



Hartlepool
Borough Council

Planning Committee

Agenda

Wednesday 22nd April 2026

Time: 10:00 am

Location: Council Chamber

Members: Planning Committee

Councillors Bailey-Fleet, Boddy (C), Dunbar, Dodds, Feeney, Jorgeson, Little, Male, Napper, Thompson, Vacancy

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 18th March 2026.

4. Items Requiring Decision

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

- | | | |
|----|-------------|---|
| 1. | H/2020/0387 | Land at Quarry Farm, Elwick Road (page 1) |
| 2. | H/2022/0357 | Land on the West Side of Coronation Drive (page 99) |

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

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



3. H/2025/0368 Hartlepool Temple, 131-133 Park Road (page 209)
4. H/2025/0426 21 Ark Royal Close (page 225)

5. Items for Information

- 5.1 Update on Enforcement Actions – *Director for Neighbourhood and Regulatory Services*
- 5.2 Development Management Performance – First and Second Quarter 2025-26 – *Assistant Director – Neighbourhood Services*
- 5.3 Planning Appeal at Alvin House, 9 South End – *Assistant Director – Neighbourhood Services*
- 5.4 Planning Appeal outcomes at Low Throston House, Netherby Gate, Hart Lane - *Assistant Director – Neighbourhood Services*

6. Any other business which the chair considers urgent

7. For information

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

Any site visits approved by the Committee at this meeting will take place on the morning of the Next Scheduled Meeting on Wednesday 17th June 2026.

Date of next meeting – Wednesday 17th June 2026 at 10:00 am in the Civic Centre, Hartlepool.



Planning Committee

Minutes and Decision Record

18th March 2026

Meeting commenced

Time: 10:00 am

Location: Council Chamber, Civic Centre, Hartlepool

Present:

Councillor: Moss Boddy (In the Chair)

Councillors: Martin Dunbar, Tom Feeney, Michael Jorgeson, Amanda Napper, Karen Oliver, Carole Thompson

Officers: Kieran Bostock, Director of Neighbourhoods and Regulatory Services
Scott Parkes, Assistant Director (Neighbourhood Services)
Zoe Craig, Environmental Health Manager (Environmental Protection)
Jim Ferguson, Planning and Development Manager
Umi Filby, Principal Property, Planning, Commercial Solicitor
Peter Frost, Highways Infrastructure Manager
Daniel James, Planning (DM) Team Leader
Stephanie Bell, Senior Planning Officer
Helen Smith, Planning Policy Team Leader
Emily Palmer, Planning Officer
Claire Mccartlin, Democratic Services and Legal Support Officer

67. Apologies for Absence

Councillors Brenda Harrison and Sue Little.

68. Declarations of Interest

None.

69. Confirmation of the minutes of the meeting held on 18th February 2026

Confirmed.

70. Planning Applications (*Director of Neighbourhoods and Regulatory Services*)

Number: H/2020/0387

Applicant: CECIL M YUILL

Agent: J W PLANNING LIMITED MR JOHN WYATT 41
MARSKE MILL LANE SALTBURN BY THE SEA TS12
1HT

Date received: 29/01/2021

Development: Outline application with all matters reserved, except for access, for residential development comprising up to 475 dwellings, and including a local centre comprising retail (400sqm) and associated infrastructure

Location: LAND AT QUARRY FARM ELWICK ROAD
HARTLEPOOL

This application had been deferred from the Planning Committee of 18th February 2026. This was to allow Members to undertake a site visit as the site was outside the local plan limits to development limits and Members wanted to consider the potential impacts. The report was presented in full so that all Members present could participate in the discussion and voting.

The Senior Planning Officer outlined the application. Amendments had been made to the recommendation and condition 23 which were tabled before Members. In relation to the mentioned amendments, a response had been received from Natural England, this was also tabled before Members at the meeting. The application sought approval for 475 dwellings and a local centre comprising retail and associated infrastructure. It was the officer recommendation to approve the application subject to planning conditions, as updated, and to secure appropriate planning obligations including financial contributions.

The Agent was in attendance at the meeting and addressed the Committee on behalf of the Applicant. The Agent emphasised the benefits of this development. This included the development being a high-quality landscape led scheme within a sustainable location and a natural extension of existing housing, financial contributions for various matters which included highway contributions, primary and secondary education, play parks and NHS health

services. The Agent considered that the five-year supply position was marginal and expressed that the benefits would outweigh any potential disbenefits.

An Objector was present at the meeting and addressed the Committee, urging members to refuse the application. He raised concerns around the legality of approving the application and the weight given to financial contributions. This was particularly in relation to breaches of the Local Plan Policy, the fact that the Borough had a five-year supply (and had approved permissions over and above requirement) and that financial contributions cannot override policy. The objector raised concerns about the report and in respect of the NHS contributions that has been missed. The Objector also stated that this area was busy in terms of traffic and this development would increase this issue. The Objector advised that a viability assessment had not been made publicly available for this development.

In response to the comments made by The Objector, the Planning Policy Team Leader advised The Local Planning Authority is required to follow the Local Plan unless the material considerations state otherwise. In relation to this application, a material consideration was the road infrastructure which was necessary and the wider benefits arising therefore this could be legally considered and given weight. The NHS contributions had been missed initially however the applicant had agreed to provide half of the funding, and the Local Planning Authority was unable to request more than this. The viability assessment had been submitted to officers which was considered accurate and fair. The Principal Property, Planning, Commercial Solicitor confirmed that the guidance is that the viability assessment should be published and where this is not able to be made public, because of exceptional circumstances, then an executive summary should be prepared and made available. The Senior Planning Officer advised that the applicant had not provided an executive summary of the viability assessment therefore this was not published and made publicly available.

The Planning (DM) Team Leader advised that the issue of the agricultural land classification had been reviewed and was considered to be correctly addressed by amendments to the original report.

Based on the Objectors comments, a Member moved that the application be deferred to allow for the executive summary of the viability assessment to be published on the public portal and the financial contributions in terms of the NHS and Highways be reviewed. This was agreed unanimously by show of hands.

Decision: Deferred

Members considered representations in respect to this matter.

Number:	H/2025/0126
Applicant:	MR ANDREW GALLAGHER CARE OF OFFICE 501 SUNDERLAND
Agent:	FITZ ARCHITECTS LTD OLD SCHOOL SIMPSON STREET SUNDERLAND
Date received:	22/05/2025
Development:	Application for subdivide existing C3 dwelling house to 3no. apartments to include the retrospective installation of dark grey uPVC windows to all openings and the proposed Installation of 1no. velux rooflight within the side facing roofslope and 1 no, velux rooflight within the rear roofslope
Location:	20 GLADSTONE STREET HARTLEPOOL

The Planning Officer outlined the application. It was the officer recommendation to refuse the application. It was the opinion of the Local Planning Authority that the installation of uPVC windows on this property and the rooflight to the rear would cause less than substantial harm to the designated heritage asset (Headland Conservation Area) by virtue of the design, detailing and use of inappropriate materials.

A Member queried that this application was in relation to two separate issues namely the subdivision into apartments and the installation of uPVC windows. The Planning (DM) Team Leader advised the Local Authority do not have the power to issue split decisions and this must be considered as one.

The Agent was present at the meeting and addressed the Committee on behalf of The Applicant. The Agent had become involved with this development retrospectively. The Applicant had purchased this property in a deal devised by a local agent and was unaware it was within a conservation area. This building had historically been three apartments and had been converted back into a house. Approximately half of the windows within the property were uPVC before the Applicant had started work and approximately 90% of the properties within the street also had uPVC windows. The Agent advised between 12-15 applications had been approved in this area over the last 10 years for uPVC windows.

Following queries from Members, the Agent advised they had over 20 years' experience of working with properties within conservation areas and was aware that plastic sliding sash windows were available.

The Objector was not present at the meeting therefore no representation was given.

In general discussion, a Member thanked the Agent for the history of the property and the information regarding other uPVC windows within the area, however, advised if uPVC continued to be installed, this area would lose its heritage. It was felt uPVC were not the only long-term resolution as wooden sash windows were available which were efficient in terms of heat retention.

Councillor Oliver moved that this application be refused as per the officer recommendation. This was seconded by Councillor Napper.

The application was refused unanimously by show of hands.

Decision: Planning Permission Refused

REASON FOR REFUSAL

1. In the opinion of the Local Planning Authority, it is considered that the installation of uPVC windows to the front, side and rear elevations (with the exception of the 2no. windows to the main rear/south elevation and the installation of the 1no. rooflight to the rear/south), cause less than substantial harm to the designated heritage asset (Headland Conservation Area) by virtue of the design, detailing and use of inappropriate materials. It is further considered that there is insufficient information to indicate that this harm would be outweighed by any public benefits of the development. The proposal is therefore contrary to policies HE1, HE3 and HE7 of the Hartlepool Local Plan (2018) and paragraphs 135, 139, 203, 210, 212, 215, and 219 of the National Planning Policy Framework (2024).

Members considered representations in respect to this matter.

71. Any other business which the Chairman considers 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.

Minute 72 – Appointment of Planning Representative and Vice-Chair

72. Appointment of Planning Representative and Vice-Chair

The Chair advised Councillor Roy had resigned from Labour and could therefore no longer fill the Labour seat on Planning Committee. It was proposed that Councillor Jorgeson take over the role as Vice-Chair and

Councillor Male become the new Labour Representative on Planning Committee.

This was agreed unanimously by show of hands that:

- Councillor Jorgeson be appointed to the position of Vice Chair for the remainder of the municipal year; and
- Councillor Male be proposed as the replacement for Councillor Roy for the remainder of the municipal year.

The meeting concluded at:

Time: 11:05 am

CHAIRMAN

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

PURPOSE OF REPORT

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

1.2 The application was deferred at the committee meeting of 18th February 2026 for a site visit, which took place on 18th March 2026. The application was then deferred at the committee meeting of 18th March 2026 due to a request by Members for clarification on the viability position and the publication of the Economic Viability Assessment (EVA), and a clarification of the cost/financial contribution of the required highway infrastructure measures.

1.3 In response, the Council’s Highways Infrastructure Manager have provided updated comments which are set out in the report below.

1.4 Since the publication of the previous committee report, the applicant has submitted an updated Economic Viability Assessment (EVA) along with an Executive Summary of the EVA. Both reports have been published on the Council’s planning public access page for the application along with the original 2023 EVA.

1.5 Updated comments have been received from the Council’s Land Use Policy team regarding the updated EVA, and also regarding any implications of the Land Use Framework. Since the publication of the previous committee report, comments have also been received from Natural England (in response to the updated HRA and previously tabled before members at the meeting of 18/03/2026) and from Northern Gas Networks. These and any other updates are captured in the relevant sections of the report below.

BACKGROUND

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

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

To the east (Quarry Farm 1 and 2)

Quarry Farm 1 (Bellway Homes);

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

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

Quarry Farm 2 (Barratt Homes);

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

H/2015/0535 - Amendment to planning application H/2015/0351 for reserved matters in relation to planning application H/2014/0215 for additional windows in ground floor side elevation for plots 48, 56 and 57, revised site plan and boundary treatment removing 2 no. visitor parking bays to the south of plot 41 and realignment of footpath. Approved 08/01/2016.

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

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

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

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

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

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

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

PROPOSAL

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

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

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

1.11 The submitted indicative plans show the northern section (which is the larger of the two) featuring a large village green in the centre, with a children's play area in the north west, and a community orchard towards the north east (adjacent to the northern boundary). Dwellings are indicatively shown to be arranged with frontages facing the proposed village green and the Local Wildlife Site, as well as the

children’s play park, orchard and landscaped areas around the site boundaries. The exception is the north east corner whereby dwellings are indicatively shown to face away from the existing reservoir, and the eastern boundary, where dwellings are indicatively arranged with side or rear gardens facing existing dwellings along Reedston Road, Laycock Way and Octavia Drive (east).

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

1.13 The application has been amended during the course of consideration on more than one occasion, to include amendments to the proposed access, Transport Assessment and Travel Plan, following discussions and a request from the Council’s Traffic and Transport team in respect to the width of the access road; to provide Nutrient Neutrality Budget Calculations and a Nutrient Statement; to provide updated ecological surveys and reports following a request from the Council’s Ecologist; and to provide an Arboricultural Impact Assessment and Tree Survey, at the request of the Council’s Arboricultural Officer.

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

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

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

SITE CONTEXT

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

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

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

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

PUBLICITY

1.21 The application has been advertised by way of site notices, press advert and notification letters to 162 individual neighbouring properties. A full 21 day re-consultation was undertaken following receipt of amended ecology information and Proposed Illustrative Site Layout. Further re-consultations were undertaken on receipt of amended access details and amended tree information.

1.22 An updated press advert and site notices were issued (in February 2026) in respect of the application representing a 'departure' from the Hartlepool Local Plan (2018). Such consultation periods have now expired.

1.23 To date, 26 objections have been received, discounting multiple objections from the same individual/address. The objections and concerns raised can be summarised as follows:

- Road infrastructure inadequate and no more houses should be constructed until grade separated junction is completed,
- Congestion through Elwick and Dalton Piercy,
- Unsafe access point on Elwick Road,
- Access roads and footpath links from Quarry Farm 2 will impact on neighbours' privacy,
- Local infrastructure including schools and medical provision constraints,
- Limited demand for houses/excess supply of housing, including vacant properties and Council's Empty Homes Strategy objective,
- Application site is beyond the development limits,
- Unsustainable urban expansion on greenfield land,
- HLP prioritises brownfield regeneration,
- Hartlepool Local Development Scheme 2025 discussed at planning committee meeting of 25/6/2025 refers to 5.4 year housing land supply,
- Housing Delivery Test Figures (in January 2021) indicate delivery of 160% of homes required,

- Impacts on the delivery of approved (strategic) schemes including High Tunstall,
- Impacts on countryside, trees, open fields and wildlife,
- Risks of flooding and increased surface water run-off,
- Impacts on neighbour amenity, in particular privacy, loss of light and peace and tranquillity,
- Anti-social behaviour and security issues,
- Construction impacts on existing residents – including noise, odour, mud and congestion,
- Dwellings sold as ‘rural setting’ will be surrounded by other residential developments,
- No detail on proposed local centre,
- Impacts of noise and traffic from local centre,
- Concerns about hot food takeaways and associated impacts of odour and vermin,
- Visual amenity,
- Property depreciation,
- Insufficient planting.

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

- The scheme would complement the Quarry Farm 2 development,
- The proposals are acceptable when assessed against the HLP (2018) and NPPF (2024) when taking into account the material considerations including housing provision, affordable housing, well designed layout with public open space, play areas and walkways.

1.25 Background papers can be viewed via the ‘click to view attachments’ link on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=141042>

CONSULTATIONS

1.26 The following consultation replies have been received:

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

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

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

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

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

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

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

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

A tree planting scheme and maintenance plan should be conditioned for the long-term establishment of climate resilient trees. The tree planting scheme should have a focus on climate resilient species with a good mix. Ideally to ensure a strong biosecurity and to build a resilient treescape the species mix should consist of:

- No more than 5% of a particular cultivar
- No more than 10% of a particular species
- No more than 20% of a particular genus and
- No more than 30% of a particular family

Update 16/01/2025 following discussion regarding conditions:

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

Notwithstanding the submitted information and prior to any equipment, machinery or materials being brought onto the site for the purposes of the development, a scheme for the protection during construction works of all trees/hedges/landscaping to be

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

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

Update 18/03/2026 following response by applicant:

I can confirm I have received the applicant's response.

Please can you confirm the below response to the Population Density concerns:

The developer will liaise with NGN as part of the reserved matters submission to discuss the updated Edition 6 of the Institution of *Gas Engineers and Managers* publication *IGEM/ TD1*.

Is the applicant required to reconsult with Northern Gas Networks as part of the reserved matters or will a planning condition be better suited for this?

Northern Power Grid: No comments received.

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

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

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

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

may be need to consider the creation of new public rights. It might be that permissive rights is a suitable option to explore.

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

Update 09/05/2024 following amended plans:

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

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

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

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

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

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

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

Existing layout is all good with me.

HBC Ecology: Summary – the following must be submitted:

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

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

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

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

Habitats Regulations Assessment (HRA)

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

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

Nutrient neutrality

The scheme is screened out.

Recreational disturbance

HRA Appropriate Assessment required.

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

The Ecology section has been closely involved with this application from the start and communication with the applicant's Ecological consultants has been good. Work regarding the Ecology of this project began before Biodiversity Metrics and Biodiversity Net Gain (BNG), and it was agreed at an early stage that Ecological improvements to Naisberry Quarry Local Wildlife Site (LWS) would be made. As these include the nationally scarce Magnesian Limestone Grassland habitat the biodiversity gain potential is significant. The Ecological Appraisal and LEMP satisfy the Council's requirements for biodiversity gain and as this has been agreed outside of the BNG process I do not require a Biodiversity Metric. The LEMP is acceptable as a Biodiversity Gain Plan and should be conditioned.

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

I require the following minor changes to the documents:

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

brick located in south or east facing walls (where possible) and at a minimum height of 3m above ground level’.

- Section 5 ‘Recommendations’ in the Ecological Appraisal should be amended to alter the wording under Bats of: ‘Bat boxes will be installed in minimum of 25% of properties’ to ‘50% of dwellings (house or garage) to include 1no integral bat roost brick located in south or east facing walls (where possible) and at a minimum height of 3m above ground level’.
- Section 4 ‘Detailed Creation Principles’ of the LEMP, [‘Native Scrub Planting Mix’ (section 4.15, table 2)] should be amended to add Wych elm (*Ulmus glabra*) 5% of mix, with the reduction of Blackthorn from 20% to 15%. This is to benefit the Priority Species White-letter hairstreak which uses this tree as its larval foodplant.

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

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

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

Update 19/08/2024 following amended layout:

Holding objection

A snip of the cover of the most recently submitted LEMP (May 2024) forms Appendix 1. This is the only ‘new’ Ecology document provided from the applicant and uploaded to the planning portal. In my previous response (05/05/2024) I also requested amendments to the Ecological Appraisal. It is important that the Ecology Section is satisfied that all submitted Ecological documents are correct in case they form part of a planning condition.

1. Amendment to LEMP required.

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

I said:

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

The Ecology Section would like this amendment to be made.

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

2. Amendments to the Ecological Appraisal required.

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

Update 19/10/2024 following amended ecological details:

Holding objection.

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

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

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

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

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

My 05/05/2024 requirements are copied below:

I require the following minor changes to the documents:

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

Update 20/11/2024 following amended Ecological Appraisal:

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

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

The recommendations in the Ecology reports should be conditioned.

Updated HRA received 04/03/2026 (summarised):

Ecology Comments:

The site requires HRA Screening & Appropriate Assessment (provided as a separate document).

Habitats Regulations Assessment:

Stage 1 screening

Revision history

Version	Date	Revision	Prepared by
2	04/03/2026	A	Max Cummins (Ecologist)

Stage 1 findings

Recreational disturbance & Nutrient Neutrality

Is Recreational disturbance accounted for by the Hartlepool Local Plan Coastal Mitigation Scheme?	No	HRA Appropriate Assessment required. Provided below.
Is sewage disposed of via the public sewer systems of either Seaton Carew or Billingham WwTW?	Yes - Seaton Carew	HRA Appropriate Assessment required.
Will Surface Water run-off materially Change	No	
Does the scheme exceed the Environmental Impact Assessment (EIA) screening threshold for housing development (150+ dwellings)?	Yes	

The proposed development links into the adopted sewer which runs to Seaton Carew Wastewater Treatment Works.

Natural England advice to Hartlepool Borough Council (letter dated 06/07/2022) confirms that, based on evidence that Seaton Carew WwTW discharges via a long sea outfall to the North Sea (beyond the nutrient neutrality catchment), a significant effect on the Teesmouth and Cleveland Coast SPA and Ramsar Site from nitrate

discharges from new development to Seaton Carew WwTW can be excluded because there is no hydrological pathway between the discharge point and the habitats affected by nutrient enrichment. This advice is a working conclusion and does not remove the Council's duties under Regulation 63 to assess each plan or project and consult Natural England where appropriate.

See: <https://www.hartlepool.gov.uk/downloads/file/362/seaton-carew-waste-water-treatment-works-letter>

Given the scale of the proposal (up to 475 dwellings), nutrient neutrality is taken forward to HRA stage 2 Appropriate Assessment to confirm the overall nutrient budget (including land use change) using the submitted Nutrient Neutrality Budget Calculator.

End.

Habitats Regulations Assessment stage 2 Appropriate Assessment (Summarised)

2. Introduction

Following a Habitats Regulations Assessment (HRA) stage 1 screening, the requirement for a HRA stage 2 Appropriate Assessment (AA) has been triggered. As the competent authority, Hartlepool Borough Council has a legal duty to safeguard European Sites.

3. HRA Stage 2 - Appropriate Assessment

European Sites and issues requiring Appropriate Assessment

That HRA stage 1 screening for Likely Significant Effect (LSE), screened in the following European Sites:

- Teesmouth and Cleveland Coast SPA and Ramsar (Nutrient neutrality & Recreational disturbance)
- Northumberland Coast SPA and Ramsar (Recreational disturbance only)
- Durham Coast SAC (Recreational disturbance only)

That HRA stage 1 screening screened in the following LSE:

- Nutrient neutrality
- Increased recreational disturbance

This AA assesses whether nutrient neutrality and increased recreational disturbance cause an Adverse Effect on Integrity of the Site (AEOI) and if so if this can be removed through mitigation.

Adverse Effect on Integrity findings

Nutrient Neutrality

The applicant has completed a Nutrient Neutrality Budget Calculator (NNBC) for the T&CC SPA/ Ramsar, which quantifies the net change in Total Nitrogen (TN) entering the Tees catchment as a result of the development. The NNBC applies a 20%

precautionary buffer. The key nitrogen outputs are summarised below. Drainage assumptions are taken from the applicant nutrient neutrality statement.

Nutrient Neutrality Budget Calculator findings

The following figures and calculations are from the submitted Nutrient Neutrality Budget Calculator for the T&CC SPA/ Ramsar.

TN = Total nitrogen

Stage 1 - Nutrient loading from additional wastewater (foul drainage)

The NNBC calculates an annual wastewater TN load of 0 kg TN/year. This reflects that foul drainage is treated at Seaton Carew WwTW, which discharges via a long sea outfall to the North Sea and is therefore outside the nutrient neutrality catchment, in accordance with Natural England advice.

Stage 2 - Existing land use

345.94 kg TN/year is calculated for the existing land use type 'General' (area 23.54 ha).

Stage 3 - Proposed land use

278.17 kg TN/year is calculated for the proposed land use 'Residential urban land' (area 23.54 ha).

Stage 4 - Calculated output

N loading to WwTW: 0 kg TN/year.

Net land use N change: -67.77 kg TN/year.

(the budget remains net negative once the precautionary buffer is applied)

The total annual nitrogen load to mitigate is: 0 kg TN/year.

For this project the nitrogen nutrient budget is 0 kg TN/year.

It is assessed that the project is nutrient neutral (0 kg TN/year) and will not adversely affect the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar Site with respect to nutrient neutrality.

Increased recreational disturbance

Recreational disturbance is identified as an LSE, potentially harming populations of SPA/ Ramsar birds and SAC vegetation communities. Increased recreational disturbance (including dog walking) is linked to an increase in new residents which is a consequence of housebuilding. The Hartlepool Coastal Mitigation Scheme funding metric is applied on a per-dwelling basis (Table 1) and does not use an occupancy rate.

Increased recreational disturbance LSE is mitigated by the Hartlepool Coastal Mitigation Scheme for all housing development included in the Hartlepool Local Plan 'HSG1 policy: New Housing Provision'. All housing applications for allocated sites only require a HRA stage 1 screening. 'Windfall' housing site applications are not covered by this agreed mitigation and the People Over Wind Ruling means that they must be HRA stage 2 Appropriately Assessed. This application is not included in

‘HSG1 policy: New Housing Provision’.

Financial contribution

Although the scheme includes a large area of greenspace, this is an existing designated nature conservation site (Naisberry Quarry Local Wildlife Site). This area is scheduled for biodiversity mitigation and increased recreational use is not appropriate. It is therefore assessed that no SANGS is provided by the scheme. This site is 5.5km by actual driving route from the Teesmouth and Cleveland Coast Special Protection Area (T&CC SPA) (Figure 1). Therefore, the financial contribution metric is £100 + £150 (as no SANGS is provided) = £250. 475 dwellings x £250 = £118,750.

5. Conclusion

Nutrient neutrality: The submitted Nutrient Neutrality Budget Calculator for the Teesmouth and Cleveland Coast SPA and Ramsar returns a total annual nitrogen load to mitigate of 0 kg TN/year. It is assessed that the project will not adversely affect the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar Site with respect to nutrient neutrality.

Increased recreational disturbance: The increased recreational disturbance from up to 475 dwellings is mitigated by a financial contribution of £118,750 (475 dwellings x £250/house) which will fund the existing Hartlepool Coastal Mitigation Scheme, meaning there will be no Adverse Effect on Integrity of any European Site. This financial contribution is calculated on a per-dwelling basis using the Hartlepool Coastal Mitigation Scheme funding metric (Table 1).

Hartlepool Borough Council Local Planning Authority can lawfully permit this development. The financial contribution must be legally secured. The foul drainage strategy (including connection to the adopted sewer and Seaton Carew WwTW) must be secured via condition/approved details.

Natural England must be consulted on the HRA Appropriate Assessment.

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

Contaminated land

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

Surface water management

I have no objection in principle in this respect. Please can you include the following surface water condition on any permission issued for proposals:

No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority.

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

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

Reasons

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

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

Maintenance

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

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

Flood Risk

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

Peak Flow Control

I note that it is proposed that surface water discharge will be restricted to 55l/s. For detailed design purposes please note that greenfield runoff for the whole site area must be maintained, for example consider a total area of 15ha with a greenfield runoff rate of 55l/s, this means that a developed area of 7.5ha is allowed a surface

water discharge rate of 27.5l/s, not 55l/s, as area on site remaining as permeable will still discharge to the watercourse. Please note also that I estimate QBar for the 15ha site to be significantly less than 55l/s so figures provided will require review as part of detailed design.

Volume Control

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

Highway Drainage

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

Pollution Control, Construction

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

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

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

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

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

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

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

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

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

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

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

HBC Traffic and Transport:

Local Network Impact

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

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

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

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

Access

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

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

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

should be designed to discourage through traffic with appropriate traffic calming installed.

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

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

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

Update 10/02/2025 following discussions with applicant:

Local Network Impact

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

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

- Elwick bypass and grade separated junction onto the A19.

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

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

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

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

further development contributions. The full amount should be paid prior to the commencement of works.

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

Access

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

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

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

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

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

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

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

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

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

A19 GSJ / Elwick Bypass Scheme

We can confirm that we are happy for the proposed wording of the Condition restricting occupation of dwellings to be changed from completion of the Elwick Bypass / GSJ to scheme as commenced. I am happy for the restriction on construction traffic not to be pass through Elwick Village to be reflected in the Construction Management Plan.

Local Road Improvement Schemes

We can confirm that the requirement for the development not to occupied until the completion of local road improvement schemes is no longer required.

Proposed Contributions

We are happy that the developer as accepted our proposed phasing of highway contributions.

Proposed Scheme Layout

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

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

Update 24/09/2025 following clarification:

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

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

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

Update 23/12/2025 following discussions:

Local Network Impact

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

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

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

- Elwick bypass and grade separated junction onto the A19.

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

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

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

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

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

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

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

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

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

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

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

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

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

Access

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

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

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

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

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

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

Conditions

1.No part of the development shall be occupied until the existing 30mph speed limit which currently terminates 120 metres west of the High Tunstall Development access has been extended along Elwick Road and terminates 120 metres west of

the proposed access. Plans detailing the proposed mitigation should be first submitted to and agreed in writing with the Highway Authority In the interests of highway and pedestrian safety.

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

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

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

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

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

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

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

To support the provision of the following improvement schemes:-

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

- Elwick Road / Dunston Road roundabout improvements
In the interests of highway and pedestrian safety.

Updated comments received 27/03/2026 in response to queries at the committee meeting of 18/03/2026:

It has always been the case that it would not be fair or reasonable for this application to bear 100% of the cost of the required mitigation measures. These improvements will be required irrespective of the application, even if it were to be refused, to accommodate the predicted traffic growth associated with already approved development along with general traffic growth.

Previous contributions have already been secured, and in addition to that provided by this application it is anticipated that this will provide approximately 75% of the funding required across the various locations.

The remaining funding may be provided from future development(s), or be for the Council to identify, potentially from capital transport budgets in conjunction with TVCA.

The significant funding provided by this application will however move the Council much closer to being able to commence with the improvements, and to reduce congestion across the highway network.

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

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

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

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

could be erected along the boundary fencing for the proposed wildlife site, along the footpath connecting the northern and southern parts of the development.

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

Local surgeries are part of CCG wide plans to improve GP access and would be the likely beneficiaries of any S106 funds secured.

Local GP Practices are keen to maintain/improve their access, and an increase in patient numbers may require adjustments to existing premises/access methods. Please be advised that we would be unable to guarantee to provide sustainable health services in these areas in future, should contributions not be upheld by developers.

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

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

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

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

Item	Response
LA Planning References	H/2020/0387
GP Practices affected	All Hartlepool Practices
Local intelligence	These Practices are struggling with space requirements to deliver services and this development would pose a significant increase in patient population in the area. S106 funding would assist them to provide appropriate services to patients
Number of Houses proposed	475
Housing impact calculation	2.3
Patient Impact (increase)	1,093
GP practice Current List Size	109,501
Proposed GP Practice New List size	110,594
Maxima Multiplier	0.07
Additional m ² required (increase in list x Maxima Multiplier)	76.44m²

Total Proposed Contribution £ (Additional m ² x £3kpm ² , based on NHSPS build cost)	£229,320
--	-----------------

Cleveland Fire Brigade: Cleveland Fire Brigade offers no representations regarding the development as proposed, however Access and Water Supplies should meet the requirements as set out in both:

Approved Document B, Volume 1: 2019, Section B5 for Dwellings.

Approved Document B Volume 2: 2019, Section B5 for Buildings other than Dwellings.

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

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

Cleveland Police: Thank you for the further opportunity to comment on the proposal: Outline application with all matters reserved, except for access, for residential development comprising up to 475 dwellings, and including a local centre comprising retail (400sqm) and associated infrastructure.

I note the references to Designing out Crime and Secured by Design within the Design and Access Statement, under Section 16 Community Safety.

There is no reason why the development couldn't achieve a Secured by Design (SBD) Certificate. There is no cost for this, and it can be used to help market the site. Full details of the current guidance in relation to the award are available here [Security is very important at the outset, particularly for buildings of this type. There are many crimes that occur during the construction phase; the most significant include theft of plant equipment, materials and tools.](#)

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

With regards to your recent Outline planning application H/2020/0387 for 475 x Dwellings, Elwick Rd.Hartlepool.

Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of Crime Prevention Through Environmental Design (CPTED).

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

I recommend applicant actively seek Secured By Design accreditation, full information is available within the SBD Homes 2024 Guide and the Commercial 2023 Guide www.securedbydesign.com

I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour.

Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

- The National Planning Policy Framework 2023 paragraph 92(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...
- The National Planning Policy Framework 2023, paragraph 130(f) which states that “Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.
- Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure. Developers will be expected to have regard to the following matters, where appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.
- Another material consideration is Section 17 of The Crime and Disorder Act 1998.

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

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

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

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

All doors and windows are recommended to be tested and certified PAS24:2020/2016 standards (or equivalent)

This includes garage doors.

These must be dual certified for both fire and security.

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

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

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

There are also a couple of access routes such as those linking SUDS pond to Village Green and the walkway from southern section of the top proposed play area. Both of these routes are between side elevations of dwellings, this should be avoided as proposed as they could become crime generators and catalysts for anti-social behaviour due to lack of passive surveillance.

All proposed side and rear treatments onto public realm are recommended to be to 2.0m in height.

Those to rear/rear side of Plots backing onto open space recommended to be increased to minimum of 2.2m, preferably 2.4m.

Locate all side boundary treatments as far forward to the front elevations of the properties as possible to eliminate recesses.

Boundary treatments between rear gardens are recommended to be 1.8m in height. Defensible space to each plot is an important consideration.

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

I strongly recommend against the proposal to have numerous rear parking areas, these can become very problematic and vulnerable to crime and anti-social behaviour, again due to the lack of passive surveillance.

I have real concerns about these, and, indeed, should any of the numerous proposed remain they are strongly advised to be securely gated and lit as per previous recommendations with only resident access to become rear secure parking courts.

I would recommend the proposed play area on north east corner be relocated to the village green area to maximise surveillance.

Any proposed play areas should be located to maximise surveillance opportunities and play areas should have low level boundary treatment with automatic return entrance gates.

It should also be appropriately lit, as per lighting recommendations, to minimise anti-social behaviour issues from arising.

It should not be sited in close proximity to wooded/secluded areas.

Materials used should also be considered for robustness and vulnerability to fire and general damage.

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

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

Proposed Retail.

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

External bulkhead lighting on building should also be considered.

It is recommended to have alarm provision provided.

CCTV provision is recommended.

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

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

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

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

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

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

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

CONDITION: Development shall be implemented in line with the drainage scheme contained within the submitted document entitled “Flood Risk Assessment and Drainage Strategy” dated “August 2020”. The drainage scheme shall ensure that foul

flows discharge to the foul sewer at manhole 3306 and ensure that surface water discharges to the existing watercourse.

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

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

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

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

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

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

Update 24/10/2024 following amended details:

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

The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal. Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the

changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Update received 12/03/2026 in respect to HRA:

Thank you for your consultation.

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

The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

The development discharges to Seaton Carew, which discharges outside of the Tees catchment, and has a reduced Nutrient output through their land use change. Therefore, Nutrient Neutrality is not an issue. We have no objection subject to mitigation being secured as outlined in the HRA for recreational disturbance through a contribution to the CMS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Based on the information contained within the submitted desk study, the site has not been subject to highly contaminative land uses. Whilst the site has a former quarry located within it, there is no evidence that this has been backfilled.

We recommend that you refer to our published 'Guiding Principles for Land Contamination' which outlines the approach which should be adopted when managing this site's risks to the water environment.

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

Foul water – Advice to LPA

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

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

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

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

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

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

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

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

Revised TP

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

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

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

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

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

Transport Assessment Addendum

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

National Highways would state that the proposed development is entirely dependent on the completion of the A19 Elwick GSJ, and therefore the following pre-occupation planning condition should be attached to any grant of planning permission:

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

Having reviewed the results of the merge / diverge assessment, we would deem them to be appropriate and in line with that which had previously been agreed with

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

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

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

Construction Traffic Management Plan (CTMP)

Due to the scale of the development, National Highways would request that the following CTMP planning condition is attached to any grant of planning permission:
3) "Prior to the commencement of the development hereby permitted a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Highway Authority for the A19). The plan shall include as a minimum:

- Construction phasing;
- Construction routing plans;
- Permitted construction traffic arrival and departure times.

Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority (in consultation with the Highways Authority for the A19)."

Recommendation

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

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

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

- Construction phasing;
- Construction routing plans;
- Permitted construction traffic arrival and departure times.

Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ National Highways Limited registered in England and Wales number 09346363 Approved in writing by the Local Planning Authority (in consultation with the Highways Authority for the A19).

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

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

For the avoidance of doubt, National Highways recommended that the following planning conditions should be attached should you be minded to grant planning approval:

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

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

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

- *Construction phasing.*
- *Construction routing plans.*
- *Permitted construction traffic arrival and departure times.*

Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the Local Planning Authority (in consultation with the Highways Authority for the A19).

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

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

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

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

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

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

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

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

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

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

Update 25/07/2025 following Parish Council meeting:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In order to ensure our asset is protected we recommend a planning condition be applied if permission is granted:

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

The applicant can access our infrastructure maps on Digdat. Please see our website for further

information: <https://www.anglianwater.co.uk/developing/water-services/locating-our-assets>.

HBC Children and Joint Commissioning: There is already a primary school site reserved at the location of the High Tunstall Development (opposite). Therefore, there's no requirement for another reservation of land at this site, only the s106 contributions which will be used to facilitate a potential new school on the HT development school site. The contributions should be based on our most recent pupil yield calculations, unless there is a revised SPD that has been adopted.

I would expect the development to provide a safe walking route from all dwellings, in particular the dwellings located at the furthest western locations, to the proposed new primary school, High Tunstall Development and also to West Park and Throston Primary Schools.

HBC Parks and Countryside: No comments received.

HBC Housing Services: No comments received.

HBC Property Services: No comments received.

HBC Public Health: No comments received.

Civic Society: No comments received.

DEFRA: No comments received.

Ramblers Association: No comments received.

RSPB: No comments received.

Tees Valley Wildlife Trust: No comments received.

Teesmouth Bird Club: No comments received.

Thirteen Group: No comments received.

Hart Parish Council: No comments received.

PLANNING POLICY

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

Local Policy

Hartlepool Local Plan

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

Policy	Subject
SUS1	The Presumption in Favour of Sustainable Development
LS1	Locational Strategy
CC1	Minimising and adapting to Climate Change
CC2	Reducing and Mitigating Flood Risk
INF1	Sustainable Transport Network
INF2	Improving Connectivity in Hartlepool
INF4	Community Facilities
QP1	Planning Obligations
QP3	Location, Accessibility, Highway Safety and Parking
QP4	Layout and Design of Development
QP5	Safety and Security
QP6	Technical Matters

QP7	Energy Efficiency
HSG1	New Housing Provision
HSG1a	Ensuring a Sufficient Supply of Housing Land
HSG2	Overall Housing Mix
HSG9	Affordable Housing
RUR1	Development in the Rural Area
RUR2	New Dwellings outside of development limits
NE1	Natural Environment
NE2	Green Infrastructure

Relevant Supplementary Planning Documents (SPDs)

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

Tees Valley Minerals and Waste DPD 2011

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

Policy	Subject
MWP1	Waste Audits

National Planning Policy Framework (NPPF)(2024)

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

Para	Subject
1	NPPF sets out the governments planning policies
2	Determination in accordance with the development plan
3	The NPPF should be read as a whole

7	Achieving sustainable development
8	Achieving sustainable development (three overarching objectives – Economic, Social and Environmental)
9	Achieving sustainable development (not criteria against which every decision can or should be judged – take into account local circumstances)
10	The presumption in favour of sustainable development
11	The presumption in favour of sustainable development
12	The presumption in favour of sustainable development (presumption does not change statutory status of the development plan as the starting point for decision making)
39	Decision making in a positive way
48	Determining applications in accordance with the development plan
56	Use of conditions or planning obligations
57	Planning conditions should be kept to a minimum
58	Planning obligation tests
59	Obligations in a plan should be viable
61	Significantly boost supply of homes
63	Delivering a sufficient supply of homes
64	Delivering a sufficient supply of homes (affordable homes)
66	Delivering a sufficient supply of homes
82	Rural housing
83	Rural housing
85	Building a strong, competitive economy
88	Supporting a prosperous rural economy
96	Promoting healthy and safe communities
97	Promoting healthy and safe communities
100	Sufficient school places
101	Promoting healthy and safe communities
103	Open space and recreation
105	Open space and recreation
109	Promoting sustainable transport
110	Promoting sustainable transport
112	Promoting sustainable transport
115	Considering development proposals
116	Considering development proposals
117	Considering development proposals
118	Considering development proposals
124	Making effective use of land
125	Making effective use of land
129	Achieving appropriate densities
131	Achieving well-designed and beautiful places
135	Achieving well-designed and beautiful places
136	Achieving well-designed and beautiful places
137	Achieving well-designed and beautiful places
139	Achieving well-designed and beautiful places
161	Meeting the challenge of climate change, flooding and coastal change
163	Meeting the challenge of climate change, flooding and coastal change
164	Meeting the challenge of climate change, flooding and coastal change

166	Meeting the challenge of climate change, flooding and coastal change
181	Planning and flood risk
182	Planning and flood risk
187	Conserving and enhancing the natural environment
192	Habitats and biodiversity
195	Habitats and biodiversity
198	Development in appropriate locations
200	Integration of development
207	Proposals affecting archaeological interest
231	Implementation
232	Implementation

HBC Land Use Policy comments: Principle of development

1.31 In accordance with principles underpinning the planning system, planning law requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan

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

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

The NPPF - A material consideration

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

1.35 Paragraph 11 sets out that plans and decisions should apply a presumption in favour of sustainable development, for decision taking this means:

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

1.36 With regards to section c, Planning Policy echo the view of approving proposals that accord with an up-to-date development plan without delay. The 2018

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

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

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

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

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

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

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

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

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

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

1.44 Criterion 2 seeks to direct development to the rural villages or near to a village. It is noted that the proposal is beyond the limits to development and the

proposed housing is not located in or adjacent to any of the villages within the borough but that it is located close to the urban limits. Planning Policy are of the view that this proposal does not accord with the policy but that in the main this criterion is not applicable in this case.

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

1.46 Criterion 4 states that development should not have a significant detrimental impact on the neighbouring uses or surrounding area by way of amenity, noise, access, light pollution or visual intrusion. The views of HBC Environmental Health should be considered to determine the proposal against this criterion.

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

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

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

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

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

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

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

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

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

1.56 Planning Policy considered the proposal to be contrary to policy RUR2 however it should be noted that this would not be a key policy when determining an application on this site as the policy is aimed at small residential developments in the rural area, not large scale residential development.

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

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

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

Housing mix

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

Affordable housing provision

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

Proposed local centre

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

Development design and impact upon amenity

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

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

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

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

Road infrastructure, access, highway safety and car parking

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

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

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

1.69 There appears to be a vehicular link from the local centre through to Quarry Farm 1. Any links from Quarry Farm 3 into Quarry Farm 1 and 2 are welcomed

provided they are done in a sympathetic manner and protect existing hedgerows as far as possible. Planning Policy seek to ensure that residents and visitors can flow easily through the sites and in the shortest possible way.

Car parking

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

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

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

Climate change including flood risk

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

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

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

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

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

PLANNING OBLIGATIONS

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

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

Affordable housing

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

Highway infrastructure

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

Green infrastructure

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

Play

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

Ecology mitigation (HRA)

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

Sports provision

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

- Built sports - a sum of £250 per dwelling (£118,750) should be sought and directed towards borough wide provision, to be specified at a later date.
- Playing pitches - a contribution of £233.29 per dwelling (£110,812.75) is required towards playing pitches directed towards borough wide provision, to be specified at a later date.
- Tennis courts - a contribution of £57.02 per dwelling (£27,084.50) is required to be directed towards borough wide provision.
- Bowling greens - a contribution of £4.97 per dwelling (£2,360.75) is required to be directed towards the bowling green facilities within the borough.

Education

- Primary contribution - £1,404,798.15 based on a pupil yield of 21.5/100 dwellings and a cost of £13,755.00 per school place.
- Secondary contribution - £917,758.16 based on a pupil yield of 13.7/100 dwellings and a cost of £14,102.00 per school place.

Training and employment

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

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

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

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

1.87 The agreed positive benefits cited include:

- additional housing provision to bolster the council's 5-year housing land supply position, noting that the 5 year housing land supply is a position that can change especially given the potential barriers to other development sites and risks associated with the housing industry
- significant funding provision toward improvements of key highway schemes, allowing these to be completed sooner than they otherwise would, reducing congestion.
- indirect and direct economic benefits associated with development
- funding of strategic highways infrastructure
- development of a site that, while not in the Development Limits, is adjacent to the development limits and could form a natural extension to Quarry Farm and could be seen as a sustainable location
- provision of local services for existing and future residents
- provision of 7% affordable housing, and a mixed range of 2, 3, 4 bedroom housing including bungalows despite site viability constraints.

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

Updated comments received 25/02/2026 in respect of Best and Most Versatile (BMV) Land:

1.89 Criterion 10 of policy RUR 1 sets out that development in the rural area should, where relevant, avoid areas of best and most versatile agricultural land, those areas classed as grades 1, 2 and 3a in the Agricultural Land Classification.

1.90 It is noted that parts of the proposal are on land classed as grade 3a and thus without interrogating the reasons for this, it appears that areas of best and most versatile land have not been avoided. With regard to local plan compliance, policy RUR 1 seeks to avoid areas such as BMV grade 3a, but this is not a blanket ban, the policy specifically states "where relevant". In order to demonstrate policy compliance it is for the decision maker to be satisfied that BMV grade 3a land has been avoided where relevant.

1.91 If the decision maker is not satisfied that BMV 3a land has been avoided, where relevant, then one could contend that the proposal is not in accordance with policy RUR1 Criterion 10.

1.92 Notwithstanding the level of policy compliance, it is for the decision maker to determine the proposal in accordance with the local plan unless material considerations indicate otherwise. Land Use Policy note the assertion that the

scheme will lead to highway improvements that mitigate the highway impacts of the proposal but will also bring additional benefits to the highway users above those impacts associated with the proposal. Land Use Policy would consider these benefits to be a material consideration and should be factored in when determining the application.

1.93 Land Use Policy are of the opinion that the report accurately reflects and assesses the local plan policies and balances policy compliance with material considerations.

1.94 I trust these comments clarify previous comments submitted.

Update 24/03/2026 regarding the Land Use Framework:

1.95 I have reviewed the Land Use Framework. Section II sets out that While they (land use principles) will inform spatial planning at the national government level, the principles are separate from the planning process. They are not intended, as with the rest of this Land Use Framework, to be a material consideration for the preparation of development plans or for making decisions on planning applications or nationally significant infrastructure projects.

1.96 The framework therefore does not alter our previous position.

1.97 R.E. the New Predictive Agricultural Land Classification (ALC) map for England (replaces the Provisional ALC map), the data is hard to read from the PDF, it would appear the QF3 is in 3a. The framework does note that the full technical annex and mapping layer will be available 'spring 2026'.

Update 31/01/2026 following amended Economic Viability Assessment (EVA)

thank you for sending me the updated EVA.

It is noted that the £100,000 NHS contribution has now been included and that the developer is showing a profit margin that is within the advised parameters of 15 to 20%.

It is noted that the affordable housing calculations have not been included but the applicant has again confirmed that 7% affordable housing will be provided as set out in the committee report.

No justification is given as to why the AH calculations were not factored in, but it was not necessary to insist that the AH calculations are shown. Based on Land Use Policy officers' knowledge and experience it is clear that if 7% of the units are sold at a reduced price (as is the case with affordable houses) then their profit margin will also fall and thus the advice provided now and in the past is considered to be robust. It is also likely to be the case that anyone reading the EVA and the committee report would also understand that the profit would reduce in light of the affordable housing offer.

The Land Use Policy position with regard to viability has not altered in light of updated information, the information contained within the report was known to Land Use Policy, the EVA findings were accepted and are still acceptable in light of the additional text.

I trust this information is of assistance.

PLANNING CONSIDERATIONS

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

PRINCIPLE OF DEVELOPMENT

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

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

1.101 This creates a strong presumption in favour of the adopted development plan, ensuring that planning decisions remain plan-led and consistent with the wider spatial strategy for the area. However, the provision also allows flexibility, as material planning considerations such as national policy, site-specific factors, or other relevant planning issues may justify a departure from the plan where they carry sufficient weight. The weight attributed to these material planning considerations is a matter for decision maker.

Site Allocations

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

manner.” Policy LS1 further seeks to avoid coalescence between the urban areas of Hartlepool and surrounding villages.

