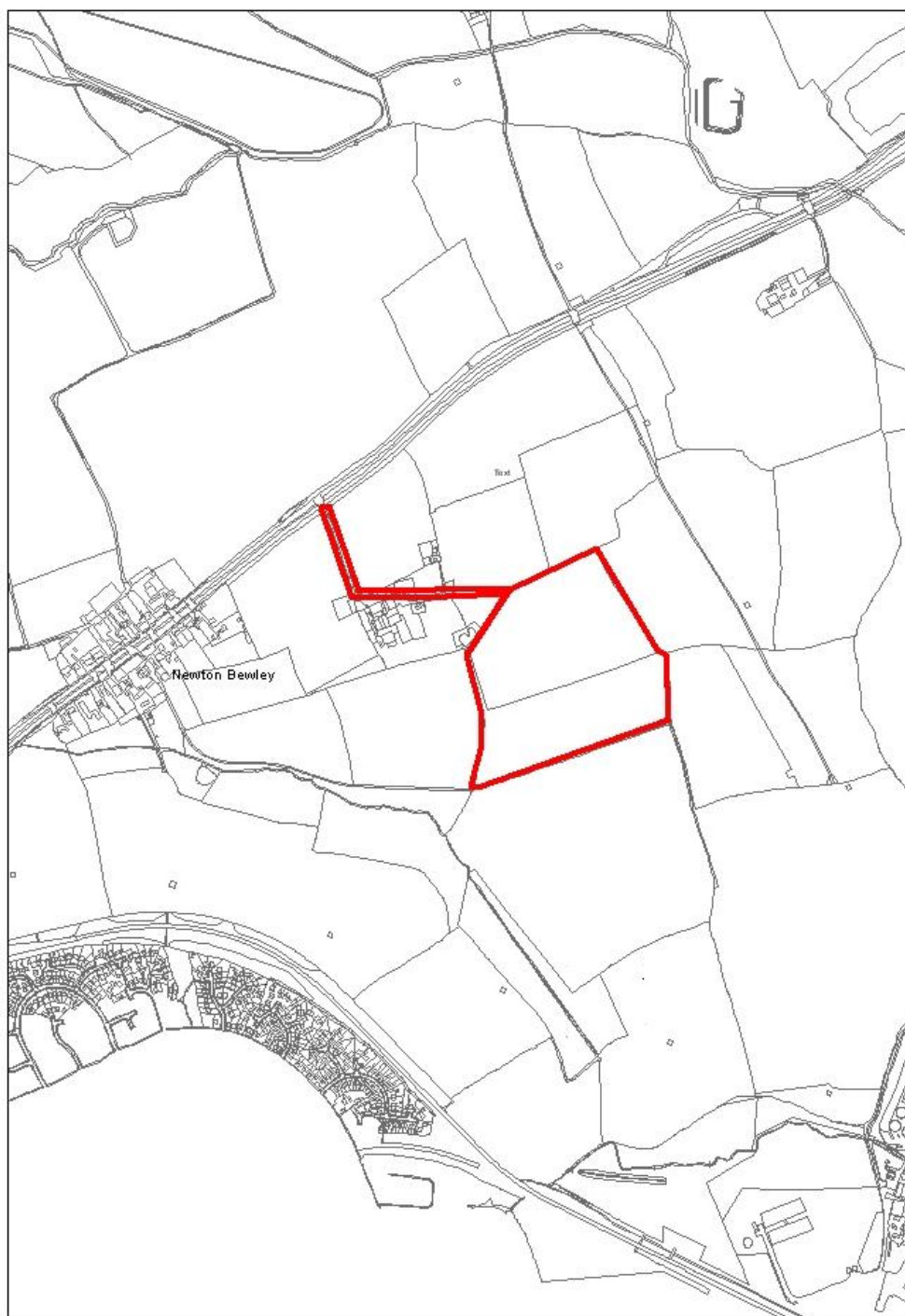
3.87 Helen Heward
 Senior Planning Officer

Level 1 Civic Centre
Hartlepool
TS24 8AY

Tel: (01429) 523433

E-mail: Helen.heward@hartlepool.gov.uk

BLUE HOUSE FARM



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

COPYRIGHT RESERVED LICENCE 1000233902013

H/2015/0316
Scale: 1:10000
Date : 06/11/15

PLANNING COMMITTEE

(25th November 2015)



Report of: (Assistant Director (Regeneration))

Subject: APPEAL AT LAND ADJACENT TO MIDDLETON HOUSE, NAVIGATION POINT, MIDDLETON ROAD, HARTLEPOOL – APPEAL REF: APP/H0724/W/15/3137103 – ERECTION OF A RESTAURANT/CAFE WITH RELATED EXTERNAL WORKS AND CAR PARKING PROVISION

1. PURPOSE OF REPORT

- 1.1 To advise Members of a planning appeal that has been submitted against the decision of the Council to refuse planning permission for the erection of a restaurant/cafe with related external works and car parking provision at land adjacent to Middleton House, Navigation Point, Middleton Road, Hartlepool. The application was determined at the Planning Committee on 30th September 2015.
- 1.2 The appeal is to be determined by written representation and the authority is therefore requested to contest the appeal.