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

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

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

1.106 It is acknowledged that the Hartlepool Rural Working Plan Group have raised concerns that the proposal does not align with the policies of the HLP (2018) and the subsequent potential impact on the rural area. In terms of the criteria of HLP Policy RUR1, HBC Land Use Policy have considered the proposal against the identified policy as set out within their comments. In this context, the application site is not within the Rural Area as defined by GEN1 of the HRNP (criterion 1), the application site is not within the rural villages (criterion 2) and the proposals would not re-use existing buildings (criterion 3) and therefore it is considered that these three criteria are not applicable in this instance. In terms of the other criteria of Policy RUR1 and as discussed in greater detail throughout the report where applicable, it is considered that the proposed development would not result in a significant impact on neighbour amenity (criterion 4, and subject to the section below); the design of the proposals is broadly acceptable in respect of the quality, character and distinctiveness of the immediate area and landscaping (criterion 5), the areas of development/plot sizes can come forward as part of the Reserved Matters application to ensure they are broadly comparable with nearby dwellings, and therefore acceptable in this respect (criterion 6); the access would be appropriate (criterion 7); the site would link to existing local services (criterion 8), the landscaped boundaries are acceptable, subject to further consideration in the relevant section below (criterion 9).

1.107 Criterion 10 of Policy RUR1 requires that development in the rural area should, where relevant, avoid areas of the best and most versatile agricultural land, those areas classed as grades 1, 2 and 3a in the Agricultural Land Classification. Based on Natural England/Defra’s ‘Agricultural Land Classification’ map, the

application site is rated as Grade 3 (good-moderate). The applicant has provided an Agricultural Land Classification Assessment which concludes that approximately 18.95ha of land is raised from Grade 3b to Grade 3a due to the soil being 'calcerous'. Natural England were consulted on the application (as required) and no objections were received in respect to this matter (loss of BMV). Nonetheless, the updated comments from the Council's Land Use Policy team acknowledge that the development would result in the loss of Grade 3a BMV land, and this is afforded appropriate weight in the 'planning balance' as set out below.

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

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

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

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

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

Site-Specific Considerations

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

1.114 Paragraph 63 of the NPPF (2024) places greater emphasis on having homes delivered that meet identified needs and thus shows the direction of the Government with regards to how it expects decisions to be made. Paragraph 126 of the NPPF (2024) requires planning policies and decisions to take a proactive role in identifying

and helping to bring forward land that may be suitable for meeting development needs.

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

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

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

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

1.118 The Council's Land Use Policy team (in their full comments above) acknowledge that the benefits of the scheme which include significant funding provision toward improvements of key highway schemes allowing these to be completed sooner than they otherwise would, reducing congestion; additional housing provision to bolster the Council's 5-year housing land supply position, noting that the 5 year housing land supply is a position that can change especially given the potential barriers to other development sites and risks associated with the housing industry; indirect and direct economic benefits

associated with development; development of a site that adjacent to the development limits and could form a natural extension to Quarry Farm; provision of local services for existing and future residents.

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

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

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

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

Viability and Planning Obligations

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

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

1.125 The applicant has submitted an Economic Viability Assessment (EVA), which has been considered in detail by the Council’s Land Use Policy team who have

confirmed that whilst the development is unable to deliver all of the contributions sought (namely the full 18% affordable housing and the full amount of the requested financial contribution by the NHS, discussed further below), there is sufficient viability within the scheme to provide:

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

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

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

1.128 Following the planning committee meeting of 18th March 2026, the applicant has updated the supporting EVA to include consideration of the financial contribution requested by the NHS. The EVA includes the agreed contribution of £100,000 (of the requested £229,320 based on 475 dwellings). The Council's Land Use Policy team

have also provided updated comments, confirming that the updated EVA remains acceptable.

1.129 The applicant has agreed to the above obligations and contributions (in the form of obligations and financial contributions) which would need to be secured by a s106 legal agreement as well as appropriate planning conditions where applicable. Obligations will also be required in respect to the provision, long term maintenance and management of areas of landscaping and open space, play areas, biodiversity enhancement across the site (including the LWS), footpaths and connections, and surface water drainage/SuDS.

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

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

Energy Efficiency & Renewable Energy

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

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

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

1.135 The applicant has advised that dwellings would feature solar panels and EV charging points. Full details of the renewable energy infrastructure including solar panels (to meet a minimum of a 10% energy supply from decentralised and

renewable or low carbon sources) and EV charging points can be secured by appropriate planning conditions.

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

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

House Types

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

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

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

Proposed local centre and impact on defined local centres

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

Planning Balance

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

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

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

1.145 *Benefits*

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

1.146 *Adverse Impacts*

- The application site is beyond the limits to development and therefore contrary with the provisions of Policy LS1 of the HLP (2018) to the potential detriment of the character of the rural/semi-rural area,
- The Council is able to demonstrate a 5.4 year housing land supply and any benefits from the delivery of housing would be reduced by the delayed occupation of dwellings until the grade separation junction is open to traffic (economic + environmental + social)

- The development does not make the sought contributions towards all of the affordable housing provision (18%) or the full NHS health contribution towards extra capacity across practices in Hartlepool (economic + social)
- Loss of best and most versatile (BMV) agricultural land/agricultural land, hedgerows and habitat (environmental + social)
- Highway impacts (economic + environmental + social)
- Residential amenity impacts, particularly during construction (environmental + social)

1.147 As noted above, the development would result in the loss of Grade 3a BMV land and it is understood that reasonable alternatives to avoid BMV land are not available/have not been put forward within the application site. In this context, it is acknowledged that the proposal is contrary to criterion 10 of HLP Policy RUR1.

1.148 Notwithstanding this policy conflict, in the context of the overall ‘planning balance’ and the identified benefits of the scheme (in particular the proposed development providing a significant financial (pro-rata) contribution toward improvements of key highway schemes, allowing these to be completed sooner than they otherwise would, reducing congestion), it is considered that the loss of BMV land on the application site would not, on its own, result in a reason to refuse the application. The proposal is therefore, on balance, considered to be acceptable when considered against the provisions of Criterion 10 of Policy RUR1 of the HLP (2018) and paragraph 187 of the NPPF (2024).

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

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

Principle of Development Conclusion (and Planning Balance)

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

1.152 There are a number of identified impacts that have been weighed in the planning balance against the benefits of the development as set out above, and the position is finely balanced. However, in view of the above considerations including the significant benefit of highways infrastructure coming forward which would ease congestion, and the sustainable location of the application site, it is considered that

the proposed development would, overall, positively benefit each of the threads of economic, social and environmental sustainability. Despite the identified shortcomings of the application, primarily the site being located outside the limits to development, it is considered that there are material planning considerations that would outweigh the requirement of Policies LS1 and RUR1 of the HLP (2018), which would allow the proposal to be considered as a sustainable form development, and that the principle of development is therefore considered to be acceptable in this instance, subject to satisfying other material planning considerations as detailed below.

HIGHWAY SAFETY & PARKING

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

1.154 Paragraph 115 of the NPPF (2024) states that it should be ensured that “safe and suitable access to the site can be achieved for all users”. Paragraph 116 goes on to state that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Local Road Network

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

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

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

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

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

1.159 To help progress these improvements, the agreed contribution towards local/strategic improvements is £12,396.01 per dwelling, which equates to a total figure of £5,888,104.75 based on 475 dwellings (this contribution would also be directed towards the grade separated junction infrastructure as discussed further below). This financial contribution is required to be secured in the S106 legal agreement. The Council's Traffic and Transport team have confirmed that this does not cover the full cost of the above local road schemes and it is anticipated that the remaining costs would be covered via Council budgets and further development contributions.

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

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

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

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

Wider Road Network

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

1.165 HBC Traffic and Transport have also confirmed that the aforementioned and agreed financial contribution towards local/strategic improvements (£12,396.01 per dwelling, which equates to a total figure of £5,888,104.75) should also include towards the grade separated junction (comprising the erection of bridge structure and of new highway North of Elwick Village linking to the existing highway).

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

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

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

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

Internal Roads, Car & Cycle Parking

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

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

Construction

1.172 The Council's Traffic and Transport team and National Highways have confirmed that a Construction Traffic Management Plan (CTMP) be submitted detailing phasing, routing plans and arrival and departure times of construction traffic. HBC Highways have requested no construction traffic through Elwick and this can be reflected in the requirements of the CTMP condition with details thereafter to be submitted and agreed with HBC and National Highways through the discharge of the condition. A planning condition is necessary to secure this and is recommended accordingly.

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

Highway Impacts Conclusion

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

VISUAL AMENITY OF SURROUNDING AREA

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

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

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

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

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

1.180 The application is supported by a Landscape and Visual Appraisal (LVA) which concludes that the proposed development "can be integrated successfully into the local landscape without generating notable adverse landscape or visual effects",

including taking into account any cumulative effects. The Council's Landscape Architect was consulted on the proposals and advised that there would be no landscape or visual issues with the proposed development.

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

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

1.183 Overall, it is considered that the impacts on the character of the area will be both positive and negative. The submitted indicative layout shows a number of proposed green corridors and planting buffers to the north west, eastern, south west and southern boundaries, an anticipated setback of the development from Elwick Road (with intervening planting), and the provision of the areas of open spaces and retention of the large LWS area centrally within the site will assist in softening the visual impact of the development. It is also anticipated that from a number of views, the site is likely to be seen in the context of the existing urban area and the topography of the site. It is further anticipated that the landscaping required will assist in filtering or screening some views of the development however given the scale of development proposed mean that it will not be possible to screen the development entirely.

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

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

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

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

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

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

IMPACT ON TREES + LANDSCAPING

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

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

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

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

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

ECOLOGY MATTERS

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

1.196 Paragraph 187 of the NPPF (2024) includes the bullet point: Planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

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

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

Biodiversity Net Gain

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

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

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

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

1.203 In order to secure the BNG, a Habitat Management and Monitoring Plan is required to be developed and submitted to the LPA for approval prior to the commencement of works. This Biodiversity Net Gain Plan is required to detail how the landscape proposals will be implemented and how the increase in Biodiversity Units will be achieved, managed and monitoring for a minimum period of 30 years. All proposed management requirements will need to be detailed and presented in the Habitat Management and Monitoring Plan. A planning condition is recommended in this respect (as well as such details being secured through a planning obligation within the s106 legal agreement). Subject to this, the proposal is considered to be acceptable in terms of biodiversity net gain.

Biodiversity Compensation and Mitigation Measures

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

bat roost bricks and bird nesting bricks, and a number of planning conditions are duly recommended in this instance. Subject to these conditions, the proposal is considered to be acceptable in this respect.

Biodiversity Enhancement

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

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

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

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

Habitats Regulation Assessment

1) *Recreational impacts on designated sites*

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

1.210 The HRA has been revised (in March 2026) by the Council's Ecologist and Natural England have subsequently confirmed that they are satisfied with the HRA subject to the mitigation measures (the financial contribution towards coastal wardening) set out in the HRA being secured. This financial contribution will be secured in the s106 legal agreement.

2) Nutrient Neutrality

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

1.212 Given this application would involve development comprising residential development of more than 150 dwellings (the EIA threshold), it is considered the proposals are 'in scope' for further assessment. The applicant submitted Nutrient Neutrality Budget Calculations accompanied by a Nutrient Statement which concludes that the application does not result in a net increase in nitrates as a result of foul and surface water discharging to the Seaton Carew Waste Water Treatment Works. Furthermore, it is anticipated that the development would feature Sustainable Drainage Systems (SuDS) in order to manage surface water. A HRA Stage 1 Screening Assessment and Stage 2 Appropriate Assessment were duly completed by the Council's Ecologist which confirms there would not be a Likely Significant Effect on the designated sites.

1.213 The HRA has been revised (in March 2026) by the Council's Ecologist and Natural England have subsequently confirmed that they are satisfied with the HRA subject to the mitigation measures set out in the HRA being secured by way of planning conditions (in this case foul flows discharging to the Seaton Carew waste water treatment works via an identified public sewer, and the provision of onsite SuDS to manage surface water).

1.214 Subject to the identified mitigation measures being secured, the application is considered to be acceptable in respect of any Likely Significant Effects on designated sites.

RESIDENTIAL AMENITY

1.215 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) stipulates that the Borough Council will seek to ensure all developments are designed to a high quality and that development should not negatively impact upon the relationship with existing and proposed neighbouring land uses and the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overlooking and loss of privacy, overshadowing and visual intrusion particularly relating to poor outlook. Proposals should also ensure that the provision of private amenity space is commensurate to the size of the development.

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

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

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

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

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

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

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

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

Public Protection to the local centre element of the scheme subject to the identified planning conditions.

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

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

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

1.226 Overall and on balance, these relationships are considered to be acceptable and it is anticipated that development could be brought forward that would not result in an unacceptable impact on the amenity and privacy of existing and future occupiers of the neighbouring properties or of the proposed residential properties in terms of loss of outlook, overbearing, overshadowing and overlooking. As reiterated above, the final consideration of such relationships would be made through the required Reserved Matters applications.

Noise and disturbance

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

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

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

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

1.231 The application is supported by an Air Quality Assessment which concludes that during the construction phase, “with site specific mitigation measures in place, the significance of dust and fine particulate effects from earthworks, construction and trackout is considered to be not significant”, whilst during the operational phase, the proposals would result in a negligible impact, and therefore “the effect of the proposed development on human receptors is therefore considered to be not significant”. The Council’s Public Protection team have been consulted and have confirmed no objections, subject to a standard pre-commencement planning condition for a Construction Management Plan (CMP) that would include the need for dust suppression measures, and controlling the hours of construction, which are recommended accordingly.

1.232 Whilst the concerns in respect to disturbance to neighbouring streets (including Reedston Road, Bodnant Close and Octavia Drive) are appreciated, it is considered that the separation distances to neighbours for much of the development area will help to minimise any impacts. Furthermore, planning conditions as detailed above (including a CTMP, CMP and hours of construction and deliveries) will assist

in minimising disruption. Conditions will also be required to limit hours of operation and deliveries of the proposed local centre in line with similar hours approved for the local centre on the allocated High Tunstall development (H/2014/0428) and in line with the general provisions of Policy RC16 of the HLP (2018) (acknowledging that this application is not an allocated site or designated local centre). The Council's Public Protection team have confirmed such hours of control are acceptable and no objections have been received by the Council's Land Use Policy team in this respect.

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

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

Neighbour Amenity Conclusion

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

FLOOD RISK & DRAINAGE

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

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

1.238 The Council's Engineering Consultancy have confirmed that the proposal is acceptable subject to the inclusion of a pre-commencement planning condition for each phase of development (as well as a planning obligation within the s106 legal agreement) to ensure that a detailed surface water drainage scheme (and details of SuDS) is submitted to and approved by the Local Planning Authority to include full details of surface water management and maintenance. The Council's Engineering

Consultancy have also provided comments in respect of peak flow control, volume control and highway drainage, and it is anticipated that these would be satisfactorily accommodated within the proposed drainage scheme. It is also expected that details of any above ground SuDS (for example a SuDS basin) would be included as part of an appropriate reserved matters application.

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

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

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

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

CONTAMINATED LAND

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

1.244 The Environment Agency have confirmed no objections in respect of contaminated land, however have provided comments in respect of land contamination risk and management, which can be relayed to the applicant via an informative.

OTHER PLANNING MATTERS

Footpath Connections/Public Rights of Way

1.245 The submitted indicative proposed site layout plan indicates proposed footpath and cycle connections from the application site to Worset Lane (north) as well as the existing Quarry Farm phase 2 development to the east of the site. The submitted Access Plan indicates proposed footpaths along Elwick Road between the

proposed access into the development and the existing residential development at Woodhouse Lane (Quarry Farm phase 1), as required by the Council's Traffic and Transport team. The Council's Countryside Access has confirmed that the proposals would not affect any nearby public rights of way and/or permissive paths within the vicinity, and therefore the application is considered acceptable in this respect.

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

Archaeology

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

Crime, Fear of Crime and Anti-Social Behaviour

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

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

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

Waste

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

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

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

OTHER MATTERS

Fire Safety and Access

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

Northern PowerGrid and Northern Gas Networks

1.255 Both Northern PowerGrid and Northern Gas Networks have been consulted on the application and whilst no objections have been received from Northern PowerGrid, Northern Gas Networks initially raised concerns and an objection that the proposals would have the potential to impact upon their assets and have requested clarification. The applicant provided a response to the queries raised by Northern Gas Networks indicating that the proposal includes no occupied buildings within 28m of the identified pipeline and that subject to the grant of the outline planning permission, the reserved matters submission(s) would include a fixed layout which Northern Gas Networks would be consulted upon again to ensure that it accords with their pipeline/easement requirements. Northern Gas Networks responded querying if the applicant is required to consult them prior to the submission of any reserved matters application and whether a planning condition is required.

1.256 It is noted from the indicative layout that no built development interferes with the identified Major Accident Hazard Pipeline (Cowpen Bewley-Naisberry) and this is reflected in the Health and Safety Executive (HSE) planning web advice app response (where they do not advise against the proposal). Officers consider that such matters could be suitably considered and addressed as part of the reserved matters submission where the final layout would need to demonstrate compliance

with any necessary separation distances to the infrastructure and an informative is recommended to relay such a requirement to the applicant.

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

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

PLANNING BALANCE AND OVERALL CONCLUSION

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

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

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

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

EQUALITY DUTY

1.263 The Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact

on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

CRIME AND DISORDER ACT IMPLICATIONS

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

REASON FOR DECISION

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

RECOMMENDATION – APPROVE, subject to the completion of a section 106 legal agreement to secure financial contributions and obligations towards:

- HRA mitigation including wardening to mitigate likely recreational disturbance to the interest features (£250 per dwelling, £118,750 total);
- Highway infrastructure (£12,396.01 per dwelling, £5,888,104.75 total);
- Green infrastructure (£250 per dwelling, £118,750 total, to be directed towards the closest allotments);
- Play (two play parks, with a 25 year maintenance contribution or the commitment to hand the facility over to a management company);
- Built sports (£250 per dwelling, £118,750 total, towards borough wide provision);
- Playing pitches (£233.29 per dwelling, £110,812.75 total, towards borough wide provision);
- Tennis courts (£57.02 per dwelling, £27,084.50 total, towards borough wide provision);
- Bowling greens (£4.97 per dwelling, £2,360.75 total, towards the bowling green facilities within the borough);
- Primary contribution (£1,404,798.15 based on a pupil yield of 21.5/100 dwellings and a cost of £13,755.00 per school place);
- Secondary contribution (£917,758.16 based on a pupil yield of 13.7/100 dwellings and a cost of £14,102.00 per school place);
- NHS Tees Valley contribution of £100,000 to deliver services across practices in Hartlepool;
- On site Affordable housing (7% affordable dwellings, of which 70% affordable rent and 30% intermediate tenure);
- A 'recycling' clause/obligation (in the event additional funding was to come forward towards highway improvement schemes, this would ensure such financial contributions are appropriately recycled towards affordable housing and then towards delivering NHS services as set out in the committee report);

- Training and employment charter;
- Provision, maintenance and long term management of new footpaths and footpath connections;
- Provision, long term maintenance and management of play areas;
- Provision, long term maintenance and management of landscaping, open space, and biodiversity measures;
- Provision, long term maintenance and management of surface water drainage infrastructure at the application site;
- To secure the appropriate monitoring fees (per obligation).

and subject to the following planning conditions:

1. Application for the approval of the reserved matters (referred to below) and the commencement of development, shall be as follows. The first reserved matters application shall be made to the Local Planning Authority not later than 3 years from the date of this planning permission and the development so approved shall be begun not later than 2 years from the date of approval of the last reserved matters of that phase. Thereafter, all subsequent phased reserved matters applications shall be made to the Local Planning Authority not later than 5 years from the date of this permission and the development so approved shall be begun not later than the expiration of 2 years from the final approval of the last reserved matters relating to each phase.
For the avoidance of doubt.
2. Approval of the details of the Layout (including internal pedestrian and highway layout), Scale and Appearance of the building(s) and the Landscaping of the site (hereinafter called the "reserved matters"), shall be obtained in writing from the Local Planning Authority.
In order to ensure that these details are satisfactory.
3. The details submitted at the reserved matters stage shall be in general conformity with Dwg. No. 07 Rev E (Proposed Illustrative Site Layout, scale 1:1250, received by the Local Planning Authority on 25/07/2023); Dwg. No. ITM15669-GA-017 Rev A (Access Arrangements, received by the Local Planning Authority on 06/03/2025); and Dwg. No. 5 Rev E (Application Masterplan, scale 1:2500, received by the Local Planning Authority on 10/11/2025).
In the interests of the proper planning of the area.
4. The permission hereby granted shall permit the phased development of the site and unless otherwise indicated all other conditions shall be construed accordingly. Prior to the submission of the first "reserved matters" application, a Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall identify the phasing of all development, infrastructure, landscaping including strategic landscaping, the local centre, the means of access/pathways/cycleways, enclosures and gates, public and amenity open space, treatment of the Local Wildlife Site (LWS), and play facilities of the development hereby approved. Thereafter the development (and subsequent submission of the Reserved Matters) shall be undertaken in accordance with the Phasing Plan so approved unless some variation is otherwise agreed in writing

by the Local Planning Authority.

To ensure the coordinated progression of the development and the provision of the relevant infrastructure and services to each individual phase.

5. The development hereby approved shall be carried out in accordance with the following:
Dwg. No. 01-1 Rev B (Site Location Plan, scale 1:5000), received by the Local Planning Authority on 15th January 2021; and
Dwg. No. ITM15669-GA-017 Rev A (Access Arrangements), received by the Local Planning Authority on 6th March 2025.
For the avoidance of doubt.
6. The total development hereby approved shall not exceed the following maxima:
Up to 475 residential dwellings (C3 Use Class);
Up to 400sqm retail floorspace falling within Use Class E(a), E(b) and/or E(e) of the Town and Country Planning (Use Classes) Order 1987 (as amended, including by the Use Classes (Amendment) (England) Regulations 2020).
For the avoidance of doubt.
7. No development on any phase shall commence until details of existing and proposed levels of the site (within and outwith the site) including finished floor levels of the dwellings and buildings to be erected, sections through the site and any adjacent land/buildings, and any earth retention measures, have been submitted to and approved in writing by the Local Planning Authority. The phase of development shall thereafter proceed in accordance with the agreed levels. To ensure that the development safeguards the visual amenity of the area and the living conditions of the neighbouring residents in accordance with Policies QP4, QP5 and LS1 of the Hartlepool Local Plan (2018).
8. No part of the development hereby approved shall be constructed on any phase until construction of the new grade separated junction (comprising erection of bridge structure and of new highway North of Elwick Village linking to the existing highway) has commenced on site. No dwelling on any phase shall be occupied until the new grade separated junction (comprising erection of bridge structure and of new highway North of Elwick Village linking to the existing highway) is fully open to traffic, to the satisfaction of the Local Highways Authority (Hartlepool BC) in consultation with the Highways Authority for the A19. In the interests of highway and pedestrian safety and to accord with the provisions of Policy INF2 of the Hartlepool Local Plan 2018.
9. Unless otherwise agreed in writing by the Local Planning Authority in consultation with the Highways Authority for the A19, Travel Plan monitoring shall continue until it has been demonstrated that the travel patterns of the development are in line with the travel plan targets as shown in Table 6.2 of the “Quarry Farm Phase 3, Hartlepool Travel Plan” (reference: JO/VE/ITM15669-002A R, received by the Local Planning Authority on 27/10/2020).
In the interests of highway and pedestrian safety and to ensure that the travel patterns of the development are in line with the objectives of the Travel Plan, in line with PPG (2014).

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

11. The vehicular and pedestrian access (and associated visibility splays and footway connections) to the development hereby approved shall be completed in accordance with Dwg. No. ITM15669-GA-017 Rev A (Access Arrangements), received by the Local Planning Authority on 06/03/2025) prior to the first occupation of any of the dwellinghouses hereby approved unless an alternative timescale is otherwise agreed in writing with the Local Planning Authority.
To ensure a satisfactory form of development and in the interests of highway safety.

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

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

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

In the interests of highway and pedestrian safety.

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

16. Prior to the commencement the development, details of a scheme for traffic calming measures within the approved site, including a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The traffic calming measures shall thereafter be provided in accordance with the details and timetable so approved unless some variation is subsequently agreed in writing with the Local Planning Authority.
In the interests of highway and pedestrian safety.

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

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

19. No development of any phase shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) and timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include method statements for the avoidance, mitigation and compensation measures as detailed in Section 5 (Recommendations) of the Ecological Assessment by OS Ecology, Project Number 23072, dated September 2024 and received by the Local Planning Authority on 25th October 2024. The CEMP (Biodiversity) shall include the following:
- i) works completed to a precautionary method statement for common toad;
 - ii) A pre-commencement check for nesting birds shall be undertaken by a suitably experienced ornithologist if vegetation clearance or building demolition is undertaken between March and August inclusive;
 - iii) A bat sensitive light strategy;
 - iv) physical screening in some locations;
 - iv) Any excavations left open overnight will have a means of escape for wildlife that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.
- Thereafter the approved CEMP shall be adhered to and implemented throughout the construction period and strictly in accordance with the approved details.
- In the interests of avoiding or mitigating ecological harm.
20. No development of any phase shall commence unless and until a Habitat Management and Monitoring Plan (HMMP) to ensure that the approved development provides the delivery of the Biodiversity Net Gain (BNG) as detailed in the 'Landscape Ecological Management Plan (LEMP)' by OS Ecology (Project Number 23072, dated September 2024, and received by the Local Planning Authority 20/09/2024) has been submitted to and approved in writing by the Local Planning Authority.
- The HMMP shall include:
- details of habitat retention, creation and enhancement sufficient to provide the delivery of the net gain proposed in the LEMP;
 - the provision of arrangements to secure the delivery of the net gain proposed in the LEMP (including a timetable for their delivery);
 - a management and monitoring plan (to include for the provision and maintenance of the net gain proposed in the LEMP for a period of at least 30 years or the lifetime of the development (whichever is the longer). Thereafter, the scheme shall be implemented in full accordance with the requirements of the agreed scheme and timetable for delivery.
- To provide biodiversity management and biodiversity net gain in accordance with paragraphs 8, 186 and 193 of the NPPF (2024) and Policy NE1 of the Hartlepool Local Plan (2018).
21. No development on any phase shall take place until a detailed scheme for the provision, long term maintenance and management of all landscaping within that phase of the site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall, where achievable, include the mitigation measures detailed in the document 'Landscape

Ecological Management Plan (LEMP) 'by OS Ecology (Project Number 23072, dated September 2024) received by the Local Planning Authority 20/09/2024 and Section 5 (Recommendations) of the Ecological Assessment (by OS Ecology, Project Number 23072, dated September 2024 and received by the Local Planning Authority on 25/10/2024).

The scheme shall specify sizes, types and species, indicate the proposed layout and surfacing of all open space areas, include a programme of the works to be undertaken, and be implemented in accordance with the approved details and programme of works. Thereafter the agreed scheme shall be provided in accordance with the approved details. All planting, seeding or turfing comprised in the approved details of landscaping within the curtilage of individual residential dwellings shall be carried out in the first planting season following the occupation or completion of each individual dwelling (whichever is sooner). All planting, seeding or turfing comprised in the approved details of landscaping for all other areas (out with the residential curtilages) including open space within the site shall be carried out in the first planting season following the occupation of the dwellings or completion of development of that phase, whichever is the sooner. Any trees plants or shrubs which within a period of 5 years from the completion of the development hereby approved, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

In the interests of visual amenity and the amenities of future occupiers and in the interests of biodiversity and ecology.

22. Notwithstanding the submitted information and prior to the commencement of any phase of the development, an Arboricultural Impact Assessment and Method Statement for the protection of any trees/hedgerows/landscaping within that phase, which shall be in general conformity with document 'Arboricultural Impact Assessment, Arboricultural Method Statement, and Preliminary Tree Protection Plan', document reference: ARB/AE/823c, dated December 2024 and received by the Local Planning Authority on 10/12/2024, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to any equipment, machinery or materials being brought onto the site for the purposes of the development hereby approved, the agreed scheme for the protection and retention of the retained trees shall be implemented on site and thereafter retained until the completion of the development of that phase. Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees that are found to be dead, dying, severely damaged or diseased as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season. In the interests of the health and appearance of the existing trees and the visual amenity of the area and surrounding area.
23. Development on any phase shall be implemented in line with the drainage scheme contained within the submitted document entitled "Flood Risk Assessment and Drainage Strategy" (document reference 17N1042 Rev B,

prepared by Billingham George and Partners, dated 7 August 2020, received by the Local Planning Authority on 27/10/2020). The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 3306 (and includes a connection to the adopted sewer and Seaton Carew Waste Water Treatment Works) and ensure that surface water discharges to the existing watercourse.

To prevent the increased risk of flooding from any sources in accordance with the NPPF and to avoid any likely significant effects on the Teesmouth and Cleveland Coast SPA and Ramsar.

24. Notwithstanding condition 23, no development on any phase shall take place until a detailed design and associated management and maintenance plan of surface water drainage for that phase based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme shall be subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings shall include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - a. human health,

- b. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - c. adjoining land,
 - d. groundwaters and surface waters,
 - e. ecological systems,
 - f. archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

2. Submission of Remediation Scheme

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

3. Implementation of Approved Remediation Scheme

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

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

4. Reporting of Unexpected Contamination

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

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

5. Long Term Monitoring and Maintenance

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

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

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

6. Extensions and other Development Affecting Dwellings.

If as a result of the investigations required by this condition landfill gas protection measures are required to be installed in any of the dwelling(s) hereby approved, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the dwelling(s) hereby approved shall not be extended in any way, and no garage(s) shed(s), greenhouse(s) or other garden building(s) shall be erected within the garden area of any of the dwelling(s) without the prior written consent of the Local Planning Authority.

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

26. Prior to the commencement of any phase of the development hereby approved, details of proposed interpretation panels (providing information in respect to features of the Local Wildlife Site and Quarry) including construction materials and finish and a timetable for implementation shall be submitted to and agreed in writing by the Local Planning Authority. The interpretation panels shall thereafter be provided in accordance with the approved details and the agreed timetable.

In the interests of visual amenity and heritage assets.

27. Notwithstanding the submitted information and prior to the commencement of any phase of the development hereby approved, details of proposed hard landscaping and surface finishes (including the Access, proposed car parking areas, footpaths and any other areas of hard standing to be created) shall be submitted to and approved in writing by the Local Planning Authority. This shall include all external finishing materials, finished levels, and all construction details confirming materials, colours, finishes and fixings. Thereafter, the development shall be carried out in accordance with the agreed details. To enable the Local Planning Authority to control details of the proposed development, in the interests of the visual amenity of the area and highway safety.

28. Notwithstanding the submitted information and prior to the commencement of any phase of the development hereby approved, details of all walls, fences and other means of boundary enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details for each phase shall, where achievable, include the provision a 10cm² square Hedgehog access hole at ground level within dividing garden fences, to allow free passage of Hedgehogs through gardens and into wildlife corridors. Thereafter, the development shall be carried out in accordance with the agreed details.
In the interests of visual amenity and the amenity of the occupiers of the site, and the ecology of the area.
29. Prior to the commencement of each phase of development, details of the provision for refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, provision shall be made for the storage of refuse in accordance with the agreed details prior to the occupation or completion (whichever is sooner) of the identified dwellings or buildings, for the lifetime of the development hereby approved.
To ensure a satisfactory form of development.
30. A Construction Management Plan shall be submitted to and agreed in writing with the Local Planning Authority, prior to the commencement of development on each phase, to agree the routing of all HGVs movements associated with the construction phases, effectively control dust emissions from the site remediation and construction works, this shall address earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, details of the wheel washing facilities to be put in place to minimise the transference of mud onto the highway (these shall be sited on hard standing), road sheeting of vehicles, offsite dust/odour monitoring and communication with local residents. The approved Construction Management Plan shall thereafter be adhered to at all times during the construction period unless some variation is otherwise agreed to by the local planning authority.
In the interests of the amenities of the area and highway safety.
31. Prior to the commencement of each phase of the development hereby approved, details of a Noise Attenuation Scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority, as specified in the Noise Assessment Report (report No. 0002, version V1, dated October 2020 and received by the Local Planning Authority on 27/10/2020). The Noise Attenuation Scheme shall be prepared by a suitably qualified consultant/engineer and shall take into account the provisions of BS 8233:2014 "Guidance on Sound Insulation and Noise Reduction for Buildings" (or as otherwise subsequently amended). The approved scheme shall be implemented, and verification that the measures identified in the scheme have been implemented shall be provided prior to the occupation of any of the dwellings identified in the scheme and shall be permanently retained thereafter unless some variation is otherwise agreed in writing by the Local Planning Authority.
For the avoidance of doubt and in the interests of the amenity of future occupiers.

32. Prior to the commencement of development on any phase of the development, details of integral bat roosting box bricks (suitable for crevice roosting bats) to be provided to 50% of the dwellings within that phase, and integral universal bird nesting bricks to 50% of the dwellings within that phase, to be installed in a south or east facing sides of each of the dwellings within that phase of the development, including the exact location, specification and design, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the bat box bricks and bird nesting bricks shall be installed strictly in accordance with the details so approved prior to the occupation or completion of each of the individual dwellings within each phase of the development, whichever is the sooner, and shall be maintained for the lifetime of the development hereby approved.
To provide an ecological enhancement for protected and priority species, in accordance with section 15 of the NPPF (2024).
33. Prior to the commencement of any phase of the development hereby approved, a report shall be first submitted to and approved in writing by the Local Planning Authority that demonstrates how the use of onsite renewable energy infrastructure will provide 10% of the development within that phase's predicted energy supply. The development shall thereafter be constructed/installed in line with the approved scheme prior to the residential occupation or completion (whichever is sooner) of the identified dwellings hereby approved.
In the interests of promoting sustainable development and in accordance with the provisions of Local Plan Policy QP7 and CC1.
34. Prior to the commencement of any phase of the development hereby approved, details of electric vehicle charging apparatus, including identifying the dwellings/location of the apparatus for that phase shall be submitted and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation or completion (whichever is sooner) of the identified dwellings, the agreed scheme shall be implemented on site.
In the interests of a satisfactory form of development and in accordance with the requirements of Local Plan Policy CC1.
35. No construction/building works or deliveries shall be carried out except between the hours of 08.00 am and 6.00 pm on Mondays to Fridays and between 09.00 am and 1.00 pm on Saturdays. There shall be no deliveries or construction activity including demolition on Sundays or on Bank Holidays.
To avoid excessive noise and disturbance to the occupants of nearby properties.
36. The commercial premises (Use Classes E(a), (b) and/or (e)) hereby approved shall only be open to the public between the hours of 07:00 and 23.30 on any day.
In the interests of the amenities of the occupants of neighbouring properties.
37. Deliveries to the commercial premises (Use Classes E(a), (b) and/or (e)) hereby approved shall only take place between the hours of 07:00 and 21.00 on any day.

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

BACKGROUND PAPERS

1.266 Background papers can be viewed by the ‘attachments’ on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=141042>

1.267 Copies of the applications are available on-line:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet>

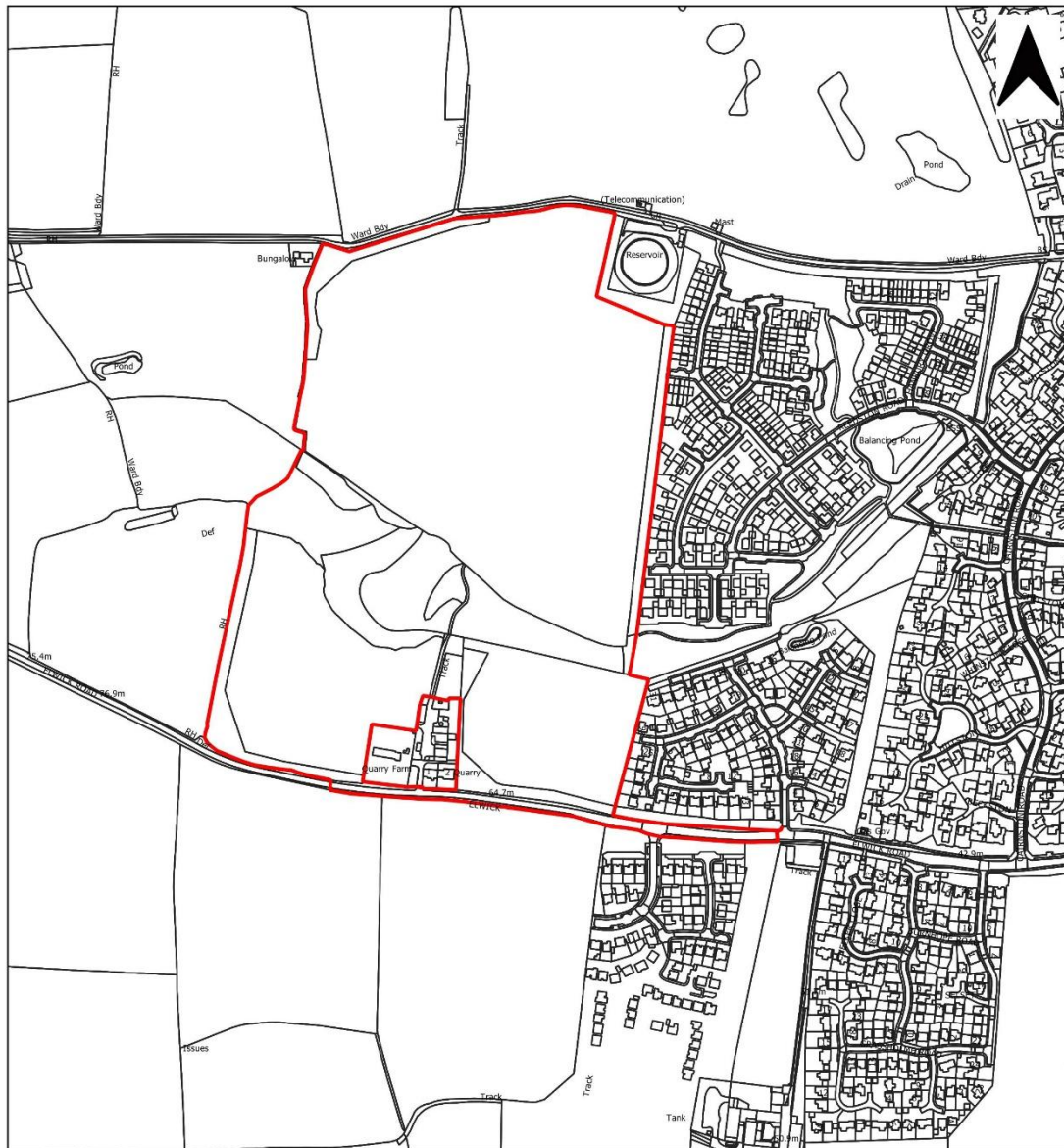
CONTACT OFFICER

1.268 Scott Parkes
Assistant Director - Neighbourhood Services
Level 3
Civic Centre
Hartlepool
TS24 8AY
Tel: (01429) 523207
E-mail: scott.parkes@hartlepool.gov.uk

AUTHOR

1.269 Stephanie Bell
Senior Planning Officer
Level 1
Civic Centre
Hartlepool
TS24 8AY
Tel: 01429 523246
E-mail: Stephanie.Bell@hartlepool.gov.uk

Land At Quarry Farm, Elwick Road, Hartlepool



© Crown Copyright. All rights reserved AC0000849987 (2025).

THIS PLAN IS FOR IDENTIFICATION PURPOSES ONLY

<h2>HARTLEPOOL BOROUGH COUNCIL</h2>	DRAWN LH	DATE 07/10/2025
	Scale 1:6000	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	DWG.NO H/2020/0387	REV

No: 2.
Number: H/2022/0357
Applicant: GLEESON HOMES WYNYARD PARK HOUSE,
 WYNYARD ESHTON STOCKTON ON TEES TS22 5TB
Agent: n/a
Date valid: 14/12/2022
Development: Erection of 81no. dwellings with associated re-profiling of
 mounds, landscaping and infrastructure.
Location: LAND ON THE WEST SIDE OF CORONATION DRIVE
 HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

2.2 There is no recent relevant planning history relating to the application site.

PROPOSAL

2.3 The application seeks planning permission for the erection of 81 No. residential dwellings predominantly located on an allocated housing site at Coronation Drive, Seaton Carew in Hartlepool. The proposed dwellings would be made up from a mix of 12 No. two bedroom dwellings, 47 No. three bedroom dwellings and 22 No. four bedroom dwellings of detached, semi-detached and terraced, two storey form. The residential development would be concentrated at the southern part of the application site. A vehicular access from Coronation Drive would run through the site to the west and south, with a northern branch to serve the respective properties in that area.

2.4 Towards the northern part of the application site, the proposed development would also involve the re-profiling of the existing mounds, and would landscape the area of existing open space. The area would also include the provision of a Sustainable Drainage System (SuDS) pond. An informal footpath would also be incorporated through the area of open space that would run centrally through the site in a north to south direction.

2.5 Through the course of the planning application, the proposed housing scheme has been reduced from 151 dwellings down to the current number, where the housing allocation (HSG3(4)) and the green corridor allocation (NE2e) within the Adopted Hartlepool Local Plan (2018) are largely reflected by the proposals.

2.6 The application has been referred to the Planning Committee due to the number of objections received, in line with the Councils scheme of delegation for planning applications.

SITE CONTEXT

2.7 The application site relates to the irregular and undulating grassed parcel of land to the west of Coronation Drive in Seaton Carew, Hartlepool. The overall shape of the application site roughly reflects an inverted L-shape. The site is allocated within the Adopted Hartlepool Local Plan for housing development (HSG3 (4)) to the south and a green corridor (NE2e) towards the northern part of the site. The land is currently within the ownership of the Council (HBC). The application site is bounded by vehicular highways to the east and north, with the highway of Coronation Drive running in a north/south direction to the east of the application site and Warrior Drive, which is to the north of the application site and connects to the aforementioned highway, and runs east to west/southwest, surrounding this part of the application site. Residential properties also surround part of the application site to the west, south and east. Immediately to the west are the branched (three) cul-de-sacs of Gala Close; immediately to the south are the properties located on Endeavour Close; and immediately to the east and south-east are the residential properties located on Lithgo and Hornby Close respectively. The application site also contains a stream, which surrounds part of the site from the south/north-west and runs eastwards at the north of the site, before it discharges beyond the highway of Coronation Drive out into the North Sea.

2.8 The undulating nature of the application site is made up from two notable soil mounds, which are located at the western part of the site that are separated by an approximately 30 metre depression in ground level. The area of the application site to the east/north-east of the mounded areas is considerably lower, albeit is still undulating. The application site is covered in vegetation with the presence of trees, bushes and long grass in parts, with informal footpaths that circulate throughout the site. An electricity sub-station is also present within the north-east part of the site. Beyond Coronation Drive to the east is the North Sea.

PUBLICITY

2.9 The application has been advertised by way of 278 neighbour letters, site notices and a press advert. During the course of the planning application, the proposed scheme was revised down from 151 dwellings to 81 and therefore an additional full consultation to reflect the change was carried out, including neighbour letters, press advert and site notices.

2.10 Further consultation was undertaken on five occasions on receipt of amended plans and additional information.

2.11 To date, representations of objection have been received from 71 residential properties, with multiple objections submitted from the same individuals in some cases. In addition, objection comments were also received anonymously and from individuals with no known address.

2.12 The objections can be summarised as follows:

- Impacts on residential amenity in respect to overbearing, overshadowing, loss of light/sunlight, loss of outlook;
- Impacts of construction period including noise, dust, odour and light pollution;
- Impacts from piling activity on residents;
- Impact on amenity of future residents as a result of adjacent commercial uses;
- Concern over the disturbance of contaminated material and the impact on surrounding residents through airborne and ground water contaminant pathways, during the construction period and over the longer term;
- Comments suggest contaminated land should be left undisturbed;
- Comments that clean cover contamination barrier should be deeper than proposed;
- Lack of infrastructure including schools, doctor's dentist, sewage, highway network and public transport;
- Dangerous location for housing in proximity to busy highway;
- Traffic congestion problems in the area would be exacerbated, poor site access onto Coronation Drive, lack of parking, no pelican crossing to cross the road;
- Concern over potential to remove bollards and open up Lithgo Close to connect development;
- Concern over ability for emergency vehicles to access site;
- Proposals would destroy a good walking route that should be adopted;
- Footpath proposed through site should be adopted;
- Concern over impact on ecology and wildlife; impact of piling on Wildlife and SPA;
- Concerns over impact on beck.
- Impact on flood risk and drainage;
- Impact on Northumbrian Water Infrastructure in vicinity of site;
- Increased use impact on nearby pumping station;
- Development would result in urban sprawl coalescence of Seaton Carew with Hartlepool;
- Not compliant with gateway vision for Seaton Carew;
- Would have a negative impact on tourism
- Housing not in keeping with the surrounding area and would result in a loss of identity for Seaton Carew;
- Proposals would spoil open aspect along the seafront;
- Too many homes in Seaton Carew/ area overpopulated and development too dense;
- Strange place to locate housing;
- Question need for dwellings;
- Lack of bungalows for elderly people;
- Comments suggest a focus on regeneration of existing empty housing;
- Impact from loss of trees;
- Proposed linear trees not in keeping with area;
- Proposed trees not fit for seaside location and maintenance issues;
- Proposals not compliant with National and Local Planning Policy, Seaton Carew SPD and Habitat Regulations;

- Impact on Seaton Carew Conservation Area;
- Concern over potential subsidence risk;
- Concern that further application may seek additional housing at future date;
- Development would increase presence of mice and rats;
- Matter raised in respect to boundary fence dispute;
- Concerns raised in respect of developer trust and landscaping, drainage and remediation should be suitably secured accordingly to ensure compliance;
- Concerns over Local Authority reputation;
- Comment that Local Authority choosing profit and Council tax ahead of protecting quality green space;
- Sale of land and financial considerations/ concern that public money may be required;
- Concerns that development would set a precedent;
- Impact on carbon footprint;
- Changes to Local Plan allocation without consultation;
- Alternative Brownfield sites should be considered;
- Objections to affordable housing;
- Objections to no affordable housing;
- Need to obtain planning obligations;
- Impact on Archaeology and petrified forest;
- Lack of facilities for children to socialise;
- Loss of rear gated access;
- Loss of ability access property for maintain purposes
- Loss of view;
- Loss of property value;
- Anomalies with plans/ mapping information and submitted documents.

2.13 Background papers can be viewed via the ‘click to view attachments’ link on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=155417>

2.14 The period for publicity has expired.

CONSULTATIONS

2.15 The following consultation replies have been received:

HBC Landscape Architect: - Detailed planting plans have been provided. Details of tree planting should be confirmed as there appear to be tree labels without symbols (e.g. plan 3 plots 1, 2, 11, 142). While landscape provision is minimal being, driven by layout, species are acceptable.

The boundary treatment plan specifies 0.6 m post and wire fencing as garden plot division to the rear of properties. A more substantial boundary treatment would be appropriate.

Further comments received 20/06/2024

The landscape proposals provided are acceptable given the constraints of the layout. It is noted that the post and wire fencing to rear boundaries has been amended to vertical screen fence.

HBC Arboricultural Officer: - There are no TPO's or Conservation areas associated with the site or in close in proximity. The Arboricultural impact assessment is fine, the development has informed the assessment rather than the trees informing the assessment which is what would normally be expected. As there are not many trees on the site that isn't really an issue for this application. Section 5 states how Whitebeam (T06) is of a higher quality and excludes it from the statement that it will conflict with the design, however in the tree survey it is down to be removed and replaced, this contradicts itself. On the proposed site plan there looks to be no reason why the tree cannot be retained in the rear garden of plot 59 and therefore should be retained and offered the same protection alongside T2 G11 including T12 and T14. I'd expect to see the tree protection plan to be changed to show this or reasoning for the removal of an early mature tree. I would also propose the move of the additional tree planting to the front garden of plot 59 moved to plot 58 to help with this. Once amended there would be no issue with the AIA and TPP.

The proposed planting scheme is adequate in terms of species and locations. All trees must be planted as stated in the prescribed tree pits. I would also like to see mulch added to the base of the new tree plantings as is prescribed to planting beds at least the size of the tree pit and to a depth of 75mm with the stem left clear. This is essential in the areas of wildflower planting to the north to reduce weed competition. Any trees plants or shrubs, which within a period of 5 years from the completion of the development die, are removed other than those specified within the approved plans or become seriously damaged or diseased, shall be replaced in the next planting season with others of the same size and species.

Further comments received 03/07/2024

The submitted Arboricultural Impact Assessment from Biodiverse Consulting Dated March 2024 is fine in terms of the information required. All of the trees on the site are to be removed to facilitate the development and some trees offsite in neighbouring gardens are to be protected for their retention. After visiting the site there is no objection to the removal of the trees and the proposal aims to mitigate this by planting within the front gardens. There are however some issues with the proposed planting that needs to be addressed.

The current 'Detailed Landscape Proposals' do not adequately consider the long-term sustainability of the site. Specific issues include:

Proximity to Hard Surfacing: Prunus Avium trees are proposed too close to hard surfaces, potentially causing root-related problems as they grow. Proper tree pit designs would be required to mitigate this.

Broad Canopy Trees: These are positioned near property gables, which will lead to growth into gutters and windows, creating maintenance issues.

Low Canopy and Fruit-Bearing Trees: Placing these between close driveways is problematic as they can obstruct cars and cause fruit to be trodden on.

Small Trees near Larger Trees: Smaller trees situated close to larger ones will struggle for light and are likely to be outcompeted.

These issues can result in the removal of problematic trees, becoming a concern for residents. Furthermore, the coastal environment necessitates the use of salt-tolerant tree species. Trees with waxy leaves enhance salt tolerance, and those with columnar or pyramidal shapes can help mitigate some of the aforementioned challenges.

The tree planting plan should be revised to account for site conditions and the constraints of the development. Selecting the right tree species for the appropriate location is crucial to ensuring they remain an asset to the development in the long term and not just to look appealing for the first 10 years. Documents and guidance such as the Trees and Design Action Group' Guide to Tree species selection is a good document to advise on suitable tree planting for challenging locations. Any planting scheme approved for the site will need to be condition prior to the first occupation of the site to ensure the planting is enacted fully while still under the control and ownership of the developer.

Further comments received 29/10/2024

The Arboricultural Impact Assessment submitted by Biodiverse Consulting, dated March 2024, meets the necessary requirements. All on-site trees are proposed for removal to facilitate development, while off-site trees in neighbouring gardens are designated for protection. Following a site visit, there are no objections to the proposed tree removals, as the plan includes mitigation measures through new planting in front gardens.

The revised detailed landscaping proposals are suitable for the site and should be secured by a condition to be implemented prior to first occupation. This ensures that the planting can be completed while the land remains under the developer's control and ownership.

Further comments received 03/03/2025

No further arboricultural comments to make. The tree planting has remained the same as before.

HBC Traffic & Transport: - The traffic impact of this proposed development will not be severe and can confirm that the access onto Coronation Drive is acceptable. I would therefore have no objections to this scheme in principle. I do have a few requirements and concerns outlined below.

The developer should fund the provision of a Toucan Crossing on Coronation Drive in the location of the existing pedestrian refuge immediately north of the site access in order to provide a safer access to the promenade for pedestrians and cyclists.

This will require a short upgrade of the footway on Coronation Drive to provide a footway / cycleway connection between the site access and the crossing. These works should be carried out under a section 278 agreement and in the first instance offered to Hartlepool Borough Councils Engineering Consultancy.

Guard Railing should be provided on Coronation Drive opposite the proposed pedestrian Access points

The Road markings adjacent the site access require minor amendments to provide a right turn pocket in the existing hatching.

The proposed footpath to the north of the site which runs alongside the beck should be upgraded to a 3.0 metre footway / cycleway with appropriate lighting. The path should be extended so that it connects into Gala Close. This footway / cycleway would form part of the adopted highway and be carried out under a section 38 agreement. A section of the path is not part of the site boundary, however is part of Council owned land.

Layout

The footway to the north side of the site adjacent to plots 117 -127 should be 2 metres in width.

Footways around the cul de sacs should be 2 metres in width.

Footway adjacent plots 97 100 should be 2 metres in width.

The proposed staggered junction near Lithgo Place is below the recommended minimum junction spacing of 20 metres. A tracking drawing should be provided showing how a refuse vehicle can travel between the two junctions with cutting across footways.

Lithgo Close

A plan should be provided showing the details of the proposed closure at Lithgo Close. The closure should be relatively substantial and aseptically pleasing, without being susceptible to vandalism allowing unauthorised access, the proposed details shown on the drawing 007 -02 would not be sufficient.

A large number of properties have driveways which are below the required 6 metre length. It would appear that some of the properties have a porch area fronting onto the driveway impeding the driveway length which would make it difficult to access the property.

Plot 36 The access to the parking space would be difficult due to the close proximity to the access.

Further comments received 31/07/2024

I am happy that the development would not have a severe impact on the local highway network. There is no requirement from HBC point of view for a Transport Assessment and can confirm that the Transport Statement is appropriate.

The proposed highway layout is acceptable and that my previous comments have been addressed.

The developer should fund/ provide a light controlled Puffin crossing on Coronation Drive south of the proposed access. These works should be carried under a Section 278 agreement and design and implementation of the proposals offered to Hartlepool Borough Councils, Highway Design Team. These works should be conditioned and implemented prior to first occupation.

The footway on Coronation Drive north of the access should be upgraded to provide a 3.0 metre footway / cycleway to tie into the existing facility south of Warrior Drive. These works would form part of the Section 38 agreement.

The developer should reinstate the footway on old access point on Coronation Drive just south of the proposed access.

Further comments received 25/10/2024

I wish to submit further comments with regards to the Highway requirement for the developer to provide a Puffin Crossing on Coronation Drive.

It has been a longstanding highway requirement for the developer to provide a light controlled crossing on Coronation Drive as part of this planning application.

While this had never been formally accepted by the applicant, it had also not been disputed until recently, and both residents and Ward Members are of the understanding that a crossing will be provided.

The applicant is now refusing to provide a crossing and has produced a report which shows that when assessed using the PV2 method, this would not justify the installation of a crossing at this location. While this is difficult to dispute, the use of the PV2 method sets a very high bar and the majority of crossings which have been installed would not meet this criteria.

In this instance, the concerns of existing residents and Ward Members, coupled with the increasing popularity of Seaton Promenade and the subsequent increasing desire of people to cross the road to reach it, would satisfy the highway authority that a crossing would be beneficial.

Officers have argued strongly that the provision of a light controlled crossing is necessary as part of this application. We have also demonstrated flexibility, and when the applicant reduced their housing numbers to 53% of the original application, consequently reduced the requirement on the applicant to 53% of the cost with the

intention that Council Local Transport Plan budgets would pick up the remaining element.

Unfortunately, the developer's position has remained unchanged, and they have refused to provide this funding.

It is extremely frustrating that the developer has taken this approach, given the history to the application site, expectations of Ward Members/ residents, and the flexibility shown with the reduced requirement in accordance with their amended application, however given the assessment provided it is not considered that we could sustain an objection.

Further comments received 05/03/2025

There are no highway comments with regards to the proposed amendments.

National Highways: - Thank you for your consultation on this planning application; we would offer comments below. Updated planning policy: DfT Circular 'Strategic Road Network and the delivery of sustainable development' First and foremost, we would like to draw your attention to the fact that Department for Transport released a new document setting out the policy of the Secretary of State in relation to the SRN on 23 December 2022. The document, entitled "Strategic Road network and the delivery of sustainable development", replaces the policies in the Department for Transport circular 02/2013 of the same title with immediate effect. When undertaking any assessment in future, you should ensure that they accord with the policy advice outlined in this document. This should take precedence over our document 'The Strategic Road Network Planning for the Future' (2015), which is due to be updated in line with the recently adopted policy. We would refer you to the policy document and we would recommend that you read this to provide full detail and context. The document can be accessed online:

<https://www.gov.uk/government/publications/strategic-road-network-and-the-delivery-of-sustainable-development/strategic-road-network-and-the-delivery-of-sustainable-development>. The below diagram illustrates the iterative process and evidence base that is now required in line with national planning policy.

Referring to the consultation on a planning application dated 3 January 2023 referenced above, in the vicinity of the A19 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);

Highways Act 1980 Section 175B is/is not relevant to this application.¹

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of

State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction

(Further comments confirming a holding recommendation ‘that planning permission not be granted for a specified period’ were received on received 18/04/2023, 19/07/2023, 20/10/2023, 23/01/2024, 26/04/2024).

Further comments received 09/07/2024

Thank you for consulting with National Highways regarding the above planning application. We have reviewed the Transport Statement [TS] and would offer the following comments. We understand that the proposed development now seeks the erection of 81 no. of dwellings, which represents a reduction from 151 no. of dwellings since our previous review for this planning application.

Due to the distance of the Site from the Strategic Road Network (SRN), we would suggest that parking and access provision are both matters for HBC to agree upon, as there is very low risk of either being of concern to National Highways.

The TS should have been prepared in accordance with Circular 01/2022, and a transport vision for the proposed development should have been included. We would also note that the TS refers to an outdated version of NPPF and has failed to consider your adopted Local Plan.

We would also highlight that no mode share targets were put forward within the TS to manage down the traffic impact of the proposed development (as is required by DfT Circular 01/2022).

The TRICS parameters used by the Applicant’s transport consultant to calculate the vehicular trip rates are inconsistent with the proposed development and are not linked to any targeted modal share (TP targets). Consequently, we do not consider the proposed trip generation figures to be robust or compliant with national planning policy.

We would have expected traffic flow diagrams to have been submitted, to demonstrate the trip distribution percentages between the proposed development and the SRN.

Overall, we would state that the TS is inappropriate due to its lack of consideration for the prevailing planning policies, its technical deficiencies, and its lack of detailed evidence to demonstrate the site’s impact on the surrounding road network.

Notwithstanding the deficiencies highlighted above, we would state the level of trips generated by the proposed development is not likely to generate a significant impact at any section of the Strategic Road Network (SRN). Consequently, no SRN assessments are required. National Highways is disappointed that a Travel Plan [TP] was not submitted to accompany the application. However, in this instance, given the

level of trip generation and distance to the SRN, the need for a TP, and it's subsequent contents, are not of concern to National Highways and are a matter for HBC to agree upon. On the basis of the above, I enclose National Highways' formal NHPR 22-12 response recommending no objection (but noting deficiencies).

We would reiterate that our recommendation of no objection for this planning application should not be interpreted as an agreement on the contents of the submitted TS.

I trust this response is helpful, but should you require any further information please do not hesitate to contact me.

Referring to the consultation on a planning application received 3 January 2023 referenced above, in the vicinity of the A19 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- a) offer no objection (see reasons at Annex A);

Further comments received 03/10/2025

National Highways do not wish to alter our response from our response July 9 2025 of no objection as changes do not affect our position. I trust this information is all you need.

HBC Engineering Consultancy (Flood Risk Comments): - There is nothing to indicate that surface water cannot be successfully managed on site and as such we have no objection in principle to proposals and recommend the following condition is included on any permission issued for proposals:

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

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

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

The applicant is advised as part of any detailed design, amongst other matters, to fully explore exceedance flow routing and also extreme events resulting in the adjacent watercourse being at very high levels and any impacts on the proposed outfall and potential flood water ingress into the attenuation basin that may lead to increased flood risk. The applicant is also advised to fully explore surface water drainage pipe gradients and self-cleansing velocity.

Further comments received 09/08/2024

The FRA includes an analysis of predicted sea level rise, however there may be a requirement to assess tidal inundation and wave impact with climate change. We note that there is a raised flood wall at this location and this may be residual risk. Additionally, the published Flood Zone mapping shows that Flood Zone 2 ends abruptly adjacent to the site (image included below). This is a clear mismatch in Flood Zone outlines and needs to be considered further.

- We note that sea level rise allowances have now been accommodated, along with amendments to finished Floor Levels to account for this change. However, how does the existing watercourse along the northern boundary discharge to the sea? Is it a flapped outfall that becomes tide locked periodically? What are the impacts of climate change as identified above on discharge from the site and emergency procedures for the basin?
- FSR methodology has been used in Micro Drainage. In accordance with LS15 of the Tees Valley Sustainable Drainage Systems (SuDS) Guidance Design Guide & Local Standards, FEH methodology is required at full planning. Applied Runoff Coefficients (Cv) need to be in accordance with LS17. Please confirm.
- We note that there is extensive contamination at the site. Plans for the basin are to standard pond designs. What are the requirements for lining of SuDS features and the potential for groundwater seepage and contamination implications?
- There has been no assessment of the suitability of the proposed SuDS features in regard to water quality.

Further comments received 16/10/2024

Original review questions (A): The FRA includes an analysis of predicted sea level rise, however there may be a requirement to assess tidal inundation and wave impact with climate change. We note that there is a raised flood wall at this location and this may be residual risk. Additionally, the published Flood Zone mapping shows that Flood Zone 2 ends abruptly adjacent to the site (image included below). This is a clear mismatch in Flood Zone outlines and needs to be considered further.

Developer response: I have added a section within the FRA explaining this that due to the earth mounds this will not affect the flood zone or the proposed site. Second review response: Based on visible levels, the earth mounds to the north do not affect flooding from the sea in eastern areas of the development. Has a Freedom of Information (FOI) request to the Environment Agency been undertaken to confirm the effects of the flood wall and whether the risk is residual and the reason for the mismatch of the modelled flood outlines?

Original review questions (B): We note that sea level rise allowances have now been accommodated, along with amendments to finished Floor Levels to account for this change. However, how does the existing watercourse along the northern boundary discharge to the sea? Is it a flapped outfall that becomes tide locked periodically? What are the impacts of climate change as identified above on discharge from the site, emergency procedures for the basin?

Developer response: I have added a surcharged outfall to the drainage model due to the watercourse being tidal. Description of the outfall also added to the site description for clarity.

Second review response: Whilst a surcharged level of 3.000mAOD has been applied, it appears to be below the outfall level (3.009mAOD). Further to this, the surcharge level needs to be justified in combination with a justified rainfall event. Emergency Planning procedures for the basin have still not been addressed. Original review questions (C): FSR methodology has been used in Micro Drainage. In accordance with LS15 of the Tees Valley Sustainable Drainage Systems (SuDS) Guidance Design Guide & Local Standards, FEH methodology is required at full planning. Applied Runoff Coefficients (Cv) need to be in accordance with LS17. Please confirm. Developer response: That has all be updated to suit.

Second review response: Although the design of the pipe has been done using FEH, the simulation has not been run using FEH and still uses FSR.

Further comments received 15/11/2024

Original review questions (A): The FRA includes an analysis of predicted sea level rise, however there may be a requirement to assess tidal inundation and wave impact with climate change. We note that there is a raised flood wall at this location and this may be residual risk. Additionally, the published Flood Zone mapping shows that Flood Zone 2 ends abruptly adjacent to the site (image included below). This is a clear mismatch in Flood Zone outlines and needs to be considered further. Third review response There should be some attempt to represent tidal levels within the site if modelling is not available (tidal levels should be). It is noted that a penstock and pull cord are proposed to manage blockage risk. How is this proposed to operate including response time (e.g., is monitoring and/or telemetry required)? Proposal is reliant on intervention to open a penstock in the event of a blockage. Has a high level overflow arrangement been considered that would automatically function and may manage residual risk more appropriately?

Further comments received 18/03/2025

In order to provide guidance on how to address our outstanding comments, the following two points were communicated by email to the applicant on 22/01/2025.

1. We are interested in how the design tidal 0.5% AEP climate change event impacts your site and the SuDS basin.

- You have an EA tidal flood level of 4.08mAOD for the present-day 0.5% AEP event.
- To this we would want to see the EA climate change level allowance of 1.03m applied (higher central for Northumbria). (These climate change level allowances are in your FRA).

• How does the 5.11mAOD flood outline impact the site and any ingress routes? This should be represented as a flood extent on the site layout plan. No additional information regarding tidal flood levels has been provided. MGR-JBA-XX-XX-TN-C-0124-S3-P01-H20220357_SuDS_Assessment_5th_Review 2 2. As discussed, Highways would not be in favour of the proposed exceedance route to the existing highway. We would expect to see a residual risk map from the basin area demonstrating the third-party development is not at any increased level of flood risk during an exceedance event from the basin (please extend exceedance routes beyond the site boundary to confirm this). We recognise that the site masterplan does not allow for exceedance routes to watercourse due to the proposed earthworks, therefore, we discussed options to make the drainage system more robust in the event of blockage. As discussed, one option could be to provide a high-level overflow pipe reconnecting downstream of the flow control. A plan has been updated to include a high-level overflow on the basin which will bypass the hydrobrake in manhole S18. Whilst this appears to be a reasonable approach, this will need to be confirmed with Northumbrian Water as it connects into their asset. We note that this measure is for basin outlet pipe/control blockage and tidal impacts for the wider site have still not been confirmed (comment 1). Given that the residual risk exceedance route would still be to highway, we would need to see details as requested. This has not been provided for review.

Further comments received 16/04/2025

The Flood Exceedance Plan has been updated to include the 0.5% AEP event climate change flood outline of 5.11mAOD. On the basis that FFLs remain nominally higher than the existing mound to the east (5.50mAOD) then risk to homes is managed. We note that the pond overflow is set at 4.45mAOD therefore it would take an extreme event in combination with discharge restrictions (e.g., blockage) to trigger this exceedance route. If this were to occur, then infrastructure at or lower than 5.50mAOD would be at risk. No further comments on this point.

Northumbrian Water have confirmed that the pond overflow must connect back into the hydrobrake in manhole S18. Whilst this approach does not fully eliminate risk, in combination with the penstock-controlled bypass in the hydrobrake chamber it seems a reasonable approach. No further comments on this point.

Further comments received 31/10/2025

It is acknowledged that a small portion of the site falls within flood zones 2 and 3. However, the layout of the development has avoided these areas in terms of the access points and the residential more vulnerable uses. Only open space (water-compatible development) is located in these areas.

More fundamentally, the site was allocated for residential development under policy HSG3(4) of the Hartlepool Local Plan and was subject to the sequential test at this stage (paragraphs 158 and 206 of the examining Inspector's report confirm the agreement with this). Paragraph 180 of the NPPF sets out that where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again.

Given the above, it is considered that the sequential test need not be applied to this planning application.

Further comments received 08/04/2026

I can confirm that the condition below is sufficient to cover the drainage design following our previous meetings.

Prior to completion of the development hereby approved, the agreed surface water drainage scheme for the development hereby approved shall be implemented and maintained in strict accordance with the following approved plans and details:

2021030-PCE-XX-XX-DR-C-010-01 Rev P011 (Drainage Layout Sheet 1 of 3), 2021030-PCE-XX-XX-DR-C-010-02 Rev P07(Drainage Layout Sheet 2 of 3), both received 12.03.2026 by the Local Planning Authority; 2021030-PCE-XX-XX-DR-C-000-07 Rev D (Flood Exceedance Plan) received 03.04.2025 by the Local Planning Authority; 2021030-PCE-XX-XX-DR-C-010-03 Rev P05 (Drainage Layout Sheet 3 of 3), received 11.02.2025 by the Local Planning Authority and; the Flood Risk and Drainage Impact Assessment (Doc Reference: 2021030 Revision L, dated April 2025) received 03.04.2025 by the Local Planning Authority.

To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity, and to avoid any likely significant effects on the Teesmouth and Cleveland Coast SPA and Ramsar.

HBC Engineering Consultancy (Contaminated Land Comments): - The Ground Gas Risk Assessment submitted with the application finds a risk from methane and carbon dioxide, as such proposed properties will require gas protection measures. The Geo-Environmental Site Assessment submitted with the application finds risk from landfill, peat, made ground, hazardous waste, ground gas, heavy metals and organic/inorganic contaminants. Contaminants are found in made ground deposits to depths of up to 3.50m.

Further investigative, intrusive survey and remediation works will be required should this development be approved. Development would however provide an opportunity to remove contaminants from the site and on the basis of it being practicable to provide a residential development where residents are safe from contaminants we have no objection to proposals in principle and ask that our standard residential contaminated land condition be included on any permission issued for proposals.

For information, I note that the Geo-Environmental Site Assessment submitted with the application in section 10.1 states that the following minimum levels of clean cover will be required; Private Gardens where home-grown vegetables can be cultivated – 600mm, Landscaped areas within private dwellings – 300mm, Public Open Space – 300mm. 300mm depth of clean cover does not appear suitable, we expect that 600mm of clean cover above a brightly coloured geotextile is emplaced in all of the above areas below final ground level along with any necessary clean stone drainage layer below the cover, or other similar approved. For reference a Remediation Statement is available for properties off Coronation Drive dated September 2009.

Further comments received 27/02/2024

We would not be able to advise on the “impacts of any re-profiling of the capped contaminated site in terms of contamination issues” as this would be for the developer to determine. We would be happy to provide comments on any risk assessment carried out as a result of the proposals.

Further comments received 09/08/2024

JBA Consulting have reviewed the re-consultation on the above application and would note that the original comments provided by HBC Engineering Consultant concerning land contamination are still valid, in particular concerning provision of 600mm clean cover and a barrier membrane.

We would also agree with comments provided by the Environment Agency relating in their consultation response in July, in particular the need to undertake and submit a Piling Risk Assessment with respect to controlled waters.

Additionally, we would note that the remediation strategy allows for the use of hardstanding as a barrier to prevent contaminant linkages. Depending on the phasing of the development this could result in areas of the site not having hardstanding completed prior to occupation of some dwellings. We would therefore recommend a condition concerning the completion of all required capping (including where hardstanding is used) and submission and acceptance of the Verification Report concerning this prior to any occupation of the dwellings.

For information/informative - we would recommend HBC and the applicant consider any areas of the site that may be adopted (such as highways) where hardstanding is used as a barrier as this may present future maintenance liabilities.

Further comments received 03/10/2025

In regard to the above application, the revised remediation statement sets out that a 600mm clean cover will be applied.

Therefore, we are satisfied with the revised remediation strategy and have no further comments to make.

Further comments received 02/04/2026

We note the contents of the Decommissioning Letter which essentially sets out which measures have been carried out on the site.

Further to our meeting this afternoon, the standard condition below would cover all the comments made by the EA as it is a broad, all encompassing condition.

However, Phase 1 and 2 risk assessments along with a Remediation Strategy (encompassing EA requirements) have already been submitted for the application and which we have previously commented on and considered acceptable. Most

importantly, the Remediation Strategy proposes the 600mm of clean cover across the whole site.

Therefore, the condition should ensure that the Remediation Strategy is undertaken on site and a verification/validation report submitted to and approved in writing by the LPA. The HBC standard conditions on remediation strategies and their verification/validation, unexpected contamination and monitoring should be imposed as follows.

1. Approved Remediation Scheme

The approved remediation scheme Remediation Method Statement (dated XX, received DAY MONTH YEAR) by the Local Planning Authority) shall be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given written notification of commencement of the remediation scheme works, in accordance with the Remediation Strategy, prior to the works being carried out. Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out shall be produced and shall be subject to the approval in writing of the Local Planning Authority.

2. Reporting of Unexpected Contamination

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

3. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same shall be prepared and thereafter submitted in writing to the Local Planning Authority for approval. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out shall be produced and submitted to the Local Planning Authority. This shall be conducted in accordance with the Environment Agency's guidance for Land Contamination Risk Management (LCRM) or any subsequent update or replacement for that guidance.

Further comments received 08/04/2026 (summarised)

In regard to the Piling Risk Assessment (PRA), I have discussed this with my colleague and we are of the opinion that it is comprehensive and covers the relevant contamination risks. Therefore, we would recommend that a condition is imposed requiring that development is carried out in accordance with the submitted PRA. This could be added to the previous condition discussed about the Remediation Method Statement so that it reads:

Approved Remediation Scheme and Piling Risk Assessment

The approved Remediation Method Statement and Piling Risk Assessment (dated XX, received DAY MONTH YEAR) by the Local Planning Authority) shall be carried out in accordance with their terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given written notification of commencement of the remediation and piling scheme works, prior to the works being carried out. Following completion of measures identified in the approved remediation scheme and Piling Risk Assessment, a verification report that demonstrates the effectiveness of the remediation carried out shall be produced and shall be subject to the approval in writing of the Local Planning Authority.

The additional conditions relating to unexpected contamination and long term monitoring and maintenance should be imposed as well.

Environment Agency: - *(Further comments were received 12/07/2024 following an initial objection from the EA in their original comments from 19/01/2023)*

Thank you for re-consulting us on the above application following amended plans and updated information being submitted, which we received on 17 June 2024.

Environment Agency position

We have reviewed the amended plans and updated information and consider that they satisfactorily address our earlier concerns with this application. We therefore withdraw our previous objection, dated 19 January 2023.

The additional advice from our previous response still applies and has been repeated below.

Contaminated Land – Advice to LPA/applicant

The proposed development is located adjacent to a Part 2A site (Coronation Drive, Hartlepool) regulated by the Local Authority. This should be considered within the risk assessment for the proposed development.

The site is occupied by historic landfill which is understood to have received commercial and household waste which operated between the late 1970's and late 1980's. It is also highlighted that existing mounds of landfilled materials are present on site. The risks posed to controlled waters from these historic features should be adequately assessed through an appropriate controlled waters risk assessment.

It is indicated by the applicants consultant that earthworks are to be undertaken potentially using a CL:AIRE Materials Management Plan. The made ground soils and stockpiled soils located on site are landfill materials, therefore it is unlikely that CL:AIRE Definition of Waste: Development Industry Code of Practice (Dow CoP) could be adopted to reuse such soils.

We strongly recommend that the applicant liaises with the Environment Agencies waste team to discuss the options for excavation, movement and reuse of in situ materials and to ensure that all necessary permits / permissions are in place to facilitate redevelopment.

The proposals include piling activities for proposed structures. We would advise the LPA to ensure that an appropriate controlled waters risk assessment is undertaken by the applicant which takes into account piling activities and demonstrates no unacceptable risk to controlled waters.

We also note that ground investigation boreholes have been undertaken on site to provide information on site conditions. We would advise the LPA to ensure that the applicant carries out works to appropriately decommission the boreholes in order to prevent the formation of preferential pathways allowing contaminant movement which could pose a risk to groundwater quality.

CL:AIRE Definition of Waste: Development Industry Code of Practice

The CL:AIRE DoW CoP (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste.

The DoW CoP sets out the lines of evidence that are needed to demonstrate that the excavated materials are not or have ceased to be waste. These are based on four factors:

- Protection of human health and the environment (acceptable risk assessment of pollution)
- Suitability for use without further treatment (no further processing and/or treatment, as demonstrated by a specification and a site specific risk assessment including chemical, geotechnical properties and biological aspects)
- Certainty of Use (outlined in the Remediation Strategy and Material Management Plan)
- Quantity of Material (outlined in the Remediation Strategy and Material Management Plan)

To demonstrate this to the Environment Agency's satisfaction, the processes and requirements detailed in the DoW CoP need to be followed in full.

Requirements include:

- Desktop study of the site
- Conceptual modelling of the site(s) concerned

- Site investigation details (if appropriate)
- Any details of contamination (if relevant)

Regardless of whether the site is contaminated or not, the following documents should be produced prior to the start of excavation work:

- Options Appraisal Report
- Remediation Strategy (Contaminated soils) or Design Statement (Clean naturally occurring soils)
- Materials Management Plan and;
- Verification Report once the work is completed

The applicant cannot re-use historic landfill materials under DoW CoP, as these materials have been historically discarded as waste and upon excavation will fall under the Waste Framework Directive. Re-using these materials is a permitted activity (Treatment and Deposit for Recovery).

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- the waste management page on GOV.UK

Requirement for an Environmental Permit – advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on (Monday to Friday, 8am to 6pm).

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity. Please do not hesitate to contact me if you have any questions regarding the advice in this letter.

(Further responses were received 24/02/2025 and 09/10/2025 setting out similar comments).

Further comments received 31/10/2025

Thank you for reconsulting us on the above application following notification that a Piling and Ground Improvement Risk Assessment Report, dated August 2025, has been submitted, which we received on 28 October 2025.

Environment Agency position

We note the information provided and consider that it does not change our previous advice from our letter dated 9 October 2025. We have no objection to this application as submitted.

To clarify, we have included the informative comment below to advise the Local Planning Authority (LPA) that an appropriate controlled waters risk assessment should be undertaken for this site. The Environment Agency have not reviewed this application in detail for contaminated land matters and will not be reviewing or commenting on any assessments provided in respect of land contamination. This is because the application has been screened out for bespoke contaminated land comments from the Environment Agency due to its site constraints. This should not be taken as an indication that there is no risk, but it would be the responsibility of the LPA to ensure that an appropriate controlled waters risk assessment has been undertaken with respect to the proposed development.

We would like to repeat the following informative comments regarding this planning application.

Contaminated Land – Advice to LPA/applicant

The proposed development is located adjacent to a Part 2A site (Coronation Drive, Hartlepool) regulated by the Local Authority. This should be considered within the risk assessment for the proposed development.

The site is occupied by historic landfill which is understood to have received commercial and household waste which operated between the late 1970's and late 1980's. It is also highlighted that existing mounds of landfilled materials are present on site. The risks posed to controlled waters from these historic features should be adequately assessed through an appropriate controlled waters risk assessment.

The proposals include piling activities for proposed structures. We would advise the LPA to ensure that an appropriate controlled waters risk assessment is undertaken by the applicant which takes into account piling activities and demonstrates no unacceptable risk to controlled waters.

We also note that ground investigation boreholes have been undertaken on site to provide information on site conditions. We would advise the LPA to ensure that the applicant carries out works to appropriately decommission the boreholes in order to prevent the formation of preferential pathways allowing contaminant movement which could pose a risk to groundwater quality.

CL:AIRE Definition of Waste: Development Industry Code of Practice

It has been indicated by the applicants consultant that it would not be appropriate for the earthworks to be undertaken under CL:AIRE Definition of Waste: Development Industry Code of Practice (Dow CoP). Instead, an Environmental Permit from the Environment Agency will be sought. We strongly recommend that the applicant liaises with the Environment Agency's waste team () to discuss the options for excavation, movement and reuse of in situ materials and to ensure that all necessary permits / permissions are in place to facilitate redevelopment.

If any earthworks are proposed to be undertaken potentially using a CL:AIRE Materials Management Plan, the following comments should be taken into consideration.

The CL:AIRE DoW CoP (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste.

The DoW CoP sets out the lines of evidence that are needed to demonstrate that the excavated materials are not or have ceased to be waste.

These are based on four factors: Protection of human health and the environment (acceptable risk assessment of pollution) Suitability for use without further treatment (no further processing and/or treatment, as demonstrated by a specification and a site specific risk assessment including chemical, geotechnical properties and biological aspects) Certainty of Use (outlined in the Remediation Strategy and Material Management Plan)

- Quantity of Material (outlined in the Remediation Strategy and Material Management Plan)

To demonstrate this to the Environment Agency's satisfaction, the processes and requirements detailed in the DoW CoP need to be followed in full.

Requirements include:

- Desktop study of the site
- Conceptual modelling of the site(s) concerned
- Site investigation details (if appropriate)
- Any details of contamination (if relevant)

Regardless of whether the site is contaminated or not, the following documents should be produced prior to the start of excavation work:

- Risk Assessments
- Options Appraisal Report
- Remediation Strategy (Contaminated soils) **or** Design Statement (Clean naturally occurring soils)
- Materials Management Plan and;
- Verification Report once the work is completed

The applicant cannot re-use historic landfill materials under DoW CoP, as these materials have been historically discarded as waste and upon excavation will fall under the Waste Framework Directive. Re-using these materials is a permitted activity (Treatment and Deposit for Recovery).

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- the waste management page on GOV.UK

Movement of waste off-site - Advice to applicant

The Waste (England and Wales) Regulations 2011 for dealing with waste materials are applicable to anyone who produces, carries, keeps, disposes of, treats, imports or has control of waste in England or Wales.

The law requires anyone dealing with waste to keep it safe and make sure they deal with it responsibly. They must only pass it to someone authorised to take it. You can find the waste duty of care code of practice here: [Waste duty of care code of practice - GOV.UK](#)

If you need to register as a carrier of waste, please follow the instructions here: [Register or renew as a waste carrier, broker or dealer - GOV.UK](#). If you require any local advice or guidance, please contact your local Environment Agency office: ne-

Use of waste on-site – Advice to applicant

If excavated materials are to be used on the development site, the applicant will need to comply with the exclusion from the Waste Framework Directive (WFD) article 2(1) (c) for the use of, ‘uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc...’) for waste controls to not apply to their use. Meeting these criteria will mean environmental permitting requirements do not apply.

Where the developer cannot meet the criteria, they will need an appropriate environmental permit from us or to register an exemption.

A deposit of waste to land must either be a disposal or a recovery activity. The legal test for recovery is set out in Environmental Permitting (England and Wales) Regulations 2016, and is defined in schedule 9 and/ or schedule 1A (Article 3(15) of WFD) as:

- any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.

We have produced guidance on the recovery test which can be viewed at [Waste recovery plans and deposit for recovery permits - GOV.UK](#).

You can find more information on the WFD here: [Environmental permitting guidance: The waste framework directive - GOV.UK](#)

More information on the definition of waste can be found here: [Legal definition of waste guidance - GOV.UK](#)

More information on the use of waste in exempt activities can be found here: [Waste exemption guides - GOV.UK](#)

The Environment Agency does not regulate non-waste operations. The person producing the material will need to decide if it is waste or a by-product. If it is waste, they can consider if it meets End of Waste criteria. You can check if your material is waste or get an opinion from the definition of waste service on if a material is a by-product or meets 'end of waste' status. There is a cost for this service.

Requirement for an Environmental Permit - advice to applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place: on or within 8 metres of a main river (16 metres if tidal) on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal) on or within 16 metres of a sea defence involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission. For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on (Monday to Friday, 8am to 6pm) or by emailing.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Northumbrian Water: - *(updated comments received 05/08/2025)*

Thank you for re-consulting Northumbrian Water on the above proposed development.

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

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

We note that the Drainage Strategy has been updated and we do not have any further issues to raise with this application, provided it is approved and carried out within strict accordance with the submitted document entitled "Flood Risk and Drainage Impact Assessment Revision L dated April 2025". This document reflects our pre-planning enquiry advice identifying connections at manhole 2606 for foul flow and at manhole 1707 on site for surface water at a restricted rate of 12.3l/s.

We request that the following approval condition is attached to a planning approval, so that the development is implemented in accordance with the above named document:

CONDITION: Development shall be implemented in line with the drainage scheme contained within the submitted document entitled “Flood Risk and Drainage Impact Assessment revision L” dated “April 2025”. The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 2606 and ensure that surface water discharges to the surface water sewer at manhole 1707. The surface water discharge rate shall not exceed the available capacity of 12.3l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

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

It should be noted that we are not commenting on the quality of the flood risk assessment as a whole or the developer’s approach to the hierarchy of preference. The council, as the Lead Local Flood Authority, needs to be satisfied that the hierarchy has been fully explored and that the discharge rate and volume is in accordance with their policy. The required discharge rate and volume may be lower than the Northumbrian Water figures in response to the National and Local Flood Policy requirements and standards. Our comments simply reflect the ability of our network to accept flows if sewer connection is the only option. They are not part of any approval process for determining whether the proposed drainage layouts / design put forward at the planning stage satisfies the adoption criteria as set out in the Code for Sewer Adoption (sewer sector guidance). It is important for developers to understand that discussions need to take place with Northumbrian Water prior to seeking planning permission where it is their intention to offer SuDS features for adoption.

For Information Only

Please note that the site lies within drainage area 11-D28. This drainage area discharges to Seaton Carew Sewerage Treatment Works, which is named on the Nutrient Neutrality Budget Calculator. I trust this information is helpful to you.

HBC Ecology: *(previous comments were received in respect to the original scheme for 151 dwellings. The following sets of comments were received following the reduction in the proposed number of dwellings to 81)*

Further comments received 27/06/2024

Ecology – HRA

Summary

- The project has been HRA assessed and is compliant with the legislation.
- A sum of £350/dwelling must be secured as mitigation.
- The HRA Appropriate Assessment must be approved by Natural England.

The issue of Nutrient Neutrality is dismissed prior to screening stage because:

- The development will use the Seaton Carew WwTW, making this an embedded mitigation feature.

A SUDS feature is provided to deal with Surface Water runoff. This is an embedded mitigation feature.

Likely Significant Effect triggering Habitats Regulations Assessment

This development requires a Habitats Regulation Assessment (HRA) for the Likely Significant Effect (LSE) of Increased Recreational Disturbance. The HRA is provided below.

Habitats Regulations Assessment stage 1 screening

Revision history

Version Date Revision Prepared by 1 27/06/2024 A Graham Megson (MSc Ecology)

Stage 1 findings Increased recreational disturbance.

Is Increased recreational disturbance accounted for by the Hartlepool Local Plan HRA (via the Hartlepool Coastal Mitigation Scheme)?

No HRA Appropriate Assessment required (see below).

Habitats Regulations Assessment stage 2 Appropriate Assessment

Revision history

Version Date Revision Prepared by
1 27/06/2024 A Graham Megson (MSc Ecology)

Introduction

Following a Habitats Regulations Assessment (HRA) stage 1 screening, the requirement for a HRA stage 2 Appropriate Assessment (AA) has been triggered. As the competent authority, Hartlepool Borough Council has a legal duty to safeguard European Sites.

HRA Stage 2 - Appropriate Assessment

European Sites and issues requiring Appropriate Assessment

The HRA stage 1 screening for Likely Significant Effect (LSE), screened in the following European Sites:

- Teesmouth and Cleveland Coast SPA and Ramsar
- Northumberland Coast SPA and Ramsar
- Durham Coast SAC

That HRA stage 1 screening screened in the following LSE:

- Increased recreational disturbance.

This AA assesses whether increased recreational disturbance causes an Adverse Effect on Integrity of the Site (AEOI) and if so if this can be removed through mitigation.

Background

Recreational disturbance is identified as an LSE, potentially harming populations of SPA/Ramsar birds and SAC vegetation communities. Increased recreational disturbance (including dog walking) is linked to an increase in new residents which is a consequence of housebuilding. The Hartlepool Local Plan (adopted May 2018) identified an average increase of 2.3 people per new dwelling and 24% of new households owning one or more dogs.

Since the publication of the Hartlepool Local Plan, the Local Planning Authorities (LPA) in the Tees catchment commissioned a joint study which examined the relationship between population growth and the provision of new homes. The report (dated April 2023) concludes that the nationally derived occupancy figure of 2.4 people per dwelling does not reflect local conditions, mainly due to population movement wholly within the Tees Valley area. It advises that a 5-year average of dwelling delivery (based on trends in the last twenty years) provides a reasonable, local, upper estimate. The report states that this is an occupancy figure of 0.56 people per dwelling. Natural England guidance allows for robustly evidenced locally derived figures to be used.

Mitigation

The Hartlepool Local Plan policy ‘HSG1 New Housing Provision’, provides allocated sites for major residential development (ten or more dwellings). These were collectively HRA assessed as part of the Hartlepool Local Plan HRA, and their mitigation is dealt with by the Hartlepool Coastal Mitigation Scheme (the ‘Scheme’). Additional recreational visits to the coast are mitigated by funding and SANGS elements – the funding being based on a per-house financial allocation. The Hartlepool Local Plan aspiration is for 6,150 new houses and the value of the Hartlepool Coastal Mitigation Scheme is calculated as £424,000. The Scheme is periodically reviewed to ensure it remains robust.

All major, non-allocated housing developments, all small-scale housing developments (nine or fewer dwellings) and all Change of Use (CoU) applications which increase the number of dwellings [collectively referred to as windfall sites] are not directly covered by the Hartlepool Local Plan HRA/ Hartlepool Coastal Mitigation Scheme and (due to the *People Over Wind Ruling*) must be Appropriately Assessed in their own right. However, provision to mitigate windfall housing developments is indirectly built into the Hartlepool Coastal Mitigation Scheme.

The Hartlepool Coastal Mitigation Scheme was designed so that:

- A windfall housing development greater than nine dwellings can use the same funding formula (to provide a financial contribution to the Scheme) to meet its HRA AA mitigation requirements.
- Developments of nine or fewer dwellings (including CoU), are mitigated by the financial contributions made by allocated housing development projects, whose contributions include a built-in contingency measure to cover the housing applications for nine or fewer dwellings.

The first bullet point (above) applies to this application. The site is within walking distance of the Teesmouth and Cleveland Coast SPA and Ramsar. The Hartlepool Coastal Mitigation Scheme funding calculation (per dwelling) is £200 based on distance to the SPA/ Ramsar plus £150 based on there being no Suitable Alternative Natural Green Space (SANGS) provision. This is £350/dwelling.

Conclusion

This application for the increase of more than nine dwellings is a windfall project which is mitigated by adhering to the Hartlepool Coastal Mitigation Scheme. A financial contribution of £350/ dwelling must be secured to mitigate increased recreational disturbance, and to ensure no Adverse Effect on Integrity of any European Site. The project is compliant with the Habitats Regulations. Natural England must be consulted on the HRA AA.
End

Several documents relevant to Ecology have been updated:

- Storage basin details (SuDS).
- Drainage layout sheet.
- Design and access statement.
- Detailed landscape proposals.
- Biodiversity Net Gain assessment.
- Ecological impact assessment.
- Ornithological impact assessment.
- Nutrient budget calculator.
- Nutrient credit certificate.
- Shadow HRA.

In reviewing these documents, I have assessed whether the Ecology concerns stated in previous responses have been addressed and whether the Ecology Service holding objection can be lifted. These concerns are:

1. Biodiversity Metric Excel document to be updated and submitted.
2. Biodiversity Metric justification report to be submitted.
3. Compensation for biodiversity loss (if any) to be offered.
4. No further survey effort required.
5. Several conditions are required.
6. Mitigation of £350/dwelling for Increased recreational disturbance (HRA).

In addition, I have reviewed the Nutrient Neutrality issue regarding the Habitats Regs. I have addressed the concerns in three sections:

1. Biodiversity Net Gain (BNG).
2. Planning mitigation hierarchy for nature conservation sites, habitats and species.
3. HRA.

1. Biodiversity Net Gain (BNG).

At the time of first submission, statutory BNG was not enacted, however, the HBC planning validation guidelines at that time were asking for a BNG of at least 10%.

BNG is dealt with in the Biodiversity Net Gain Assessment report (Biodiverse Consulting, 08/03/2024). I agree with the following extracts from the report:

Holding objection

The Ecology Section holding objection remains until the recommended 27.30 Other Neutral Grassland Habitat Units are secured.

2. Planning mitigation hierarchy for nature conservation sites, habitats and species. This is covered in the EclA report (Biodiverse Consulting, 08/03/2024), with birds covered separately in the Ornithological impact assessment report (Biodiverse Consulting, 15/03/2024).

The EclA report states there no Priority habitats will be lost (the watercourse is retained) and only one Protected or Priority Species will be affected (small heath butterfly), while hedgehog and common toad are likely to be affected (and should be treated as a constraint under the precautionary principle). I support the planning mitigation measures which should be conditioned:

Avoidance

- Work to be in accordance with a CEMP.
- The grassland supporting bee orchids will be plotted and will to be retained and left undisturbed.

Mitigation

- Japanese rose to be removed by a licenced waste contractor.
- Hedgehog highways (13cm² holes in solid fences) to be provided
- Any lighting scheme to be wildlife friendly.

Compensation

- Landscape planting shall include species native to the north-east, as well as non native berry and fruit bearing species.
- The creation of a SuDS basin to create an area of permanent value to a range of wildlife; [*this requires the planting of suitable aquatic plants (submerged, floating and emergent macrophytes) and the sensitive landscaping of the banks].
- The condition of the other neutral grassland to the north of the watercourse to be improved, for example by adapting a less frequent mowing regime to allow for plants to grow and flower for longer.
- If necessary, bee orchids may be translocated to areas of retained grassland habitat in the north of the site.

Summary

*The recommended measures have confused SUDS with ponds. SUDS are not designed to hold water permanently; therefore the planting of aquatic plants is unrealistic and should not be in a condition (SuDS basin to create a wetland area of value to a range of wildlife; this requires the planting of suitable aquatic plants (submerged, floating and emergent macrophytes) and the sensitive landscaping of the banks).

Holding objection

There is an Ecology Section holding objection while clarification is provided on whether a permanent wildlife pond can be created. This application has a rare opportunity to create a wildlife pond, due to the area of greenspace to be retained. A wildlife pond would increase the post-development habitats for birds and would score positively on the post-development Biodiversity Metric.

The Ornithological impact assessment report states that 21 species were recorded, with 11 of these breeding and 12 being Birds of Conservation Concern (BoCC). NB: House sparrow is also a red listed species (making 13 BoCC). I assess house sparrow as breeding, as although they nest in buildings, the area on the site where they forage is part of their breeding territories. I agree that the site is of low importance for the other birds recorded, except for starling (red listed) which requires grassland for foraging.

I support some of the planning mitigation measures which should be conditioned:

Avoidance

- Work to be in accordance with a CEMP.
- An Ecological Clerk of Works (ECoW) will be appointed for the duration of works (to be available on demand).

Mitigation

- Site clearance works will not be undertaken during the nesting bird season (March to August inclusive) unless a nesting bird check is completed by an appropriately experienced ecologist (Informative rather than condition).
- If nesting birds are identified during works, an appropriate exclusion zone around the nest site will be implemented, within which works will not be permitted until the ECoW confirms that the nesting attempt has finished. This is a legal requirement on the developer.
- To safeguard birds from predation, thorny plant species, such as blackthorn, hawthorn and dog rose, to be included in hedgerow and shrub planting, and some areas of greenspace (such as the SuDS) to be fenced to prevent public and dog access.

Compensation

- Financial contribution to the Hartlepool Coastal Mitigation Scheme (see HRA). NB: This contribution is to satisfy the Habitats Regulations and is not part of the planning requirements which are included in viability assessment.
- Fruit and seed-bearing species will be planted to provide year-round foraging resources, especially for wintering birds (e.g. granivorous species such as finches).
- Detailed Landscape Proposals (POS 5067-3B) to be implemented (snip in Appendix 1).