2. RECOMMENDATIONS

- 2.1 That Members authorise Officers to contest the appeal.

3. CONTACT OFFICER

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

Tel: (01429) 523400

E-mail: damien.wilson@hartlepool.gov.uk

4. AUTHOR

4.1 Ryan Cowley
Graduate Planning Assistant
Level 1
Civic Centre
Hartlepool
TS24 8AY

Tel: (01429) 523253

E-mail: ryan.cowley@hartlepool.gov.uk

PLANNING COMMITTEE

25th November 2015



Report of: Assistant Director (Regeneration)

Subject: APPEAL AT 23 STANHOPE AVENUE,
HARTLEPOOL, TS26 9QY. APPLICATION FOR
REPLACEMENT WINDOWS TO FRONT AND SIDE
AND REPLACEMENT GUTTERING (H/2015/0163)

1. PURPOSE OF REPORT

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

2. RECOMMENDATIONS

- 2.1 That members note the outcome of the appeal.

3. CONTACT OFFICER

- 3.1 Damien Wilson
Assistant Director (Regeneration)
Level 3
Civic Centre
Hartlepool
TS24 8AY
Tel 01429 523400
Email Damien.Wilson@hartlepool.gov.uk

AUTHOR

- 3.2 Leigh Taylor
Planning Officer
Planning Services
Level 1
Civic Centre
Hartlepool
TS24 8AY
Tel 01429 523273
Email leigh.taylor@hotmail.co.uk



Appeal Decision

Site visit made on 8 October 2015

by M Seaton BSc (Hons) DipTP MRTPI

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

Decision date: 06 November 2015

Appeal Ref: APP/H0724/D/15/3119184
23 Stanhope Avenue, Hartlepool, TS26 9QY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Jennifer Williams against the decision of Hartlepool Borough Council.
 - The application Ref H/2015/0163, dated 23 April 2015, was refused by notice dated 19 June 2015.
 - The development proposed is described as "We propose to replace the windows on the front and side of our house with sash effect windows instead of traditional timber windows. This has been done on many other houses in the street so would not look out of place. House No.26 for example has the kind of windows we would like to replicate. Our preference would be to go for the Sash effect UPVC windows and these are approximately £250 per window whereas the UPVC sash are £650 per window but if we have to use sash windows we are happy to do so but will take us longer to be able to afford to complete the work as there are 11 windows to replace, we would leave any stained glass windows as they are. Additionally I would like to replace any cast iron guttering that is damaged or causing damp to the front wall with cast effect black guttering and to improve the damp issues caused by the guttering at present."
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council has sought to simplify the description of development on the Notice of Decision from the version included within the description of development on the application form. On the basis of the submitted information, I am satisfied that the revised description of development accurately reflects the nature of the development as proposed, and I have therefore determined the appeal on the following basis;

"Installation of replacement windows to front and side and replacement guttering"

Main Issue

3. The main issue is whether the development preserves or enhances the character or appearance of the Grange Conservation Area.

Reasons

4. The appeal site is occupied by a two-storey residential property, which is located in a primarily residential neighbourhood within the Grange

www.planningportal.gov.uk/planninginspectorate

Appeal Decision APP/H0724/D/15/3119184

Conservation Area. The other dwellings within Stanhope Avenue exhibit a mix of architectural styles and forms, with the use of a variety of materials for windows and guttering also evident.