Summary

The Ecology Section assesses that efforts have been made to mitigate for a suite of relatively specialist breeding birds associated with grassland, scrub and wetland including sedge warbler, reed bunting, meadow pipit, grasshopper warbler and whitethroat, through the design of the Detailed Landscape Plan and this should be

fully implemented, along with fencing to protect areas of this greenspace (The Ecology section notes the practical difficulties of restricting people and dogs to nature areas such as the one proposed).

NPPF enhancement

Each dwelling (house or garage) to include 1 no integral 'universal' nest brick located in south or east facing walls (where possible) and at a minimum height of 3m above ground level.

This will satisfy NPPF (December 2023) paragraph 180 d), which includes the bullet point: Planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

This is additional to BNG and species mitigation as it is enhancement particular to the NPPF. This net gain is appropriate to the scale of the development and should be conditioned. See:

<https://drive.google.com/file/d/1ljcJ7rkNMrr4lxd41XcBU3YC6lFKM6z/view> See: https://www.swift-conservation.org/swift_bricks.htm

3. HRA

I have referred to the submitted shadow HRA, drainage plans and SUDS plan and have prepared a HRA which is submitted separately. This application for 81 dwellings is a windfall project which is mitigated by adhering to the Hartlepool Coastal Mitigation Scheme. A financial contribution of £350/ dwelling must be secured to mitigate increased recreational disturbance, and to ensure no Adverse Effect on Integrity of any European Site.

The project is compliant with the Habitats Regulations. Natural England must be consulted on the HRA AA.

Further comments received 03/03/2025

My previous response dated 27/06/2024 is given in Appendix 1.

I have reviewed the submitted Ecology document:

- Coronation Drive, Mitigation Site and BNG Assessment and Habitat Management and Monitoring Plan V2.0, Biodiversity Consulting, 03/12/2024.

This Plan is acceptable and should deliver the required Biodiversity compensation and required biodiversity gain if implemented correctly over the prescribed 30-year period. It should be conditioned or included in a S106 legal agreement. The Ecology Section holding objection is lifted.

Regarding my previous response (Appendix 1), I am satisfied that a wildlife pond will not be created on the development site and I have already prepared an HRA. The conditions highlighted in my response should be applied.

End

Further comments received 03/12/2025

With respect to the applicant’s revised position for the approach to use a registered provider/habitat bank to provide the outstanding off-site BNG credits, I have reviewed the Briefing Note in respect to the mitigation hierarchy, and I can confirm that the off-site approach is acceptable in this instance. A condition should secure this accordingly.

Further comments received 08/12/2025

Further information required.

The previous ecology responses are dated 27/06/2024 and 01/03/2025. The March 2025 response confirmed that the Ecology Section holding objection could be lifted on the basis that biodiversity compensation and gain would be delivered through the off-site “slag banks” mitigation site, in line with the submitted Mitigation Site BNG Assessment and Habitat Management and Monitoring Plan (HMMP).

Since then, the applicant has provided a revised ecology position stating that the outstanding off-site Biodiversity Net Gain (BNG) requirement will now be met by purchasing habitat units from a registered provider, rather than by taking forward the slag banks mitigation site.

This ecology response updates advice considering (a) that change in the BNG delivery route and (b) the age and validity of the ecological and ornithological survey baseline. Previous advice and recommendations not pertaining to these issues remain valid.

BNG

The provided briefing note: Biodiversity Gain Hierarchy (*Biodiverse, December 2025*) confirms that, even after maximising feasible on-site retention, enhancement and creation, 27.30 off-site habitat units of Other Neutral Grassland are still required to achieve at least 1% net gain. HBC Ecology accepts this conclusion.

As the applicant now intends to secure the required units from a registered provider, the Slag Banks Mitigation Site BNG Assessment and HMMP therefore no longer needs to form part of the permission, provided that the off-site units delivered via the habitat bank route meet or exceed the same BNG requirement (27.30 units).

Prior to commencement the applicant should provide evidence that the requisite off-site units have been secured and allocated to this development for a minimum period of 30 years.

Regarding the on-site provision, a review of the submitted landscape drawings (5067/1–3) confirms that the on-site BNG habitats shown in the EclA/BNG report are appropriately reflected in the proposals. This includes neutral grassland creation using wildflower meadow mixes, enhancement of existing grassland north of the

ditch, extensive native mixed scrub and a well-specified SuDS basin with marginal/emergent planting. The street and garden planting palette also includes multiple native and berry-/blossom-bearing species, aligning well with the EclA's recommended biodiversity planting and previous HBC Ecology consultee comments.

Surveys

The ecological and ornithological baseline for this site is derived from surveys undertaken in 2021–2022 and is now more than three years old. CIEEM advises that ecological reports based on data over three years old are unlikely to remain valid and that surveys will generally need to be updated, or their continued validity clearly justified by a professional ecologist following a site visit and updated desk study.

Before the application is determined, the applicant should therefore submit either:

- updated ecological and, where necessary, ornithological surveys; or
- a concise survey validity statement prepared by a suitably qualified ecologist, confirming that the existing data remain valid for decision-making and identifying any further survey requirements.

Pending receipt of that information, I cannot confirm that the ecological evidence base is fully adequate and up-to-date.

Further comments received 26/02/2025

Regarding the objection received by the Teesmouth Bird Club, I've reviewed Dr McLee's points alongside the submitted Ornithological Impact Assessment and our previous ecology responses for this site. The concerns are understandable in principle, but I don't think the objection raises anything materially new that isn't already assessed and capable of being addressed through the existing mitigation package and recommended conditions.

In summary, the OIA has assessed the local breeding assemblage and the relevant operational pathways (disturbance/recreational pressure and pet predation) and the scheme includes measures aimed at these issues alongside the established HRA mitigation route via the Hartlepool Coastal Mitigation Scheme contribution.

On swifts specifically, I agree this is a helpful enhancement and the scheme already includes integral nesting provision that is swift-compatible (Appendix E in the OIA), which should be secured by condition.

Further comments received 11/03/2026

To confirm, the Briefing Note is considered acceptable and I have no further concerns regarding survey age.

Further comments received 01/04/2026

HBC Ecology has recommended CEMP (Biodiversity) as a condition, which would necessitate details of mitigation measures to deal with aural and visual disturbance to coastal waterbirds, including consideration of visual and noise management

techniques. This document would need to be prepared, submitted and approved by HBC prior to any development taking place. Further detail on these measures are available as part of the submitted Ecological Appraisal (Biodiverse Ecology) under in Section 5: Recommendations (pages 24 & 25).

Natural England: - (*Further comments received 05/07/2024*)

Thank you for your consultation on the above dated 17 June 2024 which was received by Natural England on the same day.

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.

SUMMARY OF NATURAL ENGLAND’S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England considers that without appropriate mitigation the application would:

- have an adverse effect on the integrity of the Teesmouth & Cleveland Coast Special Protection Area and Ramsar Site <https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which the Teesmouth and Cleveland Coast Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures should be secured:

- Appropriate Sustainable Drainage Systems (SuDS) to manage surface water flows from the development.
- Developer contribution in respect of recreational disturbance to be made to the Hartlepool Coastal Mitigation Service.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Natural England’s further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Further advice on mitigation

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Water quality and Nutrient Neutrality - Note regarding surface water management:

Context: This advice should be read in the context of our letter to the Council dated 6.7.22 – ‘Natural England advice in relation to Nutrient Neutrality and the Seaton Carew Waste Water Treatment Works where discharges are to the long sea outfall to the North Sea’.

Residential developments that discharge foul water outside the Tees nutrient neutrality catchment but retain surface water within the catchment can be screened out from HRA, if the site is below EIA scale and includes a robust Sustainable Drainage System (SuDS) design. We note accordingly the submitted Flood Risk Assessment and Drainage strategy report¹ and ‘Drainage Layout Sheet 1 of 3’² setting out the use of permeable paving and a detention basin. The Council should consider whether a planning condition is needed to ensure that a suitable SuDS design is delivered.

Recreational Disturbance

We note and agree with the proposal in your appropriate assessment to secure a developer contribution consistent with the Council’s established Coastal Mitigation Scheme.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England’s advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

(Annexe A Informative Advice Attached).

Further comments received 07/03/2025

Thank you for your consultation. Natural England has previously commented on this proposal and made comments to the authority in our response dated 05 July 2024 reference number 479476.

The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

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

Further comments received 20/10/2025

Thank you for your consultation on the above dated 17 June 2024 which was received by Natural England on the same day.

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.

**SUMMARY OF NATURAL ENGLAND'S ADVICE
NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED**

Natural England considers that without appropriate mitigation the application would:

- have an adverse effect on the integrity of the Teesmouth & Cleveland Coast Special Protection Area and Ramsar Site <https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which the Teesmouth and Cleveland Coast Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures should be secured:

- Appropriate Sustainable Drainage Systems (SuDS) to manage surface water flows from the development.
- Developer contribution in respect of recreational disturbance to be made to the Hartlepool Coastal Mitigation Service.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Further advice on mitigation

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Water quality and Nutrient Neutrality - Note regarding surface water management: Context: This advice should be read in the context of our letter to the Council dated 6.7.22 – 'Natural England advice in relation to Nutrient Neutrality and the Seaton Carew Waste Water Treatment Works where discharges are to the long sea outfall to the North Sea'.

Residential developments that discharge foul water outside the Tees nutrient neutrality catchment but retain surface water within the catchment can be screened out from HRA, if the site is below EIA scale and includes a robust Sustainable Drainage System (SuDS) design. We note accordingly the submitted Flood Risk Assessment and Drainage strategy report¹ and 'Drainage Layout Sheet 1 of 3'² setting out the use of permeable paving and a detention basin. The Council should consider whether a planning condition is needed to ensure that a suitable SuDS design is delivered.

Recreational Disturbance

We note and agree with the proposal in your appropriate assessment to secure a developer contribution consistent with the Council's established Coastal Mitigation Scheme.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken

account of Natural England’s advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

If you have any queries relating to the advice in this letter please contact Ewan MacIntyre at

We would not expect to provide further advice on the discharge of planning conditions or obligations attached to any planning permission.

HBC Public Health: - *(previous comments were received in respect to the original scheme for 151 dwellings. The following set of comments were received following the reduction in the proposed number of dwellings to 81)*

Further comments received 07/08/2024

I have reviewed the original comments and revised planning application. In the light of the changes made the original objection can now be withdrawn. I add the following comments below.

Importance of Green Space for Health

Our original objection highlighted the importance of access to green space for health reasons and I am pleased to see that the re-design of the site has resulted in more green space being accessible to residents.

Opportunities for physical activity

The site is close to a designated cycle route and there appears to be clear access to this for all residents. Consideration in general should be given to easy access to cycle ways and footpaths and ensuring exits / entrances to these are not blocked and allow easy access to these facilities.

Healthy Homes

The section from the previous objection remains valid:

“There are no affordable homes planned on this site. Having a home which is safe, warm, affordable and suitable to your needs is one of the basic building blocks of health. People who are homeless tend to have much poorer health and die around 30 years earlier than other people[i],[ii]. Healthy, affordable homes, including 1-2 bed dwellings for single people on low incomes, could help reduce the significant health inequalities across Hartlepool.

There seem to be no bungalows or other homes without stairs planned on this development. Ensuring developments are accessible to older people and people with

disabilities is particularly important locally. Hartlepool has a growing number of people aged over 65 years (currently >18,000) and almost a quarter of Hartlepool residents reported a long-term illness or disability[iii]. Having a home and community which meets your needs is likely to have significant positive impacts on physical, mental and social wellbeing.

It is appears that there are no renewable energy systems proposed on this development. Renewable energy systems, and other energy efficiency measures, could assist in reducing the health effects of cold homes by reducing energy costs (particularly relevant given the rising cost of living). Cold homes increase the risk of infections, heart attacks, and strokes[iv]. Cold homes can also worsen existing health conditions and affect young people’s mental health and education. It is estimated that several thousand people die each year in England and Wales due to cold homes¹⁷. Developments which take into account energy efficiency (e.g. use of renewable energy, insulation and use of natural light), could help reduce deaths due to cold homes. “

It is welcome that Gleeson Homes are confident that they can achieve CO2 emission requirements via either fabric first or renewable energy approach, or a combination of the two, and “are willing to accept an appropriately worded condition which can be agreed to secure a 10% improvement on this proposed development”.

Public Health would like further consideration given to:

1. Retaining the area allocated as “Local Green Corridor” in the Local Plan, as green space
2. Including green space in the south-west of the site, improvement of existing green space and additional trees
3. Providing safe, inviting routes for walking/cycling, accessible for all ages and weathers, linking to nearby facilities, with places to rest and available as soon as people move in
4. Including affordable housing
5. Providing bungalows and ensuring properties are accessible/adaptable to older or disabled people
6. Energy efficiency (e.g. use of renewable energy, insulation and natural light)

Further comments received 07/08/2024

I have reviewed the original comments and revised planning application. In the light of the changes made the original objection can now be withdrawn. I add the following comments below.

Importance of Green Space for Health

Our original objection highlighted the importance of access to green space for health reasons and I am pleased to see that the re-design of the site has resulted in more green space being accessible to residents.

Opportunities for physical activity

The site is close to a designated cycle route and there appears to be clear access to this for all residents. Consideration in general should be given to easy access to

cycle ways and footpaths and ensuring exits / entrances to these are not blocked and allow easy access to these facilities.

Healthy Homes

The section from the previous objection remains valid:

“There are no affordable homes planned on this site. Having a home which is safe, warm, affordable and suitable to your needs is one of the basic building blocks of health. People who are homeless tend to have much poorer health and die around 30 years earlier than other people[i],[ii]. Healthy, affordable homes, including 1-2 bed dwellings for single people on low incomes, could help reduce the significant health inequalities across Hartlepool.

There seem to be no bungalows or other homes without stairs planned on this development. Ensuring developments are accessible to older people and people with disabilities is particularly important locally. Hartlepool has a growing number of people aged over 65 years (currently >18,000) and almost a quarter of Hartlepool residents reported a long-term illness or disability[iii]. Having a home and community which meets your needs is likely to have significant positive impacts on physical, mental and social wellbeing.

It is appears that there are no renewable energy systems proposed on this development. Renewable energy systems, and other energy efficiency measures, could assist in reducing the health effects of cold homes by reducing energy costs (particularly relevant given the rising cost of living). Cold homes increase the risk of infections, heart attacks, and strokes[iv]. Cold homes can also worsen existing health conditions and affect young people’s mental health and education. It is estimated that several thousand people die each year in England and Wales due to cold homes¹⁷. Developments which take into account energy efficiency (e.g. use of renewable energy, insulation and use of natural light), could help reduce deaths due to cold homes. “

The comments above are provided as comments to the planners / developers and the previous objection can be withdrawn.

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

The working hours for all construction activities including deliveries/collections on this site are limited to between 08:00 and 18:00 Mondays to Fridays and 09:00 to 13:00 Saturdays and not at all on a Sunday or Public Holidays.

Adequate sound insulation measures as detailed in section 9.4, Table 8 on page 14 of the accompanying Noise Report with the application should be provided and maintained to ensure a good internal noise level in habitable rooms not exceeding 30dB LAeq8hr (between the hours of 23.00 - 7.00hrs). All windows should be well sealed when closed and ventilation should be available via window or wall mounted sound attenuated vents that will provide sufficient ventilation whilst not compromising sound insulation.

Specification for glazing to habitable rooms should meet the requirements of the table below

Glazing Configuration

(Glass/Cavity/Glass Level dB(A)	Noise Reduction Range dB(A)	Resultant Internal Noise Level dB(A)
------------------------------------	--------------------------------	---

10mm/200mm/6mm (Secondary)	~48 ~26	Very Good Internal Noise
----------------------------	---------	--------------------------

16.8mm/16mm/16.8mm (both Optilam)	~45 ~29	Good Internal Noise
-----------------------------------	---------	---------------------

6mm/150mm/4mm (secondary)	~42 ~32	Good Internal Noise
---------------------------	---------	---------------------

Sound attenuated ventilation units to provide adequate ventilation without recourse to open windows to noisy facades should be incorporated. This will require trickle vents to provide a sound reduction of 48dB (Dne w) or better.

The acoustic wall specified for the 3 plots in the accompanying noise report in Figure 4 on page 23 should be provided and maintained to provide adequate sound reduction.

No open burning shall take place at any time on site.

Adequate dust suppression methods shall be available on site during construction works.

I would require the provision of a wheel washing facility to the entrance/exit of the site.

HBC Education: - Please see the following comments:

Primary Education Provision

Golden Flatts Primary School is located approximately 1.4m away and has surplus capacity, there is therefore no requirement for s106 education contribution.

Secondary Education Provision

Secondary Schools within this planning area (Dyke House Secondary School and English Martyrs School & 6th Form College) are nearing capacity. Although minimal secondary pupil yield is expected to be generated from this development, a secondary education contribution should be sought.

NHS North East & Cumbria: - (*previous comments were received in respect to the original scheme for 151 dwellings. The following sets of comments were received following the reduction in the proposed number of dwellings to 81*)

Further comments received 02/07/2024

I am writing in response to the above planning application currently being evaluated by you. Please see below for the required contribution to healthcare should the scheme be approved. Local surgeries are part of CCG wide plans to improve GP access and would be the likely beneficiaries of any S106 funds secured. Local GP Practices are keen to maintain/improve their access, and an increase in patient numbers may require adjustments to existing premises/access methods. Please be advised that we would be unable to guarantee to provide sustainable health services in these areas in future, should contributions not be upheld by developers. In calculating developer contributions, we use the Premises Maxima guidance which is available publicly. This assumes a population growth rate of 2.3 people per new dwelling and we link this increase to the nearest practice to the development, for ease of calculation. We use the NHS Property Service build cost rate of £3,000 per square metre to calculate the total financial requirement. This reflects the current position based on information known at the time of responding. The NHS reserves the right however to review this if factors change before a final application is approved. Should you have any queries in relation to this information, please let me know.

Item	Response
LA Planning References	H/2022/0357
GP Practices affected	McKenzie House Surgery
Local intelligence	This practice falls within the Hartlepool Health Primary Care Network which are at full capacity with regards to space requirements to deliver services to their patient list size. S106 funding would support creating extra capacity for them to provide appropriate services to patients
Number of Houses proposed	81
Housing impact calculation	2.3
Patient Impact (increase)	186
Maxima Multiplier	0.07
Additional m ² required (increase in list x Maxima Multiplier)	13.041 m²
Total Proposed Contribution £	£39,123

Teesmouth Bird Club: - Teesmouth Bird Club would like to make the following COMMENT on this planning application. The area of the actual house construction in the proposal leaves little space for biodiversity enhancement in terms of Metric 3.1. Further the developer's consultant's survey of birds seen overhead does not report the presence of swifts - a species In the Red Category of Concern. The club would like to suggest an opportunity here. Along the front in Seaton Carew, there still exists a relict colony of swifts, which has greatly declined as a result of loss of their breeding cavities during building repairs - a UK wide issue. The proposed housing development is close to this colony. If swift nesting cavity provision within many suitable house walls was to be a planning requirement, here one enables the built environment itself to contribute to biodiversity enhancement. A similar action is

planned in Cleveland at Yarm Town Hall during its current restoration programme. The technique is practiced elsewhere in the UK and Europe.

Further comments received 14/07/2024

Teesmouth Bird Club objects to this application on the basis that the developer's habitat mitigation proposals fail to accommodate the breeding requirements of the site's assemblage of bird species. There are 12 species falling into Categories of Concern, which are recognised to be intolerant of the disturbance arising from human and domestic animals in similar, close proximity to residential dwellings.

Also, this particular assembly of species is probably unique to the Seaton Carew / Hartlepool area, providing viewable opportunities to the visitor. Should the proposal be approved, it must be emphasised that the Tees Valley Area's own Local Nature Recovery Strategy, (LNRS) is presently shortlisting key species of concern - Swift is one of such.

With this legal requirement imminent, a planning condition should be required to have bespoke swift S Boxes fitted to all properties within appropriate house walls and at elevated heights. The previous large colony along the S C front has now largely gone as a result of property restorations and loss of nesting cavities. Such a planning requirement also sits well with the borough's own Environmental Policies. Dr Ali McLee (Teesmouth Bird Club)

Cleveland Police: - Thank you for allowing me to comment upon the development proposal for the erection of 151 homes, on land on the west side of Coronation Drive.

The developer has created a layout with good natural surveillance, with clear definition between public and private space. I would encourage Gleeson Homes to get in touch to consider incorporating the principles of Secured by Design within the site.

Further comments received 05/07/2025

No additional comments on the proposed changes from us.

Further comments received 15/10/2025

Cleveland Police encourages applicants to build/refurbish developments incorporating the guidelines of [Crime Prevention Through Environmental Design](#) (CPTED).

I would like to make you aware that Cleveland Police operate the “Secured by Design” initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments. I recommend applicant actively seek Secured By Design accreditation, full information is available within the SBD Residential Guide 2025 Guide at www.securedbydesign.com

I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour.

Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

The Secured by Design Residential Guide highlights that the concepts and approach adopted within this guide can be used to influence strategic planning policies, in support of Paragraph 102a of the NPPF.

- The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...
- The National Planning Policy Framework 2024, paragraph 135(f) which states that “Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.
- Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure. Developers will be expected to have regard to the following matters, where appropriate: 1) Adhering to national safety and security standards as set out by central government. 2) Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.
- Another material consideration is Section 17 of The Crime and Disorder Act 1998.

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

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

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

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

All doors and windows are recommended to be tested and certified PAS24:2022+A1:2024 standards (or equivalent)

This includes garage doors.

These must be dual certified for both fire and security.

Dusk til dawn lights are recommended to each elevation with an external door-set. This also includes any proposed garage doors and side in curtilage parking areas, particularly those that are 50% or more of the length of side elevation of plot it serves.

ALL roadways and pathways, adopted or otherwise, are recommended to be to BS5489-1:2020 standards with a uniformity preferably to Secured by Design recommended one of 40%, as a minimum 25%.

Neighbourhood permeability... is one of the community level design features most reliably linked to crime rates.

Excessive permeability should be eliminated.

All proposed side and rear treatments onto public realm are recommended to be to 2.0m in height.

Those to rear/rear side of Plots backing onto open space recommended to be increased to minimum of 2.2m, preferably 2.4m.

Defensive planting to external façade of boundary treatments backing onto open space should be considered also.

Locate all side boundary treatments as far forward to the front elevations of the properties as possible to eliminate recesses.

All horizontal support rails should be on the private side of the fence and it is highly recommended to be wired internally also.

Boundary treatments between rear gardens are recommended to be 1.8m in height. Often these rear side treatments are proposed to be lower-level post and rail, this option offers neither security or privacy and I would recommend against it.

The rear boundaries on the proposed site must abut the existing rear gardens and avoid narrow secluded access points between each rear fence, this would be a crime generator.

Where sheds are provided for bicycle parking, they shall be certified to Sold Secure SS301 Bronze, or above and securely fixed to a suitable substrate foundation in accordance with the manufacturers' recommendations.

Blank gable ends should be avoided.

Defensible space to each plot is an important consideration.

Ginnel access serving several rear gardens should be avoided where possible. If they are deemed necessary, a lockable gate is required at initial access point as well as each individual garden.

Any proposed PROW, informal pathways, cycle lanes etc. are to be incorporated into active street frontages to avoid creating potential crime generators.

Any proposed links to existing or future phases of development are to be afforded maximum surveillance, be formalised and be fronted onto.

Vehicles should either be parked in locked garages or on a hard standing within the dwelling boundary.

Where communal parking areas are necessary, bays shall be sited in small groups, close and adjacent to homes, be within view of active rooms and clearly marked, so that it is obvious which parking spaces belong to which dwellings.

The word 'active' in this sense means rooms in building elevations from which there is direct and regular visual connection between the room and the street or parking court. Such visual connection can be expected from rooms such as kitchens and living rooms, but not from more private rooms, such as bedrooms and bathrooms.

Rear parking courtyards are discouraged for the following reasons:

They introduce access to rear elevations, which may leave dwellings vulnerable to burglary. In private developments, such areas are often left unlit and therefore increase the fear of crime. Ungated courtyards provide areas of concealment which can encourage anti-social behaviour.

Where rear parking courtyards are considered absolutely necessary, they must be protected by a gate, the design of which shall be discussed with the DOCO at the earliest possible opportunity. Where gardens abut the parking area an appropriate boundary treatment should be discussed and agreed by the DOCO.

Again, the above lighting specification standards apply.

In relation to any proposed play areas....

Poorly designed and specified communal areas, such as playgrounds, toddler play areas, seating facilities have the potential to generate crime, the fear of crime and anti-social behaviour.

These may often be referred to as: Local Areas of Play (LAP) – primarily for the under 6-year-olds.

Local Equipped Area for Play (LEAP) – primarily for children who are starting to play independently.

Neighbourhood Equipped Area of Play (NEAP) – primarily for older children.

Multi-Use Games Areas (MUGA) – primarily for older children.

Facilities should be designed to allow natural surveillance from nearby dwellings with safe and accessible routes for users to come and go.

Boundaries between public and private space should be clearly defined and open spaces must have features which prevent unauthorised vehicular access.

Communal spaces as described above should not immediately abut residential buildings.

The provision of inclusively designed public open amenity space, as an integral part of residential developments, should make a valuable contribution towards the quality of the development and the character of the neighbourhood.

To do this, it must be carefully located to suit its intended purpose – mere residual space unwanted by the developer is very unlikely to be acceptable. The open space must be inclusively designed with due regard for wayfinding, permeability and natural

surveillance Adequate mechanisms and resources must be put in place to ensure its satisfactory future management and maintenance.

Care should be taken to ensure that a lone dwelling will not be adversely affected by the location of the amenity space It should be noted that positioning amenity/play space to the rear of dwellings can increase the potential for crime and complaints arising from increased noise and nuisance.

Play areas should ideally be designed so that they can be secured at night. This is to reduce the amount of damage and graffiti that occurs after dark. The type of fencing and security measures will need to vary to suit the area. However, consideration should be given to a single dedicated entry and exit point to enable parental/guardian control and supervision.

Fencing at a minimum height of 1.2m can often discourage casual entry, provide a safe clean play area, and reduce damage to the equipment.

The specific requirements such as child safeguarding, preventing dogs entering, etc. should be discussed with the DOCO.

Fixtures and fittings should be as resistant to damage and graffiti as possible.

HBC Countryside Access Officer: - There is no information to imply that there is any data relating to any recorded public rights of way running through, abutting to or being affected by the proposed development of this site. However, there are a number of informal and well used footpaths running around the perimeter of the site and in a north-south line, through the centre of the site.

The most northerly route that runs between Gala Close and Coronation Drive, alongside the south side of the beck/watercourse, is the most widely used and is regularly maintained by the council. It is regarded as an unrecorded public footpath. This path has been incorporated into the overall site plan, which makes sense for recreational movement and use of the public.

The site plan shows that the remainder of the paths will be lost. I appreciate that this is the only way that this number of houses can be accommodated on the site.

I would require northern path, as described above, is made a surfaced path of 2.5 metres width, so that it becomes an all year path suitable for people with mobility issues and for those less mobile, as well as the general public who already use it.

Further comments received 11/01/2023

Further to my recent comments relating to the improvements to the east-west path that runs along the inside of the application site boundary; I meant to add that this path improvement requirement should extend to Gala Close and not end at the western boundary of the site. This would be an extra 90 metres of surfaced and dual use path.

The benefit of such an extension and improvement would mean that such a sustainable walking and cycling route would link to facilities such as shops, open

space and Seaton railway Station, or further should the user so require. This would be beneficial to both new residents as well as visitors.

Further comments received 13/08/2024

Attached is a plan showing the existing unrecorded public footpath that links Coronation Drive (east) to Gala Close (west). This path has been in existence for at least 25 years and has been annually maintained (the natural grass surface has been cut) by the Council.

The proposed new path that runs northwards from the ‘hammerhead’ in the north area of housing links approximately midway with the existing east west path. I will be requiring that the existing path and the new link path be either dedicated as public footpaths or that the developer enters into a creation agreement to record these two paths as public footpaths.

This will then place the future maintenance in the hands of the Council rather than the developer and will also add legal protection for the pedestrian user via existing legislation – Highways Act 1980. I also require that the existing path be shown in any amended plans produced by the developer so that a correct understanding of existing and proposed paths can be correctly recorded.

Further comments received 31/03/2025

With regards to the creation of the new informal path, that will link the development to the existing informal path, which runs alongside the southern side of the beck, north of the development: Will this path be installed, as an aggregate with rolled dust top, to a standard that will be agreed by the Council and then managed by the 'to be formed' management company?

Further comments received 20/08/2025

From an access point of view, this new link path offers a useful as well as sensible route to enable walkers to move sustainably and safely to the north and beyond. I fully approve this addition.

HBC Waste Services: - Provision of Waste and Recycling Collection and Storage Facilities to new properties. Developers are expected provide and ensure at the point of first occupancy that all new developments have the necessary waste bins/ receptacles to enable the occupier to comply with the waste presentation and collection requirements in operation at that time.

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

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

Repeated comments received 11/01/2023.

Further comments received 08/08/2024

No further comments to add to the email sent on 11th January 2023.

Tees Archaeology: - Thank you for the consultation on this application. As we commented in respect of the screening opinion the area was formerly an area of railway sidings and contained a previously demolished world war II pillbox but the development will not have a significant impact on any known heritage assets, and no archaeological involvement is required.

Further comments received 28/06/2024

Thank you for the additional consultation on this application. We note the submission of a Written Scheme of Investigation for geoarchaeological sampling and peat analysis, which was agreed with Tees Archaeology. The geoarchaeological sampling has been undertaken and we are currently awaiting the report from this work.

Further comments received 04/10/2024

I've had the report, and no further archaeological work is needed for this site.

Further comments received 03/10/2025

Thank you for the additional consultation on this application. We have nothing to add to our comments of October 2024.

Northern Powergrid: - (summarised with advice appended as informative) Thank you for your enquiry dated 04/01/2023 concerning the above. The enclosed mains records only give the approximate location of known Northern Powergrid apparatus within the area. Great care is therefore needed and all cables and overhead powerlines must be assumed to be live.

Further comments received 19/06/2023

Thank you for your recent enquiry regarding the above location. The enclosed Mains Records only give the approximate location of known Northern Powergrid apparatus in the area. Great care is therefore needed, and all cables and overhead lines must be assumed to be live.

Town and Country Planning Act 1990

Under the provisions of the above Act, Northern Powergrid have no objections providing that our statutory rights are not affected and that we will continue to enjoy

rights of access to the apparatus for any maintenance, replacement, or renewal works necessary.

Please note that while all efforts are made to ensure the accuracy of the data provided, no guarantee can be given. We would refer you to the Health Safety Executive's publication HS(G) 47 "Avoiding Danger From Underground Services" which emphasises that:

The position of any services in or near the proposed work area should be pinpointed as accurately as possible using a detecting device in conjunction with up-to-date service plans and other information which provides a guide to the possible location of services and help interpret the signal.

Excavation work should follow safe digging practices. Once a detecting device has been used to determine position and route, excavation may proceed, with trial holes dug as necessary, to confirm the position of any detected services. A cable is positively located only when it has been safely exposed. Cable depths are not generally indicated on our records and can vary considerably even when shown.

Great caution must be exercised at all times when using mechanical plant. Careful trial digging should always be carried out on the whole route of the planned excavation to ascertain no cables exist.

The Health Safety Executive publication GS6 "Avoidance of Danger from Overhead Electric Lines" must be consulted if your work is near overhead power lines. Both of these documents provide comprehensive guidance for observance of statutory duties under the Electricity at Work Regulations 1989 and the Health Safety at Work Act 1974. Our provision of these records is based upon the assumption that people using them will have sufficient competence to interpret the information provided. Any damage or injury caused will be the responsibility of the organisation or individual concerned who will be charged for any repairs.

Please note ground cover must not be altered either above or below our cables or below overhead lines. In addition, no trees should be planted within 3 metres of existing underground cables or 10 metres of overhead lines. All our apparatus is legally covered by a wayleave agreement, lease or deed or alternatively provided under the Electricity Act 1989. Should any alteration / diversion of Northern Powergrid's apparatus be necessary to allow your work to be carried out, budget costs can be provided by writing to Network Connections, Alix House, Falcon Court, Stockton On Tees, TS18 3TU.

All future works that we may have will be included on the quarterly NRSWA coordination return for discussion at the quarterly meeting of authorities / utilities in order to minimise disruption to the public.

Repeated comments were received 03/10/2025.

Northern Gas Networks: - Northern Gas Networks acknowledges receipt of the planning application and proposals at the above location. Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area

that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable. We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of precautions for your guidance. This plan shows only those mains owned by Northern Gas Networks in its role as a Licensed Gas Transporter (GT). Privately owned networks and gas mains owned by other GT's may also be present in this area. Where Northern Gas Networks knows these they will be represented on the plans as a shaded area and/or a series of x's. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, siphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Northern Gas Networks, its agents or servants for any error or omission. The information included on the enclosed plan should not be referred to beyond a period of 28 days from the date of issue.

(Comments repeated 06/10/2025)

Further comments received 19/06/2024

After reviewing the amended plans Northern Gas Networks do not object as per 1400017248.

Gas Distribution Networks: - This application falls outside of Cadent's distribution network. Please contact your local Gas distributor and/or National Grid for comments on this application.

National Grid

Gas Distribution Networks

SGN

Wales and West Utilities (WWU)

Northern Gas Networks (NGN)

Anglian Water: - The consultation letter should be address to Anglian Water. At present we don't comment on water aspect for planning applications, but Anglian Water is reviewing our planning application processes and hopefully water consultations can be accommodate in the future.

Cleveland Emergency Planning Officer: - Having reviewed the associated documentation I can confirm Cleveland Emergency Planning Unit has **no objections** to the proposals.

Office for Nuclear Regulation: - ONR land use planning processes are published here: <http://www.onr.org.uk/land-use-planning.htm>.

ONR has no comment on planning application reference: H/2022/0357 as it does not meet ONR's consultation criteria.

(Repeated comments received 19.06.2024 and 16.10.2025).

HBC Building Control: - I can confirm that a Building Regulation application will be required.

Further comments received 18/06/2024

A Building Regulation application will be required for 'Erection of 81no. dwellings.

Further comments received 12/10/2025

An application for Building Regulations has been received from an Approved Inspector for '81 dwellings.

Cleveland Fire Brigade: - Cleveland fire Brigade offers no representations regarding the development as proposed. However, Access and Water Supplies should meet the requirements as set out in:

Approved Document B, Volume 1:2019, Section B5 for Dwellings.

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

It should be confirmed that 'shared driveways' and 'emergency turning head' areas meet the minimum carrying capacity requirements as per ADB Vol 1, Section B5: Table 13.1, and in line with the advice provided regarding the CARP, above. Further comments may be made through the building regulation consultation process as required.

Further comments received 14/10/2025

Cleveland Fire Brigade offers the following representations regarding the development as proposed.

Plots 67 – 71 access exceeds the dead-end road condition as described in ADB V1 Para 13.4.

Private Driveways giving access to Plots 67, 68, will be accessed to ensure that essential firefighting resources required at an incident are as close as reasonably practicable to ensure speed of response for any required rescues or firefighting measures, this is due to it not meeting the 45m rule (ADB V1 Para 13.1). It would therefore be prudent to ensure that these roads meet the requirements of ADB V1 Table 13.1 with the amendments below in line with Note 1 of table 13.1.

It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1

Access and Water Supplies should meet the requirements as set out in: Approved Document B, Volume 1:2019, Section B5 for Dwellings.

Cleveland Fire Brigade also utilise Emergency Fire Appliances measuring 3.5m from wing mirror to wing mirror. This is greater than the minimum width of gateways specified in AD B Vol 1 Section B5 Table 13.1.

Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system. Further comments may be made through the building regulation consultation process as required.

Further comments received 04/11/2025

I have had a look at the access to Plots 67, 68, 69. Plot 69 is reasonably practicable to just meet the 45m rule (ADB V1 Para 13.1). Plot 68 would not meet the 45m rule (ADB V1 Para 13.1) currently. The fire appliances would drive to the address provided which would lead them to the private driveways for the housing plots, they would not be aware in an emergency to the properties that these require alternative access and it is inevitable that appliances will access these areas to ensure that essential firefighting resources required at an incident are as close as reasonably practicable to ensure speed of response for any required rescues or firefighting measures.

Therefore, the private drive would need to reflect Cleveland Fire Brigade vehicle weight for the Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1.

Plot 67, what postcode would this property have, would that be Coronation Drive? As above I ask this as this is the address the fire appliances would attend in the event of an emergency. Also, the concern with using the land in front of the house is what will be on the land in the future? will it allow the same access?.

Further comments to applicant received 20/11/2025

Regarding Plot 68, I can see from your response that the shared drive construction that you use would accommodate an 18-ton fire appliance, therefore this would resolve the 45m hose access as per guidance AD B Vol 1 Section B5 Table 13.1.

In terms of Plot 67, I will add your response to the file regarding the postal address and future of the land in front of the property.

For Plot 67, as above, if the drive construction would accommodate an 18-ton appliance this would then again meet the 45m hose guidance, however we would add that a 20m reverse turning facility would be required to be provided as per guidance AD B Vol 1 Section B5 Table 13.4.

Health & Safety Executive Web Advice App (summarised): - 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.

HBC Estates: - I can confirm Strategic Asset Management support this application.

HBC Economic Development: - No comments received.

HBC Head of Service Heritage & Open Spaces: - No comments received.

HBC Sport & Recreation: - No comments received.

Ramblers Association: - No comments received.

HBC Community Safety: - No comments received.

Hartlepool Water: - No comments received.

Tees Valley Wildlife: - No comments received.

RSPB: - No comments received.

PLANNING POLICY

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

HARTLEPOOL LOCAL PLAN (ADOPTED MAY 2018)

2.17 The following policies are relevant to this application:

Policy	Subject
SUS1	The Presumption in Favour of Sustainable Development
LS1	Locational Strategy
CC1	Minimising and adapting to Climate Change
CC2	Flood Risk
INF1	Sustainable Transport Network
INF2	Improving Connectivity in Hartlepool
INF4	Community Facilities
QP1	Planning Obligations
QP3	Location, Accessibility, Highway Safety and Parking
QP4	Layout and Design of Development
QP5	Safety and Security
QP6	Technical Matters
QP7	Energy Efficiency
HSG1	New Housing Provision
HSG2	Overall Housing Mix

HSG3	Urban Local Plan Sites
HSG9	Affordable Housing
NE1	Natural Environment
NE2	Green Infrastructure

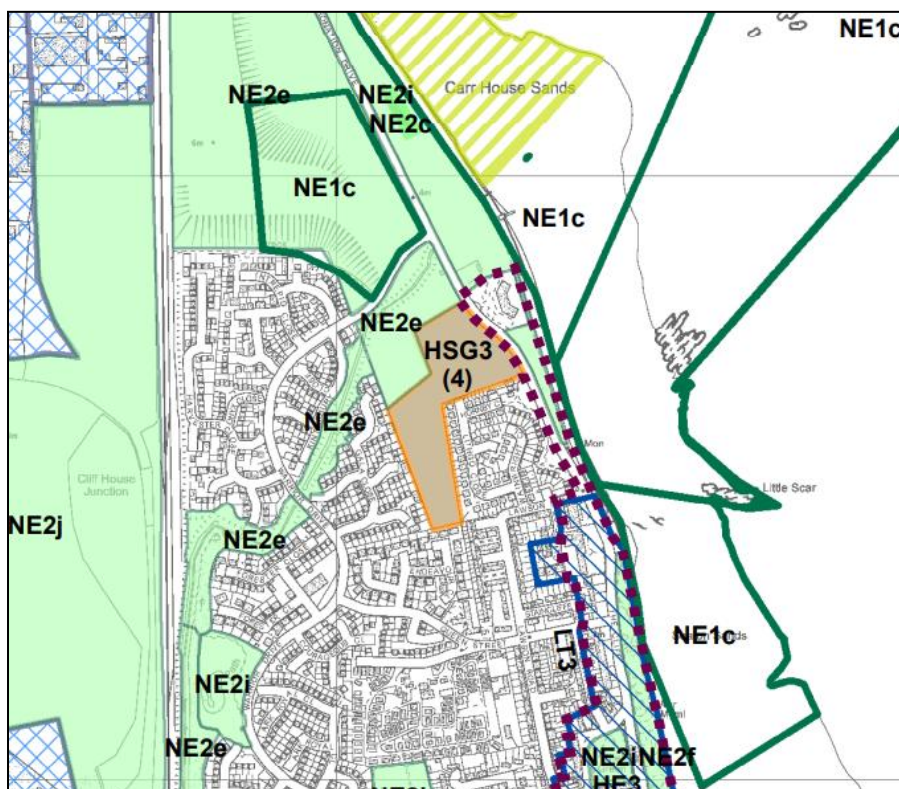


Figure 1: Extract from Local Plan Policies Map

ADOPTED TEES VALLEY MINERALS AND WASTE DPD

2.18 The Tees Valley Minerals DPDs (TVMW) form part of the Development Plan and includes policies that need to be considered for all major applications, not just those relating to minerals and/or waste developments.

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

Policy	Subject
MWP1	Waste Audits

RELEVANT SPDs AND OTHER DOCUMENTS

Green Infrastructure SPD and Action Plan 2020

2.20 Green Infrastructure (GI) is important for the people who live, work in and visit the borough, and is also critical for a multitude of species which are present and are at risk of displacement due to development.

2.21 The council’s Green Infrastructure Supplementary Planning Document (SPD) is split into two documents; the SPD itself and the accompanying Action Plan. This

document provides information regarding the importance of GI within the borough and details the council's GI vision and what GI can be found within the borough, highlighting where there are any gaps which need to be addressed. The Action Plan builds upon this, setting out specifically where improvements are needed to enhance the GI network within the borough.

Residential Design SPD (2019)

2.22 The Residential Design (SPD) sets out the Council's design aspirations for new residential development. The SPD contains guidance and best practice relating to several aspects of design including space standards, density, local distinctiveness, accessibility, safety and energy efficiency.

2.23 The SPD was created to act as a tool for developers, offices and decision makers in a bid to drive up design standards and move away from creating generic "anywhere estates" that can lack identity. The SPD is a material consideration when determining planning applications and Planning Policy will have regard to the SPD while assessing the design of the proposal.

Planning Obligations SPD (2015)

2.24 The SPD provides parties with information and guidance concerning the local authority's approach towards securing planning obligations associated with development within the borough. New development often puts pressure on already over-stretched infrastructure and it is generally expected that developers will mitigate or compensate for the impact of their proposals by way of 'Planning Obligations' which will be used to address community and infrastructure needs associated with development.

2.25 Planning Policy have set out below what planning obligations should be secured towards local infrastructure in the interests of mitigating the impacts of the proposal and contributing towards sustainable development.

NATIONAL PLANNING POLICY FRAMEWORK (2024)

2.26 The NPPF sets out the Government's 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 NPPF is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the NPPF provide a clear reason for refusal or any adverse impacts of doing so would significant and demonstrably outweigh the benefits.

2.27 It must be appreciated that the NPPF does not change the statutory status of the development plan as the starting point for decision making.

2.28 The following paragraphs in the NPPF are relevant to this application:

Para	Subject
001	Govt's planning policies for England
002	Status of NPPF
007	Meaning of sustainable development
008	Achieving sustainable development (three overarching objectives – Economic, Social and Environmental)
009	Achieving sustainable development (not criteria against which every decision can or should be judged – take into account local circumstances)
010	Achieving sustainable development (presumption in favour of sustainable development)
011	The presumption in favour of sustainable development
012	The presumption in favour of sustainable development does not change statutory status of the development plan as the starting point for decision making
038	Positive and creative decision approach to decision making
047	Applications to be determined in accordance with the development plan, unless material considerations indicate otherwise
055	Use of conditions or planning obligations
057	Planning obligations tests
058	Contributions and viability
060	Significantly boost the supply of homes
066	Major development and affordable housing
096	Promoting healthy and safe communities
097	Social, recreational and cultural facilities to meet needs
099	Sufficient choice of school places should be available to meet the needs of existing and new communities
102	Access to a network of high-quality open spaces and opportunities for sport and physical activity
104	Protect and enhance public rights of way and access
108	Considering transport issues from an early stage
109	Promoting sustainable transport
116	Movement in new developments
117	Travel Plans and Transport Assessments
123	Making effective use of land
124	Making effective use of land
128	Achieving appropriate densities
131	Achieving well-designed and beautiful places
135	Achieving well-designed and beautiful places
136	Tree-lined streets

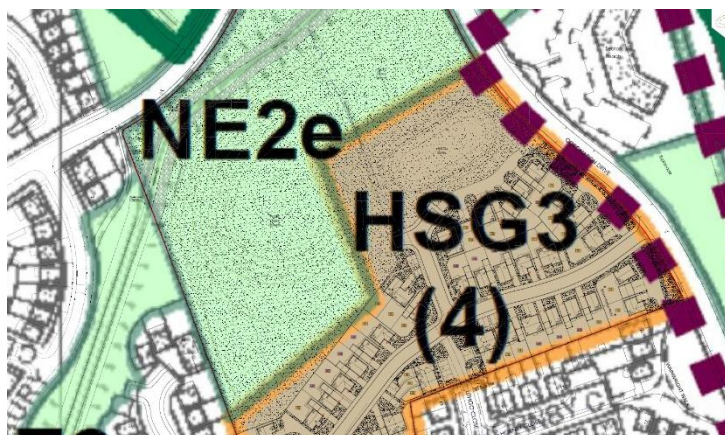
137	Design quality through evolution of proposals
139	Permission should be refused for development of poor design
140	Planning conditions and plans
157	Planning system contribution to low carbon future
159	New development addressing climate change
162	Decentralised energy and energy efficiency
165	Ensuring flood risk does not occur elsewhere
175	Major development should incorporate SUDS
180	Contribute to and enhance the natural environment
186	Biodiversity principles
187	SPA's and Ramsar sites
189	Ground conditions
190	Contamination
191	Impacts of pollution on health, living conditions and the natural environment, and the potential sensitivity of the site or the wider area
224	Implementation of NPPF

2.29 **HBC Land Use Policy Comments:** - Policy LS1 of the Local Plan sets out the Locational Strategy for development within Hartlepool which is based on a strategy of balanced urban growth which allows Hartlepool to grow in a sustainable manner. New housing development is located within the allocated sites including urban area brownfield sites, a southwest extension and extensions at High Tunstall and Wynyard.

2.30 Local Plan Policy HSG3 allocates a number of Urban Sites for housing development as illustrated on the Policies Map. This includes HSG3(4) Coronation Drive for approximately 65 dwellings. In making allocation HSG3(4), the Council sought to strike a balance between the land required for a viable housing development and the benefits and opportunities associated with the retention of a significant area of land south of the watercourse as green space. Policy HSG3 also states that the development of Urban Sites will be determined in accordance with other policies in the Plan.

2.31 The application site covers two land use designations on the Local Plan Policies Map: housing allocation HSG3(4) and a local green corridor NE2e.

2.32 The proposal has been revised from the original submission to now provide 81 dwellings with the built form being primarily located within the allocated housing site. The land allocated under policy NE2e is now proposed for public open space and a SUDS basin (see image below). A minimal area of back garden to plots 62,63 and 66 is located within NE2e however a more substantial area of land included within the housing allocation north of plots 67-71 is now included within the proposed open space.



Proposal and Local Plan Allocation Plan

Consideration of NE2e

2.33 Policy NE2 of the local plan states the green infrastructure within the borough will be safeguarded from inappropriate development including local green corridors. The amendments to the proposal to remove the built form from the NE2e designation is welcomed and the proposal is considered to accord with policy NE2 of the Local Plan.

Consideration of HSG3

2.34 The application proposes 81 residential dwellings within the site, an overprovision on the anticipated units within the allocation. Planning Policy have no objection to an increased density in principle within housing allocation area in the interests of making effective use of land and with an understanding that greater unit numbers assists with scheme viability. However, this must not be at the expense of achieving a high quality layout and design for the development, as required by Local Plan Policy QP4 and the Residential Design (RDG) SPD.

Layout and Design

2.35 The proposed layout responds to the surrounding context of the site providing back to back/ back to side development onto the existing residential properties which surround the site. The inclusion of properties fronting onto Coronation Drive with additional tree planting creates a positive response to the entrance of the scheme and when approached from the north.

2.36 The proposal 'turns it back' onto the public open space at plots 57- 63. Presenting rear elevations and boundary treatment onto the open space, guidance states that properties should front onto areas of public space to provide natural surveillance and create a sense of ownership. It is acknowledged that significant amendments have been undertaken to the proposal to address previous comments and reduce the level of development to be within the allocated site and there is frontage onto the open space to the east. It is therefore advised that the rear boundary treatment for the properties is amended to provide a brick and timber combination with an element of permeability. Opportunities for landscaping in front of boundary treatment would also soften the interface between the two. In addition to incorporate an element of overlooking plots 57 should be substituted to a corner turning unit similar to the composition of plots 65 – 66.

2.37 Building for a healthy life encourages the creation of integrated neighborhoods through creating well connected street and path networks, Hartlepool's RDG SPD also establishes that new development should have ease of movement and create legible and easy to follow routes. When considering the proposed layout there are opportunities which should be considered to increase pedestrian movement for future residents, these are:

- A pedestrian only link between plot 10/11 onto Lithgo Close.
- Pedestrian footway from the turning head at plot 71 through the greenspace to Coronation Drive.
- Pedestrian only connection to the west of plot 58 connecting the primary route and the open space. This would enable residents at the southern end of the proposal more convenient access to the public open space proposed.

Housing Mix

2.38 The scheme provides for 12 no. 2 bedroom dwellings, 47 no. 3 bedroom dwellings and 22 no. 4 bedrooms dwellings across a variety of two storey house types. It is disappointing that no bungalows form part of the scheme, given the recognised need for such house types within the borough. Notwithstanding this, the overall mix in respect of the size and variety of house types across the scheme is considered acceptable with reference to Local Plan Policy HSG2.

Ecology

2.39 Local Plan Policy NE1 sets out the approach the Council will take to protect, manage and enhance the borough's natural environment. This includes the protection and enhancement of green infrastructure (5) and that in seeking to avoid harm to biodiversity, development should follow the sequence of avoidance, mitigation, compensation. Where sufficient on-site mitigation and/or compensation are demonstrably not possible, then off-site compensation will be considered. Where significant harm from a development cannot be avoided (through locating on an alternative site), adequately mitigated or, as a last resort compensated for, permission will be refused (6). This approach reflects that of NPPF paragraph 186a).

2.40 Planning Policy trust that the views of the Council Ecologist will be sought to determine the proposals compliance with policy NE1.

Energy/Sustainability

2.41 Local Plan policy CC1 Minimising and adapting to climate change requires that for major developments, 10% of the energy supply should be from decentralised and renewable or low carbon sources. Where it can be demonstrated that this is not feasible, the provision of the equivalent energy saving should be made by improving the building fabric or a combination of energy provision and energy saving measures that equates to the equivalent of 10%.

Planning Obligations

2.42 Local Plan Policy QP1 states that the Council will seek planning obligations where viable and deemed to be required to address the impacts arising from a development. Such obligations may include Affordable Housing.

2.43 Local Plan Policy HSG9 states that the Council will seek to deliver on-site Affordable Housing at 18% in respect of proposals of 15 dwellings or more. Provision, tenure and mix is to be negotiated on a case-by-case basis having regard to viability and evidence of local housing need and aspiration.

2.44 The application does not propose any Affordable Housing or s106 contributions with the exception of HRA mitigation on the grounds that providing this at any percentage would result in the scheme not producing sufficient developer profit to make it viable.

2.45 An updated Financial Viability Assessment accompanies the application reflecting the revised proposal of 81 units. Planning policy accept the findings of the Financial Viability Assessment report which shows that seeking planning obligations would not be appropriate.

2.46 Recreational disturbance to European Sites mitigation = £350 per dwelling

2.47 In addition, a section 106 agreement should include:

- 1) Submission of an incidental open space plan in order to secure appropriate arrangements for the maintenance and long term management for those landscaped open spaces within the site which do not form part of a dwelling.
- 2) Submission of Local Employment and Training Agreement to give opportunities within the development for local workers as well as training and apprentice opportunities. The economic development team will give further information on this element.

Further comments received 12/11/2024

2.48 Planning policy accept the findings of the Financial Viability Assessment report which shows a 11% profit. Seeking planning obligations would therefore not be appropriate.

Further comments received 28/03/2025

2.49 As discussed, the amendments to the proposal relate to the earthworks/ reprofiling for the earth mounds with the open space and to address LLFA comments.

2.50 The matter does not relate to the principle of development, Planning Policy have no further comments.

Further comments received 19/03/2026

2.51 The submitted statement from the sustainability consultant regarding air source heat pumps and the provision of electric vehicle charging points to each property as shown on the proposed site layout are, in my view, acceptable and meet the requirements of policies QP7 and CC1. It is trusted these can be secured via suitably worded conditions.

Further comments received 31/03/2026Additional Land Use Policy comments in relation to the Seaton Carew Supplementary Planning Document (2015)

2.52 The Seaton Carew SPD (2015) primarily focuses on the development of the seafront at Seaton Carew and the conservation area. The site at Coronation Drive is also identified for housing delivery and site-specific development and design principles are provided.

SPD Development and design principles for Coronation Drive:

2.53 The SPD identifies that the Coronation Drive should be considered for residential development for a range of family homes at a density of 25-30 homes per hectare. The current proposal is at a density of approx. 30dph and provides a range of 2, 3 and 4 bedroom properties.

2.54 The SPD sets out that due to the site's prominent location into Seaton Carew the development should have excellent design standards and act as a gateway, particularly the north-east corner. The proposal includes landscape open space in the northern half of the site. The first area of built form proposed presents frontage onto both the north (green space) and east (Coronation Drive), the properties proposed have landscape front gardens and the provision of verge and tree planting along Coronation Drive creates a positive response to the entrance of the scheme and when approached from the north.

2.55 The SPD also states that there should be sufficient provision of safe, accessible and attractive open space with permeability throughout the site to allow ease of movement and adopting secure by design principles. The proposal incorporates an area of open space to the north with informal footpath connections. Land Use Policy previously sought to increase the level of permeability within the proposal through providing a pedestrian only connection through to the existing residential area on Lithgo Close. This has not been incorporated however, connections are provided onto Coronation Drive and the layout proposed is overall permeable in nature. In the main, the layout accords with the principles of 'secured by design' with the exception of plots 58-63 which present rear gardens onto public space. Land Use Policy have acknowledged this in previous comments and noted the level of amendments already made to address the developable area and open space provision.

2.56 The SPD also sought to make a feature of the watercourse with a buffer zone to act as a wildlife and pedestrian movement corridor and for Ponds and SUDs to be incorporated as multi-functional features. The proposal includes open space up to the water course and is considered to address the principle within the SPD. Suds features are also provided comments from HBC Landscape Architect and Engineers should be sought to clarify if the SuD is multifunctional.

2.57 The SPD identifies the potentially for archaeological peat deposits, the Tees archaeologist have commented regarding this during the application process. The SPD also identifies opportunities to de-culvert the watercourse near Warrior Drive,

Land Use Policy have not been party to any discussions on this matter. It should be noted that the SPD is a guidance document, there are viability issues on the site and not all principles within the SPD may be viability accommodated within the application.

PLANNING CONSIDERATIONS

2.58 The main planning considerations with respect to this application relate to the principle of development (including viability and planning obligations, planning balance, energy efficiency and renewable energy and house types), the impact on the character of the surrounding area and the impact on landscaping, the impact on the amenity of the surrounding neighbouring residential properties and future occupiers, highway safety related matters, flood risk and drainage, contamination, ecology, and any other material considerations arising through the course of the planning application. These matters are considered in detail below.

PRINCIPLE OF DEVELOPMENT

2.59 The application seeks planning permission for the erection of 81 residential dwellings on a brownfield site, wholly located within the development limits. Policy LS1 of the Adopted Local Plan sets out the Locational Strategy for development within Hartlepool and new housing development within the town is proposed to be located within a number of allocated sites, including urban area brownfield sites, a southwest extension and extensions at High Tunstall and Wynyard. Local Plan Policy HSG3 allocates a number of Urban Sites for housing development, as illustrated on the Policies Map.

2.60 The application site forms part of a site allocation for housing development under HSG3(4) Coronation Drive for approximately 65 dwellings within the Adopted Hartlepool Local Plan (2018). Whilst it is acknowledged that the proposed scheme under consideration would provide dwellings above the stated figure within the policy, it is appreciated that this is an approximate number and an assessment of the suitability of the housing numbers are considered against Policy QP4 of the Adopted Local Plan and the associated Residential Design (RDG) SPD, within the following character and amenity sections of this report, along with any other material considerations that could be impacted by the housing numbers.

2.61 The application site covers two land use designations on the Local Plan Policies Map: Housing Allocation HSG3(4) as detailed above, and a Local Green Corridor as identified by Policy NE2e. Through the course of the planning application, the proposed scheme has been reduced from 151 dwellings to a scheme now proposing 81 dwellings that largely removes the proposed development out of the allocated Local Green Corridor.

2.62 Policy NE2 states that '*The Borough Council will safeguard green infrastructure within the Borough from inappropriate development and will work actively with partners to improve the quantity, quality, management and accessibility of green infrastructure and recreation and leisure facilities.*' Policy NE2 also seeks opportunities to expand and improve access to open space, as well as to support and encourage green infrastructure initiatives that can help alleviate flood risk and

address surface water drainage issues by incorporating Sustainable Drainage Systems (SuDS).

2.63 As a result of the proposed scheme, the land allocated under policy NE2e would be largely safeguarded and would be re-profiled, providing a more functional use of the land that would include a public walkway through the site, which would allow for greater opportunities for public accessibility.

2.64 Policy NE2 states that the loss of green infrastructure will generally be resisted, unless it meets one of a number of exemptions as set out within the policy. The current scheme would utilise a small area of the allocated open space to serve the rear garden areas of a number of plots, where its use would not strictly meet the criterion within the policy.

2.65 Whilst a minimal area of the rear garden areas of plots 63 and 66 would be located within the NE2e allocation (approximately 22 sqm.), a more substantial area of land forming part of the housing allocation north/north-east of plots 66-67 and to the south-west north of plots 57-62 (equating to approximately 5,978 sqm), would be included within the proposed area of open space. The proposal would therefore not result in a net loss of open space, but rather, an actual significant increase of approximately 5,956 sqm of open space. Consequently, the proposal would in effect expand the Local Green Corridor and the proposal is therefore considered to comply with the aims and objectives of policy NE2 of the Adopted Hartlepool Local Plan.

2.66 It is also noteworthy that whilst policy NE2 of the Hartlepool Local Plan sets out that to deal with flood risk and drainage matters, SuDS infrastructure is an acceptable use within the Local Green Corridor. In this instance, however, the proposed SuDs basin would be located outside of this designation, in an area designated for housing development that would, in effect, become part of an area of expanded Local Green Corridor.

2.67 It is considered that locating the SuDs basin outside of the designated Local Green Corridor, within the expanded area of open space would, by virtue, not reduce the functionality of the existing designation for other open space uses, which is considered to be of increased benefit to the Local Green Corridor overall. Having regard to considerations of the designated land uses and the proposed development as set out above, it is considered that the proposed scheme is broadly compliant with the relevant policies of the Adopted Hartlepool Local Plan and the principle of development is considered to be acceptable in this instance. This view is supported by HBC Land Use Policy who have raised no objections to the principle of development.

2.68 Through the course of the public consultation exercise, comments were received that the proposal would not comply with the Seaton Crew SPD (2015) and that the proposed development would have a negative impact on tourism. With respect to consideration of the Seaton Carew SPD, the Council's Land Use Policy section have had regard to the guidance document and it is considered that the proposals are in broad accordance with the SPD, which is for guidance purposes. With respect to the impact on tourism, as set out above, the proposed uses would be largely compliant with the designated land uses within the Adopted Local Plan,

where such visions for the development of Seaton Carew have carefully been considered.

House Types

2.69 The proposed scheme would provide a mix of two, three and four bedroomed, two storey dwellings, across a variety of house types. Comments have been received through the consultation exercise that the proposed development would not include bungalows for elderly people. Whilst it is acknowledged that no single storey bungalow properties form part of the proposed scheme, the development would provide a varied mix in respect of the size and variety of house types. The scheme has been considered by the Council's Land Use Policy section and the proposed scheme is considered to be acceptable in this respect, where the proposal is considered to be compliant with the relevant policy HSG2 of the Hartlepool Local Plan.

Viability and Planning Obligations

2.70 Local Plan Policy QP1 states that the Council will seek planning obligations where viable and deemed to be required to address the impacts arising from a development. Such obligations may include Affordable Housing. Local Plan Policy HSG9 states that the Council will seek to deliver on-site Affordable Housing at 18% in respect of proposals of 15 dwellings or more. Provision, tenure and mix is to be negotiated on a case-by-case basis having regard to viability and evidence of local housing need and aspiration.

2.71 The application does not propose any Affordable Housing or s106 contributions (with the exception of a financial contribution to mitigate increased recreational disturbance as discussed further in the report below) on the grounds that providing this at any percentage would result in the scheme not producing sufficient developer profit to make it viable. An updated Financial Viability Assessment accompanies the application reflecting the revised proposal of 81 units. The report details that the abnormal costs reflect the inherent challenges of the site, which include such abnormal foundation, remediation and culvert diversion requirements, which are site-specific expenses over and above what would be included within the standard build cost. The submitted Financial Viability Assessment also considered a requested Health Service contribution by NHS Northeast & Cumbria to the value of £39,123. The Council's Land Use Policy team have had regard to the updated information and accept the findings of the Financial Viability Assessment report, which demonstrates that seeking planning obligations consisting of affordable housing as well those listed within the adopted Planning Obligations SPD and including the requested health service contributions would not be appropriate in this instance.

2.72 It is noted that comments received within objections have suggested that social infrastructure such as schools, doctor's, dentist, sewage, highway network and public transport could not absorb or provide for the proposed development. With respect to education, the Council's Education section have provided comments detailing availability in Primary and Secondary provision and no issues are raised that would warrant the refusal of the planning application on such grounds. In any

event, the applicant has demonstrated that contributions towards such planning obligations are not viable. In other respects, whilst relevant material considerations have considered such matters, it is also recognised that the application site is a site allocation for housing development of a relatively similar scale, where such matters have been considered and accepted through the adoption of the Local Plan process.

2.73 A section 106 Legal Agreement is required to be entered into with respect to mitigating recreational disturbance (£350 per dwelling); the requirement for the submission of a scheme to secure the implementation, long term maintenance and management of all open space, landscaping and on site biodiversity enhancement/net gain measures, the implementation, long term maintenance and management of footpath connections; the implementation, long term maintenance and management of the onsite SuDs infrastructure; and the requirement for a Local Employment and Training Agreement.

Energy Efficiency and Renewable Energy

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

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

2.76 The submitted Sustainability Statement indicates that the proposed development would seek to utilise cost effective methods of improving energy efficiency, reducing demand and as such reducing the long-term carbon emissions for the development by providing each proposed dwelling with an air source heat pump. The applicant has illustrated that each dwelling would feature an EV charging point. Full details of the renewable energy infrastructure including the air source heat pumps (to meet a minimum of a 10% energy supply from decentralised and renewable or low carbon sources) and EV charging points (to all 81 dwellings) can be secured by appropriate planning conditions and are recommended accordingly.

2.77 In respect to energy efficiency, it is of note that Building Regulations were updated as of 15th June 2022, and any forthcoming Building Regulation application will now be assessed under the 2022 Regulations. In light of the above, given the implementation and requirements of the new Building Regulations, a planning condition is not required in respect of any energy efficiency improvement (previously required to be 10% improvement above the Regulations, prior to 15th June 2022) and such matters will need to be addressed through the new Building Regulations requirements. The application is therefore considered on balance to be acceptable with respect to energy efficiency and renewable energy provision subject to the identified planning conditions.

Conclusion and Planning Balance

2.78 The application site is located within the Development Limits as identified under Policy LS1 of the HLP (2018) and the majority of the developable site falls within the Housing Allocation HSG3(4). The proposed development would provide a housing scheme within an area largely designated for housing development.

2.79 Whilst the proposed development would result in a minor overlap within NE2e (Local Green Corridor), the result would not undermine the designation but would rather ensure that the Local Green Corridor is retained over the long term, where it would be subject to the required reprofiling, expansion and considered enhancement. Despite the technical policy conflict, Officers consider that the material considerations substantially weigh in favour of the proposed development, where the principle of development is considered to be acceptable in this instance, subject to the requirements of the recommended planning conditions, planning obligations and financial contributions (to be secured through a Section 106 legal agreement) and subject to satisfying other material planning considerations as detailed below.

IMPACT ON THE CHARACTER OF THE SURROUNDING AREA

2.80 Policy QP4 (Layout and Design of Development) of the HLP seeks to ensure all developments are designed to a high quality and positively enhance their location and setting. Development should be of an appropriate layout, scale and form that positively contributes to the Borough and reflects and enhances the distinctive features, character and history of the local area, and respects the surrounding buildings, structures and environment.

2.81 The application site relates to the irregular and undulating grassed parcel of land to the west of Coronation Drive, in Seaton Carew. The application site is bounded by vehicular highways to the east and north and views towards the site are most apparent from both the pedestrian and vehicular highways of Coronation Drive and Warrior Drive respectively. The levels at the site are lower towards the highways and notably raise deeper within the site to the west, where the application site is made up from two notable soil mounds, separated by an approximately 30 metre depression in ground level.

2.82 The proposed development would be made up from a variety of two storey dwellings of a detached, semi-detached and terraced form. The proposed scheme would partly infill an area of the site between separate residential streets and would also extend the residential form northwards. The proposed scheme would also include the cutting and re-profiling of the allocated housing and local green corridor land, which would reduce the ground level at the point where the housing would be located, and would also reduce the gradient of the soiled mounds at the north, where the land serving the open space would provide more broader levels across the site. As a result, some areas towards the north would increase the levels, before tapering off towards the highway to the north and east.

2.83 Through the course of the public consultation exercise, a number of objection comments suggest that the proposed development would represent urban sprawl and would result in coalescence between Seaton Carew village and the nearest built up areas of Hartlepool; that the development would not be compliant with the gateway vision for Seaton Carew; that the proposed development would spoil open aspect along the seafront and would result in a loss of identity for Seaton Carew.

2.84 It is inevitable that the introduction of an urban infill residential development north of the existing residential properties would undoubtedly impact and alter the character of the area to a degree, however given that the site is bounded by residential areas to the south, east and west, largely of a similar two storey scale; in this context, it is considered that the proposed development would represent a logical infill extension of the existing urban area and that a residential development, on an allocated housing site, would not appear unduly incongruous.

2.85 The developable area with respect to the built form is broadly an inverted L-shape that would feature a highway running through the centre of the site with residential properties either side of the highway and in a number of instances, residential properties branching off beyond. The proposed development pattern is considered to be an effective use of the land and the partial back-to-back layout with the existing residential properties opposite is considered to appear to assimilate successfully into the surrounding area. To the east of the site, adjacent to Coronation Drive, the building line would maintain a similar position as those existing properties to the immediate south and thereby would maintain a suitable buffer between the built form and the highway to the east. The dwellings proposed to the north-east part of the application site would front onto the proposed SuDs pond and open space, which is considered to be a positive aspect of the proposed scheme. It is however, also recognised that the properties proposed further to the west would have their rear garden fences facing onto the open space. Whilst it is appreciated that the arrangement would not all front onto the open space, which is reflected through the comments of the Council's Land Use Policy section, this is a consequence of the front of the properties along this area facing the access road into the site, which is also considered to be of importance to the appearance and layout of the scheme overall. Advice has also been provided by the Council's Land Use Policy section in relation to further increasing pedestrian connectivity through the site. Whilst the applicant has not sought to incorporate the additional suggestions into the final design, it is recognised that the applicant has substantially revised the design of the scheme through the course of the planning application, and the proposed scheme is considered to provide a relatively pedestrian friendly and well-connected development.

2.86 In addition to the residential development, the proposed scheme, as revised, would also result in the retention of the open space to the north of the housing development. With respect to the reprofiling of the grassed mounds, it is recognised that the proposed alterations to the profile of the ground would also represent changes to the physical characteristic of the area, although it is considered that given both the proposed heights and gradients as illustrated through the submitted section drawings, the proposed land formation is considered not to appear unduly incongruous and would not be out of keeping with similar raised areas along

Coronation Drive to the north. Notwithstanding the comments received through the consultation period, it is considered that the proposal would retain a relatively open aspect and a buffer separation northward of the proposed housing development. The retention of the area of open space is considered to assist with the spatial narrative of the separation between Seaton Carew and the nearest built up areas of Hartlepool and the tree lined avenue is considered to represent a positive, gateway avenue to the village from the north.

2.87 The proposed development is therefore considered to successfully integrate into the existing conurbation, where a balance between the built form and open space would be provided and maintained. The proposed plans indicate that the proposed dwellings would be finished in one of two brick types, with a red and buff colour proposed, which would provide a relatively consistent, but varied profile across the site. Final materials details are required, and a planning condition is recommended accordingly to secure such details. The dwelling frontages are proposed to be open plan in nature, where a balance of hard and soft landscaping is illustrated. Information is provided in respect to hard and soft landscaping and boundary treatments, although final details are required to be secured and planning conditions are recommended accordingly. A condition is also recommended to remove permitted development opportunities for the erection of boundary enclosures at the front of properties within the proposal, in order to maintain control of the intended open plan appearance of the development. In addition, whilst boundary treatments are illustrated on a submitted plan, those that bound neighbouring boundaries are not clearly defined, and therefore final details are required to be submitted and a condition is recommended accordingly. Subject to the recommended planning conditions and consideration of the following subsection relating to landscaping, the proposed development is considered to be acceptable with respect to the impact on the character of the surrounding area.

Landscaping

2.88 Through the course of the public consultation exercise, comments of objection were raised in respect to the impact from the loss of existing trees; that the linear nature of the trees proposed would not be in keeping with area and that the proposed trees would not be suitable for sea front location and may present maintenance issues;

2.89 The proposed development, as amended, is considered to provide a generous landscaping scheme that would include tree lining along the site boundary with Coronation Drive for the extent of the proposed dwellings. Additionally, internal to the site, the main avenue running through the development would also be tree lined on both sides of the highway as supported within the NPPF (2024). Through the course of the planning application, the Council's Arboricultural Officer obtained amendments to the proposed landscaping scheme to ensure that the proposed development would provide a varied and resilient species of trees in the interests of the long-term success of the site landscaping, taking account of the challengeable sea front location.

2.90 It is recognised that the proposed development would result in the loss of some trees and other vegetation, although the proposed development would provide

a substantially greater level of landscaping than what would be removed. With respect to the open space, extensive planting is also proposed in the form of mixed scrub vegetation, which in part would support the ecological mitigation measures as discussed below, although it would also add to and support the verdant nature of the open space and wider area. In addition to the comments of the Council's Arboricultural Officer, the Council's Landscape Architect was also consulted on the proposed scheme and raises no concerns or objections to the proposed development. Planning conditions are recommended to secure final details of landscaping proposals (to also incorporate biodiversity enhancement measures) as well as tree protection measures (outside of the application site). It is also considered necessary for the implementation, long-term maintenance and management of the onsite landscaping and areas of open space (and the footpaths running through such open space areas), to be secured through a Section 106 legal agreement. Subject the recommended planning conditions and planning obligations to be secured through the s106 legal agreement, the proposed landscaping is considered to enhance the proposed scheme and is therefore acceptable.

Character Conclusion

2.91 Whilst the proposed development would inevitably result in change to the application site, the scale, nature and relationship of the amended proposed scheme is considered to be sensitive to the existing site and surrounding area, and in view of the above, the proposals are considered to be acceptable with respect to the impact on the visual amenity of the application site and character and appearance of the surrounding area.

IMPACT ON RESIDENTIAL AMENITY

2.92 Policy QP4 (Layout and Design of Development) of the HLP requires, amongst other provisions, that the Borough Council will seek to ensure all developments are designed to a high quality and that development should not negatively impact upon the relationship with existing and proposed neighbouring land uses and the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overlooking and loss of privacy, overshadowing and visual intrusion particularly relating to poor outlook. Proposals should also ensure that the provision of private amenity space is commensurate to the size of the development.

2.93 Policy QP4 also stipulates that, to ensure the privacy of residents and visitors is not significantly negatively impacted in new housing development, the Borough Council seeks to ensure adequate space is provided between houses and sets out minimum separation distances. These requirements are reiterated in the Council's adopted Residential Design SPD (2019). The following minimum separation distances must therefore be adhered to:

- Provide and maintain separation distances of at least 20m from habitable room to habitable room.
- Provide and maintain separation distances of at least 10m from habitable room to non-habitable room and/or gable end.

2.94 The proposed development would be made up from a variety of two storey dwellings of a detached, semi-detached and terraced form. The proposed scheme

would partly infill an area of the site between separate residential streets and would also extend the residential form northwards. Objection comments have been received from members of the public through the number of the public consultation exercises in respect to privacy and amenity considerations and impacts resulting from dust and mud, noise and disturbance. These and any other amenity considerations are considered as follows.

2.95 As detailed above, comments have been received through the public consultation exercise that the proposed dwellings would result in a loss of privacy to properties and garden areas, where existing properties would be overlooked and that the proposal would block sunlight/daylight into existing properties and garden areas, resulting in overshadowing for the respective neighbouring residents. Where such distances and relationships achieve (if not exceed) the required distances and relationships as set out in Policy QP4 and the aforementioned SPD, such relationships are considered to be acceptable and would not result in any adverse loss of amenity or privacy for existing neighbouring properties or future occupiers of the proposed dwellings in terms of loss of outlook, overbearing, overshadowing or overlooking. Notwithstanding this, there are some instances where such distances are not fully achieved and further detailed consideration of such relationships are set out below.

Impact on Wainwright Walk & Hornby Close (South)

2.96 Plots 1 to 10 are proposed to be located along the southern boundary with existing properties located on Wainwright Walk and Hornby Close respectively.

2.97 Proposed plot 1 would face Coronation Drive (east) and would have a side-by-side relationship with the neighbouring property to the south of 20 Wainwright Walk. The neighbouring property features a blank side elevation and the property has been historically extended at both two storey and single storey level. The neighbouring property would extend further to the rear than the proposed dwelling by approximately 7 metres. Given the side-by-side relationship, approximately situated along a similar building line, where the existing property to the south extends further to the rear, beyond the location of the proposed dwelling, it is considered that the proposed plot would not lead to any significant loss of amenity for the neighbouring dwelling to the south in terms of overbearing, overshadowing or loss of outlook. With respect to privacy related matters, two first floor windows would be proposed within the upper floor side elevation of plot 1, adjacent to the blank elevation understood to be serving landing area and a bathroom (non-habitable room/space) of 20 Wainwright Walk. Given that the proposed windows would primarily face onto a blank elevation and would be obscurely glazed and of restricted opening (as secured by planning condition), it is considered that there would be no significant loss of privacy for the existing neighbouring resident to the south in terms of overlooking.

2.98 With respect to considerations of the future occupiers of the proposed plot (plot 1), it is recognised that the neighbouring dwelling considerably extends beyond the rear elevation of the proposed dwelling. It is acknowledged that windows to the rear elevation and the rear garden area of the future occupier would experience the extended massing along the shared boundary towards the rear (west). During the course of the planning application, changes were sought and achieved to the

proposed scheme to assist in mitigating any significant impacts from occurring from the prospective relationship. Firstly, the proposed dwelling would be located off the shared boundary with the neighbouring property to the south by approximately 2 metres, which is considered to provide a degree of relief for future occupiers. In addition, changes were sought to 'hand' the internal layout, which effectively would ensure that the ground floor window nearest the neighbouring dwelling to the south would be the functional, working kitchen part of the room and that the main patio doors and more habitable space of the room would be situated further away from the shared boundary to the south. In addition to the above, the proposed garden area serving the plot (1) would be sizable and would afford the future occupiers a spacious and relatively open aspect to the rear (west) and at the opposite side (north). Having regard to the above considerations, no significant impacts are considered to arise as a result of the nature of the proposed relationship in terms of loss of amenity.

2.99 With respect to privacy related matters, the neighbouring property to the south is understood to benefit from an external staircase that provides access from the rear first floor down to the garden area. Whilst not a common feature, it is acknowledged that its use would allow a degree of surveillance over the garden area of plot 1. Notwithstanding this, the external staircase does not benefit from an extended and usable platform that would allow the neighbouring residents to spend prolonged time periods at an advantageous level and any occurrences of its use would therefore be fleeting, restricted to its use when traversing up and down the staircase. Consequently, the relationship is considered not to lead to any significant loss of privacy for the future occupiers of plot 1 in terms of overlooking and the relationship is considered to be acceptable in this instance. Plot 2 would be situated on the opposite side of plot 1, to the north, at a further distance from 20 Wainwright Close, where no significant loss of privacy and amenity is considered to result from the proposed relationship.

2.100 Plots 3 and 4 would be located to the rear of Plots 1 and 2 to the west, where there is no residential property directly to the rear of the proposed dwellings. The rear garden of plots 3 and 4 would back onto the rear garden of 20 Wainwright Close. Plots 3 and 4 would be located at a different aspect to the rear of 20 Wainwright Close, where the rear of the respective properties would have an oblique relationship. Having regard to the proposed relationships, it is considered that there would be no significant loss of privacy and amenity in this respect.

2.101 Plot 5 would be located opposite a number of single storey garage buildings to the south and would have an indirect rear to rear relationship with 11 Hornby Close where there would be an main rear to rear separation distance of approximately 23.5 metres and a separation distance of approximately 20 metres to the neighbouring property's single storey rear extension, which would comply with the rear-to-rear requirement separation distances requirement (of 20 metres), as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD.

2.102 Plot 6 would have a direct rear to rear relationship with 11 Hornby Close where there would be an approximate main rear to rear separation distance of 22.5 metres and a separation distance of approximately 20 metres to the neighbouring

single storey rear extension, which would comply with the rear-to-rear requirement separation distances requirement (of 20 metres), as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD.

2.103 Plots 7 and 8 would have a rear to rear relationship with 5 and 7 Hornby Close, where there would be an approximate main rear to rear separation distance of 22 metres, which would comply with the rear-to-rear requirement separation distances requirement (of 20 metres), as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD.

2.104 Plot 10 would have a rear-to-rear relationship with 1 Hornby Close, where there would be a main rear to rear separation distance of approximately 21.5 metres, which would exceed the rear-to-rear requirement separation distances (of 20 metres) and would comply with within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD. It is acknowledged however, that the neighbouring property features a single storey rear extension, where as a result of the proposed relationship, the separation distance would be approximately 18 metres to the single storey aspect. Whilst it is recognised that there would be a shortfall between the proposed dwelling and the rear projection, such offshoots are common features that reduce separation between respective properties, although the main rear to rear relationship would achieve the respective required separation and the proposed relationship is considered not to lead to any significant loss of privacy and amenity to warrant the refusal of the planning application on such grounds.

Impact on Lithgo Close (East & South)

2.105 Plots 11,12 and 13 would be located to the side of 67 Lithgo Close (north), where they would be built along a similar building line, to a similar projection. Given the side by side relationship of a similar location and depth, no significant issues are considered to arise in terms of significant loss of amenity for the neighbouring properties to the south in terms of overbearing, overshadowing or loss of outlook. No side facing windows are proposed within the south facing elevation and therefore no issues are considered to exist in respect to privacy related matters, with window relationships being oblique.

2.106 Plots 14 and 15 would be located to the rear of the existing properties of 65 and 67 Lithgo Close, where there would be a side to rear relationship. Plot 14 would have a separation distance of approximately 12.5 metres from the rear elevations of 65 and 67, which would exceed the minimum required separation distances (of 10 metres) and would comply with those as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD. With respect to privacy related matters, plot 14 would not feature any windows within the respective side elevation facing the neighbouring dwellings to the east and the proposed dwelling is considered not to lead to any significant loss of privacy as a result. The garden areas of plots 14 and 15 and 20 and 21 would back onto the rear garden areas of the properties of 61 and 63 Lithgo Way. The proposed plots would be situated at a different aspect to the existing properties to the east, where there would be oblique relationships between respective rear elevations and the relationships are considered not to raise any significant issues in respect loss of privacy and amenity.

2.107 Plots 20 and 21 would be situated at a different aspect from those to the east on Lithgo Way, with a side to rear relationship. There would be a separation distance of approximately 10 metres between plot 21 and the nearest extended property at 59 Lithgo Way, which would still comply with the requirement as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD. With respect to privacy related matters, plot 21 would not feature any windows within the respective side elevation facing the neighbouring dwellings to the east and the proposed dwelling is considered not to lead to any significant loss of privacy as a result.

2.108 The proposed parking and manoeuvrability area for the plots 20 to 24 (consecutively) to the north and south would back onto the existing properties of 51, 53 and 55 Lithgo Way. The relationship is considered not to raise any significant issues in respect to the significant loss of privacy and amenity for the respective properties to the east given the nature and scale of this element.

2.109 Plots 22, 23 and 24 would be situated at a different aspect from those existing properties to the east on Lithgo Way, with a side to rear relationship. There would be a separation distance of approximately 13.8 metres between plot 22 and the main rear elevations of 49 and 51 Lithgo Way and a separation distance of approximately 10.2 metres to the nearest neighbouring offshoot, which would exceed the minimum required separation distances (of 10 metres) and would comply with those as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD. With respect to privacy related matters, no windows would be contained within the outward east facing elevation of plot 22 and there would therefore be no privacy related issues in respect to any overlooking concerns. With respect to the proposed dwellings relationship with 45 and 47 Lithgo, the rear of the proposed dwellings would have an oblique relationship with the respective existing rear elevations to the east, where the rear gardens would back onto each other. Such relationships are considered not to lead to any significant loss of privacy and amenity for the existing and future occupiers.

2.110 Plot 25 would have a rear to rear separation distance with 45 Lithgo Way of approximately 29 metres, which would considerably exceed the rear-to-rear requirement separation distances (of 20 metres) and would comply with those as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD.

2.111 Plot 26 and 27 would back onto 41 and 43 Lithgo Way, where both properties feature single storey rear offshoots. The relationships would result in rear to rear separation distances of approximately 23.5 metres to the offshoots and approximately 27 metres between main rear elevations, which would considerably exceed the rear-to-rear requirement separation distances (of 20 metres) and would comply with those as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD. Similarly, Plot 28 would have a rear to rear relationship with 39 Lithgo Way, which would have a separation distance of approximately 24 metres and would also be acceptable in this context.

2.112 The vehicular access and parking areas serving plots 29 to 32 would be located beyond the rear garden areas of 37 and 39 Lithgo Way. The relationship is

considered not to raise any significant issues in respect to the significant loss of privacy and amenity for the respective properties to the east given the nature and scale of this element.

2.113 Plots 29 to 32 would be located at a different aspect from the neighbouring properties to the east of 29, 21, 33 and 35 Lithgo Close, where there would be a side to rear relationship between plot 29 and 33 and 35 Lithgo Close. An approximate 14 metre separation distance would exist between the nearest and most direct properties, which would exceed the minimum required separation distances (of 10 metres) and would comply with those as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD. With respect the proposed dwellings relationship with 29 and 31 Lithgo, the rear of the existing and proposed dwellings would have an oblique relationship with the respective existing rear elevations to the east, where the rear gardens would back onto each other. Such relationships are considered not to lead to any significant loss of privacy and amenity for the existing and future occupiers. Plot 29 Would contain windows within the eastward side elevation facing east, which would serve a kitchen and bathroom and a planning condition is recommended to obscure and restrict the opening in order to mitigate any significant privacy related issues.

2.114 Plots 33 would have a main rear to rear elevation relationship with 25 Lithgo Close of approximately 21.5 metres, which would exceed the rear-to-rear requirement separation distances (of 20 metres). It is acknowledged however, that the neighbouring property to the east features a single storey rear extension, where as a result of the proposed relationship, the separation distance would be approximately 19 metres to the single storey aspect. Whilst it is recognised that there would be a shortfall between the proposed dwelling and the neighbouring offshoot, such extensions are common features that reduce separation between respective properties, although the main rear to rear relationship would achieve the respective required separation and the proposed relationship is considered not to lead to any significant loss of privacy and amenity for the neighbouring property to warrant the refusal of the planning application on such grounds.

2.115 Within the south-east corner of the application site, plots 34, 35, and 36 would have rear to rear relationships with properties of 21, 23, 25 and 27 Lithgo Close. There would be separation distances in excess of 20 metres from the main rear to rear elevations and a separation distance of approximately 20 metres to the rear offshoots projections of 21 and 23 Lithgo Close, which would meet the minimum required separation distances (of 20 metres) and would comply with those as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD. Plots 37 and 38 would have oblique rear to rear relationship with 21 Lithgo Close that would also meet the required separation distances (of 20 metres) and would comply with those as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD.

Impact on Endeavour Close (South)

2.116 Plots 38, 39 and 40 would share a common boundary to the south with the properties of 26-29, 30-33 and 34-37 (26-37, inclusive) Endeavour Close back onto the southernmost aspect of the application site. Plot 38 would be located opposite in

the south-east corner of the site, which would have a side to rear relationship with the block containing 34-37 Endeavour Close. There would be a separation distance of approximately 11.5 metres between the nearest proposed plot and the neighbouring dwellings, which would exceed the minimum required separation distances (of 10 metres) and would comply with those as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD.

2.117 Parking spaces are proposed to serve the respective plots either side, which would be opposite 30-33 Endeavour Close. It is considered that given the nature and relationship, the proposed parking area would not lead to any significant loss of privacy and amenity for the properties opposite to the south.

2.118 The semi-detached plots of 39 and 40 would be located within the southwest corner of the application site and would have a rear to rear relationship with 26-29 and 30-33 Endeavour Close. There would be respective separation distances of approximately 20 and 21 metres from the residential properties opposite, which would meet the minimum required separation distances (of 20 metres) and would comply with those as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD.

Impact on Gala Close (West)

2.119 The proposed dwellings would also share a boundary with those existing properties, located in Gala Close. In the main, the rear of the proposed dwellings would back onto this shared boundary to the west with the associated rear gardens located between. The one exception is plot 40, which would be located within the south-west corner of the site, where the side of the proposed dwelling would face onto the shared boundaries with 62 and 63 Gala Close respectively.

2.120 Plot 40 would have a side to rear relationship with the existing property of 62 Gala Close with the relationship to 63 Gala Close being less direct. As a result of the siting of the proposed dwelling there would be a side to rear separation distance of approximately 15 metres to the nearest neighbouring property, with an approximate 18 metre separation distance from the main rear elevation of the neighbouring property. The proposed separation distances would considerably exceed the minimum separation distances (of 10 metres) and would comply with those as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD.

2.121 With respect to privacy related matters, the proposed dwelling would feature two windows within the side facing elevation towards the west, which would serve a ground floor w.c. and a first-floor bathroom. Both rooms are considered to represent non-habitable rooms, although regardless, a planning condition would be recommended to obscure glaze and limit the level of opening in order to prevent any overlooking and reduce any perception in this respect. Subject to the recommended planning condition, the proposed dwelling is considered not to lead to any significant loss of privacy and amenity for the neighbouring properties of 62 and 63 Gala Close.

2.122 The turning head of the proposed access road would be opposite the rear of 61 Gala Close to the west, where no direct relationship would exist with a proposed

dwelling, and where oblique relationships to plot 40 and plot 41 and the proposed relationship is considered not to lead to any significant loss of privacy and amenity for the respective neighbouring property. In addition the provision of the parking bay opposite is considered not to lead to any significant loss of amenity for the properties opposite given the nature and scale of it. Plot 41 would be located opposite 60 Gala Close where a rear to rear relationship would exist. There would be a separation distance of approximately 20 metres from the rear of the proposed dwelling to the neighbouring rear extension and an approximate 23 metre separation between main rear elevations of respective properties that would meet the minimum required separation distances (of 20 metres) and would comply with those as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD.

2.123 The rear elevations of Plots 42 and 43 would face onto the side elevation of 59 Gala Close, where the neighbouring dwelling features a garage connected to the dwelling along the shared boundary. The neighbouring property of 59 Gala Close features a number of windows within the side elevation of the property facing toward the application site (east), that are understood to consist of a ground floor side access door, W.C. and a first-floor en-suite bathroom (non-habitable rooms). The proposed dwellings would have separation distances exceeding 11 and 13 metres respectively, which would exceed the minimum required separation distances (of 10 metres) and would comply with those as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD.

2.124 Plots 44, 45 and 46 would be located between the rear to rear properties of 47 and 59 Gala Close, and would face towards the respective garden areas of both properties. It is acknowledged that the presence of the proposed dwellings would be a notable change for the respective residents, particularly when experienced within the neighbouring garden areas, although the relationship is considered not to lead to any significant loss of privacy and amenity and would not be contrary to the adopted Local Plan Policy QP4 and the Residential Design SPD.

2.125 Plots 47 and 48 would have a rear to side relationship with 47 Gala Close, where the neighbouring dwelling features a garage connected to the dwelling along the shared boundary. The neighbouring property of 47 Gala Close features a number of windows within the side elevation of the property facing toward the application site (east), understood to consist of a ground floor W.C. and a first-floor en-suite bathroom (non-habitable rooms). The proposed plots would have separation distances exceeding 12 and 14 metres respectively, which would exceed the minimum required separation distances (of 10 metres) and would comply with those as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD.

2.126 It is noted however that further northwards level with the edge of plot 48 and plot 49, the neighbouring property to the west has also previously extended at first floor level, above the garage footprint, which provides a first-floor study/hobby room, as detailed on the approved plans for the property (ref H/2018/0095). It was also noteworthy from the case officer's site visit that the room features two east facing rear facing rooflights towards the application site.

2.127 Considering the relationship of the extended element of the neighbouring property with the proposed plots, the first-floor room would not be direct with the rear elevations of plots 48 and 49, where it would be between the respective rear elevations of plots 48 and 49, adjacent to the garage at 48, and would have an oblique relationship with the main rear elevations of the respective plots.

2.128 In addition, with respect to privacy related matters, given the nature and function of the roof lights present within the neighbouring property's roof slope, they are considered not to create any significant or direct relationship to and with the proposed plots opposite. Consequently, taking account of the relationship, the proposal is considered not to result in any significant amenity issues in respect to amenity and privacy for the neighbouring resident or the future occupiers of the respective plots to warrant the refusal of the planning application on such grounds.

2.129 Plot 49 would be located between properties 46 and 47 Gala Close, where the proposed garage serving the proposed plot would be opposite the neighbouring conservatory of 46 and the respective properties would have an indirect relationship with a separation distance of approximately 23 metres between main rear to rear elevations, which would meet the required separation distances (of 20 metres) and comply with the adopted Local Plan Policy QP4 requirement and the Residential Design SPD. The relationship with 47 Gala Close would considerably exceed the required 10 metre separation distance with an approximate 14 metre separation distance.

2.130 Plot 50 would back onto part of the rear 47 Gala Close, where there would be an approximate 23.5 metre separation distance, exceeding the rear-to-rear requirement separation distances (of 20 metres) and would comply with the adopted Local Plan Policy QP4 requirement and the Residential Design SPD. Whilst the neighbouring property features a conservatory, the feature would not have a direct positioning with the proposed dwelling, with an offset relationship and therefore this relationship is considered to be acceptable in this respect.

2.131 Plot 51 would have a main rear to rear elevation relationship with 45 Gala Close of approximately 21, which would exceed the rear-to-rear requirement separation distances (of 20 metres) and would comply with the adopted Local Plan Policy QP4 requirement and the Residential Design SPD. It is acknowledged however, that the neighbouring property features a single storey rear extension, where as a result of the proposed relationship, the separation distance would be approximately 17.5 metres to the single storey aspect. Whilst it is recognised that there would be a shortfall between the proposed dwelling and the extension, such offshoots are common features that reduce separation between respective properties, although the main rear to rear relationship would achieve the respective required separation and the proposed relationship is considered not to lead to any significant loss of privacy and amenity to warrant the refusal of the planning application on such grounds.

2.132 Plots 51 and 52 would have a main rear to rear elevation relationship with 44 Gala Close of approximately 27, which would considerably exceed the rear-to-rear requirement separation distances (of 20 metres). The neighbouring property also features a rear offshoot, where the separation distance to this feature would also

provide a separation distance of approximately 21 metres and would comply with the adopted Local Plan Policy QP4 requirement and the Residential Design SPD.

2.133 Plot 53 would face towards the rear garden of 35 Gala Close, which is located at a different aspect. Whilst it is acknowledged that the presence of the proposed dwelling would be notable feature, particularly from views experienced within the neighbouring rear garden area, the proposed relationship is considered not to lead to any significant loss of privacy and amenity and would not be contrary to the adopted Local Plan Policy QP4 and the Residential Design SPD.

2.134 Plots 54 and 55 would have a rear to side relationship with 35 Gala Close, where the neighbouring dwelling features a garage connected to the dwelling along the shared boundary. The neighbouring property of 35 Gala Close features a number of windows within the side elevation of the property facing toward the application site (east), with a ground floor side access door, a W.C. and a first-floor en-suite bathroom (non-habitable rooms). The proposed dwellings would have separation distances of approximately 14 and 16 metres respectively, which would exceed the minimum required separation distances (of 10 metres) and would comply with those as outlined within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD.

2.135 Plots 56 and 57 would have a main rear to rear elevation relationship with 34 Gala Close of approximately 22 metres, which would considerably exceed the rear-to-rear requirement separation distances (of 20 metres) and would comply with within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD. The neighbouring properties of 30, 31, 32 and 33 Gala Close would be located a greater separation distances from the proposed plot 57 with more oblique relationships and no significant loss of privacy and amenity concerns are considered to arise in respect to the proposed relationships.

Impact on Gala Close (North-West)

2.136 Plots 58 to 63 (inclusive) would back onto the open space to the north, where with tapering and indirect distances between approximately 45 to 80 metres would exist between the proposed plots and the neighbouring properties beyond of 30, 31, 32 and 33 Gala Close. Given the nature of the proposed relationships, it is considered that there would be no significant loss of privacy and amenity for the existing neighbouring residents to the west.

Internal relationships and Impacts on Future Occupiers

2.137 The application site would be served by a proposed access road that would run through the central spine of the site, where dwellings would be located either side and would predominantly create internal front to front relationships. In most instances and following the submission of amended plans at the request of the case officer, the front-to-front relationships would achieve 20 metres separation distances between main front elevations and would comply with the separation distances (of 20 metres) as set out within the adopted Local Plan Policy QP4 requirement and the Residential Design SPD.