5. The Council has not raised any objections to the proposed replacement guttering, and on the basis of the submitted evidence and my own observations on the site, I would not disagree with this conclusion. The Council has indicated that the appeal site is located within an area which is subject to an Article 4 Direction controlling development to the front of properties. As a consequence, it is evident that the appeal is focused on the replacement of five windows on the front of the property, which include two bay windows, two first floor single windows, and a ground floor single window.
6. My attention has been drawn to extracts from the Grange Conservation Area Character Appraisal, which indicates that windows are a key feature in the architecture of the area with most window openings vertical, and many original or replacement timber windows surviving. The erosion of the character of the area through the installation of inappropriate uPVC replacement windows, and the importance of the remaining historic windows to the areas detailed character and appearance is also highlighted.
7. Whilst I accept that the use of traditional materials is encouraged, I also note that the use of non-traditional materials such as uPVC is considered to be acceptable provided that the window is of a design, profile and opening mechanism matching that of the original window. However, it is clear in this instance that whilst the replacement windows would incorporate some limited detail of the original form of the windows, the detailed design of the replacement window features do not reflect the character of the traditional windows due to the incorporation of disproportionately thick and flat frame profiles, as well as the incorporation of a casement rather than sash mechanism of opening. The absence of these details and features, which are characteristic details of the remaining traditional windows in the conservation area, detracts from the overall character and appearance of the windows in the context of the dwelling and the conservation area.
8. The large variety of non-traditional window materials which have been used close to the appeal site and elsewhere within the conservation area has been highlighted by the appellant as setting a precedent. However, from my observations at the site visit there is a significant variation in the quality of replacement windows within the conservation area, with the best examples having incorporated the traditional form and features within their designs.
9. For these reasons, I conclude that the replacement windows fail to preserve or enhance the character and appearance of the Grange Conservation Area. The development therefore conflicts with saved Policies GEP1, Hsg10, and HE1 of the Hartlepool Local Plan (with Amended Saved Policies April 2009). These policies seek to ensure that development takes into account the need for a high standard of design, preserves or enhances the character or appearance of conservation areas, and uses materials that harmonise with the existing dwelling. Furthermore, the development would not accord with the National Planning Policy Framework which seeks to secure high quality design and the preservation or enhancement of heritage assets, as well as ensuring that new development makes a positive contribution to local character and distinctiveness. I accept that, viewed against the conservation area as a

Appeal Decision APP/H0724/D/15/3119184

whole, the replacement windows result in less than substantial harm to it but they would not be outweighed by any public benefit to which my attention has been drawn.

Other Matters

10. The environmental benefit of the proposed uPVC replacement windows has been highlighted by the appellant, as well as benefits to the structure of the existing property including the prevention of damp, condensation, and further deterioration of the building, and lower heating bills and greater efficiency. The appellant has also indicated there to be a significant cost differential between the use of the uPVC 'fake sash' windows and actual uPVC sash windows, with the latter being a far greater cost. Whilst the environmental benefits of the proposed windows would be a matter which would weigh in support of the development, the appellant concedes that the same benefits would also be available from the more expensive sash windows. However, despite the sympathy I have for the appellant in respect of the cost differential between the two options, in the context of the harm to the conservation area which has been identified in respect of the proposals, I do not consider this to be an issue to which any more than very limited weight should be attached.
11. I have noted the references made by the appellant in respect of non-traditional windows at other properties in the vicinity of the appeal site, and also the references to other recent decisions allowing the use of uPVC replacement windows. However, in the absence of any details relating to the circumstances of other approved windows, I am unable to draw any conclusions on the similarities with the circumstances of this case. I have therefore focussed my decision on the planning merits of the proposals alone.

Conclusion

12. For the reasons given above, the appeal should be dismissed.

M Seaton

INSPECTOR

PLANNING COMMITTEE

25 November 2015



Report of: Assistant Director (Regeneration)

Subject: UPDATE ON CURRENT COMPLAINTS

1. PURPOSE OF REPORT

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

1. An investigation has commenced in response to a complaint regarding a wheel washing facility and land adjacent to The Raby Arms, Hart Village.
2. An investigation has commenced in response to a complaint regarding the part demolition of the Longscar Centre, The Front, Seaton Carew.
3. An investigation has commenced in response to a complaint regarding the erection of a detached building in a rear garden in Catcote Road.
4. An investigation has commenced in response to a complaint regarding non-compliance with a condition relating to the fitting of obscure glass panels at a property in Hardwick Court.
5. An investigation has commenced in response to a complaint regarding the installation of alleygates at Throston Street.
6. An investigation has commenced in response to a complaint regarding the operation of a car wash business from a residential property at Stanmore Grove.
7. An investigation has commenced in response to a complaint regarding the erection of a conservatory and conversion of ground floor premises to apartments on Park Road.
8. An investigation has commenced in response to officer monitoring regarding non-compliance with conditions at Tunstall Court.
9. An investigation has commenced in response to a complaint regarding the erection of a boundary fence at land adjacent to Middleton House.
10. An investigation has commenced in response to a complaint regarding the display of an illuminated fascia sign on a shop front on Church Street.

11. An investigation has commenced in response to a complaint regarding the alterations and extension to the rear of a property at The Green, Elwick.
12. An investigation has commenced into the operation of a hot food takeaway on land at Stanley Road.
13. An investigation has commenced in response to a complaint regarding the change of use of a bin store to a manager's office at a shop in Owton Manor Lane.
14. An investigation has commenced in response to a complaint regarding the change of use of from dwelling house to a house in multiple occupation in Westbourne Road.

2. RECOMMENDATION

- 2.1 Members note this report.

3. CONTACT OFFICER

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

Tel 01429 523400

E-mail damien.wilson@hartlepool.gov.uk

AUTHOR

- 3.2 Tony Dixon
Enforcement Officer
Level 1
Civic Centre
Hartlepool
TS24 8AY

Tel (01429) 523277

E-mail: tony.dixon@hartlepool.gov.uk