2.138 Plots 24 and 41 would be two dwellings where the main front elevations would not achieve a 20-metre separation distance to the main elevations of the plots opposite of plots 49 and 34 respectively. It is acknowledged however, that Plots 24 and 41 would feature centralised, two storey projecting gables that would reduce the separation distance for their extent, to the plots opposite to approximately 18 metres. Whilst acknowledging the shortfall, consideration is given to their relatively narrow profile of the projections, which would limit their impact on the properties opposite and with respect to privacy considerations, both plots would feature hallways at ground floor and en-suite bathrooms above, which are non-habitable rooms. In addition, given that there would be the intervening presence of a public road, with public footpaths either side and open frontages between the respective dwellings, where unlike a rear to rear relationship, a degree of natural surveillance could occur between the fronts of properties, it is considered in this instance and on balance, the proposed relationships would not lead to any significant loss of privacy and amenity and the relationship is deemed acceptable and would not warrant the refusal of the planning application.

2.139 With respect to other internal relationships, the respective rear to side and front to side relationships would meet the required 10 metre separation distance requirements, as set out within the adopted Local Plan requirement and the Residential Design SPD. The majority of side elevations would contain windows at ground and first floor and in such instances where an impact may arise as a result, a planning condition would be recommended to secure obscure glazing and restricted openings.

Noise

2.140 A number of comments received raised concerns through the public consultation exercise that future occupiers would be subject to excessive noise from nearby commercial uses, across from Coronation Drive. The application was accompanied by a Noise Assessment to consider the impact from noise related sources on residential occupiers. The Noise Survey has identified that the adjacent highway of Coronation Drive is the principal source of noise, and a variety of recommendations are made across a number of plots to mitigate any significant noise generation. The noise mitigation measures comprise high level glazing specifications, the use of acoustic ventilation (trickle vents) and the use of acoustic fencing (indicated to enclose certain rear gardens of plots 2, 67 and 79 to manage noise generation of garden areas and habitable rooms of the identified respective plots.

2.141 The Council's Public Protection section were consulted, having regard to the submitted noise survey and raise no objections, subject to the implementation of the outlined noise mitigation measures within the document. Consequently, subject to securing the identified mitigation measures through the recommended planning conditions, the proposed development is considered to be acceptable in respect to noise and other amenity related matters.

Lighting

2.142 A planning condition is also recommended to secure details of any external lighting, in order to ensure that no significant impacts would result from such paraphernalia, as well as the consideration for ecology, as considered further within the report.

Removal of Permitted Development Rights

2.143 Whilst as detailed above, the neighbouring relationships proposed are considered to be acceptable, it is also recognised that once a dwelling is in use, permitted development rights can be exercised and consideration is also therefore given to potential future impacts. With respect to the proposed scheme, the Camlin house type (house type reference 364) is a dual aspect property, where under permitted development rights, there is the potential to extend plots 10 and 13, with impacts that would be undesirable. Consequently, it is considered necessary to restrict permitted development rights from these properties and a planning condition is recommended accordingly.

Levels

2.144 The proposed scheme has been submitted with a number of cross-sectional drawings and existing and proposed site level plans. With respect to the area of the proposed housing development, the submitted cross-sectional drawings clearly illustrate that the existing mounded area would be removed and the ground level would be comparative to the levels of the existing dwellings that exist to the east and west, which is considered to be the appropriate solution. Whilst existing and proposed levels have been submitted, further information is required to secure that the details of the proposed relationship are acceptable and a planning condition is therefore recommended accordingly.

Reprofiling Works (Visual Considerations)

2.145 The application has been accompanied by topographical surveys and site sections, which seek to illustrate the proposed changes to the reprofiling of the land. The proposed development would involve the partial removal of mounded areas and the reprofiling of existing mounds within the northern part of the application site. As detailed above, it is proposed to remove the mounded area at the location of the proposed dwellings, where the submitted details illustrate that the land would be at a similar level to the ground levels of the existing residential properties to the east and west.

2.146 With respect to the western part of the application site, at the area immediately to the north of the proposed housing development, the site sections and topographical plans illustrate that the existing raised ground towards the southern part of the open space proposes to be lower than the existing mounded area, before gradually rising to a level comparable to the existing mounded height. From this point, whereas the existing levels begin to drop traveling northwards, the submitted details illustrate that the mounded levels propose to level off before gradually tapering to a lower level towards the stream at the northern boundary.

2.147 At the eastern part of the area of open space, there would be a more varied landform. At the southern area of the open space, adjacent to the proposed housing, the submitted details illustrate that the area would feature a depression in the form of a SuDs basin, before gradually rising up to the north, to a level comparative to the mounded area to the west, as described above. The eastern mounded area would be marginally lower than that of the mounded area to the west and would cover a smaller breadth of area. Centrally between both mounded areas, the land would feature a mild depression, where an informal footpath would run through the site in a north to south direction.

2.148 Whilst it is acknowledged that the re-profiling of the land would be a notable change from a number of vantage points surrounding and from within the application site, the proposed mounds would provide a gradual and an unremarkable profile, at heights not dissimilar from the existing site landform. The raised areas would be situated at distances immediately away from the nearest existing residential properties to the west, north-west and from the proposed residential properties along the southern boundary of the application site. Consequently, it is considered that the proposed re-profiling works would not lead to any significant overbearing, loss of light or loss of outlook or privacy impacts for the existing and future occupiers to warrant the refusal of the planning application on such grounds. A planning condition is recommended to secure the final levels details accordingly and subject to the recommended condition, the proposed development is considered acceptable in this respect.

The Construction Phase

2.149 Comments have been received through the consultation exercise that the proposed development would cause disruption and noise during the construction phase, particularly from piling activity. It is acknowledged that a degree of disruption is an inevitable reality of the construction phase of any development. Consideration of the impacts of the proposed development, including the construction phase have been considered by the Council's Public Protection section. The Council's Public Protection section have raised no objections or concerns to the proposed development, although a number of planning conditions are recommended. Conditions are recommended in respect to the times and days of construction activity and deliveries to the site.

2.150 Comments have also been received in respect to dust and dirt emanating from the proposed development, particularly given the contaminated nature of the site. Notwithstanding the considerations of the following section considering contamination related issues, a planning condition is recommended in respect to capture requirements to address both dust suppression at the site and for wheel washing at the entrance/exit of the proposed site. The control of matters, such as dust suppression and wheel washing, as well as the management of associated construction activity and the storage of materials can be controlled through an all-encompassing Construction Management Plan condition, which is recommended accordingly.

2.151 The Council's Public Protection Officer recommends no open burning should take place on the site and an informative is recommended accordingly, explaining

that such activity should not take place during the construction phase of the proposed development.

2.152 Subject to the recommended conditions and informative, the construction phase of the proposed development is considered not to raise any significant issues in terms of impacts on the amenity of the surrounding neighbouring residential occupiers.

Amenity Conclusion

2.153 In view of the above considerations, taking account of the scale, design and layout of the proposed development, having regard to the relationships with the surrounding neighbouring properties and plots, subject to the recommended conditions, the proposed development is considered not to lead to any significant loss of privacy and amenity for neighbouring properties and future occupiers, when considered against the provisions of Policy QP4 of the adopted Hartlepool Local Plan (and the aforementioned Residential Design Guide SPD) and paragraph 135 of the NPPF and the proposed development is therefore considered acceptable in this respect.

HIGHWAY SAFETY RELATED MATTERS

2.154 Paragraph 116 of the NPPF (2024) states that *‘development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.’*

2.155 Through the course of the public consultation exercise comments received suggest that the proposed development would exacerbate existing traffic problems in the area; that the proposed site access is dangerous; that emergency vehicles would be unable to access the site and that there would be a shortage of vehicular parking.

2.156 The amended proposed development for 81 dwellings would be accessed from the west of Coronation Drive, where a single highway would run through and serve the site. Having regard to the proposed scheme, the Council’s Traffic & Transport section have considered the proposed site layout, parking arrangements and impact on the highway network, and raise no objections to the proposed development in respect to highway safety and vehicular parking related matters.

2.157 The Council’s Traffic and Transport section have however recommended a planning condition to suitably upgrade a section of footway (north of the proposed access) to provide a 2m wide footway/cycleway to tie into the existing facility south of Warrior Drive and to reinstate/complete a section of footway (south of the proposed access) both sections located along the boundary to the east of the application site adjacent to Coronation Drive and a planning condition is recommended accordingly.

2.158 It is acknowledged that through the course of the application, the Council’s Traffic & Transport section had also requested funding to support the provision of a puffin crossing, across Coronation Drive. Through the course of the planning application, the applicant evidenced that the proposed development would not justify

the requirement for a puffin crossing. The Council's Traffic & Transport section reviewed the evidence and confirmed that lack of the provision for the puffin crossing would not amount to an objection to the proposed development. Consequently, no concerns or objections are raised from the proposed development from the Council's Traffic & Transport section.

2.159 The initial submission included opening up access from Lithgo Close, although this element of the development was removed from the proposals once the scheme was revised down to 81 proposed dwellings.

2.160 National Highways were also consulted through the course of the application. Whilst the final comments raise a number of anomalies with some of the submitted supporting transport information/details, which are noted, National Highways consider having regard to the numbers proposed and the distance, the proposed development would not impact upon the Strategic Road Network and therefore no objections are raised. A number of informatives are recommended and in the event of a planning approval, these would be passed onto the applicant within the Decision Notice.

2.161 Having regard to the comments and considerations of both the Council's Traffic & Transport section and National Highways and taking account of both local and national planning policy, the proposed development raises no significant issues or concerns with respect to highway safety and vehicular parking related matters and the proposed development is therefore considered to be acceptable in this respect.

CONTAMINATION

2.162 The application site is a known contaminated site. Historically, the area formed a railway siding, associated with steel works (understood to be between the years of 1916 and 1974) and it is also understood that a timber yard also featured on the site in the 1950's. Since then, a Local Authority landfill waste facility has operated on the land for inert, commercial and household waste until the 1990's.

2.163 The application proposes 81 residential dwellings on the southern part of the site, which would require the partial removal of and re-profiling of existing mounds. As a result, the profile and appearance of the open space at the northern area of the site would also be altered. As a result of the public consultation exercise, residents have raised concerns in respect to the disturbance of contaminated material and the impact on surrounding residents through the potential for airborne and ground water contaminant pathways, during the construction period and over the longer term, where comments suggest that contaminated land should be left undisturbed. A comment received also detailed that clean cover contamination barrier should be deeper than is proposed.

2.164 The planning application is accompanied by a Phase I and Phase II Geo-Environmental Site Assessment, a Ground Gas Risk Assessment and a Remediation Strategy. The Geo-Environmental Site Assessment also recommended a number of associated, additional documents that were subsequently provided during the course of the planning application.

2.165 As a result of the consultation exercise, comments have been received from both the Environment Agency and the Council's Engineering Consultancy section in relation to contamination related matters. As a result of initial comments made by the Council's Engineering Consultancy section, the Remediation Strategy has been revised during the course of the planning application to provide a 600-millimetre clean cover capping over both the area of the proposed housing development (located towards the south of the site) and also the area of open space across the northern part of the application site. It is also understood that proposed hardstanding areas would contribute towards areas of clean cover capping. The Council's Engineering Consultancy section' comments note that the application provides '*an opportunity to remove contaminants from the site*' and there are no objections or concerns in this respect. A planning condition is recommended to secure the 600-millimetre clean cover, prior to occupation of any of the proposed dwellings, subject to verification and validation measures. The recommended condition would also have regard to any unexpected contamination found on site, in addition to consideration of a Piling Risk Assessment and the impact on controlled waters (as considered further below) and ongoing long-term maintenance and management.

2.166 As detailed above, a number of comments received raise concerns with respect disturbance of the existing ground waste during any construction and remediation phase and the potential impacts on the surrounding residents during this period. The Environment Agency have been consulted and note the contaminated nature of the site. With respect to any excavation, movement and reuse of the in-situ materials, the Environment Agency recommend that the applicant should make contact with them to discuss the appropriate requirements for the necessary permits and permissions, where such matters would be controlled through the Environmental Permit process, outside of the planning system. A number of informatives are therefore recommended to advise the applicant accordingly.

2.167 The Environment Agency have provided comments confirming no objections to the proposed development, although they note the likelihood for pilling activity and recommend a Controlled Waters Risk Assessment be carried out. The Council's Engineering Consultancy section have assessed the submitted Controlled Waters Risk Assessment and raise no objections or concerns and have confirmed that the submitted Risk Assessment should be conditioned to secure the details accordingly. The Environment Agency's comments also note that ground investigation boreholes have been undertaken on site and advise the LPA to ensure that the applicant carries out appropriate works to decommission the boreholes in order to prevent contamination pathways from forming. The applicant has since submitted documentation confirming that such decommissioning works have been carried out and the Council's Engineering Consultancy section note the document and no concerns are raised in this respect.

Contamination Conclusion

2.168 The proposed development would involve the partial removal and re-profiling of land that includes contaminated material across the application site. Both the Environment Agency and the Council's Engineering Consultancy section have considered the proposed scheme and raise no concerns or objections, subject to the recommended planning conditions and informatives, which includes directing the

applicant to the relevant Environment Permit processes outside of the planning system. The proposed development is therefore considered to be acceptable in respect to contamination related matters.

FLOOD RISK & DRAINAGE RELATED MATTERS

2.169 Through the course of the public consultation exercise, comments of objection have been received in relation to flood risk and drainage, impact upon Northumbrian Water Infrastructure and impact on the increased use of the nearby pumping station. These and any other flood risk and drainage matter are considered below.

Surface Water Consideration

2.170 The application, as amended, proposes the erection of 81 dwellings and the application was accompanied by a Flood Risk and Drainage Impact Assessment, a Flood Exceedance Plan and detailed design drainage plans. The proposed scheme would be mainly located within flood zone 1, the lowest risk area of flooding. With respect to flooding considerations, the Flood Exceedance Plan was updated during the course of the application to take account of climate change modelling and the Council's Engineering Consultancy and the Environment Agency raise no issues in this respect.

2.171 With respect to surface water drainage considerations, the submitted Drainage Strategy and detailed design plans would utilise a SuDs basin design for surface water containment, located immediately to the north of the proposed dwellings, at the eastern edge of the site. The proposed SuDs basin would contain an overflow connection to the existing surface water pipe that outfalls at the stream at the north of the application site. The Council's Engineering Consultancy has had regard to the drainage solution and raises no concerns or objections to the proposed drainage scheme. A planning condition is recommended to secure the submitted details accordingly. In addition, it is also considered necessary to secure the long-term maintenance and management of the drainage infrastructure through a planning obligation within the associated s106 legal agreement, which is included within the officer recommendation.

Sequential Considerations

2.172 Whilst the majority of the application site is located within flood zone 1, the most northern part of the application site contains a stream, which runs from the south-west and traces eastwards along the northern edge of the application site, where it discharges to the North Sea via a culvert underneath Coronation Drive. The area immediately adjacent to the stream falls within flood zone 3. In addition, within the south-east corner of the application site, a small area at the perimeter of the site boundary falls within flood zone 2. Whilst acknowledging that the application site contains a number of small areas within the red line boundary that are not within the lowest vulnerability flood zone (1), none of the proposed dwellings would be located within the more vulnerable areas. It is also of note that the application site relates to an allocated housing site within the Adopted Local Plan, where such matters have been considered through that process. The Council's Engineering Consultancy has

considered the matter and given that none of the dwellings would be located within flood zones 2 or 3, has confirmed that there is no requirement for a sequential assessment in this instance. The Environment Agency also raise no issues in this respect. Having regard to the circumstances where no dwellings would be areas and it is therefore considered that a sequential test is not required in this instance.

Foul Water Considerations

2.173 With respect to the management of foul water, Northumbrian Water have been consulted and have had regard to the detailed design proposed and recommend a planning condition to secure the agreed foul (and surface water) drainage connection details accordingly, where no objections are raised in respect to conflict with of use of existing Northumbrian Water infrastructure. Thereafter, matters regarding foul drainage connections would be considered through the Building Regulations process.

2.174 It is noted that the Environment Agency's initial comments also provide information in relation to flood resilience measures and flood evacuation plans. Whilst the site of the proposed dwellings are located within the lowest area of flood risk, should the application be approved, such information can be relayed to the applicant for consideration as part of the decision notice.

2.175 Having regard to the comments and considerations of the Council's Flood Risk Officer, the Environment Agency and Northumbrian Water, it is considered that subject to the recommended planning conditions, informatives and planning obligation to be secured through the associated s106 legal agreement, the proposed development is considered acceptable in terms of flood risk and drainage related matters.

ECOLOGY

2.176 The application site relates to the irregular and undulating grassed parcel of land to the west of Coronation Drive. The original submission included a green corridor within the developable area, which is designated under Local Plan policy NE2e. Through the course of the planning application, the developable area has been reduced to an area that is largely consistent with the area allocated for housing development within the Adopted Hartlepool Local Plan (HSG3 (4)).

2.177 The application is accompanied by the submission of an Ecological Impact Assessment, an Ornithological Impact Assessment, Biodiversity Net Gain Assessment and a Shadow Habitats Regulations Assessment. The Council's Ecologist has considered the planning application, having regard a number of potential impacts from the proposed development as duly considered below.

2.178 Through the public consultation exercise, neighbouring residents have raised concerns with respect to the impact on wildlife present at the application site. As detailed above, the application site is covered by two designations; a housing allocation covers the majority of the site within the southern area and a green corridor in the northern part of the site.

2.179 In addition to the above, the applicant has also submitted an additional Validity Statement Briefing Note (document dated 16.01.2026), where the applicant's Ecologist has carried out an additional Desk Study and a Walkover Survey of the application site, in order to confirm that the site conditions still reflect those findings of the submitted surveys (both documents originally dated 22.05.2022), which is duly confirmed within the report. The Council's Ecologist has considered the Validity Statement briefing Note and accepts the findings that the carried-out surveys remain valid.

Biodiversity Compensation and Mitigation Measures

2.180 The submitted Ecological Impact Assessment (EclA) details that there would be no priority habitats lost as a result of the proposed development. With respect to priority species, a butterfly species was recorded at the application site, although the site is considered to be of low value to this species. The EclA details that with respect to other animals, hedgehogs and common toads may be affected, although mitigation measures during the construction period can manage the impact upon such species through a precautionary approach, which can be managed through the use of a suitable planning condition as considered below.

2.181 The site is within proximity to designated sites of Ornithological value. The Ornithological Impact Assessment carried out recorded 21 species of bird, including breeding birds and birds of conservation concern. Mitigation measures are proposed to address the impacts of the proposed development, during both construction and following completion of the development. Both the EclA and the Ornithological Impact Assessment recommend the implementation of a Construction Environment Management Plan (CEMP), including site monitoring, consideration of nesting season, management of noise and lighting. It is noted that a neighbour comment has raised the concern of piling activity on Ecology, including upon the designated site and the birds using the site. The Council's Ecologist considers that the CEMP planning condition can mitigate any impact in this respect and no significant concerns exist that could not be managed.

2.182 In addition, suitable thorny planting is recommended to guard against bird predation, gaps in fences for hedgehog migration are recommended and to secure the translocation of bee orchids. Controls on external lighting, both during the construction phase and in the long term are also recommended, along with the removal of an invasive plant species is also recommended. The appropriate planning conditions to secure such measures are recommended accordingly.

Ecological Enhancement

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

2.184 The NPPF (2024) requires development to provide net gains for biodiversity. In particular, paragraph 187(d) states that planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing

coherent ecological networks that are more resilient to current and future pressures. Net gain should be appropriate to the scale of the development and should be conditioned.

2.185 Paragraph 193(a) of the NPPF (2024) states that when determining planning applications, local planning authorities should apply the following principles: if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

2.186 The site is considered appropriately located to support declining bird populations, which could benefit from the provision of integral bird nest bricks. In the interests of biodiversity enhancement, the Council's Ecologist has confirmed that each new dwelling should include one integral nest brick (81 in total). In addition, food rich planting to maximise the benefits for birds are recommended. Such measures can be secured by appropriately worded planning conditions, which are recommended accordingly.

2.187 Notwithstanding this, it is noteworthy that an objection comment has been received from Teesmouth Bird Club that states that the habitat mitigation proposals fail to accommodate the breeding requirements of the site's assemblage of bird species. The Council's Ecologist has had regard to the submitted comments and whilst notes them in principle, considers that the enhancement measures would be compatible to accommodate the Swift species of bird, where the concern lies. In addition, the Council's Ecologist also notes that the scheme would also offer benefit, including measures aimed at the HRA mitigation route via the Hartlepool Coastal Mitigation Scheme contribution, as considered below.

2.188 Having regard to the above considerations, including the comments and considerations of the Council's Ecologist, subject to the recommended planning conditions the proposed development is considered acceptable in this respect.

Biodiversity Net Gain

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

2.190 A Biodiversity Net Gain Assessment including a Biodiversity Metric version 3.1 spreadsheet has been prepared to measure biodiversity change between baseline and post-development scenarios, as measured in Habitat Units. The conclusions of the Biodiversity Metric indicate that the post-development biodiversity would result in a Net Loss on site of -24.15 Habitat Units (-44.57%). In addition to the on-site bio-diversity provision, to deliver a net gain, off-site habitat creation is required.

2.191 A 5.07ha parcel of land was initially identified approximately 480 metres to the south-west of the application site, as a potential site to offset the on-site net loss. The off-site mitigation proposed to transform an area of grassland from a 'poor' to a 'good' condition. The proposed off-site habitat creation works would have created a net gain of 27.38 habitat units. Together with the on-site deficit, the proposed development overall would result in the provision of a 5.96% net gain in Habitat Units. The Council's Ecologist was satisfied that the combined on-site and off-site solution would have satisfied the BNG requirements and no objections were raised to this solution.

2.192 Whilst this option was accepted, during the course of the application, the applicant considered the off-site mitigation solution not to be a suitable option for in the longer term and subsequently identified delivering the required off-site contributions by purchasing biodiversity units from a registered provider/habitat bank, in line with the BNG Hierarchy. In response, the Council's Ecologist has considered and reviewed the revised approach and (amended) BNG information provided and agrees that the approach is also acceptable in this respect, subject to the final details of the 27.30 off-site habitat units being secured by planning condition. Such appropriate certification would be required to be provided for the condition to be subsequently discharged.

2.193 With respect to the on-site provision of BNG, the scheme proposes to retain 0.2km of ditch in good condition at the north of the site; enhance 0.50ha of Other Neutral Grassland from poor to good condition; provide 0.90 ha of Mixed Scrub in a good condition; provide 1.37ha Other Neutral Grassland in good condition; provide 0.05ha Modified Grassland in poor condition; provide 0.12ha Sustainable Urban Drainage System in moderate condition and provide 0.0692ha of urban trees in moderate condition. The on-site provision would provide 30.03 bio-diversity habitat units and 2.76 river units. The application is submitted with proposed Landscaping plans, although they do not clearly appear to quantify the on-site BNG provision. A planning condition is recommended for a Habitat Management and Monitoring Plan (HMMP), to secure the on-site BNG measures intended to form part of the landscaping and the long-term maintenance and management for a period of 30 years. Such measures would also be secured as part of the planning obligation for landscaping and open space in this respect.

2.194 With regard to the offsite BNG credits of which evidence is to be secured by planning condition in this instance, the purchased credits would be bound by a separate legal mechanism for the management and maintenance and monitoring of units and therefore there is no requirement for the LPA to enter into such a legal agreement over and above the recommended planning condition.

2.195 Having regard to the above considerations, subject to the applicant meeting the requirements of the off-site BNG units and satisfying the recommended planning condition, (as well as the delivery of the on-site BNG, as discussed above), then the proposed development is considered acceptable in respect to meeting the requirements of Bio-diversity Net Gain.

*Habitat Regulations Assessment**1) Nitrate Pollution*

2.196 On 16 March 2022 Hartlepool Borough Council, along with our neighbouring authorities within the catchment of the river Tees, received formal notice from Natural England that the Teesmouth & Cleveland Coast Special Protection Area/Ramsar (SPA) is now considered to be in an unfavourable condition due to nutrient enrichment, in particular with nitrates, which are polluting the protected area. Given the application would involve residential development, it is considered the proposals are 'in scope' for further assessment.

2.197 A Nutrient Neutrality Statement has been submitted, which concludes that the application does not result in a net increase in nitrates as a result of foul and surface water discharging to the Seaton Carew Waste Water Treatment Works in addition to the provision of an on-site SuDs pond. The discharge location has also been confirmed by the utility operator, Northumbrian Water. A HRA Stage 1 Screening Assessment was duly completed by the Council's Ecologist, which confirms there would not be a Likely Significant Effect on the designated sites in terms of nitrate pollution in this respect. The proposed development therefore raises no concerns in respect to this matter.

2) Recreational impacts on designated sites

2.198 Following a Habitats Regulations Assessment (HRA) stage 1 screening, the requirement for a HRA stage 2 Appropriate Assessment has been triggered. As the competent Authority, Hartlepool Borough Council has a legal duty to safeguard European Sites. Increased recreational disturbance (including dog walking) is linked to an increase in new residents, which is a consequence of new and increased forms of residential development.

2.199 The Hartlepool Coastal Mitigation Scheme was designed so that additional recreational visits to the coast created by developments could be suitably mitigated. Those developments below 10 dwellings would be captured and covered by the wider mitigation scheme, which has factored any minor developments into the overall consideration. In this instance however, as the number of new residential units to be created by this proposed scheme would be greater than the threshold amount of 9 units, (with 81 residential units proposed), the Council's Ecologist has appropriately assessed the application and considers that in this instance, the increased recreational disturbance requires a financial contribution. The Hartlepool Coastal Mitigation Scheme funding calculation (per dwelling) is £200 based on distance to the SPA/ Ramsar, plus £150 based on there being no Suitable Alternative Natural Green Space (SANGS) provision. The proposed development is therefore required to pay £350.00 per dwelling (totalling a fee of £28,350). The applicant has confirmed agreement to this contribution and in turn, Natural England have been consulted and are satisfied with the Local Planning Authority's strategic solution is reliable and effective in preventing adverse harmful effects from increased recreational pressure on the protected sites and have confirmed they have no objection to the application, subject to the mitigation measures set out in the HRA are secured. In the event of a planning approval, this would be secured by an associated s106 legal agreement.

Consequently, the proposed development is considered to be acceptable in this respect and would not result in a Likely Significant Effect on the designated sites. Natural England have also provided additional advice for the applicant and this has been relayed to the applicant by way of informative accordingly.

Ecology Conclusion

2.200 Having regard to these considerations, the proposed development is considered acceptable in terms of ecology matters, subject to the recommended planning conditions and financial contributions/obligations, which would be secured through the necessary Section 106 legal agreement.

OTHER PLANNING MATTERS

Informal Footpath Link

2.201 An informal footpath link is proposed that would run through the central area of the public open space in a north-south direction, which would then intersect an existing informal footpath that runs west to east, from Gala Close to Coronation Drive. The Council's Countryside Access Officer has commented that the proposed informal footpath would be a sensible route through the site and welcomes its inclusion within the scheme. The Countryside Access Officer's previous iteration of comments had raised a query in respect to the construction of the informal footpath and the mechanism for its long-term maintenance and management. In response, the provision of the informal footpath would be secured through the use of a planning condition and a section 106 legal agreement would secure its long-term maintenance and management.

2.202 Comments have been received through the public consultation exercise suggesting that the land surrounding the southern part of the application site has been maintained by the Council and benefits from public right of way status. In response to these points, the Council is the owner of the land and therefore maintain the land and further, the land as identified does not benefit from Public Right of Way status, and this is confirmed through checking the definitive map and statement of the area and as further confirmed through the Council's Countryside Access Officer's comments. Such matters relating to claims for public rights of way would need to be considered and dealt with through a separate legal process, outside of the current planning application process.

Heritage Impact

2.203 Through the Course of the public consultation period, a comment was received in respect to concerns on the impact on the Seaton Carew Conservation Area. The application site is approximately 230 metres to the north of the Seaton Carew Conservation Area, along Coronation Drive. There are a number of residential streets between the application site and the heritage asset, with Wainwright Close, Lithgo Close and Hornby Close between. The Council's Head of Service for Heritage & Open Spaces was consulted and no comments or objections were received and the proposal is therefore acceptable in this respect.

Archaeology

2.204 Comments have been received through the public consultation exercise objecting on the grounds of the impact on archaeology and the petrified forest. The application was submitted with a written scheme of investigation for geoarchaeological sampling and peat analysis. Geoarchaeological sampling was undertaken and Tees Archaeology have considered the information and confirmed that no significance worthy of preservation and that no further archaeological work are needed for the site. Consequently, and the proposals raise no concern with respect to archaeological considerations.

Land Stability Considerations

2.205 A comment received through the public consultation exercise has raised the potential for land instability. The application has been submitted with documentation considering ground conditions, and the proposed scheme indicates the use of piling methods for the construction of foundations for the majority of the proposed dwellings. The consultation exercise has raised no issues from technical consultees in respect to land stability and there is no information to indicate that the proposal would result in subsidence/land stability related issues.

Crime & Safety

2.206 Cleveland Police raise no concerns or objections to the proposed development, although they encourage the applicant to consider Secure by Design accreditation. Within their comments, Cleveland Police have highlighted a number of potential vulnerabilities to be aware of and managed, particularly in relation to an ongoing construction site. Recommendations are also provided in respect to security measures for windows and doors, dusk till dawn lighting, eliminating excessive permeability, providing defensible spaces and providing a level of natural surveillance, particularly over areas of open space.

2.207 The scheme, as submitted, is considered to include some of the identified measures, although the information of Cleveland Police will be relayed to the applicant in the event of a planning approval, where further measures can be considered beyond the planning application stage. The Council's Community Safety & Engagement team were also consulted, although no comments were received. Having regard to these considerations, including the comments and considerations of Cleveland Police, the proposed development is considered to be acceptable in respect to crime, fear of crime and safety related matters.

Waste Considerations

2.208 The Council's Waste Management section were consulted and comments have been provided concerning the provision for waste receptacles and the mechanism to obtain them for each respective property. An informative is recommended accordingly to advise the applicant of the process. In addition, the proposed scheme illustrates waste storage areas for each respective property and no issues are raised in this respect. management related issues.

2.209 During the construction phase, consideration is given to waste produced through the process and the application was submitted with a Waste Audit in line with the Adopted Tees Valley Minerals and Waste DPD, which sets out a number of good practice measures. The submitted Waste Audit is recommended to be conditioned to secure the recommendations within the report accordingly.

Health & Safety Related Matters

2.210 Cleveland Emergency Planning Unit and the Office for Nuclear Regulation were both consulted and raise no issues or objections to the planning application. In addition, the Health and Safety Executive's planning web advice app was engaged, with respect to the scale and nature of the proposed development and the HSE do not advise against the granting of planning permission for the proposals on health and safety grounds and consequently, the proposed development is considered acceptable in this respect.

Utilities

2.211 Northern Powergrid has been consulted and has not raised any concerns or objections in respect of the proposals, however has provided a Mains Record for the applicant's information and has provided advice in respect of any works in proximity to Northern Powergrid apparatus. An informative note is recommended accordingly.

2.212 Northern Gas Networks have been consulted and whilst they offer no objections to the proposals, they have advised that there may be apparatus in the area that may be at risk during construction works and therefore they require the promoter of these works to contact Northern Gas Networks directly to discuss their requirements in detail. An informative note is recommended accordingly.

2.213 Anglian Water and the Gas Distribution Network were also consulted and no issues were raised.

Carbon Footprint Impact

2.214 Comments have been received through the consultation exercise, raising concern in respect of the impact from the proposed development on the carbon footprint. It is acknowledged that housing development by its very nature has a carbon footprint, although the site forms an allocated site in the adopted Local Plan for housing development, which is in line with the thrust of the NPPF, where sustainability/sustainable development sits at the heart of both local and national policy. The proposed scheme is considered to broadly satisfy the provisions of planning policy and, as detailed within the above principle section, due consideration has been given to the use of renewable energy and low carbon sources in the implementation stage.

OTHER MATTERS

Building Regulations

2.215 The Council's Building Control section have advised that a Building Regulations application has been made to an approved inspector by the applicant. Consequently, no informative is recommended in this instance.

Fire Safety

2.216 Comments have been received from Cleveland Fire Brigade in respect to fire safety and access. Cleveland Fire Brigade advised that private drives and turning heads should meet the requirements of the Fire Brigade's guidance, as their appliances would otherwise have difficulty accessing some plots. Through the course of the application, the applicant has engaged with Cleveland Fire Brigade, where the applicant confirmed that the private drive areas would meet the required weight standard for the emergency vehicles. The applicant has also identified that the fire brigade's appliances would be compliant with the necessary access distances to properties, in the event where access would be required. Notwithstanding this, such matters are principally a consideration for the Building Regulations process, which the application is subject to, and is the responsibility of the applicant. The applicant has also confirmed their belief that the arrangement would meet the requirements of Building Regulations. Notwithstanding this, an informative to make the applicant aware of this advice is recommended accordingly.

Residual Matters

2.217 Comments have been received in respect to the Local Authority's reputation as a result of the proposed development and a decision to choose profitability and Council Tax over the protection of quality green space. In response, the application has been carefully considered against the Adopted Development Plan and National Planning Policy, and any such financial implications of the proposed scheme are a secondary matter and are not material to the determination of the planning application.

2.218 Comments have been received in relation to the loss of rear gated access, as a result of the proposed development. Such matters are a civil consideration and not material to the determination of the planning application.

2.219 Comments received raise objection to the loss of a view. Whilst matters of outlook have been considered within the above amenity section, the loss of a view is not a material matter and no weight is afforded to its consideration.

2.220 An objection received has commented that the proposal would impact on property value. Such a matter is not material to the consideration of the planning application and no weight is afforded to this matter.

2.221 Comments received raised concerns with respect to the applicant's assertion to adopt and alter boundary fences outside of their ownership. Whilst such matters

as suitable boundary treatments have been considered above, such ownership matters are civil considerations, outside of the planning regime.

2.222 A number of comments received from the public consultation exercise has raised anomalies with the mapping/ plans and documents submitted. Across the course of the planning application, revised and additional information has been received and officers consider that sufficient and accurate detail has been provided in order to determine the planning application.

2.223 A comment was received through the public consultation exercise that the developer may seek to increase the built form through further iterative planning applications. Whilst the comments are noted, the application can only consider the application under consideration.

2.224 Comments have been received that the proposed development would increase presence of mice and rats in the area. Whilst the comments are noted, there is no known correlation between the proposed development and the concern raised. Additionally, in the event that such a problem occurring, the suitable regime outside of the planning process can address such matters that would not be a matter to warrant the refusal of the planning application on such grounds.

CONCLUSION

2.225 The application is considered to be acceptable with respect to the abovementioned relevant material planning considerations and is considered to be in general accordance with the relevant policies of the adopted Hartlepool Local Plan 2018, identified SPDs, and the provisions of the NPPF (2024). The application is recommended for approval subject to the recommended planning conditions and Section 106 or other appropriate legal agreement, (as detailed above) to secure the identified planning obligations/financial contributions as well long-term maintenance and management of a number of identified elements. The proposal is therefore considered to be acceptable and is recommended for planning approval.

EQUALITY DUTY

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

CRIME AND DISORDER ACT IMPLICATIONS

2.227 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making. Matters of crime, fear of crime and anti-social behaviour are considered in detail in the relevant section of this report. Overall and for the reasons set out in the report, the proposal is considered, on balance, to be acceptable when having regard

to Section 17 of the Crime and Disorder Act 1998. There are no Section 17 implications.

REASON FOR DECISION

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

RECOMMENDATION - APPROVE, subject to the completion of a s106 Legal Agreement securing the following planning obligations and financial contributions towards:

- HRA financial mitigation including wardening to mitigate any indirect adverse impacts on SPA feature birds through recreational disturbance (£350.00 per dwelling, total of £28,350);
- The provision, long term maintenance and management of the informal footpath through the site (including any required signage);
- The provision, long term maintenance and management of all landscaping, open space and biodiversity net gain measures;
- The provision, long term maintenance and management of surface water drainage and SuDS;
- Training and employment charter
- To secure the appropriate monitoring fees (per obligation).

and subject to the following planning conditions:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby approved shall be carried out in accordance with the following plans:

2322.01.01 Rev A (Site Location Plan),
 21-250-U-0001 Rev C03 (250 House Type Urban),
 21-350-U-0001 Rev C05 (350 House Type Urban),
 21-355-U-0001 Rev C06 (355 House Type Urban),
 21-358/9-U-0001 Rev C03 (358/9 House Type Urban),
 21-360-U-0001 Rev C04 (360 House Type Urban),
 21-361-U-0001 Rev C07 (361 House Type Urban),
 21-450-U-0001 Rev C03 (450 House Type Urban),
 21-451-U-0001 Rev C02 (451 House Type Urban),
 21-452-U-0001 Rev C05 (452 House Type Urban),
 21-455-U-0001 Rev C03 (455 House Type Urban),
 SD1700 Rev D (Detached Single Garage Details),
 SD1701 Rev D (Detached Double Garage Details),
 SD704 Rev E (Sales Garage Details),
 All received 04.06.2024 by the Local Planning Authority and;

2021030-PCE-XX-XX-DR-C-010-03 Rev P05 (Drainage Layout Sheet 3 of 3),
2021030-PCE-XX-XX-DR-C-004-03 Rev P02 (Storage Basin GA & Details)
both received 11.02.2025 by the Local Planning Authority; and

2021030-PCE-XX-XX-DR-C-000-07 Rev D Flood Exceedance Plan
received 03.04.2025 by the Local Planning Authority; and

2322.04.01 Rev M (Housing Layout),
2322.04.01 Rev M (Housing Layout with Plot Separation),
21-350/250-U-0001 Rev A (350/250 Semi House Type Urban),
21-355/350-U-0001 (350/355 Semi House Type Urban),
B364-KK-ZZ-ZZ-U-DR-A-0301 Rev P01.02 (364 House Type),
2021030-PCE-XX-XX-DR-C-010-01 Rev P011 (Drainage Layout Sheet 1 of 3)
2021030-PCE-XX-XX-DR-C-010-02 Rev P07 (Drainage Layout Sheet 2 of 3)
All received 12.03.2026 by the Local Planning Authority.
To define Planning Permission.

3. Notwithstanding the submitted information and prior to the commencement of development (including demolition), details of the existing and proposed levels of the site (within and outwith the site) including the finished floor levels and ridge heights of the dwellings and buildings to be erected (and those of existing properties that abound the site, where achievable) and any proposed mounding and/or earth retention measures shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details. To take into account the position of the proposed dwellings and earthworks and their impact on adjacent properties and their associated gardens in accordance with Policies QP4, QP5 and LS1 of the Hartlepool Local Plan (2018).
4. Notwithstanding the submitted information and prior to any equipment, machinery or materials being brought onto the site for the purposes of the development hereby approved, the agreed scheme for the protection of trees (as identified in the Arboricultural Impact Assessment and Method Statement by Biodiverse Consulting, dated March 2024, received by the Local Planning Authority on 06/06/2024) shall be carried out in strict accordance with the approved document. Thereafter the agreed protection measures shall be implemented on site (and thereafter retained until the completion of the development). Nothing shall be stored or placed in any area fenced in accordance with this condition. Nor shall the ground levels within these areas be altered or any excavation be undertaken without the prior written approval of the Local Planning Authority. Any trees that are found to be dead, dying, severely damaged or diseased as a result of site works shall be replaced with trees of such size and species as may be specified in writing by the Local Planning Authority in the next available planting season. In the interests of the health and appearance of the existing trees, the visual amenity of the area.
5. Notwithstanding the submitted details and prior to the commencement of the development hereby approved, a scheme for the provision, long term

maintenance and management of all landscaping and open space (and on site biodiversity net gain features) within the site shall be first submitted to and agreed in writing with the Local Planning Authority. The scheme shall be in general conformity with Dwgs 5067/1 Rev E (Detailed Landscape Proposals), 5067/2 Rev E (Detailed Landscape Proposals), 5067/3 Rev E (Detailed Landscape Proposals), all received 11.02.2025 by the Local Planning Authority. The scheme shall include details of the Compensation, Enhancement and Mitigation measures as set out within section 5.4 of the submitted Ecological Impact Assessment (V2.0) and section 5.2 of the submitted Ornithological Impact Assessment (V3.0), (both documents produced by Biodiverse Consulting, dated March 2024 and both received on 04/06/2024 by the Local Planning Authority), including the planting of native species to the local area, berry-and fruit-bearing species alongside pollinator species, with fruit and seed-bearing species planted to provide year-round foraging resources and thorny species of hedgerow and shrub planting, and the translocation of bee orchids to areas of retained grassland to the north of the site. The scheme shall also provide details of the onsite Biodiversity Net Gain measures (as required by condition 11 of this decision notice).

The scheme shall specify sizes, types and species, indicate the proposed layout and surfacing of all areas, include a programme of the works to be undertaken, details of the existing and proposed levels of the site including any proposed mounding and or earth retention measures. All soft landscaping including planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following completion or first occupation of individual dwellings (whichever is sooner). All planting, seeding or turfing comprised in the approved details of landscaping for all other areas (out with the residential curtilages) including areas of open space within the site shall be carried out in the first planting season following the occupation of the dwellings or completion of the development, whichever is the sooner. Thereafter the development hereby approved shall be carried out and maintained in accordance with the agreed scheme, for the lifetime of the development hereby approved. Any trees, plants or shrubs which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of the same size and species, unless the Local Planning Authority gives written consent to any variation.

In the interests of visual amenity, biodiversity mitigation and enhancement and to ensure a satisfactory form of development.

6. 1. Approved Remediation Scheme and Piling Risk Assessment

The approved Remediation Strategy by ERGO (Reference: 21-855-Rem/Rev D, dated August 2025, received 21.08.2025 by the Local Planning Authority) and Piling Risk Assessment (received 20.08.2025 by the Local planning Authority, dated August 2025 by GVR) shall be carried out in strict accordance with its terms, including the provision of 600-millimetre clean cover for gardens, areas of Public Open Space and SUDS basin, as identified on the submitted and approved plan 2322.04.01 Rev M (Housing Layout), received 12.03.2026 by the Local Planning Authority. All remediation works, including the provision of areas of hardstanding shall be carried out prior to the occupation of any dwellings, unless otherwise agreed in writing by the

Local Planning Authority. The Local Planning Authority shall be given written notification of commencement of the remediation scheme works and piling scheme works, within 7 calendar days of such works commencing. Following completion of measures identified in the approved Remediation Scheme and Piling Risk Assessment, a validation report that demonstrates the effectiveness of the remediation carried out shall be produced and shall be subject to the approval in writing of the Local Planning Authority prior to the first occupation of the dwellings hereby approved.

2. Reporting of Unexpected Contamination

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

3. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same shall be prepared and thereafter submitted in writing to the Local Planning Authority for approval. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out shall be produced and submitted to the Local Planning Authority. This shall be conducted in accordance with the Environment Agency's guidance for Land Contamination Risk Management (LCRM) or any subsequent update or replacement for that guidance. 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.

7. Prior to completion of the development hereby approved, the agreed surface water drainage scheme for the development hereby approved shall be implemented and maintained in strict accordance with the following approved plans and details:
 2021030-PCE-XX-XX-DR-C-010-01 Rev P011 (Drainage Layout Sheet 1 of 3), 2021030-PCE-XX-XX-DR-C-010-02 Rev P07(Drainage Layout Sheet 2 of 3), both received 12.03.2026 by the Local Planning Authority; 2021030-PCE-XX-XX-DR-C-000-07 Rev D (Flood Exceedance Plan) received 03.04.2025 by the Local Planning Authority; 2021030-PCE-XX-XX-DR-C-010-03 Rev P05 (Drainage Layout Sheet 3 of 3), received 11.02.2025 by the Local Planning Authority and; the Flood Risk and Drainage Impact Assessment (Doc Reference: 2021030 Revision L, dated April 2025) received 03.04.2025 by the Local Planning Authority.

To prevent the increased risk of flooding; to ensure the future maintenance of the sustainable drainage system, to improve and protect water quality and improve habitat and amenity, and to avoid any likely significant effects on the Teesmouth and Cleveland Coast SPA and Ramsar.

8. Notwithstanding the requirements of condition 7, development shall be implemented in line with the drainage scheme contained within the submitted document entitled “Flood Risk and Drainage Impact Assessment revision L” dated “April 2025”. The drainage scheme shall ensure that foul flows discharge to the foul sewer at manhole 2606 and ensure that surface water discharges to the surface water sewer at manhole 1707 (and includes a connection to the adopted sewer and Seaton Carew Waste Water Treatment Works). The surface water discharge rate shall not exceed the available capacity of 12.3l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority. To prevent the increased risk of flooding from any sources in accordance with the NPPF and to avoid any likely significant effects on the Teesmouth and Cleveland Coast SPA and Ramsar.
9. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) and timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) measures, as set out in Section 5: Recommendations (pages 24 & 25) of the submitted Ecological Appraisal by Biodiverse Ecology, document dated March 2024 and received by the Local Planning Authority 04/06/2024, shall include:
 - Appropriate Method Statements by a Suitably Qualified Ecologist (SQE) for minimising impacts on protected and priority species, a toolbox talk to site personnel and pre-commencement checks within four weeks of site clearance work commencing, with consideration of species of badger, reptiles, otter, hedgehog, common toad, birds and priority butterfly;
 - Appropriate Method Statement and timetable for the removal of the invasive ‘Japanese Rose’ plant species from the site by a specialist contractor, including remediation of land thereafter;
 - A Method Statement by a suitably qualified Ecologist that identifies the on-site presence of grassland supporting bee orchids and detailed measures to safeguard and/or translocate them, including any timing/phasing plans, and how impacts on bee orchids shall be avoided or minimised during the construction period;
 - Details of an Ecological Clerk of Works (ECoW) to be appointed by the developer or contractor. Should any potential conflict arise, situation-specific advice can be provided and the ECoW shall be available to deliver a toolbox talk to the Site Manager;
 - Details of mitigation measures to deal with aural and visual disturbance of coastal waterbirds, including consideration of visual and noise management techniques.
 - Details of the use of sensitive lighting during the construction period;

- Site clearance shall be undertaken ideally outside the breeding bird season (March to August inclusive), unless a nesting bird check is completed by an appropriately experienced ecologist. If nesting birds are identified during works, an appropriate exclusion zone around the nest site will be implemented, within which works will not be permitted until the ECoW confirms that the nesting attempt has finished.

The CEMP (Biodiversity) shall also include the following:

- Risk assessment of potentially damaging construction activities;
- Identification of "biodiversity protection zones";
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- Use of protective fences, exclusion barriers and warning signs.

Thereafter, the approved CEMP shall be adhered to and implemented in accordance with the agreed details and timetable and throughout the construction period strictly in accordance with the approved details. In the interests of avoiding or mitigating ecological harm.

10. Prior to the commencement of development, a Construction Management Plan (CMP) shall be first submitted to and agreed in writing with the Local Planning Authority. The scheme shall agree the routing of all HGVs movements associated with the construction phases, effectively control dust emissions from the site remediation and construction works, this shall address earth moving activities, control and treatment of stock piles, parking for use during construction and measures to protect any existing footpaths and verges, vehicle movements, wheel cleansing measures to reduce mud on highways, road sheeting of vehicles, offsite dust/odour monitoring and communication with local residents. Thereafter and following the written approval of the Local Planning Authority, the development shall be carried out solely in accordance with the approved CMP for during the construction phase of the development hereby approved.

In the interests of the amenities of the surrounding area and highway safety.

11. No development shall commence unless and until a Habitat Management and Monitoring Plan (HMMP) to ensure that the approved development provides the delivery of the agreed onsite Biodiversity Net Gain (BNG) consisting of 30.03 Biodiversity Units and 2.76 River Units as detailed in the Biodiversity Net Gain Assessment V2.0 and the Ecological Impact Assessment (2024), by Biodiverse Consulting, both dated 08 March 2024 and received 04.06.2024 by the Local Planning Authority; and Briefing Note: Biodiversity Gain Hierarchy (2025), dated and received 02 December 2025 by the Local Planning Authority), has been submitted to and approved in writing by the Local Planning Authority.

The HMMP shall include:

- details of habitat retention, creation and enhancement sufficient to provide the delivery of the on site net gain proposed;
- the provision of arrangements to secure the delivery of the on site net gain proposed (including a timetable for their delivery);
- a management and monitoring plan (to include for the provision and maintenance of the on site net gain proposed for a period of at least 30 years or the lifetime of the development (whichever is the longer). Thereafter, the scheme shall be implemented in full accordance with the requirements of the agreed scheme and timetable for delivery.

To provide biodiversity management and biodiversity net gain in accordance with paragraphs 8, 186 and 193 of the NPPF (2024) and Policy NE1 of the Hartlepool Local Plan (2018).

12. No development shall commence until a scheme to demonstrate the purchase and confirmation of the requisite off-site delivery of biodiversity net gain (to the value of 27.30 Habitat Units of 'Other Neutral Grassland' as set out in Briefing Note: Biodiversity Gain Hierarchy, dated and received 02 December 2025 by the Local Planning Authority), has been submitted to and approved in writing by the Local Planning Authority.

To provide biodiversity management and biodiversity net gain in accordance with The Environment Act 2021, and paragraphs 8, 187 and 193 of the NPPF (2024) and Policy NE1 of the Hartlepool Local Plan (2018).

13. Prior to the commencement of development above ground level, full details of a minimum of 81no. integral 'universal' nest bricks to be installed integral to each of the dwellings, including the exact location, specification and design, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the nest bricks shall be installed strictly in accordance with the details so approved prior to the occupation or completion of the individual dwellings, whichever is sooner, and shall be maintained for the lifetime of the development.

To provide an ecological enhancement for protected and priority species, in accordance with Policy NE1 of the Hartlepool Local Plan (2018) and Section 15 of the NPPF (2024).

14. Notwithstanding the submitted or approved details, and prior to above ground construction of the development hereby approved, full details of all walls, fences and other means of boundary enclosure, with final details of size, siting and finishing materials, including with those adjacent existing boundary enclosures, shall be submitted to and approved by the Local Planning Authority. The scheme for boundary treatments shall be in general conformity with the details shown on plan number Dwg. No. 2322.06.01 Rev M (Boundary Treatments), received by the Local Planning Authority on 12.02.2026, and shall include provision for the creation of migration corridors between boundary enclosures to enable hedgehog migration and full details of the required acoustic fencing to be applied to the boundaries of plots 2, 67 and 79 (as identified within 'Noise Assessment, Coronation Drive, Seaton Carew' (document by NJD Environmental Associates, dated February 2024) received 04.06.2024 by the Local Planning Authority). Thereafter the

development shall be carried out in accordance with the approved details prior to first occupation of the individual dwellings or completion of the development (whichever is the sooner).

In the interests of visual amenity, neighbour amenity and privacy, highway safety, and to provide appropriate ecological mitigation measures and to enhance biodiversity in accordance with paragraph 187 of the NPPF (2024).

15. Notwithstanding the submitted details and prior to the laying of any hard surfaces, final details of proposed hard landscaping and surface finishes shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details of the access, proposed car parking areas, footpaths and any other areas of hard standing to be created including the new informal footpath. The scheme shall include all external finishing materials, finished levels, and all construction details, confirming materials, colours and finishes. Thereafter and following the written approval of the Local Planning Authority, the agreed scheme shall be implemented prior to the occupation of the dwellings and/or the site being open to the public or completion of the development hereby approved (whichever is sooner) unless an alternative, similar scheme (and timetable) is submitted to and approved in writing with the Local Planning Authority.

In the interests of visual amenity and to accord with the provisions of the NPPF in terms of satisfying matters of flood risk and surface water management, and to ensure appropriate access/surfacing is provided to the retained existing farmhouse building.

16. Notwithstanding the submitted details and prior to above ground construction of the development hereby approved, final details of the external materials (and finishing colours) to the dwellings hereby approved shall be submitted to and approved by the Local Planning Authority, colour treatments and samples (or high quality photographs) of the desired materials being provided for this purpose. Thereafter the approved scheme shall be implemented and retained thereafter.

In the interests of visual amenity, character and appearance of the adjacent conservation area, and to ensure a satisfactory form of development.

17. Prior to the installation of any external lighting associated with development hereby approved, full details of the method of external illumination, siting, angle of alignment; light colour, luminance of external areas of the site, including parking areas, shall be submitted to and agreed in writing by the Local Planning Authority. Such external lighting shall, where achievable, be limited to low level lighting, avoiding use of high intensity security lighting, as detailed in the submitted as detailed within section 5.4 (Compensation and Enhancement) of the submitted Ecological Impact Assessment (V2.0) and the submitted Ornithological Impact Assessment (V3.0), both documents produced by Biodiverse Consulting, dated March 2024 and both received on 04/06/2024 by the Local Planning Authority. Thereafter, the agreed lighting shall be implemented wholly in accordance with the agreed scheme and retained for the lifetime of the development hereby approved.

To enable the Local Planning Authority to control details and in the interests of the amenities of adjoining land users, ecology of the area and highway safety

18. Notwithstanding the requirements of condition 14, and prior to the above ground construction of plots 2, 67 and 79, as shown on drawing number 2322.04.01 Rev M (Housing Layout, received 12.03.2026 by the Local Planning Authority), a 2 metre high acoustic boundary fence shall be installed along the side/rear elevations of the respective plots, as illustrated on the submitted plan 2322.06.01 Rev M (Boundary Treatments received 12.03.2026 by the Local Planning Authority) and Figure 4 (*Indicative Glazing and Ventilation Scheme for Living Rooms*) of the submitted 'Noise Assessment, Coronation Drive, Seaton Carew' (document by NJD Environmental Associates, dated February 2024) received 04.06.2024 by the Local Planning Authority, with full details of such acoustic treatment to be first submitted to and agreed in writing with the Local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the first occupation or completion (whichever is sooner) of the identified plots and shall be retained thereafter. In the interests of amenity of future occupiers.
19. The development hereby approved shall be carried out in accordance with the submitted 'Noise Assessment, Coronation Drive, Seaton Carew' (document by NJD Environmental Associates, dated February 2024) received 04.06.2024 by the Local Planning Authority, as identified in Figure 4 (*Indicative Glazing and Ventilation Scheme for Living Rooms*) and Figure 5 (*Indicative Glazing and Ventilation Scheme for Bedrooms*) of the report, which details the required mitigation measures (including the application of glazing and trickle vents), to be installed prior to the occupation or completion (whichever is sooner) of the identified plots hereby approved (where such mitigation measures are required). Thereafter and prior to the occupation or completion (whichever is sooner) of the identified dwellings, a verification report to confirm that the requisite measures have been implemented, shall be submitted to and agreed in writing with the Local Planning Authority and such measures shall be retained thereafter. Interests of the amenity of future occupiers.
20. Notwithstanding the submitted details and prior to the above ground construction of the development hereby approved, specification details the proposed Air Source Heat Pumps to achieve the minimum of a 10% energy supply from decentralised and renewable or low carbon sources to be installed on the dwellings, shall be submitted in writing to the Local Planning Authority. Thereafter and following the written approval of the Local Planning Authority, the agreed scheme shall be installed in accordance with approved details prior to the first occupation or completion of the individual dwellings (whichever is the sooner). To ensure a satisfactory form of development, In the interests of promoting sustainable development and in accordance with the provisions of Local Plan Policy CC1.
21. Notwithstanding the submitted details and prior to the above ground construction of the development hereby approved, specification details the proposed electric vehicle charging apparatus to serve all 81no. dwellings, shall be submitted in writing to the Local Planning Authority. Thereafter and

following the written approval of the Local Planning Authority, the agreed scheme shall be installed in accordance with approved details prior to the first occupation or completion of the individual dwellings (whichever is the sooner). In the interests of a satisfactory form of development and in accordance with the requirements of Local Plan Policy CC1.

22. No part of the development hereby approved shall be occupied until i) the footway on Coronation Drive (north of the approved access to the development hereby approved) has been upgraded to provide a 3.0 metre wide footway/cycleway to tie into the existing facility south of Warrior Drive, and ii) the footway has been reinstated across the former/historical access point on Coronation Drive (south of the approved access to the development hereby approved), details of which shall be first submitted to and agreed in writing with the Local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the first occupation of any of the dwellinghouses hereby approved, unless an alternative timescale is otherwise agreed in writing with the Local Planning Authority.

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

23. Notwithstanding the submitted information, the windows within the side elevations of the following respective plots, as identified on the submitted and approved plan 2322.04.01 Rev M (Housing Layout received 12.03.2026 by the Local Planning Authority), shall be obscurely glazed using a minimum of type 4 opaque glass of the Pilkington scale or equivalent and shall have a restricted opening (max. 30 degrees). The application of translucent film to the window would not satisfy the requirements of this condition;

Glin plots (350) Ground Floor Kitchen and First Floor Bathroom plots: 7 (east), 78 (east), 15 (west), 56 (south), 40 (west), 20 (west), 38 (south), 25 (north), 29 (east), 52 (south), 53 (north), 45 (south) and 46 (north);

Neale plots (355) Ground Floor Lounge and First Floor En-Suite plots: 33 (north), 57 (north), 39 (east) 72 (south) and 65 (south-east);

Clifden plots (358/9) First Floor Bathroom plots: 73 (north), 64 (south-west) and 24 (north);

Milford plots (360) Ground Floor Hall and W.C. and First Floor Landing and Bathroom plots: 59 (north-east), 16 (west), 61 (north), 36 (south), 5 (west), 3 (west), 81 (south), 22 (west), 62 (west), 74 (east) 47 (north), 44 (south), 68 (west) and 49 (north);

Dunmore plots (361) Ground Floor Hall and Dining Room plots: 2 (north and south), 63 (east and west) 76 (east and west), 54 (north and south), 60 (north-east and south-west);

Dakey plots (450) Ground Floor Hall and Lounge and First Floor En-suite, Landing and Bathroom plots: 1 (north and south), 35 (north and south), 80 (north and south), 75 (east and west), 4 (east and west), 61 (north-east and

south-west), 55 (north and south), 48 (north and south), 43 (north and south), 69 (east and west) and 51 (north and south);

Grange plots (451) Ground Floor Hall plots: 41 (south), 58 (south-west), Lanesborough plots (452) First Floor En-Suite and Bathroom plots: 79 (north and south), 6 (east and west), 17 (north and south), 18 (north and south), 42 (north and south), 50 (north and south), 23 (east and west), 70 (east and west) and;

Bantry plot (455) Ground Floor W.C. and First Floor Bathroom plot 67 (south-west).

The identified windows shall installed prior to the occupation or completion (whichever is sooner) of each dwelling and the windows shall thereafter be retained in accordance with the obscure and restricted opening detail for the lifetime of the development.

In the interest of the privacy on neighbouring properties.

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

In the interests of highway and pedestrian safety and in the interests of the visual amenities of the surrounding area.

25. Waste generated during the demolition, construction and operational phases of the development hereby approved shall be managed and disposed of in accordance with the details set out within the submitted Waste Audit In Relation To Land off Coronation Drive, Seaton Carew (document dated August 2022), date received by the Local Planning Authority on 2nd September 2022.

To ensure compliance with the requirement for a site-specific detailed waste audit in accordance with Policy MWP1 of the Tees Valley Joint Minerals and Waste Development Plan Document 2011.

26. The development hereby approved shall be used as C3 dwelling houses and not for any other use including any other use within that use class of the schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that use class in any statutory instrument revoking or re-enacting that order.

To allow the Local Planning Authority to retain control of the development.

27. No construction/building/demolition works or deliveries shall be carried out except between the hours of 8.00 am and 18.00 on Mondays to Fridays and between 9.00 am and 13.00 on Saturdays. There shall be no construction activity including demolition on Sundays or on Bank Holidays.

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

28. Notwithstanding the provisions of Classes A and AA of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the dwellinghouses at plots 10 and 13 as identified on plan Dwg. No. 2322.04.01 Rev M (Housing Layout, received by the Local Planning Authority on 12th March 2026) hereby approved shall not be extended without the written approval of the Local Planning Authority.

To enable the Local Planning Authority to exercise control in the interests of the visual amenities of the area and in the interests of neighbour amenity.

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no fences, gates, walls or other means of enclosure, shall be erected within the curtilage of any dwellinghouse forward of any principal wall/elevation of that dwellinghouse or that which fronts onto a road or footpath, without the prior written consent of the Local Planning Authority with the exception of those enclosures approved as part of this permission.

To enable the Local Planning Authority to exercise control in the interests of the amenities of the occupants of the adjacent residential properties and the appearance of the wider area.

BACKGROUND PAPERS

2.229 Background papers can be viewed by the ‘attachments’ on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=155417>

2.230 Copies of the applications are available on-line:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet>

CONTACT OFFICER

2.231 Scott Parkes
 Assistant Director – Neighbourhood Services
 Level 3
 Civic Centre
 Hartlepool
 TS24 8AY
 Tel: (01429) 523207
 E-mail: scott.parkes@hartlepool.gov.uk

AUTHOR

2.232 Kieran Campbell
Senior Planning Officer
Level 1
Civic Centre
Hartlepool
TS24 8AY
Tel: 01429 242908
E-mail: kieran.campbell@hartlepool.gov.uk

Land On The West Side Of Coronation Drive, Hartlepool



© Crown Copyright. All rights reserved AC0000849987 (2025).

THIS PLAN IS FOR IDENTIFICATION PURPOSES ONLY

<h2>HARTLEPOOL BOROUGH COUNCIL</h2>	DRAWN LH	DATE 19/11/2025
	Scale 1:3000	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	DWG.NO H/2022/0357	REV

No: 3.
Number: H/2025/0368
Applicant: THE SALVATION ARMY MILLSHAW BUSINESS LIVING
 GLOBAL AVENUE LEEDS LS11 8PR
Agent: CSN CONSULTING LLP MR STEVE NESBITT STUDIO
 21 THE KILN HOULTS YARD WALKER ROAD
 NEWCASTLE UPON TYNE NE6 2HL
Date valid: 27/11/2025
Development: Change of use of first floor self contained flat within the
 building from residential use to a use for the provision of
 education; for, or in connection with, public worship or
 religious instruction; and as a hall or meeting place for the
 principal use of the local community (F1 and F2 Use
 Class)
Location: HARTLEPOOL TEMPLE 131-133 PARK ROAD
 HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

3.2 The following planning applications are considered to be relevant to the application site:

H/2011/0273 - Alterations and replacement of windows and doors and rainwater goods. Approved 22/08/2011.

PROPOSAL

3.3 The application seeks planning permission for the change of use of the first floor self contained flat within the Hartlepool Salvation Army Temple building from residential use to a use for the provision of education; for, or in connection with, public worship or religious instruction; and as a hall or meeting place for the principal use of the local community (F1 and F2 Use Classes).

3.4 The application does not seek any external alterations to the building and would retain the existing entrance to the building and access to the first floor (via a staircase at the rear/south of the host building). The proposal retains the existing floor plan, with the entrance lobby, kitchen, bathroom and cupboards being retained, and the living room and three bedrooms being repurposed as proposed meeting rooms.

3.5 The proposed change of use would not require any additional staff and it is anticipated that the three proposed meeting rooms would be used by a maximum of 6-8 persons. The proposed hours of operation would be between the hours of 9am to 6pm Monday to Friday, 9am to 2pm on Saturdays, and 9am to 1pm on Sundays.

3.6 The supporting Planning Statement has been amended during the course of consideration, to give clarification and details of the nature of the proposed uses. The Planning Statement indicates that the proposed use would be for the provision of education (Use Class F1(a)), for or in connection with public worship or religious instruction (Use Class F1(f)) or as a hall or meeting place for public use (Use Class F2(b)). The Planning Statement indicates that the proposed change of use would enable the Salvation Army to occupy the space for purposes such as small scale educational, cultural and/or community based functions, where it may, at times, be more cost effective to open the first floor meeting rooms when smaller numbers of users are anticipated.

3.7 The Planning Statement indicates that “*Typically, the Salvation Army provide and shall continue to provide locally:-*

- *A Christian Church;*
- *Education and religious study;*
- *Parent and toddler;*
- *Coffee mornings and*
- *Older persons activities in the community.”*

3.8 The application has been referred to be determined in the planning committee due to the number of objections received (more than 2), in line with the Council’s scheme of delegation.

SITE CONTEXT

3.9 The application site comprises a building known as the Hartlepool Salvation Army Temple, at 133-135 Park Road in Hartlepool. The host building is located on the southern side of Park Road, immediately west of the junction with Landsdowne Road. The building is adjacent to 2 Landsdowne Road to the south, 136 Park Road, 1A and 1B Wansbeck Gardens to the west, all of which are residential properties. To the north, beyond the main highway of Park Road, and to the east, beyond the main highway of Landsdowne Road are further residential properties.

3.10 The host building is of part single storey and part two storey construction, with all elements featuring flat roofs. An area of car parking is situated on its western side, accessed from Park Road (to the north), with an additional access running along the southern extent of the host building to Landsdowne Road (east).

3.11 The host building is open to the front, being set back from the main highway of Park Road, with an area of hardstanding/footpath, A small garden is present to the eastern side (between the building and the footpath of Landsdowne Road). Boundary treatments include a wall and access gates with a height of approximately 1.6m delineating the car park on the western side from the front (north) onto Park Road. A brick wall forms the boundary with the car park and the residential property

to the west. A small outbuilding (with a height of approximately 2m) is situated in the south west corner, beyond which is a boundary fence (with a height of approximately 1.8m between the application site and neighbouring properties to the south and west. Access gates with a height of approximately 1.8m are situated at the rear access (from Landsdowne Road, to the south east).

3.12 The existing residential flat is accessed from a separate staircase located towards the rear (south) of the host building. The submitted Planning Statement indicates that the residential flat was constructed to accommodate the Salvation Army Corps Officer, and that on site accommodation is now much less frequently used and in recent times the self-contained flat has fallen into disuse.

PUBLICITY

3.13 The application has been advertised by way of notification letters to 17 neighbouring properties and by site notice. To date, there have been thirteen objections received from members of the public.

3.14 The objections raise concerns which are summarised as follows:

- Increase in traffic and congestion,
- Unsuitable parking provision,
- Safety and anti-social behaviour,
- Not suitable for a residential area,
- Overlooking.

3.15 Following the receipt of the amended Planning Statement, one response has been received from a member of the public, retracting their initial objections.

3.16 Background papers can be viewed via the 'click to view attachments' link on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=167089>

3.17 The period for publicity has expired.

CONSULTATIONS

3.18 The following consultation replies have been received:

HBC Head of Service for Heritage and Open Spaces: The application site is on the boundary of Grange Conservation Area, which is recognised as a designated heritage asset.

Policy HE1 of the Local Plan states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets.

When considering any application for planning permission that affects a conservation area, the 1990 Act requires a local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

In considering the impact of development on heritage assets, the National Planning Policy Framework (NPPF) looks for local planning authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness (paras. 203 & 210, NPPF).

Policy HE3 of the Local Plan has regard for the setting of conservation areas. The proposal is the change of use of a self-contained flat to a community use. It is considered that the proposed works will not impact on the setting of the designated heritage asset, no objections.

HBC Traffic and Transport: There are no highway concerns with this proposal. The change in use will have minimal impact on the surrounding highway and parking can be accommodated in the existing car park.

HBC Public Protection: Environmental Protection has reviewed the proposed change of use at The Salvation Army Temple, Hartlepool.

The proposal is considered to be consistent with the established use of the building and is unlikely to give rise to significant adverse amenity impacts.

The proposed hours of use are considered reasonable; however, it is recommended these are secured by condition:

09:00–18:00 Monday to Friday
 09:00–14:00 Saturday
 09:00–13:00 Sundays and Bank Holidays

To safeguard neighbouring amenity, it is also recommended that a condition is imposed to ensure that:

Any amplified music, speech, or other audio equipment shall be controlled so as not to be audible at the nearest noise-sensitive premises.

Environmental Protection raises no objection subject to conditions as outlined above.

HBC Waste Management: The document states that the building currently has commercial refuse facilities for general waste and recycling and the facilities are housed in a secure carpark area which can be accessed externally through locked gates. The premises will require a trade waste agreement with an authorised waste carrier to ensure the waste is disposed of correctly.

HBC Building Control: A Building Regulation application will be required for 'Change of use of first floor self contained flat within the building from residential use to community use – HARTLEPOOL TEMPLE 131-133 PARK ROAD'.

Cleveland Police: I would like to make you aware that Cleveland Police operate the "Secured by Design" initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments.

Full information is available within the SBD Non-Residential Guide 2025 Guide at www.securedbydesign.com

The National Planning Policy Framework 2024 paragraph 96(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive, and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...

The National Planning Policy Framework 2024, paragraph 135(f) which states that “Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.

Local Plan section Q5: Relating to Safety & Security states, The Borough Council will seek to ensure that all developments are designed to be safe and secure. Developers will be expected to have regard to the following matters, where appropriate:

Adhering to national safety and security standards as set out by central government. Be developed in a way that minimises crime and the fear of crime, amongst other things, incorporating Secured by Design principles as appropriate. Proposals relating to residential development should be in accordance with the Residential Design SPD.

Another material consideration is Section 17 of The Crime and Disorder Act 1998. Further information on the Secured By design initiative can be found on www.securedbydesign.com

Cleveland Fire Brigade: Cleveland Fire Brigade offers no representations regarding the development as proposed. However Access and Water Supplies should meet the requirements as set out in: Approved Document B Volume 2 :2019, Section B5 for buildings other than Dwellings It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 18 tonnes. This is greater than the specified weight in AD B Vol 2 Section B5 Table 15.2. Cleveland Fire Brigade is fully committed to the installation of Automatic Fire Suppression Systems (AFSS) in all premises where their inclusion will support fire safety, we therefore recommend that as part of the submission the client consider the installation of sprinklers or a suitable alternative AFS system. Further comments may be made through the building regulation consultation process as required.

HBC Economic Development: No comments received.

PLANNING POLICY

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

Hartlepool Local Plan

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

HE1: Heritage Assets
 HE3: Conservation Area
 INF4: Community Facilities
 LS1: Locational Strategy
 QP3: Location, Accessibility, Highway Safety and Parking
 QP4: Layout and Design of Development
 QP5: Safety and Security
 QP6: Technical Matters
 RC1: The Town Centre
 RC9: Park Road West Edge of Town Centre
 SUS1: The Presumption in Favour of Sustainable Development

National Planning Policy Framework (NPPF)(2024)

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

PARA001: Role of NPPF
 PARA002: Determination of applications in accordance with development plan
 PARA003: Utilisation of NPPF
 PARA007: Achieving sustainable development
 PARA008: Achieving sustainable development
 PARA009: Achieving sustainable development
 PARA010: Achieving sustainable development
 PARA011: The presumption in favour of sustainable development
 PARA012: The presumption in favour of sustainable development
 PARA039: Decision making
 PARA047: Determining applications
 PARA056: Planning conditions and obligations
 PARA057: Planning conditions and obligations
 PARA085: Building a strong, competitive economy
 PARA096: Promoting healthy and safe communities
 PARA098: Providing social, recreational and cultural facilities
 PARA125: Making effective use of land
 PARA131: Achieving well-designed places

PARA135: Achieving well-designed places
 PARA139: Achieving well-designed places
 PARA202: Conserving and enhancing the historic environment
 PARA203: Conserving and enhancing the historic environment
 PARA207: Proposals affecting heritage assets
 PARA210: Considering potential impacts
 PARA212: Considering potential impacts
 PARA231: Implementation

3.22 **HBC Land Use Policy comments:** The proposed use is not classed as Town Centre use within the NPPF and so no assessments such as those set out in policy RC1 are required.

3.23 The use of the facility on the first floor is acceptable, such a facility is to be expected within a residential area and utilising the first floor for such community uses is supported.

PLANNING CONSIDERATIONS

3.24 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the principle of development, the impact on the character and appearance of the existing building and surrounding area (including the adjacent Grange Conservation Area), the impact on neighbouring amenity and privacy, and the impact on highway safety, and other planning matters (including safety and security) and residual matters. These are considered in detail below.

PRINCIPLE OF DEVELOPMENT

3.25 The application site falls within unallocated white land on the Hartlepool Local Plan Policies Map (2018), albeit it is adjacent to the Grange Conservation Area (which extends to the northern side of Park Road), and adjacent (to the west) to the Park Road West Edge of Town Centre Area, as allocated by Policy RC9.

3.26 The application seeks permission for the change of use of the first floor of the building from a residential flat (Use Class C3) to a use for the provision of education (Use Class F1(a)), for or in connection with public worship or religious instruction (Use Class F1(f)) or as a hall or meeting place for public use (Use Class F2(b)).

3.27 Policy RC21 (Community Uses In Residential Area) of the Hartlepool Local Plan (HLP) (2018) requires that non-residential uses can only be considered acceptable if:

- There is no significant detrimental effect on the amenities of the occupiers of adjoining or nearby premises by reason of noise, smell, dust or excessive traffic generation, and
- The design, scale and impact is compatible with the character and amenity of the site and the surrounding area, and
- Appropriate servicing and parking provision can be made.

3.28 The proposed use is a non-commercial community facility. Policy RC21 relating to commercial development in residential areas is therefore not directly engaged. Nevertheless, the proposal has been assessed against the Policy’s amenity and compatibility principles for completeness, and it is considered that the proposed use would not result in any significant detrimental effects on the amenities of the occupiers of neighbouring properties, the design and scale would not impact upon the character and amenity of the site and surrounding area, and appropriate servicing and parking provision can be made. These matters are discussed in full in further sections of the report.

3.29 In addition to the requirements of Policy RC21, Policy QP4 (Layout and Design of Development) of the HLP (2018) states that a range of uses will be permitted provided that they do not adversely affect the character, appearance, function and amenity of the property and the surrounding area.

3.30 Policy INF4 (Community Facilities) of the HLP (2018) and paragraphs 131 and 135 of the NPPF (2024) support proposals which protect, maintain and improve existing facilities where appropriate and practicable, and require and support the provision of new facilities to serve developments and to remedy any existing deficiencies.

3.31 In addition to the above, consideration is also given to the existing lawful use of the remainder of the building.

3.32 Subject to other material considerations, the principle of the proposed change of use of the first floor of the host building to facilitate uses similar to the rest of the building (for the provision of education, religious or cultural community uses) in this sustainable location is considered to accord with Policies QP4 and INF4 of the Hartlepool Local Plan (2018). The Council’s Land Use Policy team support this view and have confirmed that there are no requirements for the applicant to demonstrate that the proposed use is acceptable, and no objections overall to the proposed change of use of the part of the building.

3.33 Subject to satisfying the considerations as set out below, the principle of development is considered to be acceptable in this instance.

IMPACT ON CHARACTER AND APPEARANCE OF EXISTING PROPERTY AND SURROUNDING AREA

3.34 Policy HE1 (Heritage Assets) of the HLP (2018) states that the Borough Council will seek to preserve, protect and positively enhance all heritage assets. The application site is on the boundary of (but outside of) the Grange Conservation Area, which is recognised as a designated heritage asset.

3.35 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.

3.36 Policy HE3 (Conservation Areas) of the HLP (2018) states that the Borough Council will, ‘seek to ensure that the distinctive character of conservation areas within the Borough will be conserved or enhanced through a constructive conservation approach’. Proposals for development within or immediately adjacent to conservation areas need to demonstrate that they will conserve or positively enhance the character of the conservation areas. The National Planning Policy Framework (NPPF, 2024) looks for local planning authorities to take account of the significance of a designated heritage asset and give, ‘great weight’ to the asset’s conservation (para 212, NPPF).

3.37 The Council’s Head of Service for Heritage and Open Spaces has confirmed that the proposed change of use of the first floor of the host building would not significantly impact upon the character or appearance of the designated heritage asset of the adjacent Grange Conservation Area.

3.38 Policy QP4 of the HLP (2018) requires, amongst other provisions, that proposals should be of an appropriate size, design and appearance in keeping with/sympathetic to the host property and the character of the surrounding area.

3.39 The proposed change of use would not require any external alterations, and therefore it is considered that the proposed use would not result in any adverse impacts on the character and appearance of the application site, surrounding street scene or adjacent Grange Conservation Area.

3.40 It is recognised that character is not something that is purely physical and the nature of how a use operates can impact on the character of a site and wider surrounding area. However, given the proposed change of use of the first floor of the building to a use which is consistent with the established use of the remainder of the building, and in view of the comments from the Council’s Head of Service for Heritage and Open Spaces, it is considered that the proposed use is appropriate for this location subject to other material planning considerations (as considered elsewhere in the report). The proposal is therefore considered to comply with the provisions of Local Plan Policies RC21, QP4 and HE3 in this respect.

IMPACT ON AMENITY AND PRIVACY OF NEIGHBOURING PROPERTIES

3.41 The application site is located within a predominantly residential area with residential properties adjacent to the south (2 Landsdowne Road) and west (136 Park Road, 1A and 1B Wansbeck Gardens).

3.42 Policy QP4 of the HLP (2018) requires, amongst other provisions, that the Borough Council will seek to ensure all developments are designed to a high quality and that development should not negatively impact upon the relationship with existing and proposed neighbouring land uses and the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overlooking and loss of privacy, overshadowing and visual intrusion particularly relating to poor outlook.

3.43 Policy QP4 also sets out minimum separation distances to be adhered to and, whilst these primarily relate to dwellings, such requirements are reiterated in the Council’s Residential Design Guide SPD (2019) whereby it states that such

distances should be also applied to commercial buildings. The following minimum separation distances must therefore be adhered to:

- Provide and maintain separation distances of at least 20m from habitable room to habitable room.
- Provide and maintain separation distances of at least 10m from habitable room to non-habitable room and/or gable end.

Impact on 2 Landsowne Road (south)

3.44 The first floor of the existing building retains a separation distance of approximately 7m to the boundary and approximately 8m (oblique) to the single storey rear off-shoot serving No. 2 Landsdowne Road, approximately 13m to the two storey off-shoot, and approximately 18.7m to the main rear elevation serving this neighbour. Consideration is given to the established relationship between the neighbouring property and the host building at the application site, and that the proposed change of use of the first floor element would be partially screened by the existing single and two storey elements of the host building (which are within the same use as the section of the building under consideration through this application), as well as the boundary treatment between the application site and the neighbour at No. 2 Landsdowne Road. In addition, there would be no external additions or alterations (including any proposed windows) to facilitate the proposed change of use.

3.45 In view of the above, it is considered that the proposals would not result in any adverse impacts on the amenity or privacy of this neighbour in terms of any loss of outlook, overbearing impression, overshadowing, or overlooking.

Impact on 136 Park Road, 1A and 1B Wansbeck Gardens (south/south west)

3.46 The first floor of the existing building retains a separation distance of approximately 11m to the boundary and approximately 13.8m to the eastern side elevation of No. 136 Park Road. It was noted by the case officer during the site visit that this neighbouring property features 2no. windows at ground floor and 2no. windows at first floor in the side elevation (facing east). The first floor of the existing building retains a separation distance of approximately 15m to the single storey off-shoot serving No. 1A Wansbeck Gardens and approximately 18.1m to the main rear elevations of both 1A and 1B Wansbeck Gardens, both properties featuring both habitable and non-habitable room windows in their rear elevations.

3.47 Whilst it is acknowledged that the separation distances would not be achieved as per the requirement of Policy QP4 of the HLP (2018) and the Residential Design Guide SPD (2019), consideration is given to the established relationships between these neighbouring properties and the host building at the application site, and that the proposed change of use of the first floor element does not include any external alterations or the installation of windows in the western facing elevation, as well as the boundary treatments between the application site and the neighbours at No. 136 Park Road and Nos. 1A and 1B Wansbeck Road.

3.48 In view of the above, it is considered that the proposals would not result in any adverse impacts on the amenity or privacy of these neighbours in terms of any loss of outlook, overbearing impression, overshadowing, or overlooking.

Impact on properties to the north (including Nos. 128-134 (evens) Park Road)

3.49 The first floor of the existing building retains a separation distance of approximately 26m to the closest neighbouring property to the north (No. 132 Park Road), with the main highway of Park Road between. Consideration is given to the established relationship between the host building at the application site and these neighbouring properties, and that there would be no external additions or alterations (including any proposed windows) as part of the proposals.

3.50 In view of the above, it is considered that the proposals would not result in any adverse impacts on the amenity or privacy of these neighbours in terms of any loss of outlook, overbearing impression, overshadowing, or overlooking.

Impact on properties to the east (including No. 133 Park Road and Nos. 1 to 3 (inclusive) Landsdowne Court)

3.51 The first floor of the existing building retains a separation distance of approximately 37m to the closest neighbouring property to the east (No. 133 Park Road), with the remainder of the host building and the main highway of Landsdowne Road between. Consideration is given to the established relationship between the host building at the application site and these neighbouring properties (which would be screened by the main elements of the existing building), and that there would be no external additions or alterations (including any proposed windows) as part of the proposals.

3.52 In view of the above, it is considered that the proposals would not result in any adverse impacts on the amenity or privacy of these neighbours in terms of any loss of outlook, overbearing impression, overshadowing, or overlooking.

Noise and disturbance

3.53 In addition to the above considerations, it is acknowledged that the proposed use in close proximity to residential dwellings has the potential to generate noise and disturbance which could impact on the amenity of neighbouring properties.

3.54 Policy QP6 of the Hartlepool Local Plan (2018) states that development is expected to be incorporated into the borough with minimal impact. Among other criteria, proposals must ensure that the effects on, or impact of, general disturbance including noise, is investigated and satisfactorily addressed.

3.55 Paragraph 198a of the NPPF (2024) states that proposals should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

3.56 Whilst the application site is located outside the extent allocated as the Edge of Town Centre under Policy RC9, it is acknowledged that this policy states that businesses will not be permitted to operate between the hours of 11.30pm and 7am. Policy RC21 (Commercial Uses in Residential Areas) states that commercial businesses in residential areas will not be permitted to operate between 6pm and 8am. Although the proposed use of the building is considered to be a community use rather than a 'commercial use', given its location in a residential area, it is considered reasonable to demonstrate that the proposal would comply with the general aims of this policy. The application form indicates that the proposed use would operate between the hours of 09:00–18:00 Monday to Friday, 09:00–14:00 Saturday, and 09:00–13:00 Sundays (and Bank Holidays), consistent with the existing use of the remainder of the host building. In view of this, it is considered prudent to impose a planning condition to control the operating hours to those identified above, in order to protect residential amenity, and as requested by the Council's Public Protection team.

3.57 The Council's Public Protection team has also requested the imposition of a planning condition to control the playing of amplified music. Planning Practice Guidance states that planning conditions "requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning. Use of informatives to remind the applicant to obtain further planning approvals and other consents may be more appropriate". Although it is acknowledged that a Licence application may not be required for the proposed change of use of the first floor of the building in this instance, officers consider that any issues that may arise once the first floor of the building is operating in line with the proposed use (and existing use of the remainder of the host building), would be best dealt with and addressed under the relevant Nuisance provisions. Therefore it is considered not to be reasonable or necessary to impose a planning condition in respect to the playing of amplified music.

3.58 The Council's Public Protection team have confirmed no objections overall to the proposed change of use of the first floor of the application property. Subject to the above mentioned planning condition controlling the hours of operation, the proposal is considered to be acceptable in respect to neighbour amenity and privacy (including noise and disturbance), and to accord with the requirements of Policies RC21, QP4 and QP6 of the HLP (2018), the Residential Design Guide SPD (2019) and paragraphs 130, 131, 135 and 198 of the NPPF (2024).

HIGHWAY & PEDESTRIAN SAFETY & CAR PARKING

3.59 It is acknowledged that objections have been received in respect of increased traffic, congestion and car parking. The application site includes a car park which would remain, and as noted above, the submitted Planning Statement indicates that the proposed use of the first floor would not necessitate additional staff and it is anticipated that there would not be any additional vehicular movements.

3.60 The Council's Traffic and Transport team have confirmed no objections. Therefore, it is considered that the proposed change of use of the first floor of the building would not result in any adverse impact on highway safety and the proposal

is therefore considered to be acceptable in this regard and when considered in the context of Policies QP3 and RC21.

CRIME, FEAR OF CRIME & ANTI-SOCIAL BEHAVIOUR

3.61 Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder.

3.62 Policy QP5 (Safety and Security) of the HLP (2018) seeks to ensure that all new development is safe and secure, and designed in a way that minimises crime and the fear of crime. This is further supported by paragraph 96b of the NPPF (2024) which states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

3.63 Whilst it is acknowledged that neighbour objections have been received citing concerns regarding safety and security, consideration is given to the proposed use of the first floor of the building for educational, cultural and religious meetings/uses consistent with the established use of the remainder of the existing building.

3.64 Cleveland Police have been consulted and have confirmed no objections to the proposals overall, having provided advice in respect of the use of Secured By Design principles. This advice can be relayed to the applicant via an informative. The Council's Community Safety and Engagement team were also consulted, although no comments were received.

3.65 Subject to the recommended informative, the proposed development is considered acceptable in terms of crime and anti-social behaviour related matters.

OTHER MATTERS

3.66 The Council's Building Control section were consulted and have confirmed a building regulation application will be required for the proposal. An informative is recommended.

3.67 No objections were received from Cleveland Fire who draw attention to Access and Water Supplies and which are generally considered through the separate Building Regulations regime. Nonetheless, their advice can be relayed to the applicant by way of an informative.

CONCLUSION

3.68 The principle of the change of use of the first floor of the building to uses consistent with the established use of the remainder of the host building (to provide educational, religious and cultural community uses falling within Use Classes F1(a) and (f) and F2(b)) in this location is considered acceptable in line with the identified policies of the HLP (2018), subject to other material considerations.

3.69 The relevant matters have been considered in detail, and the proposed change of use is therefore considered to be acceptable in respect of Policies HE1, HE3, HE4, HE7, RC21, QP4, QP5 and QP6 of the Hartlepool Local Plan (2018), and the paragraphs 96, 129, 131, 135, 198, 202 and 210 of the NPPF (2024) and is recommended to be conditionally approved.

EQUALITY DUTY

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

CRIME AND DISORDER ACT IMPLICATIONS

3.71 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. Matters of crime, fear of crime and anti-social behaviour are considered in detail in the relevant section of this report. Overall and for the reasons set out in the report, the proposal is considered, on balance, to be acceptable when having regard to Section 17 of the Crime and Disorder Act 1998.

REASON FOR DECISION

3.72 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 planning conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby approved shall be in accordance with the following plans and details; Dwg. No.09 Rev A (Location Plan at a scale of 1:1250, and Site Plan at a scale of 1:500), Dwg. No.06 Rev A (Proposed East and West Elevations), Dwg. No.05 Rev A (Proposed North and South Elevations) received by the Local Planning Authority on 24th November 2025; and Dwg No.08 Rev B (Proposed Roof/First Floor Plan) received by the Local Planning Authority on 27th November 2025.
To define the permission.
3. Notwithstanding the provisions of the Schedule to the Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (General Permitted Development) (England) Order 2015, or in any provision

equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification, the building shall solely be used for the provision of education (Use Class F1(a)), for or in connection with public worship or religious instruction (Use Class F1(f)) or as a hall or meeting place for public use (Use Class F2(b)) and shall not be used for any other use without the express written approval of the Local Planning Authority. To define to the permission, in the interests of the character and amenity of the surrounding area and neighbouring properties.

4. The use hereby approved shall only operate between the hours of 09:00–18:00 Monday to Friday, 09:00–14:00 Saturday, and 09:00–13:00 Sundays and Bank Holidays.
In the interests of residential amenity.

BACKGROUND PAPERS

3.73 Background papers can be viewed by the ‘attachments’ on the following public access page:
<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=167089>

3.74 Copies of the applications are available on-line:
<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet>

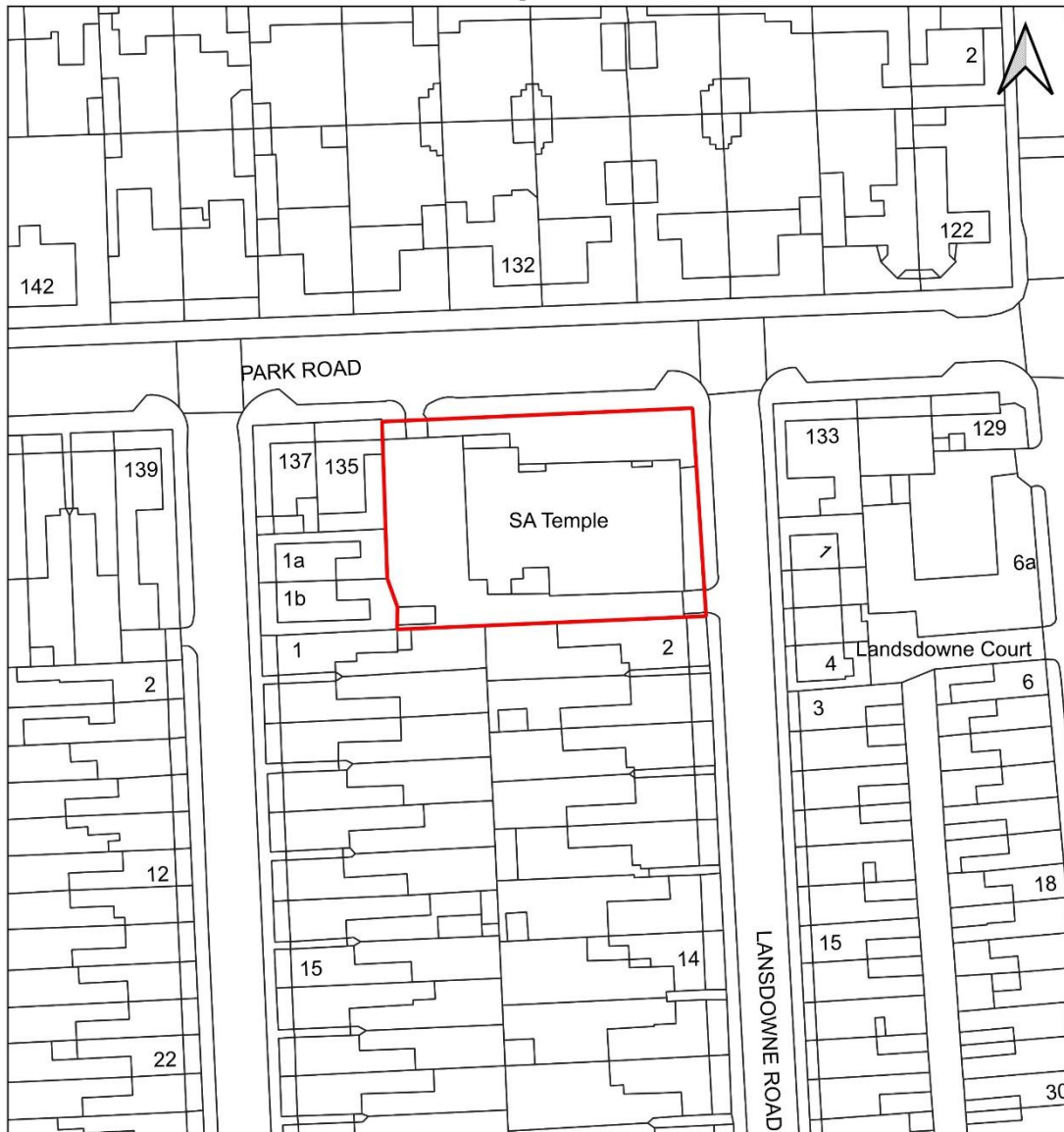
CONTACT OFFICER

3.75 Scott Parkes
Assistant Director – Neighbourhood Services
Level 3
Civic Centre
Hartlepool
TS24 8AY
Tel: (01429) 523207
E-mail: scott.parkes@hartlepool.gov.uk

AUTHOR

3.76 Stephanie Bell
Senior Planning Officer
Level 1
Civic Centre
Hartlepool
TS24 8AY
Tel: (01429) 523246
E-mail: Stephanie.Bell@hartlepool.gov.uk

131-133 Park Road, Hartlepool



© Crown Copyright. All rights reserved AC0000849987 (2025).

THIS PLAN IS FOR IDENTIFICATION PURPOSES ONLY

 <p>Hartlepool Borough Council</p>	<p>DRAWN LH</p>	<p>DATE 30/03/2026</p>
	<p>Scale 1:800</p>	
<p>Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY</p>	<p>DWG.NO H/2025/0368</p>	<p>REV</p>

No: 4.
Number: H/2025/0426
Applicant: MRS LEANNE COLE ARK ROYAL CLOSE
 HARTLEPOOL TS25 1DH
Agent: MRS LEANNE COLE 21 ARK ROYAL CLOSE
 HARTLEPOOL TS25 1DH
Date valid: 09/02/2026
Development: Erection of a single storey sauna outbuilding to rear
 garden (retrospective).
Location: 21 ARK ROYAL CLOSE HARTLEPOOL

PURPOSE OF REPORT

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

BACKGROUND

4.2 There is no known planning history relating to the application site.

PROPOSAL

4.3 This application seeks retrospective planning permission for the erection of a single storey sauna outbuilding in the rear garden of 21 Ark Royal Close.

4.4 The submitted plans detail that the erected structure/outbuilding has a height of approximately 2.26 metres, and a maximum height of approximately 2.76 metres to the top of the chimney/flue. The structure measures approximately 3 metres in length x approximately 2.33 metres in width and is positioned towards the north west corner of the rear garden of the property, positioned on a southeast-northwest axis with the glazed access door in the front (south east) elevation. The structure has a curved, log cabin-style appearance with a semi-cylindrical (barrel-shaped) form.

4.5 The structure is understood to be a freestanding outbuilding which is not permanently affixed to the ground/has no permanent foundation and currently sits on a small square shaped area of loose stones. The submitted information details that the external materials consist of a pine wood finish, felt shingles to the roof, and a stainless-steel flue towards the rear of the structure (which measures approximately 0.55 metres in height with an overall height of approximately 2.76m from the given ground level). The outbuilding includes 1 single glazed access door in the front (southeast) elevation.

4.6 This application has been referred to planning committee at request of a local ward councillor in line with the Council's Scheme of delegation.

SITE CONTEXT

4.7 The application site relates to a two-storey detached, South-facing residential property located in the Seaton Carew ward of Hartlepool. The property is bounded by No. 20 Ark Royal Close to the West, and No. 22 Ark Royal Close to the East. The property benefits from private rear amenity space to the North. Beyond this, Nos. 24 and 25 Ark Royal Close are present to the rear (north).

PUBLICITY

4.8 The application was advertised by way of neighbour letters. To date, there have been 3 letters of representation received, with 1 objection, 1 support and 1 indicating 'do not object'.

4.9 The concerns/objection raised can be summarised as follows:

- Size and scale of the outbuilding
- Fire hazard
- Health and safety breach

4.10 The letter of support can be summarised as follows:

- Modest and appropriate to its setting
- Promotes health, wellbeing and the positive use of private space
- Encourages opportunities for physical activity

4.11 Background papers can be viewed via the 'click to view attachments' link on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=167487>

4.12 The period for publicity has expired.

CONSULTATIONS

4.13 The following consultation replies have been received:

HBC Public Protection: Noise: The use of the sauna is domestic in nature and unlikely to generate significant noise beyond that typical of a single-family dwelling. No complaints relating to persistent or amplified noise have been raised, and Environmental Protection does not anticipate adverse noise impacts on neighbouring properties.

Smoke and Odour: The stove is enclosed and designed for domestic use, and only approved fuels (Duraflame logs) will be used, which are permitted for smoke-control areas. The external chimney is unlikely to cause nuisance to neighbouring properties under normal domestic use. Based on the submitted information and typical use, Environmental Protection considers that smoke and odour emissions are unlikely to cause nuisance to neighbouring properties.

General Amenity: Environmental Protection does not consider the structure of the Sauna, or its intended domestic use would give rise to amenity impacts such as odour, smoke, or noise that would materially affect neighbours therefore we raise no

objection provided the sauna continues to be used in a domestic capacity and only approved fuels and used on the stove.

HBC Building Control: The building is classed as exempt under the Building Regulations due to its size (being less than 15m²) and being detached from other buildings. No application required to Building Control.

Cleveland Fire: It appears that Cleveland Fire Brigade were not originally asked to consult on this application. During planning consultations Cleveland Fire Brigade only look to provide comment on Fire appliance access & Firefighting facilities with this specific application highlighting no concerns for either.

In addition to this Cleveland Fire Brigade may have no jurisdiction in relation to the inside of such premises due to it being part of a domestic property which the Regulatory Reform (Fire Safety Order) 2005 does not extend to.

The implemented fire safety measures outlined in the below email are deemed to be suitable and as a result, Cleveland fire brigade offers no comment, but may be consulted further during any building regulation consultation should there be any.

PLANNING POLICY

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

Hartlepool Local Plan

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

SUS1: The Presumption in Favour of Sustainable Development;

LS1: Locational Strategy;

QP4: Layout and Design of Development.

QP5: Safety and Security

National Planning Policy Framework (NPPF) (2024)

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

policies within the Framework provide a strong reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA 007: Purpose of the Planning System;
 PARA 011: Presumption in Favour of Sustainable Development;
 PARA 039: Decision Making;
 PARA 048: Determining Applications in Accordance with the Development Plan;
 PARA 125: High Quality Buildings and Places;
 PARA 128: Design Principles;
 PARA 131: Achieving Well-Designed Places.
 PARA 135: Decisions ensuring good design
 PARA 139: Refusing applications on design grounds.

PLANNING CONSIDERATIONS

4.17 The main issues for consideration in this instance are the appropriateness of the proposal in terms of the policies and proposals held within the Development Plan and in particular the impact of scale, design and appearance of the outbuilding on the character of the existing dwelling and surrounding area and the impact on the amenity of neighbouring occupiers. These, and any other matters, are discussed in the sections below.

IMPACT ON CHARACTER AND APPEARANCE OF APPLICATION SITE AND SURROUNDING AREA

4.18 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) requires, amongst other provisions, that proposals should be of an appropriate size, design and appearance in keeping with/sympathetic to the host property and the character of the surrounding area.

4.19 The application site is located within a streetscene of detached properties with private rear garden areas which are largely enclosed by timber fences. In this instance, the application site rear garden backs directly onto the rear gardens with No's 24 and 25 Ark Royal Close. The retrospective development is located within the enclosed rear garden of the host property and is considered to be generally screened from views to the front and the wider street scene by virtue of its positioning and the substantial screening afforded by the host dwelling itself. In this context and given the relatively modest scale and design of the structure, it is considered that the development would not result in a significant adverse effect on the character and appearance of the surrounding area.

4.20 It is appreciated the outbuilding/structure is capable of receiving some views from neighbouring properties however such views are primarily from the private rear elevations/rear gardens of adjacent properties and for the reasons detailed below (under the Amenity section), it is considered that the development would not result in any significant loss of amenity or outlook for neighbouring properties given the modest scale and positioning of the structure.

4.21 The structure is, overall, considered to be of a relatively modest scale and design with a relatively modest height (to the main element) and would not lead to an overdevelopment of the site (given the size of the remaining rear garden area) or appear unduly incongruous within it. Moreover, it is considered that outbuildings/structures (for ancillary purposes) in a rear domestic garden is not an uncommon feature. In terms of the materials used (primarily a timber construction), it is considered that such materials do not appear overly incongruous and are acceptable in this instance given the positioning and relatively modest scale of the structure.

4.22 Further consideration is given to the 'fall back' position of permitted development whereby, under Schedule 2, Part 1, Class E of the General Permitted Development Order (GPDO, 2015), incidental outbuildings are permitted within 2 metres of the boundary where they do not exceed 2.5 metres in height, and they do not cover more than 50% of the curtilage of the property (in addition to other requirements). There are no conditions regarding the materials of outbuildings under the permitted development criteria.

4.23 In this context, the main element of the structure at approximately 2.26m in height would be below the 'permitted development' 2.5m height. Whilst the proposal features a flue (flues are not permitted under the aforementioned GPDO for Class E structures), it has a maximum height of approximately 2.76 metres (to the top of the flue), which is approximately 30cm above the permitted development height accepted as a government tolerance, and where any similar associated impacts could occur. Furthermore, the erected flue is considered to be of a narrow, modest structure overall (whereby no objections have been received from the Council's Public Protection team as set out in the Amenity section below). As such and whilst 'fall back' should be rationalised, it is still considered to represent a material planning consideration in the assessment of this application and is afforded the appropriate weight.

4.24 A planning condition is recommended to ensure that the erected structure/outbuilding remains incidental to the main use of the residential property at all times.

4.25 Taking the above considerations into account including the aforementioned 'fall back' position, it is considered that the erected structure/outbuilding would not result in any significant harmful impacts upon the character and appearance of the host dwelling and application site, or to the wider area. Overall, the development is considered to generally accord with the provisions of Local Plan Policy QP4 and those of the NPPF (2024) and is therefore acceptable in this respect.

IMPACT ON AMENITY AND PRIVACY OF NEIGHBOURING LAND USERS

4.26 Policy QP4 (Layout and Design of Development) of the Hartlepool Local Plan (2018) requires that proposals should not negatively impact upon the amenity of occupiers of adjoining or nearby properties by way of general disturbance, overshadowing and visual intrusion particularly relating to poor outlook, or by way of overlooking and loss of privacy. These requirements are reiterated in the Council's

adopted Residential Design SPD (2019). The following minimum separation distances must therefore be adhered to:

- Provide and maintain separation distances of at least 20m from habitable room to habitable room.
- Provide and maintain separation distances of at least 10m from habitable room to non-habitable room and/or gable end.

Impact on Nos. 24, 25 and 26 Ark Royal Close (north/to the rear)

4.27 Nos. 24, 25 Ark Royal Close share a rear boundary with the application site with the erected outbuilding positioned closest to the rear boundary with No 25. No 26 sits at oblique angle to the application site.

4.28 The structure is set off from the rear boundary (shared with No. 25 Ark Royal Close) by approximately 0.3 metres at its nearest point. A separation distance of approximately 7 metres would remain between the nearest part of the outbuilding and the nearest rear elevation of No. 25 Ark Royal Close, whilst the other neighbouring dwellings, No. 24 and No. 26, have oblique separation distances of 13 metres and 10 metres respectively from the erected outbuilding. The rear boundary treatment consists of a fence and trellis with an overall height of approximately 2.2 metres that is considered to afford some screening to the structure from the neighbouring properties.

4.29 As noted above, the erected outbuilding has an overall modest height of approximately 2.26m with a maximum height of approximately 2.76m to the top of the flue which is considered to be a relatively narrow, modest structure which is considered to limit any significant impacts. Further consideration is given to the positioning of the structure which sits at an angle to the northern rear boundary with the neighbouring properties and is also considered to assist in reducing its massing when viewed from the neighbours to the rear.

4.30 In this context, consideration is given to the relatively modest scale of the structure, the remaining separation distances and existing boundary treatment, and to the aforementioned 'fall back' position of permitted development whereby a detached structure could be erected up to 2.5m in height within 2m of a boundary (amongst other requirements) and where similar associated impacts could occur. As such, and in view of the above, it is considered that the erected structure/outbuilding would not result in any significant adverse impacts on the amenity of these neighbouring properties in terms of overshadowing, overbearing and loss of outlook.

4.31 No doors or openings are present in the rear or side elevations and it is considered that no direct views would be achievable from the glazed door to the front/Southeast towards the rear elevations (or immediate garden areas) of these properties given the orientation of the outbuilding and the existing boundary treatment. Given the modest scale of the proposal and remaining separation distances, it is considered that the proposal would not result in any significant adverse loss of privacy for neighbouring properties to the rear in terms of overlooking or a perception of overlooking.

Impact on No. 20 Ark Royal Close (west)

4.32 No. 20 Ark Royal Close is a South facing property and bounds the application site to the West. The outbuilding is set off the shared boundary by approximately 0.25 metres (at its nearest point) and splays/projects away from the shared boundary in a north west-south east axis. The shared rear boundary treatment consists of a fence measuring approximately 1.8 metres high. The erected structure/outbuilding is located at an oblique separation distance of approximately 7 metres from the nearest rear elevation of No. 20.

4.33 Given the remaining separation distance, the modest scale and height of the outbuilding, its oblique position to the adjacent boundary and to the rear of No 20, and the aforementioned 'fall back' position of permitted development, it is considered that the development would not result in any significant adverse loss of amenity for No 20 in terms of in terms of overshadowing, overbearing and loss of outlook.

4.34 The outbuilding includes a single access door in the front (southeast) elevation. Given the positioning of the door, the oblique positioning of the outbuilding to the adjacent boundary and the rear elevation of No 20, and the intervening boundary treatment, it is considered that the development would not give rise to any significant unacceptable loss of privacy to the neighbouring property of No. 20 Ark Royal Close in terms of overlooking or a perception of overlooking.

Impact on No. 22 Ark Royal Close (East)

4.35 No. 22 Ark Royal Close is a South facing property and bounds the application site to the East. The development is sited off the shared boundary by approximately 5.5 metres at its nearest point. There is an intervening boundary treatment which consists of a fence measuring approximately 1.8 metres high, and the outbuilding is positioned at an oblique separation distance of approximately 10 metres from the nearest rear elevation of No. 22 Ark Royal Close.

4.36 Given the modest scale, orientation and positioning of the sauna outbuilding including its set off from the shared rear boundary to No 22, and taking into account the existing boundary treatment and aforementioned 'fall back' position of permitted development, it is considered that the proposal would not result in a significant adverse impact on the amenity and privacy of No 22 in terms of loss of outlook, overbearing, overshadowing or overlooking (or perception of overlooking) to windows in the ground floor rear or side elevations of No 22 or its immediate rear garden area.

Noise, Smoke and General Disturbance

4.37 In terms of any impacts arising from smoke/odours from the outbuilding, during the course of the application, the applicant provided the case officer with additional information regarding the materials of the structure and the type of fuel used to heat the sauna, indicated to be a 'Duraflame' fuel type. In response, HBC Public Protection have confirmed that such materials are appropriate for use in smoke-controlled areas such as the application site and raise no objections to the external chimney/flue given the anticipated domestic use of the structure. HBC

Public Protection therefore consider that smoke and odour emissions are unlikely to cause nuisance to neighbouring properties.

4.38 In terms of any concerns regarding noise, it is acknowledged that the outbuilding is intended to serve a sauna for domestic use only. As such, it is considered that the levels of noise it would generate are likely to be similar to that which could be expected within a domestic setting and HBC Public Protection have commented that it does not anticipate any adverse noise impacts arising on neighbouring properties.

4.39 In view of the above, it is considered that the development is unlikely to result in any significant impacts on the amenities of neighbouring properties in planning terms of noise and general disturbance including from smoke and odours. As noted above a planning condition is recommended to ensure that the outbuilding remains incidental to the main use of the dwellinghouse only. In respect to controlling the type of fuels burnt within the outbuilding, this would fall outside the remit of planning. Accordingly, should any such issues (or 'nuisance') arise in the future (including noise and smoke/odours), officers consider that these would be best dealt with and investigated through separate environmental legislation.

OTHER MATTERS

4.40 Concerns have been raised through an objection received regarding fire safety and other health and safety related concerns to the structure.

4.41 The Council's Building Control department were consulted as part of this application and have confirmed that the building is classed as exempt under the Building Regulations due to its size (being less than 15m²) and being detached from other buildings. The case officer has consulted Cleveland Fire Brigade who have been provided with details of the application, and they have subsequently advised that there are limited controls with regards to residential outbuildings and, given the materials which are understood to be non-combustible, they have offered no comment to the planning application.

4.42 From a planning perspective, certain applications are required to provide a Fire Statement. The outbuilding at the host property would not be a "relevant building" in terms of this requirement. Ultimately and notwithstanding the relatively recent introduction by the government around Fire Statements, in the context of the current application, planning does not have powers to assess the fire safety of building materials nor most elements of building design. Fire precautions covered by building regulations are not part of material planning considerations on which planning decisions must be based. In view of the development being exempt from building regulations, or requiring a Fire Statement, this matter would be beyond the control and remit of the LPA in this instance.

CONCLUSION

4.43 For the reasons detailed in the report, the retrospective development of an outbuilding to serve a sauna is considered to be acceptable and is of a scale, design and appearance that is not harmful to the character of the host property and

surrounding area. It is further considered that it would not result in any significant harm to the amenity of neighbouring properties.

4.44 It is therefore considered the development would overall comply with Policy QP4 of the Hartlepool Local Plan (2018), the Council's Residential Design Guide SPD and paragraphs 135 and 139 of the NPPF (2024) and is therefore recommended for approval.

EQUALITY DUTY

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

CRIME AND DISORDER ACT IMPLICATIONS

4.46 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making. Matters of crime, fear of crime and anti-social behaviour are considered in detail in the relevant section of this report. Overall and for the reasons set out in the report, the proposal is considered, on balance, to be acceptable when having regard to Section 17 of the Crime and Disorder Act 1998.

REASON FOR DECISION

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

RECOMMENDATION – APPROVE, subject to the following conditions

1. The development hereby approved shall be in accordance with the following plans and details; Location Plan (at a scale of 1:1250) and supporting information including elevation plans (not to scale) date received by the Local Planning Authority 22/12/2025; and annotated photographs, date received by the Local Planning Authority 03/02/2026.
To define the permission.
2. The single storey sauna outbuilding hereby approved shall only be used for purposes incidental to the use of the dwellinghouse and for no other purpose.
To ensure a satisfactory form of development and the amenities of neighbouring occupiers.

BACKGROUND PAPERS

4.48 Background papers can be viewed by the 'attachments' on the following public access page:

<https://planning.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=167487>

4.49 Copies of the applications are available on-line:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet>

CONTACT OFFICER

4.50 Scott Parkes
Assistant Director - Neighbourhood Services
Level 3
Civic Centre
Hartlepool
TS24 8AY
Tel: (01429) 523207
E-mail: scott.parkes@hartlepool.gov.uk

AUTHOR

4.51 Hanna Spier
Graduate Planning Assistant (DM)
Level 1
Civic Centre
Hartlepool
TS24 8AY
Tel: 01429 284845
E-mail:

21 Ark Royal Close



© Crown Copyright. All rights reserved AC0000849987 (2025).

THIS PLAN IS FOR IDENTIFICATION PURPOSES ONLY

 Hartlepool Borough Council	DRAWN LH	DATE 30/03/2026
	Scale 1:500	
Dept of - Development, Neighbourhoods and Regulatory Services Civic Centre, Victoria Road, Hartlepool TS24 8AY	DWG.NO H/2025/0426	REV

POLICY NOTE

The following details a precis of the overarching policy documents referred to in the main agenda. For the full policies please refer to the relevant document, which can be viewed on the web links below;

HARTLEPOOL LOCAL PLAN 2018

<https://www.hartlepool.gov.uk/localplan>

HARTLEPOOL RURAL NEIGHBOURHOOD PLAN 2018

[https://www.hartlepool.gov.uk/downloads/file/4876/hrnp_2016-2031_-_made version - december 2018](https://www.hartlepool.gov.uk/downloads/file/4876/hrnp_2016-2031_-_made_version_-_december_2018)

MINERALS & WASTE DPD 2011

https://www.hartlepool.gov.uk/info/20209/local_plan/317/tees_valley_minerals_and_waste_development_plan_documents_for_the_tees_valley

REVISED NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2024

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

MATERIAL PLANNING CONSIDERATIONS IN DECISION MAKING

Material Planning Consideration	Non Material Planning Consideration
<i>Can be used as reasons to make a decision to grant or refuse a planning application</i>	<i>To be ignored when making a decision on a planning application</i>
<ul style="list-style-type: none"> • Local and National planning policy 	<ul style="list-style-type: none"> • Political opinion or moral issues
<ul style="list-style-type: none"> • Visual impact 	<ul style="list-style-type: none"> • Precedent (individual merits of each case)
<ul style="list-style-type: none"> • Loss of privacy 	<ul style="list-style-type: none"> • Applicants personal circumstances
<ul style="list-style-type: none"> • Loss of daylight / sunlight 	<ul style="list-style-type: none"> • Private issues between neighbours
<ul style="list-style-type: none"> • Noise, dust, smells, vibrations 	<ul style="list-style-type: none"> • Problems arising from construction period
<ul style="list-style-type: none"> • Pollution and contaminated land 	<ul style="list-style-type: none"> • Loss of trade / business competition
<ul style="list-style-type: none"> • Highway safety, access, traffic and parking 	<ul style="list-style-type: none"> • Impact on property value
<ul style="list-style-type: none"> • Flood risk (coastal and fluvial) 	<ul style="list-style-type: none"> • Loss of a view
<ul style="list-style-type: none"> • Health and Safety 	<ul style="list-style-type: none"> • Alternative proposals
<ul style="list-style-type: none"> • Heritage and Archaeology 	<ul style="list-style-type: none"> • Retention of existing use
<ul style="list-style-type: none"> • Biodiversity and Geodiversity 	<ul style="list-style-type: none"> • There is a better site for the development
<ul style="list-style-type: none"> • Crime and the fear of crime 	<ul style="list-style-type: none"> • Land ownership / restrictive covenants
<ul style="list-style-type: none"> • Economic impact 	<ul style="list-style-type: none"> • Changes from previous approved schemes
<ul style="list-style-type: none"> • Planning history or previous decisions made 	<ul style="list-style-type: none"> • Building Regs (fire safety, land stability etc.)
<ul style="list-style-type: none"> • Economic viability of the scheme 	



Planning Committee

22 April 2026

Report of: Director for Neighbourhood and Regulatory Services

Subject: UPDATE ON ENFORCEMENT ACTIONS

1. Purpose of Report

1.1 To update members with regard to enforcement actions that have been taken.

1.2 The following enforcement actions have been taken within this reporting period:

1. A Breach of Condition Notice has been served in respect of non-compliance with archaeology conditions at land at Wynyard Village.
2. A Temporary Stop Notice has been served in respect of non-compliance with archaeology conditions at land at Wynyard Village.
3. A Breach of Condition Notice has been served in respect of non-compliance with an archaeology condition at land at Wynyard Village.
4. A Temporary Stop Notice has been served in respect of non-compliance with an archaeology condition at land at Wynyard Village.

5. An Enforcement Notice has been served in respect of the erection of an entrance porch and the erection of a fence at a residential property at South End, Seaton Carew.

2. Recommendations

- 2.1 That Members note this report.

3. Contact Officer

Scott Parkes
Assistant Director - Neighbourhood Services
Tel: 01429 523207
E-mail: Scott.Parkes@hartlepool.gov.uk

4. Author

Tony Dixon: Enforcement Officer
Neighbourhood and Regulatory Services
Tel (01429) 523277
E-mail: tony.dixon@hartlepool.gov.uk



Hartlepool
Borough Council

Planning Committee

22 April 2026

Report of: Assistant Director – Neighbourhood Services

Subject: Development Management Performance – First & Second Quarter 2025-26.

1. Purpose of Report

1.1 This report is for information, to update the Planning Committee on performance of the Development Management service for the first and second quarters of 2025/2026 (April 2025 to September 2025 (inclusive)).

2. Background

2.1 The Development Management service focuses on determining planning applications. The service encourages the use of an advisory service (One Stop Shop) to enable proposals to be considered informally before applications are submitted, helping to improve the quality of development where appropriate. The section is also responsible for monitoring development and, where necessary, implementing enforcement action against unauthorised development.

2.2 The Government's current statutory determination periods for planning applications are 8 weeks for non-major development, 10 weeks for technical details consent, 10 weeks for development relating to major public service infrastructure projects (excluding EIA development) involving schools, hospitals and criminal justice accommodation, 13 weeks for major development and 16 weeks for EIA (Environmental Impact Assessment)

development.

2.3 The Government sets stringent standards for performance, if these are not met then an authority can come under special measures which would mean that an applicant could apply to the Planning Inspectorate to determine an application rather than the planning authority. The Government's performance criteria (December 2024) require, 60% of major and 70% of non-major applications are determined within the statutory periods (or within an agreed extension of time). The current assessment periods are October 2023 to September 2024 (inclusive) and October 2024 to September 2025 (inclusive). In terms of quality of decision making the criteria are less than 10% of an authorities total decisions on major and non major applications during the assessment period are overturned on appeal. (The current assessment periods are for decisions made between April 2022 and March 2024 (inclusive) and April 2023 to March 2025 (inclusive)).

3. Performance

Speed of decision making

3.1 For the first quarter of 2025/26 the service recorded that 100% of major applications (district matters) were determined within the statutory period (or within an agreed extension of time). For non-major ('minor' or 'other') applications 100% of applications were determined within the statutory period (or within an agreed extension of time). For county matters (mineral and waste) no applications were determined.

3.2 For the second quarter of 2025/26 the service recorded that 100% of major applications (district matters) were determined within the statutory periods (or within an agreed extension of time). For non-major ('minor' or 'other') applications 98% of applications were determined within the statutory periods (or within an agreed extension of time). For county matters (mineral and waste) no applications were determined in quarter 2.

3.3 In all cases, the service is far exceeding the government performance criteria for the speed of decision making. Further in quarters 1 & 2 some 93% of applications were approved.

3.4 In terms of determining applications within the statutory time periods without extensions of time. The government's performance tables, record that for the one year period ending in September 2025 (the end of second quarter) the service determined some 6% of major applications (district matters) within 13 weeks (NE Average some 20.04% National Average some 19.96%). In terms of non-major applications for the one year period ending in September 2025 (the end of quarter 2) some 42% were determined in less than 8 weeks. (NE Average some 51.04% National Average some 55.04%). In terms of major

applications (county matters-minerals & waste) no applications were determined. It should be noted that this period coincided with a period of vacancy/recruitment affected capacity. It is also notable that major applications determined in this period included major residential developments at the south west extension, Hart (Glebe Farm) and Wynyard, and a large solar farm and battery storage facility (generating enough electricity to power some 25,915 homes a year) at Elwick.

Quality of decision making

3.5 For the first and second quarters of 2025/26, two appeals were dismissed and one was allowed.

3.6 The latest assessment periods are for decisions made between April 2022 and March 2024 (inclusive) and April 2023 to March 2025 (inclusive) with only 0.5% of decisions on non major applications overturned on appeal, 6.1% of major decisions (district matters) overturned on appeal, and no county matters decisions overturned on appeal in the two year period to March 2025 (inclusive) we are within the government performance target of less than 10%.

4. Recommendations

4.1 That Members note this report.

5. Contact Officer

Scott Parkes
Assistant Director - Neighbourhood Services
Tel: 01429 523207
E-mail: Scott.Parkes@hartlepool.gov.uk

6. Author

Jim Ferguson
Planning and Development Manager
Neighbourhood and Regulatory Services
Tel: (01429) 523274
E-mail: Jim.Ferguson@hartlepool.gov.uk



Planning Committee

22nd April 2026

Report of: Assistant Director - Neighbourhood Services

Subject: PLANNING APPEAL AT ALVIN HOUSE. 9 SOUTH
END, HARTLEPOOL, TS25 1DB
APPEAL REF: APP/H0724/Z/25/ 6002479.
Erection of entrance porch and the erection of a fence
(part retrospective) H/2025/0140

1. Purpose of Report

1.1 To advise members of a planning appeal that has been determined in respect to a planning application for the erection of an entrance porch and the erection of a fence (part retrospective). (H/2025/0140).

1.2 The Appeal was dismissed. A copy of the Inspector's decision (dated 10/03/2026) is attached (**Appendix 1**).

2. Recommendations

2.1 That Members note this report.

3. Contact Officers

Scott Parkes

Assistant Director - Neighbourhood Services

Tel: 01429 523207

E-mail: Scott.Parkes@hartlepool.gov.uk

4. Author

Emily Palmer
Planning Officer
Neighbourhood and Regulatory Services
Tel (01429) 523246
E-mail: emily.palmer@hartlepool.gov.uk



Appeal Decision

Site visit made on 16 February 2026

by **F Harrison BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9th March 2026

Appeal Ref: 6002479

Alvin House, 9 South End, Hartlepool TS25 1DB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Jim Borthwick against the decision of Hartlepool Borough Council.
- The application Ref is H/2025/0140.
- The development proposed is the erection of entrance porch and the erection of a fence (part retrospective)

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I observed that some elements of the proposal have been undertaken, which appear to broadly accord with what is shown on the plans. However, as the development at the site is not in its finished state, for clarity, I have determined the appeal on the basis of the submitted plans

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area, bearing in mind it would be in the Seaton Carew Conservation Area (SCCA) and adjacent to Grade II listed buildings.

Reasons

4. The appeal site accommodates an end of terrace property, set back from the road by a deep front garden. Despite some differences in appearance including ridge height and materiality, the short row of terraces are in general harmony with each other owing to the similarity of the built form which creates a sense of balance that contributes positively to the character and appearance of the area.
5. The site falls within the SCCA and there are Grade II listed buildings nearby. Mindful of the statutory duty set out in sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act) I have paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, and of preserving the listed buildings or their setting or any features of special architectural or historic interest they possess.
6. From my observations and the SCCA Appraisal and Management Plan (2025) (the Appraisal), the significance of the SCCA, insofar as it is relevant to this case, is derived from the historic pattern of development defining how the settlement has

<https://www.gov.uk/planning-inspectorate>

Appeal Decision 6002479

developed over time and includes the informal layout, position and vernacular form of modest cottages associated with the settlement's roots, including those on South End. As part of a row of terraces on South End, the appeal site makes a positive contribution to the SCCA.

7. 8 South End adjoining the appeal property is a Grade II listed building, included for group value with No 7. Their special interest and significance stems from their historic and architectural interest as early/mid eighteenth and nineteenth century cottages with limestone rubble and clay pantile roofs. Nos 5 and 6 is also a Grade II listed building, the special interest and significance of the pair of terraced houses is derived in part from their architectural interest and their historic fabric. The settings of the listed terraces comprise the streetscape within which they are located, including the appeal site which has a visual relationship with the listed buildings. As part of the short row of terraces the appeal site makes a positive contribution to the listed buildings, even if the appeal property itself is not listed.
8. Irrespective of the mathematical proportion of the porch in relation to the elevation, owing to the scale and massing of the projection the proposal would be a prominent addition, unbalancing the character and appearance of the appeal property and the row of terraces. The porch's width would ensure that the ridge is centralised as much as possible within the main elevation. Yet the bulky proportions and significant projection from the main elevation, in relation to its surroundings where there is an absence of porches, would result in the proposal being a discordant feature in the street scene.
9. Despite the appeal property's set back from the road and intervening vegetation, the porch would be visible above the proposed boundary treatment on approach from South End, Regal Close and in either direction from Tees Road. In these views, the porch would stand out as being incongruous because it is not reflective of the rest of the terraces and due to its prominent form. The proposal would not be physically attached to the listed building at No 8, nor obscure views of it or the wider terrace. However, such a prominent form of development would disrupt the general harmony and rhythm of the heritage assets which are noted in the Appraisal as key buildings within Character Area 2: South of the SCCA.
10. I observed the use of brick in the wider surrounding area, including at the bottom of the rear extension at the appeal property, however it does not feature on the main elevation of the properties on South End. While it would add a contrast to the cream render at the appeal property, the limited visual connection with the rest of the terrace means that it would draw the eye, exacerbating the proposal's incongruity. A condition could be imposed to secure the use of render to match the existing property however this would not overcome the harmful scale and massing.
11. Porches can fall under permitted development, are commonplace on smaller period properties with narrow hallways and are not prohibited by the development plan. Nevertheless, Policy HSG11 of the Hartlepool Local Plan (2018) (HLP) requires extensions to be of a size, design and use materials that are sympathetic to the existing dwelling and surrounding area and HLP Policy QP4 requires that development positively enhances its location and setting. As explained above, that would not be the case with the appeal scheme in this sensitive historic location.
12. The door to the appeal property would be on the side of the porch to reduce exposure to the North Sea and reduce heat loss. A tall window would be located

<https://www.gov.uk/planning-inspectorate>

2

Appeal Decision 6002479

centrally which provides a focal point, and it would not be readily discernible above the boundary treatment that it was not a door. As such this detail in itself would not be a detrimental component.

13. Overall, the proposal would appear out of place, detracting from the historic environment and would not preserve or enhance the character or appearance of the SCCA and would harm its significance as a whole. It follows that it would also not preserve the setting of the listed buildings. The proposal would not therefore meet the requirements of the Act or the provisions in the National Planning Policy Framework (the Framework) regarding the conservation and enhancement of the historic environment.
14. In coming to this conclusion, I have taken into account that the SCCA is identified as a heritage asset at risk on Historic England's register of sites that are most at risk of being lost because of neglect, decay or inappropriate development. The retention, protection and enhancement of heritage assets at risk is identified as a priority for the Council under HLP Policy HE7.
15. Due to the scale and nature of the proposal relative to the designated heritage assets, the degree of harm to the significance of the SCCA and the listed buildings would be less than substantial, and towards the lower end of the spectrum. Nevertheless, the Framework requires that great weight should be given to the conservation of heritage assets, irrespective of the level of harm. Any harm to the significance of a designated heritage asset should also require a clear and convincing justification and be weighed against the public benefits.
16. The proposal would increase the accessibility of the property as the proposed wider steps would be easier to traverse than the previous narrow steps. Even if a scheme is not permissible under permitted development because of the required height taking account of the difference of internal and external floor levels, it has not been shown that the proposal is the only way to achieve the appellant's aim for greater accessibility and so this matter attracts limited weight.
17. The height of the proposed boundary treatment was reduced during the application stage and the plans show a boundary treatment of a 1 metre timber fence with a yew hedge which is not in dispute. I see no clear reason to disagree. However, this, and any other policy compliance would be a neutral matter, weighing neither for nor against the appeal scheme. The Council's handling of the application has not affected my consideration of the planning merits of the case.
18. Taking the above into consideration, the sum of the public benefits of the proposal would not outweigh the harm to the significance of the designated heritage assets that I have identified, and the considerable importance and weight this carries.
19. To conclude, the proposal would be unduly harmful to the character and appearance of the surrounding area, failing to preserve the SCCA and the adjacent Grade II listed buildings. It would be in conflict with HLP Policies HE1, HE3, HE4, HE7, HSG11 and QP4 insofar as they require development within a conservation area and the setting of a listed building to be of a high quality design and conserve and/or enhance the historic environment and heritage assets at risk, weighing any less than substantial harm against the public benefits.

<https://www.gov.uk/planning-inspectorate>

3

Appeal Decision 6002479

Conclusion

20. My above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR



Planning Committee

22nd April 2026

Report of: Assistant Director - Neighbourhood Services

Subject: PLANNING APPEAL OUTCOMES AT LOW
THROSTON HOUSE, NETHERBY GATE, HART
LANE, HARTLEPOOL,

Low Throston House, Netherby Gate, Hart Lane

Appeal A Ref: APP/H0724/X/24/3356466;

(HBC Ref H/2024/0098)

Appeal against a refusal to grant a certificate of lawful use or development (LDC) development for which a certificate of lawful use or development is sought is for a lawful use to be confirmed for the fence line around the new bungalow.

+

Appeal B Ref: APP/H0724/C/24/3344250;

Appeal against a Planning Enforcement Notice relating to breach of planning control as alleged in the notice is without planning permission, namely the change of use of land to extend curtilage of 1No. dwelling approved under H/2021/0215 and erection of fence to enclose land into residential curtilage.

1. Purpose of Report

1.1 To advise members of the outcome of a combined planning appeal (2 appeals, as set out in the subject title) that have been determined in respect to both a) a Lawful Development Use application for the fence line around the new bungalow (H/2024/0098) and b) in respect to a Planning Enforcement Notice relating to breach of planning control as alleged in the issued planning enforcement notice is without planning permission, namely the change of use of land to extend curtilage of 1No. dwelling approved under H/2021/0215 and erection of fence to enclose land into residential curtilage.

1.2 Both Appeals have been dismissed. A copy of the Inspector's decision(s) (dated 30/03/2026) is attached (**Appendix 1**).

2. Recommendations

2.1 That Members note this report.

3. Contact Officers

Scott Parkes
Assistant Director - Neighbourhood Services
Tel: 01429 523207
E-mail: Scott.Parkes@hartlepool.gov.uk

4. Author

Kieran Campbell
Senior Planning Officer
Neighbourhood and Regulatory Services
Tel (01429) 242908
E-mail: kieran.campbell@hartlepool.gov.uk



Appeal Decisions

Site visit made on 26 February 2026

by Zoë Franks, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 30 MARCH 2026

Appeal A Ref: APP/H0724/X/24/3356466

Low Throston House, Netherby Gate, Hart Lane, Hartlepool, TS26 0LF

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr Andrew Haygarth against the decision of Hartlepool Borough Council.
 - The application ref H/2024/0098, dated 3 April 2024, was refused by notice dated 29 May 2024.
 - The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 (as amended).
 - The development for which a certificate of lawful use or development is sought is for a lawful use to be confirmed for the fence line around the new bungalow.
-

Appeal B Ref: APP/H0724/C/24/3344250

Netherby Gate, Hart Lane, Hartlepool, TS26 0LF

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Andrew Haygarth against an enforcement notice issued by Hartlepool Borough Council.
 - The notice was issued on 10 April 2024.
 - The breach of planning control as alleged in the notice is without planning permission, the change of use of land to extend curtilage of 1No. dwelling approved under H/2021/0215 and erection of fence to enclose land into residential curtilage.
 - The requirements of the notice are to 1) Restore the fence line boundary to its original position as shown on plan 415d-S2D SITE PLAN (Proposed)(date received 24/05/2021 by the LPA approved under reference H/2021/0215 (copy attached) in accordance with the following methodology: (i) The fence posts shall be cut to be level with, or marginally below original ground level (maximum 200mm depth without any ground disturbance). (ii) The revetment feature at the inside base edge of the fence shall be: a. removed if it has been placed on the original ground surface OR, b. cut to ground level. (iii) If the upright sleeper retaining wall and any brickwork/foundations associated with the patio are to the west of the redefined line of the boundary these shall be removed to ground level without additional ground disturbance. 2) Remove any debris associated with steps 1) (i), (ii) and (iii).
 - The period for compliance with the requirements is 2 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(b), (c), (d), (f), (g) of the Town and Country Planning Act 1990 (as amended).
-

Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. It is directed that the enforcement notice is corrected and varied by:
 - the deletion of the words "the change of use of land to extend curtilage of 1No.dwelling approved under H/2021/0215 and erection of fence to enclose land into residential curtilage" and their substitution with the words "the

<https://www.gov.uk/planning-inspectorate>

Appeal Decisions APP/H0724/X/24/3356466, APP/H0724/C/24/3344250

material change of use of land to extend the garden of 1No.dwelling approved under H/2021/0215 and erection of fence” in paragraph 3; and

- the deletion of 2 months and its substitution with 3 months as the time for compliance.
3. Subject to the corrections and variation, the appeal is dismissed and the enforcement notice is upheld.

Preliminary Matters

The description of the existing development given in the LDC application in Appeal A

4. The application form indicates that the appellant is seeking an LDC for an existing use which is described as “A Lawful Use to be confirmed for the fence line around the new bungalow as determined by the Expert Witness Chartered Surveyor’s report dated 16 January 2024 and the application Statement of Case.” It is the boundary line, and therefore the use of the land, that the application is seeking to confirm rather than the physical fence itself. This is confirmed by the arguments made by the appellant in his Statement of Case.

Curtilage

5. The curtilage of a house is the land which is so intimately associated with the building that the land forms part and parcel of the building¹. The curtilage of a dwellinghouse is not a planning use of land.

The Notice

6. It is evident in this case that the parties agree that the appeal land is being used for residential purposes incidental to the use of the Bungalow. The allegation in the enforcement notice in Appeal B should therefore be corrected to refer to the change of use of the land for residential purposes in order to be clear and precise. This can be done without causing injustice as it reflects the way in which the parties have put their cases.
7. Section 55 of the Town and Country Planning Act 1990 (“the 1990 Act”) defines development as the carrying out of building, engineering, mining or other operations in, on over or under land, or the making of any material change in the use of any buildings or other land.
8. Whilst the appellant argues that there has not been a change of use of the appeal land, neither party has raised an argument regarding the materiality of any change of use. The Council state that there was a change of use which required planning permission, and as such they must be alleging that there had been a material change of use to fall within the definition of development. And the appellant is arguing that there has been no change of use.
9. I will deal with whether there has been a change of use, and whether it was material, under grounds (b) and (c) in Appeal B below. The allegation should therefore be corrected to refer to a material change of use so that it accords with section 55 of the 1990 Act, and I am satisfied that I can do this without causing injustice to the parties as it does not affect their respective cases.

¹ Methuen-Campbell v Walters [1979] 1 QB 525

Human Rights Act 1998

10. The rights of the appellant to a private and family life, home and correspondence, and to enjoy their property as enshrined in the Human Rights Act 1998 are not engaged in an LDC appeal, or the legal grounds of an enforcement notice appeal (which includes grounds (b), (c) and (d)).
11. The right to a fair trial under Article 6 applies to all grounds of enforcement appeals and to LDC appeals. I am satisfied that the appeal procedure fulfils this requirement, and there is nothing to indicate that the appeals have not been procedurally fair, or that the appellant has not had a fair opportunity to make his case. There is also nothing before me to show that there has been discrimination in relation to the protected characteristics. The Council must consider whether enforcement action is expedient in each case, and it is not a matter for the inspector to determine on appeal.

Planning History

12. The most relevant elements of the planning history of the site for the purposes of these appeals are:
 - Reference: H/2020/0062 approved 20/12/2020, outline planning permission approved with some matters reserved for the erection of a dwellinghouse ("the Outline Permission");
 - Reference: H/2021/0215 approved 02/08/2021, approval of reserved matters relating to appearance, landscaping layout and scale for the erection of a single residential dwelling pursuant to outline planning permission H/2020/0062 ("the Reserved Matters"); and
 - Planning appeal reference: APP/H0724/W/23/3323428, dated 8 December 2023 refusal of change of use of land to extend curtilage of 1no. dwelling approved under H/2021/0215 ("the 2023 Appeal"). The work had already taken place and the appeal was dealt with on a retrospective basis.

The Planning Unit

13. The case of *Burdle & Williams v SSE New Forest DC* [1972] 1 WLR 1207 held that the planning unit is usually the unit of occupation, unless a smaller area can be identified which, as a matter of fact and degree is physically separate and distinct and occupied for different and unrelated purposes. Whilst the appellant states that he has a larger land holding than the appeal site, the occupation of land is not always or necessarily the same as its ownership.
14. In this case, a separate dwellinghouse use was created at the Bungalow which is not ancillary or incidental to the use of Low Throston House. Whilst I do not have details regarding the occupiers of the Bungalow, the implementation of the Outline Permission and Reserved Matters has created a separate unit of occupation with physical and functional separation from the wider unit.
15. I have taken into account the evidence submitted by the Chartered Surveyor on behalf of the appellant. This deals with the possible boundaries of the land when the houses were built with reference to the official copy title plan for 3 Netherby Gate and the boundary of the scheduled monument.

Appeal Decisions APP/H0724/X/24/3356486, APP/H0724/C/24/3344250

16. The ownership boundary may be different to the boundary of the lawful planning uses on the appeal land. Ownership of land alone, or indeed the boundary of the scheduled ancient monument does not confer or confirm a lawful planning use. Such uses can change or be lost over time depending on the actual use of the appeal land as a matter of fact and degree.
17. The appellant states that he and his family have used the wider site within his ownership "in a manner compatible with the residential curtilage of Low Throston House". However, he has not provided details of his land ownership, or regarding the activities that have taken place on specific parts of it, and whether such uses took place for an uninterrupted period of 10 years. In addition, the appeal land appears undifferentiated from the rest of the adjacent field prior to its enclosure within the Bungalow unit.
18. Of particular relevance in these appeals, the appellant has not provided details regarding any such specific previous use of the land which has now been enclosed as part of the Bungalow boundary. He has therefore not shown on balance that it had an existing residential use. In any event, such an existing use, if shown, would be incidental to the use of Low Throston House and not the newly created planning unit of the Bungalow.
19. Even if it could be shown that the particular section of the land which was part of the adjoining field in which the scheduled monument is located had a residential use previously, the very act of fencing it meant that it became associated with the Bungalow and the new planning unit.

Appeal A

20. The planning merits of the development are not relevant in an LDC appeal. There may well be other encroachments onto land in the vicinity but those matters are not before me in these appeals, and each case will be dependent on its facts and context. The actions of Historic England and the LPA during the investigations and previous planning applications are also not relevant to the factual matters being determined in these appeals.
21. Section 191(2) provides that uses and operations are lawful at any time if:
 - a) no enforcement action may then be taken in respect of them and
 - b) they do not constitute a contravention of any of the requirements of an enforcement notice then in force.
22. There was not an enforcement notice in force at the date of the LDC application as the notice which is the subject of Appeal B was issued subsequently. Therefore, the main issue to be considered is whether enforcement action could have been taken on that date in respect of the description of development provided in the application.
23. A material change of use becomes immune from enforcement action after a substantially uninterrupted period of use of 10 years. To succeed in the LDC appeal, the appellant would therefore need to prove on the balance of probabilities that there has been such continuous use, and with no intervening lawful use, from at least 3 April 2014 (10 years before the date of the LDC application).

<https://www.gov.uk/planning-inspectorate>

4

Appeal Decisions APP/H0724/X/24/3356466, APP/H0724/C/24/3344250

24. As I have set out above, the appellant has not shown that there was an existing residential use of the appeal land before it was fenced to enclose the garden for the Bungalow. This occurred less than 10 years before the date of the LDC application and was not immune from enforcement action.
25. The appellant's statement of case in the LDC appeal raises the permitted development rights for the erection of a fence under the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 2, Class A. He argues that as the fence is less than 2 metres in height it is permitted operational development under Class A.
26. The LDC application was for the use of the land as it seeks to confirm that the fence line is lawful. The permitted development rights under Part 2, Class A do not grant permission for the whole of the development as they can only grant permission for the operational element. As the material change of use of the land does not benefit from permitted development rights, and an existing lawful residential use has not been shown on balance, the LDC appeal does not succeed.

Conclusion on Appeal A

27. For the reasons given above, I conclude that the Council's refusal to grant a certificate of lawful use or development for the fence line around the new bungalow the is well-founded and that the appeal should fail. I will exercise accordingly the powers transferred to me in section 195(3) of the 1990 Act (as amended).

Appeal B

28. As there is not a ground (a) appeal or deemed planning application, the planning merits of the development are not being considered as part of this appeal.

Ground (b)

29. This ground of appeal is on the basis that the matters alleged in the notice have not occurred.
30. It is evident from the planning history of the site as set out previously, and my observations during the site visit that a new planning unit has been formed, and that the area of land enclosed is greater than that had been granted permission under the Outline and Reserved Matters consents.
31. Based on the information before me, the land was not previously part of the garden of the Low Throston House, or any other dwelling. This means that there was a material change of use of the enclosed land to residential as alleged in the notice when it became part of the curtilage to the Bungalow and was separated from the rest of the field by the fence. It has not been shown on balance that the appeal land had a residential use associated with any dwellinghouse prior to the creation of the Bungalow planning unit and erection of the associated boundary fence. It is for the appellant to prove their case on this ground of appeal on the balance of probabilities but he has not done so here.
32. The appeal on ground (b) does not therefore succeed.

<https://www.gov.uk/planning-inspectorate>

5

Ground (c)

33. This ground of appeal is that the matters stated in the notice do not constitute a breach of planning control.
34. The boundary for the outside area associated with the residential use of the Bungalow was provided by the Reserved Matters. The additional land to the north and west of that boundary which has since been enclosed by the fence did not acquire a residential use through the Outline Permission and Reserved Matters.
35. The development being targeted by the enforcement notice is the material change of use of the land which I have found to have taken place as set out above. The works to fence the land are integral to the unauthorised residential use, and as such can be required to be removed as facilitating this unauthorised use. This is notwithstanding that the fence may fall within Class A, Part 2, Schedule 2 of the GPDO, as caselaw confirms that an enforcement notice which is targeted as a material change of use may require the removal of works that are ancillary or incidental to that unauthorised use, even if such works would be permitted development.²
36. The purpose of the fence was to enable the material change of use, and was therefore part and parcel of that use. As such, it is not immune from enforcement action as the appeal under ground (c) fails.

Ground (d)

37. It is unclear on the evidence exactly when the material change of use or works took place, but the appellant has not shown on balance that this happened more than 10 years prior to the issue of the enforcement notice. The alleged development is therefore not immune from enforcement action and the appeal on ground (d) fails.

Ground (f)

38. The requirement to remove the fence does not exceed what is necessary to remedy the breach of planning control. The requirement in fact under-enforces the alleged breach in that it does not seek to restore the land to its condition before the breach as it only requires the fence posts and other features to be cut to ground level. This is to prevent any additional ground disturbance, and I am satisfied that this can be achieved if undertaken with due care and attention.
39. As such, the steps required by the notice do not exceed what is necessary to remedy the alleged breach, and the appeal on this ground does not succeed.

Ground (g)

40. The appellant requests an extension of the compliance period to 6 months but does not provide any specific reason for this suggested extension other than stating that it would be more reasonable. The works required by the notice are not extensive, even considering that they will have to be undertaken carefully to prevent additional ground disturbance. However, to allow sufficient time to arrange for an appropriately experienced person to undertake these works, an additional month is reasonable and the compliance period should be extended to 3 months.

² *Murfit v SSE* [1980] PL 630

Appeal Decisions APP/H0724/X/24/3356466, APP/H0724/C/24/3344250

41. The appeal under ground (g) succeeds to this limited extent.

Zoë Frankš

INSPECTOR